



# NORTHERN INDUSTRIAL REDEVELOPMENT PLAN

**CITY OF PERTH AMBOY  
MIDDLESEX COUNTY, NEW JERSEY**

ADOPTED BY CITY COUNCIL \_\_\_\_\_  
Referred by Perth Amboy Planning Board on \_\_\_\_\_

Revisions Prepared by:

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# SECTION 1: INTRODUCTION

After review and recommendation by the Perth Amboy Planning Board, and pursuant to the Local Redevelopment and Housing Law, the City of Perth Amboy designated this Area as An Area in need of Redevelopment on February 2, 1997. In addition, the City Council adopted the original *Focus 2000 Redevelopment Plan* on May 5, 1997. This Plan has been amended from time to time, and individual plans for each redevelopment area have been developed: Area 1 – **The Gateway**, Area 2 – **The Waterfront**, and Area 3 – **Northern Industrial**. This document sets forth the plan for **Northern Industrial** (formerly known as North Redevelopment Area 1). Upon the recommendation of the Perth Amboy Redevelopment Agency (PARA) and the Planning Board, the City has determined to amend **Northern Industrial** as provided.

This Redevelopment Plan is organized in the following manner:

**Section 2 – Description of Redevelopment Area 3 – Northern Industrial.** This section provides a written description of the redevelopment area boundaries, a list of properties to be included within the redevelopment boundaries, and a list of properties proposed to be acquired.

**Section 3 – Land Use Map.** Map showing the sub areas of the redevelopment plan and zoning.

**Section 4 – Public Purposes.** This section provides a general overview of the goals and objectives of the redevelopment plan for this area, as well as this Plan's relationship to other local Master Plans.

**Section 5 – Relocation.** This section provides a summary of temporary and permanent relocation assistance to residents and businesses that may be displaced by redevelopment initiatives.

**Section 6 – Land Use Requirements.** This section provides the zoning requirements for the redevelopment area.

**Section 7 – Design Standards and Controls that Apply to all Zones within Northern Industrial.** This section provides design regulations for Area 3.

**Section 8 – Affordability.** Section detailing affordability requirements and regulations.

**Section 7 – Administrative Provisions and Procedures.** This section outlines legal and technical requirements for development within the Plan Area.

## SECTION 2: DESCRIPTION OF NORTHERN INDUSTRIAL

### 2.1. Location + Description of Area 3

The properties included in Redevelopment Area 3 – ***Northern Industrial*** are located in the City of Perth Amboy, County of Middlesex and the State of New Jersey. This area includes approximately 12% of the City's total area and makes up approximately 40% of the total redevelopment areas. The properties included in Area 3 are located north of Route 440. The properties are clustered in four (4) separate areas – Sub-district 3A is the largest parcel of property located between State Street and the Arthur Kill, immediately north of the Route 440 right-of-way. Sub-district 3B is the second largest parcel. It is located between Route 35 and the NJ Conrail line generally north of Route 440, spanning across Amboy Ave. to include various properties on either side of Maurer Road east to the rail line. Sub-district 3C includes the property between State Street and High Street, north of the route 440 ramps, south of the intersection of High Street and State Street. Sub-district 3D includes property west of Route 35 north of Dorothy Avenue and south of Chamberlain Avenue.

As the name of the district suggests, ***Northern Industrial*** is largely composed of industrial, manufacturing, and warehousing uses. The area is located in the northern third of the City, north of Route 440, west of the Arthur Kill, and south and east of the Perth Amboy/Woodbridge boundary.

A majority of the land parcels in this redevelopment area are considerably larger than those in the rest of the City, which is mostly due to the nature of industrial production and warehousing in the area. Much like the properties along the Raritan River and the Arthur Kill in ***The Waterfront*** and ***The Gateway*** districts, the properties that abut the Arthur Kill in the ***Northern Industrial*** district have been subjected to intense industrial uses for the greater part of the last century.

The growth of heavy industry, particularly north of Route 440 and along the Arthur Kill, was supported by the multiple rail lines running through the City as well as the City's strategic location at the mouth of the Arthur Kill and the Raritan River which ultimately flow into the greater New York Harbor. Two freight rail lines are still in operation today - one parallel to State Street crossing into Woodbridge Township, and the conrail track which terminates at Kinder Morgan directly north of the Outerbridge Crossing. Additionally, NJ Transit passenger rail bisects the ***Northern Industrial*** area.

Several of the properties within the redevelopment area have already been redeveloped, including US Foods, Walker Zanger, R3 Reliable Redistribution Resource, and several other large-scale distribution centers. Further north, heavy industrial uses remain.

It is significant to note that the properties located along the Arthur Kill and near the Woodbridge Creek were heavily inundated by floodwater during Superstorm Sandy in 2012. The northern part of Perth Amboy along the Arthur Kill is particularly vulnerable to storm surges and rising sea level because it is generally low-lying and flat. The parcels directly along the river are at least partially within the FEMA (Federal Emergency Management Agency) AE and X flood zones, as are several parcels along the northern border abutting Spa Spring Creek. While this does not preclude development, it does necessitate special design and construction consideration in order to both meet FEMA requirements and provide a sense of security for those who live and invest in the area.

In addition to the industrial uses in the ***Northern Industrial*** redevelopment area, Rudyk Park is found at the northern end of the area abutting Route 440 between High Street and Route 611 (State Street). Rudyk Park is one of the only major public parks within the City of Perth Amboy and provides several amenities including a soccer field, baseball field, basketball courts, playground, and a walking trail. The park is a place of great community pride and is the site of large community festivals throughout the year. However, the park is also limited in capacity due to the physical, infrastructural, and environmental constraints surrounding it.

On the western edge of the redevelopment area, Block 399.04, Lot 1 owned by the Perth Amboy Housing Authority, was a large multifamily residential project which now sits abandoned and partially demolished. This site is proposed for a new public high school pending approvals and a new Housing Authority complex completed in 2016.

Surrounding much of the ***Northern Industrial*** redevelopment area are several established residential neighborhoods with a traditional street grid, as well as some educational institutions, neighborhood commercial, and highway commercial uses. Unlike this traditional grid neighborhood, however, the redevelopment area is generally inaccessible due to large swaths of private industrial land, rail yards and tracks, a lack of pedestrian bridges to cross the railroad, and limited transportation options.

If successfully integrated with the surrounding neighborhoods and uses, this area presents an enormous opportunity for the City of Perth Amboy to introduce new commercial, light industrial, and public/recreational uses. While nearby heavy industry and environmental issues may pose challenges, some of the same elements of the ***Northern Industrial*** area, including the large parcels of land, may be assets to the City offering opportunities for improved connectivity.

## 2.2. Northern Industrial Boundary Description

Zone district boundaries on all lots fronting on a public right-of-way shall be considered to extend to the centerline of said right-of-way.

### 2.2.1. Sub-Area S-3A

Beginning at the pierhead line of the Arthur Kill at the centerline of the Route 440 Right-of-way and the southerly property line of Block 425, Lot 3, thence:

1. Westerly along the southern boundary of Block 425, Lot 3 to the State Street centerline (except Block 427, Lots 3, 3.01 and 4), thence;
2. Northerly along the State Street right-of-way to the northerly limit of Block 430 Lot 3, thence;
3. Easterly along the northerly boundary of Block 430 to the Arthur Kill pierhead line, thence;
4. The entirety of Block 472.01, which is bounded by Keadley Avenue and the northern municipal limit adjacent to Woodbridge Township, at Convery Boulevard, thence;
5. The entirety of Block 472.04, which is bounded by Kozusko Avenue, Cantwell Avenue, and Convery Boulevard, thence;
6. Block 460, Lots 55, 56, 57, and 80-92, with frontage along both State Street and the Conrail right-of-way, referred to as 1037 State Street, thence;
7. Southerly to the Route 440 right-of-way centerline.

### 2.2.2. Sub-Area S-3B

Beginning at the intersection of the centerline of Amboy Avenue and the northerly boundary of Block 475, Lot 1.05, thence:

1. Easterly along the northern border Block 475, Lot 1.05 extended to the eastern boundary of Block 475, Lot 1.05, thence;
2. Southerly along the eastern border of Block 475 and Block 468 to the southern border of Block 468, Lot 1.03, thence;
3. Westerly along the southerly property line of Block 468, Lot 1.03 to the centerline of Amboy Avenue, thence;
4. Southerly along the centerline of Amboy Avenue to the intersection of the southern border of Block 399, Lot 3.04 and Amboy Avenue, thence;
5. Westerly along the south border of Block 399, Lot 3.04 to the eastern border of Block 399, Lot 3.05, thence;

6. Southerly along the eastern border of Block 399, Lot 3.05 to the southern border of Block 399, Lot 3.05, thence;
7. Westerly along the southern border of Block 399, Lot 3.05 to the western border of Block 399, Lot 3.05, thence;
8. Northerly along the western border of Block 399, Lot 3.05 to the southern border of Block 399, Lot 3.03, thence;
9. Westerly along the southern border of Block 399, Lot 3.03 to the western border of Block 399, Lot 1.02, thence;
10. Northerly along the western border of Block 399, Lot 1.02 to the northern border of Block 399, Lot 1, thence;
11. Easterly along the northern border of Block 399, Lot 1 to the centerline of Amboy Avenue, thence;
12. Northerly along the centerline of Amboy Avenue to the northern property line of Block 475, Lot 1.04, thence;
13. Block 418.01, Lots 1 through 9 – Located on the east side of the portion of Catherine Street/Pulaski Avenue which is unimproved, referred to as 802-824 Catherine Street, thence;
14. Block 474, Lot 1.01, 1.02, 2.01, 2.02, and 3 – along the western side Amboy Avenue and the northern municipal boundary with Woodbridge Township, referred to as 1201 Amboy Avenue, thence;
15. Block 465, Lot 1.06 and 1.07 - along the eastern side Amboy Avenue and the northern municipal boundary with Woodbridge Township.

**2.2.1. Sub-Area S-3C**

The entirety of Block 427, Lots 3, 3.01 and 4, which is bounded by Route 440 Ramp, State Street, and High Street.

**2.2.2. Sub-Area S-3D**

The entirety of Block 399.04, which is bounded by Chamberlain Avenue, Dorothy Avenue, and Convery Boulevard, referred to as 601-701 Chamberlain Avenue and 901-959 Convery Boulevard.



## 2.3. Properties

The following properties are included within ***Northern Industrial***, including their block, lot, and property owner at the time of original plan adoption:

BLOCK	LOT	OWNER_NAME	SUB AREA
108	5.04	BRIDGE PERTH AMBOY, LLC	S-3A
108	5.05	CITY OF PERTH AMBOY	S-3A
108	5.06	CITY OF PERTH AMBOY	S-3A
108	5.07	CITY OF PERTH AMBOY	S-3A
108	5.08	BRIDGE PERTH AMBOY, LLC	S-3A
399	1	MORRIS PERTH AMBOY ASSOCIATES, LLC	S-3B
399	1.02	MEMORIAL FIRE HOUSE	S-3B
399	3.03	BOARD OF EDUCATION OF PERTH AMBOY	S-3B
399	3.04	MAGIC ASSOCIATES L.L.C.	S-3B
399	3.05	LEPORE AMBOY ASSOCIATES, LLC	S-3B
399.04	1	CITY OF PERTH AMBOY	S-3D
418.01	1	CITY OF PERTH AMBOY	S-3B
418.01	2	CITY OF PERTH AMBOY	S-3B
418.01	3	CITY OF PERTH AMBOY	S-3B
418.01	4	CITY OF PERTH AMBOY	S-3B
418.01	5	CITY OF PERTH AMBOY	S-3B
418.01	6	CITY OF PERTH AMBOY	S-3B
418.01	7	CITY OF PERTH AMBOY	S-3B
418.01	8	CITY OF PERTH AMBOY	S-3B
418.01	9	CITY OF PERTH AMBOY	S-3B
425	1.01	KINDER MORGAN LIQUID TERMINALS, LLC	S-3A
425	1.02	BRIDGE PERTH AMBOY, LLC	S-3A
425	3	PORT OF NY AUTHORITY	S-3A
426	2	KINDER MORGAN LLC,C/O THOMSON TAX	S-3A
426	3.04	BRIDGE PERTH AMBOY, LLC	S-3A
427	1	CITY OF PERTH AMBOY RUDYK PARK	S-3A
427	2	CITY OF PERTH AMBOY	S-3A
427	3	PERTH AMBOY SELF STORAGE, LLC	S-3C
427	3.01	PERTH AMBOY SELF STORAGE, LLC	S-3A
427	4	PERTH AMBOY SELF STORAGE, LLC	S-3C
427	5	WANG & XU, LLC	S-3A

BLOCK	LOT	OWNER_NAME	SUB AREA
428	1.01	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.02	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.03	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.04	PERTH AMBOY 1160 LLC	S-3A
428	1.05	BRIDGE PERTH AMBOY, LLC	S-3A
429	1	KINDER MORGAN, INC. ATTN:PROP. TAX	S-3A
430	1	PERTH AMBOY 1160 LLC	S-3A
430	1.01	PERTH AMBOY 1160 LLC	S-3A
430	2	PERTH AMBOY 1160 LLC	S-3A
430	3	PERTH AMBOY 1160 LLC	S-3A
430	4	PERTH AMBOY 1160 LLC	S-3A
430	5	COLONIAL PIPELINE CO.(SUITE 100)	S-3A
460	55	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	56	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	57	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	80	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	81	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	82	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	83	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	84	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	85	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	86	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	87	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	88	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	89	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	90	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	91	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	92	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
468	1.01	MATRIX PERTH AMBOY INDUSTRIAL, LLC	S-3B
468	1.02	MATRIX PERTH AMBOY INDUSTRIAL,LLC	S-3B
468	1.03	MATRIX PERTH AMBOY INDUSTRIAL A,LLC	S-3B

BLOCK	LOT	OWNER_NAME	SUB AREA
469	1	MORRIS PERTH AMBOY ASSOCIATES, LLC	S-3B
469	2	PROLOGIS, L.P. C/O TAX COORDINATOR	S-3B
472.01	1	TAKACS, JOHN	S-3A
472.01	2	ERS HOLDINGS, LLC	S-3A
472.01	3	ERS HOLDINGS, LLC	S-3A
472.01	4	SINGURA, ZENON & LYDIA	S-3A
472.01	5	BARASKY, K., CARRUBA, Z. & MORIN, J	S-3A
472.01	6	NATELLI, KENNETH	S-3A
472.01	7	NATELLI, KENNETH	S-3A
472.01	8	NATELLI, KENNETH	S-3A
472.01	9	NATELLI, KENNETH	S-3A
472.01	20	MAUSER CORP	S-3A
472.01	21	MAUSER CORP	S-3A
472.01	22	MAUSER CORP.	S-3A
472.02	1	FIRST NORTHERN BANK & TRUST CO.	S-3A
472.02	2	1132 CONVERY BLVD LLC	S-3A
472.02	3	1132 CONVERY BLVD LLC	S-3A
472.02	4	1132 CONVERY BLVD LLC	S-3A
472.02	5	1132 CONVERY BLVD LLC	S-3A
472.02	6	BRUNO, ROBERT & LUCILLE	S-3A
472.02	7	BRUNO, ROBERT & LUCILLE	S-3A
472.02	8	BRUNO, ROBERT & LUCILLE	S-3A
472.02	9	BRUNO, ROBERT & LUCILLE	S-3A
472.02	10	BRUNO, ROBERT & LUCILLE	S-3A
472.02	11	BRUNO, ROBERT & LUCILLE	S-3A
472.02	12	BRUNO, ROBERT & LUCILLE	S-3A
472.02	13	BRUNO, ROBERT & LUCILLE	S-3A
472.02	14	BRUNO, ROBERT & LUCILLE	S-3A
472.02	15	BRUNO, ROBERT & LUCILLE	S-3A
472.02	16	BRUNO, ROBERT & LUCILLE	S-3A
472.02	17	BRUNO, ROBERT & LUCILLE	S-3A

BLOCK	LOT	OWNER_NAME	SUB AREA
472.02	26	LATALA, ROMAN	S-3A
472.02	27	LATALA, ROMAN	S-3A
472.02	28	LATALA, ROMAN	S-3A
472.02	29	LATALA, ROMAN	S-3A
472.02	30	SINGURA, ZENON & LYDIA	S-3A
472.02	31	SINGURA, ZENON & LYDIA	S-3A
472.02	32	SINGURA, ZENON & LYDIA	S-3A
472.02	33	FIRST NORTHERN BANK & TRUST CO.	S-3A
472.02	34	1132 CONVERY BLVD LLC	S-3A
472.02	35	BRUNO, ROBERT & LUCILLE	S-3A
472.04	1	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	2	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	3	RACEWAY REALTY, LLC.	S-3A
472.04	4	NASCIMENTO, A. & N.	S-3A
472.04	5	NASCIMENTO, A. & N.	S-3A
472.04	6	NASCIMENTO, A. & N.	S-3A
472.04	28	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	29	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	30	RACEWAY REALTY, LLC.	S-3A
472.04	31	RACEWAY REALTY, LLC.	S-3A
472.04	32	RACEWAY REALTY, LLC.	S-3A
472.04	33	RACEWAY REALTY, LLC.	S-3A
474	1.01	CROMPTON F/K/A WITCO CORP. TAX DEPT	S-3B
474	1.02	COUNTY OF MIDDLESEX	S-3B
474	2.01	MAUSER CORP.	S-3B
474	2.02	COUNTY OF MIDDLESEX	S-3B
474	3	MAUSER CORP.	S-3B
475	1.05	V & S AMBOY GALVANIZING LLC.	S-3B
475	1.06	SCOPE INDUSTRIES/ATT:FORREST POOL	S-3B
475	1.07	SCOPE INDUSTRIES/ATT:FORREST POOL	S-3B
475	2.01	V & S AMBOY GALVANIZING LLC.	S-3B

BLOCK	LOT	OWNER_NAME	SUB AREA
475	2.02	1160 AMBOY AVE., L.L.C.	S-3B

## 2.4. Properties to be Acquired

The following properties are subject to eminent domain:

BLOCK	LOT	OWNER_NAME	SUB AREA
399	1	MORRIS PERTH AMBOY ASSOCIATES, LLC	S-3B
399	3.03	BOARD OF EDUCATION OF PERTH AMBOY	S-3B
399	3.04	MAGIC ASSOCIATES L.L.C.	S-3B
399	3.05	LEPORE AMBOY ASSOCIATES, LLC	S-3B
425	1.01	KINDER MORGAN LIQUID TERMINALS, LLC	S-3A
425	1.02	BRIDGE PERTH AMBOY, LLC	S-3A
425	3	PORT OF NY AUTHORITY	S-3A
426	2	KINDER MORGAN LLC,C/O THOMSON TAX	S-3A
426	3.04	BRIDGE PERTH AMBOY, LLC	S-3A
427	1	CITY OF PERTH AMBOY RUDYK PARK	S-3A
427	2	CITY OF PERTH AMBOY	S-3A
427	3	PERTH AMBOY SELF STORAGE, LLC	S-3C
427	3.01	PERTH AMBOY SELF STORAGE, LLC	S-3A
427	4	PERTH AMBOY SELF STORAGE, LLC	S-3C
427	5	WANG & XU, LLC	S-3A
428	1.01	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.02	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.03	BRIDGE PERTH AMBOY, LLC	S-3A
428	1.04	PERTH AMBOY 1160 LLC	S-3A
428	1.05	BRIDGE PERTH AMBOY, LLC	S-3A
429	1	KINDER MORGAN, INC. ATTN:PROP. TAX	S-3A
430	1	PERTH AMBOY 1160 LLC	S-3A
430	1.01	PERTH AMBOY 1160 LLC	S-3A
430	2	PERTH AMBOY 1160 LLC	S-3A
430	3	PERTH AMBOY 1160 LLC	S-3A
430	4	PERTH AMBOY 1160 LLC	S-3A
430	5	COLONIAL PIPELINE CO.(SUITE 100)	S-3A
460	55	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	56	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	57	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	80	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A

BLOCK	LOT	OWNER_NAME	SUB AREA
460	81	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	82	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	83	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	84	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	85	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	86	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	87	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	88	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	89	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	90	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	91	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
460	92	SMACY ASSOCIATES, C/O GLOPAK IND.	S-3A
469	1	MORRIS PERTH AMBOY ASSOCIATES, LLC	S-3B
469	2	PROLOGIS, L.P. C/O TAX COORDINATOR	S-3B
472.01	1	TAKACS, JOHN	S-3A
472.01	2	ERS HOLDINGS, LLC	S-3A
472.01	3	ERS HOLDINGS, LLC	S-3A
472.01	4	SINGURA, ZENON & LYDIA	S-3A
472.01	5	BARASKY, K., CARRUBA, Z. & MORIN, J	S-3A
472.01	6	NATELLI, KENNETH	S-3A
472.01	7	NATELLI, KENNETH	S-3A
472.01	8	NATELLI, KENNETH	S-3A
472.01	9	NATELLI, KENNETH	S-3A
472.01	20	MAUSER CORP	S-3A
472.01	21	MAUSER CORP	S-3A
472.01	22	MAUSER CORP.	S-3A
472.02	1	FIRST NORTHERN BANK & TRUST CO.	S-3A
472.02	2	1132 CONVERY BLVD LLC	S-3A
472.02	3	1132 CONVERY BLVD LLC	S-3A
472.02	4	1132 CONVERY BLVD LLC	S-3A
472.02	5	1132 CONVERY BLVD LLC	S-3A

BLOCK	LOT	OWNER_NAME	SUB AREA
472.02	6	BRUNO, ROBERT & LUCILLE	S-3A
472.02	7	BRUNO, ROBERT & LUCILLE	S-3A
472.02	8	BRUNO, ROBERT & LUCILLE	S-3A
472.02	9	BRUNO, ROBERT & LUCILLE	S-3A
472.02	10	BRUNO, ROBERT & LUCILLE	S-3A
472.02	11	BRUNO, ROBERT & LUCILLE	S-3A
472.02	12	BRUNO, ROBERT & LUCILLE	S-3A
472.02	13	BRUNO, ROBERT & LUCILLE	S-3A
472.02	14	BRUNO, ROBERT & LUCILLE	S-3A
472.02	15	BRUNO, ROBERT & LUCILLE	S-3A
472.02	16	BRUNO, ROBERT & LUCILLE	S-3A
472.02	17	BRUNO, ROBERT & LUCILLE	S-3A
472.02	26	LATALA, ROMAN	S-3A
472.02	27	LATALA, ROMAN	S-3A
472.02	28	LATALA, ROMAN	S-3A
472.02	29	LATALA, ROMAN	S-3A
472.02	30	SINGURA, ZENON & LYDIA	S-3A
472.02	31	SINGURA, ZENON & LYDIA	S-3A
472.02	32	SINGURA, ZENON & LYDIA	S-3A
472.02	33	FIRST NORTHERN BANK & TRUST CO.	S-3A
472.02	34	1132 CONVERY BLVD LLC	S-3A
472.04	1	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	2	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	3	RACEWAY REALTY, LLC.	S-3A
472.04	4	NASCIMENTO, A. & N.	S-3A
472.04	5	NASCIMENTO, A. & N.	S-3A
472.04	6	NASCIMENTO, A. & N.	S-3A
472.04	28	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	29	AL CIBELLI HOLDINGS, LLC	S-3A
472.04	30	RACEWAY REALTY, LLC.	S-3A
472.04	31	RACEWAY REALTY, LLC.	S-3A

BLOCK	LOT	OWNER_NAME	SUB AREA
472.04	32	RACEWAY REALTY, LLC.	S-3A
472.04	33	RACEWAY REALTY, LLC.	S-3A
474	1.02	COUNTY OF MIDDLESEX	S-3B
474	2.01	MAUSER CORP.	S-3B
474	2.02	COUNTY OF MIDDLESEX	S-3B
474	3	MAUSER CORP.	S-3B
475	1.05	V & S AMBOY GALVANIZING LLC.	S-3B
475	1.06	SCOPE INDUSTRIES/ATT:FORREST POOL	S-3B
475	1.07	SCOPE INDUSTRIES/ATT:FORREST POOL	S-3B

## **2.5. Future Expansion**

As the subject redevelopment area was amended over time and it, as well as surrounding areas were reevaluated in light of ongoing development, investment, and in some cases disinvestment, it became clear that as the City changes so too do the opportunities for redevelopment.

It is our recommendation that this redevelopment plan be studied for further expansion at the time of the next Master Plan update or reexamination. It is recommended to study the west side of State Street from the Outerbridge Crossing north to the City's border, much of which is currently zoned M-3. Additionally, the eastern side of Convery Boulevard from Spa Spring Road to the Clark Street intersection (Block 472.01, 472.02, 472.03, 472.04).

# SECTION 3: LAND USE MAP



## SECTION 4: PUBLIC PURPOSES

### 4.1. Goals + Objectives

Perth Amboy establishes the following Goals for *Northern Industrial*.

- Provide new office, retail, warehouse, light industrial, recreational, and cultural uses within the City;
- Provide new opportunities for employment;
- Improve traffic circulation in the City;
- Attract new businesses;
- Eliminate those conditions that have caused areas within *Northern Industrial* boundaries to be considered areas in need of redevelopment;
- Create vibrant communities;
- Encourage investment and revitalization from both the public and private markets;
- Provide opportunities for quality commercial and recreational uses;
- Increase open space;
- Plan for future flooding events;
- Encourage environmental sustainability;
- Create a walkable community

To achieve these goals, the objectives for redevelopment of *Northern Industrial* are to:

- Remediate abandoned, fallow industrial sites;
- Strengthen the City's tax base by creating new ratables;
- Create new parking facilities for the projects and visitors to the area, while aiming for an overall decrease in vehicle dependency;
- Provide new facilities for businesses that will be relocated as a result of ongoing redevelopment projects;
- Discourage the development of sprawled or spot locations for commercial uses;
- Provide new office, retail, and recreational uses within the City;

- Provide new employment opportunities;
- Create design standards that will improve the quality of the public environment;
- Improve traffic circulation and foster pedestrianism in the City;
- Integrate existing roadways with new roads to encourage pedestrian and vehicular movement between new and existing developments;
- Prepare for the future possibility of sea level rise, flooding, and other environmental disasters through the implementation of appropriate design standards, landscaping and open space amenities, and resiliency measures;
- Encourage the incorporation of environmentally sustainable architecture, landscaping, and infrastructure through zoning requirements and incentives;
- Establish requirements for waterfront access, open space, and promote the waterfront as an attractive city asset;
- Explore opportunities for using underutilized and inactive rail corridors as open space;
- Strengthen the existing neighborhoods, businesses, and recreational opportunities through increased community access and participation, strategic funding, and better connectivity.

Specifically, ***Northern Industrial*** includes numerous opportunities for development potential, including:

- The Amboy Ave. / Convery Blvd. connector road to be completed in 2018;
- Perth Amboy Storage Facility is anticipated in area S-3D;
- ePort Phase 1 – Viridian Partners Goldman Sachs remediated this site and transferred it to Bridge Development in 2015 for the construction of 1.1 million square feet of warehousing/manufacturing/distribution in 2019;
- ePort Phase II – Bridge Development was designated in mid-2015. Site remediation is on-going. Site development is expected in the fall of 2018 for an additional 1 million square feet of warehousing/manufacturing/distribution;

Since the original adoption of this Plan, numerous projects within ***Northern Industrial*** were completed, including:

- Completed in 2001, Matrix Companies redeveloped 26 acres in the S-3B Area. Approximately 500,000 sf of combined office/light industrial uses were developed (some vacancies remain);
- Completed in 2005, the former Chevron Tank farm in area S-3B was decommissioned, tanks removed, and remediated to enable redevelopment. Morris Companies redeveloped the 69-acre parcel as Amboy Corporate Center with approximately 1.25 million sf of office/light industrial uses;
- Completed in 2004, Glopak Industries relocated to the abandoned EnviroFeed building, eliminating blight.



## 4.2. Relationship to Local Objectives & Municipal Master Plan

The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate that this Redevelopment Plan achieves the stated objectives of the Perth Amboy Master Plan. Perth Amboy's latest Master Plan is dated January 2003. This Redevelopment Plan is generally consistent with and designed to effectuate the 2003 Master Plan as it advances the following goals and objectives identified therein:

### 4.2.1. Goals:

1. Provide greater public access to the waterfront through the redevelopment process, road network improvements and public transportation.
2. Establish Perth Amboy as a waterfront destination.
3. Protect and enhance the water quality of the Raritan River, Raritan Bay, and Arthur Kill.
4. Encourage continued development and redevelopment of the City's vacant and underutilized industrial areas.
5. Provide for the needs of the City's residents including housing, health care, education, libraries, recreational facilities, emergency services, community centers, and infrastructure.
6. Improve and enhance the City's local transportation system. Provide safe and efficient facilities for pedestrians, bicyclists, transit users, ferry passengers, boaters, and driver while protecting the local quality of life.
7. Continue to improve the quality of life within the City.

### 4.2.2. Historic Plan Objectives:

1. The City should promote the history of Perth Amboy, especially its maritime history, as part of the City's redevelopment efforts.

### 4.2.3. Land Use Plan Objectives:

1. Encourage continued remediation and redevelopment of existing brownfield sites within the City.
2. Encourage the development of new commercial uses with a regional appeal.
3. Encourage new retail commercial and mixed- use developments consistent with the City's redevelopment plans.
4. Promote Perth Amboy to light industry and warehouse/distribution uses as an ideal location due to its proximity to major highways, waterways and New York City.

### 4.2.4. Circulation Plan Objectives:

1. Establish other ferry service pick up and drop off destinations along the City's waterfront.
2. Provide additional bicycle/pedestrian routes to promote and improve pedestrian circulation within the City including the Middlesex Greenway Rails-to-Trails initiative.

**4.2.5. Conservation Plan Objectives:**

1. Improve public access to the waterfront through the City's redevelopment planning efforts and the promotion of public waterfront activities.
2. Protect and enhance the water quality of the Raritan River, Raritan Bay, and Arthur Kill.

**4.2.6. Recreation & Open Space Plan Objectives:**

1. Continue to review existing park and recreation facilities to ensure that they meet the needs of the City's growing population, and the City's role as a regional attraction and destination.
2. Continue to develop and promote recreational activities along the waterfront, including the extension of the waterfront esplanade.
3. Continue to expand recreational facilities and pursue open space acquisition.

**4.2.7. Economic Plan Objectives:**

1. Promote continued growth and development of the City's economic base.
2. Focus economic activity in the City's major economic centers, especially the redevelopment areas.
3. Recognize the unique character of each area and promote development that will strengthen and reinforce market niches.
4. Capitalize on the City's competitive advantages for economic development purposes including its location along the waterfront, extensive transportation and utility infrastructure, redevelopment areas, stable labor force, low crime rate and quality of life.
5. Plan for and promote the further redevelopment of underutilized commercial and industrial areas of the City in order to create employment, generate tax ratables and enhance the quality of life for residents and workers.
6. Continue to encourage selected retail, office and light industrial development in the current redevelopment areas. Target corridors for uses that complement existing businesses rather than compete with them.

**4.2.8. The Plan is inconsistent with the Master Plan in the following areas:**

1. Objective: Provide greater public access to the waterfront through the redevelopment process, road network improvements and public transportation. This is not obtainable in the ***Northern Industrial*** area due to federal Homeland Security regulations.

This Redevelopment Plan supports the development of additional bicycle and pedestrian paths throughout Perth Amboy, and any improvements to the bike network or pedestrian safety that are recommended within the Circulation Element Bicycle and Pedestrian Plan of the Master Plan shall be included in the redevelopment of any parcels within ***Northern Industrial***.

### **4.3. Relationship to the Master Plans of Surrounding Municipalities**

Woodbridge Township borders the northwestern perimeter of ***Northern Industrial***. This area is currently zoned by Woodbridge as being for industrial purposes and forms a contiguous use of industrial lands between the municipalities. The 2009 Woodbridge Master Plan for these areas recommends that the abutting property continue to be used for light industrial purposes but with additional Public Quasi Public uses.

### **4.4. Relationship to the Middlesex County Master Plan**

The *2013 Middlesex County Transpiration Plan Element* confirms that the great majority of Perth Amboy residents travel by private vehicle. However, a notable number of residents are also use bicycles. The Plan suggests that bicycle and pedestrian activity could be increased by projects and plans that employ the following:

1. Encouraging walking and bicycling use as alternatives to single-occupant automobile use involving trips that are short and pedestrian and/or bicycle accessible.
2. Making walking and cycling safer, easier, and attractive.
3. Connecting major trip generators with walkways, bikeways, or roadways that provide reasonable accommodation to cycling.
4. Encouraging and promoting complete streets design with accommodations to bicyclists and pedestrians.
5. Promoting land uses and land development patterns that are compatible with the needs of pedestrians and cyclists.
6. Provide marked crosswalks at pedestrian crossings.

Each of these key points has been incorporated into the Redevelopment Plan and demonstrates the shared vision and consistency between the County's Transpiration Plan Element and the Redevelopment Plan.

The *2003 County Open Space Plan* includes in its objectives: "... provide opportunities for a pedestrian and bicycling trail system that is consistent with adjacent land uses and the desires of adjacent land-owners." Additionally, it "encourage[s] efforts at all levels of government to preserve open space and provide and open-space design standards." This plan is consistent with these objectives.

#### **4.5. Relationship to the State Development and Redevelopment Plan**

The State Plan designates the City of Perth Amboy as a Metropolitan Planning Area (PA1). This designation includes communities that are fully developed or almost fully developed. Therefore, as open-space is scarce and considered a highly-valued commodity in these cities, redevelopment efforts within these communities require the municipality to evaluate the use and condition of properties and plan for appropriate redevelopment. A primary goal of the State Plan is to strategically redevelop areas while balancing the need for recreational and open-space acreage.

The proposed Redevelopment Plan for ***Northern Industrial*** is consistent with this designation and contributes to the Metropolitan Planning Area as a whole through the following:

1. Efficient use of available land; Relocation of inappropriately sited uses; Construction of infrastructure improvements; Preparation of zoning standards that will facilitate and encourage the use of public transit systems;
2. Reclamation of environmentally damaged sites; and
3. Promotion of additional recreation avenues.

Finally, Perth Amboy seeks to accomplish these goals through the creation of public/private partnerships with select developers that have a proven track record and the financial capability to complete the planned development within a reasonable schedule and are willing to commit to the City's growth and prosperity.

The development envisioned by this plan is in conformity with the "State Planning Act" 8 P.L. 1985, c. 398 (C.52:18A-196 et al).

## SECTION 5: RELOCATION

In accordance with the applicable requirements of the Relocation Assistance Law and the Relocation Assistance Act and regulations thereunder, in order to assist the residents, tenants and businesses in the redevelopment areas whose properties are proposed for acquisition, the Perth Amboy Redevelopment Agency (PARA) and the City intend to actively provide relocation assistance to residents and businesses which may be displaced by redevelopment. PARA reserves the right to require redevelopers to fund or otherwise facilitate the relocation of tenants impacted by their redevelopment projects. At the time of property acquisition, the actual extent of displacement will be confirmed, and if it is necessary, a Workable Relocation Assistance Plan will be prepared by redeveloper, for review by PARA, which in turn will be submitted to the New Jersey Department of Community Affairs for approval.

Both private and publicly assisted rental and sale housing units are available within the local housing market for varying income levels, and some of those units are available within blocks of the displaced units. PARA and the City will make every effort to offer alternate housing to residents that accommodates their needs with the least disruption. The units are available through the following resources which PARA and redevelopers may partner with the following organizations to assist displaced households: Perth Amboy Housing Authority; Catholic Charities- Metuchen Archdiocese; Cathedral Development Corporation-Second Baptist Church; Harbortown (rental and owner units); Crow's Nest (rental and owner units); Harbor Terrace (rental units) and Hidden Village (rental and owner units). In addition, PARA will make every effort to relocate displaced businesses to appropriate and compatible locations within the City limits.

## SECTION 6: LAND USE

### 6.1. Land Use Map

The Land Use Map, in Section 3 of this document, shows the boundaries and zoning of *Northern Industrial*, as well as the four (4) sub-districts described herein.

### 6.2. Superseding Redevelopment Zoning

This Redevelopment Plan supersedes existing zoning on properties located within the bounds of *Northern Industrial* which are given special zone designation. The existing industrial zoning in the area is rezoned to the following Special Use Zones: S-3A, S-3B, S-3C and S-3D. The redevelopment zoning set forth herein shall apply only to the Redevelopment Areas as defined in this document and as depicted on the attached Zoning Map.

Unless otherwise specified, all Land Use, Building Limit and other Controls contained in this Redevelopment Plan are those of the City of Perth Amboy and do not substitute for any requirements, controls or regulations established by any State or Federal Agency.

### 6.3. Definitions

All definitions shall refer to the Perth Amboy Zoning and Land Development Ordinance, Chapter 430, with the following additions:

**ART STUDIO** – A use providing work space for one or more artists or artisans (such as painter, sculptor, photographer, craftsperson, but not limited thereto) and may also include sale of art on premises, assembly uses and art instruction.

**BREWERY / WINERY / DISTILLERY** – A light industrial use where beer, wine, liquor or other alcoholic beverage is manufactured, packaged and distributed. A tasting room or restaurant shall occupy not less than 20% of the floor area.

**BIG BOX RETAIL** – A singular retail or wholesale user who occupies no less than 80,000 square feet of gross floor area and has a regional sales market. Regional retail/wholesale sales can include but are not limited to membership warehouse clubs that emphasize bulk sales, discount stores, and department stores.

FITNESS CENTER – A use for the purpose of physical fitness which includes, but is not limited to, such equipment as weight resistance machines, whirlpools, saunas, showers, and lockers. The use may include classes available to the public or facility members.

INDOOR ENTERTAINMENT AND RECREATION – An indoor use for the public or private presentation of and/or participation in performing arts, sports and other recreation activities. This term shall include but not be limited to skating rinks, carnivals, bowling alleys, movie theaters, and basketball courts.

LIGHT INDUSTRIAL MANUFACTURING – Industrial uses including warehousing, wholesaling, shipping and receiving, manufacturing, assembly, processing, research, laboratory testing service. Uses shall not produce any corrosive, toxic, noxious fumes, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety, or general welfare, provided however that existing activities not in violation of City, State or Federal law are exempt.

OPEN SPACE - Includes only that part of the ground area of a zoning lot which is devoted to outdoor active or passive recreational space, greenery and services which are normally carried on outdoors. Open space must conform to the minimum dimensions prescribed for the appropriate district and may not be devoted to private roadways open to vehicular transportation, accessory off-street parking space or accessory of street loading berths. There shall be no private structures on the ground, except structures which are privately owned and publicly accessible with prior authorization by PARA. When above grade, open space must be safe, adequately surfaced and protected, and accessible and available to the public.

OUTDOOR ENTERTAINMENT AND RECREATION – An outdoor use for the public or private presentation of and/or participation in performing arts, sports and other recreation activities. This term shall include but not be limited to skating rinks, carnivals, bowling alleys, movie theaters, and basketball courts.

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

PERVIOUS PAVING – A range of materials and techniques for permeable pavements with a base and subbase that allow the movement of stormwater through the surface. It includes but is not limited to permeable paving and concrete, porous paving and concrete, and permeable pavers.

**PUBLIC / QUASI- PUBLIC USE** - Any use that enables a public or private institution to carry out its functions to preserve or promote public health, safety and welfare and shall include, but not be limited to, religious organizations, public and private schools, civic and fraternal organizations, nursing homes, hospitals, public works and government buildings, daycare facilities and non-profit organizations.

**RAIN GARDENS** - Shallow, landscaped depressions with compost amended soil or imported bio-retention soil and plants adapted to the local climate and soil moisture conditions. Storm water is stored as surface ponding before it filters through the underlying amended soil. Storm water that exceeds the surface storage capacity overflows to an adjacent drainage system. Treated water is infiltrated into the underlying soil. Rain gardens call be individual cells or multiple cells connected in series.

**ROOF SIGN** – A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge of a parapet or roofline of a building with a flat roof; the eave line of a building with a gambrel, gable, or hip roof; or the deck line of a building with a mansard roof.

**SELF-STORAGE** - Multi-unit facility deigned or used for the propose of providing individual, compartmentalized and controlled access stalls or lockers for the storage of customer’s property and/or records.

#### **SEXUALLY ORIENTED BUSINESS**

- 1) A commercial establishment which as one of its principal business purposes offers for sale, rental, or display any of the following:
  - a) Books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations which depict or describe a specified sexual activity or specified anatomical area; or still or motion picture machines, projectors or other image-producing devices which show images to one person per machine at any one time, and where the images so displayed are characterized by the depiction of a specified sexual activity or specified anatomical area; or instruments, devices, or paraphernalia which are designed for use in connection with a specified sexual activity.
- 2) A commercial establishment which regularly features live performances characterized by the exposure of a specified anatomical area or by a specified sexual activity, or which regularly shows films, motion pictures, video cassettes, slides, or other photographic representations which depict or describe a specified sexual activity or specified anatomical area.
  - a) As pertaining to the determination of a sexually oriented business, Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.



- b) As pertaining to the determination of a sexually oriented business, specified anatomical area means:
  - i) Less than completely and opaquely covered human genitals, pubic region, buttock or female breasts below a point immediately above the top of the areola; or
  - ii) Human male genitals in a discernibly turgid state, even if covered.
- c) As pertaining to the determination of a sexually oriented business, specified sexual activity means:
  - i) The fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast; or
  - ii) Any actual or simulated act of human masturbation, sexual intercourse or deviant sexual intercourse.

WORK/LIVE CRAFTSPERSON STUDIO— A single, enclosed, private space of not more than 2,000 square feet where at least one-half of the total volume is devoted to work space for the creation, display and sale of created artistic products, and the remainder is used for living purposes by the person who practices their trade or handicraft as an artisan, and who engages in the production of their work, design or objects as a career. Craftsperson studios shall include but not be limited to spaces for woodworkers, dressmakers, jewelers, sculptors, and 3-D printing.

## 6.4. Special Use Zone S-3A

S-3A is applied to Redevelopment Areas within *Northern Industrial* designated for warehousing, light industrial, and commercial uses. See Section 2.3 for Block and Lots.

### 6.4.1. Permitted Principal Uses

1. Warehousing uses, including:
  - i. Wholesale offices and showrooms with accessory storage of goods.
  - ii. Warehousing/distribution.
2. Light Industrial Manufacturing.
3. Automotive Filling Station.
4. Urban agriculture and aquaponics, including the cultivation and harvesting of food or flowers in planters, in greenhouses, in buildings, or on rooftops. Cultivation and harvesting of illegal and controlled substances shall not be permitted.
5. Retail establishments, excluding Big Box Retail.
6. Offices.

7. Banks.
8. Restaurants.
9. Fitness Centers.
10. Indoor Entertainment and Recreation.
11. Outdoor Entertainment and Recreation.
12. Bus shelters and other transportation enclosures, to service a public or private transportation system, and which may be located on private or public property, excluding bus, tram, and/or trolley storage facilities.
13. Improved open space, such as parks, plazas, waterfront walkways/promenades, trails, pocket parks, and community gardens.
14. Any combination of the uses listed above.

**6.4.2. Permitted Accessory Uses**

1. Parking decks and surface parking lots.
2. Off-street loading.
3. Signage, as regulated by Section 7.2 of this document.
4. Retail stores accessory and incidental to Automotive Filling Stations.
5. Fences, walls, hedges, etc., subject to municipal codes and requirements.
6. Temporary Sales or construction trailer(s), when:
  - i. Trailer(s) shall be located on the same lot as the principal permitted use and shall meet all setback requirements for principal buildings in the zone.
  - ii. Trailer(s) shall be shown on the site plan for the principal permitted use.
  - iii. Trailer(s) shall be permitted to remain only for the period of construction, renting or sale of the permitted use.
  - iv. Only one sales trailer and one construction trailer are permitted per project.
7. Exterior trailer storage for staging of loading and unloading operations, with goods or materials in the trailers located in rear yards, provided it is heavily screened from view from any road frontage or side yard for a period not to exceed 24 hours. Stacked trailers/containers are prohibited. This shall not be deemed to prohibit parking

or loading and unloading of trucks from warehouse uses in areas other than rear yards, provided that the area is shielded from public view.

8. Storage of goods incidental to the conduct of a retail business.
9. Plazas, pocket parks, and community gardens.

#### **6.4.3. Conditional Uses**

Uses requiring a conditional use permit, subject to the provisions of Article VIII of the Perth Amboy Land Development Ordinances (Chapter 430).

1. Quasi-public buildings.
2. Cellular and digital antennas, provided units are co-hang units, and the overall height to the top of the structure and antenna is no higher than 155 feet from the ground.

#### **6.4.4. Prohibited Uses**

1. Those uses creating noxious or injurious effects from dust, smoke, refuse, fumes, glare, vibrations or any uses involving any danger of fire, explosion or offensive noise, odors, heat or other objectionable influences, as detailed in Section 430-60(K) of the City of Perth Amboy Zoning and Land Development Ordinance.
2. Billboards or signs painted upon the exterior side or rear walls of any principal or accessory building or structure. Murals approved by the City's Arts Council or other City Agency with approval from the Property Owner and the Redevelopment Agency shall be the only exception, as long as they do not advertise a business, activity, or product.
3. Any exterior storage of goods or materials except in the case of warehouse uses where such use is only prohibited if it is visible from the street.
4. Sexually Oriented Business.
5. Pawn Shops and Cash Checking establishments.
6. Automotive (New or Used) Sales and Service.
7. Big Box Retail.
8. Vehicle parking lots other than those permitted as accessory uses.
9. Junk or salvage yards.

### 6.4.5. Bulk Standards

Required bulk standards are detail in the Bulk Standard table. Additional bulk standards and exceptions not addressed in the Bulk Standard table are set forth below.

<b>S-3A</b>			
	<b>Warehousing/ Distribution</b>	<b>Filling Stations</b>	<b>All Other Uses</b>
<b>Minimum Lot Area (square feet)</b>	100,000	10,000	10,000
<b>Minimum Lot Width (feet)</b>	200	100	100
<b>Minimum Lot Depth (feet)</b>	500	100	100
<b>Minimum Yards (feet)</b>	-	-	-
Front Yard	-	20	15
Side Yard	25	10	10
Side Yard (both combined)	50	20	20
Rear Yard	50	20	20
<b>Maximum Height (feet)</b>	60	25	25
<b>Maximum Height (stories)</b>	4	2	2
<b>Maximum Lot Coverage by Building (percent)</b>	40	-	50
<b>Maximum Impervious Coverage (percent)</b>	75	75	75
<b>Minimum Off-Street Parking</b>	-	-	-
Filling Station (flat number)	-	3	-
Retail stores accessory to Filling Stations (per 150 square feet)	-	1	-
Urban Agriculture (per 5,000 square feet)	-	-	1
Self-Storage (per 5,000 square feet)	1	-	-
Warehouse use (per 3,000 square feet)	1	-	-
Bank (per 500 square feet)	-	-	1
Retail/Office/Health Club (per 1,000 square feet)	-	-	3
Ferry/Marina	100 / ferry, 1.5/boat slip	-	-
Restaurant (per 200 square feet)	-	-	1
Open Space (per acre)	3	3	3
<b>Minimum Distance between Buildings (feet)</b>	50	-	-

1. Buffers:
  - i. Between warehouse uses and other uses (ie: retail, commercial, etc.) a buffer shall be required pursuant to §430-60(c) of the Zoning Code and modified to require a minimum width of twenty (20) feet.
2. Open Space / Recreation Areas:
  - i. Open Space/Recreational Areas are exempt from lot bulk requirements. Minimum lot size and any setbacks shall be as appropriate for the intended purpose of the building, use, or open space.
  - ii. At no time will public open space be less than 10% of the overall plan acreage. For phased projects, public open space dedications and improvements shall be delivered before any certificate of occupancy is issued. Open space improvements will be specified and negotiated between the Redevelopment Agency and developer as part of the redevelopment agreement.
  - iii. If the dedication of public open space within a development is impossible due to site conditions, the Perth Amboy Redevelopment Agency may, at their discretion, accept a fee paid to the City's Community Development Trust Fund in lieu of dedication. A combination of public open space dedication and payments-in-lieu of dedication is also permitted. In general, PARA encourages the creation of public open space throughout the City through redevelopment and therefore prefers public open space creation on site.
    - (a) All land values used to determine fees in lieu of dedication of public open space will be based off of construction ready, post remediation, land values.
    - (b) Rehabilitation and adaptive reuse projects, as well as residential projects of ten (10) units or less, or office or retail development of less than 25,000 sf may have this fee in lieu of dedication waived at the discretion of PARA.
      - (i) For residential uses, the fee will be equal to: (total number of bedrooms + total number of units) x 0.004 acres x the average land value for all land involved in the project.
      - (ii) For retail or office uses, the fee will be equal to: \$2.20 per square foot of floor area.
      - (iii) For industrial uses or any use that is not residential, retail, or office, the fee will be equal to: 10% of the appraised land value of all land involved in the project, plus 30% for off-site provision (10% x land value x 1.3).

- (c) Payments in lieu of dedication must be approved as part of the redevelopment agreement. Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal, at the expense of the developer, of the fair market value of the development property. The professional appraiser shall be one of those pre-approved by PARA.
  - (d) All payments made in lieu of dedication shall be delivered before any certificate of occupancy is issued.
  - (e) All funds received for payment in lieu of dedication shall be used for the acquisition, improvement, development, or redevelopment of public open space within the city.
  - (f) Payments in lieu of dedication must be approved as part of the redevelopment agreement. Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal, at the expense of the developer, of the fair market value of the development property. The professional appraiser shall be one of those pre-approved by PARA.
  - (g) All funds received for payment in lieu of dedication shall be used for the acquisition, improvement, development, or redevelopment of public open space within the city.
3. Minimum Lot Size:
- i. Mixed Use Buildings: minimum lot size shall be the minimum lot size for the use that is the predominant use of the building.
4. Lot Setback Requirements: All setbacks shall be measured from the property line. All setbacks shall meet with the standards and exceptions detailed in the Bulk Standards table, unless specifically set forth below.
- i. Attached Buildings/Facilities: Buildings may be attached on either side (i.e. have a side yard of zero feet). Buildings which are not attached shall have the minimum side setback applicable to the use detailed in the attached Bulk Standard table. Similarly, rear setback requirements shall be waived, with Board approval, when the rear of a building is attached to a parking deck.
5. Lot depth can be measured from the largest lot dimension fronting on any street for corner lots.
6. Building Stepbacks: All buildings shall step back a minimum of ten (10) feet from the outermost façade plane of the building base along all street frontages at a maximum of four stories from grade.
7. Building Coverage: Within the S-3A sub-district, pervious (landscaped) portions of garage and parking decks shall not count toward the total coverage calculations. This includes rain gardens, retention basis, and other green infrastructure techniques.

8. Impervious Lot Coverage: Where maximum cannot be met on site by a developer, offsite green infrastructure improvements at a rate of 125% may be considered by PARA or the Planning Board in line with the Perth Amboy Green Collaborative's establish priority list for investments.
9. Building Projections: Projections and extensions to buildings including structural canopies, balconies, and bay windows may extend into the yard setbacks so long as such projections and extensions are not supported by footings or foundations and do not extend beyond any property lines or into public rights-of-way.
10. Building Height: For parcels whose grade lies within the floodplain, maximum height shall be measured from Base Flood Elevation (BFE) as established by FEMA on parcels whose grade lies within the floodplain. On such parcels, the ground floor may only be used for vehicle parking, building access, storage, or other commercial uses permitted in this zone provided that the floor meets flood proofing standards. If any parcel lies partially within and partially outside of the established floodplain, active ground floor uses shall be located in the portions of the building where it is safe and possible to do so to the greatest extent possible.

#### **6.4.6. Parking and Loading Requirements**

General parking guidelines are located in Section 7.7 of this document and minimum requirements are outlined in the bulk table above. Exceptions are as follows:

1. Warehouse uses shall allow front yard parking, provided it is heavily screened with approved landscaping materials. Automobile parking may encroach into front yard setbacks a maximum of fifteen (15) feet from the property line.
2. In no case shall the number of parking spaces proposed exceed twenty percent (20%) of the minimum required. Exceeding the maximum by more than twenty percent (20%) shall constitute a deviation.
3. Shared parking for individual uses is encouraged and may be approved by PARA and/or the Planning Board at their discretion. The following must be provided:
  - i. Reductions are permitted in accordance with New Jersey Transit's publication "Planning for Transit-Friendly Land Use," which recommends a reduction of 5% to 20% for office uses, a reduction of 10% to 15% for other nonresidential uses and a reduction of 20% to 25% for residential uses.
  - ii. Shared lots are within five-hundred feet (500') distance of the primary entrance of each use utilizing the parking facility;
  - iii. Evidence showing a difference in peak parking demand between the uses;
  - iv. The spaces to be provided will be available as long as the uses requiring the spaces are in operation;

- v. A written agreement between the property owner(s) and the City, in a form satisfactory to the City Attorney must be provided, guaranteeing access.
4. Bicycle parking shall be provided in accordance with Section 7.7.2.

**6.4.7. Use Distribution**

The following distribution of permitted uses shall be required in relation to net buildable acreage per project:

1. A minimum of 10% of the total project area must be developed as public or quasi-public open space.

**6.4.8. Signage**

General signage guidelines are located in Section 7.2 of this document.

## **6.5. Special Use Zone S-3B**

S-3B is applied to Redevelopment Areas within *Northern Industrial* designated for warehousing, light industrial, and office uses. See Section 2.3 for Block and Lots.

**6.5.1. Permitted Principal Uses**

1. Warehousing uses, including:
  - i. Wholesale offices and showrooms with accessory storage of goods.
  - ii. Warehousing/distribution.
2. Light industrial manufacturing.
3. Urban agriculture and aquaponics, including the cultivation and harvesting of food or flowers in planters, in greenhouses, in buildings, or on rooftops. Cultivation and harvesting of illegal and controlled substances shall not be permitted.
4. Offices.
5. Bus shelters and other transportation enclosures, to service a public or private transportation system, and which may be located on private or public property, excluding bus, tram, and/or trolley storage facilities.
6. Improved open space, such as parks, plazas, waterfront walkways/promenades, trails, pocket parks, and community gardens.

**6.5.2. Accessory Uses**

1. Parking decks and surface parking lots.



2. Signage, as regulated by Section 7.2 of this document.
3. Private garage space for the storage of motor vehicles.
4. Fences, walls, hedges, etc., subject to municipal codes and requirements.
5. Temporary Sales or construction trailer(s), when:
  - i. Trailer(s) shall be located on the same lot as the principal permitted use and shall meet all setback requirements for principal buildings in the zone.
  - ii. Trailer(s) shall be shown on the site plan for the principal permitted use.
  - iii. Trailer(s) shall be permitted to remain only for the period of construction, renting or sale of the permitted use
  - iv. Only one sales trailer and one construction trailer are permitted per project.
6. Exterior trailer storage for staging of loading and unloading operations, with goods or materials in the trailers located in rear yards, provided it is heavily screened from view from any road frontage or side yard for a period not to exceed 24 hours. Stacked trailers/containers are prohibited.
7. Truck Fueling Facilities, limited to Block 399 Lot 1, Block 469 Lot 1, and Block 427 Lots 3 & 5, and subject to the following:
  - i. Specific to trucks serving permitted principal use.
  - ii. Limited to tenants operating on site.
  - iii. Maximum fueling capacity of 30,000 gallons.
  - iv. Maximum storage for any one unit limited to 20,000 gallons.
  - v. Fueling units must be screened from public view.
  - vi. Fueling facilities are permitted in the rear yard setback where necessary to screen from view and distance facility from principal building.
8. Plazas, pocket parks, and community gardens.

### **6.5.3. Conditional Uses**

Uses requiring a conditional use permit, subject to the provisions of Article VIII of the Perth Amboy Land Development Ordinances (Chapter 430).

1. Cellular and digital antennas, provided units are co-hang units, and the overall height to the top of the antenna complies with maximum building height requirements.

**6.5.4. Prohibited Uses**

1. Those uses creating noxious or injurious effects from dust, smoke, refuse, fumes, glare, vibrations or any uses involving any danger of fire, explosion or offensive noise, odors, heat or other objectionable influences, as detailed in Section 430-60(K) of the City of Perth Amboy Zoning and Land Development Ordinance.
2. Billboards or signs painted upon the exterior side or rear walls of any principal or accessory building or structure. Murals approved by the City’s Arts Council or other City Agency with approval from the Property Owner and the Redevelopment Agency shall be the only exception, as long as they do not advertise a business, activity, or product.
3. Any exterior storage of goods or materials.
4. Sexually oriented businesses.
5. Automotive New or Used Sales and Service.
6. Pawn Shops and Check Cashing establishments.
7. Junk or salvage yards.
8. Any other use not specifically permitted within this Special Use Zone.
9. Vehicle parking lots other than those permitted as accessory uses.
10. Big Box Retail.

**6.5.5. Bulk Standards**

Required bulk standards are detail in the Bulk Standard table. Additional bulk standards and exceptions not addressed in the Bulk Standard table are set forth below.

<b>S-3B</b>		
	<b>Warehousing</b>	<b>All Other Uses</b>
<b>Minimum Lot Area (square feet)</b>	100,000	10,000
<b>Minimum Lot Width (feet)</b>	200	100
<b>Minimum Lot Depth (feet)</b>	500	100

<b>Minimum Yards (feet)</b>	-	-
Front Yard	50	20
Side Yard	25	10
Side Yard (both combined)	50	20
Rear Yard	50	20
<b>Maximum Height (feet)</b>	60	25
<b>Maximum Height (stories)</b>	4	2
<b>Maximum Lot Coverage by Building (percent)</b>	40	50
<b>Maximum Impervious Coverage (percent)</b>	75	75
<b>Minimum Off-street Parking</b>	-	-
Urban Ag. (per 5,000 square feet)	-	1
Warehouse use (per 3,000 square feet)	1	-
Office (per 1,000 square feet)	-	3
Open Space (per acre)	3	3
<b>Minimum Distance between Buildings (feet)</b>	50	-

1. Buffers:
  - i. Between warehouse uses and other uses (ie: retail, commercial, etc.) a buffer shall be required pursuant to §430-60(c) of the Zoning Code and modified to require a minimum width of twenty (20) feet.
2. Open Space / Recreation Areas:
  - i. Open Space/Recreational Areas are exempt from lot bulk requirements. Minimum lot size and any setbacks shall be as appropriate for the intended purpose of the building, use, or open space.
  - ii. At no time will public open space be less than 10% of the overall plan acreage. For phased projects, public open space dedications and improvements shall be delivered before any certificate of occupancy is issued. Open space improvements will be specified and negotiated between the Redevelopment Agency and developer as part of the redevelopment agreement.
  - iii. If the dedication of public open space within a development is impossible due to site conditions, the Perth Amboy Redevelopment Agency may, at their discretion, accept a fee paid to the City's Community Development Trust Fund in lieu of dedication. A combination of public open space dedication and payments-in-lieu of dedication is also permitted. In general, PARA encourages the creation of public open space throughout the City through redevelopment and therefore prefers public open space creation on site.

- (a) All land values used to determine fees in lieu of dedication of public open space will be based off of construction ready, post remediation, land values.
  - (b) Rehabilitation and adaptive reuse projects, as well as residential projects of ten (10) units or less, or office or retail development of less than 25,000 sf may have this fee in lieu of dedication waived at the discretion of PARA.
    - (i) For residential uses, the fee will be equal to: (total number of bedrooms + total number of units) x 0.004 acres x the average land value for all land involved in the project.
    - (ii) For retail or office uses, the fee will be equal to: \$2.20 per square foot of floor area.
    - (iii) For industrial uses or any use that is not residential, retail, or office, the fee will be equal to: 10% of the appraised land value of all land involved in the project, plus 30% for off-site provision. (10% x land value x 1.3).
  - (c) Payments in lieu of dedication must be approved as part of the redevelopment agreement. Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal, at the expense of the developer, of the fair market value of the development property. The professional appraiser shall be one of those pre-approved by PARA.
  - (d) All payments made in lieu of dedication shall be delivered before any certificate of occupancy is issued.
  - (e) All funds received for payment in lieu of dedication shall be used for the acquisition, improvement, development, or redevelopment of public open space within the city.
3. Minimum Lot Size:
- i. Mixed Use Buildings: minimum lot size shall be the minimum lot size for the use that is the predominant use of the building.
4. Lot depth can be measured from the largest lot dimension fronting on any street for corner lots.
5. Lot Setback Requirements: All setbacks shall be measured from the property line. All setbacks shall meet with the standards and exceptions detailed in the Bulk Standards table, unless specifically set forth below.
- i. Attached Buildings/Facilities: Buildings may be attached on either side (i.e. have a side yard of zero feet). Buildings which are not attached shall have the minimum side setback applicable to the use detailed in the attached Bulk Standard table. Similarly, rear setback requirements shall be waived, with Board approval, when the rear of a building is attached to a parking deck.

- ii. No development may be located closer than twenty feet (20') from the top of the riverbank at the Raritan Bay, Raritan River, Arthur Kill, or Staten Island Sound.
6. Building Stepbacks: All buildings shall step back a minimum of ten (10) feet from the outermost façade plane of the building base along all street frontages at a maximum of four stories from grade.
7. Impervious Lot Coverage: Where maximum cannot be met on site by a developer, offsite green infrastructure improvements at a rate of 125% may be considered by PARA or the Planning Board in line with the Perth Amboy Green Collaborative's establish priority list for investments.
8. Building Coverage: Within the S-3B sub-district, pervious (landscaped) portions of garage and parking decks shall not count toward the total coverage calculations. This includes rain gardens, retention basis, and other green infrastructure techniques.
9. Building Projections: Projections and extensions to buildings including structural canopies, balconies, and bay windows may extend into the yard setbacks so long as such projections and extensions are not supported by footings or foundations and do not extend beyond any property lines or into public rights-of-way.
10. Building Height: For parcels whose grade lies within the floodplain, maximum height shall be measured from Base Flood Elevation (BFE) as established by FEMA on parcels whose grade lies within the floodplain. On such parcels, the ground floor may only be used for vehicle parking, building access, storage, or other commercial uses permitted in this zone provided that the floor meets flood proofing standards. If any parcel lies partially within and partially outside of the established floodplain, active ground floor uses shall be located in the portions of the building where it is safe and possible to do so to the greatest extent possible.
11. Block 475, Lot 1.04 shall have the following bulk standard modifications:
  - i. Minimum lot area: 54,400 sf.
  - ii. Minimum lot width: 175 ft.
  - iii. Minimum lot depth: 200 ft.
  - iv. Minimum side yard: 50 ft. one / 90 ft. both.
  - v. Minimum parking: 2 per 1,000 sf retail/commercial.
  - vi. Banked parking shall be permitted.
12. Block 475, Lots 1.06 & 1.07 shall have the following bulk standard modifications:
  - i. Minimum rear yard: 15 ft.

- ii. Minimum parking: 1.5 per 1,000 sf retail/commercial.
  - iii. Maximum building height for air pollution equipment: 70 ft.
13. Block 427, Lots 3, 3.01, 4 shall have the following bulk standard modifications:
- i. Minimum lot area: 70,000 sf.
  - ii. Minimum lot width: 300 ft.
  - iii. Minimum lot depth: 150 ft.
  - iv. Minimum front yard: 6 ft.
  - v. Minimum side yard: 4 ft. one / 40 ft. both.
  - vi. Minimum rear yard: 23 ft.
  - vii. Maximum lot coverage by building: 55%.
  - viii. Maximum impervious coverage: 85%.
  - ix. Minimum parking: 3.3 per 11,000 sf retail/commercial.
14. Block 399 shall have the following bulk standard modifications:
- i. Minimum side yard: 50 ft. one / 100 ft. both.
  - ii. Maximum lot coverage by building: 50%.
  - iii. Maximum impervious coverage: 85%.
15. Block 469 shall have the following bulk standard modifications:
- i. Minimum side yard: 50 ft. one / 100 ft. both.
  - ii. Maximum lot coverage by building: 50%.
  - iii. Maximum impervious coverage: 85%.

#### **6.5.6. Parking and Loading Requirements**

General parking guidelines are located in Section 7.7 of this document and minimum requirements are outlined in the bulk table above. Exceptions are as follows:

1. Warehouse uses shall allow front yard parking, provided it is heavily screened with approved landscaping materials. Automobile parking may encroach into front yard setbacks a maximum of fifteen (15) feet from the property line.

2. In no case shall the number of parking spaces proposed exceed twenty percent (20%) of the minimum required. Exceeding the maximum by more than twenty percent (20%) shall constitute a deviation.
3. Shared parking for individual uses is encouraged and may be approved by PARA and/or the Planning Board at their discretion. The following must be provided:
  - i. Reductions are permitted in accordance with New Jersey Transit's publication "Planning for Transit-Friendly Land Use," which recommends a reduction of 5% to 20% for office uses, a reduction of 10% to 15% for other nonresidential uses and a reduction of 20% to 25% for residential uses.
  - ii. Shared lots are within five-hundred feet (500') distance of the primary entrance of each use utilizing the parking facility.
  - iii. Evidence showing a difference in peak parking demand between the uses.
  - iv. The spaces to be provided will be available as long as the uses requiring the spaces are in operation.
  - v. A written agreement between the property owner(s) and the City, in a form satisfactory to the City Attorney must be provided, guaranteeing access.
4. Bicycle parking shall be provided in accordance with Section 7.7.2.

**6.5.7. Use Distribution**

The following distribution of permitted uses shall be required in relation to net buildable acreage per project:

1. A minimum of 10% of the total project area must be developed as public or quasi-public open space.

**6.5.8. Signage**

General signage guidelines are located in Section 7.2 of this document.

**6.6. Special Use Zone S-3C**

S-3C is applied to the Redevelopment Areas within Block 427 Lots 3, 3.01 and 4 only, which are designated for self-storage facilities. See Section 2.3 for Block and Lots.

**6.6.1. Permitted Principal Uses**

1. Self-storage facilities.

**6.6.2. Accessory Uses**

1. Surface parking lots.

2. Signage, as regulated by Section 7.2 of this document.
3. Fences, walls, hedges, etc., subject to municipal codes and requirements.
4. Temporary sales or construction trailer(s), when:
  - i. Trailer(s) shall be located on the same lot as the principal permitted use and shall meet all setback requirements for principal buildings in the zone.
  - ii. Trailer(s) shall be shown on the site plan for the principal permitted use.
  - iii. Trailer(s) shall be permitted to remain only for the period of construction, renting or sale of the permitted use.
  - iv. Only one sales trailer and one construction trailer are permitted per project.
5. Plazas, pocket parks, and community gardens

#### **6.6.3. Conditional Uses**

Uses requiring a conditional use permit, subject to the provisions of Article VIII of the Perth Amboy Land Development Ordinances (Chapter 430).

1. Cellular and digital antennas, provided units are co-hang units, and the overall height to the top of the antenna complies with maximum building height requirements.

#### **6.6.4. Prohibited Uses**

1. Those uses creating noxious or injurious effects from dust, smoke, refuse, fumes, glare, vibrations or any uses involving any danger of fire, explosion or offensive noise, odors, heat or other objectionable influences, as detailed in Section 430-60(K) of the City of Perth Amboy Zoning and Land Development Ordinance.
2. Any exterior storage of goods or materials except in the case of warehouse uses where such use is only prohibited if it is visible from the street.
3. Sexually Oriented Business.
4. Pawn Shops and Cash Checking establishments.
5. Automotive (New or Used) Sales and Service.
6. Big Box Retail.
7. Vehicle parking lots other than those permitted as accessory uses.
8. Junk or salvage yards.



9. Any other use not specifically permitted within this Special Use Zone.

**6.6.5. Bulk Standards**

Required bulk standards are detail in the Bulk Standard table. Additional bulk standards and exceptions not addressed in the Bulk Standard table are set forth below.

<b>S-3C</b>	
	<b>Self-Storage</b>
<b>Minimum Lot Area (square feet)</b>	65,000
<b>Minimum Lot Width (feet)</b>	150
<b>Minimum Lot Depth (feet)</b>	150
Front Yard Building Setback	30
Side Yard Building Setback	30
Side Yard (both combined) Building Setback	60
Rear Yard Building Setback	30
<b>Maximum Height (feet)</b>	60
<b>Maximum Height (stories)</b>	5
<b>Maximum Lot Coverage by Building (percent)</b>	55
<b>Maximum Impervious Coverage (percent)</b>	75
<b>Minimum Off-Street Parking</b>	-
Self-Storage (per 10,000 square feet)	1
Open Space (per acre)	3
<b>Minimum Distance between Buildings (feet)</b>	50

1. Buffers:

- i. Between warehouse uses and other uses (i.e.: retail, commercial, etc.) a buffer shall be required pursuant to §430-60(c) of the Zoning Code and modified to require a minimum width of twenty (20) feet.

2. Open Space / Recreation Areas:
  - i. Open Space/Recreational Areas are exempt from lot bulk requirements. Minimum lot size and any setbacks shall be as appropriate for the intended purpose of the building, use, or open space.
  - ii. At no time will public open space be less than 10% of the overall plan acreage. For phased projects, public open space dedications and improvements shall be delivered before any certificate of occupancy is issued. Open space improvements will be specified and negotiated between the Redevelopment Agency and developer as part of the redevelopment agreement.
  - iii. If the dedication of public open space within a development is impossible due to site conditions, the Perth Amboy Redevelopment Agency may, at their discretion, accept a fee paid to the City's Community Development Trust Fund in lieu of dedication. A combination of public open space dedication and payments-in-lieu of dedication is also permitted. In general, PARA encourages the creation of public open space throughout the City through redevelopment and therefore prefers public open space creation on site.
    - (a) All land values used to determine fees in lieu of dedication of public open space will be based off of construction ready, post remediation, land values.
    - (b) Rehabilitation and adaptive reuse projects, as well as residential projects of ten (10) units or less, or office or retail development of less than 25,000 sf may have this fee in lieu of dedication waived at the discretion of PARA.
      - (i) For residential uses, the fee will be equal to: (total number of bedrooms + total number of units) x 0.004 acres x the average land value for all land involved in the project.
      - (ii) For retail or office uses, the fee will be equal to: \$2.20 per square foot of floor area.
      - (iii) For industrial uses or any use that is not residential, retail, or office, the fee will be equal to: 10% of the appraised land value of all land involved in the project, plus 30% for off-site provision. (10% x land value x 1.3).
    - (c) Payments in lieu of dedication must be approved as part of the redevelopment agreement. Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal, at the expense of the developer, of the fair market value of the development property. The professional appraiser shall be one of those pre-approved by PARA.
    - (d) All payments made in lieu of dedication shall be delivered before any certificate of occupancy is issued.

- (e) All funds received for payment in lieu of dedication shall be used for the acquisition, improvement, development, or redevelopment of public open space within the city.
- 3. Minimum Lot Size:
  - i. Mixed Use Buildings: minimum lot size shall be the minimum lot size for the use that is the predominant use of the building.
- 4. Lot Setback Requirements: All setbacks shall be measured from the property line. All setbacks shall meet with the standards and exceptions detailed in the Bulk Standards table, unless specifically set forth below.
  - i. Attached Buildings/Facilities: Buildings may be attached on either side (i.e. have a side yard of zero feet). Buildings which are not attached shall have the minimum side setback applicable to the use detailed in the attached Bulk Standard table. Similarly, rear setback requirements shall be waived, with Board approval, when the rear of a building is attached to a parking deck.
  - ii. No development may be located closer than twenty feet (20') from the top of the riverbank at the Raritan Bay, Raritan River, Arthur Kill, or Staten Island Sound.
- 5. Building Stepbacks: All buildings shall step back a minimum of ten (10) feet from the outermost façade plane of the building base along all street frontages at a maximum four stories from grade.
- 6. Impervious Lot Coverage: Where maximum cannot be met on site by a developer, offsite green infrastructure improvements at a rate of 125% may be considered by PARA or the Planning Board in line with the Perth Amboy Green Collaborative's establish priority list for investments.
- 7. Building Projections: Projections and extensions to buildings including structural canopies, balconies, and bay windows may extend into the yard setbacks so long as such projections and extensions are not supported by footings or foundations and do not extend beyond any property lines or into public rights-of-way.
- 8. Building Height: maximum height shall be measured from Base Flood Elevation (BFE) as established by FEMA on parcels whose grade lies within the floodplain. On such parcels, the ground floor may only be used for vehicle parking, building access, storage, or other commercial uses permitted in this zone provided that the floor meets FEMA flood-proofing standards. If any parcel lies partially within and partially outside of the established floodplain, active ground floor uses shall be located in the portions of the building where it is safe and possible to do so to the greatest extent possible.

#### **6.6.6. Parking and Loading Requirements**

General parking guidelines are located in Section 7.7 of this document and minimum requirements are outlined in the bulk table above. Exceptions are as follows:

1. Self-storage uses may allow front yard parking, provided it is heavily screened with approved landscaping materials.
2. Automobile parking may encroach into front yard setbacks a maximum of fifteen (15) feet from the property line provided it is heavily screened with approved landscaping materials.
3. In no case shall the number of parking spaces proposed exceed twenty-five percent (25%) of the minimum required. Exceeding the minimum by more than twenty-five percent (25%) shall constitute a deviation.
4. Shared parking for individual uses is encouraged and may be approved by PARA at their discretion. The following must be provided:
  - i. Reductions are permitted in accordance with New Jersey Transit's publication "Planning for Transit-Friendly Land Use," which recommends a reduction of 5% to 20% for office uses, a reduction of 10% to 15% for other nonresidential uses and a reduction of 20% to 25% for residential uses.
  - ii. Shared lots are located within five-hundred feet (500') distance of the primary entrance of each use utilizing the parking facility;
  - iii. Evidence showing a difference in peak parking demand between the uses;
  - iv. The spaces to be provided will be available as long as the uses requiring the spaces are in operation;
  - v. A written agreement between the property owner(s) and the City, in a form satisfactory to the City Attorney must be provided, guaranteeing access.
5. Bicycle parking shall be provided in accordance with Section 7.7.2.
6. Automobile parking and truck loading shall be permissible in front, side or rear yards provided it is heavily screened with approved landscaping materials.
7. Automobile parking may encroach into front yard with a four (4) foot setback on Block 427 Lots 2, 3, and 4 along the NJ State Highway Route 440 Ramp to State Street. Truck loading areas shall not encroach on setbacks.

#### **6.6.7. Use Distribution**

The following distribution of permitted uses shall be required in relation to net buildable acreage per project:

1. A minimum of 10% of the total project area must be developed as public or quasi-public open space.

#### **6.6.8. Signage**

General signage guidelines are located in Section 7.2 of this document.

## **6.7. Special Use Zone S-3D**

S-3D is applied to the area within *Northern Industrial* designated for mixed use with the option for education uses. See Section 2.3 for Block and Lots.

### **6.7.1. Permitted Principal Uses**

1. Retail business and personal service establishments which are clearly of a service character and needed for more or less daily shopping by persons residing nearby.
2. Service establishments dealing directly with consumers.
3. Offices.
4. Banks and fiduciary institutions.
5. Residential:
  - i. Townhouses.
  - ii. Multi-family housing.
  - iii. Senior Housing.
6. Restaurants, banquet facilities.
7. Retail establishments.
8. Schools.
9. Improved open space, such as parks, plazas, trails, pocket parks, and community gardens.
10. Any combination of the uses listed above.

### **6.7.2. Permitted Accessory Uses**

1. Parking decks and surface parking lots.
2. Signage, as regulated by 5.6.7 and 6.2 of this document.
3. Private garage space for the storage of motor vehicles.
4. Fences, walls, hedges, etc., subject to municipal codes and requirements.

5. Property management facilities, tool sheds, greenhouses, and similar uses for structures incidental to permitted residential uses.
6. Temporary Sales or construction trailer(s), when:
  - i. Trailer(s) shall be located on the same lot as the principal permitted use and shall meet all setback requirements for principal buildings in the zone.
  - ii. Trailer(s) shall be shown on the site plan for the principal permitted use.
  - iii. Trailer(s) shall be permitted to remain only for the period of construction, renting or sale of the permitted use.
  - iv. Only one sales trailer and one construction trailer are permitted per project.
7. Plazas, pocket parks, and community gardens.

### **6.7.3. Conditional Uses**

Uses requiring a conditional use permit, subject to the provisions of Article VIII of the Perth Amboy Land Development Ordinances (Chapter 430).

1. Quasi-public buildings.
2. Structures for public utilities and municipal services as necessary to provide adequate service and protection to the surrounding area.

### **6.7.4. Prohibited Uses**

1. Those uses creating noxious or injurious effects from dust, smoke, refuse, fumes, glare, vibrations or any uses involving any danger of fire, explosion or offensive noise, odors, heat or other objectionable influences, as detailed in Section 430-60(K) of the City of Perth Amboy Zoning and Land Development Ordinance.
2. Billboards or signs painted upon the exterior side or rear walls of any principal or accessory building or structure. Murals approved by the City's Arts Council or other City Agency with approval from the Property Owner and the Redevelopment Agency shall be the only exception, as long as they do not advertise a business, activity, or product.
3. Any exterior storage of goods or materials except in the case of warehouse uses where such use is only prohibited if it is visible from the street.
4. Sexually Oriented Business.
5. Pawn Shops and Cash Checking establishments.

6. Automotive New and Used Sales and Service.
7. Junk and salvage yards.
8. Vehicle Parking Lots.
9. Big Box Retail.
10. Any other use not specifically permitted within this Special Use Zone.

**6.7.5. Bulk Standards**

Required bulk standards are detail in the Bulk Standard table. Additional bulk standards and exceptions not addressed in the Bulk Standard table are set forth below.

<b>S-3D</b>			
	<b>School</b>	<b>Residential</b>	<b>Business/Retail uses</b>
<b>Minimum Lot Area</b>	5 acres	2,500 square feet	2,500 square feet
<b>Minimum Lot Width (feet)</b>		25	25
<b>Minimum Lot Depth (feet)</b>		100	100
<b>Minimum Front Yard (feet)</b>	100	3.5	3.5
<b>Minimum 1 Side Yard (feet)</b>	100	3	3
<b>Minimum 2 Side Yard (feet) - Both</b>	200	6	6
<b>Minimum Rear Yard (feet)</b>	100	25	25
<b>Maximum Height (feet)</b>	80	35	35
<b>Maximum Height (stories)</b>	-	2.5	2.5
<b>Maximum Lot Coverage of Building (percent)</b>	30	50	50
<b>Maximum Impervious Coverage (percent)</b>	75	75	75
<b>Minimum Gross Floor Area per Dwelling Unit (square feet)</b>	-	700	-
<b>Minimum Off-street Parking</b>			
School	see §430-58(E.6)	-	-
Residential (per unit)	-	1	-
Retail/Office (per 1,000 square feet)	-	-	2.5
Restaurant (per 200 square feet)	-	-	1
Open Space (per acre)	3	3	3
<b>Maximum Dwelling Units per Acre</b>	-	50	-

1. Open Space / Recreation Areas:

- i. Open Space/Recreational Areas are exempt from lot bulk requirements. Minimum lot size and any setbacks shall be as appropriate for the intended purpose of the building, use, or open space.
- ii. At no time will public open space be less than 10% of the overall plan acreage. For phased projects, public open space dedications and improvements shall be delivered before any certificate of occupancy is issued. Open space improvements will be specified and negotiated between the Redevelopment Agency and developer as part of the redevelopment agreement.
- iii. If the dedication of public open space within a development is impossible due to site conditions, the Perth Amboy Redevelopment Agency may, at their discretion, accept a fee paid to the City's Community Development Trust Fund in lieu of dedication. A combination of public open space dedication and payments-in-lieu of dedication is also permitted. In general, PARA encourages the creation of public open space throughout the City through redevelopment and therefore prefers public open space creation on site.
  - (a) All land values used to determine fees in lieu of dedication of public open space will be based off of construction ready, post remediation, appraised land values.
  - (b) Rehabilitation and adaptive reuse projects, as well as residential projects of ten (10) units or less, or office or retail development of less than 25,000 sf may have this fee in lieu of dedication waived at the discretion of PARA.
    - (i) For residential uses, the fee will be equal to: (total number of bedrooms + total number of units) x 0.004 acres x the average land value for all land involved in the project.
    - (ii) For retail or office uses, the fee will be equal to: \$2.20 per square foot of floor area.
    - (iii) For industrial uses or any use that is not residential, retail, or office, the fee will be equal to: 10% of the appraised land value of all land involved in the project, plus 30% for off-site provision. (10% x land value x 1.3).
  - (c) Payments in lieu of dedication must be approved as part of the redevelopment agreement. Any disagreement in the amount of required payment shall be resolved by conducting a professional appraisal, at the expense of the developer, of the fair market value of the development property. The professional appraiser shall be one of those pre-approved by PARA.



- (d) All payments made in lieu of dedication shall be delivered before any certificate of occupancy is issued.
  - (e) All funds received for payment in lieu of dedication shall be used for the acquisition, improvement, development, or redevelopment of public open space within the city.
2. Minimum Lot Size:
    - i. Mixed Use Buildings: minimum lot size shall be the minimum lot size for the use that is the predominant use of the building.
  3. Lot Setback Requirements: All setbacks shall be measured from the property line. All setbacks shall meet with the standards and exceptions detailed in the Bulk Standards table, unless specifically set forth below.
    - i. Attached Buildings/Facilities: Buildings may be attached on either side (i.e. have a side yard of zero feet). Buildings which are not attached shall have the minimum side setback applicable to the use detailed in the attached Bulk Standard table. Similarly, rear setback requirements shall be waived, with Board approval, when the rear of a building is attached to a parking deck.
    - ii. No development may be located closer than twenty feet (20') from the top of the riverbank at the Raritan Bay, Raritan River, Arthur Kill, or Staten Island Sound.
  4. Building Stepbacks: All buildings shall step back a minimum of ten (10) feet from the outermost façade plane of the building base along all street frontages at a maximum four stories from grade.
  5. Building Coverage: Within the S-3D sub-district, pervious (landscaped) portions of garage and parking decks shall not count toward the total coverage calculations. This includes rain gardens, retention basis, and other green infrastructure techniques.
  6. Impervious Lot Coverage: Where maximum cannot be met on site by a developer, offsite green infrastructure improvements at a rate of 125% may be considered by PARA or the Planning Board in line with the Perth Amboy Green Collaborative's establish priority list for investments.
  7. Building Projections: Projections and extensions including structural canopies, balconies, and bay windows may extend into the yard setbacks so long as such projections and extensions are not supported by footings or foundations and do not extend beyond any property lines or public right of ways. Roof overhangs may encroach into the public right of way up to 24" with a minimum height of ten (10) feet above grade. Encroachments up to 18" will be permitted below grade for footings for buildings and retaining walls.
  8. Building Height: maximum height shall be measured from Base Flood Elevation (BFE) as established by FEMA on parcels whose grade lies within the floodplain. On such parcels, the ground floor may only be used for vehicle

parking, building access, storage, or other commercial uses permitted in this zone provided that the floor meets flood proofing standards. If any parcel lies partially within and partially outside of the established floodplain, active ground floor uses shall be located in the portions of the building where it is safe and possible to do so to the greatest extent possible.

#### **6.7.6. Parking and Loading Requirements**

General parking guidelines are located in Section 7.7 of this document and minimum requirements are outlined in the bulk table above. Exceptions are as follows:

1. For any project that includes residential and which requires fifteen (15) or more parking spaces, all parking must be structured. This structured parking may be located below grade; embedded within the principal building, including at grade level; and/or provided in a multi-level parking deck. At-grade structured parking must be screened according to the design standards in Section 7.7. Exceptions may be granted with consent from the PARA Board of Commissioners after submission of a design study and a financial pro forma showing hardship.
2. Warehouse uses shall allow front yard parking, provided it is heavily screened with approved landscaping materials.
3. Automobile parking may encroach into front yard setbacks a maximum of fifteen (15) feet from the property line.
4. In no case shall the number of parking spaces proposed exceed twenty percent (20%) more than the minimum required. Exceeding the maximum by more than twenty percent (20%) shall constitute a deviation.
5. Shared parking for individual uses is encouraged and may be approved by PARA and/or the Planning Board at their discretion. The following must be provided:
  - i. Reductions are permitted in accordance with New Jersey Transit's publication "Planning for Transit-Friendly Land Use," which recommends a reduction of 5% to 20% for office uses, a reduction of 10% to 15% for other nonresidential uses and a reduction of 20% to 25% for residential uses.
  - ii. Shared lots are within five-hundred feet (500') distance of the primary entrance of each use utilizing the parking facility.
  - iii. Evidence showing a difference in peak parking demand between the uses.
  - iv. The spaces to be provided will be available as long as the uses requiring the spaces are in operation.
  - v. A written agreement between the property owner(s) and the City, in a form satisfactory to the City Attorney must be provided, guaranteeing access.
6. Bicycle parking shall be provided in accordance with Section 7.7.2.

**6.7.7. Use Distribution**

The following distribution of permitted uses shall be required in relation to net buildable acreage per project:

1. A minimum of 10% of the total project area must be developed as public or quasi-public open space.

**6.7.1. Signage**

General signage guidelines are located in Section 7.2 of this document.

## SECTION 7: DESIGN STANDARDS + CONTROLS

### 7.1. Building Design Criteria

1. All building heights shall be measured in accordance with the definition provided in Article II, Section 430-5 "Building Height" of the Perth Amboy Municipal Code.
2. Structures shall have a base capped with horizontal articulation or midline cornice. The base shall be constructed of masonry (real brick, smooth finish decorative block, precast concrete or stone), glass, or metal elements. Stucco should be used only for minor accentuation of other elements of the faced. EIFS (exterior finish system) should not be used. The volume above the base may have differing, though compatible, use of façade materials and architecture.
3. New buildings shall be oriented to the street. Where rear or side yard parking is required and provided, entrances from those parking lots, if any, must be secondary in design to the primary street-facing entrance, with the exception of Block 427, Lots 3 and 4, which shall be oriented towards High Street.
4. Security gates shall be open grate or grill style, except that solid panels shall be allowed from the bottom of the security gate up to a maximum of forty-eight (48) inches. The gate shall be placed on the interior side of the window, within the building, and hidden from view when closed.
  - i. This requirement does not apply to self-storage uses.
5. A consistent rhythm of architectural elements such as windows, doors, and/or porticoes is required, and should provide a sense of relationship between buildings or their elements within a project site. Additionally, scale, siting, and rhythm should be considered in terms of its relationship with any neighboring, off-site development.
6. No blank walls shall be permitted along rear or side facades. Articulation or depth in the form of material changes, shadow windows, or brickwork shall be used to break up an otherwise flat wall.
7. No unfinished cement block shall be permitted on any exterior façade.
8. Primary entrances to buildings are to be clearly marked, architecturally framed, and oriented towards public streets.
9. Non-residential street front façades at the ground floor level shall be required to provide 70% glazing. Inactive, blank facades shall be limited to a length of no more than fifteen (15) percent of the first-floor street frontage or

thirty (30) consecutive linear feet along a public right-of-way - whichever is greater – in order to accommodate meter rooms, garage doors or loading zones, emergency exits, etc. This includes but is not limited to retail, office, and warehousing uses.

- i. For Block 427, Lots 3 and 4, minimums of twelve (12%) percent glazing at the ground floor level shall be required on the north façade, twenty (20%) percent for the southern façade, sixteen (16%) percent for the eastern façade, and thirty-six (36%) percent for the western façade.
10. New rooftop appurtenances, such as but not limited to HVAC equipment, elevator housing, exhaust pipes and other mechanical equipment shall be screened from view as measured from 5.5 feet above grade at the property line(s) parallel to the far side of the adjacent right-of-way.
11. Fire escapes and secondary points of egress are to be internal to structures on the site.
12. Folding window walls or other opportunities for extensive glazing and flexible frontages on commercial store facades along streets, parks, and waterfront areas are encouraged.
13. Self-Storage non-enclosed service areas (including garbage storage) shall not be located on any street frontage. All loading docks and service areas shall be screened by the placement of continuous evergreens planted at a minimum height of five feet. Spacing shall be determined based on species selected to ensure a total screen.
14. Architectural and accent is required on structures and should be off between the hours of 11:00 pm and 5:00 am.
15. Safety lighting is required on structures.
16. On buildings with a ground floor level that lies below the floodplain, active ground floor uses shall be provided to the greatest extent possible. On frontages where this is not possible due to floodplain regulations, facades shall be designed with articulation and openings in order to prevent blank walls. Landscaped buffers, artistic treatments, and other means by which to soften otherwise blank facades shall be employed.

## **7.2. Signage**

The guidelines below apply to all sub-districts:

1. All signage (street, directional, and facility) details will be provided in the proposed site plans for City review and approval.
2. Each project must include a signage plan for the property with a map of proposed location, renderings of proposed signage, and dimensions of proposed signage in the redevelopment agreement approved by PARA.
3. Street signs shall be placed at all intersections, shall be well-lit, and shall be clearly legible.

4. Ground signs are prohibited except for churches and schools, in designated park/open space areas and industrial areas including warehousing, fabrication and assembly uses.
  - i. One (1) freestanding ground sign at a corner facing a public street is allowed for Block 427, Lots 2, 3 and 4 only. Each sign may be a maximum of six (6) feet in height and not to exceed eighteen (18) square feet in area.
5. Changeable copy (digital or otherwise) signs are prohibited.
6. No sign shall be flashing or animated.
7. Signs may be lit by architectural lighting, channel letters, halo lights, gooseneck lamps, or similar. Box lit signs are prohibited.
8. Roof signs are prohibited.
9. Billboards are prohibited.
10. Murals approved by the City's Arts Council or other City Agency with approval from the Property Owner and the Redevelopment Agency shall not be considered signs, as long as they do not advertise a business, activity, or product.
11. Banners, flags and pennants shall be permitted subject to review and approval of the PARA and the Planning Board. Said Banners, Flags and pennants should be designed to reflect a consistent theme and placed to enhance the architecture and design of the surrounding buildings, streetscape and open space.
12. During construction one (1) sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable) shall be required. The sign area shall not exceed two-hundred (200) square feet and shall be attached where there is an existing structure, or freestanding where there is new construction. These signs shall be taken down within ten (10) days of project completion.
13. Storefront glazing shall consist of clear glass and provide a clear view into the interior in order to create an active streetscape and provide for the safety of the establishment. Windows shall not be blocked with temporary signs, interior partition walls, product displays, or other sightline obstructions. 80% transparency is required for all non-residential ground floor glazing.
14. Multi-modal wayfinding signage shall be in accordance with the Municipal Public Access Plan upon its adoption.
15. Permitted Wall Signs:

- i. Maximum Sign Area: Ten (10%) of the first story portion of the wall to which it is attached or two percent (2%) of the façade area whichever is less.
  - ii. All building signs shall be flush mounted; project no more than fifteen (15) inches from the façade on which it is mounted.
  - iii. Maximum Sign Length: fifteen (15) feet
  - iv. For S-3C, painted signs can be a maximum of twenty-two (22) feet in length.
  - v. Maximum Letter Dimensions: nineteen (19) inches.
16. One (1) sign per building with the following exceptions:
- i. For businesses or tenants with multiple street frontages, no more than one (1) sign per street frontage is permitted.
  - ii. Buildings with multiple businesses or tenants may have more than one (1) sign per building provided the aggregate area of all signs does not exceed the maximum area permitted for each street frontage.
17. Industrial and Self-Storage:
- i. Façade Signage
    - (a) Area: Two percent (2%) of the street front façade for single frontage buildings. For multi-frontage buildings, signage shall be limited to one percent (1%) of the aggregate frontage area.
18. Logo signs identifying facility ownership shall be permitted in addition to the above requirements, not to exceed one-hundred-fifty (150) square feet.
19. Signs painted or mounted upon rear or side facades are permitted for industrial uses including, but not limited to warehousing, fabrication and assembly, provided they adhere to the signage area standards of this Plan.
20. Ground Sign:
- i. Items of Information Permitted: Ten (10) items of information are permitted for each principal sign, in accordance with §430-62.A(15) of the municipal code.
  - i. Business or tenants with multiple street frontages, no more than one (1) sign per business/tenant per street frontage is permitted.
  - ii. Buildings with multiple businesses or tenants may have more than one (1) sign per frontage but in no case, may signage exceed three (3) signs per frontage. If the building's primary entrance is not oriented toward a street frontage, then a wall sign may be allowed on that façade having the primary entrance.

21. Ground signs shall be setback a minimum of ten (10) feet from a public right-of-way. No more than one (1) identification ground sign shall exceed five (5) feet in height or fifty (50) feet in area.
22. Awnings and Canopies:
  - i. Of a type and style consistent with the architecture and style of the buildings shall be permitted.
  - ii. Should have a matte finish and be constructed of colored natural or synthetic canvas, or other materials such as metal or glass.
  - iii. Awning or Canopy Signs
    - (a) Awnings and canopies containing only a brand name and logo and/or the building's address number shall not be considered a sign.
    - (b) Signage made up of individual letters mounted on the top side of an awning may be permitted on Block 427, Lots 3 and 4, so long as the area encompassing all letters is a maximum of eighteen (18) square feet.
  - iv. Should be mounted at or below the lintel of the second story window.
  - v. Awning dimensions shall be in accordance with §430-62.O(1) of the municipal code.
  - vi. Lighting: Indirect white lighting of awnings is permitted. Internal lights are prohibited.
23. Window Signs:
  - i. Neon is limited to ten percent (10%) of window area and shall include no more than three colors.
  - ii. Window signage may not exceed fifteen percent (15%) of the window area, and letter height is limited to seven (7) inches.
  - iii. Window signage is prohibited over the second floor.

## **7.3. Public Open Space Improvements**

### **7.3.1. Parks**

1. All parks must be designed by a licensed landscape architect.
2. Landscaping:
  - i. Native and drought tolerant species are encouraged. Species should be salt and wind tolerant and able to tolerate periodic inundation of water when located along the waterfront.
  - ii. Bioswales and rain gardens are encouraged.



- iii. Xeriscaping shall be required in order to eliminate the need for irrigation systems. Exceptions may be considered by PARA and the Planning Board.
    - iv. Tree grouping or clustering is encouraged.
  3. Parks are to be a maximum of 25% impermeable.
  4. Permeable paving is encouraged. Where permeable paving is used, paved areas shall be calculated at a rate of 50% toward impervious coverage limits.
  5. Public open space areas shall be equipped with public restroom facilities where the size of the space is greater than one (1) acre and there is not a public facility within two-hundred-fifty (250) feet. Such facilities will be equipped with infant changing tables.
  6. Parks are to be designed for both active and passive recreation with accommodations for residents of all ages.
  7. Lighting:
    - i. Lights are to be provided at a minimum of seventy-five (75) foot intervals along all public streets, or bicycle and pedestrian facilities accessible to the public and should be no taller than twenty (20) feet.
    - ii. Lights are to be fully enclosed/shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky. Lighting is to be LED lamps providing "warm-white" light (CCT < 3,000 K or S/P ratio < 1.2) and not less than one-half horizontal foot-candle average lighting level at the surface.
    - iii. All lights are to be dimmable and capable of control by timer.
    - iv. Parks shall be lighted such that all lighting shall be directed away from all adjacent lots, particularly those lights used to illuminate active recreation courts and areas.
    - v. Any pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
    - vi. All lighting shall be directed away from all adjacent lots.
    - vii. Lights shall be of a decorative historic pole mounted "Acorn" type lighting fixture as supplied by the local utility company or as approved by PARA. "Cobra" type light fixtures shall be discouraged except where required to provide appropriate foot candles at pedestrian walkways.
    - viii. Architectural and accent lighting is required on structures and should be off between the hours of 11:00 pm and 5:00 am.
    - ix. Safety lighting is required on structures.
  8. Benches:

- i. Benches are to be provided along pedestrian pathways and near shade trees at a maximum of 50 feet on center.
  - ii. Benches shall be of a "Classic Park Bench" design (see The Bench Factory manufacturer item TBN-37 or equivalent) as approved by PARA.
9. Bicycle racks and/or lockers are to be provided without charge at select areas along pedestrian pathways. Total number of spaces for bicycle parking shall be a minimum of one (1) bike parking space per 5,000 sf of open space. Additional bike parking should be provided at points of interest, including ball fields, comfort stations, and playgrounds. Outdoor bicycle parking should be sheltered or lockers where possible.
10. Trash Receptacles:
  - i. Trash receptacles are to be provided at regular intervals on the pedestrian walkways, a maximum of 200 feet on center. Additional receptacles may be required based on the specific uses in an area.
  - ii. Trash receptacle to be approved by PARA and in accordance with their standard product selection.

## **7.4. Walls & Fences**

### **7.4.1. Residential Use Fencing**

1. Where visible from the street, a decorative metal fencing system utilizing vertical pickets not to exceed four (4) feet in height shall be permitted.
2. Fencing further onto the property than the front yard setback shall be decorative board-on-board style fencing. A maximum height for fencing at rear yards is to be six (6) feet.
3. Chain link fencing is prohibited in the front yard setback area.
4. Fences and walls shall complement the architectural character of the principal building.
5. A finished side of all fences shall face "out" from the property. All structural supporting members of the fence must face the interior portion of the lot and no portion of any at-grade fence may extend beyond or across the property line.

### **7.4.2. Self-storage Use Fencing**

1. Where visible from the street, a decorative metal fencing system utilizing vertical pickets not to exceed eight (8) feet in height shall be permitted.
2. Fencing further onto the property than the front yard setback shall be decorative, black metal fencing. A maximum height for fencing along rear yard areas shall be eight (8) feet in height.

3. Chain link fencing is prohibited in the front yard setback area.
4. Fences and walls shall complement the architectural character of the principal building.
5. A finished side of all fences shall face "out" from the property. All structural supporting members of the fence must face the interior portion of the lot and no portion of any at-grade fence may extend beyond or across the property line.

#### **7.4.3. Industrial Use Fencing**

1. All yards: Maximum height twelve (12) feet.
2. Where chain link is permitted in industrial zones, one-inch non-climbable black vinyl clad fencing shall be used.

#### **7.4.4. Corner lots**

1. Fences on corners shall maintain clear lines of sight for vehicular traffic and shall be subject to the requirements of sight triangles. On corner lots, the fencing shall have matching fence heights and materials on both frontages.

### **7.5. Streetscape**

All development along streets identified for bicycle/pedestrian improvements will be required to implement such improvements in accordance with the Master Plan's Circulation Element and Bicycle and Pedestrian Plan.

#### **7.5.1. Crosswalks:**

1. White thermoplastic ladder-style crosswalks shall be used to define pedestrian zones at every intersection. Alternate design proposals may be considered by PARA and/or the Planning Board.
2. Crosswalks shall be ten (10) feet wide.
  - i. Projects associated with Block 427, Lots 3 and 4 may provide crosswalks having a minimum width of six (6) feet.

#### **7.5.2. Sidewalks:**

1. Sidewalks are required along both sides of all new and improved streets.
2. Continuous Portland concrete cement sidewalks are to be equipped with depressed curbs at all intersections to provide barrier-free accessibility throughout the district, in compliance with ADA regulations.
3. Sidewalks shall be constructed of materials in accordance with the Perth Amboy design criteria, including concrete with stamped brick.

4. Sidewalks shall be a minimum of ten (10) feet wide in retail/commercial areas and twelve (12) feet where outdoor seating is proposed.
5. Sidewalks shall be a minimum of ten (10) feet wide in light industrial/office areas exclusive of landscaped areas and furnishing zones.
  - i. Projects associated with Block 427, Lots 3 and 4 may provide sidewalks with a minimum width of five (5) feet and planting strips of three (3) feet rather than a ten (10) foot sidewalk.
6. Sidewalks are to be a minimum of six (6) feet wide in residential areas excluding landscaped areas and furnishing zones.

**7.5.3. Curbing:**

1. Concrete curbing, where provided, shall meet the current requirements set-forth by the City of Perth Amboy as well as NJDOT guidelines for materials and installation.
2. Decorative stone curbing, where provided, shall be Belgian Block set into a concrete bed. Installation shall meet the standards for Belgian Block installation.
3. Decorative concrete curbing shall be slate colored concrete to “highlight” specific areas.

**7.5.4. Street Lights:**

1. Lights are to be provided at a minimum of seventy-five (75) foot intervals along all public streets, or bicycle and pedestrian facilities accessible to the public and should be no taller than twenty (20) feet.
2. Lights are to be fully enclosed/shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky. Lighting is to be LED lamps providing “warm-white” light (CCT<3,000 K or S/P ratio <1.2) and not less than one-half horizontal foot-candle average lighting level at the surface.
3. All lights are to be dimmable and capable of control by timer.
4. Any pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
5. Street lights shall be of a decorative historic pole mounted “Acorn” type lighting fixture as supplied by the local utility company or as approved by PARA. “Cobra” type light fixtures shall be discouraged except where required to provide appropriate foot candles at pedestrian walkways.

**7.5.5. Street Trees:**

1. Street trees shall have cast iron tree grates which are supported by the adjacent sidewalk structure.
2. Brick or Belgian block pavers at the perimeter of tree pits shall be permitted where the architecture requires special treatment.

3. Rain gardens in tree pits are encouraged.
4. Pollution resistant street shade trees are to be planted along both sides of the street, at regular intervals, at a minimum of 25 feet on center. Trees shall be a minimum of three-and-a-half (3.5) inch caliper measured at eight (8) feet above the grade.
5. Tree irrigation bags must be installed and maintained for at least six (6) months after planting.
6. Bioswales are encouraged within landscaping.
7. Any street furniture provided, including but not limited to benches, trash receptacles, and tables, shall be located such that a minimum of eight (8) feet of unobstructed sidewalk remains for the safe passage of pedestrians.
8. Benches shall be of a "Classic Park Bench" design (see The Bench Factory manufacturer item TBN-37 or equivalent) as approved by PARA, and 50 feet on center in retail/commercial areas.
9. At least one trash receptacle is to be provided at every street intersection. Additional receptacles may be required based on the specific uses in an area. For blocks greater than 200 feet, trash receptacles should be placed every 200 feet from the corner.

## **7.6. Landscaping**

1. Foundation landscaping shall be provided at building setbacks, either at grade or in raised planter beds. Shrubs shall be planted at a maximum of 2'6" on center.
2. For self-storage uses, foundation landscaping shall be provided at building foundations, either at grade or in raised planter beds, as deemed appropriate by City Planner and City Engineer, excluding access doors and areas subject to traffic conflicts.
3. Rain gardens are encouraged to the greatest extent practical.
4. Tree grouping or clustering is encouraged.
5. Tree irrigation bags shall be installed and maintained for at least six (6) months after installation.

## **7.7. Parking + Loading**

### **7.7.1. Parking**

1. Minimum off-street parking requirements shall be in compliance with the bulk standards outlined in this document.

2. Parking shall be prohibited within the front yard setback area unless specifically permitted in the Parking and Loading Requirements of a given sub-district or property.
3. Any residential or commercial developments requiring thirty (30) or more parking spaces must provide those spaces in a structured parking garage. Exceptions can be approved with the permission of the PARA board if an undue hardship can be demonstrated.
4. All parking areas shall meet or exceed Americans Disability Act (ADA) standards.
5. Parking spaces shall measure nine (9) feet wide by eighteen (18) feet deep.
6. Compact Car spaces measuring eight (8) feet wide by sixteen (16) feet deep, shall be permitted provided the total number does not exceed 20% of the total parking provided.
7. All parking area aisles shall measure twenty-four (24) feet in width for perpendicular parking. Where diagonal parking is provided, aisles may be a minimum of twenty (20) feet in width.
8. Entrances and exits upon a public street or road shall be located on side streets whenever possible and not be located within 75 feet of any street intersection.
9. Rear alley driveways and garages shall be provided where feasible.
10. Surface parking lots, where permitted:
  - i. The perimeter of all surface-parking areas shall be screened and landscaped by evergreen vegetation. Planting must be a minimum of four (4) feet in height. Spacing of vegetation will be determined at the time of site plan application based on species.
  - ii. The interior area (non-perimeter) of all surface-parking with more than ten spaces shall be landscaped through the use of protected planting islands or peninsulas. A minimum of five percent (5%) of the interior parking area shall be landscaped with a minimum of one deciduous tree planted (minimum three-and-a-half (3.5) inch caliper measured at eight (8) feet above the grade) within a rain garden for every five parking spaces.
  - iii. Planting islands or peninsulas located within surface parking lots are to be curbed using Belgian block. Where a rain garden is provided, curbs cuts should be every three (3) feet to allow infiltration.
  - iv. Vegetated swales, infiltration planters, and rain gardens are recommended, as they are well suited for treating road and parking lots. Swales and rain gardens can also serve as facilities for snow storage and treatment.

11. Vehicular access to parking facilities shall be located and designed to minimize conflicts with pedestrian circulation.
12. Tandem parking is not permitted. Exceptions to this prohibition may be considered by PARA and the Planning Board for staffed parking facilities.
13. Lighting:
  - i. Lights are to be provided at a minimum of seventy-five (75) foot intervals along all public streets, or bicycle and pedestrian facilities accessible to the public and should be no taller than twenty (20) feet.
  - ii. Lights are to be fully enclosed/shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky. Lighting is to be LED lamps providing “warm-white” light (CCT < 3,000 K or S/P ratio < 1.2) and not less than one-half horizontal foot-candle average lighting level at the surface.
  - iii. All lights are to be dimmable and capable of control by timer.
  - iv. Parking areas shall be lighted such that all lighting shall be directed away from all adjacent lots.
  - v. Pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
  - vi. Lights shall be of a decorative historic pole mounted “Acorn” type lighting fixture as supplied by the local utility company or as approved by PARA. “Cobra” type light fixtures shall be discouraged except where required to provide appropriate foot candles at pedestrian walkways.
  - vii. Architectural and accent is required on structures and should be off between the hours of 11:00 pm and 5:00 am.
  - viii. Safety lighting is required on structures.
14. Where adjacent to residential uses, fencing, landscaping, or other techniques must be used to shield the glare of vehicle headlights from the adjacent properties.
15. Where a project is developed in phases, the parking and loading constructed with phase 1 must meet or exceed the parking and loading requirements for that phase. Required parking and loading for the entire project may be constructed in Phase I.
16. Parking garages and surface parking lots must be located toward the interior of the block and wrapped by the principal use building to disguise the garage or parking area.
17. Parking spaces shall be provided on the same lot as they use they are intended to serve, or within 500 feet where multi-user shared parking decks or lots have been approved for area-wide users.

18. Clear and safe pedestrian access must be provided from a parking area to the principal use being served and/or adjacent sidewalk.
19. The following minimum standards are intended to supplement those already provided in the Bulk Standards table:
  - i. Recreational areas: three spaces per acre or part thereof of site area.
  - ii. Car Sharing: developers who provide car sharing services on site may reduce their parking requirement such that one space dedicated to a car sharing service equals five spaces as typically calculated. Car sharing services must be made available to the general public in order to qualify.

### **7.7.2. Bicycle Parking**

1. Bicycle parking facilities shall be required, in accordance with the table below, for any new principal structure, addition or enlargement of an existing principal structure in excess of 10% of the gross floor area (gfa), or for any change in use of an existing structure.
2. Location and Design of Facilities:
  - i. Where Sheltered/ Protected/ Long-Term bike parking is required, bike parking facilities shall be at least as protected and secure as the automobile parking.
  - ii. Sheltered/ Protected/ Long-Term at a minimum shall consist of a room within a residential building or workplace, a secure enclosure within a parking garage, or a cluster of bike lockers at a transit center or other setup providing similar security and protection from the elements.
  - iii. All bicycle parking out of the public right of way shall be sheltered by a canopy to offer protection from the elements where possible.
  - iv. Site plans shall show the proposed location of bike parking/storage facilities on the site and on the building floor plan design. A construction detail of the bike rack or facilities shall be provided.
3. Requirements for Indoor Bicycle Parking:
  - i. Any required indoor bicycle parking/storage room must be located in a convenient and accessible location to a public sidewalk with no more than four vertical steps between the bicycle room and the sidewalk. Ramps and elevators may be utilized to provide access to bike storage not located at the first-floor level.
4. Requirements for Outdoor Bicycle Parking:



- i. All required outdoor bicycle parking must be convenient and accessible to a main building entrance and street access.
- ii. Bicycle parking shall be sited in a highly visible location, such as within view of passers-by, retail activity, office windows, an attendant or other personnel to discourage theft and vandalism, and promote awareness of existence and availability.
- iii. Bicycle parking shall be located so as not to block the pedestrian path on a sidewalk or within a site. A minimum of four (4) feet of unobstructed passage is required on public sidewalks.
- iv. Parked bicycles are to be oriented parallel to the street and on the curb-side of the sidewalk. In plaza areas, bike parking location(s) and orientation shall be determined by the Planning Board and PARA.
- v. Size and style of bike rack shall be approved by PARA.
- vi. Bicycle parking facilities within an automobile parking area shall be separated by a physical barrier (i.e., bollards, reflective wands, curbs, wheel stops, poles, etc.) to protect bicycles from damage by cars.
- vii. Bike racks must be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.
- viii. All bike racks shall be located at least 24 inches in all directions from a wall, door, landscaping, or other obstruction that would render use of the racks difficult or impractical.

<b>Bike Parking Requirements</b>		
	Sheltered/ Protected/ Long-Term	Public Access/ Short-Term
Residential		
Less than 20 units	0.50/unit	0.20/unit
21 - 100 units	0.40/unit	0.10/unit
101 - 300 units	0.30/unit	0.08/unit
over 300 units	0.25/unit	0.05/unit
Senior housing	0.25/unit	0.05/unit
Retail		
Grocery + general food sales	1/12,000 sf	1/2,000 sf

all other retail	1/12,000 sf	1/5,000 sf
Office	1/10,000 sf	1/20,000 sf
Industrial/Distribution	1/15,000 sf	None
Institutional Uses		
Non-Assembly (library, gov't buildings, etc.)	1/10 employees	1/10,000 sf
Assembly (Churches, theaters, etc.)	1/20 employees	2% of maximum daily attendance
Health Care	1/20 employees	1/20,000 sf
Educational		
Grades Pre-K - 3	1/10 employees	1/20 students
Grades 4 - 12	1/10 employees + 1/20 students	1/20 students
Parks/ Open Space	None	1/5,000 sf
Public Parking		
Surface Parking	None	15% of total auto spaces
Structured Parking Facility	15% of total auto spaces	None

### 7.7.3. Loading

1. Off-street loading berths for all retail and commercial establishments (not including self-storage uses) having a gross floor area in excess of ten thousand (10,000) square feet: one (1) loading berth for every ten thousand (10,000) square feet or fraction thereof of gross floor area.
2. All off-street loading areas shall be located at the rear of any use and shielded from public view.

## 7.8. Infrastructure Requirements + Responsibilities

Unless specifically addressed in this Redevelopment Plan, the Redevelopment Area shall be governed by Chapter 430, Articles IX and XII et seq. Performance Standards and Design Standards and Improvement Specification of the City of Perth Amboy Zoning and Land Development Ordinance.

### 7.8.1. General conditions.

1. Infrastructure improvements will be at the expense of the designated developer and will be completed prior to or concurrent with construction.
2. Where combined sewer systems are within a redevelopment area, these systems must be separated in the new development.
3. There shall be continuity of design throughout the redevelopment area. This continuity can be achieved through consideration of elements of facade composition (such as fencing, cornice or soffit line, floor to floor elevation, etc.) through the use of related materials, by maintaining roof pitch, by continuing a line of street trees, decorative lamp posts and so forth.
4. The designated developer shall demonstrate that the redevelopment and each stage thereof will not cause any substantially adverse environmental impacts.
5. The designated developer shall demonstrate that the water, sanitary sewer, storm sewer and the utilities for the area will be adequate for the completed new development plan and surrounding existing facilities.
6. All buildings or uses shall be served by a public sanitary sewerage and public water supply system.
7. Distribution lines for all utility systems shall be placed underground. All easements shall comply with City requirements. Exact locations for utility lines and easements shall be established at time of preliminary site plan approval or subdivision. Existing above ground utilities shall be incorporated into the underground systems as improvements are undertaken. Any relocation and/or replacement of utility lines shall be the sole responsibility of the Redeveloper and shall not be an expense to the City.
8. No building shall be constructed within or over public rights-of-way in the project area, except as otherwise allowed by Chapter 430.
9. The designated developer shall demonstrate that the means for vehicular and/or mass transit access to the development will be adequate and complete for the redevelopment plan of the area at each stage of construction. Additionally, design must encourage the integration of the area with the existing traffic system of the City of Perth Amboy.

10. The designated developer must provide pedestrian access to the redevelopment area that will be adequate for the full development plan and each stage thereof, will encourage pedestrianism and use of mass transportation, and will provide for the integration of the development with other portions of the City of Perth Amboy.
11. Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings, and made available as temporary, public open space.
12. All work shall meet the latest ADA guidelines for materials and installation.

### **7.8.2. Roadway Construction**

1. All streets within or adjacent to a redevelopment project must be upgraded by the developer to comply with the Master Plan Circulation Element and any relevant bicycle/pedestrian plans adopted by the Planning Board.
2. All developers must complete the "Complete Streets" checklist under the City's Complete Street policy for adherence and compliance.
3. All developers must adhere to the recommendations of The Perth Amboy Master Plan Circulation Element's Bicycle & Pedestrian Plan, which advocates for the development of additional bicycle and pedestrian paths throughout Perth Amboy. Any improvements to the bike network or pedestrian safety that are recommended within the Bicycle & Pedestrian Element of the Master Plan shall be included in the redevelopment of any parcels within The Gateway.
4. Crosswalks required at each intersection:
  - i. White thermoplastic ladder-style crosswalks shall be used to define pedestrian zones at every intersection. Alternate design proposals may be considered by PARA and/or the Planning Board.
  - ii. Crosswalks shall be 10 feet wide.
5. The existing grid pattern is to be adhered to, to the extent possible.
6. Roadways are to be designed to promote controlled traffic patterns and speeds (i.e. raised crosswalks, signage, traffic lights, street parking).
7. Decorative concrete paving patterns, where provided, shall be a stamped concrete system similar to Bomanite or equivalent. Installation shall be in accordance with manufacturer's recommendations. Stamped patterns shall be similar to a brick or cobblestone.
8. Roadway construction materials are to be in compliance with the City of Perth Amboy Design Standards, subject to standards required in the zoning.

### **7.8.3. Stormwater Management**

1. Site development shall require a stormwater management system designed and installed prior to the development of the site that meets City ordinance and DEP stormwater requirements.
2. The system shall be adequate to carry off or store the stormwater and natural drainage water, which originates not only within the area being developed but also that which originates beyond the developed area.
3. The downstream drainage system (downstream of any on-site detention or retention basin discharging to a creek) shall consider existing flows from tributary areas to the downstream conduits and open channels that originate off-site but which are tributary to the flow path over which drainage travels.
4. Additional requirements of stormwater management are as detailed in Section 430-79 and 430-80 of the Zoning and Land Development for the City of Perth Amboy.

## SECTION 8: AFFORDABILITY

### 8.1. Affordable Housing Requirement

For all new residential development projects with 10 or more units, no less than 10% of the total residential units shall be affordable in perpetuity. For non-residential construction, a fee shall be paid before a Certificate of Occupancy is issued by Code Enforcement equal to 2.5 percent of the equalized assessed value of the land and improvements, unless such non-residential fee is exempted by P.L. 2008 Chapter 46.

To the extent that the applicable COAH rules are amended subsequent to the date of this Redevelopment Plan then the relevant regulations in effect at the time site plan approval is granted shall apply.

The affordable housing requirement shall be provided on-site and affordable units shall be integrated with market-rate units. The affordable units shall be provided as part of (not in addition to) the maximum allowable residential yield of the development.

In addition, no more than 25 percent of the affordable units may be age-restricted.

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

### 8.2. Affordable Housing Inventory

#### 8.2.1. A-500 requires that a redevelopment plan include:

1. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all affordable housing units that are to be removed as a result of the redevelopment plan.
2. 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.

The New Jersey Legislature adopted A-500 in 2008, requiring redevelopment plans to include an affordable housing inventory. However, the original Gateway Area Redevelopment Plan was adopted in March 1997. Therefore, the requirement of an affordable housing inventory does not apply to this redevelopment plan as currently amended.

## **SECTION 9: ADMINISTRATIVE**

### **9.1. Computations**

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

### **9.2. Other Actions by the City in Furtherance of the Plan**

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

### **9.3. Role of the Perth Amboy Redevelopment Agency (PARA)**

The City of Perth Amboy acting as the Redevelopment Entity will be solely responsible for the implementation of this Redevelopment Plan as set forth below.

### **9.4. City Designation of Redeveloper – Redeveloping Agreement**

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

Only redevelopers designated by PARA may proceed to implement the redevelopment projects set forth in this Redevelopment Plan. In order to assure that the vision of this Redevelopment Plan will be successfully implemented in an effective, comprehensive and timely way, and in order to promptly achieve the public purpose goals of the Plan, PARA, acting as the Redevelopment Entity, will select the redeveloper(s) in all areas governed by this Redevelopment Plan.

#### **9.4.1. Procedural Standards for Redeveloper Applications**

1. All designated redeveloper(s) will be required to execute a Redevelopment Agreement satisfactory to and authorized by PARA. The procedural standards described here will guide redeveloper selection. PARA, acting as the Redevelopment Entity may, at any time, entertain unsolicited proposal(s) from a prospective redeveloper(s) for redevelopment of one or more parcels. A prospective redeveloper will be required to provide a Pre-Submission Form to PARA including information that specifies their qualifications, financial resources, experience



and design approach to the proposed redevelopment project and compliance with the City Pay to Play Ordinance. The selection process will likely include the submission of some or all of the following materials (additional submission materials may be requested by PARA as deemed appropriate to the particular project sites):

2. Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, number and type of dwelling units, if any, retail and or commercial uses, parking, traffic circulation, flood mitigation, landscaping, recreation space, construction schedule, including estimated preconstruction time period to secure permits and approvals, and other elements are consistent with the objectives and standards of this Redevelopment Plan.
3. Documentation evidencing the financial responsibility and capability of the proposed redeveloper with respect to carrying out the proposed redevelopment including but not limited to: type of company or partnership, disclosure of ownership interest, list of comparable projects successfully completed, list of references with name, address and phone information, list of any general or limited partners, financing plan, and financial profile of the redeveloper entity and its parent, if applicable.

#### **9.4.2. Evaluation of the Pre-Submission Form- Conditional Designation Interim Cost Agreement**

After the evaluation of the Pre-Submission Form, PARA will consider the execution of a Conditional Designation and Interim Cost Agreement to establish a period of exclusive negotiations and the deposit of funds with PARA to defray the costs incurred by PARA in the effort to negotiate a Redevelopment Agreement.

#### **9.4.3. Redevelopment Agreement Minimum Provisions.**

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

1. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan and shall comply with all the terms and obligations of the Redeveloper Agreement.
2. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.

3. The Redevelopment Agreement(s) shall include a provision that requires the redeveloper to provide, at a minimum, all inclusionary affordable housing as is required by operation of law, including but not limited to the requirements as set forth in City Ordinances.
4. The Redevelopment Agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.
5. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure.
6. All infrastructure improvements shall comply with applicable local, state and federal law and regulations. All utilities shall be placed underground.
7. In addition to the provisions set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law. Nothing in the Plan shall limit the ability of PARA to negotiate a Redevelopment Agreement with the conditionally designated redeveloper that requires that the redeveloper will provide benefits and amenities for the City that do not directly relate to the needs generated by its redevelopment projects. The Redevelopment Agreement between PARA and the redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds, parent guarantee, or other acceptable performance security) pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project.

## **9.5. Approvals Process**

This Redevelopment Plan changes the process by which approvals for the development of land are typically granted. For a typical development application, a property owner submits plans and an application to the Planning Board or Zoning Board of Adjustment, and the board schedules a hearing on the application. However, in order to comply with this Redevelopment Plan and to maximize the effectiveness of the review process, the following procedure will be followed:

### **9.5.1. PARA Review**

PARA acting as the Redevelopment Entity shall review all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant Redeveloper Agreement(s). Such review shall occur prior to the submission of an application for approval of the redevelopment project(s) to the Planning Board. As part of its review, PARA may require the redeveloper(s) to submit proposed site plan applications to PARA or to a subcommittee organized prior to the submission of such applications

to the Planning Board. Such subcommittee may include members of the City Council and any other members and/or professionals as determined necessary and appropriate by PARA. Such subcommittee shall make its recommendations to PARA. In undertaking its review, PARA shall determine whether the proposal is consistent with this Redevelopment Plan and relevant Redeveloper Agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of this Plan.

#### **9.5.2. Planning Board Review Process**

After the PARA Review process noted above is completed, all development applications shall be submitted to the City of Perth Amboy Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not been designated by PARA as a redeveloper(s), a Redevelopment Agreement has not been fully executed and the project plan has not been reviewed and approved by PARA. Additionally, the Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not received approval from the Executive Director of PARA or any subcommittee that PARA may designate for such purpose, stating that the application is consistent with the Redevelopment Plan and Redevelopment Agreement.

#### **9.5.3. Easements**

No building shall be constructed over a public easement in the Redevelopment Area without the prior written approval of PARA.

#### **9.5.4. Site Plan and Subdivision Review**

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the Rehabilitation Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Perth Amboy Planning Board. Any subdivision of lots and parcels of land within the Rehabilitation Area shall be in accordance with the requirements of this Redevelopment Plan, the Redevelopment Agreement, and the subdivision ordinance of the City of Perth Amboy, except that where this Redevelopment Plan contains provisions that differ from those in the subdivision ordinance, this Plan shall prevail.

#### **9.5.5. Approvals by Other Agencies**

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

## **9.6. Deviations**

Neither the Planning Board nor the Zoning Board of Adjustment shall grant any deviations from the terms and requirements of this Redevelopment Plan, including the granting of any "c" or "d" variances. Any proposed changes to the Redevelopment Plan shall be in the form of an amendment to the Redevelopment Plan adopted by PARA in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

## **9.7. Severability**

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

## **9.8. Adverse Influences**

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

## **9.9. Non-Discrimination Provisions**

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

## **9.10. Escrows**

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

## **9.11. Infrastructure**

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

## **9.12. Procedures for Amending the Plan**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A request for same may be submitted to the Redevelopment Agency. The City of Perth Amboy reserves the right to amend this plan. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the City. The City, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey and other additional professionals as may be required by the City.

## **9.13. Tax Abatement Program**

By designating the study area as an area in need redevelopment, PARA is given the authority to offer five-year tax exemptions or abatements as a financial incentive to encourage rehabilitation of the area, in accordance with N.I.A.C. 40A:21-1 et seq.

## **9.14. Additional Superseding Provisions**

### **9.14.1. Terms and Definitions**

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

### **9.14.2. Other Applicable Design and Performance Standards**

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

## **9.15. Certificates of Completion**

Upon completion of a project, the developer shall submit for a Certificate of Completion. Concurrently, a zoning ordinance amendment shall be submitted to the Perth Amboy City Council requesting that the zoning for the subject parcel(s) be incorporated into Chapter 430 of the City Code to ensure that the standards remain applicable.

## **9.16. Land Use Map Amendments**

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