



MONTCLAIR CENTER GATEWAY PHASE 1 REDEVELOPMENT PLAN



TOWNSHIP OF MONTCLAIR, NEW JERSEY

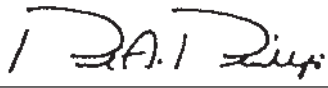
PREPARED BY PHILLIPS PREISS GRYGIEL LLC
PLANNING & REAL ESTATE CONSULTANTS

October 4, 2011 (O-11-60)
December 11, 2012 (O-12-62)
May 14, 2013 (O-13-13)
June 18, 2013 (O-13-27)
March 4, 2014 (O-14-002)
January 9, 2018 (O-17-046)
October 25, 2022 (O-22-24)
November 13, 2023 (O-23-24)

Adopted:
Amended:



The original of this report was signed and sealed in accordance with N.J.S.A. 13:41-1.2



Paul A. Phillips
New Jersey Professional Planner License #3046



Table of Contents



1	Introduction	1
1.1	Statutory Basis for the Redevelopment Plan	1
1.2	Plan Overview	2
1.3	Plan Area Boundaries and Land Uses	3
2	Vision and Objectives	7
2.1	Background	7
2.2	The Gateway Vision	8
2.3	Plan Objectives	8
2.3.1	Overall	8
2.3.2	Land Uses	8
2.3.3	Design	9
2.3.4	Environmental Sustainability	9
2.4	Notes on Plan Terminology	9
3	Land Uses	11
3.1	Purpose and Intent	11
3.2	Allowable Uses	11
3.3	Accessory Uses	12
3.4	Allowable Uses	12
3.4.1	First-Level Uses	12
3.4.2	Uses on Upper Floors	14

4	Bulk and Design Standards	15
4.1	Building Bulk	15
4.1.1	Purpose and Intent	15
4.1.2	Minimum Development Area	15
4.1.3	Minimum Required Yield	16
4.1.4	Maximum Height	16
4.1.5	Ground Floor Slab Changes on Sloping Frontages	17
4.1.6	Setbacks	17
4.2	Building Massing	20
4.2.1	Purpose and Intent	20
4.2.2	Vertical Massing	20
4.2.3	Horizontal Massing	21
4.2.4	Upper-Story Stepbacks	21
4.2.5	Roofs	22
4.2.6	Corner Elements and Focal Points	22
4.2.7	Bridges Over Driveways	22
4.3	Building Detailing	22
4.3.1	Purpose and Intent	22
4.3.2	Transparency	24
4.3.3	First Level Design Guidelines	24
4.3.4	Materials	25
4.4	Streetscape	26
4.4.1	Purpose and Intent	26
4.4.2	Required Mid-block Driveways and Sidewalks	26
4.4.3	Restrictions on Curb Cuts	26
4.4.4	Streetscape Elements	26
4.4.5	Traffic Calming Features	27
4.5	Open Space	27
4.5.1	Purpose and Intent	27
4.5.2	Public Open Space	27
4.5.3	Private Open Space	28
4.6	Sustainability	29
4.6.1	Purpose and Intent	29
4.6.2	LEED-NC and LEED-ND	29
4.6.3	Environmental Roof Features	30
4.7	Parking and Loading	31
4.7.1	Purpose and Intent	31
4.7.2	Parking Ratios	31
4.7.3	Valet Parking	32
4.7.4	Car-Sharing	32
4.7.5	Parking Stall Dimensions	32
4.7.6	Orange Road Deck	32
4.7.7	New Parking Facilities	32
4.7.8	Loading / Trash / Service Access	34



5	Plan Consistency Review	35
5.1	Relationship to Montclair Zoning Ordinance	35
5.2	Relationship to Adjacent Municipalities	35
5.3	Relationship to Essex County Master Plan	35
5.4	Relationship to State Development and Redevelopment Plan	36
5.5	Relationship to Local Planning and Development Goals & Objectives	36
	5.5.1 Master Plan	36
	5.5.2 Energy Plan (October 2010)	38
6	Redevelopment Actions	39
6.1	Outline of Proposed Actions	39
6.2	Properties to be Acquired	39
6.3	Relocation	40
6.4	Infrastructure	40
6.5	Other Actions	40
7	General Provisions	41
7.1	Amendment to Zoning Map and Zoning Ordinance	41
7.2	Definitions	41
7.3	Deviation Requests and Requests for Design Exceptions	41
7.4	Site Plan and Subdivision Review	42
7.5	Adverse Influences	43
7.6	Non-Discrimination Provisions	43
7.7	Duration of the Plan	43
7.8	Completion of Redevelopment	43
7.9	Severability	43
8	Other Provisions	45
9	Procedure for Amending the Plan	47
10	Appendix	49

List of Figures

FIGURE 1:	Location of Montclair Center Gateway	2
FIGURE 2:	Redevelopment/Rehabilitation Area Status of Properties Located within the Montclair Center Gateway – Phase 1 Redevelopment Plan Area	3
FIGURE 3:	Redevelopment / Rehabilitation State of Plan Area Properties	4
FIGURE 4:	Location of Redevelopment and Rehabilitation Areas within the Gateway Area	5
FIGURE 5:	Aerial View of Plan Area and Surrounding Context	6
FIGURE 6:	Allowable Uses by Building Level & Frontage Location	13

MONTCLAIR
CENTER
GATEWAY

PHASE 1

REDEVELOPMENT
PLAN



1

Introduction

1.1 Statutory Basis for the Redevelopment Plan

This Redevelopment Plan has been prepared for the Montclair Center Gateway – Phase 1 Area within the Township of Montclair, Essex County, New Jersey. The area encompasses lands located within the western edge of the central business district of the Township of Montclair (also known as “Montclair Center”). Figure 1 shows the location of the area within Montclair.

In 2010, the Township of Montclair Council directed the Township’s Planning Board to study the subject area in order to determine whether it was an “Area in Need of Redevelopment” in accordance with the criteria specified in the Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5. The Township retained Phillips Preiss Grygiel LLC (PPG) to conduct a Redevelopment Area investigation. On October 5, 2010, a public hearing on the investigation was held by the Planning Board, which recommended that certain properties (Block 1404, Lots 1.01, 11, 12.01 and 13) within the study area qualified as an Area in Need of Redevelopment. Based on the findings of the report, the Township Council adopted an Area in Need of Redevelopment designation for these four properties on October 12, 2010. The Council then requested and authorized the Township Planning Board to prepare a redevelopment plan for the area which would include several adjacent properties previously designated as areas in need of redevelopment or areas in need of rehabilitation.¹

According to the LRHL, a redevelopment plan can include rehabilitation and/or redevelopment areas.²

¹ The entirety of Block 1404 was designated as an Area in Need of Rehabilitation by the Township of Montclair in 2009.

² A redevelopment plan is defined as “a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation or both” (see N.J.S.A. 40A:12A-3).



FIGURE 1:
Location of Montclair
Center Gateway

The properties addressed in this plan include six parcels which were designated an Area in Need of Rehabilitation in 2009 and one Township-owned parcel (Lot 18) which had been designated an Area in Need of Redevelopment in 2001 in addition to the aforementioned parcels designated as an Area in Need of Redevelopment in 2010. Figure 2 lists the tax parcels included in this Redevelopment Plan and notes the redevelopment/rehabilitation area status of each. The locations of these lots are illustrated in Figure 3.

In this plan, all of the parcels listed in Figure 2 are considered together and will generally be referred to as the “Plan Area.”

1.2 Plan Overview

The Montclair Center Gateway – Phase 1 Redevelopment Plan envisions the development of an attractive and pedestrian-oriented gateway to the Township’s commercial district, known as Montclair Center. An overarching goal of this Plan is to further the Township of Montclair’s planning goals by implementing mixed-use, Smart Growth redevelopment in its downtown (further discussion of the objectives of this

**FIGURE 2: Redevelopment/Rehabilitation Area Status of Properties
Located within the Montclair Center Gateway – Phase 1 Redevelopment Plan Area**

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Acres</u>	<u>Status</u>
1404	1.01	DCH INVESTMENTS INC.	1.0803	Redevelopment Area (2010)
1404	6	MESCE, THOMAS J.	0.0404	Rehabilitation Area (2009)
1404	7	JIASUVAN, RATTALES	0.0689	Rehabilitation Area (2009)
1404	8	ARTISHA RESTAURANT	0.0235	Rehabilitation Area (2009)
1404	11	DCH INVESTMENTS INC.	0.1477	Redevelopment Area (2010)
1404	12.01	NEWCO PROPERTIES LLC	0.8107	Redevelopment Area (2010)
1404	13	DCH INVESTMENTS INC.	0.0574	Redevelopment Area (2010)
1404	18	TOWN OF MONTCLAIR	.113	Redevelopment Area (2001)
1404	19	FERRARA'S REALTY LLC	0.2173	Rehabilitation Area (2009)
1404	20	FERRARA'S REALTY LLC	0.4277	Rehabilitation Area (2009)
1404	21	27 ORANGE RD LLC	0.0782	Rehabilitation Area (2010)

plan is contained in the following chapter). At the outset, however, it should be emphasized that this Plan addresses Phase I of what is expected to be a multi-phased Gateway project involving several other redevelopment and rehabilitation areas in the vicinity of the Plan Area (other redevelopment areas within the Montclair Center Gateway are shown in Figure 4). As such, this plan reflects the Township of Montclair's desire to set a high standard for design and sustainability in Phase 1 and to catalyze short-term redevelopment activity that establishes positive momentum for subsequent phases of the overall Gateway Redevelopment.

1.3 Plan Area Boundaries and Land Uses

As shown in Figure 5, the Plan Area is bounded to the north by Bloomfield Avenue; to the east by Valley Road; to the south by the Montclair Board of Education Property on Lot 17 (which has frontage along Church Street as well as Orange Road and Valley Road); and to the west by Orange Road. The 11 parcels included in the Plan Area comprise a total area of approximately 4.08 acres.

Existing development within the Plan Area includes a former car dealership and associated facilities (known as the "DCH Property"), a parking garage, a restaurant with upper story apartments, a storage facility for a plumbing contractor and an auto body repair shop. The Montclair Board of Education is located to the south of the Plan Area on Lot 17 within Block 1404. The heart of Montclair Center, a densely developed pedestrian-oriented business district, is located to the east of the study area, while there are some commercial uses to the north and west of the study area along Bloomfield Avenue. Single-family, two-family and multifamily residential uses are located on Valley Road and Orange Road in the vicinity of the Plan Area.

The six-story parking garage (the "Orange Road Deck") --- on Block 1404, Lot 18 has multiple users. It is owned by the Township of Montclair and operated by its Parking Authority. Prior to vacating the premises, the owner of the DCH Property (Lots 1.01, 11, 12.01 and 13) rented a substantial portion of the deck for parking and storage related to its operations as an auto dealership. The Montclair Board of Education rents approximately 78 spaces in this deck for employees who work in its buildings on Lot 17. These and other ground level spaces are available for use by the general public during the evening and on weekends. Currently, the majority of the spaces within the parking garage are unused.

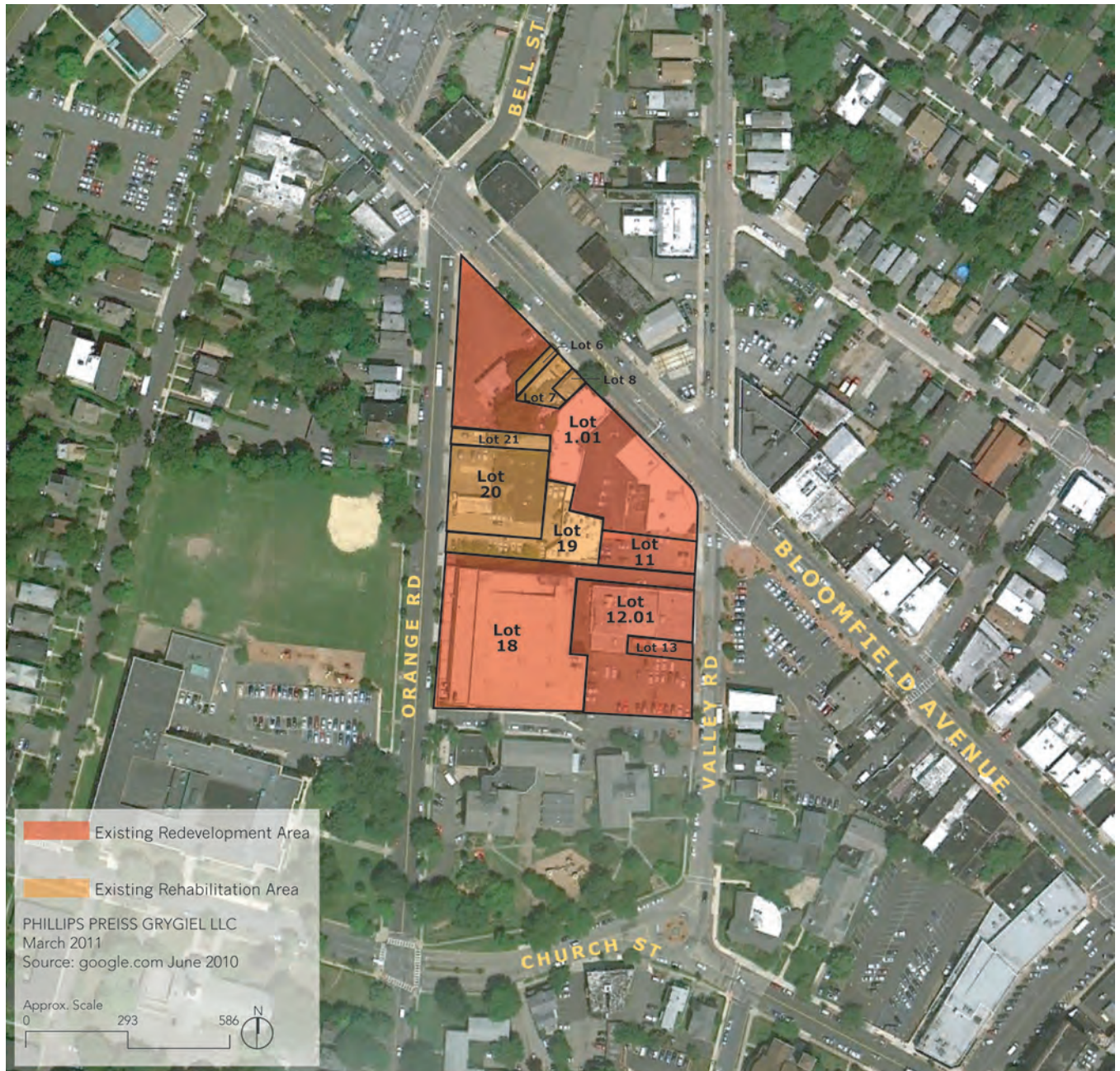


FIGURE 3:
Redevelopment /
Rehabilitation State
of Plan Area Properties



FIGURE 4:
Location of
Redevelopment and
Rehabilitation Areas within
the Gateway Area



FIGURE 5:
Aerial View of
Plan Area and
Surrounding Context

2

Vision and Objectives

2.1 Background

With its existing train stations, pedestrian-oriented downtown and bold sustainability agenda, Montclair Township is well-positioned to realize the economic, environmental and social benefits of Smart Growth redevelopment by capitalizing on new suburban demographics (e.g., the growing percentage of childless households), shifting market preferences (e.g., the increasing demand for multifamily residential development) and rising transportation costs. Montclair has already made incremental progress towards creating a compact, connected and mixed-use environment by making targeted investments in its downtown and infrastructure, promoting sound planning policies (e.g., the Complete Streets Ordinance and the Historic District Design Guidelines) and by encouraging redevelopment in transit-oriented or transit-ready locations. Today, Montclair Center is a model for downtown revitalization among Northern New Jersey's inner-ring suburbs. However, the sense of place created by the mix of uses and historic architecture in the heart of Montclair Center is nonexistent in the Gateway area. Here, the vitality and aesthetic character of Montclair Center is diminished by a fragmented jumble of aging single use commercial properties, underperforming surface parking lots and a few relatively isolated retail uses. Given the prominent physical location of this area as the primary entrance point to Montclair Center, its existing condition has prevented Montclair's downtown from realizing its full potential as a node of urban activity within the New York Metropolitan Region.

2.2 The Gateway Vision

This Plan envisions the redevelopment of the Montclair Center Gateway – Phase I area with an innovative design that creates a positive fiscal impact and provides the diversity and density necessary to create an exciting new place that anchors the western edge of Montclair Center. The Plan includes standards for high-quality, pedestrian-oriented design that will help establish a sense of place and complement the existing buildings and uses in the neighborhood.

2.3 Plan Objectives

Based on a thorough consideration of the existing land use and policy context, the comments and concerns expressed in two community meetings and input from the Redevelopment Subcommittee, this plan sets forth the following objectives for the redevelopment of the Plan Area:

2.3.1 Overall

- Provide redevelopment opportunities that can create a positive fiscal impact on Montclair and stimulate future redevelopment efforts within the Gateway.
- Replace existing blighting influences within the Plan Area with high-quality new and renovated development.
- Require high-quality design, establishing a standard for subsequent phases of the Gateway redevelopment.
- Create a visual focal point and Gateway to downtown Montclair through pedestrian-scaled development that establishes a sense of place.
- Encourage a design and mix of uses that improves with age and endures changes in aesthetic tastes and shifting market preferences.
- Facilitate the remediation of the former Exxon gas station site at the corner of Orange Road and Bloomfield Avenue.
- Provide opportunities for all parcels within the Plan Area to participate in a coordinated redevelopment.
- Create a regulatory framework that fulfills the Township's vision for the Plan Area while accommodating desirable market preferences and reasonable economic factors.

2.3.2 Land Uses

- Encourage the development of a premier hotel that serves Montclair's businesses, cultural arts and educational institutions and residents.
- Promote land uses that support and enhance business activity in Montclair Center.
- Create opportunities for new high quality office space, including a business incubator.
- Support the development of diverse housing to accommodate various populations, including seniors, and to provide opportunities for affordable housing.
- Ensure the land use mix is compatible with the available parking supply.
- Maximize the potential of the Orange Road Deck to provide parking for the project.
- Provide a land use mix that results in a sustainable positive fiscal impact on the Township of Montclair.
- Ensure the redevelopment project is compatible with the carrying capacity of the utilities servicing the Plan Area.

2.3.3 Design

- Reinforce the eclectic and historic sense of place in Montclair Center by requiring new buildings to harmonize with its scale and character.
- Provide signature gateway architectural features to create visual interest, frame the street and instill a sense of arrival in Montclair Center visitors.
- Create an inviting and attractive pedestrian-oriented atmosphere at the sidewalk level that seamlessly connects to Montclair Center.
- Enhance the public realm by providing an attractive and welcoming pedestrian environment that includes seating areas, public art opportunities and active ground floor uses.
- Ensure the project is compatible with the neighborhood fabric.
- Facilitate a safe and integrated pedestrian and vehicular circulation network.

2.3.4 Environmental Sustainability

- Achieve economic benefits through green design.
- Reduce dependency on solo automobile trips by leveraging the Township's transit assets and encouraging walking and biking.
- Promote active and passive "green" building technologies.

2.4 Notes on Plan Terminology

This Plan sets forth standards for land use, design, circulation and parking. Some plan elements are fixed, such as the allowable building heights, while others are flexible though in keeping with the Township's goals and objectives for the project. Accordingly, an important distinction is made between "shall" and "should" throughout this Plan.

- "Shall" means that a redeveloper is required to comply with the specific regulation, without deviation.
- "Should" means that a redeveloper is encouraged to comply but is not required to do so. If the exact recommendation cannot be met, the Planning Board will entertain any modification that meets the underlying spirit and intent of the regulation and/or the plan generally.

3

Land Uses

3.1 Purpose and Intent

A variety of land uses is permitted within the Plan Area in order to complement the mixed-use nature of downtown Montclair. This Redevelopment Plan gives special attention to the type and design of first-floor uses with a view toward continuing the pattern of pedestrian activity and visual interest typical of Bloomfield Avenue within Montclair Center. Accordingly, the allowable land uses are defined based on a building's street frontage location and a distinction between first-level and upper levels. The Plan also encourages the development of a hotel use and requires a minimum amount of office space.

The remainder of this section sets forth the use regulations for the Plan Area.

3.2 Allowable Uses

1. Multifamily dwellings
2. Senior citizen housing, including congregate apartment housing as defined by the New Jersey Department of Health and Human Services
3. Offices, including general or business offices, drop-in centers, professional offices, government offices and medical offices
4. Hotels, including short-term rental units.
5. Retail, including convenience and specialty retail and personal service establishments
6. Restaurants and other eating and drinking establishments, with the exception of drive-through restaurants

7. Educational establishments, including play centers, tutoring centers, martial arts studios and dance studios
8. Health or fitness clubs, including personal training studios, yoga studios and pilates studios
9. Art studio and galleries
10. Public open space including plazas, parks, and other passive recreation areas
11. Two-family dwellings
12. Townhouses

3.3 Accessory Uses

1. Sidewalk dining
2. The following may be installed on the rooftop of any building:
 - a. Solar panels
 - b. Rooftop terraces, gardens, and decks
 - c. Living green roofs for environmental benefit
 - e. Telecommunications equipment, as per the requirements in Section 347-17.1.C(4) of the Zoning Ordinance
3. Public or private parking structures, owned or operated by a public agency or private entity, including parking, docking and charging stations for electric or shared vehicles. However, see Section 4.7.7 for further restrictions on parking location, screening, and lamination.
4. Uses that are customarily incidental to a principal permitted use.

Accessory uses may be located on a lot other than the lot which accommodates the principal use subject to Planning Board approval.

3.4 Allowable Uses

Figure 6 describes where different uses are permitted in terms of street frontage location and building level. A building's location is defined by its first level street frontage(s). A "Y" indicates that the use is a permitted use in that location. Note that the location for parking lots and parking structures is further governed by the requirements of Section 4.7.7.

3.4.1 First-Level Uses

Certain "active" uses – those that promote activity on the sidewalk — are required to be provided along the first-level street frontage of all new buildings along Bloomfield Avenue. These uses will continue the pedestrian-friendly character of the vibrant downtown sidewalks of this important street. Active uses include convenience and specialty retail; personal service establishments; banks and other financial institutions; health or fitness clubs; art studios and galleries; restaurants, eating and drinking establishments; and hotel lobbies and related hotel amenities that create activity along the sidewalk, such as hotel restaurants and hotel gyms. Such uses shall be at least thirty-five (35) feet deep. This depth is also the minimum required in order to meaningfully screen any new parking provided at the center of the block, as described in Section 4.7.7.2.

Active uses are strongly recommended, though not required, at the first level along Valley Road. In the long term, this portion of Valley Road may be a viable retail location given the potential synergy with the future phase of the Gateway redevelopment anticipated on Block 2208. However, in recognition of

FIGURE 6: Allowable Uses by Building Level & Frontage Location

	Valley Road				Bloomfield Avenue		Orange Road (Block 1404, Lot 1.01)				Orange Road (Block 1401, Lots 19, 20 & 21)	
	More than 150 feet from Bloomfield Avenue		Within 150 feet from Bloomfield Avenue				More than 100 feet from Bloomfield Avenue		Within 100 feet from Bloomfield Avenue			
	First Story	Upper Stories	First Story	Upper Stories	First Story	Upper Stories	First Story	Upper Stories	First Story	Upper Stories	First Story	Upper Stories
Two-family dwellings	N	N	N	N	N	N	N	N	N	N	Y	Y
Townhouses	N	N	N	N	N	N	N	N	N	N	Y	Y
Multifamily dwellings, including senior citizen housing	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y
Offices, including medical offices	Y	Y	N	Y	N	Y	N	Y	Y	Y	Y	Y
Veterinary offices	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Hotels and related hotel amenities ¹	N	N	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>	<u>Y</u>
Retail & personal service establishments	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Business drop-in centers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Educational play centers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Restaurants, eating and drinking establishments	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Banks and other financial institutions	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Educational establishments, including tutoring centers, martial arts studios and dance studios	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Health or fitness clubs, including personal training studios, yoga studios & pilates studios	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Art studio and galleries	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public open space	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Note: Y denotes allowed uses and N denotes uses that are not allowed.

¹Short-Term Rental Units shall only be permitted on Block 1401, Lot 20).

potential short-term challenges to securing retail tenants along Valley Road, this Plan also permits residential uses and certain other uses on the first level; furthermore, within 150 feet of Bloomfield Avenue, hotel lobbies and related facilities such as dining and fitness rooms, are also permitted at the first level.

Along Orange Road, active uses are permitted to wrap around the corner from Bloomfield Avenue as indicated in Figure 6.

3.4.2 Uses on Upper Floors

Permitted upper-story uses along Bloomfield Avenue include residential, hotel, office, and certain other allowable uses as per Figure 6.

Along Orange Road, office uses are permitted to wrap around the corner from Bloomfield Avenue along the Orange Road frontage, as indicated in Figure 6.

Along Valley Road, different upper-story uses are permitted depending on the location along the street. For buildings having frontage on Valley Road more than 150 feet from Bloomfield Avenue, only residential and certain other uses are permitted on upper stories. Within 150 feet of the corner of Valley Road and Bloomfield Avenue, a hotel is an encouraged and permitted use on upper stories, while residential, offices, and certain other uses are also permitted.

4

Bulk and Design Standards

4.1 Building Bulk

4.1.1 Purpose and Intent

This section describes required yield, allowable heights, and required setbacks for buildings in the Plan Area, which relate to the different uses permitted in the redevelopment area pursuant to Figure 6. Heights for buildings along Valley Road and Bloomfield Avenue are limited to six stories, however, based on the desire for a modern hotel in downtown Montclair, additional height (to eight stories total) is permitted for a hotel use. Heights for new buildings along Orange Road are limited to four stories.

Minimum required setbacks will serve to widen sidewalks and enhance the pedestrian realm. Maximum permitted setbacks will help ensure that development preserves the “streetwall” environment appropriate to a downtown. The amount of development is also affected by stepbacks, required public open space, and the need to accommodate the required parking supply on site. These standards are intended to create a compact, urban building form that reinforces the character of downtown Montclair.

4.1.2 Minimum Development Area

The minimum parcel size for development, other than two-family dwellings, is 0.5 acres.

4.1.3 Minimum Required Yield

4.1.3.1 Office

A minimum of 38,000 total gross square feet of office uses is required. Such office use may be provided within the upper stories of the building mass within any of the following locations: along Bloomfield Avenue; within 150 feet of Bloomfield Avenue along Valley Road; or within 100 feet of Bloomfield Avenue along Orange Road.

4.1.3.2 Hotel and Short-Term Rental Units

A hotel is an optional use and Short-Term Rental Units are included within the definition of hotel. There is no minimum size; however, the mass of the hotel, excluding Short-Term Rental Units, may extend no more than 245 linear feet along Orange Road as measured from the property corner at Bloomfield Avenue and Orange Road. As described in Section 4.3.2.1, its primary entry, excluding Short-Term Rental Units, shall be located along Bloomfield Avenue or within 50 feet from the Bloomfield Avenue curblin along Orange Road.

Short-Term Rental Units are a permitted hotel use and are defined as multi-family dwelling units that may be offered for rental to the public with or without meals for a term of less than 28 days. Accessory services and amenities offered for the use of occupants of Short-Term Rental Units may include, but not be limited to: (a) indoor facilities and services consisting of a leasing center, front desk with package delivery storage, lobby/lounge/gallery, maintenance facilities, business center (including, but not limited to, a business lounge, computer center, and/or telecommunications facilities), and fitness centers, and (b) outdoor amenities consisting of a courtyard, meeting areas with outdoor furniture, and barbeque facilities, all of which shall be for the exclusive use of all occupants of the building and their guests. Other permissible amenities may include a restaurant and/or cafe, spa and/or retail sales, and indoor storage facilities. Short-Term Rental Units shall be subject to a municipal hotel occupancy tax and are only permitted on Block 1404, Lots 19, 20 and 21. Short-Term Rental Units shall be subject to the same parking ratios as multifamily dwellings in 4.7.2.

4.1.3.3. Residential Development

There is no minimum level of residential development or senior housing development.

4.1.3.4 Affordable Housing

Notwithstanding any inconsistency or contrary to any local ordinance or regulation, at least ten percent (10%) of the total residential units in the Plan area shall be affordable to low- and moderate-income households, and shall be administered in accordance with the Township's Inclusionary Zoning Ordinance. For the purposes of this Section, Short-Term Rental Units shall be treated as residential units as opposed to non-residential use such that ten percent (10%) of the total residential units approved in a building that contains Short-Term Rental Units shall be deed-restricted to be affordable to low- and moderate-income households and shall be administered in accordance with the Township's affordable housing ordinances. No Short-Term Rental Units shall be designated as an affordable unit. Owners of all Short-Term Rental Units must pay the annual Montclair Township Hotel Occupancy Tax pursuant to Montclair Code §309-30 et seq; and twenty (20%) percent of these revenues shall be paid into the Montclair Township Residential Rental Assistance Fund. In addition, a one-time payment of \$3,000 shall be paid to the Montclair Township Residential Rental Assistance Fund for each Short-Term Rental Unit and shall be paid prior to issuance of any Certificate of Occupancy. Any accessory services and amenities (described in Section 4.1.3.2.1) that are offered by the hotel for the use of occupants and guests of the Short-Term Rental Units in a building that contains deed-restricted affordable units shall be offered for use by the residents, occupants and guests of the deed-restricted units.

16

Alternatively, in order to promote the housing objectives of the Township and subject to approval by resolution, the Township Council may approve an alternative plan to meet this affordable housing obligation. The Township has absolute discretion to approve or disapprove an alternative plan. This alternative plan may be in and/or outside the Plan area, and must be administered in accordance with the Township's Inclusionary Zoning Ordinance and Affordable Housing Ordinance except as expressly modified by this Plan.

4.1.4 Maximum Height

4.1.4.1 Height for Non-Hotel Uses and Short-Term Rental Units

- a. Two-family dwellings: two and one-half stories (2-1/2 stories) and 35 feet.
- b. Townhouses: three (3) stories and 35 feet.
- c. Multi-family, commercial and mixed use buildings including Short-Term Rental Units:
 - i. Along Valley Road: Six (6) stories and 75 feet
 - ii. Along Bloomfield Avenue: Six (6) stories and 75 feet
 - iii. Along Orange Road: Four (4) stories and 55 feet
- d. Parking decks: Five stories.

4.1.4.2 Additional Height for Hotel Use, excluding Short-Term Rental Units

For the optional hotel use at Bloomfield Avenue and Orange Road only, an additional two (2) stories and forty (40) feet, for a total height of eight (8) occupied stories and one rooftop bar amenity space, with 115 feet, are permitted.

4.1.4.3 Measurement of Height

Building height shall mean the vertical distance from the pre-construction grade surrounding the building

to the highest point of a flat roof or the highest point of a sloped roof.

4.1.4.4 Projections Above Maximum Height

Rooftop Equipment

Maximum allowable building height excludes building rooftop mechanical equipment and walls or other devices that are used to screen such equipment, provided the equipment and screening devices are both set back at least 10 feet from all sides of the building. If they are located within 10 feet of a building edge, they shall count towards the height limit. All such equipment shall be screened from view from the public realm.

Corner Features

Where a corner feature or architectural focal point is permitted (see Section 4.2.6), appropriate rooftop features such as spires, belfries, turrets, and cupolas are permitted to extend up to 20 additional feet, as measured at their highest point, above any non-hotel use. Such corner features shall not each exceed 25 feet in either width or length, and shall not include any usable or habitable space. Thus, over a non-hotel use built to the full permitted height of 75 feet, the maximum total height at the top of the corner feature is 95 feet; while over a hotel use (excluding Short-Term Rental Units) built to the full permitted height of 100 feet, the maximum total height at the top of the corner feature is 120 feet.

4.1.5 Ground Floor Slab Changes on Sloping Frontages

The Plan Area includes changes in topography. For example, the stretch of Bloomfield Avenue slopes approximately eight (8) feet from one end of the Plan Area to the other. Along Bloomfield Avenue and if applicable, along Valley and Orange Roads, the finished floor of the first level is encouraged to step down in elevation along each street frontage with a series of slab grade changes that keep first-level windows at generally the same relative elevation above the sidewalk. Specifically, each first-level slab should be placed such that the slab's grade shall not vary more than two feet above or below (+/- 2 feet) the sidewalk grade at each point along its street frontage. It is anticipated that this may be achieved along Bloomfield Avenue with the use of three first-level slabs located at three different elevations.

These slab grade changes may be necessary to prevent the finished floor elevation from being too far above the sidewalk level in some locations, resulting in a blank wall at much of the pedestrian level. The slab grade changes also make it easier for the first level space to contain several different occupants (such as different retail businesses), each with its own street-facing door at the sidewalk.

4.1.6 Setbacks

4.1.6.1 Street-facing Setbacks

Minimum Required Setbacks

The following setback standards are designed to provide a wider, more comfortable sidewalk pedestrian environment on Bloomfield Avenue, Valley Road, and Orange Road, and to maintain sunlight on Bloomfield Avenue. The following minimum building setbacks from street-facing property lines are required, for all street-facing building facades at all levels (additional setbacks at upper levels apply in some locations, as discussed later in Section 4.2.4):

- Along Bloomfield Avenue: Minimum two (2) foot setback at all points.
- Along the Valley Road: Minimum four (4) foot setback at all points.

- Along Orange Road: No setback required for the hotel (excluding Short-Term Rental Units.) A 15 foot setback is required for all other uses, including Short-Term Rental Units.

Maximum Permitted Setbacks

Maximum street-facing setbacks along all public streets are twelve (12) feet. However, deeper setbacks are acceptable if they are part of a required courtyard or other public open space (see Section 4.5.2).

Uses within Street-facing Setbacks

Temporary, moveable seating and tables for adjacent restaurants or cafes are permitted within street-facing setback areas. However, such seating and tables shall not encroach onto the public right-of-way (the public sidewalk).

4.1.6.2 Internal Setbacks

The following minimum building setbacks apply along internal site boundaries:

- The minimum building setback to the adjacent side lot line of Block 1404, Lot 17 (the Board of Education property) at all levels is fifteen (15) feet. The existing vehicular driveway and sidewalks are permitted within this setback area.
- The minimum building setback at all levels from the required mid-block driveway and sidewalk in Block 1404, Lot 18 (as defined in Section 4.4.2) is zero (0) feet. However, as described in Section 4.2.7, enclosed “bridges” of building mass may extend over this driveway in order to connect buildings and the parking garage.
- The minimum building setback at all levels from all other internal vehicular driveways is zero (0) feet. In addition, building mass is permitted to extend over any and all internal circulation routes except for the above-mentioned required mid-block driveway and sidewalk in Block 1404, Lot 18.
- The minimum building setback to adjacent side and rear lot lines of commercial and mixed-use buildings containing commercial and residential uses within the Plan Area is zero (0) feet.

4.1.7 Bulk Requirements for Residential Uses

4.1.7.1 Two-family Dwellings

The minimum lot requirements shall be as follows, except that existing lots under separate ownership with lesser dimensions at the time this ordinance is adopted are permitted.

- a. Minimum lot area: 4,000 square feet.
- b. Minimum lot frontage: 40 feet.
- c. Minimum lot depth: 100 feet.
- d. Minimum side yard setback for principal building:
 - One yard: 4 feet.
 - Other yard: 10 feet
- e. Minimum rear yard setback for principal building: 25 feet.
- f. Maximum building coverage: 25 percent.
- g. Maximum height for accessory structures: 15 feet
- h. Minimum side yard for accessory structures: 4 feet.
- i. Minimum rear yard for accessory structures: 6 feet.
- j. No accessory structure or off-street parking area, whether not within a garage, shall be located between the main building and the curb of the street on which the building fronts; provided, how-

ever, that a driveway leading to a garage which is in, beside or behind the main building shall be permissible.

4.1.7.2 Townhouses

- a. Maximum density: 10 units per acre.
- b. The minimum side yard setback shall be 18 feet, except that where buildings extend for a length of more than 80 feet along the side line, a section or sections over 80 feet in length shall have a minimum setback of 30 feet, and if there is more than one building section with a length of up to 80 feet with a minimum setback, these sections shall be separated by a distance of at least 50 feet.
- c. Minimum rear yard setback: 40 feet.
- d. Maximum building coverage: 20%.
- e. Maximum impervious coverage: 50%.
- f. No building shall exceed 100 feet in length at its longest dimension.
- g. The minimum width of each townhouse unit shall be 20 feet.
- h. All townhouses shall provide not less than two exterior exposures for each family unit, the same properly pierced by windows or other openings so as to provide through ventilation or cross-ventilation for the unit.
- i. The maximum number of adjoining townhouse units in a row shall be five.
- j. The minimum distance between principal buildings shall be 25 feet. The minimum width of a court shall be 45 feet and the depth of a court shall not exceed its width.
- k. All areas not covered by buildings, parking areas or walkways shall be suitably landscaped and improved for maximum outdoor living use, including gardens and recreation areas, where appropriate.
- l. No accessory structure or off-street parking area, whether not within a garage, shall be located between the main building and the curb of the street on which the building fronts; provided, however, that a driveway leading to a garage which is in, beside or behind the main building shall be permissible.

4.1.7.3 Multi-family residential, office and mixed-use buildings on Orange Road

The following requirements apply to new multi-family residential buildings with no commercial component:

- a. Maximum density: 18 units per acre.
- b. Minimum side yard: 20 feet.
- c. Minimum rear yard: 25 feet.
- d. No building shall exceed 200 feet in length at its longest dimension.
- e. No accessory structure or off-street parking area, whether not within a garage, shall be located between the main building and the curb of the street on which the building fronts; provided, however, that a driveway leading to a garage which is in, beside or behind the main building shall be permissible.

4.2 Building Massing

4.2.1 Purpose and Intent

This section provides requirements for building massing, spelling out specific, measureable means by which large buildings must be broken down visually into a series of smaller elements that harmonize with the character of Montclair Center and the adjacent Montclair Town Center Historic District while not precluding contemporary design. The resulting building form will respect the overall pattern of downtown development by taking cues from common themes evident through the various architectural styles visible in Montclair. These include use of bays and a base/middle/top, stepping-back the tallest portions of some buildings, and marking important locations with corner features or other focal points. While the overall result will appear to be a series of smaller buildings aligned side-by-side, allowance is also made for some building mass to extend over driveways as aerial “bridges” if necessary for internal pedestrian circulation purposes. The Appendix includes photographs of projects which illustrate many of the building massing concepts described below. Two-family dwellings and townhouses are exempt from these requirements.

4.2.2 Vertical Massing

The street-facing facade planes of buildings shall be broken down so that they appear as a series of distinct bays, each not to exceed 50 feet in width (unless another logical transition point is deemed appropriate) as measured along the street frontage, so as to prevent long, flat facades. The distinguishing features of such bays should include dimensional changes, not just flat surface changes such as texture or pattern. Bays should establish a varied articulation in their design and dimensions along one building façade; a monotonous repetition of the same bay design along a very wide façade is discouraged. Bay definition should extend through all levels of the building(s), except where horizontal massing changes in the façade plane or upper-story stepbacks (see Section 4.2.4) are provided to break up the bulk of a building.

20

Specifically, bays should be defined through two approaches, dimensional variation and texture / pattern / material variation, as described next.

4.2.2.1 Dimensional Variation

Bay definition shall include variation by dimensional elements such as columns, pilasters, and changes in facade plane. Those distinguishing dimensional features shall each have a depth of at least five (5) inches and a width of at least one (1) foot, so as to create significant shadow lines that help create a sense of depth in the façade.

4.2.2.2 Texture, Pattern, Material Variation

Bay definition must also include textural, pattern, and/or material variation, such as by window size and rhythm of spacing, pattern of balconies, variation in surface material and pattern, and gutters or expansion joints. These variations shall be distinguished by texture, pattern, and/or material, not just color.

Notwithstanding bay variation, the most prominent articulation of facades should place the focus on major pedestrian entryways and any corner elements.

4.2.3 Horizontal Massing

4.2.3.1 Base

The bases of buildings shall be highlighted architecturally and differentiated from upper floors in order to visually ground the building. This should include varied fenestration, varied materials, taller floor heights on the lowest level, horizontal banding, detailing, and varied textures or patterns. On buildings up to six stories in height, the base may simply be the lower portion of the first level; while on taller buildings (i.e., a hotel, if applicable, but excluding Short-Term Rental Units) the base may be the lowest one or two floors.

The pattern of window openings within a building's base should relate to the building's vertical bay pattern. Retail storefronts and lobbies leading to upper-story uses should have large clear glass windows. For more on transparency, see Section 4.3.2.

Overhangs, light shelves, canopies, and straight awnings are encouraged along retail storefronts and over major building entrances. Retail signage and building-mounted lighting are also recommended to help highlight the base where appropriate.

4.2.3.2 Middle

The middle levels of the building shall be distinguished from the base and top by horizontal belt courses or cornices; or by changes in material, façade detailing, or fenestration pattern and proportion.

4.2.3.3 Top

On buildings up to six stories in height, either the entire top floor or the roofline should be differentiated from the lower levels by means of fenestration size and pattern, contrasting materials, differing floor heights, and/or provision of a parapet wall, balustrade, or deep cornice.

For any taller hotel mass (excluding Short-Term Rental Units) (over six stories), the upper floors shall be designed to appear visually lighter than the lower floors, such as through a lighter color or material; a larger proportion of glazing; or corner windows, corner stepbacks or corner height reductions.

4.2.4 Upper-Story Stepbacks

Stepbacks are an architectural device that creates an “expression line” or “datum line” at upper floors and allows a building to relate to the prevailing lower scale of adjacent buildings, and provides more sunlight onto the street. The following stepbacks are required within the Plan Area:

- For the hotel (excluding Short-Term Rental Units), all street-facing facades above six stories (which are only permitted to include hotel uses as discussed in Section 4.1.4.1) shall together be stepped back at least 8 feet with respect to the facades of the lowest six stories of the same building.
- For all buildings other than the hotel (including Short-Term Rental Units), any fifth and sixth stories shall together be stepped back at least eight (8) feet with respect to the facades of the lowest four stories of the same building.

Stepbacks may be highlighted with linear architectural detailing such as cornices, changes in materials from floor to floor, and/or other features. Stepback areas should be designed to serve as terraces or balconies for adjacent residential or hotel uses. Facilities to allow for landscaping and drip irrigation are highly recommended in the stepback areas.

4.2.5 Roofs

4.2.5.1 Roof Shape

The shape of rooflines should coordinate with and reinforce the variation in bay massing (vertical differentiation).

Flat roofs are required, in order to meet requirements for solar panels, green roofs, and resident access. See Section 4.6.3, for specific requirements on use of rooftop areas for green roofs, solar panels, and roof decks.

4.2.6 Corner Elements and Focal Points

Architectural focal points and/or corner elements are required to create visual emphasis in two locations: at the corner of Valley Road and Bloomfield Avenue and at the corner of Orange Road and Bloomfield Avenue. These elements are intended to create a focal point for views down Bloomfield Avenue. One or more of the following methods to create focal points should be followed (see Appendix for examples):

- Contrasting facade materials, such as all-glass curtain walls.
- Contrasting façade shapes, such as rounded rather than flat.
- Additional detailing at the roofline, such as deep bracketed cornices and taller parapets.
- Additional rooftop features such as spires, belfries, turrets, and cupolas. As described in Section 4.1.4.4, such structures shall not extend more than 20 feet above the maximum applicable building height at their highest point, shall not each exceed 25 feet in width and 25 feet in length, and shall not include any usable or habitable space. These features that extend above the normal height limits are only permitted in these two corner locations (Valley / Bloomfield and Orange / Bloomfield).
- Corner elements may include peaked and gabled roofs, provided they comply with overall height restrictions. Eaves of sloping roof forms should include generous overhangs over building walls.

4.2.7 Bridges Over Driveways

Up to two (2) enclosed pedestrian “bridges” are permitted over the required driveway that lies on the north side of the existing Orange Road garage in Lot 18. Such bridges would permit buildings to be connected internally to each other and/or to the Orange Road garage. The following restrictions apply:

- Enclosed pedestrian bridges are permitted only above the first level (so as to allow vehicular movements underneath) and each shall only connect to one level of buildings (for example, a bridge connected to a residential building might be at the second floor, while a bridge connected to a hotel might be at a higher floor).
- Each pedestrian bridge shall be set back at least ten (10) feet from the street-facing facades of adjoining buildings at the same level.
- No habitable space shall be provided within the bridges; they shall serve as circulation only.

4.3 Building Detailing

4.3.1 Purpose and Intent

This section describes more specific requirements for detailing of buildings, with particular attention to the appearance at the sidewalk level. Building transparency, in the form of windows, is important for creating a relationship between the private space of the building and the public environment of the sidewalk and street. Specific guidelines deal with residential uses on the first floor and with other, non-res-

idential uses on the first floor. This section also describes how building materials should be applied to create high-quality facades. Notably, this section does not require any particular architectural style; any number of styles from historic to contemporary may be successfully accommodated within these guidelines.

4.3.2 Transparency

4.3.2.1 Entries

Pedestrian building entries should be clearly visible and highlighted within the front facade through projections, recessions, material changes, canopies, overhangs, and/or lighting. The distinguishing features of such entries should be carried vertically through the building mass.

Each retail business along Bloomfield Avenue shall have direct, individual access to the street. Shared, internal, mall-style entries are prohibited.

The primary entry to the residential portion of a building shall be located along and open onto a public street, rather than along an interior courtyard, walkway, or side alley.

For any hotel use (excluding Short-Term Rental Units), the primary entry shall be located along Bloomfield Avenue or within 50 feet of Bloomfield Avenue along Valley Road or Orange Road.

4.3.2.2 Windows

The following transparency requirements apply to windows in different locations and at different building levels:

- First-level, street-facing facades of any uses that face onto Bloomfield Avenue (in any Lot) or onto Valley Road (in Lots 1.01 and 11 only) shall have glazing occupying at least 70 percent of the façade width within the band that is between 3 and 8 feet above the sidewalk. (Additional glazing above or below this band is permitted as well.)
- First-level, street-facing facades of any uses that face onto Valley Road or onto Orange Road shall have glazing occupying at least 25 percent of the total ground floor façade area. Where first-level residential is permitted, the façade of any first-level residential uses in these locations shall meet the requirements listed under “First Level Residential Guidelines,” below.
- First-level facades that are located adjacent to the required driveway in Lot 18 that extends from Orange Road to Valley Road (see Section 4.4.2) shall have glazing occupying at least 25 percent of the total ground floor façade area.
- Upper-story street-facing facades of any uses shall have glazing occupying at least 25 percent of the façade area of each floor. Windows shall be vertically-proportioned so as to harmonize with the historic character of downtown Montclair. Individual, vertically-proportioned windows may be grouped in pairs, triples, or quads in order to create wider, horizontally-proportioned expanses of windows. Except in all-glazed curtain wall construction, all upper-story windows shall be recessed with respect to the surrounding façade plane by a minimum three (3) inches depth, or shall be surrounded by sills, headers, and vertical framing elements each of at least three (3) inches depth and three (3) inches width, in order to create shadow lines and a sense of depth on the windows.
- Overall, windowless areas of street-facing building facades shall not exceed fifteen (15) feet in width at any and all levels. Refer also to Section 4.3.4.3 for additional, specific requirements on transparency of glazing.

Except in all-glass curtain wall construction, windows should be recessed within the façade plane to create shadows on the façade that help create a more visually-interesting composition.

4.3.3 First Level Design Guidelines

4.3.3.1 Residential Uses and Short-Term Rental Units

Where a first-level residential use Short-Term Rental Unit is permitted, the following standards are encouraged to ensure a transition in privacy from the public sidewalk to the private residential interior.

- The first level of living space should have a finished floor that is three (3) to six (6) feet above the sidewalk grade, on average. This raised finished floor will help enhance privacy by allowing the bottom of windows to be higher than the average eye height of a pedestrian on the sidewalk.
- The façade of the building located below the finished floor of the first level of living space (or below the bottom of the first floor windows) should be clad in materials that complement the overall architecture and emphasize the base of the building. Unadorned, featureless walls in this lower base area are prohibited.
- Units on the first level should have individual stoops and entries leading to the sidewalk, or should share a prominent common entry onto the public sidewalk that is highlighted within the façade through architectural features and massing.
- Windows for first-level residential or Short-Term Rental Unit space should have mullions and muntins to create a series of true divided lites, to diffuse views into the interior for improved privacy of units located near sidewalks and other walkways. Alternately, high clerestory windows may be used to provide greater privacy.
- Landscape plantings are recommended within any setback areas that are deeper than the minimum required setbacks (see Section 4.1.6).

The Appendix includes photographs of projects which illustrate attractive ground floor detailing.

4.3.3.2 Non-Residential uses (excluding Short-Term Rental Units)

Where first-level uses include retail, offices, hotel (excluding Short-Term Rental Units), or cultural, community, or arts-related uses, the following standards are encouraged or, in some cases, required to create the greatest level of public-private transparency from street to building.

- Street-facing facades of the first level of buildings along Bloomfield Avenue and Valley Road shall have a retail-style design that reinforces the public character and visibility of the first level. Windows shall be storefront-style, plate glass windows that maximize views into the interior.
- Street-facing windows should not be obscured by blinds or drapes. Where shade and/or weather protection is desired, metal canopies or fabric awnings with flat, not fluted, shapes and open ends may be used.
- Any signage shall fit into the overall character of downtown Montclair and shall comply with Montclair Township's sign regulations (see Sections 347-105-111) and the Design Guidelines for the Montclair Town Center Historic District. In addition, the following standards apply:
 - Building design should provide a logical space within the first level, above any retail or commercial storefronts, doors, or windows, for retail signage. Signage should be placed so as not to obscure the distinctive architectural features of the building.
 - Building mounted signs should only display information about the businesses located on the property.
 - Internally illuminated signs should not have a white or light-colored background or signboard.

- Sign illumination should not cast light into residential windows.
- Freestanding signs are prohibited.
- Security grates, if used, should be of the open-weave type that allows views into the store after hours. Solid security grates are prohibited.
- Except where the first-level use is retail, landscape plantings are recommended within any setback areas that are deeper than the minimum required setback (see Section 4.1.6).

4.3.4 Materials

4.3.4.1 Appropriate Materials

Preferred primary materials for all building façades are: stone; masonry; brick; wood; stucco (except EIFS is not allowed); Hardie panels or similar fiber cement siding; Trespa ventilated façade systems, Me-teon panels, and similar high-pressure compact laminate/cladding panels; precast and cast stone; manufactured stone and, masonry; and glass; as well as cast iron, steel, aluminum and other types of metal. No more than three different primary materials should be used on building facades. Within the primary materials, variations in colors, textures, and pattern may be employed to further break up the bulk or mass of a building.

The following materials are not appropriate in any location of the Plan Area:

- Materials with little or no precedent in Montclair Center, such as exposed concrete masonry units, Exterior Insulation Finish Systems (EIFS) and bare or stained wood.
- Faux treatments which mimic common materials, including imitation brick or stone facing, vinyl or asphalt siding, and sheet metal siding.
- Materials that age rapidly and are difficult to maintain, such as paint over shop-finished metal.

Any security grates, access panels, and garage window grilles are encouraged to be enlivened with artwork, decorative tiling or ornamental metalwork where possible.

4.3.4.2 Consistent Application

Façade design and finish materials should be considered in three dimensions, particularly as buildings turn corners. Materials and/or details should be extended around building corners and extensions in order to avoid a “pasted-on” appearance. All building facades adjacent to or easily visible from a public street, walkway, or open space should exhibit the same or similar degree of architectural detailing as the building’s primary, street-facing facade. Material changes should occur at a logical transition point, related to dimensional architectural massing or detailing, rather than, for example, creating an arbitrary pattern within a flat façade.

4.3.4.3 Transparency of Glazing

The following restrictions apply to ground floor facades facing streets and pedestrian walkways. Reflective, mirrored, smoked, and dark tinted glass is prohibited. Lightly-tinted glass is permitted for energy-efficiency reasons only if the lightest-color tint that is closest to clear is used. Translucent glass, which allows for shadows and silhouettes behind the glass, is encouraged to be used rather than spandrel glass, which is virtually opaque, in areas where light is to be admitted while direct views are obscured (such as screened parking areas or mechanical rooms). Spandrel glass is permitted only to conceal structural elements (for example, supporting columns and floor slabs) and to maintain a glazed façade appearance.

On upper-story facades, there is no restriction on the type or transparency of glazing.

Refer also to Section 4.3.2 for general requirements on facade transparency.

4.4 Streetscape

4.4.1 Purpose and Intent

This section discusses improvements to the public realm within the Plan Area. These improvements are intended to enhance the walking experience through downtown Montclair, increase pedestrian connectivity to and through the Plan Area, and improve the appearance and comfort of Plan Area streets and sidewalks. The existing vehicular driveway through the Plan Area is required to be preserved for the purposes of accessing the Orange Road Deck. No new driveways or curb cuts are permitted on Bloomfield Avenue in order to maintain its status as the pedestrian-friendly “Main Street” of Montclair. Existing sidewalks are to be widened through minimum building setbacks (as described in Section 4.1.6.1) to create a more comfortable walking environment. In addition, the Plan requires street furnishings and landscaping to soften the sidewalk environment and traffic calming features to enhance walking.

4.4.2 Required Mid-block Driveways and Sidewalks

The existing vehicular driveway that is aligned through the “tail” of Block 1404, Lot 18, from Orange Road to Valley Road (on the north side of the existing Orange Road Deck) is required to be improved as a mid-block pedestrian cut-through. This driveway shall be retrofitted to include a pedestrian sidewalk on one side, with a minimum width of four (4) feet. The sidewalk will be important for pedestrian safety, since the redevelopment is anticipated to rely on the parking supply within the Orange Road Deck. Decorative brick paving should be incorporated into this internal sidewalk, in a similar manner to that used along the public sidewalks at the Plan Area perimeter. Pedestrian-scale lighting shall be provided along this driveway.

26

The Board of Education parcel (Lot 17) to the immediate south of the Plan Area has an existing driveway that extends from Orange Road to Valley Road (on the south side of the existing Orange Road Deck). Part of the sidewalk for that driveway lies within a 6-foot right-of-way easement within Lot 18 in the Plan Area. As long as the Board of Education driveway remains, this 6 foot right-of-way shall be preserved and maintained as a sidewalk. Pedestrian-scale lighting should also be provided along this driveway, at a minimum within the easement that falls within the Plan Area.

4.4.3 Restrictions on Curb Cuts

There are two existing vehicular curb cuts on Orange Road and two on Valley Road (including the driveway on the north side of the Board of Education property) in or adjoining the Plan Area. No additional vehicular curb cuts are permitted along Valley Road within the Plan Area. Additional vehicular curb cuts may be created to serve new uses within the Plan Area along Orange Road, but shared driveways are encouraged to reduce the number of curb cuts. Vehicular curb cuts are prohibited along Bloomfield Avenue within the Plan Area.

Vehicular curb cuts shall each not exceed twenty-five (25) feet in width, as measured at the curb.

4.4.4 Streetscape Elements

The following elements are recommended for streets bordering the Plan Area. The design, placement and dimensions of these features shall be determined by the Planning Board during preliminary site

plan review. See the Appendix for examples of pedestrian-friendly streets.

- The pedestrian portion of the public right-of-way shall include both a sidewalk walking area and a tree planting strip between the sidewalk and the curb, where trees and/or plantings are located. The required minimum street-facing setbacks shall be created within the private parcels of the Plan Area and shall serve to effectively widen the width of the sidewalk walking area.
 - Required setback areas along Valley Road and Bloomfield Avenue shall be paved so that they serve to increase the usable width of the sidewalk. Where applicable, required setback areas, sidewalks, and tree planting strips shall be decoratively paved to match the prevalent sidewalk design of Downtown Montclair (i.e., brick edging and concrete walking areas).
 - Required setback areas along Orange Road shall be paved so as to increase the usable width of the sidewalk. Once sidewalks have been widened by means of these minimum setbacks, the tree planting strip shall be landscaped with grass or other low landscaping.
- Street trees shall be planted at regular spacing on all streets bounding the Plan Area.
- Along Valley Road and Bloomfield Avenue, sidewalks shall be furnished with benches and trash cans.
- Streets shall include pedestrian-scale street lighting.

4.4.5 Traffic Calming Features

To improve the pedestrian environment, the following traffic-calming measures shall be made within the public right-of-way.

- Bulb-outs shall be installed at the intersections of Bloomfield Avenue with Valley Road and with Orange Road. Bulb-outs are widenings of the sidewalk / pedestrian area into parking lanes at intersections. They provide a more generous pedestrian “refuge” area for those waiting to cross the street, shorten walking distances across vehicular travel lanes, and slow traffic by reducing the apparent / visible street width. Bulb-outs shall be decoratively paved in a manner that complements the sidewalk paving.
- Crosswalks in the Plan Area shall be improved with painted stripes, solid paint in contrasting colors, or textured materials. These highly visible treatments make drivers more aware of pedestrian crossing locations.

4.5 Open Space

4.5.1 Purpose and Intent

This section spells out requirements for public and private open spaces within the Plan Area. Three small public open spaces are required along Bloomfield Avenue: a plaza at the corner of Orange Road and Bloomfield Avenue, to serve as a gateway into downtown Montclair; and two additional publicly-accessible spaces of a more flexible form, along the Bloomfield Avenue frontage.

4.5.2 Public Open Space

4.5.2.1 Required Public Corner Plaza

A publicly-accessible plaza is required at the corner of Orange Road and Bloomfield Avenue. This plaza will form a “forecourt” to the architectural corner feature required here (see Section 4.2.6), will serve as a public gathering space, and will mark the gateway into downtown Montclair. The following requirements apply (see Appendix for examples of public courtyards and plazas).

- The plaza shall be generally triangular in shape and shall measure at least 30 feet long on each of the two sides that adjoin Orange Road and Bloomfield Avenue.
- The plaza shall have no walls; building mass is permitted to extend above 25 feet over a portion of the plaza to form a roof structure.
- The plaza shall include landscaping, decorative paving, pedestrian-scale lighting, and seating. Up to half of the plaza area may be used for seating serving an adjacent restaurant or café; the remaining half or more shall include seating that shall remain available for general public use at all times.
- Doors and windows from the adjacent building should open onto the plaza to foster activity within this publicly-accessible space.
- The new building on one side of the plaza shall include a corner element or architectural focal point (as required in Section 4.2.6) that complements the plaza.

4.5.2.2 Additional Required Public Spaces Along Bloomfield Avenue

Open-Air Courtyard

One open-air courtyard open space is required along Bloomfield Avenue. This may be achieved either through preservation of the open-air dining area of the Thai Chef property (Lots 7 and 8) in its current format, or if that property is redeveloped, through provision of a new courtyard of similar size. As in its current format, any new courtyard shall include landscaping, seating, and lighting. It shall be open-air; no structures or roofs shall cover it.

Interior Public Atrium

An interior, publicly-accessible atrium shall be provided within the Plan Area along Bloomfield Avenue. This approach would be most appropriate if a hotel is built at this location. Additional requirements are:

- The atrium shall be a minimum of two stories and 25 feet high at all points of its interior.
- It shall be located adjacent to the sidewalk and shall have a fully-glazed façade for maximum visibility to the street.
- It shall have direct ground-level access to the street and shall be open to the public at a minimum from sunrise to sunset.
- Doors and windows from adjacent uses shall open onto the atrium to foster activity and visibility within this publicly-accessible space.
- Seating, landscaping, lighting, and other amenities shall be provided within the atrium .
- “Outdoor” dining areas for adjacent restaurants and cafes are encouraged within the atrium.

4.5.3 Private Open Space

4.5.3.1 Shared Private Open Space

Buildings with residential or hotel uses should include shared private open space for common use of all building residents / hotel guests, in the form of courtyards or roof decks.

Refer to the following section for additional language regarding what percentage of roofs at different levels are required to include solar panels, green roofs, or landscaped roof decks.

4.5.3.2 Individual Private Open Space

Buildings with residential or hotel uses should include individual private open space for some or all units in the form of balconies and/or terraces. Balconies are prohibited from projecting over the public right-

of-way; however, they may project over street-facing setback areas. It is recommended that street-facing balconies be fully recessed within the building plane. There is no restriction on the placement of balconies at side or interior lot lines. As discussed in Section 4.2.4, terraces are recommended on upper-story setback areas.

4.6 Sustainability

4.6.1 Purpose and Intent

This Section describes requirements for advancing an environmentally-progressive redevelopment. Given the location of the site within a built-out, mixed-use downtown context, certain environmental benefits are inherent to the project. To ensure further environmental gains, development within the Plan Area is required to obtain certification under one of two specified rating systems managed by the US Green Building Council's Leadership in Energy and Environmental Design (LEED) certification program.

This Section also provides specific requirements for features that will maximize the utility of building roofs, in the form of solar panels for power generation, green roofs for runoff control and building cooling, and rooftop decks for resident and guest access to the open air.

4.6.2 LEED-NC and LEED-ND

LEED provides a definitive standard for what constitutes a green building in design, construction and operation. Broadly speaking, design goals include reduced energy and water use; use of sustainable, renewable, non-toxic and locally-produced materials; improved indoor air quality; environmentally-conscious site planning; and a location in a central, developed area with existing services and resources. LEED rating systems provide a mechanism by which to encourage or, in some cases, require design strategies that are individually beyond the technical regulatory scope of this Redevelopment Plan but are vitally important to implementing a green project.

All new buildings within the Plan Area shall achieve certification with the US Green Building Council (USGBC) at the minimum certified level under either the LEED for New Construction (LEED-NC) program or the LEED for Neighborhood Development (LEED-ND) program. While the point systems of these programs are flexible, specific credits must be achieved in certain areas, as discussed below.

4.6.2.1 LEED-NC Requirements

If LEED for New Construction (LEED-NC) certification is pursued, a minimum 40 points shall be achieved to qualify the project for the minimum level of certification. In addition, points within the following specific credit areas must be achieved:

Sustainable Sites

- Credit 4.1 Alternative Transportation – Public Transportation Access
- Credit 4.2 Alternative Transportation – Bicycle Storage and Changing Rooms
- Credit 4.3 Alternative Transportation – Low-Emitting and Fuel-Efficient Vehicles
- Credit 4.4 Alternative Transportation – Parking Capacity
- Credit 7.2 Heat Island Effect – Roof

Energy & Atmosphere

- Credit 2 On-site Renewable Energy
- Credit 6 Green Power

4.6.2.2 LEED-ND Requirements

If LEED for Neighborhood Development (LEED-ND) certification is pursued, a minimum 40 points shall be achieved to qualify the project for the minimum level of certification. In addition, points within the following specific credit areas must be achieved.

Neighborhood Pattern & Design

- Credit 3: Mixed-Use Neighborhood Centers
- Credit 4: Mixed-Income Diverse Communities
- Credit 5: Reduced Parking Footprint
- Credit 8: Transportation Demand Management
- Credit 9: Access to Civic and Public Space
- Credit 14: Tree-Lined and Shaded Streets

Green Infrastructure & Buildings

- Credit 9: Heat Island Reduction
- Credit 11: On-Site Renewable Energy Sources

4.6.3 Environmental Roof Features

As stated in Section 4.2.5.1, flat roofs are required on all structures except for permitted corner features (Section 4.2.6). The following are specific requirements for roof features at different building heights (see Appendix for examples of environmental rooftop features).

- For roofs atop building mass up to six (6) stories high, at least 50 percent of the roof surface shall include solar panels, as defined below. An additional minimum 25 percent of roof area shall include 'green roofs' as defined below, or additional solar panels. Adjacent bays of the same and different buildings that are connected at the roof level may be treated as one rooftop for purposes of planning, distributing, and managing the solar panels and green roof areas.
- For roofs atop building mass that is between six (6) and eight (8) stories high, at least 40 percent of the roof area shall be landscaped as a pedestrian roof deck or a green roof, as defined below.
- Beyond the above two requirements, it is recommended that other roof areas serve as common landscaped roof decks for use of all building residents/users, be designed as green roofs, or include solar panels.
- Roofs atop new parking garages or parking podiums shall be improved to serve as landscaped roof decks for use of all building residents/users and/or green roofs.
- A portion of the green rooftop areas shall be publicly accessible.
- Solar panels, where used, should be set back from the roof edge by ten (10) feet to minimize visibility. Mechanical equipment associated with alternative energy systems should be screened from view.
- Green roofs are roofs covered with living vegetation that reduce costs for cooling and heating, increase building insulation, reduce the rate of stormwater runoff, reduce the urban heat island effect and enhance urban apartment living. Green roofs may be intensive (light shrubbery not to be walked

- on) or extensive (landscaping that can be walked and played on).
- Roof decks for resident or hotel guest access are encouraged to include seating areas, landscaping, and shade structures.

4.7 Parking and Loading

4.7.1 Purpose and Intent

Given the downtown location, compact development style, and relative proximity to transit, the use of cars in the Plan Area is strictly regulated. Shared parking and car-sharing programs are encouraged and efficient use of the Orange Road Deck parking spaces is required before new parking structures are built. As described in Section 4.7.6, at least 78 existing public parking spaces must be preserved within the Orange Road garage for use by the Board of Education and the general public. Detailed regulations are given to screen new surface parking lots from visibility of public streets, and to place new structured parking structures behind pedestrian-friendly uses such as retail or housing. Finally, if new parking spaces are located in different structures within the Plan Area than the primary use they serve, sidewalks are required to connect the two locations.

4.7.2 Parking Ratios

The minimum number of parking spaces that are to be provided and maintained for each use shall be determined based on the following parking ratios:

USE	REQUIREMENT
Two-family dwellings	As required in the NJAC 5:21 New Jersey Residential Site Improvement Standards
Townhouses	As required in the NJAC 5:21 New Jersey Residential Site Improvement Standards
Multifamily dwellings and Short-Term Rental Units	As required in the NJAC 5:21 New Jersey Residential Site Improvement Standards as applicable to multifamily dwelling units
Senior citizen housing	1.1 spaces per unit
General or business offices Professional offices Medical offices	4.0 spaces per 1,000 sq. ft. of gross floor area
Convenience and specialty retail; Personal service establishments; Art studio and galleries Health or fitness clubs Educational establishments Restaurants Eating and drinking establishments	4.0 spaces per 1,000 sq. ft. of gross floor area
Hotels, excluding Short-Term Rental Units	area 1.0 space per room

(For purposes of this Section, Short-Term Rental Units shall be treated as multifamily dwelling units.)

A determination of minimum parking requirements shall be based upon the aggregate total of parking requirements for individual uses. In recognition of the mixed-use nature of the redevelopment, the re-developer is encouraged to submit a shared parking analysis as part of the site plan application. If acceptable, the Planning Board may relax the aggregate total of required spaces to account for the shared use of the provided spaces. The following provisions also apply.

4.7.3 Valet Parking

Valet parking is encouraged to maximize the usage of a portion of the Orange Road Deck. Valet parking plans should be detailed as part of the aforementioned shared parking analysis and will be subject to the Planning Board's review and approval.

4.7.4 Car-Sharing

If the redeveloper is able to secure an agreement with an established car-sharing provider, such as ZipCar, six (6) spaces may be substituted for each space devoted to a shared car. Car-sharing should be detailed in the redeveloper's shared parking analysis.

4.7.5 Parking Stall Dimensions

Parking spaces within parking garages or decks shall be a minimum of 8 ½ feet wide by 18 feet in length. Dimensions of other parking spaces shall be in accordance with Section 281-9 of the Township's Site Plan Review Ordinance. Parking stall dimensions may be modified for valet and other spaces as per the approval of the Planning Board.

4.7.6 Orange Road Deck

The existing Orange Road garage shall be reused to serve the redevelopment. The following requirements apply.

- At least 78 parking spaces shall continue to be reserved for use by the Board of Education and the general public at all times in accordance with a parking management plan.
- The garage shall include vehicular entry and egress points directly onto Orange Road.
- Existing driveways on either side of the garage, providing connections between Orange Road and Valley Road, shall be preserved for vehicular use (see Section 4.4.2). Pedestrian-scale lighting shall be provided along the driveway in Lot 18 (on the north side of the garage).
- Signage shall be provided on Valley and Orange Roads and on Bloomfield Avenue, directing drivers to the garage.
- Building mass in Lot 12.01 (having frontage along Valley Road) is permitted to extend up to the façade of the Orange Road garage, provided that garage ventilation standards are still met. Building mass is permitted to extend over the driveway in Lot 18 (on the north side of the garage), with certain restrictions (see Section 4.2.7).

4.7.7 New Parking Facilities

4.7.7.1 Parking Next to Orange Road

The only permitted location where new off-street parking is permitted to be located adjacent to a public street is along Orange Road. Parking in this location may be either in surface parking lots or structured parking; specific regulations for each type are provided below. In terms of the location of the parking, the following restrictions apply:

- The entirety of the parking area shall be located at least 100 feet from the corner of Bloomfield Avenue.
- The maximum length of the parking area, as measured along its frontage with Orange Road, shall be 150 feet.
- The parking area shall not extend into the minimum required street-facing setback along Orange Road.

Surface Parking Lots

A surface parking lot is defined as an open area with no roof or structure overhead. Any new surface parking lot shall be screened with a low wall, as follows:

- The edge of the parking lot adjacent to Orange Road shall be separated from the public sidewalk and required minimum street-facing setback by a low wall with decorative brick accents. The wall shall not extend into the required street-facing setback.
- Vehicular access to the parking lot shall not create a break in the required low wall along Orange Road. Instead, vehicular access shall be by means of a side driveway.

Structured Parking

Structured parking is defined as any parking area located under a roof or underneath a building mass. Structured parking shall be screened architecturally along its Orange Road frontage at all levels to disguise and soften its appearance, and should meet the following requirements.

- The façade massing of all structured parking levels should be architecturally integrated with the adjacent or upper-story residential, commercial, or mixed-use buildings, both horizontally and vertically. Structured parking façades should be broken into bays, following the bay pattern of related buildings. The lower level(s) of structured parking should be designed to “read” as a base to the building, using, for example, a belt course or horizontal masonry banding to create a more detailed pedestrian-scale base.
- The size, spacing, and enframement of structured parking window openings should be similar to that of adjacent or upper-story residential, commercial, or mixed-use windows. Furthermore, the pattern of structured parking window openings should generally align vertically with the pattern and/or spacing of any residential, commercial, or mixed-use bays and windows located on upper stories. Ribbon-style openings, open bays, and long horizontal string courses are prohibited.
- Structured parking window openings are encouraged to be designed to shield vehicle headlamp glare to the outside of the structure, either through opaque or translucent glazing, or through grates and grilles.
- Glazing is recommended, but not required, for all levels of exposed structured parking facades. However, on the first level, any window glazing should be translucent (allowing for shadows and silhouettes behind the glass); transparent, clear-tinted, or reflective glazing is prohibited on the first level.
- Decorative grates and fenestration detailing are encouraged to be used to complement the architecture of the facade.
- The same or complementary types and quality of materials used elsewhere in the facades of related buildings should be employed for structured parking facades.
- Large areas of blank, solid walls are discouraged along structured parking facades.
- Landscaping, such as hedges and flowering plants, around the base of the structured parking is encouraged to further conceal and soften views of parking levels. Landscaping should include evergreen and deciduous materials so as provide an effective screen year-round. Such landscaping shall not extend into the required street-facing setback area.

4.7.7.2 Parking at the Interior of the Block

With the exception of parking along Orange Road described in the previous section, any additional new off-street parking is permitted only at the interior of the block, away from the frontages of Orange Road, Bloomfield Avenue, and Valley Road.

Disguising Interior Parking Areas

A permitted interior parking area shall be set back and hidden from view of adjoining public streets by the following means:

- All levels of the parking lot or parking structure should be “laminated” with (placed behind) retail, residential, office, or hotel uses (where they are permitted) so that parking spaces are hidden from view of all adjoining public streets.
- For a parking lot or parking structure to be considered “laminated” along the ground level of a particular street frontage, the uses separating the parking spaces from the sidewalk shall be at least thirty (35) feet deep. However, entries to and exits from parking garages on Orange Road are permitted to be visible at the sidewalk.

Such interior parking areas are permitted to extend to and be visible from the required mid-block driveway that is located within Lot 18 (on the north side of the Orange Road garage). See Appendix for examples of properly disguised parking areas.

Internal Driveways to Serve New Parking Areas

It is anticipated that most new development within the Plan Area will rely on a parking supply within the Orange Road Deck or within a new parking facility that may not be within the same building as the use it serves. Therefore, residents, guests, and/or workers will need to walk along public sidewalks at the perimeter of the Plan Area, or cut through the interior of the Plan Area, to reach their parking area. Accordingly, pedestrian pathways of minimum four feet width shall be provided through the interior of the Plan Area to link uses to their parking supply, if this would provide a more direct and convenient route than using perimeter public sidewalks. If a pedestrian route lies within or alongside a vehicular driveway at the interior of the Plan Area, a sidewalk of minimum four feet width must be provided alongside the driveway, for safe pedestrian use. All such pathways and sidewalks must be well-lit at night.

4.7.8 Loading / Trash / Service Access

Loading areas should not be visible from the streets or required open spaces. Loading and service docks should be located away from public street frontages and should have operable doors or gates so that they may be closed when not in use. All buildings should collect and recycle recyclable materials, per Township of Montclair regulations. Building trash and recycling collection bins should be located on the interior of buildings or screened from view of public streets and open space by means of fencing and/or landscaped buffers. Scheduling of trash and loading times should be controlled to minimize the negative impacts on the local and residential communities. The location and design of off-street loading/trash/services areas shall be subject to the Planning Board’s review and approval.

5

Plan Consistency Review

5.1 Relationship to Montclair Zoning Ordinance

All zoning and land use or development ordinances are applicable unless specifically superseded in this Redevelopment Plan. Adoption of this Plan by the Township Council shall supersede the Orange Road Redevelopment Plan and shall be further considered an amendment to the Township of Montclair Zoning Map.

5.2 Relationship to Adjacent Municipalities

The Plan Area is not adjacent to any of the surrounding municipalities. Given its physical separation, the Redevelopment Plan will not affect those nearby municipalities to any significant degree, other than have a generally positive impact via the creation of a new pedestrian-oriented, mixed-use development that serves the Essex County region.

5.3 Relationship to Essex County Master Plan

Although the County of Essex does not have a current Master Plan, the revitalization of the Montclair Center district generally is considered consistent with the land use planning goals of the Essex County Planning Board.

5.4 Relationship to State Development and Redevelopment Plan

Among the goals of the 2001 New Jersey State Development and Redevelopment Plan is to revitalize existing urban centers by directing growth and development to those areas. On the State Plan Policy Map, the Plan Area is located within a PA-1 Metropolitan Planning Area, which is identified in the State Plan as an appropriate location to accommodate much of the State's new growth.

A stated goal of the State Plan is to revitalize the State's cities and towns by protecting, preserving and developing the valuable human and economic assets in cities, towns and other urban areas. The Plan Area, by virtue of its location within a part of New Jersey that has extensive existing infrastructure and a long history of development, is by all measures an appropriate location for growth and redevelopment. The Redevelopment Plan will facilitate growth in this area and contribute to the economic revitalization of the State. The objectives of the Redevelopment Plan are consistent with the goals, strategies and policies of the State Plan. The Redevelopment Plan will redevelop a deteriorated and underutilized area within Montclair Center, placing currently unproductive lands into productive use in order to better serve the needs of residents and the County as a whole. The Redevelopment Plan aims to revitalize the Montclair Center Gateway area; attract a hotel to serve the Township's residents and its institutional and business communities, provide housing choices for the citizens of Montclair and surrounding municipalities, and enhance the retail environment.

In sum, the redevelopment activities envisioned under this Plan are considered consistent with State planning policies, including Montclair Township's designation as a Transit Village.

5.5 Relationship to Local Planning and Development Goals & Objectives

The local land use objectives for the Redevelopment Plan resonate with the goals and objectives expressed in Montclair Township's 1978 Master Plan and 2006 Master Plan Reexamination Report, as well as its recently completed 2010 Energy Plan. This section describes the relevant policy statements contained in the aforementioned documents.

5.5.1 Master Plan

The 2006 Master Plan Reexamination Report focused on Montclair's potential to accommodate compact, mixed-use and, in some areas, transit-oriented redevelopment to enhance its downtown.

The General Land Use objectives placed a priority on diversifying its housing opportunities through new development that is compatible with the neighborhood context and targeted for Smart Growth locations:

- Maintain Montclair as a desirable residential community accommodating a range of population and income groups. The racial, income and age mix of Montclair's citizens is desirable and representative of this region of the State, and land use policies should seek to preserve this range and balance.
- Ensure that new development is harmonious with existing development in scale and style and does not harm the quality of life of surrounding neighborhoods, particularly at a time when development pressures are high.
- Direct new development to conform to the objective of preserving and increasing open space.

The emphasis on diversity in terms of type and affordability levels was echoed in the housing objectives:

- Offer housing types for a diverse population. Provide a wide range of housing styles – from apartments to townhouses to single-family homes – to meet the needs of a population diverse in age, income and physical ability. Maintain a zoning pattern which permits a range of housing types at appropriate densities throughout the community.

The importance of historic preservation as a key aspect of maintaining an authentic “sense of place” was also articulated:

- Preserve the rich architectural heritage of the Township – one of the defining characteristics of the community. Few communities offer such a variety of architectural styles. Recognize the value of our built environment which represents Montclair’s rich and varied history.

The 2006 Reexamination contained a number of specific objectives related to vehicular and pedestrian mobility, as well as the desire to promote transportation alternatives:

- Increase the economic viability of our commercial districts by providing flexible parking options for visitors and employees and designing streets and intersections that safely accommodate drivers, pedestrians and bicyclists.
- Increase the use of non-automobile transportation. Design the “complete street” – a street designed not only for the automobile, but for the pedestrian and bicyclist as well. Reduce dependency on the automobile by providing convenient and cost-effective alternatives such as intra-local shuttle buses to train stations and shopping areas and safe storage for bicycles.
- Encourage mass transit via bus and train routes to New York and other New Jersey locations by providing adequate and affordable long term parking options near station facilities as well as non-automobile options such as shuttle bus service and bicycle storage.
- Encourage shared off-street parking arrangements between uses with different peak demand times such as retail, restaurants, office, public buildings, houses of worship and apartment buildings.

In the Economic Development sections, the Township emphasized the importance of targeted Smart Growth redevelopment, the inclusion of public spaces in such projects, the need to support and enhance its business district and also expressed several objectives related to leveraging its cultural arts assets to further economic development:

- Encourage smart development. Use redevelopment statutes selectively to stimulate investment in appropriate locations where infrastructure, mass transit and services are available. Take opportunities to include public open space and green space in commercial redevelopment sites.
- Make Montclair a desirable and convenient place to shop. Provide safe, clean, pedestrian and bicycle-friendly commercial districts with parking options for short and long term stays. Offer the right mix of commercial uses to serve the community and the region. Provide a variety of retail, dining and personal services in all commercial districts to meet the needs of residents and workers both in Montclair and in the surrounding region, both day and evening.

- Promote Montclair as an arts community; recognize that the arts are integral to healthy community development and economic progress. Make it a destination point for the arts and entertainment venues. Emphasize the link between promotion of the arts with the economic vitality of the community. The “creative economy” is an effective and critical partner to business, government, education, health care and other community needs and enterprises.

Finally, Montclair Township pronounced its environmental values by promoting several objectives related to energy efficiency, reducing automobile usage and the fiscal benefits of green measures:

- Encourage a reduction in automobile usage by promoting alternate forms of transportation such as walking and bicycling.
- Become a sustainable community through careful planning and decision-making. Incorporate principles of sustainability contained in the Sustainability Guide adopted by the Township Council in designing and constructing buildings, purchasing vehicles and products and conserving our water supply. Benefits of sustainable development can include improved environmental health and public health and cost savings.

This Plan is substantially consistent with the objectives set forth in the 2006 Master Plan Reexamination Report. The Plan furthers the Township’s pursuit of the economic, environmental and social benefits of sustainable growth by promoting compact, mixed-use development at a density appropriate for a pedestrian-oriented downtown environment. The successful implementation of this Plan will advance these objectives by creating tax ratables on properties that are currently vacant and/or underutilized by providing new retail job opportunities within the Plan Area. Moreover, the successful redevelopment of the area is expected to serve as a catalyst for redevelopment efforts within the remainder of the Montclair Center Gateway.

5.5.2 Energy Plan (October 2010)

In October 2010, the New Jersey Sustainable State Institute and the Edward J. Bloustein School for Public Policy at Rutgers University prepared an Energy Plan. The purpose of the plan was to fulfill the following six objectives:

- Satisfy U.S. Department of Energy requirements for receipt of Energy Efficiency and Conservation Block Grant (EECBG) monies;
- Reduce fossil fuel emissions;
- Reduce total energy use within Montclair;
- Improve energy efficiency in the transportation, building, and other appropriate sectors;
- Reduce operating and maintenance costs; and
- Create and retain jobs.

Some of the more specific strategies outlined in the Energy Plan include the following:

- Increase community-wide use of conservation equipment.
- Install variable frequency drives (VFD) in HVAC systems.
- Install programmable thermostats
- Install dual-technology occupancy sensors
- Encourage energy efficiency in new buildings

While not specifically required by this Plan, the redeveloper should seek to incorporate the above and other design strategies recommended in the Energy Plan. As noted, the LEED certification required by this Plan and the inherent Smart Growth characteristics of the Plan Area will serve to further the objectives expressed in the Energy Plan.

6

Redevelopment **Actions**

6.1 Outline of Proposed Actions

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan may include the clearance of dilapidated, deteriorated, obsolete or underutilized structures or uses; provisions for public infrastructure necessary to service and support new development; and vacation of easements as may be necessary for redevelopment.

Once a redeveloper is selected the redeveloper will be required to enter into a Redeveloper's Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

6.2 Properties to be Acquired

The Redevelopment Plan does not anticipate the need to acquire privately-owned property within the Plan Area. However, the Township preserves the right to acquire certain lots which are eligible for acquisition (Block 1404, Lot 1.01, 11, 12.01, 13 and 18).

6.3 Relocation

The Redevelopment Plan does not anticipate the displacement or relocation of any residents or businesses within the Plan Area. However, should the Township acquire properties within the Plan Area, it will undertake the following steps to provide for relocation:

- At the time of property acquisition, the actual extent of displacement will be determined.
- A Workable Relocation Assistance Plan (WRAP) will be prepared and submitted to the New Jersey Department of Community Affairs for approval.
- The Township will comply with the requirements of the State's relocation statutes and regulations as applicable, and will provide all benefits and assistance required by law.

6.4 Infrastructure

In addition to the new development described in the foregoing chapters, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to: 1) provisions for infrastructure necessary to service new development; 2) environmental remediation; and 3) vacation of public utility easements and other easements and rights-of-way as may be necessary to effectuate redevelopment.

6.5 Other Actions

The Redevelopment Agreement between the Township and the redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project., including the provision of water, sanitary sewer, and stormwater sewer service as well as sidewalks, curbs, streetscape improvements, 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.

7

General Provisions

7.1 Amendment to Zoning Map and Zoning Ordinance

The Zoning Map referenced in Section 347-4 of the Zoning Ordinance of the Township of Montclair is hereby amended to reference this Redevelopment Plan. Additionally, the listing of zoning districts in Section 347-3 of the Zoning Ordinance is hereby amended to include a reference to said Redevelopment Plan.

7.2 Definitions

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with “Definitions” section in the Township’s Zoning Ordinance as set forth in Section 347-1.

7.3 Deviation Requests and Requests for Design Exceptions

The Montclair Planning Board may grant deviations from the regulations contained within this Redevelopment Plan under Chapter 4, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and

undue hardship upon, the redeveloper. The Montclair Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

Notwithstanding the above, no deviations should be granted that would permit any of the following: a use or principal structure that is not otherwise permitted by this Redevelopment Plan; or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less.

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

7.4 Site Plan and Subdivision Review

Site plans for the construction of improvements within the Plan Area shall be prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and shall be submitted by the redeveloper for review and approval by the Township of Montclair Planning Board as per the Site Plan Review Ordinance (Section 281). The site plan shall also be submitted to the Township of Montclair Historic Preservation Commission for review in an advisory capacity to the Planning Board. Site Plan approval is not required for a change in use from multifamily dwellings to Short-Term Rental Units provided that modifications to an approved structure for a change in use from multifamily dwelling to Short-Term Rental Units is limited to the installation of hotel locks on Short-Term Rental Units and the installation of related fire/life/safety equipment.

42

The site plan shall be consistent with the provisions of this Plan and should, at a minimum, include the following elements:

- Overall development plan for the district specifying land uses, building heights, square foot areas and numbers of residential units.
- Streetscape elevations of proposed buildings and buildings immediately adjacent to proposed buildings, indicating the materials to be used, the location of all trees and other plantings and the location and design of any street furniture to be installed.
- Architectural renderings and floor plans indicating compliance with the design standards contained herein.
- Traffic and circulation analysis and plans which shall include consideration of mass transit routes. This analysis shall include the cumulative effect of the ingress and egress requirements of the proposed development and the effects on adjacent and affected roadways created by the overall floor area proposed.
- Parking, loading and vehicular access plan.
- Landscape plan.
- Utility plan.
- Stormwater management plan as per the requirements of Section 295 of the Township Ordinance.
- Plans for any off-tract improvements.
- Phasing plan (if applicable).

No certificate of occupancy of any type shall be issued for construction of improvements within the Plan Area until the Montclair Planning Board has granted final site plan approval for such improvements.

Any subdivision of lots or parcels of land within the Plan Area shall be in accordance with the requirements of this Redevelopment Plan and the Subdivision Ordinance of the Township of Montclair (Section 301), except that where this Redevelopment Plan contains provisions that differ from those in the subdivision ordinance, the Plan shall prevail.

7.5 Adverse Influences

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

7.6 Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Council or by a redeveloper or any of his successors or assignees, whereby land within the Plan Area is restricted by the Township Council, or the redeveloper, upon the basis of race, creed, color, or national origin 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 Plan Area on the basis of race, creed, color or national origin.

7.7 Duration of the Plan

The provisions of this Plan specifying the redevelopment of the Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this plan by the Township Council.

7.8 Completion of Redevelopment

Upon the inspection and verification by the Township of Montclair that the redevelopment within the Plan Area has been completed, a certificate of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate.

7.9 Severability

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

8

Other Provisions

In accordance with N.J.S.A. 40A:12A-1 et seq., known as the Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment/Rehabilitation Plan lays out the proposed land uses and building requirements for the Redevelopment and Rehabilitation Area.
- The Redevelopment Plan provides for the acquisition of privately-owned property and the relocation of residents or businesses, if necessary.
- The Redevelopment Plan is substantially consistent with the 1978 Master Plan for the Township of Montclair as well as subsequent reexaminations of the Master Plan. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- The Plan Area does not include any existing low and moderate income housing units.

This Redevelopment Plan shall supersede all provisions of the Township of Montclair's Zoning Code regulating development in the area addressed by this Redevelopment Plan, except where specifically mentioned within the text of this Plan. Final adoption of this Plan by the Township Council shall be considered an amendment of the Township of Montclair Zoning Map.

MONTCLAIR
CENTER
GATEWAY

PHASE 1

REDEVELOPMENT
PLAN

9

Procedure for Amending the Plan

47

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from any agency of Montclair Township. The Township Council, 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.

10 Appendix

