



**Bergen South
REDEVELOPMENT PLAN**

City of Newark, New Jersey

**As Reviewed
By the
City of Newark
Central Planning Board
at the meeting of
November 10, 2008**

**DIVISION OF PLANNING AND
COMMUNITY DEVELOPMENT**

TABLE OF CONTENTS

SECTION	TITLE	PAGE
I	Introduction and Statutory Basis	1
II	Boundaries	2
III	Redevelopment Objectives and Requirements	5
IV	General Administrative Requirements	5
V	Specific Land Use Regulations	6
VI	General Design Requirements and Restrictions	8
VII	Design and Construction Requirements	8
	A. Building Design Requirements	8
	B. Residential Density Standards	11
	C. Lot Subdivision Standards	11
	D. Streetscape, Landscape and Open Space Requirements	11
	E. Off-street Parking Design and Loading Requirements	12
VIII	Signage Standards	13
IX	Acquisition Plan	18
X	Relocation Plan	18
XI	Circulation Plan	18
XII	Other Provisions Necessary to Meet State and Local Requirements	18
XIII	Procedures for Amending the Redevelopment Plan	19
XIV	Maps	21
	Map 1 – Boundary Map	
	Map 2- Zoning Map	

Bergen South REDEVELOPMENT PLAN

I. INTRODUCTION and STATUTORY BASIS

The Bergen South Redevelopment Area (hereinafter also referred to as the Redevelopment Area, Plan Area, or the Area) was initiated by Resolution 7R3-C(S4) 102108 of the City of Newark, New Jersey Municipal Council as a way to support appropriate land uses and as a way to facilitate further revitalization of the area. The Newark Municipal Council had declared the entire City of Newark (the “City”) “An Area in Need of Rehabilitation” pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on June 15, 2005, Resolution number 7RDO (AS). This determination was based on a finding that the water and sanitary sewer utilities in the Area are at least 50 years old or older and in need of maintenance and repair. This designation for the area serves as the basis for this plan.

The Redevelopment Area consists of parcels on both sides of Bergen Street between ~~Interstate 78~~ Hawthorne Avenue and Lyons Avenue along the east side of the street and Weequahic Avenue along the west side of the street in the South Ward of Newark, New Jersey. This corridor serves as the main shopping street of the Weequahic neighborhood and has a mixture of land uses including shops, personal service establishments, restaurants, residences, churches, and day care centers. The area’s building stock consists of early and mid-20th Century mixed-use buildings along with residential buildings north of Custer Avenue. There is a small number of vacant lots in the area that offer opportunities for facilitating area redevelopment. Both sides of Bergen Street are lined with 1- to 3-story commercial buildings that have apartment or office units on their upper floors. The heart of the commercial area is between Custer and Lyons Avenues. North and south of this core area, there are fully residential buildings mixed with mixed-use and fully commercial buildings. This street is at the border between a largely single-family neighborhood to the east and south and a 2- and 3-family dwelling neighborhood to the west.

The Redevelopment Area is part of the Weequahic neighborhood. According to the 2000 Census, the community had approximately 27,000 people with a median household income that is approximately 25% less than the national average and a poverty rate of 14 percent. There is strong diversity in the neighborhood’s housing stock. There are large single-family houses to the east and southeast of the plan area, large multi-family apartment buildings along Elizabeth Avenue, and large expanses of 2- and 3-family dwellings and smaller apartment buildings in the western half of Weequahic. Seventy-one percent of the housing units are renter-occupied.

This redevelopment plan is intended to serve as a “springboard” for a more comprehensive neighborhood redevelopment effort to re-fill the vacant and underutilized storefronts with viable and appropriate commercial establishments. This street will likely need the stewardship of a



voluntary or professional advocacy group to be able to regain its full potential. This plan would focus on potential reuses of lots and buildings along the street and develops appropriate land use restrictions and design controls aimed at supporting commercial viability.

II. BOUNDARIES

The Plan Area consists of parcels on both sides of Bergen Street between Interstate 78 and Lyons Avenue in the Weequahic neighborhood of Newark.

The Area consists of the following Tax Blocks and Lots:

Block	Lot	Address
3660	1	1077-1079 Bergen St
	3	1075 Bergen St
	4	1073 Bergen St
	5	1071 Bergen St
	6	1067-1069 Bergen St
	7	
	8	1061-1065 Bergen St
	9	
	10	
	11	1057-1059 Bergen St
	3661	1
3		1037-1047 Bergen St
5		
8		
3663	1	1029-1031 Bergen St
	2	
	3	1017-1027 Bergen St
	4	
	5	
	6	
	7	
	8	
3664	1	
	2	
	3	1005-1007 Bergen St
	4	
	5	1001-1003 Bergen St
	6	
	7	997-999 Bergen St
	8	
3665	1	981-991 Bergen St
	2	
	3	
	4	
	5	
	6	
	7	977-979 Bergen St
	8	
3666	1	973-975 Bergen St

	2	
	3	967-971 Bergen St
	4	
	5	
	6	965 Bergen St
	8	961-963 Bergen St
3667	1	955-959 Bergen St
	2	
	3	
	4	953 Bergen St
	5	949-951 Bergen St
	7	947 Bergen St
	9	945 Bergen St
3593	16	913-915 Bergen St
	17	917 Bergen St
	18	919 Bergen St
	19	921-923 Bergen St
	20	
	21	925 Bergen St
	22	927 Bergen St
	23	929-933 Bergen St
	24	
	26	935-939 Bergen St
	27	
	28	
	29	941-943 Bergen St
	30	
3592	35	901-903 Bergen St
	36	
	37	905 Bergen St
	38	907 Bergen St
	40	889A Bergen St
	30.01	891 Bergen St
	30.02	893-895 Bergen St
	30.03	897 Bergen St
3589	23	840 Bergen St
	24	838 Bergen St
	25	836 Bergen St
	26	834 Bergen St
	27	832 Bergen St
	28	830 Bergen St
	29	828 Bergen St
	30	826 Bergen St
	31	824 Bergen St
	32	816-822 Bergen St
3590	30	815-821 Bergen St
	31	823 Bergen St
	32	825 Bergen St
	33	827-829 Bergen St
	35	831 Bergen St
	36	833 Bergen St

	37	835 Bergen St
	38	837 Bergen St
	39	839 Bergen St
	40.01	841 Bergen St
	40.02	845 Bergen St
	43	847 Bergen St
3590.01	1	883-885 Bergen St.
3659	2	1074-1078 Bergen St
	3	
	4	
	5	1072 Bergen St
	6	1068-1070 Bergen St
	7	
	8	1066 Bergen St
	18	1046 Bergen St
	20	1042-1044 Bergen St
	21	1040 Bergen St
	22	1036-1038 Bergen St
	23	
3658	1	1028-1030 Bergen St
	2	
	3	1024-1026 Bergen St
	4	
	5	1020-1022 Bergen St
	6	
	7	1016-1018 Bergen St
	8	
3657	1	1008-1010 Bergen St
	2	
	3	1000-1006 Bergen St
	5	
	6	
	7	996-998 Bergen St
	8	
3656	8	976-990 Bergen St
	9	
	10	
	11	
	12	
	13	
	14	
	15	
3655	5	972-974 Bergen St
	6	
	7	960-966 Bergen St
	8	
	9	
	10	
	11	
	12	
3654	5	952-958 Bergen St

	6	
	7	
	8	
	10	948-950 Bergen St
	13	944-946 Bergen St
3696	28	1097-1083 Bergen St
3586	1	940-942 Bergen St
	2	
	3	936-938 Bergen St
	4	
	5	932-934 Bergen St
	7	928-930 Bergen St
	9	926 Bergen St
	10	924 Bergen St
	11	922 Bergen St
	12	920 Bergen St
	13	918 Bergen St
	14	914-916 Bergen St
	15	
	16	912 Bergen St
	17	910 Bergen St
	18	908 Bergen St
	19	906 Bergen St
	20	
	21	902 Bergen St
	22	900 Bergen St
	23	898 Bergen St
	24	896 Bergen St
	25	894 Bergen St
	26	892 Bergen St
	27	890 Bergen St
3589.01	1	884 Bergen St.
	2	882 Bergen St.
	3	880 Bergen St.
	4	878 Bergen St.

The Redevelopment Area is also depicted on Map 1 – Boundary Map.

III. REDEVELOPMENT OBJECTIVES

- A. Establish an appropriate mix of land uses suitable for a vibrant neighborhood commercial area.
- B. Encourage the redevelopment of land to create development consistent with the surrounding neighborhood.
- C. Integrate new urban design standards for signage and building facades that prevent unattractive building changes from marring the revitalization of the neighborhood.

IV. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the Littleton Avenue Redevelopment Area.

- A. All new development shall require site plan approval from the appropriate development review board in accordance with Title 38 of the Municipal Code of the City of Newark, New Jersey and the Municipal Land Use Law of the State of New Jersey, also known as NJSA 40:55D-1 et. seq.
- B. The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of twenty (20) years from the original date of approval of this Plan by the City of Newark Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless otherwise specified in language in an amendment specifically extended by such amendments.
- C. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the City of Newark Zoning and Subdivision Regulations.
- G. The Central Planning Board may grant deviations from the regulations contained within this Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Central Planning Board may also grant a deviation from the regulations contained within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this Plan; and the benefits of granting the deviation would outweigh any detriments. The Central Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan. The Newark Board of Adjustment may grant deviations of the following type: (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) an increase in height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district, (4) an increase in the permitted floor area ratio, (5) an increase in the permitted density. An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.
- H. The regulations and controls in this section may be implemented where applicable by

appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.

- I. No building shall be constructed over an easement in the Redevelopment Area without site plan review and approval of the City of Newark Central Planning Board and prior written approval of the Redevelopment Entity and/or the Department of Engineering.
- J. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

V. SPECIFIC LAND USE REGULATIONS

The following lists permitted and prohibited uses for parcels in the Plan Area.

A. Permitted Uses

Properties and buildings may be used only for the following uses according to the regulations below. Buildings and properties with a mix of uses are encouraged and permitted.

1. Retail sales of goods not prohibited elsewhere in this plan
2. Beauty salons, barber shops, and nail salons
3. Restaurants provided there is no transparent partition between order-taking staff and customers
4. Coffee shops/coffee houses
5. Museums
6. Theaters
7. Art Galleries including accessory uses not prohibited in this plan
8. Retail Banking Institutions (without Drive-thru facilities) other than Check Cashing Establishments
9. Community parking facilities with required landscaping, but no existing structure is permitted to be removed for the creation of an outdoor parking facility.
10. Offices
11. Residences (only permitted above the first floor in structures between Custer Avenue and Lyons Avenue)
12. Artist studios
13. Live-work spaces that only include permitted uses in this plan
14. Fitness facilities and gyms
15. Banquet halls with sound proofing insulation installed to ensure compliance with local and state noise regulations. Such uses can have customer dancing areas.
16. Funeral homes
17. Parks and Recreation areas including accessory uses not prohibited in this plan
18. Community facilities including police and fire stations, libraries, and government buildings
19. Laundromats and dry-cleaning establishments

B. Prohibited Uses

Properties and buildings may not be used for any of the following uses anywhere in the Plan area:

1. Drive-thru establishments including but not limited to retail or auto establishments with drive-thru service

2. Carry-out restaurants with a transparent partition between order taking staff and customers
3. Liquor stores
4. Sexually oriented businesses including lingerie and intimate apparel stores
5. Outdoor automobile sales
6. Automobile repair including automobile body repair
7. Billboards
8. Bars, night clubs, and dance halls
9. Facilities that provide congregate living arrangements that provide shelter or lodging for profit or charity with or without meals including homeless shelters, rooming houses, hotels without private bathrooms, or halfway houses.
10. Drug or alcohol treatment facilities
11. Check Cashing Establishments not within banks, pharmacies, or grocery stores
12. Pawn Shops and Ammunition Retailers
13. Tattoo/Body Piercing Establishments
14. Between Custer Avenue at the North and Weequahic Avenue at the south, the ground floor/first floor of any structure in the plan area shall not be used for residential purposes
15. Demolition of any principal structure for the creation of parking area.
16. Meat or Fish Markets

VI. GENERAL DESIGN REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all applications, including but not limited to: developments, re-developments, rehabilitation, and or re-use applications within the Redevelopment Plan area:

- A. Chain link fencing shall be prohibited within the Redevelopment Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- B. No Billboard shall be permitted on any property within the Redevelopment Area.
- C. No signage shall be permitted within the Redevelopment Area, which includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations. Signage shall comply with standards stipulated in Section VI below.
- D. No advertising shall be permitted on parking meters, light poles, or on benches.
- E. Upon demolition of any existing structures, the site shall be graded, planted, sodded, secured and/or developed, in accordance with this Plan.
- F. All trash dumpsters and/or compactors shall be located in appropriate staging areas, out of public sightlines. Chain-link fencing shall not be permitted as a screening material, even with vinyl privacy slats. Board-on-Board or tongue-and-groove fencing of wood or pvc, stockade or board-on-board fencing, or brick or stone walls can be used to screen garbage areas. Screening items shall be limited in height to 6 feet or less.

- G. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.

VII. DESIGN AND CONSTRUCTION REQUIREMENTS

A. Building Design Requirements

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, such that similar façade materials and detailing is used on all facades.
2. Buildings shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. Main-building shall be prominent and easily identifiable.
3. Multi-family (more than three families) buildings shall have a clear base, middle and top. Architectural devises, such as providing stringcourses, cornices and sub-cornices, and/or horizontally differentiating surface treatments, can be used to achieve the necessary transitions.
4. All balconies facing onto streets should be designed to prevent their use as storage spaces. Traditionally designed railings are to be used at all balconies and terraces and should be designed to screen the view from the street onto the balconies. Materials should be compatible with materials used throughout the surrounding community.
5. EIFS (Exterior Insulating Finishing Systems) wall material shall not be permitted on any outside wall in the plan area. There is to be absolutely no use of vinyl or aluminum "clapboard" or "dutchlap" style siding on any front or street-facing façade of any building in this project. Hard plank siding of the "clapboard" or "dutchlap" type can be used, and cedar-shake style, scallop style, or other decorative style vinyl siding shall also be permissible.
6. All electronic communication equipment, mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey for residential zones. They shall be located interior to the building whenever possible and entirely screened from view from surrounding streets and buildings if located on a rooftop. This shall be achieved through creative disguises within the basic architecture of the building, such that it does not negatively impact the appearance of the building. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building or complimentary materials as approved by the Planning Board, such that the screening appears to be an integral part of the building. Said equipment shall be located so as to minimize or eliminate the need for screening.
7. All roof-top and ground level mechanical equipment shall be totally screened from view, both from the street and existing or planned neighboring buildings. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and

shall utilize the same materials used in the construction of the building or complimentary materials as approved by the Planning Board, such that the screening appears to be an integral part of the building. The screening shall not impair the functioning of the equipment. Interior locations must be utilized where mechanically possible.

8. Bulk standards:

a. Front yard setback standards shall be measured to the structural front walls of applicable buildings and shall not be based on the locations of open or enclosed porches, balconies, or bay windows. Small sections of a new façade may also be recessed deeper than the required setback to allow for architectural interest in the new building.

1. The front setback of a new structure shall match the shorter front setback of the two closest principal buildings on each side of the project site on the same block frontage as the site.
2. Bay windows (with no wall section wider than 6 feet), balconies, stoops, and porches are permitted to encroach into the front setback area, but shall not encroach into the public right of way.
3. When the block has no existing development to serve as the reference for the required setback, the front yard setback shall be 0 feet.
4. For corner lots, the following special setback requirements apply to the street frontages of the two intersecting streets.

a. One of the setbacks of a new structure shall match the lesser front setback of the closest principal building on that block and on that street frontage.

b. The other frontage's setback shall be zero feet.

b. Minimum and maximum side yard measurements shall be zero feet or inches, but the following regulations also apply:

1. An exclusively residential structure constructed north of Custer Avenue is allowed to have a side yard of 3 feet or greater, but no side yard shall be of a distance between zero and 3 feet.
2. No new construction shall encroach within 3' of another building's windows or other fenestrations nor block emergency access to those fenestrations. In cases where the side yard setback is to be zero, the setback area from that adjacent building's fenestrations shall only extend from the location of the fenestration to the rear of the new structure. When a side yard setback of 3 feet is necessary, the front façade of the new structure shall extend to the full width of the lot to create the appearance of a building that has no side yard.

c. Rear Yard. Except as hereinafter provided in Section 40:4-1 et seq., the rear yard requirements shall be required to be a setback of 20 feet.

d. Minimum Amount of Area on Exterior Walls Devoted to Transparent Glazing. The windows and glazing of a building are a major element of style that gives character to the building. Each façade shall present a unified, rational composition. Corner buildings shall have windows on both street frontages.

1. For the primary front façade a minimum of 30 percent of the wall area shall be devoted to transparent windows or doorway areas for residential portions of a mixed use building or for residential buildings.
2. For street facing side or rear walls of structures on corner lots or through lots, a minimum of 20 percent of the wall area shall be devoted to transparent windows or doorway areas for residential portions of a mixed use building or for residential buildings.
3. For non-street facing walls, the greater of a minimum of 10 percent of wall area or the maximum amount allowed by construction code shall be devoted to transparent windows or doorway areas.
4. All transparent glazing areas on door panels count toward this requirement, but door panels themselves do not count towards this requirement.
5. For the first floor facade measured from grade to the ceiling height of that first floor of buildings on commercial rows and for commercial spaces, the minimum required area of wall devoted to transparent windows or doorway areas is 75 percent. Additionally, any security gates, grills, or roll-down barricades shall have a minimum transparency of 75 percent. For corner properties, the street-facing side wall of the commercial area of that structure shall have a minimum glazing area of 45 percent.

e. Yard Impervious Area for development on residential sites.

1. Maximum of 55% of front yard lot area.
2. Only one driveway area shall be permitted in the front yard.
3. At side yards, a paved walkway is only permitted along ONE side of a dwelling.

B. Residential Density Standards:

- a. For lots of 2,500 to 3,200 square feet, a maximum of 2 dwelling units is permitted.
- b. For lots of 3,201 to 4,999 square feet, a maximum of 3 dwelling units is permitted.
- c. For lots of larger than 5,000 to 6000 square feet, a maximum of 4 dwelling units is permitted.
- d. For lots larger than 6,001 square feet, one (1) family shall be permitted on each floor for each nine hundred (900) square feet of lot area, except that for townhouses, these regulations do not apply.

C. Lot Subdivision Standards:

For new lots created by subdivision for freestanding structures, the width of the lot shall not be less than fifty (50) feet and the total lot area shall not be less than five thousand

(5,000) square feet. Lots for townhouses must be at least twenty (20) feet wide and have at least one thousand (1,000) square feet.

D. Streetscape, Landscape and Open Space Requirements

1. A streetscape plan is required for all projects requiring site plan approval and shall include proposed sidewalk and curbing materials and treatments, street trees, tree pit grates and/or treatments, and any proposed street furniture, lighting or other features to be provided. The streetscape plan shall be submitted to the City of Newark Central Planning Board for its review and approval as part of the site plan application and implemented as part of the construction of the project.
2. Sidewalk areas must be provided along the street right of way and shall be properly sized based on the anticipated use for the safe and convenient movement of pedestrians through the Redevelopment Area.
3. Sidewalk areas shall be attractively landscaped and durably paved in conformance with municipal standards and shall be provided with adequate lighting.
4. All plant material used must be able to withstand the urban environment and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. All landscaping shall be guaranteed for a period of two (2) years. The developer or property owner shall replace any landscaping which is not resistant to the urban environment or that dies during this period.
7. All areas not covered by a building or pavement shall be landscaped with trees, shrubs, groundcovers or other appropriate plant material.
8. Lighting within the Redevelopment Area shall sufficiently illuminate all areas to prevent "dark corners". All lighting sources must be shielded to prevent and eliminate any glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candles and shall not exceed three (3.0) foot-candles.

E. Off-street Parking Design and Loading Requirements

There shall be no minimum required number of off-street parking spaces for any use in this district. The following restrictions apply to any off-street parking areas that are created:

1. In order to preserve the maximum number of on-street parking spaces possible, driveway widths and curb cuts shall be limited to the minimum width and number necessary. Driveway / curb cut widths leading to parking areas should be no more than ten (10) feet for one way access and no more than twenty (20) feet for two way access.
2. Parking design shall adhere to parking requirements identified in the City of Newark Zoning Regulations.
3. No parking area shall be configured for cars to park in front of a principal structure or for cars to need to back into Bergen Street.

4. Parking areas are only permitted in the rear yard or side yard area of a parcel. No parking area shall be permitted between a principle structure and a public right of way. Parking areas can only be screened with decorative wrought or tubular metal fencing or tongue-and-groove panel fencing, board-on-board fencing, or stockade fencing. Whenever lot sizes allow, a landscaped buffer of at least 3 feet in width shall be placed between a parking area and the closest property line. The greatest effort possible shall be made to design the parking area to accommodate that buffer area.

VIII. SIGNAGE STANDARDS

A. The following signs shall be exempt from all signage requirements:

1. Any public notice or warning required by a valid and applicable federal, state, county or local law, regulation or ordinance.
2. Any sign which is inside a building, not attached to a window or door, and is not readable from a distance of more than three feet beyond the lot line of the lot or parcel nearest to where such sign is located.
3. Holiday lights and decorations with no commercial message within 90 days of the beginning of the holiday and within 30 days of the termination of the holiday.
4. Any sign indicating the name of a building and/or date of construction and/or other incidental information about its construction, which may be cut into a masonry surface or made of bronze or of similar permanent material such as historic tablets, cornerstones, memorial plaques and emblems.
5. Traffic control signs on private property, which meet Department of Transportation standards, and which contain no commercial message of any sort.
6. Flags of the United States, New Jersey, the City of Newark, and flags of any foreign nation. Also exempt are flags for purely non-commercial purposes.
7. Signs or banners advertising public or quasi-public events that are posted with the permission of the City Council or of any person to whom the City Council has delegated this authority according to guidelines set by the City Council with a set time limit to their posting.
8. U.S. Postal Regulation mailboxes.
9. Political signs may be displayed for a period of not more than sixty (60) days prior to an elections and no more than three days after the election.
10. One (1) sign advertising the sale or rental of the premises upon which they are located provided that the sign is no more than eight (8) square feet and removed within one week of the date of sale or rental of the property.

B. The following methods of measurement shall be utilized for the purposes of calculating permissible signage:

1. Individual sign area measurements
 - a. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, graphic illustration, picture, symbol of other display, together with any material or color forming an integral part of the background of the sign. For

purposes of calculating sign area, any illuminated border including those which may frame the signage within a window shall be included in the sign area calculation and used to differentiate the sign from the backdrop or structure against which it is placed. This does not include any framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the sign itself.

- b. No sign shall have more than two display faces. When a sign has two display faces such that both faces cannot be viewed from any one point at the same time, the sign's area shall be computed by the measurement of the larger of the two faces.
2. Glazed area. Any glazing in doorways shall be considered part of the glazed area. For purposes of calculating window signs, a window shall be considered the glazed area. Signs which are required by county, state, or federal agencies shall be exempt from calculation of permanent signage.
3. Measurement of Height. The height of a freestanding sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the lower of the existing grade prior to construction of the newly established grade after construction, exclusive of any filing, berming, mounding or excavation solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, the sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
4. The following signage prohibitions shall apply:
 - a. Billboards shall be prohibited.
 - b. No signs shall be placed on fences, walls, utility poles, trees, railway or road bridges, bridge supports or abutments, retaining walls, parking meters or water towers unless approved by the City Council.
 - c. No roof signs, also known as "sky signs" shall be allowed.
 - d. No sign shall be lighted by means of a varied illuminated light, nor shall any sign be in whole or in any part moving, mobile, revolving and/or electrically or mechanically activated except that signs displaying the time and/or temperature shall be permitted in any business or industrial district.
 - e. No signs shall be allowed that are placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way, where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity. This is not intended, however, to prohibit signs placed on or affixed to vehicles, buses or trailers where the sign is incidental to the primary use of the vehicle or trailer. The vehicle shall remain in fully operable condition and be driven or moved by its own power at least once per week.
 - f. No sign shall be allowed which obstructs any window or door opening except for the transom of a storefront. Additionally, no sign shall obstruct the view of any building's existing decorative architectural features.
 - g. No sign shall be allowed which obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare.
 - h. No building sign shall be more than four feet from the building face.

5. The following signs and standards and conditions that govern such signs are set forth in Section E below. All other signs are expressly prohibited.

C. The following design standards shall apply:

1. Signs shall be in harmony and consistent with the architecture of the building and related to the features of the building in terms of location, scale, color, lettering, materials, texture and depth. Signs shall not be dominant but shall be proportionate and shall complement the building, existing signs and surroundings.
2. There shall be consistent sign design throughout a particular project. The design elements include style of lettering, construction materials, size and illumination.
3. Building signs shall not obscure, conflict with, or cover any architectural element and must be aligned with major building elements such as windows, trim and structure lines.
4. No sign shall extend or project above the highest elevation of the wall to which it is attached or above the lowest part of the roofline of the building, whichever is less.
5. Illuminated Signs.
 - a. Internally illuminated signs shall NOT be permitted.
 - b. Signs lit by external sources shall be allowed but shall be located in such a manner so as to avoid any glare on adjacent property. Sources of sign illumination shall consist of spotlamps or “gooseneck” lamps.
 - c. External lights used for the illumination of any sign mounted on a building, whether or not such light fixtures are attached to or separate from the building, shall comply with the relevant lighting standards enumerated in 38:10-44a(1).
6. Signs and sign structures of all types shall be located to allow a clear, unobstructed line of sight for three hundred (300) feet from the stop line of any intersection of streets and/or driveways. The height of a traffic signal or traffic directional sign in the intersection.

D. Nonconforming Signs

1. No nonconforming sign may be enlarged or altered in a way which would increase its nonconformity. Existing nonconforming permanent signs may continue to exist; however, when the sign is modified in either shape, size, illumination or structure, the sign shall be altered to conform to the provisions of this section.
2. Should any nonconforming sign be damaged by any means to an extent of more than fifty percent (50%) of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this section.

E. Standards for size and placement as well as other regulations:

Use and Type of Signage	Maximum Total Area (sq. ft.)	Maximum Number	Max. Ht. of sign (feet)	Other Requirements
--------------------------------	-------------------------------------	-----------------------	--------------------------------	---------------------------

<u>Single, Two, Three, and Four Family Residence</u>				
<i>Wall Sign</i>	1	1	Not to be located above the lintel line on the building	Home occupation or profession only (Address numbers exempt)
<u>Townhouses and Row Houses; Low, Mid and High-rise Residence</u>				
<i>Wall Sign</i>	20 sf	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	A minimum letter height of 12 inches shall be used.
<u>OR</u>				
<i>Monument</i>	25 sf	1/street frontage	5 ft	Monument signs shall only be permitted in front of principal structures with a minimum 25 foot set back. Allowable signs shall be set back at least 5 feet from property line; A minimum letter height of 12 inches shall be used
<u>Public Parks, Playgrounds, and Open Space</u>				
<i>Monument</i>	25 sf	1	5 ft	
<u>Places of Worship; Primary and Secondary Schools; Municipal; Governmental; Private Clubs and Fraternal Organizations</u>				
<i>Wall Sign (structure with no setback)</i>	10% of the wall area but no greater than 50 square feet.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	One wall sign or monument sign per street frontage may be installed; A minimum letter height of 12 inches shall be used.

<i>Wall Sign (structure with setback limitation)</i>	10% of the wall area but no greater than 90 square feet.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	Only if primary structure is setback 25 feet from property line. A minimum letter height of 12 inches shall be used.
OR				
<i>Monument</i>	25 sf	1/street frontage	5 ft	Monument signs shall only be permitted for buildings with a minimum 25 foot set back. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.
<u>Retail; Finance, Insurance, Real Estate; Philanthropic Institutions providing social services; Offices; Eating and Drinking Establishments; Banks; Personal Service Establishment; Health Club; Indoor Recreation; Business and Vocational Schools; Non-nuisance light industrial uses such as trade workshops, service and repair facilities, and arts and crafts studios</u>				
<i>Wall Sign</i>	10% of the wall area but no greater than 50 square feet	1	Not to be located more than 4 feet above the lintel line on the building	A minimum letter height of 8 inches shall be used
<i>Projecting</i>	4	1 2-sided sign	n/a	May project a maximum of 4 ft. from the building. Minimum distance between the ground and the bottom of the sign is 8 feet; Sign must be hung by brackets at right angles to the façade;
<i>Window</i>	No more than 10% of glazed area	n/a	n/a	
<i>Awnings</i>	To be used in lieu of wall signs, subject to same conditions	n/a	n/a	Awnings, which are not internally lit, may be used to display signage in lieu of a wall sign. However, an awning with no signage but for the name, address and phone number on the fringe of the awning with lettering no greater than 8 inches high may be used in addition to a wall sign.

				Internally lit or translucent awnings are prohibited.
<i>Secondary façade on corner lots</i>	May have one wall, projecting or awning sign of prescribed dimensions	n/a	n/a	A minimum letter height of 8 inches shall be used
<i>Monument</i>	25 sf	1/street frontage	5 ft	A minimum letter height of 8 inches shall be used
<u>Funeral Home</u>				
<i>Wall Sign</i>	10 sf	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	One wall sign or monument sign per street frontage may be installed.
<i>Monument</i>	20 sf	1/street frontage	5 ft	Monument signs shall only be permitted for buildings with a minimum 25 foot set back. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.

IX. ACQUISITION PLAN

No acquisition of property is anticipated or even enabled by this Redevelopment Plan.

X. RELOCATION PLAN

Since there will be no property acquisition, no Relocation Plan will be necessary in this Redevelopment Plan.

XI. CIRCULATION PLAN

All streets and rights of way within the redevelopment area shall remain open to the public. No modification of the street configuration or rights of way is anticipated to be necessary to effectuate the implementation of this Redevelopment Plan.

Sidewalk areas must be provided within the Redevelopment Area, and shall be properly sized for the safe and convenient movement of pedestrians through and around the Area.

XII. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The 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.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Plan (Section IX), which is a part of this Plan, indicates that there will be no properties to be acquired as a result of this Plan.
- E. The Plan is in general compliance with the Essex County Master Plan. The Essex County Land Use and Housing element of the Master Plan of 1980 includes in its Goals and Objectives: "To protect and restore established neighborhoods by encouraging housing rehabilitation;" and "To encourage new housing construction in areas of anticipated growth." The Redevelopment Plan is consistent with these goals.

This Redevelopment Plan is consistent with the goals and objectives of the Master Plan efforts of the City of Newark. The 2004 Land Use Element of the Master Plan of the City of Newark as well as the 2006 Newark Draft Vision Plan emphasize the need to preserve and revitalize neighborhoods such as Fairmount through the redevelopment of underutilized land into affordable infill housing and community uses.

The Land Use Element of the Master Plan for the City of Newark, adopted in 2004, includes in its Goals and Objectives:

"To provide opportunities to rebuild neighborhoods and communities in those parts of Newark which have large areas of vacant or marginal deteriorated land uses, rather than simply filling in such spaces with singular housing or other uses;"

"To increase the opportunities for providing community services, particularly schools and day care, in areas of the City which have the greatest need for such facilities and services;" and

"To provide locations and opportunities for a network of governmental and non-profit social service facilities and services to provide aid and support to those residents of Newark in need, to sustain communities in transition and to provide a foundation for social and economic change and advancement."

The Redevelopment Plan addresses all three of these goals.

The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.

- F. This redevelopment plan shall supersede the City of Newark Zone regulations. Any zoning regulations not specifically referenced herein shall be addressed in the City of Newark Zoning Regulation ordinance.

XIII. PROCEDURE FOR AMENDING THE PLAN

- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of five thousand dollars (\$500), plus all costs for copying and transcripts shall be payable to the City of Newark for any request by a developer or a member of the public to amend this Plan. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all costs.
- B. No amendment to this Plan shall be approved without the review and recommendation of the Central Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.

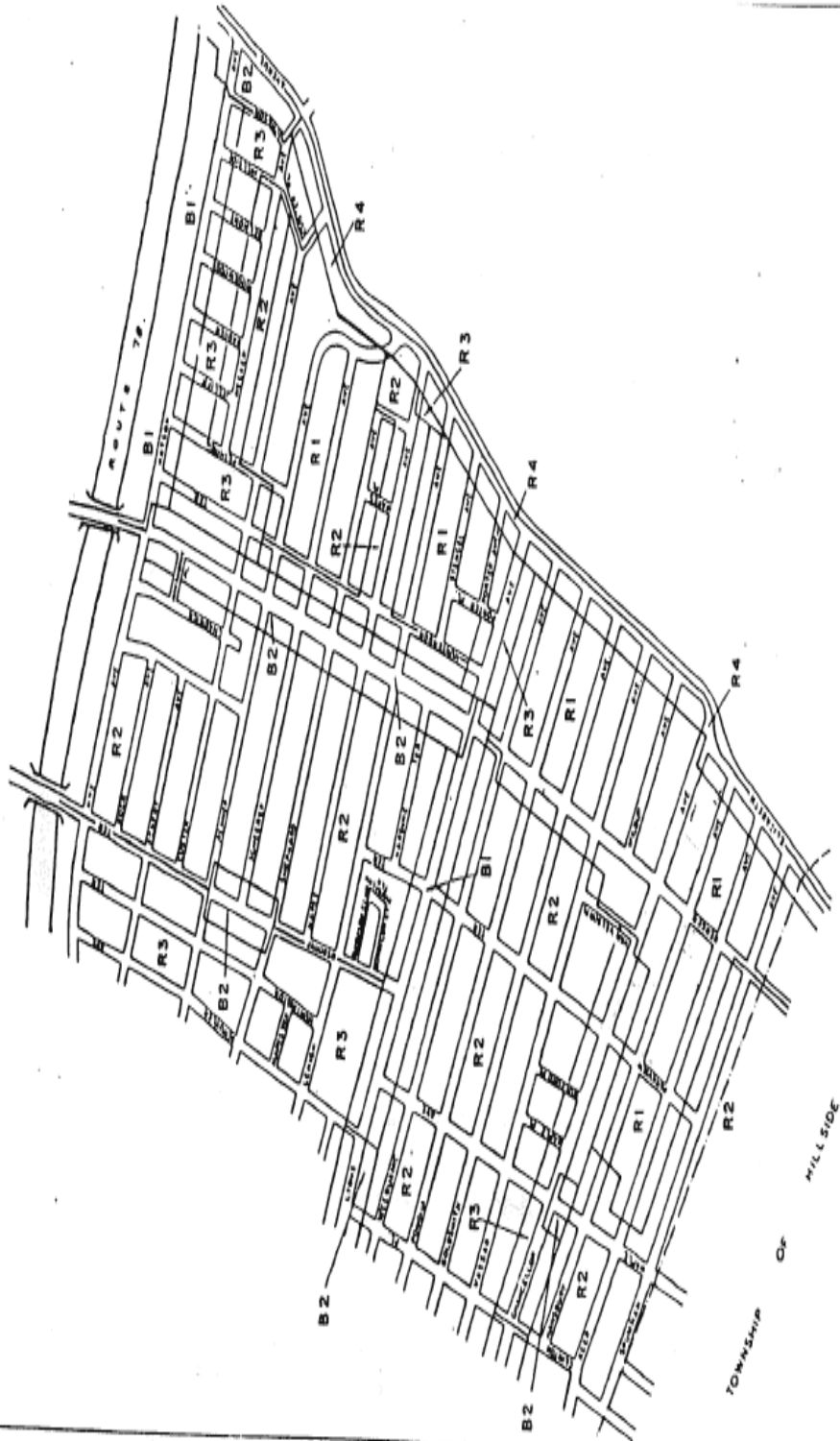
XIV MAPS

Bergen South Redevelopment Map 1 - Boundary Map



Legend

 Plan Area Blocks and Lots



Revised: May 1988

ZONING DISTRICT MAP
CITY OF NEWARK, N. J.

REVISIONS	DATE

SHT. NO
24