

MILL ROAD
AREA IN NEED OF REDEVELOPMENT

REDEVELOPMENT PLAN

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Department of Administration

Adoption History

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Introduction

This Plan has been adopted on _____ by ordinance of the Irvington Municipal Council. This Plan provides a mechanism to spur mixed use and commercial redevelopment of the Mill Road Redevelopment area, which was designated by the Municipal Council on May 4, 2004. Thereafter On January 9, 2007 the area was expanded to include two lots of tax block 308: lot 23 and lot 27. The basis of the redevelopment approach that grow out of this Plan come from recommendations made in the study entitled, "The Strategic Vision and Revitalization Study for the Urban Enterprise Zone of Irvington, New Jersey", completed in 1999. The Mill Road Redevelopment Area is part of the Irvington Urban Enterprise Zone that was evaluated in this study. The study states on page 21:

"Redevelopment will require the Township Committee to adopt a Redevelopment Plan to guide changes in circulation, land assembly, and/or other major changes required to increase the value of the land and buildings and facilitate expansions....

...Upon adoption of the Plan, the Township can then authorize one or more redevelopers to

proceed with new investments and to make more efficient use of the real estate. "

Area In Need of Redevelopment

Summary

The Mill Road Redevelopment Area is depicted in Map 1. As shown the Area includes five parcels of Block 308: lot 23, 24, 25, 26, 27.

Redevelopment obstacles and constraints to improving conditions within the Area as evidenced in the Determination of the Area In Need investigation include:

- The properties exhibit a lack of proper utilization such that they are unproductive
- A haphazard layout of the properties, which lack pedestrian safety, excessive land coverage, and skimpy landscaping.
- Some buildings are dilapidated and obsolete
- The supermarket building, which dominates the site is unkempt and has a large deteriorating parking lot.
- Buildings and pavement cover 100% of the lot.

Redevelopment Goals and Objectives

The seven general goals of this Redevelopment Plan are:

- 1) to create a compact, pedestrian friendly business district at the corner of Stuyvesant Avenue and Mill Road.

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- 2) to upscale business uses in the Area.
- 3) to create mixed-use development opportunities.
- 4) to return vacant and underutilized buildings and properties in the Area to productive and economically supportive use.
- 5) to limit opportunistic crime through encouraging development of defensible spaces
- 6) to create a focal point of economic activity that gives the Area signature status and curb appeal.
- 7) to use redevelopment as the impetus to increase the Township's ratable base and provide new "living wage" paying jobs to Township residents.

These goals will be achieved through the following redevelopment objectives of the Township:

- Rezoning of the Areas to correct for outdated land uses
- Redevelopment of vacant properties and properties in poor condition for mixed re-use
- Cohesive and comprehensive land assemblage
- Creation of new market-rate residences
- Creation of new retail and commercial spaces
- Substantially increase the taxable value of the land and improvements.
- Establish meaningful public-private partnerships that will enable the more productive use of properties in the area.
- Assemble underutilized, unproductive and undersized privately owned lots to create redevelopment parcels suitable for building new retail businesses, a grocery store and ownership housing.

Opportunities Created

The vacancy of two large parcels gives the Township of Irvington an opportunity to direct and facilitate the Area's return to economic activity. Important opportunities and key assets make apparent that specific accomplishments can be made in the Area. These are:

- Population stability
- Well-defined (physically) neighborhood corner
- Natural physical boundaries and buffers
- Local amenities (outdoor seating, walkways)
- Proximity to major transportation arteries and systems

SECTION 1: A Vision for Mill Road

Definitions

All terms used in this Plan shall have the same meaning as defined in the Township of Irvington Zoning Ordinance unless otherwise specified in this redevelopment plan.

Vision, Concepts and Strategy

Few areas in New Jersey are undergoing more dramatic demographic and economic change in its neighborhoods than inner cities such as Irvington Township. Irvington's emerging market is in vertical mixed-use (mixing residential and commercial uses in the same building). This is a slight but important shift in focus from the commuter destination and concentrated residential form that has characterized Irvington's development over the past decades. This Plan seeks to take advantage of this burgeoning market and places the Mill Road Redevelopment Area in a primary position to succeed.

This Plan contemplates that a single redevelopment project will be built in the Mill Road Redevelopment Area. The Plan responds to the presence of derelict and abandoned properties that currently exist in the Area. Moreover, this Plan offers a broad context for the initiation of specific redevelopment projects on the

designated properties consistent with redeveloper agreements between the Township and designated redevelopers. Developers will be afforded an opportunity to submit proposals to redevelop or rehabilitate the Area. Those desiring to do so should make a submission to the Township consistent with the requirements of this plan. The Township reserves the right to review all proposals submitted to determine whether they are consistent with the objectives of this plan, especially the objective of increasing tax ratables and generating new jobs.

This Redevelopment Plan provides the zoning envelope that will permit new ownership housing units to be built atop retail activity. The Mill Road Redevelopment Area will be a hub- a corner of economic vitality, which will connect to other parts of Irvington that are being planned to have the same mixed-use development; namely the Central Business District and the Irvington General Hospital site.

The redevelopment strategy that emerges from this development concept is focused on new construction rather than conservation-rehabilitation action. The development will feature new construction to introduce a mix of ground floor commercial tenants (stores and/restaurants) in a single building along with visual amenities, which will be attractive to patrons from Irvington, Maplewood and Union.

SECTION 2: Requirements & Consistency

As described in this Section, the Mill Road Redevelopment Plan fully complies with state statutes and the master plans/zoning of Irvington and adjacent communities, including Essex County.

Statement of Statutory Compliance

The Mill Road Redevelopment Plan fully complies with state statutes.

Consistency with Local Objectives:

This Redevelopment Plan is sufficiently complete to define redevelopment, improvements, zoning changes, planning concepts and building requirements.

Proposed Land Uses and Bulk Requirements:

The Redevelopment Plan includes maps and text sufficient to describe proposed land uses and bulk requirements in the Mill Road Redevelopment Area. Businesses and being displaced will be interviewed to determine their relocation requirements. The Township of Irvington and its designated redeveloper will comply with the "Relocation Assistance Law of 1967", P.L. 1967, C. 79 and the Relocation Assistance Act, P.L. 1971, C. 362.

Identification of Property Proposed to be Acquired:

The Redevelopment Plan is sufficient to identify any properties within the Redevelopment Area which are proposed to be acquired.

Relationship to local, county and State Plans:

The Mill Road Redevelopment Plan conforms to the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.S. 1985. That plan's goal to revitalize urban centers and its policy of providing appropriate densities to make efficient use of existing infrastructure, while maintaining the character of the area is what this Plan seeks to achieve.

This Redevelopment Plan is compatible with the Master Plans of Irvington's adjacent municipalities: Maplewood and Union townships.

Relationship to Municipal Land Use Law: This Redevelopment Plan describes its relationship to Municipal Land Use Law and creates no conflict with development regulations.

Civil Rights and Affirmative Action:

Township of Irvington agrees to take leadership within the community, to ensure compliance with Title VI of the Civil Rights Act of 1964, and Title VII as amended in March 1972, and with all the affirmative action requirements of the state of New Jersey, including those

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requirements of P.L. 1975 and the regulations issued by the State of New Jersey and the Township of Irvington.

General Provisions of this Plan

Land use provisions and building requirements for the Mill Road Redevelopment Area are deemed necessary as minimum requirements in the interest of public health, safety, convenience, and general welfare. They are intended to provide a frame of reference for physical development of the project area. Developers will be given flexibility in project planning and design so long as buildings and improvements reflect quality, permanence and physical integration through design elements. The Township of Irvington has not attempted in these controls to anticipate every possible design or land use solution. Rather, project proposals will be evaluated as to how they achieve the objectives of this Plan.

1. The Township and the Planning Board specifically reserve the right to review and approve the redeveloper's plan and specifications with respect to their conformance to the redevelopment plan. Such a review shall be based on submissions to both agencies of a site context plan locating the proposed project in the redevelopment area; a site plan illustrating all site features; and building elevations for facades facing primary and secondary streets. If design changes are made after submissions, no construction related to the changed project features can take place until a

site plan and other pertinent drawings reflecting such changes have been submitted and approved by both agencies. This pertains to revisions and additions prior to, during, and after completion of such improvements.

2. As part of the final site plan approval process, the Planning Board may require a developer to furnish performance guarantees pursuant to N.J. S.A. 40:D-53. Such performance guarantees shall be approved by either the Township Attorney or the Attorney of the Irvington Planning Board. The amount and form of such performance guarantees shall be determined by the Township.
3. Subdivisions of lots and parcels of land within the redevelopment area shall be in accordance with requirements of this Plan, the Township Subdivision and Site Plan Review Ordinance and the Township Zoning Ordinance. If parcels are combined that include the use or taking of public right-of-ways, thus interfering with existing circulation patterns, and in creating a new block, the developer shall also be required to comply with the Municipal Zoning Code as if the developer were proposing a subdivision or portion thereof.
4. The redeveloper shall also comply with the requirements of the Local Redevelopment and Housing Law, P.L. 1992, Chapter 79.

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Other Provisions of this Plan

Environmental Standards

The designated redeveloper shall be responsible for determining the extent of any on-site contamination caused by previous land uses and the subsequent mitigation of that contamination to appropriate New Jersey Department of Environmental Protection and federal standards.

Off-site Improvements

The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to their project, whether on-site or off-site, will be outlined in the redeveloper's agreement with the Township. Off-site responsibility for properties not covered under the redeveloper's agreement will be determined in the same manner as other development projects during the permit and/or site plan review phases.

All infrastructure improvements shall comply with applicable local, state and federal codes including the Americans With Disabilities Act. All streetscape improvements shall also comply with applicable standards found in this Redevelopment Plan.

Mill Road Streetscape Project and Public Improvements

The Township is designing a streetscape of Mill Road and Stuyvesant Avenue, which are roadways adjacent to and providing direct access to the Mill Road

Redevelopment Area. This project's final design will encompass design features that will enhance access to a redevelopment project. Redevelopers of large scale projects shall participate in on-site and off-site infrastructure improvements as may be appropriate and deemed essential to the success of the project per the terms of a negotiated Redevelopment Agreement.

Relationship to Irvington Zoning

The standards contained within this Redevelopment Plan shall constitute an overlay within the redevelopment area and shall apply to any redevelopment project designed to implement this Plan. Where regulations of this Plan conflict with the Zoning Ordinance, this Plan shall control.

Township Zoning Ordinance

The continued use or improvement of existing properties is permitted pursuant to the underlying Zoning regulations until the property is to be redeveloped, at which time the provisions of this Plan shall apply. In the case where a particular land use or site standard is not covered in this Redevelopment Plan, compliance with the Township of Irvington Zoning Ordinance or other applicable Township of Irvington ordinance will be required.

Relationship to Previously Adopted Redevelopment Plans

The Township has adopted two redevelopment plans: 1) *East Ward/Springfield Avenue East Redevelopment Area*

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and 2) *Coit Street Phase I Redevelopment Area*. The zoning in these plans cover areas that are co-terminus with portions of the Irvington Urban Enterprise Zone (UEZ), within which the Mill Road Redevelopment Area lies. Notwithstanding this, the provisions of this Plan shall not apply to these redevelopment areas. Where regulations of those two plans conflict with this Plan, those plans shall control

Relationship to Irvington Master Plan

As required by the Redevelopment and Housing Law, this section describes the consistency between this Redevelopment Plan and Irvington's Master Plan and how the provisions herein are designed to effectuate the Master Plan. It also describes the relationship of the Redevelopment Plan to (a) master plans of contiguous municipalities (Maplewood and Union), (b) the Essex County Master Plan, and (c) the New Jersey State Development and Redevelopment Plan.

The Irvington Planning Board adopted the Irvington Master Plan in April 2002. While, the Master Plan Future Land Use Plan recommends that the entire UEZ, which includes the Mill Road Redevelopment Area be designated for mostly single use zoning districts, this Redevelopment Plan, provides an overlay zone permitting mixed-used development as a way of attracting economic growth and activity.

Master Plans of Adjacent Municipalities

Maplewood and Union are bordering communities to Irvington. All three municipalities have agreed to conduct joint planning and to share resources to promote economic development within their borders. The Mayors and Business Administrators are meeting in this inter-municipal effort to build projects that benefit each others respective communities.

Maplewood Township

Maplewood Township, on the western side of Irvington, has very compatible land use designations with this Redevelopment Plan. Immediately north of the Union Township border, Maplewood is zoned for R-2-4 Residential Two-family and RGA Residential Garden Apartments. These moderate-density residential areas are consistent with the retail uses permitted along Stuyvesant Avenue and Mill Road in Irvington. In fact, they provide a potential market for the Stuyvesant Avenue/Mill Road shopping area.

Union Township

Land use designations in Union Township are compatible with those in this Redevelopment Plan. Located south of Irvington, the Union Township border runs between the western edge of the Township and the Elizabeth River. This part of Union Township is zoned for a mix of single-family and multi-family residential development: RA One-family at about 8 units per net acre, RC Multi-family at

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about 20 units per net acre and RM Multi-family at about 18 units per net acre.

These zones are consistent with the residential designations and land uses on the Irvington side. This Redevelopment Plan permits residential development at densities of 40 units per net acre, which is more intensive than Union, creating potential traffic or visual impacts on Union Township. To address these impacts the two municipalities are jointly proposing street improvements along Stuyvesant Avenue to be funded by New Jersey Department of Transportation.

Also, the site design standards of this Redevelopment Plan are conceived to soften and blend the visual impacts of a project in the Mill Road area.

The Union portion of the Stuyvesant Avenue retail corridor is zoned for BB Retail Business. Union's business zoning is consistent with the business designation and existing shops on the Irvington side

County and State Master Plans

Essex County Master Plan

The most current version of the Essex County Master Plan is the Land Use/Housing Element (August, 1980). Two points make it critical to make this Redevelopment Plan consistent with the Essex County Master Plan: 1) Stuyvesant Avenue is an Essex County road and any

improvements will require consent and cooperation from Essex County, and 2). Irvington's Master Plan is cross-accepted with the Essex County Master Plan in the Statewide cross-acceptance of the State Development and Redevelopment Plan.

The following excerpts from the Goals and Objectives section of the County's Plan demonstrate its consistency with this Redevelopment Plan:

- (Page I-7) Commercial Use – “To promote the restoration, preservation and development of existing commercial areas. Such action will generate additional business and remove the blighting influence of commercial properties on nearby residential neighborhoods.
- To encourage the development of multipurpose cluster zones with diversified retail facilities and adequate off-street parking. This land use pattern would discourage the further fragmented development of commercial strips along major arteries which impede the efficient flow of traffic.”
- That municipalities grant tax abatement for qualified low and moderate income units to encourage development.

While the current version of the Essex County Master Plan is over 20 years old, it remains substantially consistent with the Township's ongoing planning efforts

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to revitalize, reinforce and support its neighborhoods and commercial areas.

State Development and Redevelopment Plan

On March 1, 2001, the State Planning Commission adopted the New Jersey State Development and Redevelopment Plan (NJSDRP). In 2004 the state officially released the 2004 Preliminary Plan to amend policy that will take the state's planning vision to the year 2025. The NJSDRP is voluntary for municipalities to follow, and is a guide for investing and spending state dollars in a manner that is consistent with the state plan's goals.

The Mill Road Redevelopment Plan furthers statewide goals and strategies to: (1) revitalize the State's cities and towns, and (2) promote economic growth, development and renewal for all residents of New Jersey.

The NJSDRP identifies the Township of Irvington as part of the Metropolitan Planning Area (PA-1). The goals and objectives of this Redevelopment Plan have a positive relationship with the State Plan's intention for the PA-1. Specifically, the State Plan's intention in the PA-1 is to:

- provide for much of the state's future redevelopment;
- revitalize cities and towns;
- promote growth in compact forms;

- stabilize older suburbs;
- redesign areas of sprawl; and
- protect the character of existing stable communities.

The PA-1 policy objectives of the NJSDRP are compatible with the goals and objectives of this Redevelopment Plan. This Redevelopment Plan furthers the following specific NJSDRP policy objectives for the PA-1:

Land Use: Promote redevelopment and development in Cores and Neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

Economic Development: Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies, and programs, including tax policies

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and expedited review of proposals that support appropriate redevelopment.

Redevelopment: Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.

Public Facilities and Services: Complete, repair or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region. Encourage the concentration of public facilities and services in Centers and Cores.

Relationship to Municipal Land Use Law

This Redevelopment Plan has its foundation in and creates no conflict with statutory development provisions of the Municipal Land Use Law.

SECTION 3: Property Acquisition & Relocation

Property to be Acquired

Map 2 shows the parcels that may be acquired by eminent domain. The Township reserves the right to acquire Block 308, lots: 23, 24, 25, 26 and 27 by eminent domain. Any such taking will compensate the owner for the market value of the property taken in accordance with applicable state law.

Relocation

As required by the New Jersey Department of Community Affairs, the Mill Road Redevelopment Plan identifies the following approach to relocating existing businesses in the redevelopment area, as necessitated by any property acquisition pursuant to this Redevelopment Plan..

The Redeveloper will adhere to all applicable state law requirements in connection with the acquisition and relocation of any business property located within the redevelopment area, including the identification of potential relocation sites and provision of statutorily mandated relocation assistance payments.

After the adoption of this Plan, and before the acquisition of any occupied properties in the redevelopment area, a WRAP (Workable Relocation Assistance Plan) will be developed and approved by the State of New Jersey. The WRAP will be tailored to the project(s) called for by this redevelopment plan, and will address the particular needs and circumstances of businesses.

SECTION 4: Development Regulations

Use Controls

Redevelopment projects constructed in the Mill Road Redevelopment Area shall be developed in accordance with the permitted and conditional use requirements in this Section.

Permitted uses:

A. General retail and personal service establishments, such as or similar in nature but not limited to:

- [1] Drug stores.
- [2] Meat, fish, and poultry stores.
- [3] Produce stores.
- [4] Baked goods stores.
- [5] Flower shops.
- [6] Confectionery stores.
- [7] Household supplies stores.
- [8] Stationery supplies stores.
- [9] Hardware stores.
- [10] Haberdashery, apparel, and jewelry stores.
- [11] Barber or beauty shops.
- [12] Dry-cleaning shops, but not including dry cleaning plants.
- [13] Tailor shops.
- [14] Shoe repair shops.

- [15] Video rental establishments.
- [16] Book stores.
- [17] Grocery Stores

B. Restaurants and cafes.

C. Banks and fiduciary institutions.

D. Municipal buildings and other governmental and/or public uses as deemed necessary and approved by the Planning Board and Municipal Council.

E. Temporary buildings as provided in § 197-14(A)(3) of the Township Zoning Ordinance.

F. Professional and Medical offices

G. Residential dwelling units, provided that they are located above a ground-floor commercial use

H. Accessory buildings and structures constructed in accordance with the requirements of this Plan and the Township Zoning Ordinance.

Conditional Uses

The following uses are permitted with a conditional use permit subject to the provisions of Article IX of the Township Zoning Ordinance.

- A. Public utilities.
- B. Child Care centers.
- C. Self-service laundries.

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Uses not permitted

- A. Pawnbrokers.
- B. Any business conducted outside the confines of a building, with the exception of outdoor seating associated with a restaurant or café
- C. Clinics for the treatment of drug addiction
- D. Drive-through windows at restaurants and cafes
- E. Packaged liquor stores.
- F. Gasoline service stations.
- G. Auto repair or body shops
- H. Auto dealerships.
- I. Auto washes.
- J. Adult entertainment establishments.
- K. Adult-oriented stores
- L. Check-cashing establishments.

Bulk and Area Requirements

Redevelopment projects constructed in the Mill Road Redevelopment Area shall be developed in accordance with the bulk and area requirements in this Section.

For the purposes of this redevelopment plan bulk and area *maximums* may generally be interpreted as what the Township is requiring not to be designed by redevelopers whereas bulk and area *minimums* are what is required to be done by redevelopers. In other words, redevelopers will be encouraged to exceed minimums in their project designs.

Maximum Floor Area Ratio

<u>Ground floor only</u> (Excluding parking areas under a landscaped deck).....	0.75
<u>Entire Building</u> (Excluding basement areas, mechanical and utility rooms and similar spaces) ,,,,,,,,,,,,,,,,,,,,,,	2.25
Minimum Lot Area (sq. ft.)	3,500
Maximum Impervious Coverage	85%
Minimum Lot Width (feet)	30
Minimum Yards (feet)	
Front	0
Side (One/Both)	0/0
Rear	20
Maximum Stories	5
Maximum Building Height (feet)	60
Maximum Dwelling Units/Acre	45

Site Design Review

The importance of the Mill Road Redevelopment Area's potential positive commercial and residential impacts on the surrounding neighborhood makes it critical to ensure that the project concept results in an attractive and cohesive development.

All developers undertaking new construction in the Redevelopment Area shall submit necessary site plans, building plans, sections, building elevations and perspectives to comprehensively convey site design, architectural and landscape proposals in accordance with

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the Township Site Plan and Subdivision ordinance. Such plans will be reviewed by the Township in the concept stage as well as the final plan stage. The development concept shall be reviewed and approved by the Township Governing Body in connection with its designation of the redeveloper.

This plan provides for specific site design standards to control the physical appearance of development project concepts. Also, these site design standards will enable development to fit within the thematic concept Irvington has envisioned for the neighborhoods surrounding the Mill Road Redevelopment Area.

Site Design Standards

The following requirements are proposed as minimum standards for site design, and should in all cases be referred to similar requirements established by the Irvington Zoning Ordinance.

ARCHITECTURAL GUIDELINES

Important to this redevelopment plan is the creation of a cohesively built environment where existing and proposed commercial and residential development are integrated. The Township shall exercise its aesthetic controls in accordance with the procedure established by ordinance. The following are recommended architectural guidelines for all new construction and major renovations within the Mill Road Redevelopment Area.

1. New buildings within the project area should be considered as integral parts of the surrounding neighborhood and developed with appropriate consideration for existing buildings with respect to height, mass, siting, location, materials, orientations, signs, lighting and use.
2. Parking and other automobile facilities should be designed as an integral part of site development with careful regard to safety, topography, landscaping, sight-lines and access.
3. Removal or alteration of historic material or architectural features should be held to a minimum.
4. The predominant material of all street walls on primary and secondary streets shall be masonry, or other appropriate high quality materials. Vinyl siding shall not be permitted.
5. Large areas of glass curtain walls or strip windows of more than 15 feet in length are discouraged, as are tinted and highly reflective glass. Commercial storefront windows shall be broad and expansive to allow views into and out of the commercial storefronts. Where architecturally appropriate, window openings shall have sills and heads of masonry or stone. These may be of pre-cast concrete, limestone, granite, brick soldier courses, or slabs exposed only for the length of the window.

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6. Mechanical equipment located on building roofs shall be screened so as not to be visible from the ground level or from adjacent developments.

7. Awnings, which add visual richness to the commercial corridor while enhancing the quality of public walkways, are encouraged for all storefronts. Awnings shall have fixed or retractable metal framework, with vinyl laminated polyester base scrim awning fabric to blend with storefront paint colors.

8. Canopies, unlike awnings, are non-retractable. They shall be constructed of wood or metal framing, standing seam metal roof, plywood and molded millwork trim. Canopies shall incorporate signage, down-lighting and security grille housing.

9. All awnings and canopies shall be securely attached to the building so that the lowest part of the awning or canopy is mounted a minimum of 8'-0" and a maximum of 16'-0" above the sidewalk at the storefront.

10. Lighting levels along paved portions of public walks shall be an average of no less than 1-foot candle for commercial areas and .5-foot candles for residential areas.

11. Fixtures to light streets shall be at a height of no greater than 20'-0" above the adjacent roadway surface. The light center of a fixture for a pedestrian walkway shall

be mounted not higher than 14'-0" above the adjacent surface of the walkway

12. Luminaries shall have high-pressure sodium lamps.

13. Trash receptacles shall be employed in all commercial/retail areas. One receptacle shall be provided for every 100 feet of retail frontage.

TRAFFIC CIRCULATION

1. Parking and service access shall be designed to avoid the backing in and out of vehicles onto street right of ways.

2. Sidewalk widths shall measure between 6 and 15 feet, and be durably paved and smoothly surfaced to provide for the free movement of pedestrians.

3. All sidewalks and pathways must be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with The Americans with Disabilities Act.

OFF STREET PARKING REQUIREMENTS

1. Retail and Restaurants: 1 parking space for every 500 s.f. of gross sales floor area.

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2. Office: 1 parking space for every 1,000 s.f. of professional space.

3. Housing: 1 parking space for every new residential unit.

4. Handicap Parking: Not less than 10% of parking spaces provided on the project site shall be reserved for vehicles displaying handicap parking plates, placards or other permits issued by the New Jersey Division of Motor Vehicles.

5. All public and/or commercial off-street parking areas shall be buffered from the sidewalk by a bermed landscaped planting bed.

6. Open parking areas, entrances and exits shall be adequately illuminated during night hours to aid in providing a safe environment for vehicular and pedestrian movement.

7. Parking areas, including all access ways and driveways, shall be smoothly paved with materials that do not produce dust or debris; are durable and all weather; uniform in application and appearance; and do not permit the growth of vegetation. The choice of surfacing material is left to the property owner's discretion and the Planning Board's approval, provided the above standards are met. Choices can include but are not limited to: bituminous asphalt, concrete, crushed stone, etc.

8. Parking areas shall be graded to ensure proper drainage.

9. Standard size parking spaces for commercial uses shall be a minimum of 9 feet wide by 18 feet deep, except that parking spaces provided within a structure may be reduced in width in order to accommodate the columns and other elements of the structure. Parking reserved for residential uses shall be a minimum of 8 & ½ feet wide by 18 feet deep. Up to 20% of the provided parking spaces may be compact spaces. Compact parking spaces shall be a minimum of 8 feet wide by 16 feet deep.

10. Access aisles for parking spaces shall be provided to allow for ingress, egress and maneuverability. All access aisles for surface parking related to commercial uses shall be 24 feet in width. Access aisles for parking located within a structure may be reduced to 22 feet in width to accommodate the columns and shall be restricted to non-sports utility vehicles.

11. Not more than one (1) off-street loading area shall be required for the commercial aspects of the redevelopment area. Developers shall provide an off-street loading plan illustrating how the needs of the proposed uses will be met.

12. Parking areas shall be graded to ensure proper drainage.

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SIGNAGE

Signage requirements are as provided for in the Township Zoning Ordinance Sections: 197-31.A – F and 197-31.H. The following are additional design standards required by this Redevelopment Plan

1. The temporary display of signs, banners, flags, pennants and similar devices, in connection with special events or activities of a public or nonprofit nature, or upon the occasion of the opening of a new business use, shall be permitted – provided such display shall not exceed 14 days and shall not occur more than 4 times per calendar year.
2. No sign shall be painted directly on the surface of the building, other than window glass.
3. Signs shall indicate only the principal name of the establishment, proprietor or owner, and may include a brief description of the principal goods or service or use thereof, and a logo or trademark by which the business or owner is identified.
4. Where total proposed signage exceeds 40 square feet in area, a signage plan shall be submitted to the Buildings Division or the Planning Board (with submittal of a development application) for approval. Signage erected without proper approval shall be removed.

5. All signs within the project area shall be part of the overall total design scheme and in keeping with the architectural character of the Project Area.

BUILDING PLACEMENT

1. Buildings are encouraged to be located close to the pedestrian street (within 25 feet of the curb), with off-street parking behind and/or beside buildings where feasible.
2. If the building is located at a street intersection, it is encouraged to place the main building, or part of the building, at the corner. Parking, loading or service should be avoided if feasible being located at an intersection.
3. Pedestrian circulation shall be an integral part of the initial site layout. If feasible, organize the site so that the buildings frame and reinforce pedestrian circulation, and so that pedestrians walk along building fronts rather than along or across parking lots and driveways.

OPEN SPACE

1. To ensure that urban open space is well used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.
2. New open spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry.

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They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.

3. The space should be well buffered from moving cars so that users can enjoy and relax in the space. The space may be visible from streets or internal drives but should not be wholly exposed to them. Partially enclose the space with building walls, freestanding walls, landscaping, raised planters or on-street parking to help buffer it and create a comfortable "outdoor room".

4. Many street corners are not a good location for urban open space. Plazas and other open space features at high-traffic street corners may be attractive to look at or pass by, but are not very well used. Street corners that may be acceptable locations for useable open space include intersections (other than thoroughfares and arterials) and locations where the space can be set above the level of the street and be well-buffered with vegetation and/or a low wall or fence.

5. One (1) tree (3 ½" caliper minimum at installation) for every 1,000 s.f. of provided open space to be planted in at least 350 s.f. of soil.

PUBLIC SEATING

1. If provided public spaces should provide as many seating opportunities as possible.

2. Planter walls should be set at a maximum height of 2½ feet to allow for their use as seating.

3. Moveable chairs and sidewalk cafes are strongly encouraged.

PUBLIC ART

1. Property owners are encouraged to provide outdoor public art on their property or in the adjacent public right-of-way, to enrich the pedestrian experience and create a stronger sense of place.

2. Artwork may be free-standing pieces (e.g. a sculpture or water fountain) or it may be integrated into its surroundings as an architectural element (e.g. relief sculpture imbedded in pavement or a wall, a mosaic or mural on a wall, lighting or sound effects, or decorative railing or lighting).

OUTDOOR LIGHTING

1. Use a low intensity of high-quality light, which will provide good, uniform visibility while avoiding light pollution.

2. Use decorative bases, posts, luminaries, and bollards in lieu of standard wood poles.

3. A lighting program should consider the illumination of sidewalks and other multi-use pathways using low intensity fixtures that provide an even distribution of light while avoiding areas of intense shadows.

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4. To consolidate the number of fixtures placed within the right-of-way, consider the co-location of light fixtures along with other streetscape elements on single poles (i.e. street lighting, pedestrian lighting, and banners).

5. A substantial amount of lighting for pedestrians should be provided from the storefronts using either indirect illumination from within the building or direct illumination under canopies or awnings.

6. All site lighting will be required to meet the Township's regulation that discourages glare and reduces light trespass.

LANDSCAPING

1. All new construction projects within the redevelopment area shall be planted with street trees at the property owner's sole obligation and expense.

2. Street trees shall be located at an approximate distance of 40 feet on center, allowing plus or minus for driveways, walks or other obstructions.

3. Street trees are required to be greater than 30 feet in height when fully grown.

4. When street trees are to be planted in paved areas, the soil in the tree pit shall be protected from compaction through the use of tree grates or cobbles.

5. Trees adjacent to public walkways or streets shall be pruned from the trunk to a minimum height of 7' – 0".

6. All plants, trees and shrubs shall be installed in accordance with a landscape plan and schedule provided by the developer, subject to the approval of the Planning Board.

7. All plant material must be able to withstand an urban environment. All screen planting must be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen.

8. Any landscaping which is not resistant to the environment, or that dies within 2 years of planting, shall be replaced by the property owner.

9. All landscaped areas shall be kept clean; all litter and refuse of any type shall be removed daily.

10. All open areas, plazas and parking areas shall be attractively and appropriately landscaped.

11. A minimum of five percent (5%) of any surface parking facility shall be landscaped area.

12. The corners of street intersections, particularly gateways and site entries (entries from both street and sidewalk) should be distinguished by special landscape treatments: flower displays, specimen trees and shrubs, accent rocks, low walls, signage, decorative lighting,

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sculpture, architectural elements, and/or special paving. Features for vehicular entry points must meet the Township's and Essex County's sight triangle requirements.

13. Fences are recommended only where they are of complimentary design, materials and construction. Fences should supplement the existing and/or required plantings. The use of chain link or stockade fences visible from any public street within the Mill Road Redevelopment Area is strongly discouraged.

14. Consider utilizing drought tolerant plants and other xeriscape techniques. These include: amending the soil, mulching, grouping plants by water need, and utilizing water-efficient irrigation equipment and schedules.

PEDESTRIAN AND BICYCLE AMENITIES

1. Pedestrian pathways should be provided from the street to the parking area between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. They should be clearly defined and enjoyable to use. To aid pedestrian navigation and comfort, provide the following elements along paths:

- Landscaping, such as rows of trees and shrubs, flower beds, and planters
- Pedestrian scaled lighting, such as lighted bollards

- Small, color-coded way-finding signs, or a directory
- Vertical architectural elements, such as markers or arches
- Seating and resting spots
- Special paving

2. Whenever pathways cross internal drives and curb cuts provide a highly-visible crosswalk made of a material that gives strong contrast with the vehicular surface (e.g. concrete in asphalt, unit pavers in concrete). Crosswalk stripes are acceptable, but require frequent repainting. Consider elevating the crosswalk to the level of the connecting walk. Also use standards warning signs and light fixtures (per the Manual of Traffic Control Devices) to alert drivers to crossings.

3. Pedestrian routes should be direct and should minimize potential conflicts with vehicles. For pedestrian safety and comfort, where a main pedestrian route must go along or across a parking lot or driveway, provide a separate path with buffer landscaping and other amenities. Where this is not possible, use highly visible crosswalks made of material that provides strong contrast with the vehicular surface (e.g. concrete unit pavers) and use traffic calming devices to slow vehicles at crosswalks.

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4. No pedestrian paths should be less than 5 feet in paved width. Multi-use paths (bicycle and pedestrian) should not be less than 8 feet in paved width, although 10 feet is preferred. Whenever any parking abuts a walkway (head-in, diagonal or parallel), add 1.5 feet to the walkway width to accommodate car overhang or opening car doors. A bumper block may be used to prevent car overhang instead.

5. Where feasible provide one bike parking space for every 50 car spaces. Inverted "U" or "Cora"-type racks are suggested although others of similar durability and ease of use may be approved by Township staff.

6. Bike racks should be located close to the main building entrance(s) so they are highly visible and convenient. To facilitate access, install a curb ramp in any drive near the bike parking.

AUTOMOBILE PARKING

1. Parking lots are encouraged to be located behind buildings or in the interior of a block whenever possible.

2. Shared parking is strongly encouraged between adjacent or vertically mixed uses whose peak demand is off-set from each other (e.g. Retail and Housing).

3. Consider the feasibility of providing a parking structure rather than surface parking to conserve land and minimize the impacts on the environment.

4. Parking aisles that are not under structures must be separated from one another by planted medians with shade trees Whenever possible.

5. Large surface parking lots larger than 75,000 square feet of vehicular surface should be visually and functionally segmented into several smaller lots.

6. Parking lots along the street must be screened from the adjacent street and sidewalk by walls, fences, or landscaping, to the standards stated in this Plan.

STREET LEVEL ACTIVITY

1. The ground floors of buildings are encouraged to contain public or semi-public uses such as retail or entertainment uses with direct entry from the street.

2. Retail activities within buildings are encouraged to be oriented towards the street and have direct access from sidewalks through storefront entries.

3. Open-air pedestrian passageways (with or without overhead cover) are generally more visible and more inviting than interior hallways. This can be an attractive, successful location for store entries, window displays, and/or restaurant/café seating.

4. Take the "indoors" outdoors by spilling interior space e.g. dining areas, small merchandise displays) onto walkways and plazas and bring the "outdoors" into the

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building by opening interior spaces (e.g. atriums) to views and sunshine.

non-street utility meters and service equipment to the side or rear of the building. Screen all rooftop equipment from public view.

UTILITIES AND SERVICE

1. Locate trash storage, loading, and truck parking to minimize visibility from the Street/sidewalk and building entrances. Avoid locating service and loading areas along important view corridors. Since delivery and trash trucks can be noisy, also do not locate service areas adjacent to residential units, hotel rooms, and useable open space.

2. All exterior trash receptacles should be screened from public view on three sides; and, on the fourth side, by a gate that also screens the receptacles from view. The enclosure should be made of materials and colors compatible to that of the principal structure(s).

3. Screen loading docks and truck parking from public view using building mass, freestanding walls, and/or landscaping.

4. Ensure that all utility equipment is located, sized, and designed to be as inconspicuous as possible. All utilities, both new and existing, should be placed underground in conduits and vaults. All utility services shall be underground.

5. Do not locate HVAC equipment on the street-side of the building or, since it can be noisy, adjacent to public open spaces. In addition, locate all building-mounted,

SECTION 5: Design Exceptions & Waivers

Variation from the development requirements and design standards set forth by this Redevelopment Plan may be necessary in certain unusual circumstances.

Existing Conditions Hardship: In situations where the redeveloper is confronted with a hardship arising from an existing condition of the land, the Planning Board may grant exceptions from certain bulk, parking or design requirements if the designated redeveloper demonstrates that:

- such design exception will not substantially impair the intent of the redevelopment plan
- such design will not present a substantial detriment to the public health, safety and welfare.

Special Reasons Hardship: In situations where the redeveloper has created the hardship (such as subdividing regulation sized lots into non-regulation sized lots) and for special reasons is seeking a design waiver, the Planning Board may grant exceptions from certain bulk, parking or design requirements if the designated redeveloper demonstrates that:

- such design exception will not substantially impair the intent of the redevelopment plan;

- such design will not present a substantial detriment to the public health, safety and welfare
- such design will advance the purposes of this redevelopment plan

To gain approval of such exception or waiver of a development requirement or design standard, the applicant shall demonstrate that the resulting change will:

- a) Generally satisfy the Redevelopment Plan's goals and objectives;
- b) Be designed in accordance with the Township's normally acceptable engineering, planning and/or architectural practices;
- c) Not have an adverse impact on the physical, visual or spatial characteristics of the overall development plan for the parcel or tract to be developed;
- d) Generally enhance the overall development plan for the tract;
- e) Not have an adverse impact on the physical, visual or spatial characteristics of the existing streetscape in which such development is located or of the Redevelopment Plan;
- f) Generally enhance the streetscape area;
- g) Not reduce the useful life or increase the cost of maintenance of the improvement to be modified or otherwise have an adverse impact on the long-term function of the development; and,

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- h) Not materially detract from the real property value of the development or adjacent or nearby properties.

Deviations may not be granted which will result in permitting: (1) a use or principal structure restricted against such use or principal structure by this Redevelopment Plan, (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 Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b

SECTION 6: Implementation & Completion

Plan Adoption

Once this Redevelopment Plan is adopted pursuant to section 7 of P.L. 1992, the Township or the Redeveloper designated by the governing body may proceed with the clearance, planning, and redevelopment of the area designated in the Plan. In order redevelopment area, to conduct investigations or make surveys to carry out and effect the purposes of this act and the terms of this Redevelopment Plan, the Township and/or the designated Redeveloper may:

1. Undertake redevelopment projects, and for this purpose issue bonds in accordance with provisions of section 29 of P.S. 1992, C-79.
2. Acquire privately held parcels and property that are vacant, or under-utilized, scattered or under varied ownership, and assemble them into parcels of sufficient size to support commercial and residential development.
3. Form a public-private partnership for development of the Mill Road Redevelopment Area.

4. Provide public improvements necessary to support redevelopment.
5. The Township will select redeveloper(s) to implement all or part of the projects for this redevelopment area, in conformance with this Redevelopment Plan and all applicable local, state and federal requirements.
6. Enter upon any buildings or property in the, soundings or test bores necessary to carry out the purposes of this plan.
7. Acquire by condemnation any land or building which are necessary for the redevelopment projects, pursuant to the provisions of the "Eminent Domain Act of 1971."
8. Clear any area owned or acquired, and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan.
9. Prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers, licensed planners or other consultants to carry out redevelopment projects.
10. Arrange or contract with public agencies or redevelopers for planning, construction or undertaking of any project or redevelopment work, or any part thereof.

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11. Negotiate and collect revenue from a redeveloper to defray the costs of the Township, including where applicable the costs incurred in conjunction with bonds, notes, or other obligations issued by the Township , and to secure payment of such revenue as part of any such arrangement or contract.

12. Provide for extension of credit, or making of loans, to redevelopers, to finance any project or redevelopment work; or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers.

13. Arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other place, or for the furnishing of facilities or for the acquisition by such agency of property options or property rights, or for furnishing of property or services in connection with this Redevelopment Plan.

14. Lease or convey property or improvements to any other party, without public bidding, and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.

15. Arrange or contract with a public agency for relocation of residents or businesses displaced from or

within the Redevelopment Area, pursuant to the "Relocation Assistance Law of 1967" and the "Relocation Assistance Act," P.L. 1971.

16. Make, consistent with this Redevelopment Plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for enforcement of laws, codes and regulations relating to the use and occupancy of buildings and improvements, and the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

17. Publish and disseminate information concerning any redevelopment area, plan, or project.

18. Improve the infrastructure and streetscape on adjacent streets as required to accommodate growth generated by the project.

19. Demolish acquired vacant buildings that cannot be cost-effectively rehabilitated.

20. Develop and adopt design guidelines and a design review process that will govern all new development in the redevelopment area.

22. Dedicate a portion of the tax revenue from development in the Redevelopment Area for increased security and other amenities.

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Redeveloper Selection and Designation

This Plan may be implemented in accordance with the procedures of the Redevelopment and Housing Law for the execution of agreements between a redeveloper and the Township of Irvington. Redevelopers will be selected based on qualifications including but not limited to:

- A. Experience with constructing comparable projects in redevelopment areas;
- B. Experience with constructing comparable projects generally;
- C. Capability to finance the construction of proposed improvements;
- D. Capability to perform given resources committed to other projects;
- E. Ability to provide references for verification.

Applicants for designation as redeveloper must submit the following materials to the Township for review and approval:

- A. Documentation evidencing financial responsibility and capability with respect to the proposed development, including certified financial statements for principals and/or entity providing equity contribution for the prior three years;
- B. Estimated total development cost, including sources and uses of funds and pro forma analysis;

- C. Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base;
- D. Estimated time schedule for start and completion of development;
- E. Documentation, including references, regarding prior successful experience in similar projects;
- F. Conceptual plans and elevation sufficient in scope to demonstrate the design, architectural concepts, parking, traffic circulation, landscaping, and sign proposals for all uses; and
- G. Projection of additional jobs to be generated by the project.

The redeveloper(s) will be obligated to carry out the specified improvements in accordance with this Redevelopment Plan. The redeveloper(s) shall begin and complete the development of said land for the use(s) required in this Redevelopment Plan within a period of time which the Township fixes as reasonable.

Until the completion of the improvements, the redeveloper(s) will not be permitted to sell, lease or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Township.

No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Township, or the successors, lessees, or assigns of either of them, by which land in the

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Redevelopment Area is restricted as to sale, lease or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status. Neither the redeveloper(s) nor the Township, nor the successors, lessees, or assigns or either of them shall discriminate upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.

Time Limits

A. Reasonable Time for Development The redeveloper of a specific project within the Mill Road Redevelopment Area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in a Redevelopment Agreement between the Township and the duly designated redeveloper. (N.J.S.A. 40A:12A-9)

B. Expiration of Redevelopment Plan The provisions and regulations specified in this Plan shall continue in effect for a period of 25 years from the date of the adoption of this Mill Road Redevelopment Area Plan by the the Township of Irvington.

This Redevelopment Plan shall remain effective until all the Redevelopment Area has been redeveloped and deemed no longer be in need of redevelopment by the Township of Irvington.

Certificates of Completion

Upon the inspection and verification by the Township of Irvington that a specific redevelopment parcel has been completed, a Certificate of Completion shall be issued to the redeveloper and the conditions determined to exist at the time the area was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations.

Amending the Redevelopment Plan

This Plan may be amended from time to time in accordance with the procedures of the Redevelopment and Housing Law (N.J.S.A. 40A:12A-7).

Supersedence, Repeal, and Severability

1. All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only.
2. If any standards, controls, objectives, land uses, permitted uses, and other restrictions and requirements called for in this Redevelopment Plan differ in content from provisions set forth in the Township Zoning Ordinance, provisions of this plan – unless otherwise specified – shall prevail.

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3. If any provision or regulation of this Redevelopment Plan shall be judged invalid by court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Redevelopment Plan and such section, subsection, paragraph, subdivision or clause of this Redevelopment Plan are hereby declared severable