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## INTRODUCTION

The last comprehensive revision of the City’s Master Plan occurred in 1990. This Land Use Element describes the City’s existing development pattern and changes that have occurred since the prior Master Plan, the redevelopment initiatives underway, and the current zoning districts. The Element also provides recommendations to modify existing land use policy and zoning incorporated into the Land Use Plan discussion.



Ward 1 Residential Neighborhood

## EXISTING DEVELOPMENT PATTERN

A land use analysis of East Orange was conducted using existing mapping and tax records. As can be seen on the attached Existing Land Use Map (Map III-1), land use in East Orange is predominantly residential in character. As indicated below, the City is primarily built-out in nature, with only 3 percent of the total land vacant. East Orange has historically provided housing, commercial, institutional, and industrial uses, however the City is experiencing a trend in decreasing industrial land uses and an increasing number of apartments and institutional areas. Since the last Master Plan in 1990, there have also been a number of redevelopment initiatives that have paved the way for additional mixed use, townhouse and single-family development.



Mixed Use Development

Table 1 indicates the residential land use category decreased by roughly 100 acres between 1990 and 2000. This may be attributed to the number of demolitions occurring over the last decade.

**Map III-I**



<b>Table 1- Land Use by Acres 1990 to 2005</b>					
Land Use	1990	2005	% of Total (2005)	Change (Number)	Change (Percent)
Vacant	84	79	3%	(5)	0%
Residential	1,225	1,131	45%	(94)	-4%
Commercial	191	192	8%	1	0%
Institutional	195	269	11%	74	3%
Industrial	45	28	1%	(17)	-1%
Parks	97	140	6%	43	2%
Other	665	665	27%	-	0%
Total	2,502	2,504			
<i>Source: 1990 Master Plan and 2005 Tax Parcel Data.</i>					

Residential and apartment uses comprise more than 45 percent of the City’s parcel area. Typically, these units range from older single-family colonials in the Doddtown and Ampere neighborhoods, to high-rise apartment buildings around Walnut and Harrison Streets. Since the prior Master Plan, while the number of housing units has decreased throughout the City, home ownership, single-family, and market-rate developments have increased.

Some of the recent redevelopment activities which have further reinforced the City’s residential growth include:



Muir's Berkeley Redevelopment Project

- Construction is underway for 51 single-family detached, market-rate units, and 16 townhouses at Upsala.
- Construction of 6 single-family and 2 two-family homes at Rutledge Avenue.
- The Muir’s Berkeley redevelopment plan includes a mixed-use project with 36,500 square feet of retail space and 96 apartments under Phase I, mixed-use retail and residential development with 104 units under Phase II (Brick Church Commons), and 18 three-bedroom townhouses under Phase III.
- The North Walnut Street Redevelopment Plan calls for 250 market-rate brownstones and lofts, playgrounds; cultural space, government offices, and community open space.



Dr. Martin Luther King Jr. Boulevard

- The approved Arcadian Gardens Redevelopment Plan calls for market-rate and affordable townhouses, single-family units, public open space and parks, and retail, office, and lofts.
- Additional mixed-use development and ongoing residential rehabilitation are planned as part of the Lower Main Street Redevelopment Plan (Phase I and II).
- New single and two-family construction is part of the Greenwood Redevelopment Plan.

As indicated on Map III-1, the City's commercial districts are mainly located along Central Avenue, Dr. Martin Luther King Jr. Boulevard, Evergreen Place, South Orange Avenue, and Park Avenue. Small commercial nodes are located along Springdale Avenue, Dodd Street, at Manufacturer's Village and within the Ampere District (Fourth Avenue). In addition to these districts, many of the redevelopment initiatives include a commercial component. For example, Dr. King Plaza, a mixed-use project with 36,500 square feet of retail space, was constructed as part of the Muir's Berkeley Redevelopment Plan. Phase I of the Lower Main Street Redevelopment Plan will include two performing arts theaters. The Arcadian Gardens Redevelopment Plan recommends residential, retail and office, along with a recreation component.



Industrial Land along North Park Street

Industrial land use, including the manufacturing and warehousing, accounts for less than 1 percent of the City's land. This number has decreased from the previous Master Plan. One of the City's redevelopment sites, Multiplex Concrete, includes the relocation of an existing East Orange business to a new headquarter office for the concrete center located in Ward 1. Overters Construction Company has been selected as the developer. Environmental remediation is underway and construction is expected to begin Spring 2006.



Institutional Uses along Central Avenue

Institutional land uses, which comprise 11 percent of the City's land uses (governmental and private lands, including schools and churches) include the Veterans Medical Center, East Orange General Hospital and the Kessler Institute for

Rehabilitation. This category also includes the City's public school system and over 150 churches. This land use category has increased by 3 percent since the 1990 Master Plan, despite the closing of Upsala College.

The next largest category is parks, which increased by 2 percent since 1990. The parks are typically distributed throughout the City. They include two County parks: Orange and Watsessing Parks, and the following municipal parks: Columbian Park, Elmwood Park, Francis-Haire Park, Oval Park, Soveral Park, Hoffman Park, Rowley Park, and Memorial Park.



East Orange Park Facility

Further discussion of the City's park and their recommendations is provided within the Community Facilities Element of the Master Plan.

Three percent of the City's lots are classified as vacant land. This number remains relatively consistent with the City's 1990 Master Plan. However, the City has taken on efforts to reduce the number of vacant lots through redevelopment initiatives and by establishing a City-wide auction, which returns vacant and underutilized property back to the City's tax roll.

As seen in the following table, the local tax burden is carried roughly in proportion to the parcel area breakdown. That is, residential and apartment parcels comprise over 56 percent of the City's parcel area, and they contribute towards 70 percent of the local tax burden. Commercial and industrial uses pay approximately 25 percent of the local tax burden.

The parcel data does not, however, exactly tell the story of what changes the City of East Orange has undergone since the 1990 Master Plan.

**Table 2- Local Tax Apportioned (2004)**

Real Property Classification	Total Assessed Value (\$)	District School Budget (\$) (Tax Rate 5.98)	Local Municipal Purposes (\$) (Tax Rate 17.96)	Total Local Tax Apportioned (\$)	Contribution of Total Local Tax Revenues (%)
Vacant	4,956,400	29,639,272	89,016,944	118,656,216	5%
Residential	51,342,300	307,026,954	922,107,708	1,229,134,662	52%
Apartment	18,091,900	108,189,562	324,930,524	433,120,086	18%
Commercial	22,687,050	135,668,559	407,459,418	543,127,977	23%
Industrial	1,510,800	9,034,584	27,133,968	36,168,552	2%
<b>Total</b>	<b>98,588,450</b>	<b>589,558,931</b>	<b>1,770,648,562</b>	<b>2,360,207,493</b>	

Note: Tax rates are per \$100 of assessed valuation.  
 Source: East Orange City Tax Assessor's Office, 2005.

**REDEVELOPMENT INITIATIVES**

Since the 1990 Master Plan, the City has created a number of redevelopment areas. Designating areas “in need of redevelopment” per the NJ Local Redevelopment and Housing Law is one way to create specific design and use standards for a targeted area via a redevelopment plan, and to assist redevelopers with parcel assembly and tax abatements, if necessary.

The following provides a summary of each redevelopment area and its status. These boundaries are highlighted on the Existing Land Use Map, Map III-1.



Lower Main Street Redevelopment Plan

**Lower Main Street**

The Lower Main Street Redevelopment Area is located within Ward 2 and is phased into two projects. Phase I is bounded by Halsted and Lincoln Streets to the west, William Street to the north, North Arlington and North Munn Avenues to the east, and Freeway Drive East and West to the south. The project includes two districts:

- Educational and Residential District:
- Principal Permitted Uses: Townhouses, public schools, performing arts/cultural/museums; community theatre; multifamily apartments; garden apartments.

- Accessory uses: parking structures.
- Commercial Business District:
- Principal Permitted Uses: retail, banks and financial institutions; offices and service establishments above street level; full service eating and drinking establishments; dept. stores; residential units at above street level (lofts, studios, 1, 2, 3 bedroom units).

A redeveloper was selected for the School Demonstration project in Spring 2005, and a new K-12 school and performing arts center is expected to begin construction in late Spring/early Summer 2006.

The second phase of the Lower Main Street redevelopment includes the area bounded by North Clinton Avenue, William Street, Walnut Street and Dr. Martin Luther King Jr. Boulevard. Phase II recommends mixed-use compact development to include new development of residential brownstones, two-family homes, and mixed-use multi-family apartments, as well as rehabilitation of existing properties. A Community Development Corporation (CDC) venture (Community Technical Assistance) will assist with utility implementation and streetscape enhancements.

A mixture of residential and mixed-use construction is anticipated in Spring/Summer 2007. The redevelopment plan provided a concept of the development and the developer's proposed development plan will determine the exact yield. A working conceptual plan from the developer is expected in Winter 2006.



Muir's Berkeley  
Redevelopment Plan

**Muir's Berkeley**

This area is also located within Ward 2, and is bounded by Freeway Drive West to the south, Halsted and Lincoln Streets to the east, Carleton and William Streets to the north, and North Harrison Street and South Harrison to the west. The entire plan includes both mixed use and townhouse developments and is divided into three phases. The first phase, which has been already completed, includes 36,500 square feet of retail space, 96 residential rental units, 125 surface parking stalls and 100 underground parking spaces. The current tenants of the Dr. King Plaza are the

following: D&K Buffet, House of Africa, Bank of America, Contours Fitness, Elegant Eyes store, Military Recruitment Center, and Galleria Deli shop.

Phase II, Brick Church Commons, includes mixed-use retail and 104 market-rate residential units and street level parking. This development is under construction. Phase III, Millennium Homes, is under construction, and includes an 18-unit three-bedroom, 2,000 square foot brick townhouse development.

Also part of this plan is a new Black Box Theater and Artist Entrepreneurial Cooperative program. The theater will include a multi-purpose room and artist studios. Additional information on this project is provided in the Economic Development Element.



Former Upsala College

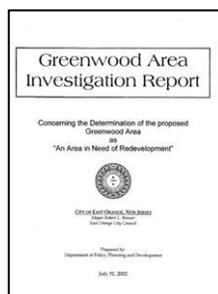
### Upsala

The former Upsala College was the subject of a redevelopment study and plan. The area is bounded by Springdale Avenue, Prospect Street, and Franklin Street. Construction of the Woodlands at Upsala development, which includes 51 market-rate, single-family detached homes and 16 townhouses, is underway.

The new East Orange Campus High School, is located across the street from the Upsala Redevelopment Area, and recently added an auditorium.

### Greenwood

The Greenwood Redevelopment Plan is three-phased and includes the rehabilitation and new construction of single-family and two-family homes located in Wards 4 and 5. In total, sixty-five City-owned parcels were sold/transferred to developers as part of Phase I and Phase II. To date, the following developers have completed units or are in the planning stages: Escalade Express Homes (43 parcels), Gibraltar Builders (4 parcels), S&K Development (2 parcels), J&J Development Group (10 parcels), SBF Development Group (1 parcel), and JRP Investments (4 parcels).

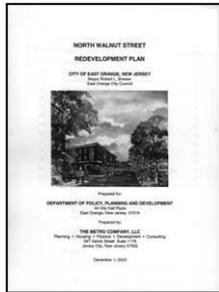


Greenwood Investigation Report

The remaining phase, Phase III, consists of strategies to acquire the remaining parcels for acquisition, to encourage rehabilitation of existing properties, and to offer adjoining property owners parcels owned by the city for development.

**North Walnut Street**

The Walnut Street Redevelopment Plan, located in Ward 2, includes 250 market-rate brownstones and lofts, playgrounds; cultural space; government offices; and community open space. The redevelopment plan was adopted and a developer has been designated. Construction is anticipated to occur simultaneously with Lower Main Street Phase I during Spring/Summer 2006. It is anticipated that Rowley Park will be rehabilitated as part of the overall redevelopment plan.



North Walnut Street Redevelopment Plan

**Evergreen/Halsted Phase 1 & Evergreen Square Redevelopment Area (ESRA)**

The Evergreen/Halsted Phase I Redevelopment Area, which includes the area bounded by Freeway Drive East to the north, South Harrison to the west, Central Avenue to the south, and Halsted Street to east, was the subject of a previous redevelopment plan which recommended a full-service hotel and conference center.

A revised area investigation and redevelopment plan will be conducted for the entire ESRA by the City’s Department of Policy, Planning and Development (PP&D) in the Spring/Fall 2006. The proposed uses for ESRA will be complimentary to the uses of Phase I.

**Rutledge Avenue**

The Rutledge Avenue Redevelopment Area, which is located in Ward 5, is bounded by Rutledge Avenue to the south, between North Grove Street to the west and Hoffman Boulevard to the east. The Redevelopment Plan calls for 6 single-family and 2 two-family homes. Construction has not yet begun.



Arcadian Gardens

**Arcadian Gardens**

Arcadian Gardens is located within Ward 4 and is bounded by Route 280 to the north, the City of Newark to the east, Ninth Street to the south, and Steuben Street to

the west. A redevelopment study and plan has been approved by both the East Orange Planning Board and City Council in late 2005. The plan recommends market-rate and affordable townhouses, single-family units, public open space and parks, and retail, office, and lofts.



Multiplex Concrete

### **Multiplex Concrete**

Located in Ward 1, the site is located at the northeastern corner of Greenwood Place and Glenwood Avenue. The redevelopment includes the relocation of an existing East Orange concrete business's headquarters. Environmental remediation is underway and construction is expected to begin Fall 2006.

## **ZONING**

As shown on the City's Zoning Map, included within the Appendix of this report, there are 14 zoning districts within East Orange:



East Orange Zoning Map

- Residential
- R-1 Single Family Residence
- R-2 Two & Three Family Residence
- R-3 Intermediate Volume Residence
- R-4 Large Volume Residence
- R-O Large Volume Residence & Office
- Commercial
- C-1 Neighborhood Business
- C-2 Auto Retail
- C-3 Large Volume Business
- Institutional (INST-1 & INST-2)
- Industrial (IND-1 & IND)
- Continuing Care Community (CCC)
- Redevelopment Area (UR-1)

Each of these categories has been described in further detail.

**Residential**

There are five residential zoning districts, ranging from the lower density, single-family R-1 district to the high-rise, multi-family R-O district. The purpose of residential categories is to guide residential development to the appropriate location, and at the appropriate density. Permitted uses within in these zones include:

Permitted Uses	R-1	R-2	R-3	R-4	R-O
Single-family	X	X			
Two-family dwelling		X			
Three-family dwellings		X			
Townhouses <sup>1</sup>		X	X		
Garden apartment <sup>2</sup>			X		
Multifamily (under 10 dwelling units)			X		
Mid-rise Apartments <sup>3</sup>				X	
High-rise Apartments <sup>4</sup>				X	X
Home office <sup>5</sup>	X	X	X		
Parks and Playgrounds	X	X			
Businesses, Professional and Governmental Offices and Drive-in Banks					X

Conditional Uses	R-1	R-2	R-3	R-4	R-O
Schools	X	X	X	X	
Houses of Worship	X	X	X	X	
Home Occupations (not including a beauty parlor, barbershop, boarding house, lodging house or nursing home)	X	X	X	X	
Cluster Townhouses		X	X	X	X
Preexisting mixed residential and commercial uses		X	X	X	
Cluster Garden Apartments			X	X	X
Clubs			X	X	X
Eleemosynary or Philanthropic Institutions			X	X	
Senior Care Community & Continuing Care Uses	X		X	X	
Hotels				X	X
Commercial Services Facilities				X	X

<sup>1</sup> A dwelling unit has no fewer than two stories or more than three stories and a common or party firewall with an adjacent unit, containing at least two but not more than eight dwelling units.

<sup>2</sup> A group of residential buildings of similar architectural style, each building fronting either on a public street or on a common yard or court and each building containing not fewer than four dwelling units nor more than 10 dwelling units and being of limited height as provided in this chapter.

<sup>3</sup> An apartment building containing 10 or more dwelling units and from three to five stories.

<sup>4</sup> A minimum of six stories.

<sup>5</sup> The office of a state licensed professional located within a residential dwelling.

Private Parking Areas				X	
Restaurants (located in high-rise dwelling or offices)					X
Public and Private Schools	X	X	X	X	
Recreation amenities (located in high-rise or offices)					X
<i>Source: East Orange Land Use and Development, Chapter 50. February 2002.</i>					

Conditional uses allowed within the residential districts are outlined; it should be noted, however, that in many cases the ordinance does not provide additional standards for the conditional use to meet:

Minimum Lot Size

Minimum lot sizes for the residential districts are based on which zoning district the particular site is located in. The Residential Minimum Lot Sizes and Height provisions have been provided below:

<b>Zone</b>	<b>Ward</b>	<b>Minimum Lot Size (sq. ft.)</b>	<b>Height</b>
R-1	1, 3, 4, 5 (not 2)	5,000	Max of 2.5 stories/30 feet
R-2	All	3,000 – 10,000	Max of 3 stories/35 feet
R-3	All	3,000 – 30,000	Max of 3 stories/35 feet
R-4	1, 2, 3, 4 (not 5)	1 acre	Minimum of 6 stories
R-O	1, 2, 4	1 acre	Minimum of 6 stories
<i>Source: East Orange Land Use and Development, Chapter 50. February 2002.</i>			

The R-1 Residential District permits new single-family development on a minimum lot size of 5,000 square feet. The R-2 Residential District permits single-family dwellings with a minimum lot size of 4,000 square feet, two-family attached dwellings with a minimum lot size of 3,000 square feet, three-family dwellings with a minimum lot size of 6,000 square feet, and townhouses on 10,000 square foot lots. The R-3 Residential District permits multi-family dwellings up to 10 units on a 16,000 square foot lot and garden apartments on a 30,000 square foot lot. The R-4 Residential District permits any use allowed within the R-3 District, and multi-family structures on 1 acre lots with a minimum of 6 stories in height. Similar to the R-4 District, the R-O District permits multi-family structures on 1 acre lots with a minimum height of 6 stories, but also permits business, professional and government offices (excluding drive-ins).

Given the City's relatively built-out nature, and the extent of redevelopment occurring with the residential areas, the City may want to revisit the residential zoning districts and their minimum lots sizes for better controls on the overall density. For example, while a standard single family lot in East Orange may have been between 4,000 and 5,000 square feet traditionally, more recent development trends indicate that, at a minimum, 5,000 square feet is needed in order to accommodate site improvements, some open space, and off-street parking. In previously subdivided areas, the minimum lot size for single-family development should be revisited.

East Orange has what is considered to be pyramid, or hierarchical zoning, meaning that all land uses are placed somewhere in a hierarchy. For example, as indicated above, many of the uses permitted in the lower density districts are permitted in the higher density districts. While this type of zoning is customary to many older cities and municipalities, cumulative zoning is based on the belief that negative externalities flow primarily in one direction, from lower to higher land uses and many not necessarily reflect the current development pattern nor the vision for the City's future. In addition, the permitted minimum lot sizes may encourage subdivisions and the creation of undersized lots. Given the significant time past since the last Zoning Ordinance overhaul, the City may want to consider updating its ordinance to reflect the existing land use patterns, allow for better development controls, and ensure bulk standards and densities which set forth a framework consistent with the vision the City has established for its future.

Specific recommendations to amend the Land Use and Development Chapter have been provided at the end of this Element.

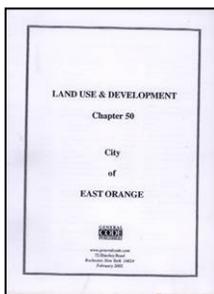
#### *Residential Density and Parking*

One of the issues the City faces is the lack of off-street parking, especially within the residential neighborhoods. Over the last decade, East Orange has supported the continuation of residential development, while encouraging rehabilitation of deteriorating structures and strategies to promote homeownership. Despite these

efforts, in many cases development has occurred at higher densities and on undersized or nonconforming lots, generally too small or not able to support the buildings and adequate parking. This results in an increased demand for on-street parking. Also contributing to the parking problems is the continuation of the Overnight Parking Ban, which further limits on-street parking in many areas throughout the City.

As development continues and parking demands increase, the City should conduct an inventory of existing and potential parking areas. In addition, the City should reevaluate the permissible parking standards, especially in areas with the most severe parking problems. Another strategy to address neighborhood parking needs is through the identification of vacant and undersized lots to be used for parking area. The City's residential parking standards should be amended to reflect the required New Jersey Residential Site Improvement Standards (RSIS). Finally, the City may want to explore the benefits of eliminating or phasing out the Overnight Parking Ban in specific wards and commercial districts.

### Open Space



East Orange Land use &  
Development Code

Even in highly dense and built-out communities, open space and green areas requirements should be a part of any residential development. Not only does open space offer additional outdoor usable space, but it contributes to general quality of life. The East Orange Land Use and Development Chapter is generally silent with respect to open space requirements for residential land uses. At a minimum, the City should consider requiring open space as part of any garden apartment, townhouse, nursing homes, and any mid-rise and high-rise apartment development.

The governing body should also consider creating a maximum total impervious coverage for each zoning district, which would limit the size of building footprints, site improvements, driveways and parking/paved areas. Maximum total impervious cover is generally presented as a percentage of lot area. Lower density areas range between 35 to 50 percent, and in higher density areas typically range from 50 to 75 percent.

*Infill Design Standards*

Infill development is the process of developing vacant or underutilized parcels within existing urban areas that are already largely developed. Given the City's built out nature, this type of development occurs on a regular basis, but not necessarily in a manner consistent with the fabric and character of the existing neighborhoods. In order to ensure uniformity across the board, the City should adopt infill residential design standards which would apply to each of the Residential Districts.



Incompatible Infill Development

At a minimum, the standards should reflect setbacks, building massing, architectural features, open space and landscaping. Building lines and façade treatment should respect the existing development patterns; prevailing setbacks should be used as a guide for infill development. The existing bulk standards should be reviewed to ensure they create the appropriate building envelope, some open space, and on-site parking. Development on undersized or non-conforming lots should be discouraged.

In addition, the design standards should include architectural guidelines that will serve as a guide to all residential rehabilitation and new construction. For example, rehabilitation should preserve any existing features, such as cornices, windowsills, transoms, and other traditional façade components reflective in the existing neighborhood development.

**Commercial**

There are three commercial zoning districts in the City: C-1 Neighborhood Business, C-2 Commercial Business and C-3 Large Volume Business.



Springdale Avenue

The C-1 District is found along a small segment of Dr. Martin Luther King Jr. Boulevard in proximity to the Lower Main Street Redevelopment Area; within Ward 1 at the intersection of North Grove Street and Springdale Avenue; around 4<sup>th</sup> Avenue near the former Ampere Train Station; at the Arcadian Gardens site in Ward 4; along Dodd Street in Ward 1; minimally along Central and Sanford Avenues within Ward 3; and along the entire stretch of the South Orange Avenue corridor.

Permitted and conditional uses in these zones include:

<b>Permitted Uses</b>	<b>C-1 (Neighborhood Business)</b>	<b>C-2 (Community Business)</b>	<b>C-3 (Large Volume Business)</b>
Retail Establishments	X	X	X
Service Establishments	X	X	X
Business Professional & Governmental offices	X	X	X
Banks	X	X	X
Theaters, Studios	X	X	X
Other uses generally consistent with the intent and character of these permitted uses	X	X	X
Auto related uses (showrooms and sales, auto parts, auto driving schools)		X	
Business schools			X
Art and dancing schools			X
<b>Conditional Uses:</b>			
Multi-family residential uses and mixed residential/commercial uses	X	X	X
Clubs, eleemosynary or philanthropic institutions	X	X	X
Hotels			X
Used car lots		X	
Gasoline stations and vehicle rental		X	
Car washes		X	
Auto repair garages, body shops and auto painting		X	
Funeral homes			X
Theaters			X
Veterinary establishments			X
Child-care	X	X	X
Supermarkets	X		
Eating and drinking establishments with over 20 seats including drive-in restaurants	X		
Any use with a drive-in facility, clubs	X		
<i>Source: East Orange Land Use and Development, Chapter 50. February 2002.</i>			

Given the diversity in the C-1 District areas, the City should redefine the Neighborhood Business District. At a minimum, the City should revisit the zoning ordinance and the permitted uses for each of these areas. For example, new uses along the City's main commercial corridors, including Dr. Martin Luther King Jr. Boulevard and Central Avenue should include cafes, restaurants, bookstores, art galleries, coffee shops, more upscale and diversified retail uses. For the South Orange commercial corridor, the City should consider creating a unified signage and façade system in cooperation with the City of Newark, and encourage uses that improve the perception and image of South Orange Avenue.

Provisions for the C-1 District neighborhood commercial nodes, located at the corner of North Grove Street and Springdale Avenue, and along Sanford Avenue should also be revisited. Within the Ampere District, the zoning should be amended to encourage a greater diversity of neighborhood uses, while encouraging greater employment opportunities in this area.

In addition to the permitted uses, the following conditional uses are allowed within the C-1 District: multi-family residential and mixed commercial-residential structures, supermarkets, eating and drinking establishments with over 20 seats including drive-in restaurants, any use permitted with a drive-in facility, clubs, child-care centers, accessory parking areas, repair and servicing, and other uses generally consistent with the intent and character of these conditional uses. The City should consider revisiting the conditional use provisions, specifically eliminating any drive-in facilities, repair and service uses, and other uses generally consistent with the intent and the character of the conditional uses.

The C-2 District (Auto-Retail), generally found along a portion of Dr. Martin Luther King Jr. Boulevard within the Lower Main Street Redevelopment Area, and along the eastern portion of Central Avenue is considered the Central Business District (CBD). In addition to permitting any use currently allowed within the C-1 District, automobile showroom and sales, auto parts and accessories stores, and auto driving schools are principally permitted. Conditional uses within the C-2 District are

generally auto-related (i.e. used car lots and sales, gasoline stations, car washes, auto, trailer and truck rentals, auto repair shops, and body shops and garages.) While these may be appropriate in certain areas of the East Orange, the City should consider eliminating these provisions especially along Dr. Martin Luther King Jr. Boulevard. Auto-related uses are generally inconsistent with the City's goals and objectives and do not represent the types of uses the City is looking to attract, especially in a downtown.

The C-3 District (Large Volume Business) is located along Central Avenue generally from the Orange Township border to Arlington Avenue. Within Wards 1 and 2, there are two small pockets of the C-3 District, fronting Harrison and North Lincoln Streets. In addition to the uses permitted in the C-1 District, business, art and dancing schools are principally permitted. Conditionally permitted are the auto-related uses indicated within the C-2 District, and high-rise dwellings, funeral homes, hotels and motels, theaters, veterinary establishments and child-care centers. Again, the City should consider revisiting the C-3 District provisions. At a minimum, auto-related uses, and hotels and motels should be eliminated along the Central Avenue corridor. Recommendations for this area include establishing a network of businesses that support and develop each other. The provisions should discourage churches, places of assembly and fast food establishments, encourage greater night-life and activity, and form a link between the Central Avenue businesses and the business district on Evergreen Place.

It should be noted that similar to many other older municipal zoning codes, East Orange specifically prohibits certain uses within the commercial districts by calling them out directly. It is generally understood that any uses specifically not included as a principal permitted use, conditional use or accessory use are strictly prohibited. The City should consider eliminating this provision of the ordinance, and refining the types of uses within each commercial district.



Residential land use with neighboring industrial use

### *Interaction between Residential and Commercial Uses*

Within each of the commercial districts, mixed use residential and commercial structures are permitted as a conditional use. It is recommended that residential uses be permitted only in conjunction with a principal permitted commercial use, and that they only be located on the 2<sup>nd</sup> or higher floor. Residential uses should not be permitted as stand-alone, as-of-right uses.

In order to better regulate overall mixed-use development, conditional use provisions should be better defined, including density, bulk standards, minimum lot size, height, parking requirements, signage, and design elements. A definition of mixed-use structures should be added to the Land Use and Development Chapter. The City's sign ordinance should be upgraded to include visual design provisions, and requirements for window displays and awnings.

Similarly, commercial uses should not intrude upon established residential areas. The most significant impact of commercial uses on residential neighborhoods has been increased truck and auto traffic. Many sites in residential areas are too small to adequately provide loading space for delivery trucks.

### *Open Space and Lot Cover*

It is recommended that total impervious cover on commercial lots be limited so that landscaping and stormwater infiltration, to a lesser extent, can be provided on-site. Maximum total impervious cover is generally presented as a percentage of lot area, and in higher density areas ranges from 75 to 95 percent.

### *Buffers*

The intent of a buffer is to provide a transitional area between incompatible land uses or different zoning districts. Section 50-90 of the East Orange Land Use and Development Chapter requires buffers where more intensive land uses abut less intensive uses. The City should consider amending the provisions to be more specific. For example, provisions for abutting land uses and districts, type of

materials, height, width, and relationship of uses (i.e. residential and commercial uses) should be included.

### **Office**

The current zoning ordinance does not have a district specifically devoted to office uses, but the R-O District (Large Volume Residence and Office) permits mid-rise office buildings, limited to a 20 percent overall building coverage. Parking structures, accessory to the building and limited to two stories, may be permitted to cover an additional 20 percent of the site, and the total impervious coverage on a property is limited to 75 percent. Generally speaking, the R-O District is located along Evergreen Place, however small portions are located along Central Avenue, Sussex Avenue, Washington Street and South Clinton Street. It should be noted in addition to the R-O District, each of the City's Commercial Districts permit business professional and governmental offices as principal permitted uses, with maximum lot coverage of between 50 and 60 percent.

### ***Professional Offices***

Professional home offices, an office of a licensed professional located within a residential dwelling, are permitted principal uses within the R-1, R-2 and R-3 Districts, provided that they meet the following provisions:

- No more than two employees are engaged in the professional office, of which one person resides in the residence.
- The professional home office use shall be conducted entirely within the principal building and only one professional home office shall be permitted in any one-family, two-family or three-family dwelling structure and the remainder of the dwelling units shall be retained for residential use only.
- The use of the dwelling unit as a professional office shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the gross floor area of the principal building shall be used for the professional office.

- No commercial vehicles shall be kept on the premises in connection with the professional office use.
- The dwelling shall have no external evidence of a nonresidential use other than a small nameplate sign.
- No traffic or parking shall be generated in excess of three passenger automobiles in addition to those used by the owner, all of which must be parked off the street in properly designed spaces in the side or rear yards.
- No mechanical or electrical equipment shall be used that will be detectable to the normal senses or that will create electrical or radio interference.
- There shall be no nuisance element detectable beyond the principal structure in connection with the professional office use.
- No hazardous material shall be left on the premises.

In order to better regulate professional home offices, the City should allow the continuation of home offices, but subject to the above mentioned provision as conditional use requirements.

It should also be noted that home occupations, defined as any legal occupation offering services to the general public- other than that of operating a beauty parlor, barbershop, boarding house, lodging house or nursing home, massage or similar establishment are conditional uses in all residential zones.

### **Institutional**

There are two institutional zoning districts in the City: INST-1 (Institutional, Medical Related), and INST-2 (Other Institutional Uses). The INST-1 District contains: three cemeteries (Cemetery of the Holy Sepulture, St. Mary's Cemetery, and Fairmount Cemetery), Veterans Medical Center, East Orange General Hospital and the Kessler Institute for Rehabilitation. The INST-2 District includes the land former occupied by Upsala College property, which has subsequently been identified as a redevelopment area and construction of a new residential development is underway.

The INST-1 District permits:

- Hospitals of less than 50 beds, except those primarily for the care or treatment of mental illnesses, contagious diseases and alcohol or drug addicts.
- Clinics of less than 10,000 square feet in floor area, except those primarily for the care or treatment of alcohol or drug addicts.
- Nursing homes of fewer than 25 beds.
- Medical and dental offices of less than 20,000 square feet in floor area.
- Medical related retail and service establishments, including drugstores, medical supply stores, opticians, surgical supply stores, medical and dental laboratories.
- Eating and drinking establishments of fewer than 20 seats, except fast food eating establishments.



Institutional Zone on Central Avenue

In addition the INST-1 District allows for the following conditional uses:

- Hospitals of 50 beds or more.
- Clinics of 10,000 square feet of floor area or more.
- Nursing homes of 25 beds or more.
- Medical and dental offices of 20,000 square feet of floor area or more.
- Child-care centers.
- Transitional residential facilities.
- Funeral homes.
- Cemeteries.
- Eating and drinking establishments of 20 seats or more, except drive-ins.
- Boarding houses and lodging homes.
- Senior care community and continuing care retirement community uses.

Given the number of institutional uses throughout the City, and their overall importance related to increased ratables and the creation of jobs, the City should encourage the continuation and expansion of these uses. It is recommended the City coordinate with the hospital and institutional uses, and incorporate their long range planning strategies as part of the City's overall revitalization. It is further suggested

that the INST-2 District provisions be removed from the ordinance since the zoning has been superceded by the redevelopment area designation. Finally, conditional use provisions should be added for boarding houses and lodging homes.

**Industrial**



Industrial land use

There are two industrial zoning categories within East Orange. These include the IND and IND-1 Districts. As noted previously in this element, the City’s industrial land uses have decreased significantly over the past several decades and for the most part, industrial zoning is scattered through the City.

Larger portions of the IND District are located within Ward 5, in proximity to the Worthington Pump site, and near the Bloomfield Township border. Within Ward 1, the IND District is located in between the Second River and the abandoned rail lines, and the IND-1 District is found along Kearny Street and North Park Streets.

Permitted and conditional uses in these zones include:

<b>Permitted Uses</b>	<b>IND</b>	<b>IND-1</b>
Manufacturing, assembly, processing and warehousing	X	X
Dwelling quarters for a caretaker or watchmen	X	X
Any use permitted in the C-1 District		X
<b>Conditional Uses:</b>		
Any permitted industrial use which occupies more than 20,000 square feet of floor area/is on a site greater than 2 acres or contains more than 100 acres	X	X
Commercial uses to serve uses or employees of Industrial District	X	
Retail outlets	X	
Accessory parking garage	X	X
Child-care centers	X	X
Supermarkets		X
Any permitted use with a drive-in facility		X
<i>Source: East Orange Land Use and Development, Chapter 50. February 2002.</i>		

The purpose of the industrial categories is to provide appropriate locations for industrial activity in the City. However, in many cases, the current zoning does not correspond with the existing development patterns, or redevelopment has occurred on sites formerly designated within an industrial zone. It should be noted that similar to many other older municipal zoning codes, East Orange specifically prohibits certain

uses within the industrial districts by calling them out directly. It is generally understood that any uses specifically not included as a principal permitted use, conditional use or accessory use are strictly prohibited. The City should consider eliminating this provision of the ordinance and better refining the type of uses within each industrial district. At a minimum, the industrial provisions should be amended to allow for a mix of less intense industrial and commercial uses, and light manufacturing and assembly uses. Any provisions for obsolete uses should be removed.



Senior Housing Facility

### *Interaction between Industrial and Residential Uses*

As mentioned, Section 50-90 recommends buffering land uses of different intensities, but it does not specifically require buffers between industrial uses and residential properties and residential zones. Wherever residential uses abut an industrial land use or zone, it is recommended that a screened buffer of at least 25 feet least be required. The buffer standards of Section 50-90 should be enhanced to require fencing and landscaping adequate to shield the industrial building from the residential structure to the extent possible.

In order to reduce conflicts between industrial zones and adjacent areas, existing non-conforming uses should, in general, not be permitted to expand or increase in density or intensity of use.

### **Continuing Care Community**

There is one CCC District located within Ward 5, just east of the Garden State Parkway. The district permits continuing care retirement communities (CCRC) and senior care communities (SCC) for persons at least 62 years of age or older, as well as all uses permitted in the R-4 District. This land generally includes senior housing, adult day care and nursing facilities.

Based upon the need for additional facilities of this nature for both senior housing and employment opportunities, the City should encourage the continuation and expansion of these uses, specifically within the industrially zoned area between Dodd

Street and the Glen Ridge border. It is recommended the City coordinate with the continuing care facilities, identify any service needs, and incorporate their long range planning strategies as part of the City's revitalization and housing efforts.

### **Redevelopment Area (UR-1)**

The current Zoning Map, last revised as of December 1996, has only one designated redevelopment area, shown as UR-1. This area is located north of the NJ Transit rail line, near the Brick Church Train Station within Ward 2. Its boundary is consistent with the current Muir's Berkeley Redevelopment Area. Since the 1990 Master Plan, implementation of the Muir's Berkeley Redevelopment Plan has translated into a new mixed-use building, commonly known as Dr. King Plaza, located at the corner of Dr. Martin Luther King Jr. Boulevard and Prospect Street. As part of the project's Phase II and III development, additional residential units are planned and are under construction.

In general, the Zoning Map and Land Development provisions should be updated to reflect the nine adopted redevelopment plans which have been summarized previously in this Element.

## **WIRELESS TELECOMMUNICATIONS**

Chapter 262 of the East Orange General Code provides guidelines for wireless telecommunication and equipment facilities within the City. The provisions allow wireless telecommunication and equipment facilities as conditional uses throughout the City, provided that the location is prioritized in the following manner: first priority shall be on lands or structures owned by the City of East Orange, the second priority shall be on lands or structures owned by the East Orange School District, the third priority shall be collocation on an existing personal wireless telecommunications equipment facility (provided that the new installation does not increase the height by more than 10 percent), and the fourth priority shall be such that the location is essential to required service to the community.

The site design standards requires that all personal wireless telecommunication facilities and equipment be fenced; all towers shall be designed with anti-climbing devices; landscaping shall be provided along the perimeter for screening; and the tower's color must be appropriate with the locational context.

Collocation is encouraged. Any applicant requesting a new tower must demonstrate that collocation was not feasible. The application must include an inventory of all facilities within East Orange, and a site location alternative analysis describing the location and availability of other sites considered. Additional site plan submission requirements must include documentation regarding the capacity of any proposed personal wireless telecommunication facility, documentation of structural integrity, and a visual impact study. Any non-conforming facilities can not be expanded, but may be repaired, rebuilt or upgraded in order to improve the structural integrity of the facility or to allow the facility to accommodate collocated antennas or facilities.

Of particular interest, the ordinance does not set a maximum height for new towers or facilities, nor does not indicate a maximum size requirement for equipment cabinets, nor does it include setback requirements from residential districts or uses. The ordinance should be updated to address these issues, as well as improved design and buffer standards.

It is also recommended that this Chapter be moved to the Land Use and Development Code, (§50-180 Conditional Use), and replace the existing wireless communication facility provisions.

## LAND USE PLAN

The Land Use Plan for East Orange sets forth the vision for land use policy and zone changes. The Plan will include a number of categories that have been recommended based on land use and zoning issues, in consultation with the zoning officer, municipal board planner and staff planners for the City. It is also based on a review of the City's existing development patterns, the current zoning map, and the various redevelopment initiatives. These categories include the following, which are also shown on Map III-2:

- Residential:
  - Single Family Residential
    - Two and Three Family Residential
    - Medium Density
    - High Density
    - Senior Services/Housing
    - Residential/Office
- Central and Industrial:
  - Central Business District (CBD)
  - General Commercial
  - Industrial
- Public and Service
  - Parks and Open Space
  - Community Services
  - Quasi-Public
  - Public
  - Hospital/Institutional
- Redevelopment Areas

Map III-2

## **LAND USE RECOMMENDATIONS**

The Action Plan provides implementation time frames and identifies responsible party/funding sources for each recommendation of this element. The following list briefly summarizes the housing recommendations:

### **Land Development Ordinance and Overall Zoning Changes**

- Undertake a comprehensive revision of the City's Land Use and Development Chapter, including procedures, definitions, use standards, regulations and design standards.
- Update the Zoning Map to reflect the designated redevelopment areas.
- Eliminate the INST-2 District.
- Revisit bulk standards and permitted uses in all residential districts.
- Clarify zoning language; for example include language such that anything that is not expressly permitted in a district would be prohibited.
- Strengthen the permitted use categories, specifically related to retail establishments, services establishments and utilities.
- Revisit conditional use provisions.
- Create an inventory of existing and potential parking areas, including those vacant and undersized lots throughout the City.
- Create an Open Space/Recreation District to ensure park preservation.
- Create Senior Housing provisions to address the increase of its senior population, and encourage new housing opportunities and related facilities. The City should consider revisiting some of the industrially zoned areas as potential locations.
- Coordinate with the continuing care facilities, identify any serve needs, and incorporate their long range planning strategies as part of the City's revitalization and housing efforts.
- Create a CBD along Central Avenue.
- Create additional Commercial Districts to address neighborhood business nodes and other commercial corridors.
- Create transition areas between commercial/residential and industrial/residential land uses and districts.
- Require open space as part of any garden apartment, townhouse, nursing home, and any mid-rise or high-rise development.
- Allow home offices as a conditional use only.

- Eliminate fast food establishments in all residential districts.
- Revisit fee schedule.
- Create impervious coverage standards for each zoning district.
- Amend height regulations to allow for no tower other than a church steeple or tower of public building to be higher than 10%.
- Amend provision that accessory building shall occupy not more than 15% of rear yard, add provisions for height and size.
- Revisit miscellaneous regulations to ensure compatibility with the Municipal Land Use Law, specifically for childcare, daycare facilities and community residences.
- Revisit Article XV Design Standards.
- Develop infill design standards for residential development and rehabilitation projects ensuring consistency with the fabric and character of the neighborhoods.
- Revisit Overnight Parking Ban.
- Work with adjacent municipalities to reconcile property boundaries.
- Better regulate location of churches throughout the City.
- Encourage churches as conditional uses within the residential districts on lots greater than 10,000 square feet
- Continue to restrict churches and places of assembly in commercial areas.
- Eliminate conversion of commercial use to church or quasi-public uses within the downtown.
- Dollar stores should be prohibited.
- Update zoning district schedule to reflect zoning ordinance.
- Restrictions on professional home offices and home occupations.
- Add supplementary regulations for mid-rise apartments.
- Add definitions for impervious lot coverage, mixed use structures, retail establishments, duplexes, lofts, outdoor cafes, townhouse cluster developments.
- Remove drive-thru establishments, billboards etc from the Land Use and Development Chapter.
- Update the Citywide buffer standards, especially to address non-conforming land uses, and in areas which abut the Second River and Nishuane Brook.
- Incorporate Stormwater Management Plan recommendations for best management practices and zoning revisions as part of any zoning ordinance revision.

- Implement historic district standards, including along Woodland North Arlington and Midland Avenues.
- Encourage the continuation and expansion of senior districts, specifically within the industrially zoned area between Dodd Street and the Glen Ridge border.
- Sign ordinance should be upgraded to include visual design provisions, and requirements for window displays and awnings.
- Develop definition for Planned Unit Development and Clustering.
- Encourage creative design standards to address townhouse and infill developments.
- Update convenience and variety store definitions.
- Revisit zoning at intersection of Park Avenue and North Grove Street.
- As part of any new development, the City's natural resources, including waterbodies and underground tributaries, should be clearly identified and not disturbed as part of the overall development process.

#### **Ward Recommendations**

- Ward 1: eliminate the INST-2 zone to reflect Upsala Redevelopment Area designation.
- Ward 1: revisit zoning to address existing IND zoning along Second River, as well as buffer standards along the Nishuane Brook.
- Ward 2: eliminate C-2 (Auto uses) along Dr. Martin Luther King Jr. Boulevard.
- Ward 2: reexamine zoning along Halsted Street and Evergreen Place.
- Ward 3: extend C-1 District along Sanford Avenue.
- Ward 3: extend R-4 District near Munn Avenue.
- Ward 4: extend R-4 District along Rhode Island Avenue.
- Ward 4: evaluate Institutional District along Central Avenue.
- Ward 4: examine R-O District along Central Avenue.
- Ward 5: determine vision and zoning of the Worthington Pump site.
- Ward 5: examine existing non-conformancies, including residentially zoned land and industrial uses.

#### **Redevelopment/Revitalization**

- Proceed with Citywide revitalization and redevelopment where statutory criteria are met.

- Create a visioning strategy to attract more traditional and diverse retail uses and arts/cultural establishments.
- Create a Transit Village overlay zone to encourage mixed-use (residential/commercial and entertainment) development in proximity to each train station, as well as the Ampere Train Station and along Central Avenue, Dr. Martin Luther King Jr. Boulevard and other commercial corridors.
- Encourage market-rate residential development above stores in the downtown and within the CBD.
- Evaluate the Worthington Pump site for redevelopment designation.
- Given its location in proximity to the Lower Main Street Redevelopment Area, the East Orange Train Station and the new development along the Martin Luther King Jr. Boulevard, the City should encourage upgrading and enhancing the existing Brick Church shopping center. As part of a longer term strategy, the City should consider an adaptive reuse of the site.
- Coordinate the revitalization efforts of the Central Avenue Business Improvement District, the Urban Enterprise Zone (UEZ), the Transit Village Initiative, and the City economic development initiatives.
- Create design standards for infill residential development.
- Create a civic and arts hub connecting the City's civic and quasi-public uses (City Hall, Post Office, Police Depts, Library, Municipal Court, etc.)
- Develop an Arts District around the North Walnut Street Redevelopment Area with a mix of entertainment, residential, commercial, and cultural uses to support the performing arts theater.
- Eliminate auto related uses, hotels and motels along Central Avenue.
- Update sign and parking standards, ensure coordinated street furniture lighting, banners and landscaping standards.
- Ensure ADA compliancy as part of any new construction or alteration.
- Encourage communication and coordination with the continuing care facilities, institutional uses and board of education facilities; incorporate their long range planning strategies into the city's revitalization efforts.
- Encourage redevelopment of identified brownfields sites.

- Consider establishing a Greenwood Association for the remainder of the Greenwood Redevelopment Plan project.
- As part of a long term strategy, it is recommended that the City revisit previous studies that have suggested some form of development above Route 280. This property serves as the City's last remaining undeveloped area.