

FIRST READING: March 19, 2024

2ND & FINAL READING: April 16, 2024

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 426, LOTS 2, 3 AND 4 (FORMER III AMICI [GIOVANNI'S] RISTORANTE), PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of redevelopment”; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the City Council (“City Council”) of the City of Linden (“City”) must authorize the Planning Board of the City (“Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the City Council; and

WHEREAS, on January 17, 2023, City Council adopted Resolution No. 2023-90, authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 426, Lots 2, 3 and 4 (a/k/a 115 Lexington Avenue and 1700 and 1710 W. Elizabeth Avenue) (hereinafter the “Study Area”), to determine whether the Study Area met the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, on July 11, 2023, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on July 18, 2023, the City Council adopted Resolution No. 2023-283, designating the Study Area as an area in need of redevelopment (without condemnation) under the Redevelopment Law, such designation authorized the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain; and

WHEREAS, Resolution No. 2023-283 further directed the Planning Board, pursuant to *N.J.S.A. 40A-12A-7(f)*, to prepare a redevelopment plan for the Study Area and to take any action necessary to effectuate its review of same so that a recommendation may be made to the City Council; and

WHEREAS, Paul N. Ricci, PP, AICP, of the Planning Board (“City Planner”) prepared a redevelopment plan for the Study Area entitled the “Redevelopment Plan, Block 426, Lots 2, 3 and 4 (Former III Amici [Giovanni’s] Ristorante) dated March 6, 2024 (“Redevelopment Plan,” attached hereto as **Exhibit A**); and

WHEREAS, on March 21, 2024, pursuant to the Redevelopment Law, the City Council referred the Redevelopment Plan to the Planning Board for review and comment; and

WHEREAS, on April 9, 2024, the Planning Board considered the Redevelopment Plan prepared by the City Planner and in accordance with *N.J.S.A. 40A-12A-7(f)*, determined that the Redevelopment Plan should be recommended to the City Council for its adoption; and

WHEREAS, on April 16, 2024, upon review of the Planning Board's recommendation of the Redevelopment Plan, the City Council, after providing due notice, conducted a public hearing and determined to adopt the Redevelopment Plan to ensure the success of redevelopment within the Study Area in conformity with the City's redevelopment objectives.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7(f)*.

3. The zoning district map included in the zoning ordinance of the City is hereby amended to include the Redevelopment Area per the boundaries described in the Redevelopment Plan. All of the provisions of the Redevelopment Plan shall supersede the applicable development regulations of the City's municipal code, as and where indicated.

4. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

5. This Ordinance shall take effect in accordance with all applicable laws.

PASSED: April 16, 2024

APPROVED: April 17, 2024

President of the Council

Mayor

ATTEST:

City Clerk

EXHIBIT A

**THE REDEVELOPMENT PLAN
DATED MARCH 6, 2024**

Redevelopment Plan

**Block 426, Lots 2, 3 and 4
(Former III Amici [Giovanni's] Ristorante)**

City of Linden

Union County, New Jersey

Prepared: March 6, 2024

Adopted:

Prepared by:

ricciplanning

177 Monmouth Avenue
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Paul N. Ricci, PP, AICP
New Jersey Professional Planner
License No.: LI005570

*The original of this document was signed
and sealed in accordance with New Jersey Law*

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Block 426, Lots 2, 3 and 4 (Former III Amici [Giovanni's] Ristorante)

1.0 — Introduction

On January 17, 2023, the Linden City Council adopted Resolution No. 2023-90, which authorized the Linden Planning Board to undertake a preliminary investigation to determine whether or not Block 426, Lots 2, 3 and 4 in the City of Linden may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law.

The Linden Planning Board subsequently undertook such a preliminary investigation and, on July 11, 2023, held a public hearing on the matter. At said hearing, the Linden Planning Board recommended to the Mayor and City Council that Block 426, Lots 2, 3 and 4 be designated as an area in need of redevelopment.

Thereafter, on July 18, 2023, the Linden City Council adopted Resolution No. 2023-283 which designated Block 426, Lots 2, 3 and 4 as an area in need of redevelopment.

This redevelopment plan has been prepared to codify the goals, objectives, and specific land use and development standards for the redevelopment of Block 426, Lots 2, 3 and 4.

2.0 — Statutory Requirements

As per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), a redevelopment plan shall include an outline for the planning, development, and redevelopment of a designated redevelopment area that is sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;
- Proposed land uses and building requirements;
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;

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- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan; and
- Any significant relationship of the redevelopment plan to: the master plans of adjacent municipalities; the master plan of the county within which the municipality is located; and the State Development and Redevelopment Plan, as adopted pursuant to the State Planning Act (P.L. 1985, c.398; C. 52:18A-196 et al.).
- Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

The Local Redevelopment and Housing Law further requires that a redevelopment plan describe its relationship to pertinent municipal development regulations.

3.0 — Redevelopment Area Description

The redevelopment area is located in the southeastern part of the city and has frontage on Lexington, Bradford, and West Elizabeth avenues. The total combined area of the Study Area is approximately 0.80 acres.

Appendix A provides a copy of Sheet 57 of the official tax map of the City of Linden. Appendix B provides aerial imagery dating from 2020.

3.1 — Existing Land Use

New Jersey's MOD-IV property tax assessment database indicates that the redevelopment area is assessed as Class 4A (Commercial).

As of the preparation of this redevelopment plan, the observed land uses of the redevelopment area were consistent with the assessed land uses. Block 426, Lots 2 and 3 are developed with a restaurant and associated outdoor seating and surface parking. Block 426, Lot 4 is developed with a used car dealer.

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The redevelopment area is surrounded by a mix of industrial, commercial, and residential uses. Commercial and industrial uses are generally located along West Elizabeth Avenue, and residential uses are generally situated to the west and northwest.

4.0 — Overall Goal and Objectives

The overall goal of the redevelopment plan is to eliminate those conditions that cause the redevelopment area to be an area in need of redevelopment. To help achieve this goal, the following objectives are defined:

- Promote redevelopment in a manner that will advance the health, safety, welfare and morals of the community;
- Increase the supply of high-quality multifamily housing;
- Improve and upgrade the redevelopment area with development that responds to current market needs;
- Stimulate private investment that provides increased tax ratables;
- Enhance Linden's image with high-quality building and site aesthetics; and
- Promote the repurposing of sites consistent with sound land use planning.

5.0 — Redevelopment Standards

5.1 — Relationship to Municipal Land Development Regulations

The provisions of this redevelopment plan shall supersede the existing zoning and development regulations of the City of Linden in accordance with New Jersey's Local Redevelopment and Housing Law.

The Official Zoning Map of the City of Linden is hereby amended to designate the redevelopment area, which consists of Block 426, Lots 2, 3 and 4, as the "Block 426 Redevelopment Area." All other municipal development regulations shall remain applicable.

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5.2 — Permitted Land Uses

Permitted land uses are described in the following subsections.

5.2.1 — Principal Permitted Land Uses

The principal permitted land uses include the following:

1. **Multifamily Residential.** Multifamily residential uses are premises available for long-term human habitation, but excluding premises offered for rental periods of less than one month. The residential uses may be either rental or condominium units and may not be boarding houses and rooming houses. Individual residential units shall not have more than two-bedrooms.
2. **Management Office.** Management offices are offices used for the professional management of multifamily residential rental developments located within the redevelopment area. Activities related to the professional management and leasing of such developments may occur within management offices. Management offices may not be located within, or directly connected to, the residence of an on-site manager. One management office per multifamily residential rental development is permitted. Management offices shall be located on the ground floor of a multifamily residential building.
3. **Residential Model Unit.** Residential model units are uninhabited residential units that are used by the professional management of an onsite multifamily residential rental development in order to show the type of units available for lease to potential lessees/purchasers. A maximum of one residential model unit per multifamily residential rental development is permitted. Residential model units shall be located on the ground floor of a multifamily residential building.

5.2.2 — Permitted Accessory Land Uses

The permitted accessory land uses include the following:

1. **Covered Parking.** Covered parking is parking that is located on the ground floor of a principal permitted building. Use of covered parking shall be

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associated with a permitted use of the redevelopment area. Covered parking shall be shielded from view from adjacent roadway rights-of-way by a front building façade. Covered parking areas shall be adequately ventilated by mechanical or passive means to the satisfaction of the City Engineer.

2. **Surface Parking:** Surface parking may be provided, subject to the condition that the no less than fifty percent of all parking spaces provided within the redevelopment area are provided as covered parking. Surface parking shall not be located within a front yard area. Use of surface parking shall be associated with a principal permitted use of the redevelopment area.
3. **Electric vehicle charging infrastructure.**
4. **Indoor amenity areas** (e.g., lounges, gyms, meeting room, mailrooms, laundry rooms) for the use and enjoyment of residents of a multifamily residential building are permitted. Indoor amenity areas shall be located within a multifamily residential building.

5.3 — Building and Site Requirements

The building and site requirements are outlined in the following subsections.

5.3.1 — Bulk Regulations

The following bulk regulations shall apply:

1. **Lot Size Requirements:**
 - a. **Minimum Lot Size:** 32,500 square feet
 - b. **Minimum Lot Width:** 200 feet
 - c. **Minimum Lot Depth:** 100 feet
2. **Setback Requirements¹ (Principal and Accessory Buildings):**
 - a. **Minimum Setback from West Elizabeth Avenue:** 10 feet
 - b. **Minimum Setback from Bradford Avenue:** 15 feet
 - c. **Minimum Setback from Lexington Avenue:** 8 feet
 - d. **Minimum Rear Yard Setback from Adjacent Block 426, Lot 1:** 8 feet

¹ Landscape buffer requirements in Section 5.3.6 shall prevail where any inconsistency exists.

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- e. Minimum Rear Yard Setback from Adjacent Block 426, Lot 5: 20 feet.
 - f. Minimum Street Side Yard Setback from Adjacent Block 426, Lots 5, 6 and 7: 12 feet
3. Setback Requirements (Surface Parking):
- a. Minimum Setback from West Elizabeth Avenue: Behind principal building wall
 - b. Minimum Setback from Bradford Avenue: Behind principal building wall
 - c. Minimum Setback from Lexington Avenue: Behind principal building wall
 - d. Minimum Setback from Adjacent Block 426, Lots 1, 5, 6 and 7: Behind principal building wall
4. Height Requirements:
- a. Maximum Height (Feet): 60 feet, as measured from the mean ground level to the decline of a flat or mansard roof or the highest point of a sloped roof
 - b. Maximum Height (Stories): 5 stories (incl., 4 stories and one penthouse story)
 - c. Penthouse stories shall be set back between 8 to 10 feet from the furthest edge of the roof of the floor immediately below the penthouse story
 - d. Rooftop equipment, stair towers and similar structures are not to exceed 12 feet above the roof
 - e. Parapets shall not be taller than 5 feet above the roof beam
 - f. For buildings taller than 40 feet that are located adjacent to a residential zone, the building height must be designed to step back at least 0.4 feet for every increase in height above 40 feet. For example, for a building height of 60 feet, a 8-foot step back would be required.
5. Maximum Building Coverage: 70 percent
6. Maximum Impervious Coverage: 85 percent
7. Minimum Open Space and Landscaping: 15 percent of the total lot area
8. Gross Floor Area of Residential Units:

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- a. Minimum Gross Floor Area (One-Bedroom): 800 square feet
 - b. Minimum Gross Floor Area (Two-Bedroom): 1,000 square feet
 - c. Minimum Gross Floor Area (Three-Bedroom): 1,200 square feet
9. Screening of parking: All open-air elements of the building shall be architecturally screened to eliminate the visibility of parked vehicles from the public rights-of-way and residential properties, including visibility from the upper floors
10. Affordable Requirement:
- a. Minimum Number of Affordable Units: 4 units, which shall be one- and two-bedroom units
 - b. Distribution of Affordable Units: a minimum of 2 units shall be restricted to low-income households and a minimum of 2 units shall be restricted to moderate-income households. Preference for households that have a member that is a veteran shall be provided as permitted under L. 2013, c. 6 (N.J.S.A 53:27D-329.1)
11. Other Building Requirements: The building shall include a minimum of two of the following amenities in total:
- a. Fitness center
 - b. Game/Meeting room
 - c. Entertainment/Reading Room
 - d. Package delivery/storage room for tenants
 - e. Trellis/shade structure/firepit
12. Individual units shall include the following:
- a. Individual washer and dryer within each unit
 - b. Tile floored bathrooms
 - c. Laminate or higher grade cabinets
 - d. Solid surface or stone countertops
 - e. Central HVAC per unit or Magic-Pak style HVAC unit
 - f. Balconies shall include metal railings rather than exposed lumber

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- g. Solid wood panel interior doors



Picture 1 – Example of an upper-story building step back

5.3.2 — Exterior Building Design

Buildings shall be of high-quality design and contribute to an improved appearance and image of the redevelopment area and surrounding areas. To achieve this, the following regulations shall apply:

1. Primary façade surfaces shall comprise brick, stone, and/or glass.
2. Large blank walls shall be prohibited.
3. The area covered by primary façade surfaces shall comprise at least 60 percent of each building façade inclusive of windows and doors.
4. The fenestrated area of the façade surface shall comprise at least 20 percent of the total façade surface of each building elevation.
5. Exterior walls shall not exceed 15 linear feet without being interrupted by a window or entry.
6. Buildings shall include a basecourse of between three (3) and four (4) feet in height along the ground level of all façades. The color of such basecourse shall contrast with the remainder of the façade surface.

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7. The use of Exterior Insulation Finishing System (EIFS) on exterior façade surfaces is prohibited.
8. The inclusion of stringcourses above the ground floor is encouraged.
9. The color of window and door surrounds shall contrast with the façade surface.
10. The use of exterior millwork as a façade adornment is encouraged.
11. Inclusion of roof parapets in building design is encouraged.
12. Balconies or balustrades are permitted. A maximum depth of 3.5 feet is permitted for all balconies visible from a public roadway or right-of-way. When provided, such elements shall not project outside of the overall building design.
13. In order to create a stimulating and attractive pedestrian environment, the base of the building (i.e., the ground floor and second story) shall be more richly adorned and articulated than upper stories.
14. Exterior-mounted mechanical and electrical equipment shall be architecturally screened or placed on a rooftop and in a location that is not visible from the public right-of-way or adjoining residences.
 - a. Freestanding building mechanical and electrical equipment may be provided where it is not feasible to locate such equipment on a rooftop or directly mounted to a building. In such cases, however, said equipment shall be located within a gated enclosure of an architectural design that is compatible with the associated building and landscaping shall be provided at the base of said enclosure. This requirement for location within an enclosure and provision of landscaping may be waived when the City Engineer determines that not providing same is in the best interest of the public health, safety, or welfare.

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Picture 2 -Example of decorative paneling as a substitute to stucco



Picture 3 – Example of a deep cornice with exterior millwork and decorative paneling on the facade



Picture 4 – Example of a building basecourse on a non-primary wall



Picture 5 – Example of a decorative treatment for a parking garage opening and decorative millwork

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15. Packaged Terminal Air Conditioner (PTAC) or similar heating, ventilation, and air conditioning (HVAC) units with exposed “window air conditioner type” venting shall not be permitted in the redevelopment area.
16. Ventilation openings.
 - a. Wall vents shall not be located less than 12 feet above the average sidewalk grade in front of the building.
 - b. Wall vents facing a public right-of-way shall have an ornate or decorative grill that matches and enhances the architectural style of the building.
17. Horizontal Articulation / Façade Length:
 - a. Building facades in excess of 120 feet in length shall be designed to avoid a monolithic appearance by using different façade materials and building setbacks that break the building into smaller increments and sections.
 - b. Each building façade greater than 60 feet in length shall incorporate wall plane projections or recesses that are compatible with the proposed building architecture. Breaks shall occur every 40 feet at most.
 - c. Expanses of a solid wall without window openings shall not exceed 30 feet in length.

5.3.3 — Parking Requirements

The following parking requirements shall apply:

1. Off-street parking areas shall be adequately drained and paved with an all-weather, dust-free surface.
2. Off-street parking shall be provided at the following rates:
 - a. Studio and one-bedroom units – 1.0 spaces per unit
 - b. Two-bedroom units – 1.5 spaces per unit
 - c. Management Office: 1 parking space for every 500 square feet.
3. At least one parking space shall be bundled with each residential unit.

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4. Available on-street parking shall not be used in fulfillment of any part of the off-street parking requirements.
5. Electric vehicle charging infrastructure shall be provided in accordance with applicable law.
6. Other than at the parking entrances, no vehicles shall be visible from the centerline of any public street.
7. Driveways and garage openings shall not exceed 28 feet in width.

5.3.4 — Bicycle Parking

Bicycle racks shall be provided within covered parking areas. Bicycle parking areas shall be separated from automobile parking areas by means of bollards, curbing and elevated surface, or some other means deemed suitable by the Linden Planning Board.

5.3.5 — Lighting

A lighting plan shall be submitted. All lighting plans shall include lighting within covered parking areas, and at the bases and entrances of all buildings.

All lighting shall be selected to comply with “dark sky” standards and shielded to minimize leakage into the night sky and prevent direct glare onto adjacent properties. The Linden Planning Board shall give final approval of all aspects of the lighting plan.

5.3.6 — Landscaping and Screening

The following landscape requirements shall apply:

1. The applicant shall provide a detailed landscaping plan that has been prepared by a licensed landscape architect.
2. At a minimum, pervious groundcover (e.g., vegetation, lawn, stone) shall be provided on all surfaces that are not used for buildings or surface parking.
3. Fencing and vegetative screening shall be provided along the property lines shared with adjacent Block 426, Lots 1, 5, 6 and 7. Said fencing and

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vegetative screening shall have a minimum height of six (6) feet at the time of planting and be located within a 10 foot wide planted buffer.

4. In addition to the above, street trees shall be planted along all roadway frontages with a maximum of 50 feet between each planting. Street trees shall not be provided where they would obstruct vision of motorists. Trees shall have a minimum caliper of 3 inches.
5. Foundation plantings shall be placed along a minimum of 50% of each street-facing façade. Above-ground planters may be substituted by the Planning Board when foundation plantings are not possible.

5.3.7 — Sidewalks

Sidewalks shall be provided along all roadway frontages, as well as in locations where pedestrian movements are encouraged.

The width of such sidewalks along Lexington Avenue and Bradford Avenue shall be equal to the average sidewalk width of properties on Block 426 with frontage on said roadways. The width of sidewalks along West Elizabeth Avenue shall be at least five (5) feet. Interior sidewalks and pathways shall be no less than four (4) feet.

5.3.8 — Signage

One wall-mounted building identification sign shall be permitted. Said sign shall not: be located above the ground floor; be internally illuminated; be more than five (5) square feet in area; or, protrude more than six (6) inches from the wall surface. The Linden Planning Board shall review and give final approval of proposed signage. The Linden Planning Board's review shall supersede existing city code.

Temporary signs unrelated to the advertisement of available residential units or retail space within the redevelopment area are prohibited.

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5.3.9 — Disposal Requirements

Enclosed garbage and recycling facilities shall be provided within a principal building. Such facilities shall be screened from view from the exterior of the building in which they are located.

A waste management plan shall be submitted to the Linden Planning Board. Said waste management plan shall provide complete details related to maintenance of garbage and recycling facilities and collection.

5.3.10 — Shadow Study

A shadow study shall be provided to evaluate impacts to adjacent residential property owners. If the Planning Board determines there to be a negative impact on adjacent residential properties, the applicant shall take necessary steps to eliminate such impacts.

6.0 — Redevelopment Plan Implementation

6.1 — Planning Board Review

Pursuant to N.J.S.A. 40A12A-13, all applications for development within the redevelopment area shall be submitted to the Planning Board for review and approval.

The following provisions shall govern review of any proposed redevelopment and rehabilitation projects:

6.1.1 — General Requirements

1. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or building within the area governed by the redevelopment plan without prior review and approval of the work by the Planning Board.

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2. Regular maintenance and minor repair shall not require Planning Board review and approval.
3. The Planning Board shall conduct its review pursuant to N.J.S.A. 40:55d-1 et seq. and the City of Linden's land development ordinances.
4. As part of the site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. The performance guarantees shall be in favor of the City of Linden and the City Engineer shall determine the amount of any performance guarantees.
5. Any subdivision of land within the area governed by the redevelopment plan shall be in compliance with same and reviewed by the Planning Board pursuant to N.J.S.A. 40:12A-1 et seq. and N.J.S.A. 40:55D-1 et seq.
6. Once a property has been redeveloped in accordance with the redevelopment plan, it may not be converted to any use not expressly permitted in same. No nonconforming use, building, or structure may be expanded or made more nonconforming in nature after adoption of this redevelopment plan. A use or structure not conforming to the requirements of this redevelopment plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the nonconforming use, building or structure has been "destroyed."
7. Any and all definitions contained within the redevelopment plan, be they expressed or implied, shall prevail. In the absence of a definition, the definition found within the city's zoning and land development ordinances shall prevail. Any and all definitions that are found to be inconsistent with N.J.S.A. 40A:12-3 shall be rendered invalid.
8. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the city's land development ordinances and applicable New Jersey Law. Additionally, a

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redeveloper may be required to pay for their proportional share of the cost of any studies, plans, reports, or analysis prepared by the city or its design professionals as part of plan review. Any such payments are required to reimburse the city or the Redevelopment Entity.

9. Approval of any plans by either the Linden Planning Board or the city, acting as the Redevelopment Entity, applies to any and all features shown thereon. Any subsequent additions, deletions or other modifications of the plans must be submitted to the Planning Board for final approval before construction can begin.
10. All of the above provisions are subject to approval by ordinance or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section or provision of the redevelopment plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable and the remainder of the redevelopment plan and implementing ordinance(s) shall remain in full force and effect.

6.2 — Property Acquisition

The Linden City Council has designated Block 426, Lots 2, 3 and 4 as a “Non-Condemnation Redevelopment Area.” Thus, the city does not identify property for acquisition via eminent domain.

To effectuate the redevelopment of the area, all acquisition shall be achieved by private agreement between redeveloper and property owner.

6.3 — Relocation

Should relocation be necessary, the City of Linden will provide any displaced tenants and landowners with the appropriate relocation assistance pursuant to applicable State and Federal law. Such assistance will be provided through an appropriately designated office.

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It is further noted that the City of Linden and the surrounding area contains sufficient land and buildings that would be appropriate for relocation, should the need arise. However, if relocation is not directly caused by the execution of the redevelopment plan and not required by applicable State and Federal law, the City of Linden assumes no responsibility.

6.4 — Redevelopment Agreement

No activity shall be undertaken within the redevelopment area unless the activity is undertaken pursuant to a redevelopment agreement that has been approved by the Redevelopment Entity.

6.5 — Redeveloper Obligations

The redeveloper shall be required to:

1. Submit development plans that include, but are not limited to, drawings of site and building plans and elevations in sufficient detail to show building layout, building construction, access, etc. in accordance with the city's development regulations. These documents shall be submitted to the Linden Planning Board and the Linden City Council, acting as the Redevelopment Entity, for review and approval in order to determine compliance of such plans with the redevelopment plan before working drawings are prepared. It is expressly understood that the approval of any plans by either the Linden Planning Board or the Linden City Council, acting as the Redevelopment Entity, applies to all features shown thereon. Any and all subsequent additions, deletions or other modifications of the plans must be submitted to the Linden Planning Board for final approval before construction can begin.
2. Submit a written development schedule and commence the undertaking of the development in accordance with the development schedule.
3. Agree that no covenant, conveyance agreement or other instrument relating to the property shall be effected or executed on the basis of race, creed, sex,

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religion, color, age, national origin, sexual or affectional orientation, or ancestry in the lease, use or occupancy thereof.

4. Maintain the structures and facilities in accordance with all codes and ordinances of the City of Linden.

6.6 — Deviation Requests

The Linden Planning Board may grant deviations from the requirements of this redevelopment plan in cases where the strict application of a particular requirement would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Linden Planning Board may also grant deviations when it finds that the overall goal and objectives of this redevelopment plan would be advanced, and that the benefits of a deviation would outweigh any detriments. No deviation may be granted under the terms of this section unless the Linden Planning Board finds that such deviation can be granted without substantial impairment of the redevelopment plan's overall goal and objectives.

Public notice of any application for deviation from the requirements of this redevelopment plan shall be required and conform with the standards for public notice of N.J.S.A. 40:55D-12(a) and 12(b).

The following types of deviations shall only be permitted by means of an amendment to the redevelopment plan by the Linden City Council, and only upon a finding by same that such deviation would be consistent with and promote the furtherance of the overall goal and objectives of this redevelopment plan: deviation to allow a land use that is not permitted in this redevelopment plan; deviation to increase permitted density, or other aspect of development intensity; and deviation to allow an increase in building height that exceeds the permitted building height that is outlined in this redevelopment plan by ten (10) percent.

6.7 Definitions

Low-Income: 50 percent or less of the median gross household income for households of the same size within the housing region (Essex, Morris, Union and Warren counties), based upon the United States Department of Housing and Urban Development's Section 8 Income Limits (uncapped), averaged across the counties in the housing region.

Moderate-Income Household: More than 50 percent but less than 80 percent of the median gross household income for households of the same size within the housing region (Essex, Morris, Union and Warren counties), based upon the United States Department of Housing and Urban Development's Section 8 Income Limits (uncapped), averaged across the counties in the housing region.

Very Low-Income Household: 30 percent or less of the median gross household income for households of the same size within the housing region (Essex, Morris, Union and Warren counties), based upon the United States Department of Housing and Urban Development's Section 8 Income Limits (uncapped), averaged across the counties in the housing region.

7.0 — Relationships to State, County and Local Plans

7.1 — New Jersey State Development and Redevelopment Plan

The entire Rehabilitation Area is located in State Planning Area 1, which is defined in the New Jersey State Development and Redevelopment Plan. As provided in the New Jersey State Development and Redevelopment Plan, State Planning Area 1 is intended 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

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- Protect the character of existing stable communities.

The overall goal and objectives of this redevelopment plan are consistent with the intended purpose of State Planning Area 1.

7.2 — Union County Master Plan

Among the generalized goals of the Union County Master Plan are to:

- Facilitate the development of Union County by directing new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities, and to revitalize urban centers and corridors within the county;
- Promote the provision of a broad range of housing opportunities for all income levels and household types by encouraging the maintenance or rehabilitation of the existing housing stock and through the construction of new housing units; and
- Continue county-sponsored economic development efforts to reduce unemployment, provide year-round employment opportunities and enhance the tax base by encouraging compatible industrial, commercial, office and retail facilities to locate or expand in Union County.

Execution of this redevelopment plan would contribute to the achievement of the foregoing goals of the Union County Master Plan.

7.3 — Linden Master Plan

The last comprehensive reexamination of the City of Linden's Master Plan was prepared in 2022. The 2022 reexamination affirms the following master plan objectives, which are applicable to the redevelopment area:

- Promote a desirable visual environment;
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation and open space uses;

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- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents;
- Prevent the degradation of the environment through the improper use of land; and
- Encourage development which contributes to the enhancement and improvement of the community.

This redevelopment plan would advance the foregoing master plan objectives.

In addition to the above, it is noted that the Linden Planning Board amended the city's master plan with the adoption of a new Land Use Element in December 2019. The Land Use Element recommended that the city should continue to monitor the need for redevelopment and rehabilitation. This redevelopment plan advances this recommendation of the 2019 Land Use Element.

7.4 — Master Plans of Adjacent Municipalities

While the redevelopment area is not adjacent to another municipality, it is located proximate to the City of Rahway. However, given the fact that nearby portions of Rahway contain a mix of medium- to high-density residential and commercial uses, as well as the fact that the redevelopment area is not directly adjacent to the City of Rahway, it is anticipated that the redevelopment plan will have no impact on its planning efforts.

8.0 — Administrative and Procedural Requirements

Administrative and procedural requirements are discussed in the following subsections.

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8.1 — Amending the Redevelopment Plan

As circumstances may warrant, the Linden City Council may amend, revise, or modify this redevelopment plan in accordance with applicable law.

8.2 — Duration of the Redevelopment Plan

The provisions of this redevelopment plan shall remain in effect for a period of fifty years from the date of adoption.

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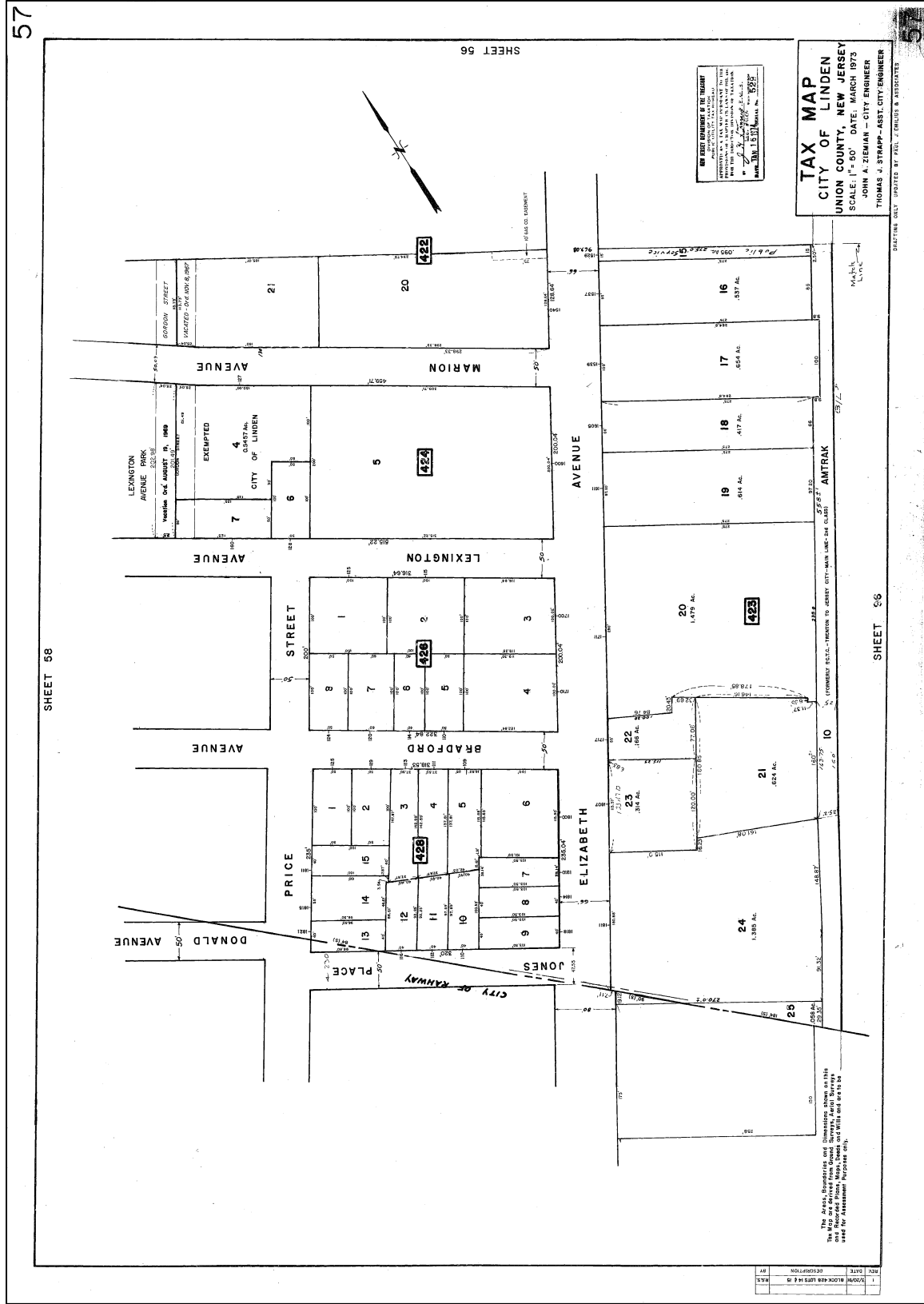
Appendix A: Tax Map



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57



SHEET 58

SHEET 56

SHEET 59

NO.	DATE	DESCRIPTION
1	1/20/78	BLOCK 426 LOTS 2, 3, 4
2		
3		

The City Engineer's Office is not responsible for the accuracy of the information shown on this map. The City Engineer's Office is not responsible for the accuracy of the information shown on this map. The City Engineer's Office is not responsible for the accuracy of the information shown on this map.

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Appendix B: Aerial Imagery

Aerial Imagery
City of Linden, Union County, New Jersey



-  Redevelopment Area
-  Redevelopment Area Parcel
-  Tax Parcel

Date of Aerials: 2020



0 25 50
Feet

ricciplanning

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