

**ORDINANCE NO. 26-10
(ADOPTION)**

**ORDINANCE OF THE BOROUGH OF
HILLSDALE, COUNTY OF BERGEN, NEW
JERSEY ADOPTING AN AMENDMENT TO THE
HILLSDALE-PATTERSON STREET
REDEVELOPMENT PLAN**

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

WHEREAS, pursuant to the Redevelopment Law, the Borough Council (“**Borough Council**”) of the Borough of Hillsdale, in the County of Bergen, New Jersey (the “**Borough**”), duly adopted Resolution #19039 on January 15, 2019, directing the Borough Planning Board (the “**Planning Board**”) to undertake a preliminary investigation to determine whether Block 1207, Lots 8, 9, 10, and 11, Block 1208, Lots 1, 2, 3, 4, and 5, Block 1209, Lots 2, 3, 4, 5, and 6, Block 1210, Lots 6, 7, 8, 9, 10, and 11, Block 1211, Lots 1 and 2, and Block 1212, Lot 13 (the “**Study Area**”) constitute an area in need of redevelopment in accordance with the criteria set forth in the Redevelopment Law; and

WHEREAS, Resolution #19039 also directed DMR Architects to assist the Planning Board in investigating the Study Area, and submitted a report to the Planning Board (the “**Report**”) setting forth DMR Architects’ findings related to the Study Area; and

WHEREAS, following public hearings on the Report, on July 17, 2019, the Planning Board adopted Resolution 2019-11, recommending that the Borough Council designate various properties within the Study Area as an area in need of redevelopment; and

WHEREAS, the Borough Council duly adopted Resolution #19225 on September 10, 2019 designating the properties identified on the tax maps of the Borough as Block 1207, Lots 8, 9 and 10; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3 and 4; Block 1210, Lots 8, 9, 10 and 11; and Block 1211, Lots 1 and 2 as an “area in need of redevelopment” (the “**Redevelopment Area**”); and

WHEREAS, the Redevelopment Area is an isolated area within the Borough located in the industrial zone along Patterson Street between Knickerbocker Avenue and Prospect Place; and

WHEREAS, the Redevelopment Area was formerly used, in part, for industrial activities including hauling of waste and operation of a waste transfer facility, which created undesirable traffic impacts, environmental impacts, and odors; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7(e)*, on December 8, 2020, after review and consideration of the recommendations transmitted by the Planning Board, by Ordinance No. 20-15, the Borough Council finally adopted the Hillsdale-Patterson Street Redevelopment Plan (dated

November 18, 2020) (the “**Redevelopment Plan**”), which Redevelopment Plan established permitted land uses and building requirements for the Redevelopment Area and which Redevelopment Plan has been previously amended; and

WHEREAS, the Borough has entered into a Mediation Agreement with Fair Share Housing Center (“FSHC”) on December 23, 2025 as part of the Borough’s Fourth Round affordable housing obligation wherein the Borough agreed to increase the permitted density of inclusionary residential development to a maximum of 32 dwelling units per acre and which Mediation Agreement requires an additional amendment to the Redevelopment Plan as further set forth herein; and

WHEREAS, more specifically, the aforesaid Mediation Agreement provided, as to Inclusionary Development, that the Redevelopment Plan shall permit multi-family residential development with a permitted maximum density of 32 dwelling units per acre (rather than 28 dwelling units per acre) contingent on the provision of an affordable housing set-aside of 20% regardless of tenure; and

WHEREAS, Darlene Green, PP, AICP, has prepared an additional amendment to the Redevelopment Plan dated January 5, 2026 (the “**Third Amended Redevelopment Plan**”) which is attached hereto and made part hereof; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-7(e), the Governing Body shall refer this Third Amended Redevelopment Plan to the Planning Board which must transmit its recommendations to the Borough Council within forty-five (45) days after referral, and, if transmitted within such forty-five (45) day period, such recommendations must be reviewed and considered by the Borough Council; and

NOW, THEREFORE, BE IT ORDAINED BY A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE BOROUGH COUNCIL OF THE BOROUGH OF HILLSDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Amended Redevelopment Plan, attached hereto as Exhibit A, is hereby Introduced by the Governing Body.

Section 3. The Borough Council hereby refers the aforesaid Amended Redevelopment Plan to the Planning Board for its review, report and recommendation in accordance with *N.J.S.A.* 40A:12A-7(e); and

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

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
Camp, Chris	X		X				
Colletti, Robert			X				
DeRosa, Anthony		X	X				
Mazza-Chiong, Melissa			X				
Osso, Clemente			X				
Ruocco, John			X				
Sheinfield, Michael							

Adoption: March 10, 2026

Attest: Denise Kohan
 Denise Kohan
 Municipal Clerk

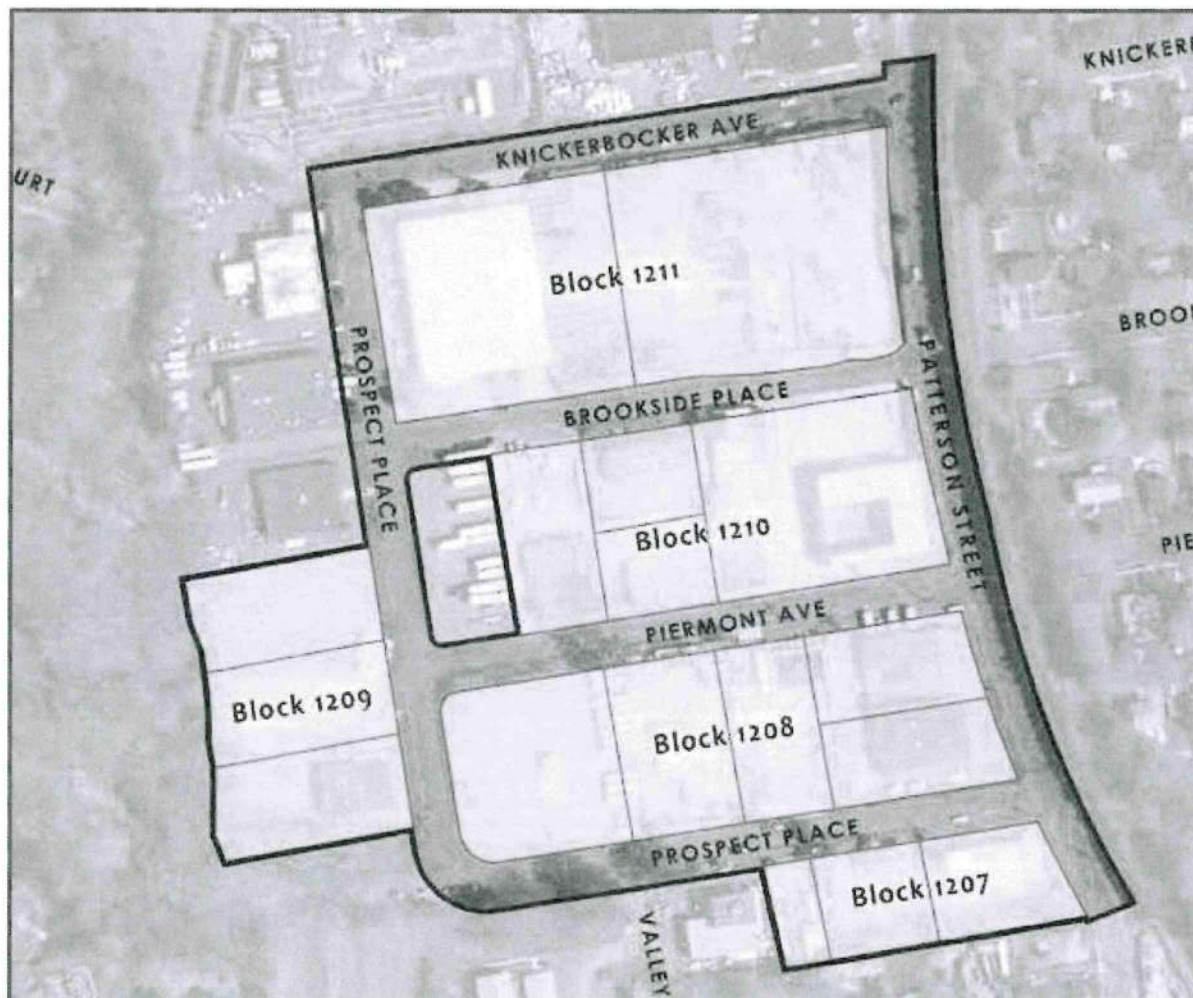
Michael Sheinfield
 Michael Sheinfield
 Mayor

EXHIBIT A

THIRD AMENDED HILLSDALE-PATTERSON STREET REDEVELOPMENT PLAN

SEE ATTACHED

Hillsdale - Patterson Street Redevelopment Plan Amendment #3



Block: 1207, Lots: 8, 9 & 10; Block: 1208, Lots: 1, 2, 3, 4 & 5;
Block: 1209, Lots: 2, 3 & 4; Block: 1210, Lots: 8, 9, 10 & 11 and
Block: 1211, Lots: 1 & 2



Prepared By: The original Redevelopment Plan and the 2020, 2022, and
and 2024 Amendments were prepared by DMR Architects. DMR Architects
Amendment #3 is prepared by Colliers Engineering & Design.

Prepared For:
Borough of Hillsdale
Bergen County New Jersey

January 5, 2026

_____ Original Redevelopment Plan Adopted via Ordinance 20-15 on November
18th, December 8, 2020

Francis Reiner, LLA—PP Amendment #1 Adopted via Ordinance 22-11 oned August 9, 2022 July 2022

License #: L100616700 Amendment #2 Adopted Via Ordinance 24-15 on ed October-December 17, 2024

Amendment #3 Prepared by:

Darlene A. Green, PP, AICP
License No. 33L100611400

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ACKNOWLEDGEMENTS:

Mayor and Council

Mayor Michael Sheinfield

~~Council President John Escobar~~ Member Christopher Camp

Council Member ~~Abby Lundy~~ Robert Colletti, Jr.

Council Member ~~Justin Fox~~ Anthony DeRosa

Council Member ~~Janetta Trochimiuk~~ Melissa Mazza-Chiong

Council Member Clemente Osso

Council Member John Ruocco

Planning Board

Mayor Michael Sheinfield - Class I

~~Janetta Trochimiuk~~ Robert Colletti, Jr. - Planning Board Liaison Class III

Steve Riordan - Class IV

Meredith Kates - Class IV

Scott Raymond - Class II

Ed Alter - Class IV

Dan Friedman - Class IV

~~Gia Guzman~~ Dr. Arthur Weinberg - Class IV

Seth Griep - Class IV

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~~Stephen Sammarco~~ - Alt#2

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Planning Board Planner

Tom Behrens, PP, AICP

Burgis Associates

Borough Administrator

Mike Ghassali

I. VISION STATEMENT

In recognizing the Goldilocks quality of the borough's former industrial area, the Hillsdale Governing Body seized on a unique opportunity by designating the area for redevelopment. We intend to utilize redevelopment to regenerate the area and stimulate growth. We believe that redevelopment of the former industrial area will generate a new stream of revenue that we will use to stabilize taxes, secure the sustainability of services and provide funding for important community projects.

We have set the following priorities for the redevelopment and planning framework of the Hillsdale Patterson Street Redevelopment Plan:

1. **Planning:** This is the most crucial phase in redevelopment and the redevelopment planner is the most important individual you will be relying on. Communication with your professionals and all other interested parties is key. If you do so often and effectively, you will level the playing field early on, minimize risk exposure and increase predictability through mutual understanding of one another's needs.
2. **Beauty:** This should not be viewed as a cost, to be negotiated. This is the benchmark that all developments should meet. Beauty is everything that makes a collection of buildings into a place. It is an essential condition. Ugliness is anything that destroys the sense of place and undermines the community.
3. **Regeneration:** This must begin with understanding that it is not acceptable to leave places behind, where derelict buildings and vandalized public spaces drive people away. Redevelopment seeks regeneration. Our "built-out" environment and our natural environment must complement one another. We must stop exploiting and understand that it is our responsibility to care for each. Our recommendations are designed to ensure that we pass on to the future an inheritance at least as good as the one we have received.
4. **Nature:** The redevelopment of a brownfield should be a part of the wider ecology. Green spaces, waterways and wildlife habitats in our communities must be viewed as integral to its fabric.
5. **Education:** Most agree on the need to invest in our community. Redevelopment provides for that investment, but further education is needed to inform residents about the factors that make it economically feasible for a developer to create a unique place. How do Factors like height, density, sustainability and PILOTs and a community's reaction to them and perceived change are fueled by fear and misunderstandings?

We anticipate the following:

1. Good planning will result in a thoughtful, creative and credible redevelopment plan that allows for efficient and easy management of the project.
2. Refusing to accept ugly will result in the creation of a place, a neighborhood, rather than units.
3. Accepting our responsibility to regenerate, will introduce a new standard of stewardship for the future.
4. Including elements of Nature into the Redevelop plan, like a walking trail, will provide for the integration of our entire environment.
5. Providing education to residents regarding redevelopment will empower residents and decrease fear and apprehension they have because of perceived change and a misunderstanding of certain redevelopment factors.

Our vision for the Hillsdale Patterson Street Redevelopment Plan area is the plan will successfully accommodate the needs of interested property owners and will result in the creation of a new place in Hillsdale. That new place will fit "just right" into the life and texture of our community because it will be designed to do so and it will generate wealth necessary to secure a sustainable future and to ensure Hillsdale remains a desirable place to live, work and relax.

II. BACKGROUND INFORMATION:

The Borough of Hillsdale (the “Borough”) adopted Resolution No. 19039 on January 15, 2019, which directed the Borough of Hillsdale Planning Board (the “Planning Board”) to undertake a preliminary investigation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL), to determine whether Block: 1207, Lots: 8, 9, 10 & 11; Block: 1208, Lots: 1, 2, 3, 4 & 5; Block: 1209, Lots: 2, 3, 4, 5 & 6; Block: 1210, Lots: 6, 7, 8, 9, 10 & 11; Block: 1211, Lots: 1 & 2; and Block: 1212, Lot: 13 (the “Area of Investigation”) which are depicted below in Map 1 constitute an “area in need of redevelopment” (“AINR”) without condemnation powers in accordance with the criteria set forth in N.J.S.A. 40A:12A-5.

In addition, Resolution No. 19039 authorized DMR Architects (“DMR”) to assist the Planning Board in the investigation of these properties. Pursuant to such resolution, the Planning Board adopted a resolution that appointed DMR to perform and prepare a preliminary investigation report that details the findings and recommendations relevant to whether the Area of Investigation should be designated as an AINR without condemnation powers. The properties investigated are privately-owned lands totaling approximately 14 acres on 23 tax lots with frontage on Prospect Place, Piermont Avenue, Brookside Place, Knickerbocker Avenue, and Patterson Street.

DMR conducted its preliminary investigation and submitted a report to the Planning Board in February of 2019 (subsequently updated in May of 2019) that concluded 21 of the initial 23 properties met the criteria to be designated as AINR. The report was the subject of 3 public hearings on March 26, 2019, April 16, 2019, and June 18, 2019. At a duly noticed public Planning Board hearing on July 17, 2019, and after hearing the expert planning testimony of Francis Reiner, DMR Architects, as well as offering the public an opportunity to be heard, the Planning Board adopted Resolution 2019-11 recommending that the Mayor and Council designate 17 properties in the Area of Investigation as being non-condemnation AINRs. These properties included: Block: 1207, Lots: 8, 9 & 10; Block: 1208, Lots: 1, 2, 3, 4 & 5; Block: 1209, Lots: 2, 3 & 4; Block: 1210, Lots: 8, 9, 10 & 11; and Block: 1211, Lots: 1 & 2; totaling approximately 10.723 acres (the “redevelopment area”). The Mayor and Council adopted Resolution No. 19225 at a public hearing on November 12, 2019 designating the redevelopment area an AINR and Resolution No. 19289 authorizing DMR to prepare a redevelopment plan.

As required by statute, the Borough Clerk transmitted executed Resolution No. 19225 to the Department of Community Affairs (DCA). By response letter, the DCA concluded that the “determination area is situated where development and redevelopment are encouraged pursuant to State law or regulation” and “pursuant to N.J.S.A. 40A:12A-6b(5)(c), the redevelopment area determination took effect after transmission to the Commissioner of the DCA.”

This redevelopment plan is intended to supersede the existing zoning of the subject property and any other applicable regulation in Chapter 310 of the Borough’s regulatory code (the “Land Use Ordinance”), except where this redevelopment plan otherwise defers to that chapter. The aim of this redevelopment plan is to transform the redevelopment area into a mixed-use neighborhood with a mixture of housing types, community recreation facilities, and commercial services, and to satisfy the Borough’s obligations to provide an opportunity for the creation of affordable housing in compliance with the Supreme Court’s Mount Laurel IV decision, the 2017 Settlement Agreement between the Borough and Fair Share Housing Center, the Borough’s 2018 Housing Element and Fair Share Plan, ~~and~~ the September 30, 2019 Judgement of Compliance and Repose in the Borough’s matter before the Superior Court, and the 2025 Mediation Agreement with Fair Share Housing Center (together the “Fair Share Housing Plan”).

III. INTRODUCTION:

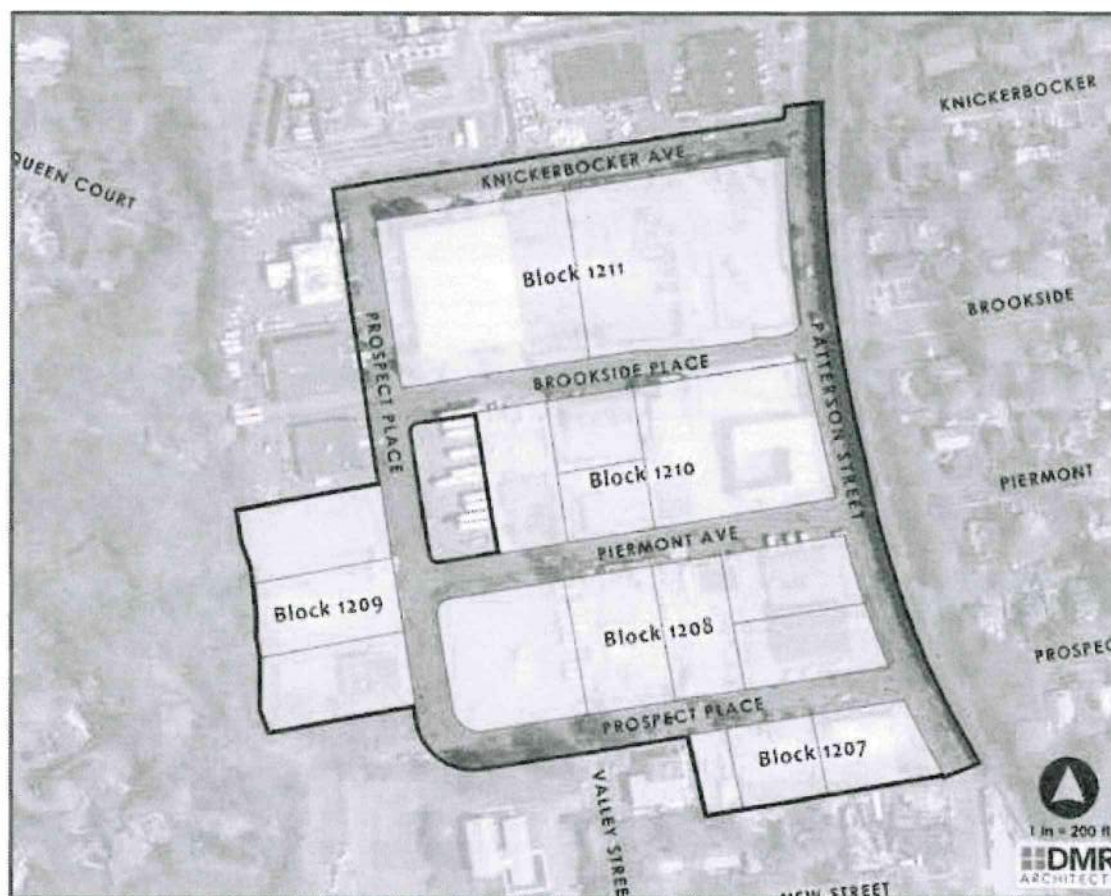
A. BASIS FOR THE PLAN:

This redevelopment plan has been prepared for the redevelopment area. The LRHL allows a municipality to prepare a redevelopment plan that provides the development regulations and other standards to guide future development for a designated redevelopment area.

This redevelopment plan has been developed by the Borough to encourage the transition of an industrial site that is anchored by a solid waste facility that at its peak, serviced over 200 garbage trucks per day. Such use had a deleterious impact on the Borough and the environment. In particular, such use adversely impacted the adjacent Category One (C1) stream and woodlands. Encouraging a higher and better use as described herein is a primary driver in the Borough's determination to adopt this plan.

In addition to the above, the Borough has identified the redevelopment of this redevelopment area as uniquely situated to encourage certain community benefits as described herein. The topography of this site and isolation of the same from the Borough's remaining residential areas due to the existence of the railroad line to the east and the C1 stream and its associated buffers to the west, allow the Borough to permit densities and heights that would not be appropriate anywhere else in the Borough. Additionally, the redevelopment area is uniquely situated to act as a transition between the industrial uses to the north and the residential uses to the south.

In short, this is the only area in the Borough where $\geq 8-32$ units per acre and/or the Density Bonus, as described



Map 1: Redevelopment Area Aerial Map

herein, might be appropriate in exchange for certain community benefits. In addition, this area will also permit the Borough to address its affordable housing obligation.

The redevelopment area is the subject of an October 10, 2017 Settlement Agreement between the Borough and Fair Share Housing Center (the “Settlement Agreement”) and a September 2019 Judgment of Compliance and Repose, which requires the Borough to carry out a redevelopment investigation and (if appropriate) adopt and implement a redevelopment plan for the redevelopment area that permits inclusionary residential development at a maximum density of 28 dwelling units per acre. However, the Borough entered into a Mediation Agreement with Fair Share Housing Center on December 23, 2025 as part of the Borough’s Fourth Round affordable housing obligation. The Borough agreed to increase the permitted density of inclusionary residential development to a maximum of 32 dwelling units per acre.

This redevelopment plan is intended to address the Borough’s obligation per the 2017 Settlement Agreement and the 2025 Mediation Agreement and to: 1) promote the redevelopment of the redevelopment area as a medium-density mixed-use neighborhood that can benefit from proximity to the commuter rail station in the Borough’s downtown, and 2) address the needs and concerns identified in the Borough’s Master Plan (the “Borough Master Plan”) documents relating to the properties in question and to the community more broadly. These needs and concerns include, addressing flood risk and providing new community recreational facilities.

B. PROPERTY INFORMATION:

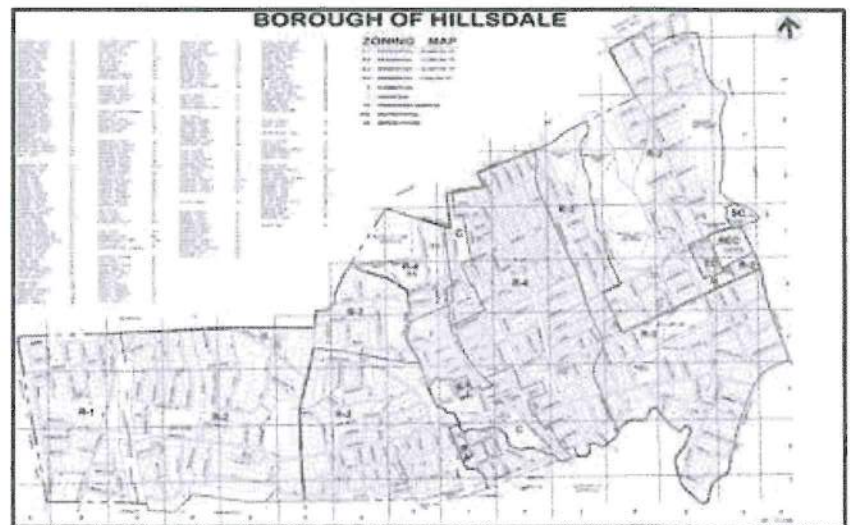
This redevelopment plan regulates the redevelopment area. Each property in the redevelopment area is located in the I - Industrial Zone District and is currently occupied by a combination of commercial, industrial or other non-residential uses.

The redevelopment area is generally located west of Patterson Street, along Prospect Place, Piermont Avenue, Brookside Place and Knickerbocker Avenue. The redevelopment area is primarily comprised of commercial and industrial uses along with surface and storage parking.

The western boundary of the redevelopment area is a C1 stream. This classification of this stream is protected from any measurable change in water quality because of their exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resources.

Buffers are vegetated areas adjacent to waterways that provide protection to New Jersey’s water quality.

These special areas are established and protected through various rules and may vary in width. A 300 foot or Category One (C1) buffer is required by the Storm-water Management (N.J.A.C. 7:8) and the Flood Hazard Area Control Act rules (FHACA) at N.J.A.C 7:13, for certain activities proposed adjacent to waters designated in the Surface Water Quality Standards (N.J.A.C 7:9B) as C1 or their upstream tributaries in the same sub-watershed.



Map 2: Investigation Area on Zoning Map

IV. REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN:

A. REQUIRED COMPONENTS:

N.J.S.A. 40A:12A-7 requires that a redevelopment plan include an outline for the planning, development, or redevelopment, of the redevelopment area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provisions for the temporary and permanent relocation, as necessary for residents in the project area, including an estimate of the extent of which decent, safe, and sanitary dwelling units affordable to displace residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with this plan.
5. Any significant relationship of the redevelopment plan to:
 - The master plans of contiguous municipalities;
 - The master plan of the county in which the municipality is located;
 - The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c.398 (C.52:18A-196 et al.).
6. An inventory (as of the date of the adoption of the resolution finding the area to be in need of redevelopment) of all housing units affordable to low and moderate income households, as defined pursuant to N.J.S.A.52:27D-304, that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. The redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
10. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

All provisions of a redevelopment plan shall be either substantially consistent with the municipal master plan or

designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

B. NOTE ON PLAN TERMINOLOGY:

Throughout this redevelopment plan, a distinction is made in the regulations between “shall” and “should.” “Shall” means that a developer is required to comply with the specific regulation, without deviation. “Should” or “Encouraged” means that a developer is encouraged to comply but is not required to do so.

C. TEMPORARY AND PERMANENT RELOCATION:

The LRHL requires that any redevelopment plan make adequate provision for temporary or permanent relocation of any resident in the project area. As there are no residential buildings in the redevelopment area, this regulation is not applicable to the site.

D. IDENTIFICATION OF PROPERTY TO BE ACQUIRED:

The LRHL requires that any redevelopment plan identify any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan. The area has been designated as a non-condemnation redevelopment area; as such, the Borough will not use eminent domain to acquire any properties within the redevelopment area.

E. AFFORDABLE HOUSING:

Redevelopers shall construct affordable housing units to assist the Borough in meeting the Borough’s affordable housing obligations. There are no affordable housing units in the redevelopment area; therefore there will be no need for a redeveloper to provide housing for displaced residents.

F. LONG TERM FINANCING CONSIDERATIONS:

Based on the nature and size of the potential project(s) contemplated under this plan and given the designation as an area in need of redevelopment, the property owner can request consideration for up to a 30 year PILOT as part of any future development project. The actual entry of any financial agreements are subject to governing body approval under the processes required by law.

G. PUBLIC ELECTRIC VEHICLES:

This Redevelopment Plan shall comply with State regulation P.L. 2021, c 171 an ordinance authorizing and encouraging electric vehicle/service equipment (EVSE) and make ready parking spaces.

V. GENERAL PROVISIONS:

A. SITE PLAN & SUBDIVISION REVIEW:

After execution of a redevelopment agreement with the Borough and prior to commencement of any construction within the Redevelopment Area, a site plan prepared in accordance with the requirements of the MLUL and the Land Use Ordinance of the Borough shall be submitted by the applicant for review by a Design Review Committee specific to this Redevelopment Plan for completeness and compliance. Such submission shall occur prior to any submission to the Planning Board of the Borough, so that compliance with the Redevelopment Plan can be determined. This shall also pertain to revisions or additions prior to, during and after completion of the improvements. A copy of the executed redevelopment agreement shall be submitted to the Planning Board with the site plan application.

B. ADVERSE INFLUENCES:

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

C. NON-DISCRIMINATION PROVISIONS:

All agreements, leases, deeds and other instruments from or between a municipality or redevelopment entity and to or with a redeveloper shall contain a covenant running with the land requiring that the owner shall construct only the uses established in the current redevelopment plan; a provision requiring the redeveloper to begin the building of the improvements for those uses within a period of time which the municipality or redevelopment entity fixes as reasonable; a provision that the redeveloper shall be without power to sell, lease or otherwise transfer the redevelopment area or project, or any part thereof, without the written consent of the municipality or redevelopment entity; a provision that upon completion of the required improvements, the conditions determined to exist at the time the area was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations; and any other covenants, provisions and continuing controls as may be deemed necessary to effectuate the purposes of this act. The aforesaid covenants, provisions and controls shall be deemed satisfied upon termination of the agreements and covenants entered into by the redeveloper to construct the improvements and to perform the redevelopment. The rights of any third party acquired prior to termination of the agreements, including, but not limited to, any tax exemption or abatement granted pursuant to law, shall not be negatively affected by termination and satisfaction of the covenants.

D. DEVIATION REQUESTS:

The Planning Board may grant variances as would otherwise be permitted by N.J.S.A. 40:55D-70(c)(1) allowing deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any such regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property.

The Planning Board may also grant such relief as would otherwise be permitted by N.J.S.A. 40:55c(2) where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of the Plan and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area, any deviation from any of the conditional uses or any change which otherwise would be a “d” variance in accordance with N.J.S.A. 40:55D-70(d) shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough Council.

E. PROCEDURE FOR AMENDING THE APPROVED PLAN:

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of the LRHL. If the designated redeveloper requests such amendment said redeveloper shall pay an application fee as determined by resolution of the Borough Council from time to time.

VI. RELATIONSHIP TO HILLSDALE MASTER PLAN AND ZONING ORDINANCE:

A. MASTER PLAN CONSISTENCY:

The Borough adopted its last full Borough Master Plan in 2003 and adopted its Reexamination Report in 2010 which it amended in 2012 and 2013 (the "Reexamination Report"). The Borough's Master Plan was further amended in 2018 when the Borough adopted its Fair Share Housing Plan as required by the Settlement Agreement.

The Borough's 2003 Master Plan includes a number of goals and objectives related to the Redevelopment Plan as follows:

1. Achieve a balance between the developed community and new development.
2. Expand the permitted uses in the Industrial zone to include offices and recreation uses that will support the Borough's strong and viable business community.
3. Promote alternate modes of transportation and support efficient transportation systems.
4. Plan community facilities to accommodate anticipated future population growth.
5. Consider the development of a Community Center to serve the needs of all Hillsdale residents, from children to senior citizens.
6. Encourage job formation and retention in the Borough and for Borough residents.
7. Support business development where appropriate in the Commercial and Industrial zones.

The Borough Master Plan lays out a number of long-term land use planning and policy goals that are addressed by this Redevelopment Plan, including the following:

1. **Inclusionary Development:** Consistent with the 2025 Mediation Agreement, this Redevelopment Plan permits multi-family residential development with a permitted maximum density of ~~3228~~ dwelling units per acre contingent upon the provision of an affordable housing set aside of ~~20%, regardless of tenure~~ 15% for rental and 20% for sale housing.
2. **Flood Mitigation and Sustainability:** This Redevelopment Plan includes Impervious Coverage standards and incentives (such as bonuses for providing Green Roofs and dedicated open space) in order to reduce the impact of flooding from the Pascack Brook, which forms the western most boundary of the Redevelopment Area.
3. **Community Center:** This Redevelopment Plan permits public open space and community center type facilities by right and also provides incentives for developers to create new public open space or community facilities in exchange for more permissive development standards.
4. **Maintain Neighborhood Character:** This Redevelopment Plan imposes restrictive height and setback requirements for development on the southern and eastern edges of the Redevelopment Area in order to limit the impact of any redevelopment on adjacent single-family neighborhoods.
5. **Local Businesses:** This Redevelopment Plan will continue to permit limited commercial service uses which generate limited traffic from outside of the Redevelopment Area.

B. ZONING ORDINANCE:

The underlying Industrial Zone (I-Zone) permits light industrial uses with low nuisance impact such as research, manufacturing, packaging, and utilities. The Schedule of Uses and Requirements can be found in the Appendix to this Redevelopment Plan.

Except where specified otherwise herein, the standards and definitions of this Redevelopment Plan shall supersede the most closely related standards and definitions applicable to the lands comprising the

Redevelopment Area or the uses thereon set forth in the Land Use Ordinance.

VII. DEFINITIONS

A. DEFINITIONS:

Refer to Section 310-4 in the Land Use Ordinance for all definitions with the following additions / exceptions.

Assisted Living: Facility defined as residences for the frail elderly that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services, and transportation.

Continuing Care Retirement Communities (CCRCs): An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care.

Convalescent Homes: Facilities that are intended for short-term patient care and recovery where rehab services (physical, occupational and speech therapy, etc.) are provided with the goal of returning the patient back to their homes.

Co-Living Complex: Housing where residents share living space and a set of interests, values, and/or intentions where individuals in residential environments have private sleeping quarters but shared bathrooms, kitchens, living rooms, and other common areas.

Density Bonus: Shall mean an increase in the permitted Building Height by ~~up to an one additional story~~ ~~two stories / twelve~~ ~~twenty four~~ feet and/or an increase in the permitted number of dwelling units per acre of up to an additional ~~eight~~ ~~32~~ units per acre (for a total of up to ~~4060~~ units per acre, including the density bonus). The density bonus units (more than 32 units an acre) shall have a 15% affordable housing set-aside regardless of tenure.

Entertainment: Any live act, including vocalists, actors, dancers, floor shows, instrumentalists and recorded music played by a DJ.

Green Roof: A roof covered with vegetation, designed for aesthetic value, recreation and to optimize resource conservation.

Maker Space (Workshare): A Maker Space is a community space in a school or other gathering place where students are able to take part in hands-on learning in creative ways. They are called Maker Spaces because they provide opportunities for students to design, create, manufacture, and invent new things.

Parking, Sheltered: Surface level parking which is underneath a building but not enclosed on more than 2 sides.

Parking Structure (Structured Parking): A building or structure consisting of more than 1 level and used to store motor vehicles.

Residential Health Care Facility: A facility in which residential care is provided to a person. Residential care facility means an institution, residence, or facility licensed by the department of mental health and addiction services.

Self Storage: A facility consisting of individualized, compartmentalized, controlled access units, leased to individuals, organizations, or businesses for self-service storage of personal property, which may include ancillary office space for the purpose of leasing activity and sales of moving supplies.

Senior / Independent Housing: Housing designated for residents 55+.

Setback, Front or Front Yard: The distance in feet from the curb face of the nearest cartway to the nearest portion of a building, structure, or area.

Setback, Rear or Side: The distance in feet from the rear or side lot line to the nearest portion of a building, structure, or area.

Stacked Flat (two over two): Attached housing type in which two units are stacked vertically, with each unit occupying

one or more full or partial floors and where each unit has its own entry.

Story, Ground: Also, first Story, first floor, or ground floor. The first Story of a building other than a basement or cellar.

Story, Upper: All stories and floors above the Story, Ground.

Tract: Shall be understood to mean any lot or combination of lots that are assembled for development.

Vehicle Storage: paved parking area used for the storage of vehicles, including but not limited to landscape trucks and trailers, tree chipper trucks, chippers, bucket trucks, utility vans, open trailers such as landscaping, car carrier trailer, boat/ boat trailers, motor homes and RV's, plow trucks, and construction vehicles and equipment, excluding

vehicle stackers and the open storage of materials, chemicals, equipment and items other than vehicles.

VIII. LAND USE STANDARDS:

A. PERMITTED USES:

1. **Purpose:** This section establishes the uses permitted within the Redevelopment Area including conditional and non-conditional principal uses and accessory uses. These standards aim to promote a mixed-use, mixed-income neighborhood that address the Borough's affordable housing obligation, public open space and community facility needs while continuing to support local businesses.
2. **Permitted Principal Uses:** The following uses are permitted without use-specific conditions:
 - a. Residential:
 - i. Townhomes (stacked flats, two over two);
 - ii. Multi-Family (apartments / condominiums);
 - iii. Senior / Independent Housing;
 - iv. Continuing Care Retirement Communities (CCRCs) including independent living, Assisted Living, nursing home care, and Residential Health Care Facilities; and
 - v. Co-Living Complex.
 - b. Mixed Use:
 - i. Non-residential uses identified herein shall be permitted on the Story, Ground of mixed-use developments with multi-family residential dwellings above, provided that all storefronts or other business entrance face Brookside Place, Piermont Avenue, or Prospect Place.
 - c. Commercial and Personal Services (limited to the following):
 - i. Retail stores, restaurants, food markets;
 - ii. Apparel laundries, tailoring and dry-cleaning services;
 - iii. Beer garden / Brew pubs / Breweries;
 - iv. Spas (requires state license);
 - v. Maker Space (Workshare) not associated with a private or public educational institution;
 - vi. Offices or clinics for medical, dental, and professional businesses and uses;
 - vii. Studios for art, tutoring, yoga, dance, fitness, and martial arts;
 - viii. Financial consulting, insurance services and banking related services;
 - ix. Day-care facilities for adults and children;
 - x. Pet grooming;
 - xi. Entertainment / amusement; and
 - xii. Recreational / athletic facilities (public or private).
 - d. General Public Purposes: Indoor or outdoor recreation, community and assembly facilities for the general public.
 - e. Self Storage: Permitted on Block 1208 Lot 1 only as a stand alone use.
 - f. Vehicle storage permitted on Block 1209.
3. **Prohibited Uses:** Any use not stated as a permitted or accessory use is considered a prohibited use for this Redevelopment Plan. In addition, the following are also considered prohibited uses:
 - a. Hair and nail salon, barber shop;
 - b. Laundry mats;
 - c. Gas stations;
 - d. Tattoo parlors;

- e. Drive-thru establishments;
- f. Vape and marijuana sales, distribution or manufacturing;
- g. Convalescent Homes; and
- h. Cell phone towers / antennas.

4. Inclusionary Residential Development:

- a. Any multi-family, townhomes, senior/independent housing, or co-living complex having 5 or more units shall be subject to a ~~15% (if rental) or 20% (if for sale)~~ affordable housing set-aside, regardless of ~~tenure~~ for the first ~~3228~~ units per acre. A developer shall not be permitted to divide a development into two or more separate projects or phases with fewer than 5 units each to avoid complying with this requirement.
- b. The affordable units shall be subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. except that whereas the UHAC requires 10% of affordable units to be priced for very-low income households based on 35% of the Council on Affordable Housing regional median income the units shall be subject to the 2008-amended Fair Housing Act standard of setting aside 13% of affordable units for households earning 30% of the regional median income.
- c. The affordable housing units shall be constructed on-site, integrated throughout the development, and constructed in accordance with the requirements of this redevelopment plan and Article XXXIII Affordable Housing regulations within the code. Residents of the affordable housing units shall have access to all amenities available to residents of the market rate units.

5. Permitted Accessory Uses:

- a. Any uses which are clearly or customarily ancillary and incidental to a principal or conditional permitted use on the same property including but not limited to:
 - i. Lobby, sales, management, leasing offices;
 - ii. Conference center, meeting rooms, music, library, reading, video, film, billiards, pool, game, arcade, simulator, spa, lounge (for residents of the development only)
 - iii. Maker Space (Workshare);
 - iv. Community kitchen;
 - v. Coffee, wine, juice bar / café (for residents of the development only);
 - vi. Laundry, dry cleaning, tailor facilities and services (for residents of the development only);
 - vii. Drop off / package delivery area, loading spaces and docks, recycling and refuse storage areas;
 - viii. Recreational facilities (indoor / outdoor) including but not limited to active or passive amenity courtyard space and/or terraces, roof top, pool, fitness center and multipurpose rooms;
 - ix. Surface or Structured Parking;
 - x. Child or adult day care or pet boarding (for residents of the development only);
 - xi. Communal dining areas for residents of senior living, assisted living, and residential healthcare facilities and their guests;
 - xii. Medical facilities / offices that serve residents of senior living, assisted living, and residential healthcare facilities (for residents of the development only);
 - xiii. Lockers and storage including for mail parcels and packages (for residents of the development only); and

- xiv. Roof mounted solar panels, electric vehicle charging stations and bike parking facilities;
- xv. Places of Worship.
- b. Accessory structures and uses shall comply with the requirements of §310-55.H of the Land Use Ordinance except where superseded by this Redevelopment Plan:
 - i. On any multi-family residential building, with the exception of townhomes, porches, decks, patios, or balconies for individual units shall not project more than 5'-0" feet from the exterior wall of that unit.
 - ii. In no event shall the height of an accessory structure exceed the permitted height of the principal building with the exception of Parking Structure and rooftop access (elevator / stairwell).
 - iii. Access will be allowed to exceed the permitted building height by a maximum of 12 feet, subject to all building code requirements.

6. Other Conditions:

- a. Blocks 1207 & 1209 - Permitted uses shall only include townhomes, Co-Living Complexes, commercial and personal services, and general public purposes as described in the Permitted Principal Uses section above.
 - i. These blocks shall not include multi-family, senior or independent housing, or CCRC's as described in the Permitted Principal Uses section above.
- b. Block 1208, 1210 & 1211 - All uses described in the Permitted Principal Uses section above are permitted in these blocks.
- c. Ground Floor Facing Patterson Street - Uses shall be required on the first floor facing Patterson Street and may include any one of or any mix of residential, commercial and personal services as well as accessory uses.
- d. Flood Mitigation / Storm-water Management -The proposed development shall meet the NJDEP Stormwater Management requirements, if defined as a "major development", outlined in N.J.A.C. 7:8.



Map 3: Existing land uses

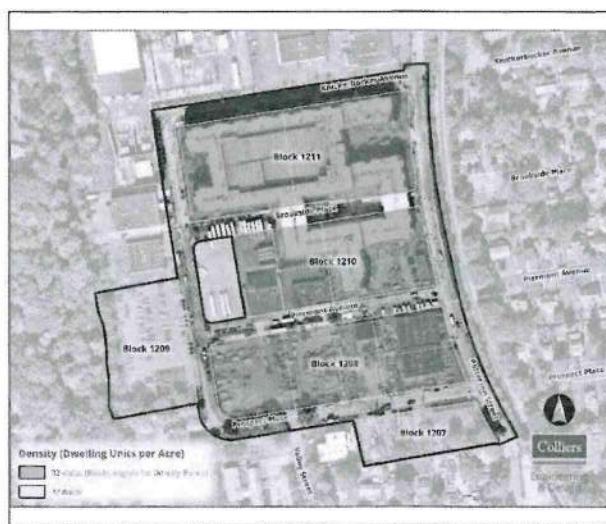
IX. BULK, HEIGHT, AND SETBACK STANDARDS:

A. BULK, HEIGHT, AND SETBACK STANDARDS

1. **Purpose:** The bulk standards in this Redevelopment Plan aim to permit mixed use development in the core of the Redevelopment Area with more restrictive development standards for lands closest to existing residential neighborhoods in an effort to preserve neighborhood character as well as to mitigate flood impact along the Pascack Brook.
2. **Community Benefits:** The standards in this section may be increased by the granting of a Density Bonus to a developer in exchange for inclusionary residential development and community benefits set forth in a redevelopment agreement between a developer and the Borough.
 - a. **Purpose:** The purpose is to provide a Density Bonus for development projects that provide inclusionary residential development and public amenities or improvements.
 - i. Density Bonuses shall apply only to designated redevelopers within the redevelopment area based on a redevelopment agreement.
 - ii. Density Bonuses shall only apply to Blocks 1208, 1210 & 1211.
 - iii. Community benefits agreed to as part of granting a Density Bonus shall be provided in addition to, and shall not be substituted for a redevelopers obligation to construct affordable housing units in accordance with the set-aside requirement of this redevelopment plan.
 - b. The Borough may consider providing Density Bonuses through a redevelopment agreement based on public improvements, including but not limited to the following:
 - i. **Community Center / Facility:**
 - This may include but is not necessarily limited to a recreation facility, senior center, or other community facility either new or renovation of an existing facility.
 - ii. **Dedication of Public Open Space:**
 - This may include but is not necessarily limited to a public park, plaza, gathering space dedicated for public use.
 - iii. **Sustainable Design:**
 - The implementation of sustainable design practices beyond what is required may include the reduction of Impervious Coverage and/or the inclusion of flood mitigation / storm water management mechanisms.



Map 4: Permitted Building Heights

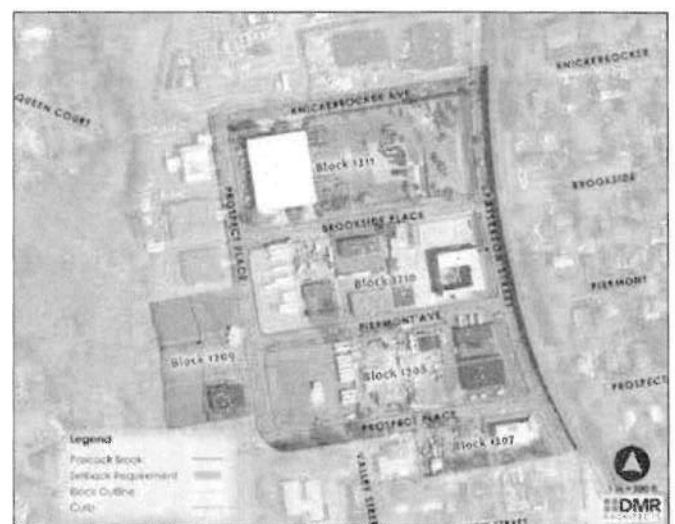


Map 5: Permitted Residential Density

- c. A redevelopment agreement may also include community benefits without a Density Bonus for projects within the redevelopment area.
 - d. Designated redevelopers that qualify for a Density Bonus in excess of 32 units per acre shall be required to provide a 15% affordable housing set-aside, regardless of tenure. Every unit over 28 units per acre constructed as part of an approved Density Bonus may be rented or sold at market rate and shall not be subject to the affordable housing set-aside percentages in this redevelopment plan.
3. **General Bulk Standards:** The following standards apply for all uses within the Redevelopment Area.
- a. Building Setbacks for All Side Yards:
 - i. Half of the building height but not less than 10 feet; and
 - ii. Zero foot side yards shall be permitted where owners of adjacent properties enter into an agreement.
 - b. Rear Yard Setback: 20 feet.
 - c. Building Setback From Patterson Street: 30 feet measured from existing or future curb face, whichever is greater.
 - d. Setback from Pascack Brook: No building on Block 1209 shall be closer to Pascack Brook than any existing building on the same Tract, nor closer to the top of the bank than 100 feet where no building exists. Parking areas and circulation drives for any proposed development shall not encroach closer to the top of bank of the Pascack Brook than the existing edge of pavement at the time of application.
 - e. Permitted Building Heights (without Density Bonus): The maximum permitted height without the Density Bonus is 40 feet / 3 stories, unless stated otherwise in the "Use Specific Standards" pursuant to Section IX.A.4. within this Redevelopment Plan definition of Density Bonus. Notwithstanding the foregoing, regardless of the Density Bonus, no building or portion thereof within 150 feet of Patterson Street Right of Way (ROW) shall exceed 3 stories / 40 feet with the exception of a maximum two architectural tower elements (with no occupied square footage).
 - i. The minimum floor height for all mixed uses, multi-family and senior/independent housing shall be



Map 6: Permitted Impervious Coverage (without bonus)



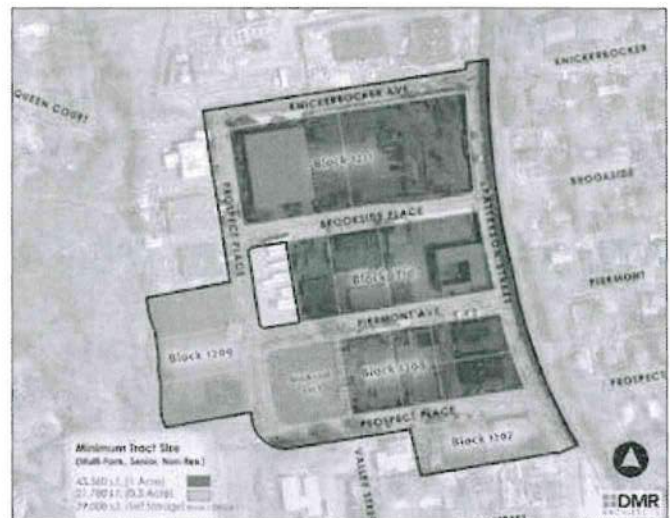
Map 7: Building Setback Requirements

- 10 feet.
- ii. **Parapets (without Density Bonus):** Shall be permitted to exceed the maximum Building Height by not more than 4 feet.
- iii. **Rooftop Structures (without Density Bonus):** Elevator and stairwell towers shall be permitted to exceed the maximum Building Height, however this shall not be interpreted to permit penthouse units for individual residential units or non-residential spaces other than for access to the roof.
- f. **Impervious Coverage Maximum for All Use Types:**
 - i. Block 1207 & 1208 (Lots 2, 3, 4 & 5): 65%
 - ii. Block 1208 Lot 1: 85% (For Self Storage Only)
 - iii. Block 1209: 90%
 - iv. Block 1210 & 1211: 85%

Note: Percentages are based on the property lines at the time of the Redevelopment Plan adoption.

4. Use Specific Standards: The standards hereinafter in this section are specific to their applicable use types.

- a. **Residential and Mixed-Use (as described above):**
 - i. **Minimum Tract Size:**
 - Block 1207 & 1209: 21,780 sf.
 - Block 1208, 1210 & 1211: 43,560 sf.
 - ii. **Front Yard Building Setback:**
 - Prospect, Piermont, Brookside & Knickerbocker: 15 feet from curb face.
 - Patterson Street: 30 feet from curb face.
 - All Other Property Lines: 10 feet from property line.
 - Stoops / Stairs and Balconies: May extend up to 5 feet into the setbacks.
 - iii. **Maximum Density (without Density Bonuses):** 3228 du/ac
 - iv. **Interior Courtyards:** Where windows from living rooms or bedrooms face interior courtyards of multi-dwelling developments the minimum width of such courtyard shall be the greater of 20 feet or the height between the courtyard and the average building roof height. There shall be a minimum horizontal distance of 10 feet between the center-line of any window to a habitable room facing the courtyard and any perpendicular wall enclosing the court area.



Map 8: Minimum Tract Size

- b. Commercial and Personal Services and General Public Purposes:
 - i. Minimum Tract Size:
 - Block 1207 & 1209: 21,780 sf.
 - Block 1208, 1210 & 1211: 43,560 sf.
 - ii. Front Yard Building Setback:
 - Prospect, Piermont, Brookside & Knickerbocker: 15 feet from curb face.
 - Patterson Street: 30 feet from curb face.
 - Stoops / Stairs and Balconies: May extend up to 5 feet into set back.
- c. Self Storage Facilities:
 - i. Minimum Tract Size: 39,000 sf.
 - ii. Building Height: 58 feet / 4 stories
 - iii. Building Setback:
 - Prospect, Brookside, Piermont: 10 feet from property line except where the property line is a radius, the minimum setback shall be 7 feet from the property line.
 - All Other Property Lines: 5 feet from property line.
- d. Vehicle Storage:
 - i. Minimum Tract Size: 60,000 sf
 - ii. Minimum pavement setback from property line: 0 ft

X. PARKING STANDARDS

A. GENERAL:

1. Shall comply with Article XVI of Chapter 310 (§310-57 to §310-60), §310-106, and §310-113 of the Land Use Ordinance, except as may be superseded by this Section.
2. Required Parking Ratios:

Townhouse:	2 spaces per dwelling unit.
Multi-Family:	1.5 spaces per dwelling unit plus 10% for guest parking.
Senior / Independent Housing: (over 55)	0.75 spaces per dwelling unit
Commercial and Personal Services:	4 spaces per 1,000 square feet of floor area (excluding floor area dedicated to storage).
CCRC's:	1 space per 4 dwelling units plus 1 space for every 2 employees or staff members at peak shift (except for Assisted Living and Residential Health Care Facilities).
Assisted Living / Residential Health Care Facilities:	1 space per 5 persons of legal building capacity.
Co-Living Complex:	1 space per 1 bed
Mixed Uses:	Shall be a combination of the required number of spaces for each individual permitted use.
General Public Purposes:	1 space for every 5 persons who may legally be admitted therein at one time under the state statutes or Borough ordinances.
Self Storage Facilities:	1 space per 15,000 square feet of floor area.
Vehicle Storage:	No parking requirement
3. Other Requirements:
 - a. Fractional Spaces: When the required number of parking spaces for a project includes a fractional space exceeding 0.49 spaces, a full space shall be required.
 - b. Shared Parking Reduction: Where the non-residential and residential tenants of a mixed-use development utilize the same parking lot or facility, the parking requirement may be reduced by a maximum of 25% of the combined parking requirements for both use types based on a shared parking analysis that supports the reduction of parking.
 - c. Parking Location: Parking areas shall be prohibited from any front yard (except on corner lots, where the parking shall be permitted in the secondary front yard provided that a it is screened from the public right of way with a fence not exceeding 4 feet in height and/or plantings at least 3 feet in height and that parking spaces in a rear or side yard shall be no closer than 15 feet to any curb line. Driveways and circulation aisles in rear and side yards shall not be closer than 10 feet to any property line. Notwithstanding the above, on Block 1208, Lot 1 a self-storage facility is allowed to provide parking in the yard area facing Prospect Place, provided that parking spaces are setback at least 5 feet from the curb of the Prospect Place. These requirements shall not be applicable to vehicular storage uses.
 - d. Distance from Residential Units: There shall be a minimum 5 foot wide planted buffer between any

surface parking lot or internal driveways/streets and ground-level dwelling units. The buffer shall consist of plantings adequate in size and number to deter access to residential windows as determined during site plan review.

- e. Accessory Uses: Accessory uses do not require parking.
 - f. Driveways and circulation aisles shall be compliant with §310-104 and 106 of the Land Use Ordinance.
 - g. Access driveway openings on any other street in the Redevelopment Area shall be at least 15 feet from any other access driveway on the same side of the street.
 - h. Driveways shall also be at least 50 feet from any street intersection. This requirement shall not be applicable to the parking area associated with the self storage use on Block 1208, Lot 1.
 - i. Private and interior pedestrian and vehicular circulation structures and facilities shall comply with Residential Site Improvement Standards at N.J.A.C. 5:21-1 et seq.
 - j. In any development, pedestrian walkways and sidewalks shall be distinguishable and physically separate from any internal roads, driveways, and curb openings.
 - k. For self-storage facilities on Block 1208, a minimum of 1 off-street loading space per 45,000 sf of leasable floor area shall be provided. Loading spaces may be provided within the interior of the facility.
4. **Structured/Underground Parking Decks:** Shall comply with Design Standards at Section 5.i. herein.
5. **Tandem and Stacked Parking:**
- a. Off-street tandem parking space or vertically stacked parking systems for multi-family, mixed-use, or non-residential uses may be considered by the Planning Board. In no case shall this type of parking configuration be permitted unless a parking attendant is present in the parking area during all operating hours.
 - b. Tandem parking is permitted in garages or driveways behind townhomes, or stacked-flats.
6. **On Street Parking: Shall be striped by the responsible developer.**
- a. Location - On-street parking shall be permitted on both sides of the streets except on Patterson Street where parking shall be prohibited within the cartway.
 - b. Dimensions - Each on-street space shall be a minimum of 22 feet long and 8 feet wide.
 - c. Distance from Driveways - A minimum distance of 10 feet should be maintained between any on-street parking space and a two-way driveway or egress driveway opening.
7. **Zero-emission Vehicle Fueling and Charging Stations:** This Redevelopment Plan shall comply with State regulation P.L. 2021, c 171 an ordinance authorizing and encouraging electric vehicle/service equipment (EVSE) and make ready parking spaces.
8. **Planting and Landscaping:**
- a. Surface parking areas having more than 20 parking spaces shall include one tree for every 10 parking spaces.
 - Fractions equal to or greater than one half resulting from this calculation shall be considered to be 1 tree.
 - Each such tree shall be located in a planting island with a minimum area of 150 square feet of

pervious surface.

- b. No more than 12 parking spaces shall be permitted between planting islands, or a planting island and a perimeter landscaped area;
- c. In any surface parking lot having more than 10 parking spaces, at least 5% of the parking area (measured from the either the back of any curb edge or the edge of pavement where a curb does not exist and including all parking spaces and aisles but not including access driveways or interior roads) shall be comprised of planted areas at or below the average grade of the paved surface with the exception of vehicle storage areas.
- d. For surface parking areas, a minimum 4 feet planting strip shall be required between the back of sidewalk and any surface parking area and shall be planted with shrubs at 4 feet on center. For self-storage uses where the parking area backs up directly onto the right-of-way, the 4-foot planting strip can be provided along the building foundation instead, except at door, ramp, and stair locations. This requirement shall not be applicable to vehicle storage uses.