



NEWARK

The Living Downtown Plan

A Redevelopment Plan for Downtown Newark, New Jersey

-May 23, 2008-

City of Newark

Cory A. Booker, Mayor

Stefan Pryor, Deputy Mayor for Economic & Housing Development

Toni L. Griffin, Director of Community Development





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City of Newark
Cory A. Booker, Mayor

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Ronald C. Rice, Council Member, West Ward

Michelle Thomas, Acting Business Administrator
Stefan Pryor, Deputy Mayor, Department of Housing & Economic Development
Toni L. Griffin, Director, Division of Planning & Community Development



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A Redevelopment Plan submitted to the Central Planning Board on June 3rd by the Department of Housing and Economic Development, Division of Planning and Community Development.

Submitted by:

Stefan Pryor, Deputy Mayor, Department of Housing & Economic Development

Toni L. Griffin, Director of Community Development

Alexander Dambach, PP, AICP, Principal Planner

Michele Alonso, PP, AICP, Principal Planner

Perris Straughter, Principal Planner

Damon Rich, Urban Designer

Consultants: Skidmore, Owings & Merrill, LLP

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Introduction

Downtown Newark is the largest downtown in the state of New Jersey. Its assets include nearly 50,000 office workers, the headquarters of five major corporations, five university campuses with nearly 50,000 students and faculty, two hospital campuses, one of the best public transit systems in the nation among mid-sized cities, and important sports, cultural, and entertainment destinations. Downtown Newark's assets align it in stature with other emerging cities like Baltimore, Oakland, Cincinnati, Raleigh, and Long Beach.

In 2000, the daytime population of Newark was estimated at over 330,000, including a workforce of 47,000 people within one half-mile of the intersection of Broad and Market Streets, Newark's legendary Four Corners at the center of downtown. The City's five university campuses sit on the edge of downtown, with potential for their students and faculty to shop, live, and play downtown. Ground floor rents along Broad and Market Streets are rising, today ranging from \$25 to \$115 per square foot. Commercial vacancy rates sit at a low 7%.

With its connections to Northern New Jersey and the rest of the New York City Metropolitan Area, Downtown Newark's regional access is unparalleled. Downtown Newark is 18 minutes from New York Penn Station, 22 minutes from Lower Manhattan, five minutes from seven regional interstate highways, and 60 minutes from Trenton, the state capital. According to New Jersey Transit, every year more than 12.6 million passengers ride trains to and from Downtown Newark's Penn Station and Broad Street Station. The Four Corners has the second busiest bus interchange in the nation where 8,000 people board buses every day. And beyond the region, Downtown Newark has incredible access to the world since Downtown Newark is 7 minutes from Newark Liberty International Airport, the eighth largest airport in the country with 32 million annual passengers.

Newark is burgeoning with new housing units and new residents. Between 2000 and 2006 Newark's population grew by 3.3 percent according to the US Census, making it the fastest growing large city in the Northeast. This growth in population has been accompanied by substantial public and private investment downtown. Public investments in transit, infrastructure, public facilities and new destinations totaling hundreds of millions of dollars have signaled a renewed commitment to the core of the city. These include The Prudential Center, a new 18,000-seat arena for the New Jersey Devils, opened in the fall of 2007 and The Newark Light Rail extension opened in 2006, now connecting the downtown's two transit hubs, Broad Street Station and Newark Penn Station, with six stations in between serving several top downtown destinations. The New Jersey Performing Arts Center, a building that marked a new era in Downtown Newark's history, celebrated its 10th anniversary in 2007. Other projects are in the works, including the Newark Museum's undertaking of a significant expansion of its facilities that will enhance its presence in the downtown. The private sector has added to this momentum with significant investments in new residential and office conversions, including the renovation of National Newark Building at 744 Broad Street and the conversion of Raymond Commerce Building to Eleven80 at 1180 Raymond into a luxury rental apartment community. Across downtown, new bars, cafes and restaurants, and several new local art galleries have opened.

Even with bustling commercial activity and the success of prominent cultural and entertainment destinations, Downtown Newark offers few housing options for people interested in urban centers, while nearby cities like Jersey City and Hoboken have successfully created new urban housing markets. Their success has brought revitalization and development, but it has also raised rental and for-sale prices rise to levels not far below New York City's. Downtown Newark is therefore uniquely positioned to attract the growing regional demand for residential and commercial uses at prices far more attractive than neighboring areas. Both Class A and Class B office space rents in Downtown

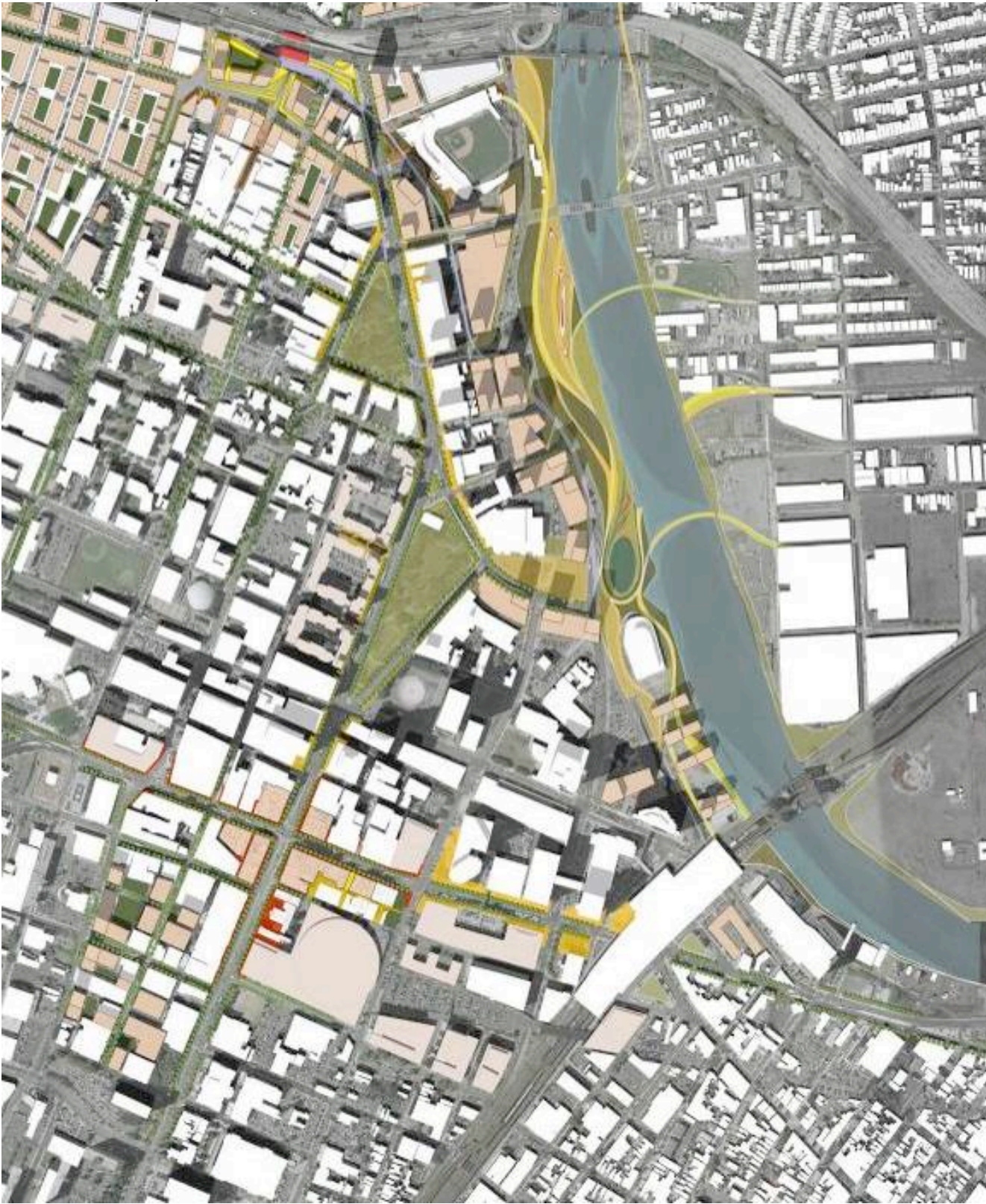
Newark remain more affordable than Jersey City while offering more direct access to the trains of the Northeast Corridor, Midtown and Downtown Manhattan, and Newark Liberty International Airport. The emerging residential market in Downtown Newark stands to draw residents not only from Newark itself, but also from the entire metropolitan area. Mayor Cory A. Booker and his administration intend to ensure through the City's Mission Statement that:

“Newark will set a national standard for urban transformation by marshalling its tremendous resources to achieve security, economic abundance and an environment that is nurturing and empowering for families.”

The Living Downtown Plan seeks to help foster investment in downtown Newark that is good for all Newarkers: development that provides jobs, additional revenue to pay for city services, and the chance to upgrade the living, working and playing environment in the downtown. After a widely-noted crisis in America's cities in the middle of last century, American cities are coming back. This plan will help to ensure that downtown revitalization balances private interests and public benefits.

As part of realizing this mission to make Newark a “*city of choice*”, Downtown Newark will become a Living Downtown, bringing a mix of daytime and nighttime users to the center of our city. Until now, market conditions, regulatory frameworks, and public safety concerns both real and imagined have restrained the new development and rehabilitation needed to realize a Living Downtown. This plan lays the foundation for this work to begin by invoking a new vision for Downtown Newark, by encouraging rehabilitation, and by removing unnecessary obstacles to new residential and retail development.

1.1: One Vision for Downtown Newark



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Purpose and Statutory Basis for the Living Downtown Plan

This Plan will support the redevelopment of all Central Business District (CBD) buildings and sites, regardless of their size, by providing appropriate regulations and incentives for projects as small as 3-story mixed-use buildings and as large as mixed-use high rise towers. The Living Downtown Plan promotes new high-density development and the adaptive reuse of the downtown's historic buildings when appropriate. It eliminates inappropriate development regulations while adding or enhancing regulations that help protect the downtown against inappropriate development.

The primary goal of the redevelopment plan is to revitalize the downtown area and to transform it into a "24-hour district" filled with mixed-use commercial, residential, retail, cultural and entertainment-oriented development. Upper floor vacancies should be replaced with new housing and commercial activities. The plan will eliminate unnecessary and ineffective zoning regulations such as those requiring side yard setbacks, rear yard setbacks, and off-street parking spaces. The plan will be accompanied by a package of financial incentives designed to further stimulate redevelopment.

Redevelopment Objectives:

1. Eliminate the need for re-developers to obtain variances to renovate and adaptively reuse the area's building stock.
2. Eliminate parking and yard setback requirements that hinder redevelopment.
3. Provide for a streamlined project review process.
4. Provide appropriate land-use regulations to promote vibrant street-level retail and entertainment activity, and to promote expansion of cultural facilities and resources.
5. Enhance urban design quality in the downtown

The redevelopment planning process for Downtown Newark will be developed in two phases.

Phase I

The first phase is the Newark Living Downtown Plan, which alleviates regulatory hindrances to development, especially for residential conversion and rehabilitation in the Downtown. It eliminates unnecessary zoning regulations including inappropriate side yard setbacks for new construction, limited building setback requirements, inhibiting bulk requirements for new residential construction and conversions, and restrictive on-site parking requirements.

Phase II

The second phase will add to the Newark Living Downtown Plan and elaborate on the first phase with design standards for the Plan area, including refined building height setback requirements, building design standards, signage standards, and public space guidelines. Phase II will closely examine existing architecture and infrastructure as well as demographic and market data to develop detailed standards and strategies for development within the district.

Statutory Basis for the Redevelopment Plan

The boundaries of this redevelopment Plan Area are shown in figure 1 entitled "The Living Downtown Boundary Map" and include the Broad Street corridor from Interstate 280 to West Kinney Street and the surrounding side streets. The Plan excludes the areas already governed by the Military Park/Cultural Center, Newark Plaza, Downtown Core, Newark Colleges, and the Lincoln Park Redevelopment Plans.

The Plan area is predominately a high-density retail and office district, consisting mostly of three- to five-story mixed use buildings with ground floor retail, large office buildings, parking garages, surface parking lots, and smaller retail buildings. The area includes the retail shopping areas along Broad, Market, and Halsey Streets as well as those along several cross streets. The area contains three public open spaces at Washington Park, Military Park, and Lincoln Park.

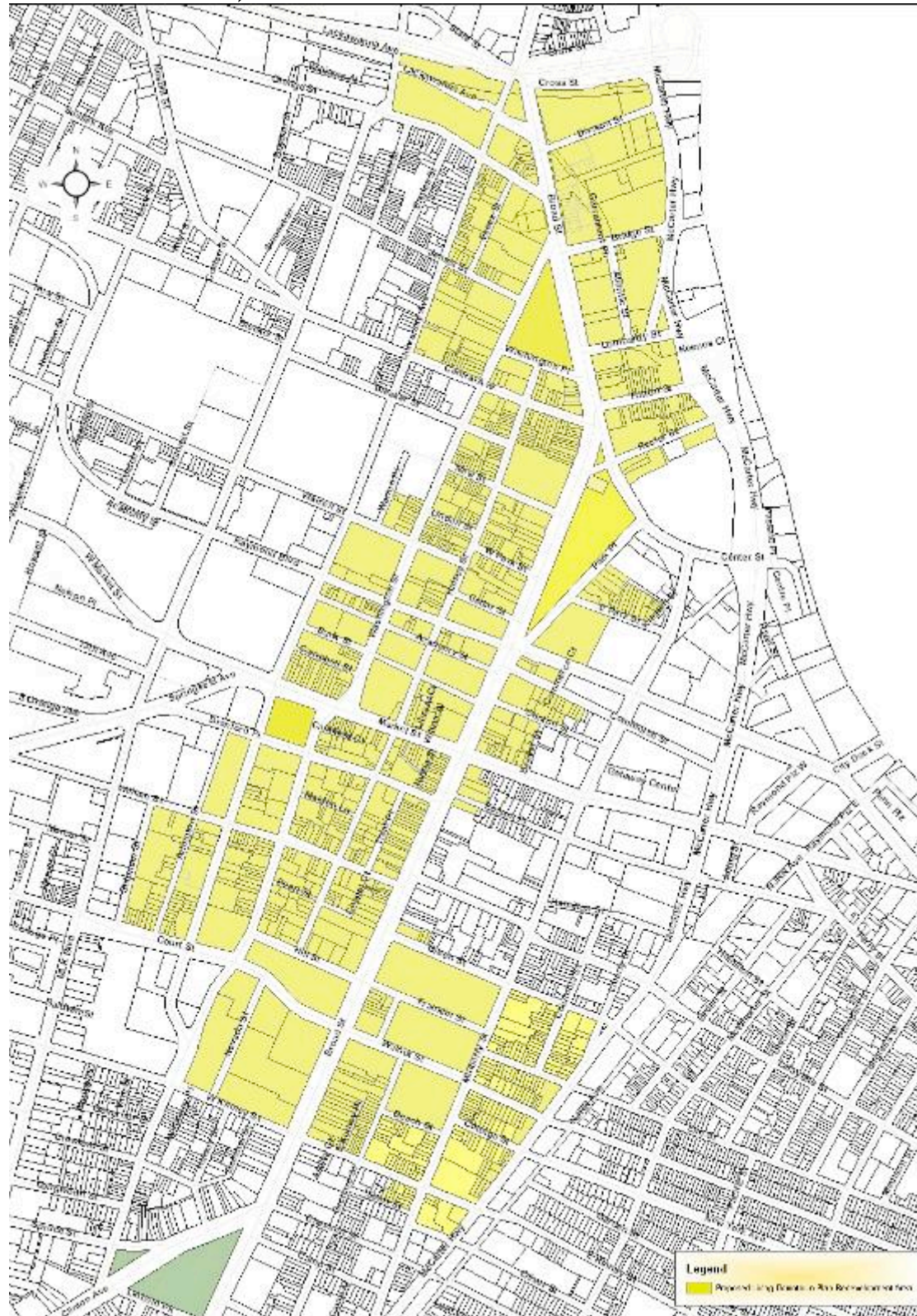
This Redevelopment Plan (the "Plan") is a combined rehabilitation and redevelopment plan. The Newark Municipal Council declared the entire City of Newark (the "City") "An Area in Need of Rehabilitation" pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on June 15, 2005, Resolution number 7RDO (AS). This determination was based on a finding that the water and sanitary sewer utilities in the Area are at least 50 years old or older and in need of maintenance and repair. Also, City Tax Block 18, Lots 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 77, 39 and 66; City Tax Block 51, Lots 1, 2, 6, 7, 8, 9, 10, 11, 14, 16, 17, 22, 24, 32, 42, 19, 49, 50, 53, 56, 59, 62 and 64; and City Tax Block 52, Lots 4, 10, 18, 21, 22, 23, 26, 27, 32, 34, 38, 39, 41 and 46 were found by the Newark Municipal Council to be "An Area in Need of Redevelopment" on February 13, 2002 by Resolution number 7RA(S). These above mentioned lots in this plan will be treated as "An Area in Need of Redevelopment" and shall be governed by all the provisions as described in the New Jersey Local Redevelopment and Housing Law N.J.S.A. 40A: 12A-1 et seq. Zoning and Design Standards for all lots included within the boundaries of this Plan shall be the same whether they are designated as an "An Area in Need of Redevelopment" or "An Area in Need of Rehabilitation."

The purpose of this Plan is to establish a redevelopment plan to guide future development and redevelopment within the Plan Area as well as set forth a framework for design standards and guidelines that will invigorate this area. The zoning and design standards in this plan shall supersede the city's current Land Use Ordinance, procedures, site plan review regulations and Zoning Ordinance as codified under Titles 37, 38 and 40, respectively, of the City's Revised General Ordinances as amended. This Redevelopment Plan shall also supersede the East and Central Ward Redevelopment Plans for any municipally owned properties that fall within the boundaries of this Plan Area, and it shall supersede any other existing redevelopment plans for the Plan Area.

Property Acquisition

The City (or its designated redevelopment entity) is hereby authorized to acquire all of the real property located within the Redevelopment Area and all interests therein by contribution, gift, grant, bequest, purchase or exchange, as it may deem necessary or proper for the purpose of implementing the Plan. No such real property shall be acquired by eminent domain absent an amendment to the Plan to such effect.

2.1: Living Downtown Plan Boundary & Zoning Map:
(The Zoning Map of the City of Newark is hereby amended in accordance with figure X to indicate the boundaries of the redevelopment area and to identify the districts as the Living Downtown Plan Area.)



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Downtown Overview

Founded in 1666, Newark is one of the oldest big cities in the United States. Newark became a hotbed of industrialization in the early 1800s. For burgeoning businesses in iron, leather, shipping, plastics, and many other industries, Newark's position on the Passaic River just north of Newark Bay was crucial. Following the growth of manufacturing and trade, financial industries came to Newark, especially insurance, with the founding of Mutual Benefit in 1845 and Prudential in 1873.

Spurred by these developments, Newark's modern downtown grew up in the late 1800s and early 1900s. Downtown Newark became the undisputed urban center of Northern New Jersey, attracting people from across the region to shop in its legendary department stores, see shows in its theaters, and enjoy a range of nightlife entertainment venues. Broad Street was increasingly lined with tall buildings, from the American Life Insurance Building to the north and the First National Bank building at the south, culminating in the building of the Newark National Building and 1180 Raymond in the early 1930s.

A city of nearly half-a-million at its peak just before World War II, Newark struggled with overcrowded and substandard housing for its working classes and experienced rapid demographic changes in just a few decades. As riverfront and other industries declined and economic activity moved to new suburbs, poverty and abandonment came to undermine the grandeur of Downtown Newark as early as the 1940s. Following World War II highway construction and federal support for the construction of new suburbs beyond city limits began a crippling age of disinvestment for Downtown Newark. Over just a few decades, Newark lost thousands of residents, jobs and retail businesses to its surrounding areas through the destructive dynamics of suburbanization and the flight of upper-income residents.

As in many cities, City and Housing Authority officials responded to these challenges in part by turning to federal resources available for Urban Renewal and public housing. Between 1955 and 1970 nearly a dozen urban renewal projects transformed the landscape of the entire city, including parts of downtown. These projects, ranging from high-rise housing developments to large expansions of Newark's universities, fragmented the nineteenth-century urban fabric of Downtown Newark and undermined many aspects of the public realm in favor of segregated, auto-oriented spaces. Furthermore, these projects perpetuated existing patterns of racial segregation and concentrated poverty that eventually led to the widespread violence in 1967.

Downtown development trends in the 1970s and 1980s reacted to an atmosphere of mounting disinvestment and the stigma of crime. Many suburbanites feared to live, work, and shop in Downtown Newark, resulting in the closing of department stores and vacating of older office buildings. Meanwhile, office development continued in downtown, spurred by further urban renewal, but it was premised on fortress-like architecture that kept corporate commuters off of Newark streets. Corporate facilities like Gateway Center relied on skybridges and dedicated parking garages which have kept employees completely segregated from the street and the rest of downtown. While these projects kept jobs in Downtown Newark, they drained the streets of life and compounded real and perceived issues of safety for downtown visitors.

The Living Downtown Plan seeks to honor and build upon the history of Downtown Newark by enhancing its present and potential strengths as a vital and inspiring place. The plan will foster a downtown that serves all Newarkers, not only during the workday but at night and on weekends, that offers opportunities to work, live, enjoy entertainment, and sightsee. Initial progress has been made at the small scale with the openings of new galleries, shops, and restaurants throughout downtown along with new housing conversions and office spaces. Progress has also been made at the large scale with high profile projects like the Prudential Center and the residential conversion at Eleven80. The

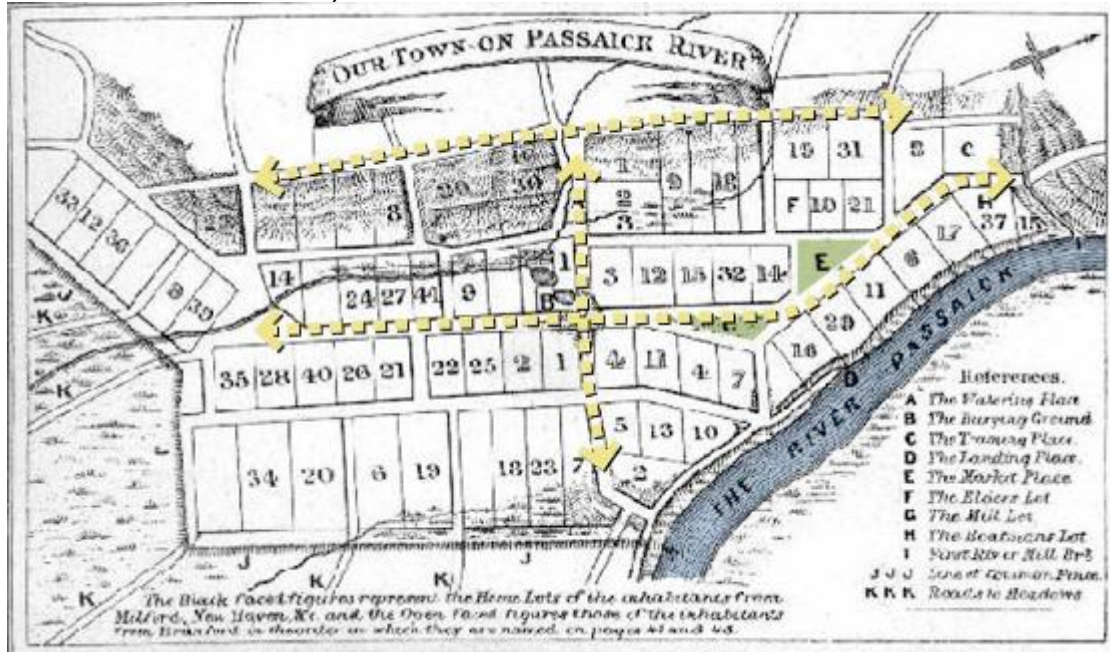
plan builds on the downtown's current assets, progress, and activity and promotes the inclusion of diverse uses that will create vibrant and distinct new downtown neighborhoods for people to live work and play. Downtown Newark will once again become the "region's downtown".

Downtown Newark's Historic Prominence:

3.1: Broad & Market: The Busiest Intersection in the World



3.2: Newark: the third oldest City in the nation



Downtown Newark's Contemporary Landscape:

3.3: Military and Washington Parks Daytime Skyline



3.4: Passaic Riverfront Nighttime Skyline



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Challenges to Downtown Revitalization

Physical Context

As the downtown began to decline, parking became the predominant land use accommodating commuters from the suburbs. Surface parking lots fragmented the downtown's physical fabric. Redevelopment projects of the 1960s, 1970s and 1980s turned their backs to the city with structured parking garages and sealed skybridges removing people and activity from the street. Today, with the exception of arena-generated foot traffic, there is little pedestrian activity in the Downtown area after 7pm.

Although many Newark residents come from across the city to shop downtown, the mix of retail options does not currently offer the diversity of products needed to attract the broader regional population that historically shopped in Downtown Newark. Furthermore, downtown retail does not take advantage of the market demand generated by daytime office workers, students, faculty and visitors to attractions like the New Jersey Performing Arts Center (NJPAC), the Newark Museum, Riverfront Stadium, Symphony Hall, and the Prudential Center.

Owners of older buildings who generate acceptable returns by leasing only the ground floor to discount retailers have left upper floors vacant and dark. In the last decade only a few hundred housing units have been built in the downtown even though converting upper floors to residential has been a successful revitalization strategy in many urban cities. Similarly, diminished investments in the public realm over the years have left deteriorating streets, sidewalks, and public parks.

The following summarizes the key critical challenges to revitalization:

Environmental challenges

- Vacant and underutilized upper floors
- Building facades in need of repair
- Lack of diverse retail choices
- Lack of residential uses
- Office buildings with blank ground floors and sky-bridges
- Excessive surface parking lots
- Concerns about safety
- High construction costs
- Lack of strong connections to adjacent neighborhoods, including the Ironbound

Regulatory Challenges

- Disincentives to upper floor use and residential conversions
- Lack of unified urban design standards for buildings and the public realm
- Parking and setback requirements in current zoning that are difficult to achieve and often unnecessary
- Historic lack of comprehensive vision for Downtown revitalization

Regulatory Framework

While financial and market conditions played an important role in shaping the current context, zoning and site plan regulations have also been instrumental in shaping both the positive and negative aspects of Downtown Newark's landscape.

The Zoning Ordinance of the City of Newark regulates The Plan area. The downtown is mostly in the 4th Business District although much of its edges are in the 1st Industrial District and the 4th Residential District. The Zoning Ordinance was originally written in the 1950s and although it has been updated with many spot revisions since then, it does not support the downtown development envisioned in the City's Master Plan.

All three zoning districts covering the downtown have off-street parking requirements for which compliance is impossible for most existing structures and properties. This forces developers and property owners to undergo a time consuming hearing process to obtain variances to redevelop their buildings. This process often discourages property owners from undertaking rehabilitation of their buildings.

The 4th Business and 4th Residential Districts also have side yard requirements for infill construction that are inappropriate for the land use patterns in the downtown area, forcing developers to either construct inappropriate buildings or undergo the variance approval process. Specific challenges presented by the current zoning framework are summarized below. Most of these challenges relate to the 4th Business District, the predominate district in the plan area.

- The zone requires side yard setbacks for all newly constructed buildings.
- All buildings that are erected or structurally altered exclusively for dwelling purposes are required to comply with rear yard, lot area per family, floor area, and number and spacing of buildings requirements delineated in the 4th Residence Districts.
- The current parking requirements for both office and residential uses prohibit the renovation and reuse of existing buildings for office space and residential conversions.
- The district has unlimited height or Floor- Area-Ratio requirements causing the character and appearance of some parts of Downtown to be vulnerable to inappropriate new construction.

The requirements for site plan review hearings for building rehabilitation projects creates an additional challenge when a developer desires to convert former commercial spaces into residential units. The review process takes several months and requires redevelopers to incur additional costs for attorneys and design professionals. This Plan seeks to substantially reduce or eliminate these regulatory challenges.

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Vision for the Living Downtown

The Living Downtown Plan aims to make Downtown Newark a place where people choose to live, work, play and visit. The Plan is based on a vision for the downtown that sets comprehensive goals and implements them through specific urban design principles.

Goals for the Living Downtown

1. Encourage the creation of a more mixed use downtown filled with activity 24 hours a day and seven days a week
2. Strengthen the downtown's economic health by increasing job-producing activities
3. Improve the image of the downtown by promoting and implementing design excellence and sustainability in its buildings and the public realm
4. Promote the restoration and adaptive reuse of the downtown's historic resources, and foster enhancement and expansion of the downtown's cultural resources.
5. Attract thousands of new residents and encourage the creation of a variety of new housing opportunities for people of all income levels
6. Reduce the dependence on the car and increase usage of public, pedestrian and bicycle transit
7. Promote an image of safety and vibrancy
8. Invest in the public realm

Downtown Urban Design Principles:

The Living Downtown Plan will reposition downtown as a 24/7 center for urban living, business, culture and commerce by pursuing the following guiding urban design principles. To achieve its goals, the Plan follows nine Downtown Urban Design Principles:

1. Broad & Market is the Downtown Cross Roads
2. A Downtown of Thousands of New Residential Units
3. A Retail Downtown
4. A Downtown that Leverages Transit
5. A Downtown Connected to an Active, Engaged Riverfront
6. A Downtown Connected by Vibrant, Walkable, and Active Streets
7. A Downtown of Protected Historic Places & Neighborhoods
8. A Downtown of Great Parks and Culture
9. A Sustainable Downtown

1. Broad & Market is the Downtown Cross Roads

Broad and Market Streets are the major corridors that anchor Downtown Newark with the world-class airport and seaport and Newark Penn Station. Their intersection forms “Four Corners,” the historic crossroads of the downtown that stitches together neighborhoods, transit, culture, history and activity. All new developments along these important addressing streets are encouraged to provide active uses at the ground floor that promote pedestrian activity on the street.

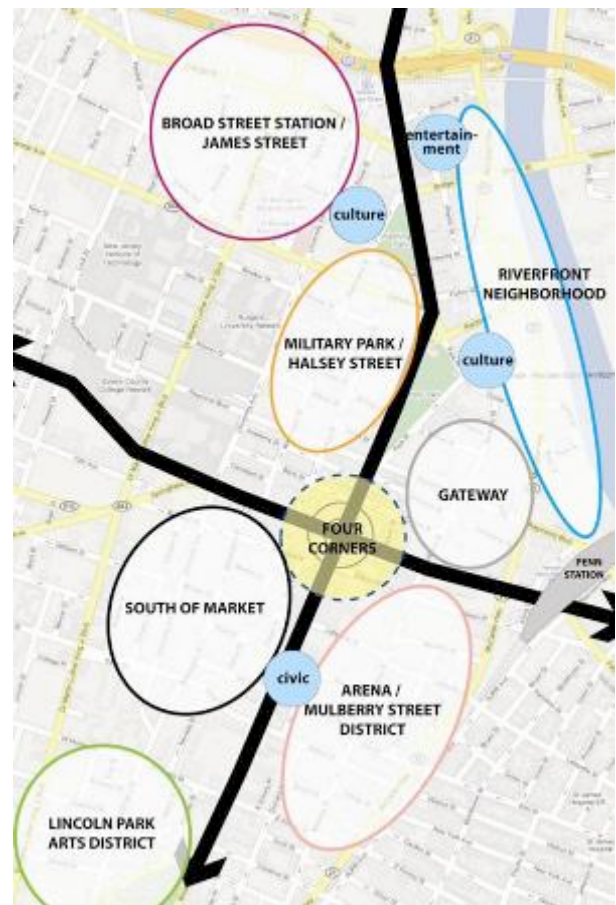
5.1: Broad and Market a center of retail



2. A Downtown of Thousands of New Residential Units

In the downtown alone, there are planned and proposed projects that over the next decade could provide for a significant growth in residential life creating a true living Downtown. The clusters of planning projects throughout the downtown suggest the emergence of several distinct new neighborhoods, including the Halsey/Military Park and Mulberry/Arena area districts, and the revitalization of existing historic residential neighborhoods like Lincoln Park and James Street commons.

5.2: Enhancing Existing and Developing New Downtown Neighborhoods



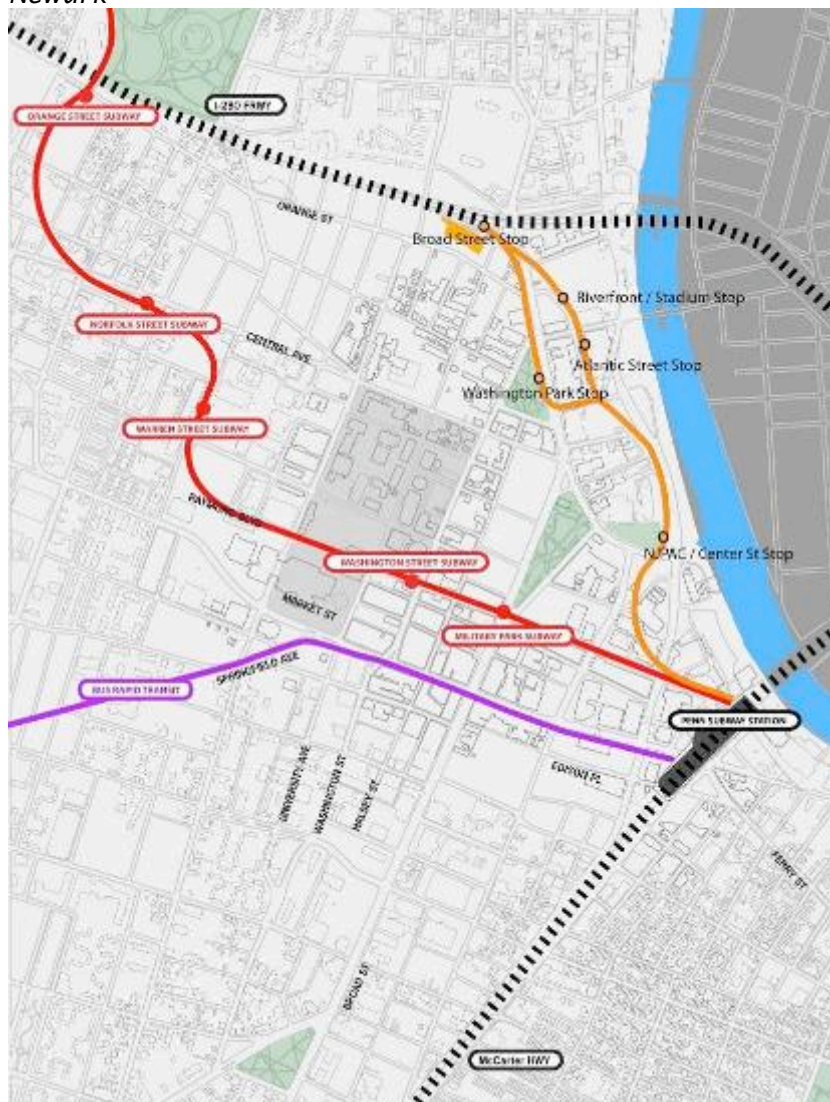
3. A Retail Downtown

A retail strategy that enlivens the downtown with distinct, thematic retail districts. The Downtown will support an active, 24/7 street life with a diversity of retail and dining options. Four Corners is the retail destination epicenter, the hub of lively regional and neighborhood retail districts and streets. Other emerging areas and streets primed for retail uses include Halsey and Edison streets for local retail, and Orange Street and Central Avenue for both local and regional retail offerings.

4. A Downtown that Leverages Transit

The downtown office strategy must leverage transit hubs for greater density of mixed-use development with immediate proximity to New York and the world. Downtown Newark has an enviable location in close proximity to Manhattan and other northeastern business and population centers. The PATH rapid transit system provides high-speed train service from Downtown Newark to the financial district of Manhattan and Midtown Manhattan as well as Jersey City, Hoboken, and Harrison. The downtown is a major destination on Amtrak's Northeast Corridor Rail Line and includes Penn Station, which is one of the system's busiest passenger train stations. The plan area has a subway and light rail line running through it with eight stations within its boundaries. Downtown Newark is also the major hub for Northern New Jersey's regional bus system and the future hub for a proposed regional Bus Rapid Transit system.

5.3: Commuter Rail, Light Rail and Planned Bus Rapid Transit serving Downtown Newark



5. A Downtown Connected to an Active, Engaged Riverfront

The downtown that reestablishes a strong connection with the neglected riverfront by linking downtown parks, transit hubs and cultural venues to a new waterfront destination that will add value and provide much needed open space to the downtown. The riverfront should be viewed as a distinct high density, mixed-use downtown neighborhood with office, hotel, residential, with world-class recreation and entertainment venues.

6. A Downtown Connected by Vibrant, Walkable, and Active Streets

The downtown has a network of great streets that serve different functions for circulating people, bicycles and vehicles. The numerous transit gateways that link the downtown with the region and New York make the downtown a walkable destination for transit users. Transforming these streets into safe and comfortable walking and biking environments is a key goal of the Living Downtown plan. Cars should become secondary to pedestrians and transit and disruptive surface parking lots can be consolidated into shared parking facilities.

This Plan builds upon current investments in the roadway and bike network and the public realm, including major streetscape efforts being undertaken by the City of Newark and the Newark Downtown District, downtown’s business improvement district. Expanded efforts are encouraged by this plan to develop a broader system of streetscape enhancements that create a clear hierarchy of streets and enhance public safety and the overall visual impression of the downtown. Enhancements should include a well-coordinated program for roadway and pedestrian lighting, curbs and sidewalks, landscape plantings, street furnishings, including trash receptacles, newsstands and signage systems.

5.4: Broad Street Streetscape – Four Corners Rendering



7. A Downtown of Protected Historic Places & Neighborhoods

Part of the appeal of Downtown Newark is its historic building fabric. Four of Newark's Historic Districts cover a majority of the plan area. They include the James Street Commons Historic District at the northwestern edge of the plan area, the Military Park Historic District and the Four Corners Historic District, at the center of the plan area, and the Lincoln Park Historic District, at the southern edge of the plan area.

James Street Commons is primarily a residential historic district that borders Rutgers University and Washington Park. Most of this district is a quiet neighborhood of well-preserved brownstone row-houses mostly built in the late 1800s. The district also includes some of the tallest buildings in Newark, including the historic American Insurance Company Building and two modern office towers. *Landmarks in the Plan Area include the Ballantine House, Lyons Farm Schoolhouse, St. Patrick's Cathedral, 15 Washington Place, First Baptist Peddie Church, Newark Charitable Society, S. Park Calvary United/Presbyterian Church, New Point Baptist Church, and Grace Church.*

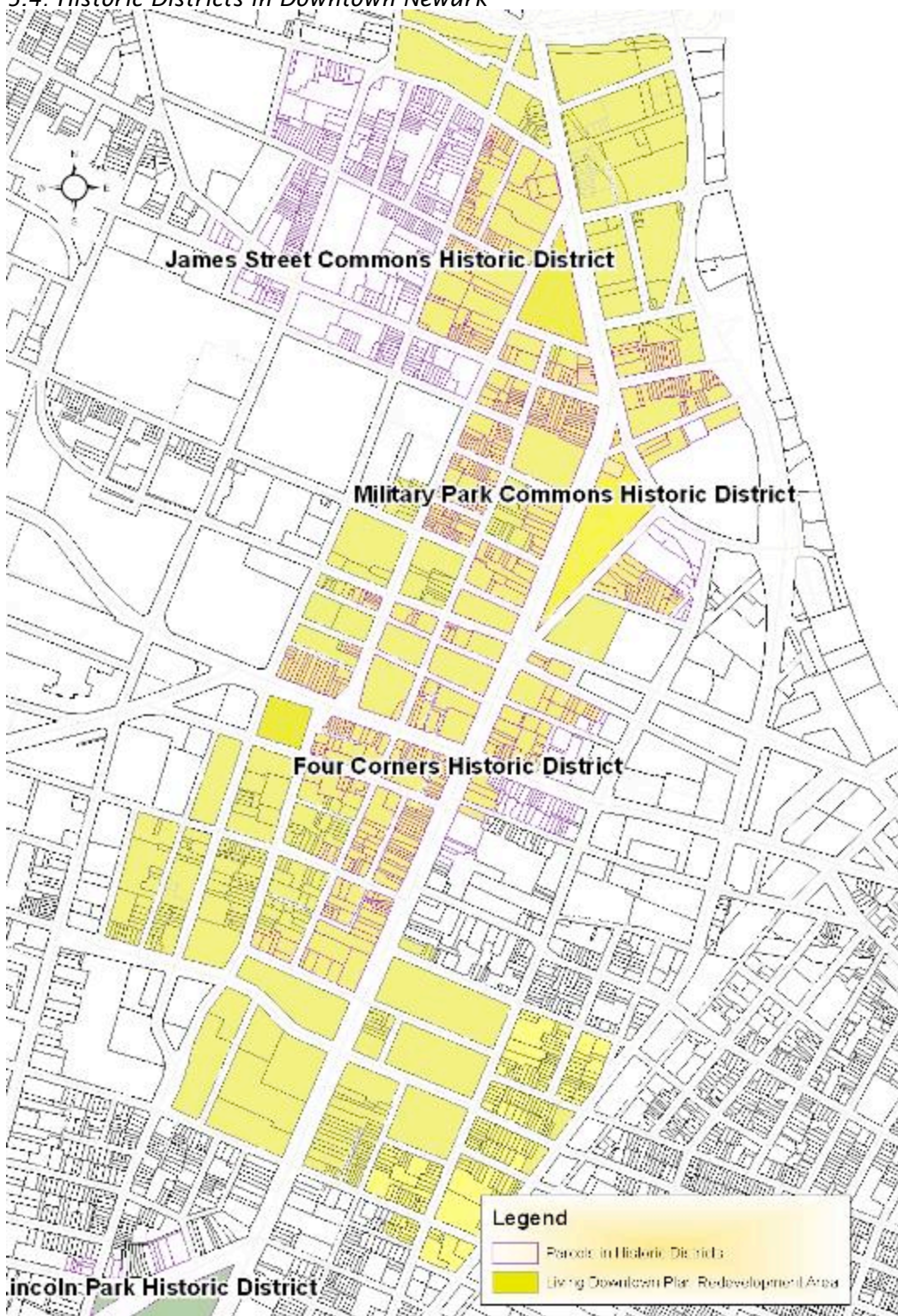
The Military Park Commons Historic District recently received historic designation and sits between the James Street Commons district and the Four Corners district. Military Park District is predominantly commercial and includes some of the tallest historic buildings in Newark. Many of the historically significant skyscrapers in this district are abandoned and in substandard condition. In addition to the downtown's largest park, the district hosts the New Jersey Performing Arts Center and the Military Park subway/Newark Light Rail station. *Landmarks in the Plan Area include Griffith Building, Hahne & Company Building, Trinity Episcopal Cathedral, Wars of America Sculpture, B-12 Park Place, Symington Continental House, and 52 Park Place.*

The Four Corners Historic District extends from the famous intersection of Broad and Market Streets down to the Government Complex along Broad Street. There are many contributing structures in this district that range in size from 3-story mixed use storefront buildings to some of Newark's oldest skyscrapers. This district shows the most abandonment and underutilization of both upper and ground floor uses. *Landmarks in the Plan Area include National State Bank Building and the First Presbyterian Church.*

The Lincoln Park Historic District includes the neighborhood immediately around Lincoln Park. This district consists primarily of three-story former mansions and brownstones row-houses, with a few larger commercial and residential buildings. The predominant use in this district is office space for businesses and nonprofit agencies as well as some housing in need of repair. The district is seeing substantial new residential development with both new construction and rehabilitation of historic buildings. This district is outside the Living Downtown Plan area, but is partially in other redevelopment plan areas. *There are no landmark sites in the Plan Area.*

Other landmarks in the Plan area that are not in the district: *Broad Street Station, North Reformed Church at 510 Broad St., Newark City Hall, City National Bank Building, Post Office and Courthouses, and Grace Episcopal Church.*

5.4: Historic Districts in Downtown Newark



8. A Downtown of Great Parks and Culture

Cultural Destinations

The downtown must celebrate and expand on its network of historic parks and cultural and entertainment destinations. Downtown Newark has a long history of being the region's cultural center. Regional-serving institutions including The Newark Museum, The Newark Library, and Symphony Hall anchor the area, and they have ambitious plans for expansion.

Newark's nonprofit arts and culture sector is a huge economic driver. The sector provides more than 3,000 jobs within the City of Newark and nearly \$2 million of local government revenue. Newark's nonprofit arts and culture sector figures are twice as high as similarly populated cities and regions showing that Downtown Newark truly is a regional cultural hub.

Over the last ten years, public/private partnerships have built major entertainment venues that have helped restore downtown Newark's historic role in the region. The New Jersey Performing Arts Center, Newark Bears and Eagles Stadium and Prudential Center have brought hundreds millions of new visitors into the city to events and programs that attract a broad and diverse audience. Building on the critical mass of artistic institutions and universities, in recent years many new art galleries have opened downtown, drawing both local and regional artists. Art schools and supply shops serve the growing arts community. Lincoln Park shows potential for becoming a formidable artist community.

The Newark Museum:

The Newark Museum, the largest museum in the state, boasts of having some of the most unique and rare collections of any museum nationally. It is now embarking on its *100th Anniversary Signature Project*, which seeks to create an architecturally distinguished, world-class, destination-type museum complex and to enhance the position of the Museum as one of the premiere cultural and educational facilities in the City of Newark and the State of New Jersey. It will make a very significant contribution to the redevelopment of the City and to the quality of life of the City's residents. The Signature Project will include increased gallery space and educational facilities, relocation of Museum office and administrative space, additional on-site parking, and retail and residential uses supportive of and complementary to the Museum and the surrounding neighborhood. The Signature Project will be consistent with the Living Downtown Plan and will be a vehicle to help further the goals and objectives of this plan by serving as a powerful catalyst for future development in the Washington Park/Broad Street Station area and all of downtown Newark.

New Jersey Performing Arts Center:

Over a decade ago the landmark opening of the New Jersey Performing Arts Center (NJPAC) was a symbol that Newark had begun a renaissance period. Since that time NJPAC has drawn over three and a half million visitors to see some of the World's greatest performers in a variety of genres and appealing to a diverse audience. The New Jersey Performing Arts Center glows with activity from symphonies, jazz concerts, dance performances and theatre. Additionally, the performance center is only the first phase of NJPAC's plans to anchor a cultural district and is aggressively pursuing development plans for adjacent properties, including proposals for mixed use development with a residential component adjacent to Newark's Passaic Waterfront.

Newark Prudential Center:

Opened in fall 2007, this \$375 million, 18,000+ seat state-of-the-art sports arena has brought new life to Downtown Newark and catalyzed a tremendous amount of adjacent development and brought new employment opportunities for Newark residents. The Prudential Center hosts the NHL's New Jersey Devils, Seton Hall Men's Basketball, New Jersey Ironmen indoor soccer team, concerts featuring world-famous artists, and a myriad of other family, professional, collegiate and amateur sports events. On any given event night, thousands of visitors to Newark walk from Penn Station or from parking lots to the Arena and bars, restaurants and clubs in the area are bustling.

Newark Symphony Hall:

Newark Symphony Hall is New Jersey's oldest and largest showcase for the arts, education and entertainment programming. It has a rich history of housing performances by artistic greats from the Vaudeville era to today. This multi-use performing arts center houses a 2,800 seat main hall, a 1,000 seat auditorium/banquet hall, a 200 seat black box theatre that is the resident home of African Globe TheatreWorks, a 45'x70' dance studio, and premier office and leasing space. This historic performing arts venue is a critical anchor for an organic, artist-based redevelopment process now underway in the area between Route 21 and Lincoln Park.

The Newark Public Library:

The largest library in the state, the Newark Public Library was first opened to the public in 1887 and has since that time been a cultural landmark for Newark and the region. In 1901 the current main branch and headquarters of the Newark Public Library was completed, and it became the first major cultural institution to anchor Washington Park. The Newark Museum's birthplace was on the fourth floor of the Newark Public Library, where it resided before becoming the other major cultural anchor of the Washington Park cultural district. Today the Newark Library has 1,691,042 total collections and serves both a local and regional citizenry.

The Historic Triangle Parks

The downtown is anchored by three historic triangular parks. Since Newark's founding nearly four centuries ago, these parks have anchored the downtown as important civic and recreational space. Each park is described below.

Washington Park

The Washington Park Commons was in the early nineteenth century the home of many of Newark's wealthiest residents. Washington Street was once lined with mansions, including the famous Ballantine House, a national landmark which now part of the Newark Museum to this day sits prominently on the southwestern corner of the park. The Ballantine House is not the only national landmark in Newark. There are at total of 75 registered national landmarks in Newark, two examples are the Griffith Building and the North Reformed Church. Ballantine, whose successful brewery was once a few blocks from the Park on the Passaic waterfront, later built townhomes along James Street and the neighborhood just west of the park continued to grow, always anchored by Washington Park. The American Insurance Company ventured north from the core of the downtown to build what is today still one of Newark's tallest buildings. The building now stands among a group of skyscrapers that surround Washington Park. The Park forms the terminus of Halsey Street at the northern end of an eclectic retail, entertainment and residential district.

Military Park

Military Park is Downtown Newark's central green space, the largest of the three triangular parks, it is just three blocks north of Four Corners and surrounded by both historic and modern skyscrapers. When arriving to Military Park from the North one is stunned visually by the prominence of Newark's tallest buildings along Raymond Blvd. and Broad Street, when arriving to Military Park from Four Corners from the South one is struck by the vastness of the park as it widens towards NJPAC, two historic churches, and several historic skyscrapers. Military Park marks the first stop on the Grove Street/City subway line of the Newark Light Rail, just a few minutes ride from Newark Penn Station. The park has several historic memorial sculptures and the famous Trinity & St. Phillips Cathedral. Despite the intrinsic beauty of the park and its location, downtown office workers, students, residents, and visitors do not see Military Park as a resource or destination because it lacks many basic amenities and active programming.

The park is one of the oldest in the nation, planned shortly after Newark's settlement in the late 1600s. At the center of the Park is the famous Wars of America monument, created by Gutzon Borglum, also the creator of Mount Rushmore. The Trinity & St. Phillips Cathedral, which was the first Episcopalian church in Newark, built in the mid eighteenth century. Military

Park was the first place in the nation to have electric lighting by outdoor lamps, a gift to Newark from one of the city's many famous residents, Thomas Edison.

With such a rich history and magnificent location, Military Park holds tremendous promise for active programming due to its role adjacent cultural institutions and corporate partners, including New Jersey Performing Arts Center (NJPAC), WBGO, the New Jersey Historical Society, the Newark Public Library, Rutgers-Newark, Seton Hall University Law School, the Robert Treat Hotel, YMWCA, and PSE&G.

Lincoln Park

Lincoln Park, which has always marked the southern boundary of Downtown Newark, is at the heart of one of Newark's four historic districts. The park itself is surrounded by some of Newark's oldest mansions, now used for a mix of office, institutional, philanthropic and residential uses. Lincoln Park rose to prominence as a residential neighborhood for the business elite, akin to the Washington Park neighborhood, after the Civil War. At the end of the nineteenth and in the early twentieth century hotels added to the residential neighborhood, including a hotel built right on Lincoln Park in the early 20s. The park includes several historic statues, including *Captive's Choice*, *Planting the Standard of Democracy*, and the Colleoni statue. Lincoln Park Coast Cultural District has helped revitalize the Lincoln Park neighborhood by making the park a regional center of music performance, arts and African American culture. Every summer thousands gather in Lincoln Park for an annual music festival. Plans on the horizon include new residential development fronting the park and the nation's first Museum of African American Music, a Smithsonian-affiliated museum.

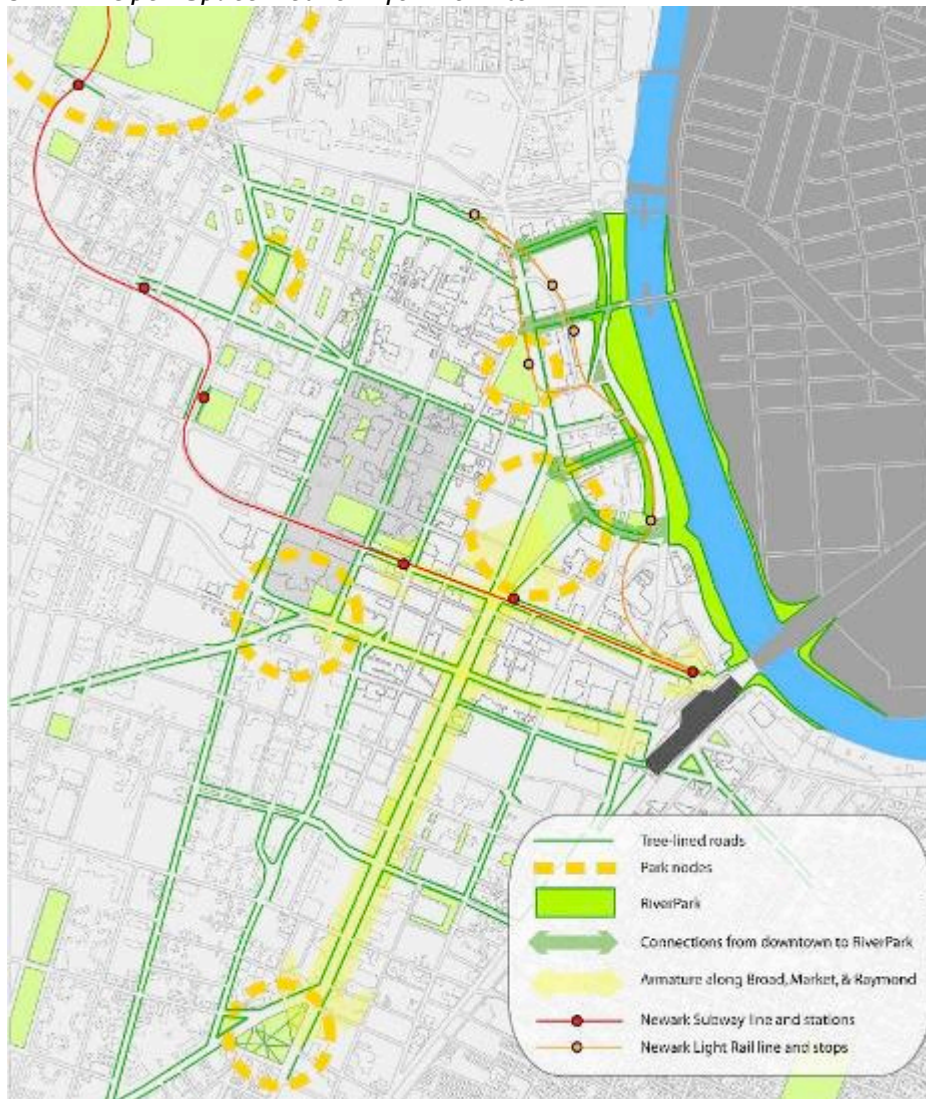
9. A Sustainable Downtown

Downtown should set the standard for urban regeneration and sustainable development. The Mayor of Newark has made a CGI commitment to reduce carbon Emissions by 7% of 1990 levels by 2012 to achieve Kyoto Protocol Targets. The State of New Jersey has signed into law the Global Warming Response Act, which mandates a statewide 20% reduction in greenhouse gas emissions by 2020, followed by a further reduction of emissions to 80 percent below 2006 levels by 2050.

Green design standards will be guided by the following sustainability principles:

- Reduce heat island effect through street trees, vegetated corridors, and intensive & extensive green roofs
- Leverage transit assets by promoting transit use and planning around transit
- Minimizing vehicular miles traveled in Downtown in favor of other transportation modes
- Support a walkable downtown through pedestrian-oriented streetscapes and investments in the public realm
- Promote high densities where appropriate
- Encourage use and reuse of energy efficient materials
- Enforce smart storm water / retention

9.1: An Open Space Network for Downtown



6

Status of Existing Redevelopment Plans and other Relevant Plans

Several urban renewal and redevelopment plans cover portions of Downtown Newark. These plans remain in effect and continue to guide development of those locations. The Living Downtown Plan complements these existing plans and covers the areas of downtown not already governed by those existing plans. The Living Downtown plan covers an area that borders all of these plan areas, which are listed as follows:

1. Downtown Core Redevelopment Plan
2. Symphony Hall West Redevelopment Plan
3. Essex Heights Urban Renewal Plan
4. Newark Arts and Education Urban Renewal Plan
5. Newark Plaza Urban Renewal Area Plan
6. Newark Colleges Urban Renewal Plan

The City of Newark Master Plan

The Living Downtown Plan also complements and furthers the goals of the Land Use Element of the Master Plan of the City of Newark, which designates the plan area as part of its Special Downtown Land Use District. This area is recommended to become a high-intensity mixed use area that includes an entertainment overlay. Intense office uses and high density residential are allowed while retail development is emphasized. The Living Downtown Plan's design principles which focus on new residential development and a strong retail downtown with designated retail streets is directly consistent with the goals of the Special Downtown Land Use District of the Land Use Element of Newark's Master Plan.

State Development and Redevelopment Plan

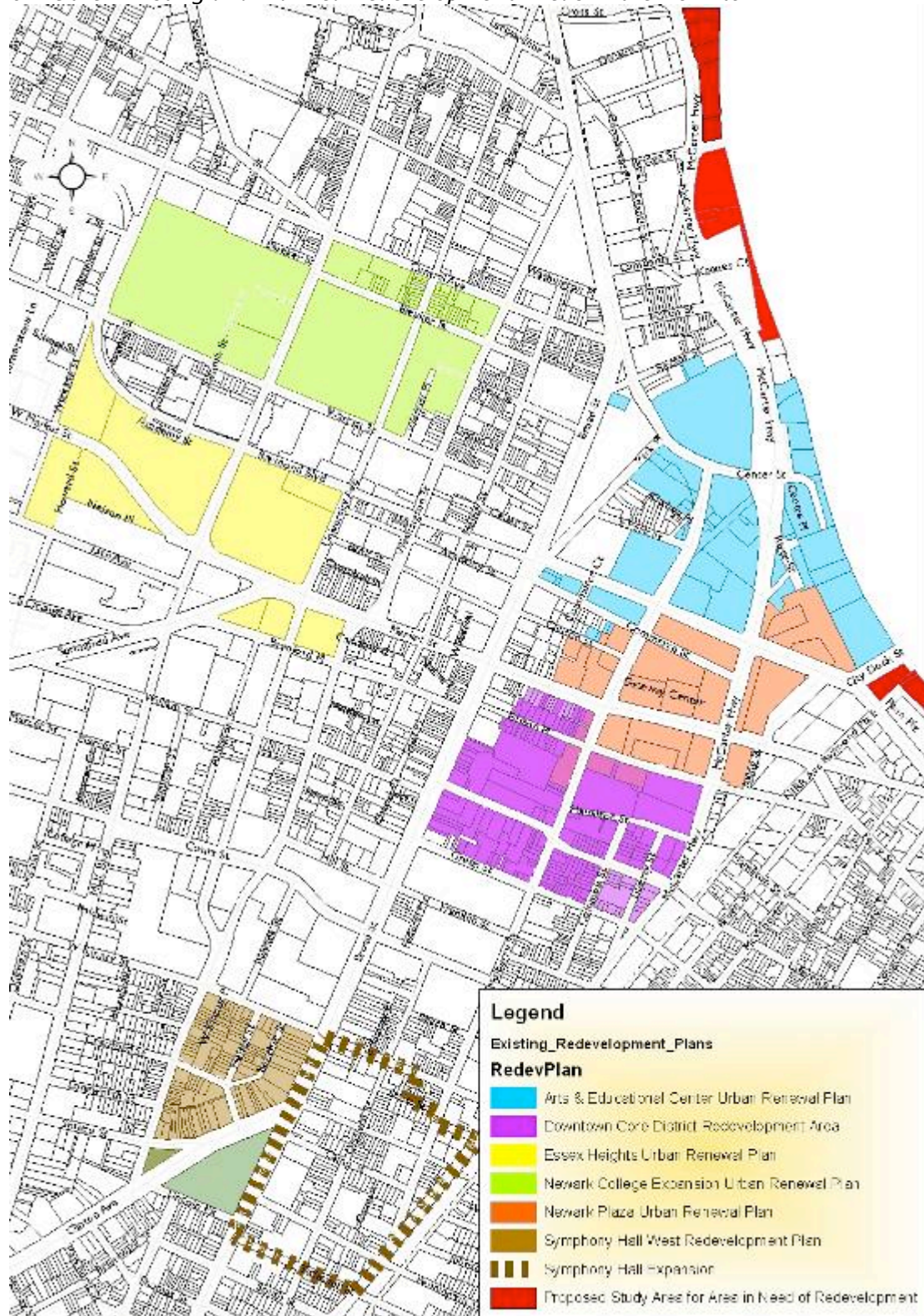
The Living Downtown Plan is consistent with the State Development and Redevelopment Plan. Newark is a designated an Urban Center in the State Plan, where intense land development is encouraged, particularly within in its downtown area. The primary goal of the Living Downtown Plan, to make Downtown Newark a 24/7 living downtown where people choose to live, work and play directly furthers four of the State Plan's eight main goals, including revitalize the State's cities and towns; conserve the State's natural resources and systems; promote beneficial economic growth, development and renewal for all residents of new jersey; protect the environment, prevent and clean up pollution; and preserve and Enhance Areas with historic, cultural, scenic, open space and recreational value.

The Living Downtown Plan satisfies these goals by spurring the revitalization of Downtown Newark; encouraging rehabilitation of existing buildings and development of new ones in area that is infrastructure rich; promoting economic growth and development in Newark; reducing barriers to development for downtown sites, including those that are contaminated; and bringing new life to those areas of downtown with currently underappreciated historic, cultural, scenic, open space and recreational value.

Other Municipalities

This plan has no common boundary with any other municipality, so it would not have a significant impact on the plans of any municipality that borders the City of Newark.

6.1 Other Existing and Planned Redevelopment Areas in the Downtown



Development Regulations

1. A Downtown of Mixed and Diverse Uses

To promote walkable, active streets and 24/7 activity in the downtown this plan recommends a diverse mix of appropriate uses, using precedents from enlivened downtowns across the nation. The following uses are consistent with the above goal and applicable to the Living Downtown boundary area:

A. Permitted Uses

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

1. Retail sales of goods
2. Beauty salons, barber shops, and nail salons
3. Restaurants including accessory uses not prohibited in this plan
4. Museums including accessory uses not prohibited in this plan
5. Theaters including accessory uses not prohibited in this plan
6. Art Galleries including accessory uses not prohibited in this plan
7. Bars with sound proofing insulation installed to ensure compliance with local and state noise regulations (maximum 65 decibels at property line)¹.
8. Night clubs and dance halls with sound proofing insulation installed to ensure compliance with local and state noise regulations (maximum 65 decibels at property line)². Such uses can have customer dancing areas.
9. Building lobbies
10. Hotels and hotel lobbies
11. Retail Banking Institutions (without Drive-thru facilities) other than Check Cashing Establishments
12. Parking garages (ground floor retail requirement on certain streets)
13. Offices
14. Conference facilities
15. Residential
16. Artist studios
17. Live-work spaces that only include permitted uses in this plan
18. Colleges, universities, and educational facilities
19. Fitness and health clubs
20. Banquet halls with sound proofing insulation installed to ensure compliance with local and state noise regulations. Such uses can have customer dancing areas.
21. Recording studios with sound proofing insulation installed to ensure compliance with local and state noise regulations with maximum 65 decibels at property line³.
22. Parks and Recreation areas including accessory uses not prohibited in this plan

The current zoning allows for some uses that do not promote a walkable, pedestrian-friendly, urban environment and therefore undermine the above goal of this plan. The following is a list of these uses that will now be prohibited in the Central Business District:

¹ In accordance with Municipal Code 20:3-7

² In accordance with Municipal Code 20:3-7

³ In accordance with Municipal Code 20:3-7

B. Prohibited Uses

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

1. Drive-thru establishments including but not limited to retail or auto establishments with drive-thru service
2. Surface parking lots
3. Sexually oriented businesses
4. Outdoor auto sales
5. Auto repair
6. Billboards
7. Bars, night clubs, and dance halls without noise mitigation measures to ensure compliance with state and local standards (65 decibels at property line).
8. Facilities that provide congregate living arrangements that provide shelter or lodging for profit or charity with or without meals including homeless shelters, rooming houses, hotels without private bathrooms, or halfway houses.
9. Drug or alcohol treatment facilities
10. Check Cashing Establishments not within banks, pharmacies, or grocery stores
11. Pawn Shops and Ammunition Retailers
12. Tattoo/Body Piercing Establishments
13. New construction of detached one- to four-family dwellings
14. Elevated walkways or skyways between buildings and/or parking structures

C. While this Plan continues the current practice of not including surface parking lots as a permitted use within the area, the City recognizes that there are certain circumstances in which surface parking may be needed and where the granting of an approval for a temporary interim use of a site for surface parking may be considered by the Central Planning Board. An approval for use of a site as a surface parking lot shall be limited to no longer than 1 year. The granting of approval for an interim use shall only apply to those cases where the City agrees that the ultimate vertical development of a site is desirable and where the City is unwilling or unable to use the power of eminent domain to assemble a site suitable for such use, commercial parking may be considered as an interim use while the site is being assembled through the instrumentality of private negotiations and capital. In making such determinations, the City and its various boards should consider the following factors: a.) the degree to which the applicant has historically complied with City ordinances and regulations regarding commercial parking facilities; b.) whether the request would permit an addition to an existing surface lot that would increase the potential for that site to be used for vertical development; c.) whether the site meets and/or exceed the required landscape and fencing requirement and whether the applicant has a history of constructing and maintaining other sites in a similar manner; and d.) whether vehicular access to the site can be accomplished from streets other than Broad Street, Market Street, Raymond Boulevard or McCarter Highway. An application would need to be made to the Newark Central Planning Board for consideration of the allowance of the use of a site as an interim surface parking lot. Approvals granted by the Central Planning board shall only be valid for one year from the time of approval.

2. Active Retail Streets

Four Corners is the Downtown Crossroads

Some developments in the downtown have not enriched the public realm because they included blank walls, surface parking and other inactive street uses on retail streets. The plan seeks to strengthen Four Corners as the active retail crossroads of the downtown. The following use standards encourage a continuous, active streetwall along Broad and Market streets that creates vibrant storefronts with day and evening uses that promote pedestrian activity on the street.

A. Prohibited Uses for Ground-Floor Frontage along Broad and Market Streets

The following uses are prohibited along the ground-floor frontage of buildings and properties along Broad and Market Streets:

1. All uses prohibited in the Plan area
2. Retail Banking ATM and customer service lobbies that are more than 1,000 square feet and have a street frontage of more than 30 feet
3. Parking garages without continuous ground level retail
4. Hotel rooms except for entrance lobbies or pedestrian entryways
5. Offices except for building lobby or pedestrian entryways
6. Conference centers except for the entrance lobbies or pedestrian entryways
7. Residential units except for entrance lobbies or pedestrian entryways
8. Artist working studios except for entrance lobbies or pedestrian entryways
9. Live-work spaces⁴ except for the entrance lobbies or pedestrian entryways
10. Banquet halls except for the entrance lobbies or pedestrian entryways
11. Recording studios except for the entrance lobbies or pedestrian entryways

A Retail Strategy that Enlivens all of the Downtown

In addition to and yet distinct from the retail identity of Broad and Market streets, several local corridors in the downtown have a strong retail presence and are re-emerging as active retail corridors with distinct characters and unique offerings. The Plan seeks to enliven and reconnect retail areas in the Downtown by promoting active uses on secondary retail streets. Secondary retail streets will be protected from uses that do not encourage active storefronts or maximum hours of operation. This plan defines Secondary Retail Streets as Halsey Street, Central Ave, Branford Place, Orange Street and Mulberry Street within the plan area due to the existence of or potential to develop distinct retail neighborhoods in the downtown outside Four Corners.

B. Prohibited Uses for Ground Floor Frontage along Branford Place, Central Avenue and Halsey, Orange, and Mulberry streets

The following uses are prohibited along the ground-floor frontage of buildings and properties along Branford Place and Halsey, Central, Orange and Mulberry Streets:

1. All uses prohibited in the Plan area.
2. Retail Banking ATM and customer service lobbies that are more than 1,000 square feet and have a street frontage of more than 20 feet.
3. Parking garages with less than 65% of the total linear street frontage dedicated to a combination of retail and/or other active ground level uses. Active ground floor uses may include active ancillary spaces related to retail, cultural uses, art galleries or interior display windows that feature public art or retail. Pedestrian and second vehicular entryways and exits to and from the garage are considered part of the total street frontage and cannot be counted towards the 65% requirement.
4. Hotels rooms except for entrance lobbies or pedestrian entryways to the hotel.
5. Offices except for building lobby or pedestrian entryways to the office.
6. Conference centers except for the entrance lobbies.
7. Residential units except for entrance lobbies or pedestrian entryways to the units or common hallway.

3. Eliminating Inappropriate Bulk Requirements

The Plan eliminates bulk requirements currently in zoning that discourage new development that is consistent with and can enhance the dense urban building conditions historically predominant and appropriate to downtown.

Bulk Guidelines

The following table shall govern the bulk standards for property improvements in the plan area:

⁴ “Live-work spaces” are where the work component is the primary use and the living component is the secondary use.

Downtown Area Bulk Regulations	B4 Zoning Standard	I1 Zoning Standard	R4 Zoning Standard	New Applicable Standard to Plan Area
Min. Lot Size (Subdivision)	3500	3500	3500	10,000
Min. Lot Width (Subdivision)	35	35	35	100
Min. Lot Width/Size for a Multiple Attached Building Development where individual lots are required for each building. There shall be a minimum of four buildings in such a development.	NA	NA	NA	20 feet/1000 sf
Front Setback (All Lot Types)	NA	NA	NA	Zero is minimum and maximum unless the proposed construction is between a pair of buildings with the same setback, in which case, the new construction shall match that setback.
Min. Side Yard	3.5' for Newly Erected Residential Buildings	NA	3.5' for Newly Erected Residential Buildings	None (unless required by building code), but no new construction may encroach within 3' of the windows or doors of another existing building on another property nor block emergency access to those windows or doors. In cases where a side yard setback is provided regardless of whether such setback is required, the front façade wall shall be the full width of the lot for at least the first 35 feet of building height.
Min. Rear Yard	17' for Residential, NA for other	17' for Residential, NA for other	17' for Residential, NA for other	None (unless required by building code), but no new construction may encroach within 3' of the windows or doors of another existing building on another property nor block emergency access to those windows or doors.
Density (Min. Lot Area/Family)	1 family/floor/900 sf	1 family/floor/900 sf	1 family/floor/900 sf	NA

4. Protecting Historic Resources

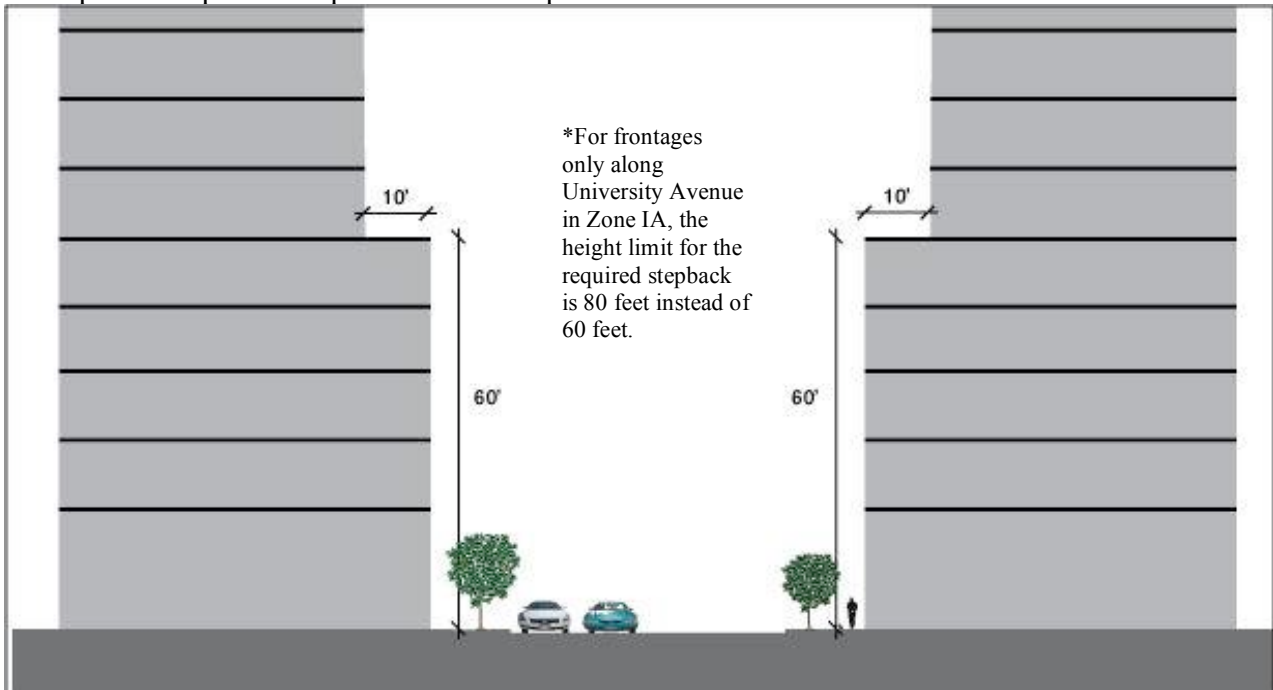
Heights in the B4, I1 and R4 zoning districts are currently unrestricted. However, with the substantial erosion of the downtown's historic building fabric both within and outside the Downtown's four designated historic districts, the Plan recommends setback restrictions in selected areas. These setback restrictions are intended to enhance the Downtown's appeal by protecting its historic resources which are unparalleled in New Jersey.

The following table shall govern building heights within the Plan area.

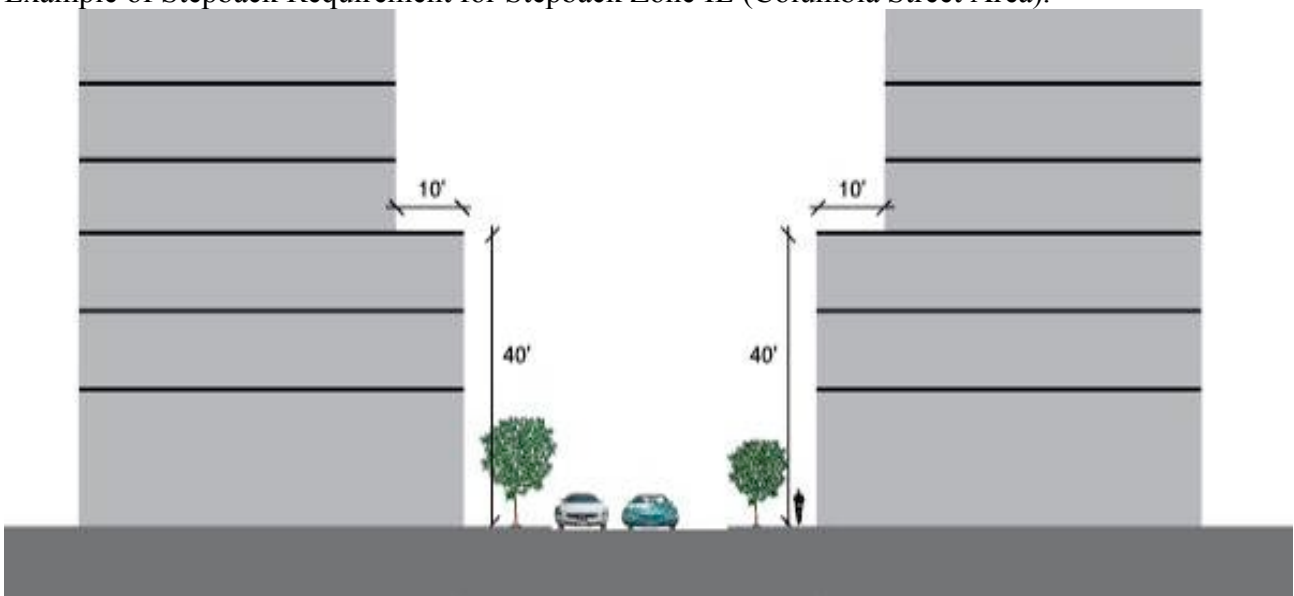
Height Standard	Proposed Regulation
Minimum Allowable Height	A minimum of three stories or 35 feet (whichever is greater) shall be required for all new construction at front yard setback line
Maximum Allowable Height	None
Minimum Ground Level Floor-to-Floor Height	A minimum ground floor height of 16 feet floor-to-floor shall be required on primary and secondary retail streets. These streets are Market, Broad, Halsey, Branford, and Mulberry streets and Central Avenue. This requirement shall only apply to new construction.
Additions to Existing Buildings in Historic Districts⁵	For new additions to existing buildings within an historic district, minimum 10 feet stepback from street-facing cornice line of the existing historic building.
<p>Stepback Boundaries Zones 1A-1E: The Living Downtown Plan Stepback Zones Map defines the properties subject to the requirements of Zones 1A-1E</p> <p>Zone IA – University Avenue/James Street: Stepback required at the University Avenue and/or James Street frontages of all applicable lots</p> <p>Zone IB – Halsey Street North: Stepback required at the Halsey, Linden Street, New Street, Warren and/or Bleeker Street frontages of all applicable lots</p> <p>Zone IC – Halsey Street South: Stepback required at the Halsey Street frontage of all applicable lots</p> <p>Zone ID – Rector and Fulton Street Area: Stepback required at the Rector and Fulton St. street frontages of all applicable lots excluding lots that front on Broad Street.</p> <p>Zone IE – Columbia Street Area: Stepback required at the Columbia Elm, Walnut and/or Cottage Street frontages of all applicable lots</p>	<p>Zone IA For new construction, minimum 10 feet façade stepback from applicable street-facing front yard or side yard setback line at the floor plate of the building floor that is nearest to the 80 foot mark above grade for University Avenue frontages and 60 feet for James Street frontages.</p> <p>Zone IB – 1D For new construction, minimum 10 feet façade stepback from applicable street-facing front yard or side yard setback line at the floor plate of the building floor that is nearest to the 60 foot mark above grade.</p> <p>Zone IE For new construction, minimum 10 feet facade stepback from front yard setback line at the floor plate of the building floor that is nearest to the 40 foot mark above grade.</p> <p>For Stepback Zones IA – IE, stepback requirements shall apply to and include rooftop mechanical equipment.</p> <p>(refer to diagrams below for an illustrated example of these stepback requirements)</p>
Stepback Requirements: Zone II All properties in the plan area not included in the Zones IA-IE of the Living Downtown Plan Stepback Zones Map	No Stepback Required
Rooftop Mechanical Equipment (New Construction and Renovation of Existing Buildings)	All mechanical equipment, stairways, and elevator penthouses to be provided on the roof of a building or structure are to be set back from all exterior walls a distance at least equal to its height above the parapet/cornice line of the building. . For buildings less than 60 feet tall, the setback shall apply to only street-facing exterior walls.

⁵ Applies to any existing building in an historic district regardless of which setback zone (Zone I or Zone II).

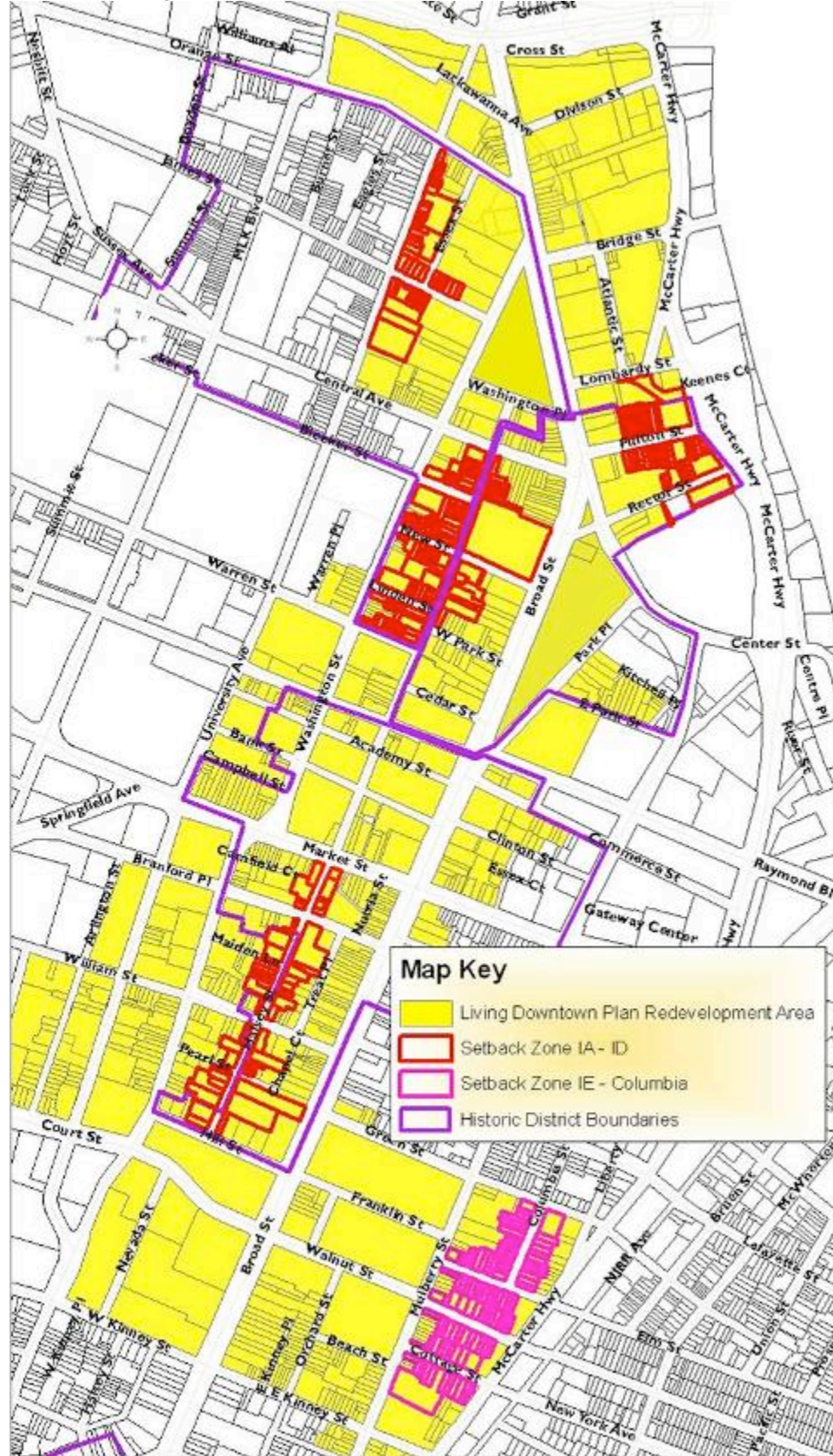
Example of Stepback Requirement for Stepback Zones IA* & IB-ID:



Example of Stepback Requirement for Stepback Zone IE (Columbia Street Area):



7.1: The Living Downtown Plan Stepback Zones Map



7.2: Stepback Zone IA: University Avenue and James Street



7.3: Stepback Zone IB: Halsey Street North



7.4: Stepback Zone IC: Halsey Street South



7.5: Stepback Zone ID: Rector and Fulton Street Area



7.6: Stepback Zone IE: Columbia Street Area



5. **A Downtown that Promotes Transit**

This plan promotes a walkable, enlivened downtown with active and beautiful streets. This plan therefore provides development regulations that leverage Downtown Newark's rich transit infrastructure and tremendous transit potential. The Plan promotes transit-oriented office and residential development. The Plan provides parking regulations that promote transit use and walkable streets within the current market and environmental context.

Parking Standards

As development in the downtown increases, the demand for parking will put additional strains on the supply of daytime parking in the downtown. These parking standards do not intend to solve all parking problems. A comprehensive approach includes not only parking regulations controlled by zoning, but strategies that include shared parking facilities, park-n-ride locations, parking enforcement, transit enhancements, and incentives for increased ridership.

The following parking standards recognize current market conditions and the need to provide parking in ratios that help to attract new residential, office and retail users. The following parking regulations also address the challenges of providing on-site parking for conversions and adaptive reuse of existing buildings. The following parking standards apply to all new construction and rehabilitation of existing structures within the Plan area.

The following table shall govern parking requirements for buildings within the Plan area.

Parking Standard	Proposed Regulation
Adaptive Reuse For rehabilitation of existing buildings with no increase in gross square footage of building	No parking requirement
1. New Construction or Additions to Existing Buildings resulting in the building having equal to or less than 5 stories, 25,000 square feet, or 10 residential units	No parking requirement
2. New Construction or Additions to Existing Buildings resulting in the building having more than 5 stories, 25,000 square feet, or with more than 10 residential units	<p>Residential</p> <ul style="list-style-type: none"> • 0.5 space per bedroom with a minimum of 0.5 space per unit <p>Office/Fitness and Sports Clubs</p> <ul style="list-style-type: none"> • 1 space per 1,000 square feet of total net floor space <p>Retail/Entertainment/Cultural Venues and Services</p> <ul style="list-style-type: none"> • No parking requirement <p>Hotel</p> <ul style="list-style-type: none"> • 1 space per 4 hotel rooms (0.25 spaces per hotel room). <p>Hospital</p> <ul style="list-style-type: none"> • 5 spaces per doctor per shift <p>Church/House of Worship</p> <ul style="list-style-type: none"> • 1 space per four seats <p>Educational</p> <ul style="list-style-type: none"> • 1 space per classroom • Office space component of educational uses shall adhere to the office parking requirement
Mixed-use Shared Parking Adjustment	<p>The aggregate parking requirement shall be reduced when a development has both office and residential uses. Educational, Church, and House of Worship uses may apply this parking adjustment if applicable. Fitness and sports club and Hospitals uses may not apply this adjustment.</p> <p>The greater total from formulas A and B shall become the required number of parking spaces for the development. r=required residential parking; and f=required office parking.</p> <p>Formula A: $0.6r+1f$ Formula B: $1r+0.05f$</p>

6. A Green and Sustainable Downtown

Landscaping standards are intended to be a small step towards furthering the goal of a sustainable downtown, which helps to achieve the Mayor's and State commitments to reduce greenhouse gas emissions levels and help make a greener city.

Loading Standards

Standards stipulated in Title 40 of the Revised Ordinances of the City of Newark shall apply. Additionally, cultural facilities, conference facilities, and educational facilities shall comply with the same loading standards applicable to offices and hotels. Dining facilities shall comply with the same loading standards applicable to retail facilities.

Infrastructure and Landscaping

Engineering Department approved street trees shall be planted in 4' square sidewalk treewells in front of each development project. Trees shall be planted 35' or less on center subject to approval of Engineering Department. On streets where new sidewalks and pavers have been installed within five years or less, existing trees and existing treewells shall be maintained, and the developer shall be responsible for repair or replacement.

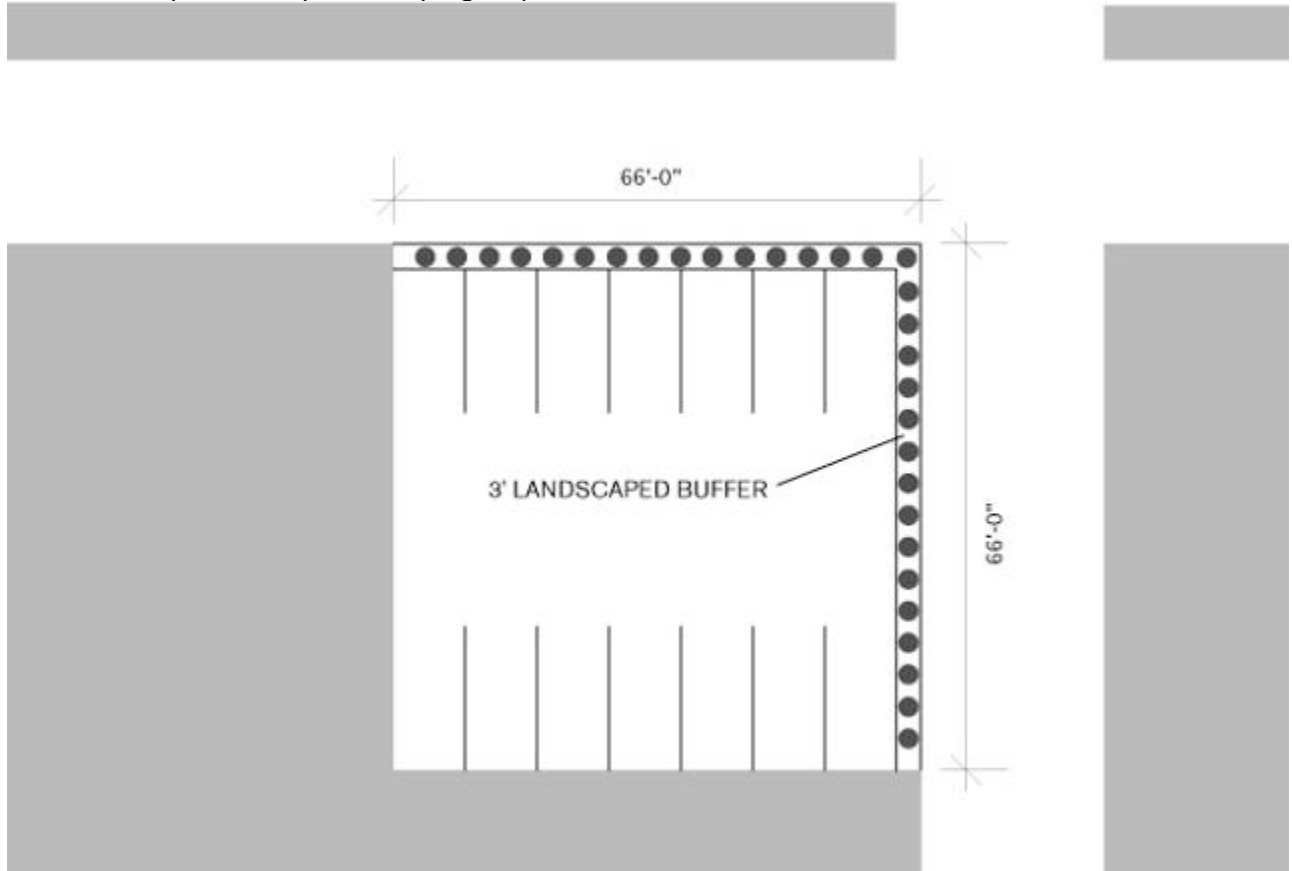
In the event that sidewalks, curbs, utilities, or other infrastructure are damaged or altered in any way during a development project, the developer shall be responsible for complete repair or replacement of all affected infrastructure.

Surface Parking Area Landscaping Requirements for Existing Surface Parking Lots undergoing modification

Fencing and parking lot perimeter treatments must adhere to the following standards:

- B. Fencing is required, and it shall be a minimum of 4' tall and a maximum of 6' tall, constructed of painted or anodized tubular metal or wrought iron at property lines (unless there is an existing wall of a building at that property line). Chain link or wooden fencing is strictly prohibited.
- C. There are two alternative landscape buffer and greening requirements for existing surface parking lots in the downtown. Either regulation (a) or regulation (b) shall apply:
 - a) A 3' wide landscape buffer is required around all street-facing perimeters of surface parking lots, and it shall be inside the borders of the fenced or walled property line. The buffer shall include a planting strip with mulch or another non-impervious ground cover recommend by City Planning Staff for approval by Central Planning Board. Shrubs shall be planted along the entire length of the fence line along all street-facing perimeters, planted 3-5 feet on center. Surface parking lots that have less than a 66 foot average dimension along the lot perimeters are exempt from this buffer requirement. (See following diagram for an illustrative example).
 - b) Trees must be planted and distributed throughout the parking lot. Trees will be a minimum of three inch (3") caliper measured at 3 feet (3') above grade in tree wells with a minimum width/diameter of 4 feet (4') in each direction, and trees shall be provided at the rate of one (1) tree per four (4) parking spaces or one (1) tree per every one thousand (1,000) square feet of lot size – whichever is greater. The required landscaping shall be permanently maintained. Surface parking lots that have less than a 66 foot average dimension along the lot perimeters are exempt from this planting requirement.

7.7 Illustrative Example of 3' Landscape Buffer on a lot with at least a 66 foot average dimension (option (a) of landscaping requirement 2)



8

Regulatory Review/Development Process

SITE PLAN REVIEW REQUIREMENT

The requirements for site plan review in Section 38:10-5 and 38:10-6 of the Newark City Code shall apply to this plan.

EXPEDITED PROJECT REVIEW:

If the project consists entirely of:

1. An existing building with less than 50,000 square feet of gross floor area,
2. No new construction or additions are being made that add gross floor area to a lot or building, and
3. Fully complies with all aspects of this plan,

Then it shall constitute a minor site plan application and a subcommittee of the Central Planning Board shall expeditiously review the site plan application and proposal at a special meeting held within 30 days of the submittal of a complete application without need for a formal public hearing. This subcommittee shall make a decision on that project and provide the entire Central Planning Board with its decision for ratification at the next regularly scheduled or specially scheduled public hearing.

DEVIATIONS

The Central Planning Board and the Zoning Board of Adjustment are authorized to grant variances from the building and use requirements contained in this plan in accordance with the jurisdictional authority stipulated in the Municipal Land Use Law at NJS 40:55D-60 and 40:55D-70..

RELIEF FROM or APPLICABILITY OF OTHER REGULATIONS

Projects undertaken through this plan shall not be required to comply with Residential Site Improvement Standards regulations. All other regulations for projects covered by this plan including special district regulations, Site plan and subdivision, and zoning regulations, including Chapter 9 of the Zoning Ordinance: Historic Sites and Districts (Title 40:9-1 et. al.) not addressed by this plan; or other local and state regulations shall apply.