



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 03/25/19 07:00 PM

2019 ORDINANCE AMENDMENT

2019 ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AMENDING THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE I AND THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE II TO PERMIT TOWNHOUSE DEVELOPMENTS IN THE COMMUNITY COMMERCIAL SUBDISTRICT ON FARRAND STREET, WARD STREET AND CONGER STREET, AND TO PERMIT GROUND FLOOR PARKING WITHIN THE FOOTPRINT OF A BUILDING.

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A.

40A:12A-1, et seq. (the "Redevelopment Law"), on August 19, 2002, the Mayor and Council (the "Mayor and Council") of the Township of Bloomfield (the "Township") adopted a Resolution designating all land within the municipal boundaries of the Township of Bloomfield as an area in need of rehabilitation (the Rehabilitation Area"); and

WHEREAS, pursuant to the Redevelopment Law, the Mayor and Council, by way of Resolution adopted on August 10, 2009, affirmed the 2002 designation of the entire Township as an "area in need of rehabilitation"; and

WHEREAS, pursuant to the Redevelopment Law, on December 5, 2000, the Mayor and Council adopted a Resolution determining that certain parcels within the Township encompassing sixty-seven (67) properties that comprise approximately 13.5 acres generally bordered by Bloomfield Avenue to the east, the New Jersey Transit lines to the west, Glenwood Avenue to the south and Ward Street to the north, more commonly known as Bloomfield Center, constituted an area in need of redevelopment, (the "Redevelopment Area"); and

WHEREAS, on October 14, 2003 the Mayor and Council approved Ordinance No 3-34, adopting the Bloomfield Station Redevelopment Plan, dated September 15, 2003, which has

been amended from time to time (hereinafter the “Bloomfield Station Redevelopment Plan”) to govern the redevelopment of the Redevelopment Area; and

WHEREAS, following a decision in the Superior Court of New Jersey, Essex County, invalidating the December, 2000 redevelopment designation without prejudice, on August 7, 2006, the Mayor and Council adopted a Resolution pursuant to the Redevelopment Law confirming that the 67 properties in Bloomfield Center met the criteria for designation as an area in need of redevelopment and that a supplemental study of Bloomfield Center corrected the defects in the 2000 study identified by the Court; and

WHEREAS, by way of ordinance adopted on December 15, 2008 pursuant to the Redevelopment Law, the Mayor and Council adopted the “Bloomfield Center Redevelopment Plan - Phase I” (the “Phase I Plan”) encompassing most, but not all of the properties in the Redevelopment Area and additional properties within the Rehabilitation Area; and

WHEREAS, the Phase I Plan encompassed the following properties situated in the Redevelopment Area:

Block 220, Lot 40;
Block 225, Lots 1 and 9
Block 227, Lots 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 24, 26, 30, 31, 32, 35;
Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33, 35; and
Block 243, Lots 1, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15, 17, 18, 20; and

WHEREAS, the Phase I Plan encompassed the following properties within the Rehabilitation Area:

Block 242, Lot 13;
Block 243, Lots 22, 24, 25, 27, 28, 30, 31, 32, 37, 38, 39, 40, 41, 42, 43, 44, 45;
Block 255, Lot 1; and

WHEREAS, the area governed by the Phase I Plan shall hereinafter be referred to as the “Phase I Area;” and

WHEREAS, by way of ordinance adopted on November 9, 2009, the Mayor and Council adopted pursuant to the Redevelopment Law a redevelopment plan for certain properties within the Rehabilitation Area entitled the “Bloomfield Center Redevelopment Plan - Phase II” (the “Phase II Plan”); and

WHEREAS, the Phase II Plan encompassed the following properties within the Rehabilitation Area (the “Phase II Area”):

- Block 153, Lots 1, 2, 4, 5, 6, 8, 10, 11, 13, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 29, 31, 32, 41, 42, 43, 44, 47, 50;
- Block 225, Lots 12 and 15;
- Block 226, Lots 1, 3, 4, 6, 8, 10, 12, 13, 15, 18, 19, 20, 22, 24, 28, 29, 30, 31, 32;
- Block 241, Lots 1, 5, 7, 9, 17, 19, 20, 21, 32, 33, 35, 37, 39, 41, 42, 43, 45, 47;
- Block 244, Lots 1, 6, 8, 10, 19, 22, 24, 46, 47;
- Block 253, Lots 1, 7, 8, 10, 12, 33;
- Block 301, Lots 1, 8, 9, 10, 21, 22, 23, 27, 28, 29;
- Block 302, Lots 1, 6, 38, 39, 40; and
- Block 311, Lots 1, 4, 5, 6, 7, 8, 13, 27, 28, 29; and

WHEREAS, on January 19, 2010, following an investigation by and public hearing before the Township of Bloomfield Planning Board (the “Planning Board”), the Mayor and Council adopted a Resolution pursuant to the Redevelopment Law designating the following properties in the Rehabilitation Area (except for Block 243, Lot 13, which was in the Redevelopment Area by virtue of the 2002 and 2006 redevelopment designations) and encompassed within the Phase I or II Plan as an area in need of redevelopment:

- Block 243, Lots 13, 25, 27, 28, 30, 31, 32, 37, 38; and

WHEREAS, on August 13, 2012, the Mayor and Council adopted an Ordinance enacting a redevelopment plan for Block 243, Lots 13, 25, 27, 28, 30, 31, 32, 37, 38, thereby removing said Block and Lots from the Phase I and Phase II Plans; and

WHEREAS, on October 18, 2010, following a new investigation by and public hearing before the Planning Board, the Mayor and Council adopted a Resolution pursuant to the

Redevelopment Law designating all of Block 228 and Block 220, Lot 40 as an area in need of redevelopment; and

WHEREAS, on February 2, 2011, the Mayor and Council adopted by ordinance the “Redevelopment Plan for Block 228 and Block 220, Lot 40”, thereby removing all of Block 228 and Block 220, Lot 40 from the Phase I Plan; and

WHEREAS, on August 8, 2011, following review by the Planning Board, the Mayor and Council adopted Ordinance No. 11-40, which authorized variances pursuant to N.J.S.A. 40:55D-70(c) in the Phase II Area; and

WHEREAS, on November 21, 2011, following review by the Planning Board, the Mayor and Council adopted Ordinance No. 11-55 amending the permitted use tables in the Phase I and Phase I Plans and the approvals process described in each Plan, and which also authorized variances pursuant to N.J.S.A. 40:55D-70(c) in the Phase I Area; and

WHEREAS, on March 19, 2012, following review by the Planning Board, the Mayor and Council adopted Ordinance No. 12-16, which expanded the locations governed by the Phase II Plan where parking within the footprint of a building could be constructed; and

WHEREAS, on June 12, 2013, following review by the Planning Board, the Mayor and Council adopted Ordinance No. 13-23, amending the Phase I and Phase II Plans to prohibit dollar stores and to require under certain circumstances the submission of a Fiscal Impact Statement to the Governing Body during its consistency review of redevelopment projects; and

WHEREAS, the redevelopment projects have been either approved or constructed on Blocks 225, 228 and 243, three of the four blocks within the Phase I Area, with only Block 227 remaining; and

WHEREAS, to facilitate the redevelopment of Block 227, and to provide a more walkable environment in the vicinity of the Lackawanna Train Station, the Mayor and Council

have determined that townhouses, currently permitted on the portion of Ward Street which is in the Washington Street South subdistrict, should be permitted on the Commercial Corridor portion of Ward Street as well, and that the expansion of the area where townhouses are permitted should also apply to properties within the Commercial Corridor Subdistrict governed by the Phase II Plan with frontage on Ward Street, Farrand Street and Conger Street; and

WHEREAS, while the Mayor and Council continue to support the proposition that residential developments with frontage on Bloomfield Avenue must have ground floor commercial uses along the street, it recognizes the value for pedestrian traffic of permitting residential lobbies to front on Bloomfield Avenue; and

WHEREAS, buildings within the Commercial Corridor should be permitted incorporate ground floor parking into their design, provided that the parking is sufficiently screened from the pedestrian public, particularly along the Bloomfield Avenue frontage; and

WHEREAS, the Mayor and Council therefore deem it necessary to amend the Phase I and Phase II Plans to accomplish these goals.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Bloomfield, New Jersey, as follows:

Section 1. The above WHEREAS paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Phase I Plan shall be amended as follows (newly inserted text is underlined):

(a) “Table 1. Permitted Uses” in Section 4.1 on Page 22 of the Phase I Plan is hereby amended to permit Townhouses in the Commercial Corridor on Ward Street, to permit residential lobbies on the ground floor of a mixed-use building, and to permit parking within the ground floor of a building, as follows:

Table 1. Permitted Uses

Permitted Uses	Bloomfield Center Redevelopment Plan <i>Uses permitted by specific provisions of the Municipal Land Use Redevelopment Plan Area.</i>		
	Commercial Corridor	Washington Street South	Blain Street Campus
Single-use multi-unit residential buildings		√ (1)	
Townhouses	√ (1)	√ (1)	
Retail stores, service and financial establishments	√	√	√
Buildings containing a mixture of residential, office or commercial uses except that residential uses are prohibited on the ground floor	√ (2)	√ (2)	√ (2)
Office buildings	√		√
Specialty food markets (less than 30,000 SF)	√	√ (3)	
Hotels	√ (4)	√ (4)	√ (4)
Restaurants and cafes	√	√	√
Art Studios and galleries		√	√
Performing arts theaters	√	√	√
Schools and Educational Institutions			√
Conference and meeting facilities	√ (5)	√ (5)	√ (5)
Public plazas and recreation areas	√	√	√
Indoor recreation facilities	√	√	√
Organized open-air markets and festivals with temporary structures for retail sales and displays subject to all applicable state and local permits	√ (6)	√ (6)	√ (6)
Parking facilities operated by a governmental entity	√	√	√

(1) Ground floor residential is only permitted for buildings fronting on Farrand Street and Ward Street. It is recommended that all ground floor units have private entrances with stoops on the street. Ground floor parking within the footprint of a residential building shall be enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building. (2) Residential lobbies are permitted on the ground floor. On Washington Street, offices are permitted on the second floor only. In all three districts, ground floor parking within the footprint of the building is permitted, except no parking and no access to a parking area shall front on Bloomfield Avenue, and provided that the parking is enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building. (3) Specialty food markets are recommended on Conger Street but not prohibited elsewhere. (4) Hotel rooms are not permitted on the ground floor. The ground floor area fronting on a street is restricted to the hotel lobby and retail and restaurant uses only, which shall have separate entrances from the street (in addition to any access from inside the hotel). (5) Conference facilities are permitted as an accessory use to a hotel but shall be prohibited from the ground floor. (6) It is recommended that this use be focused on Washington Street, south of Bloomfield Avenue, as a priority and be coordinated with current events hosted by the BCA. (7) Dollar Stores shall be prohibited in all Districts in the Phase I Area. For purposes of this Phase I Plan, the term "Dollar Stores" shall mean any store using a price amount in its name or which sells the vast majority of its goods at ten dollars (\$10.00) or less or at a single price point (e.g., \$0.99 or \$1.00).

Section 3. The Phase II Plan shall be amended as follows (newly inserted text is underlined):

(a) "Table 1. Permitted Uses" in Section 4.1 on Page 22 of the Phase II Plan is hereby amended to permit Townhouses in the Commercial Corridor on Ward Street, to permit residential lobbies on the ground floor of a mixed-use building, and to permit parking within the ground floor of a building, as follows:

Table 1. Permitted Uses

Permitted Uses	Bloomfield Center Redevelopment Plan <i>Uses permitted by specific provision of the</i>		
	Commercial	Washington	Blain Street Civic District

Municipal Land Use Law are also permitted in the Redevelopment Plan Area.	al Corridor	a Street South	Campan	
Single-use multi-unit residential buildings		√ (1)	√ (1)	√ (1)
Townhouses	√ (1)	√ (1)	√ (1)	√ (1)
Retail stores, service and financial establishments	√	√	√	√
Buildings containing a mixture of residential, office or commercial uses except that residential uses are prohibited on the ground floor	√ (2)	√ (2)	√ (2)	√ (2)
Office buildings	√		√	√
Specialty food markets (less than 30,000 SF)	√	√ (3)		
Hotels	√ (4)	√ (4)	√ (4)	
Restaurants & cafes	√	√	√	√
Art Studios and galleries		√	√	√
Performing arts theaters	√	√	√	
Schools and Educational Institutions	√	√	√	√
Conference and meeting facilities	√ (5)	√ (5)	√ (5)	
Public plazas and recreation areas	√	√	√	√
Indoor recreation facilities	√	√	√	√
Organized open-air markets and festivals with temporary structures for retail sales and displays subject to all applicable state and local permits	√ (6)	√ (6)	√ (6)	√ (6)
Houses of worship & related facilities (on parcels of 10,000 SF or greater)	√	√	√	√
Parking facilities operated by a governmental entity	√	√	√	√

(1) Ground floor residential is only permitted for buildings fronting on Farrand Street, Ward Street and Conger Street. It is recommended that all ground floor units have private entrances with stoops on the street. Ground floor parking within the footprint of a residential building shall be enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building. (2) Residential lobbies are permitted in the ground floor. In all four districts, ground floor parking within the footprint of the building is permitted, except no ground floor parking shall front on or be accessible from Bloomfield Avenue, and provided that the parking is enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building. (3) Specialty food markets are recommended on Conger Street but not prohibited elsewhere. (4) Hotel rooms are not permitted on the ground floor. The ground floor area fronting on a street is restricted to the hotel lobby and retail and restaurant uses only, which shall have separate entrances from the street (in addition to any access from inside the hotel). (5) Conference facilities are permitted as an accessory use to a hotel but shall be prohibited from the ground floor. (6) It is recommended that this use be focused on Washington Street, south of Bloomfield Avenue, as a priority and be coordinated with current events hosted by the BCA. (7) "Dollar Stores" shall be prohibited in all Districts in the Phase I Area. For purposes of this Phase I Plan, the term "Dollar Stores" shall mean any store using a price amount in its name or which sells the vast majority of its goods at ten dollars dollars (\$10.00) or less or at a single price point (e.g., \$0.99 or \$1.00).

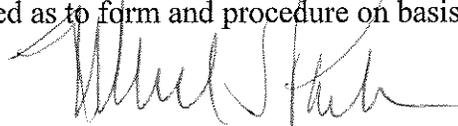
Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 5. All ordinances and resolutions or parts thereof inconsistent with the ordinance are hereby rescinded.

Section 6. This ordinance shall take effect in accordance with applicable law.

* * * * *

Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on APRIL 29, 2019.

Louise M. Palagona

 Municipal Clerk of the Township of Bloomfield

Mc 2/5

 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn	Jenny Mundell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						