

# *MASTER PLAN REEXAMINATION REPORT*

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**CITY OF LINDEN**

**Union County**

**New Jersey**

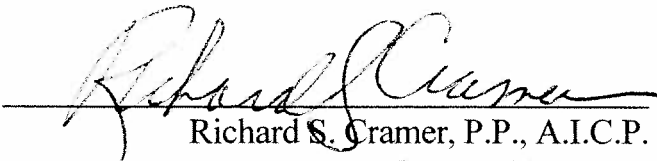
Prepared November 2008 for

**CITY OF LINDEN PLANNING BOARD**

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

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## **1. INTRODUCTION**

The New Jersey Municipal Land Use Law (MLUL) requires that each municipality in New Jersey undertake a periodic review and reexamination of its local Master Plan. The purpose of the Reexamination Report is to review and evaluate the master plan and municipal development regulations on a regular basis in order to determine the need for update and revisions. This report constitutes the Master Plan Reexamination Report for the City of Linden as required by the MLUL NJSA (40:55D-89).

The City of Linden adopted its last Master Plan Reexamination Report in January 2003. This report serves as a Reexamination of the 2002 Master Plan and the 2003 Master Plan Reexamination Report.

The Planning Board approved the last reexamination report for the City of Linden on January 14, 2003. At that time, the Board reviewed the 2000 reexamination report, the City Master Plan, and the City's Development Regulations. The 2000 Reexamination Report concluded its reexamination by recommending that the City update and compile a new Master Plan and that redevelopment plans approved by the City, or pending approval, be incorporated into the land use element. The redevelopment plans that needed consideration included the redevelopment plan for St. Georges Avenue; the redevelopment plan for Linden Airport; the redevelopment plan for the Bayway area; the redevelopment plan for the Dupont study area on the Arthur Kill; and the redevelopment plan for the South Wood Avenue study area. The Planning Board recommended updating the Master Plan as a single, user friendly document to address the concerns regarding circulation, land use, land development regulations and zoning regulations.

The 2003 Reexamination Report identified illegal conversions of attic space and basement space into additional residential units as having negative impacts on the community as a result of on-street parking problems, overcrowding housing conditions and the shifting of the tax burden onto lawfully abiding property owners. The 2003 Plan identified a need for an aggressive program to identify illegal apartments in residential areas.

## 2. REQUIREMENTS OF THE PERIODIC REEXAMINATION REPORT

The MLUL requires that the Reexamination Report describe the following:

- The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- The extent to which there have been significant changes in assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c. 79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The report that follows addresses each of these statutory requirements.

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### **3. MAJOR PROBLEMS AND OBJECTIVES IN 2003 AND THE EXTENT TO WHICH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED**

#### ***MASTER PLAN***

The Linden City Master Plan consists of the following documents:

1. 2000 Master Plan Reexamination Report;
2. 2002 City of Linden Master Plan;
3. 2003 Master Plan Reexamination Report;
4. Stormwater Management Plan Element;
5. 2007 Housing and Fair Share Plan Element;
6. 2008 Transit Oriented Development Plan.

#### ***OBJECTIVES OF THE 2002 MASTER PLAN AND 2003 MASTER PLAN REEXAMINATION REPORT***

The 2002 Master Plan identified the following general goals that formed the primary objectives of the Master Plan that were reaffirmed in the 2003 Master Plan Reexamination Reports.

- Ensure that new residential construction will be visually and functionally compatible with existing structures and facilities. Housing design should be harmonious with the existing scale of development in the neighborhood.
- Maintain residential densities that are protective of existing character.
- Continue efforts, programs, and funding to preserve and rehabilitate existing housing.
- Preserve and enhance residential character of existing neighborhoods.
- Maintain housing inspection programs.
- Actively monitor housing conversions and alterations.

- Encourage rehabilitation of existing structures, both residential and other vacant structures, for housing.
- Discourage further high-rise residential development that conflicts with the scale, character, and development capacity of existing residential neighborhoods.
- Encourage diversification in commercial areas in order to enhance the overall livability of the areas.
- Improve the City's visual environment and image by restricting or eliminating eyesores such as, but not limited to, storage containers or trailers in retail commercial areas.
- Continue support of the city's CBD (Central Business District) through parking facility expansion, added pedestrian amenities, and enforcement of codes.
- Maintain the relatively compact CBD along Wood Avenue.
- Encourage office and service development within the CBD.
- Encourage diversification of industry.
- Encourage the reutilization of brownfields to promote economic development and employment opportunities.
- Preserve and enhance the City's industrial and commercial economic base.
- Participate in State and Federal programs that support the development and redevelopment of industrial areas; or that improve the City's infrastructure; or that improve the City's quality of life with new, expanded or rehabilitated community facilities, parks, and public open space.
- Provide for mixed-use development and redevelopment that can successfully integrate compatible light industrial and merchandising uses or that can integrate compatible residential and nonresidential uses.

- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents.
- Secure safety from fire, flood, panic, and other man-made or natural disasters.
- Promote a desirable visual environment.
- Preserve historic sites and structures.
- Prevent the degradation of the environment through the improper use of land.
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation, and open space uses.
- Promote the recovery of recyclable material from the municipal solid wastes streams and encourage the conservation of energy.
- Encourage development which contributes to the enhancement and improvement of the community.
- Maintain and attract beneficial commercial and industrial uses.
- Establish appropriate population densities and control the intensity of development to ensure neighborhood, community, and regional well being and protection of the environment.
- Encourage the appropriate and efficient expenditure of public funds by coordinating public and private development within a framework of land use and development policies and principles.
- Establish new and upgrade existing municipal recreation facilities.
- Encourage location and design of transportation and circulation routes which will permit the free flow of traffic in appropriate locations while discouraging roadways in areas which will result in congestion, blight, or depreciated property values.

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#### **4. THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED**

The goals and planning objectives detailed in the 2002 Master Plan and 2003 Master Plan Reexamination Report continue to remain valid. Several goals and objectives from the 2002 Master Plan and the 2003 Master Plan Reexamination Report are impacted by the closure of the General Motors (GM) plant on Route 1 and 9. The following narrative provides an overview of the GM tract and indicates the importance of the revitalization of the GM tract to the City.

##### ***General Motors Site***

A substantial change has occurred in Linden since the adoption of the 2002/2003 Master Plan reports: the closing of the former General Motors manufacturing plant that had operated for decades in the eastern portion of the City. This plant closing resulted in the loss of jobs and a reduction in Linden's economic base, which is contrary to many City Master Plan goals and objectives. However, it also represents a rare opportunity for Linden due to the site's large size and strategic location on a major arterial roadway. As such, there now exists a need to reconsider this property's land use classifications, which form the basis for its underlying zoning designation. Discussion of those two documents as they relate to the former General Motors plant site (hereinafter referred to as "the GM site") is included below.

##### ***2002 Master Plan***

A new Master Plan for the City of Linden was adopted by the Linden Planning Board in October 2002, with a memorializing resolution for this document adopted at the Board's January 14, 2003 meeting. The Master Plan contains a series of goals, objectives and recommendations organized by topical plan elements. The existing land use chapter of this document states how industrial and manufacturing uses "form Linden's economic and employment base, although they have waned in importance." One of the Master Plan principles is to "Encourage development and redevelopment of the City's economic base." There are also several objectives that are relevant to the reuse of the GM site:

- Encourage the diversification of industry.
- Preserve and enhance the City's industrial and commercial economic base.
- Provide for mixed-use development and redevelopment that can successfully integrate compatible light industrial and merchandising uses or that can integrate compatible residential and nonresidential uses.
- Maintain and attract beneficial commercial and industrial uses.

The Land Use Element of this document includes discussion of residential, commercial and industrial land uses. The Commercial Land Use section notes there are seven particular categories of commercial land uses, including a highway commercial designation. This category includes areas along Route 1 & 9 and is intended to provide "goods and services to a larger, regional population" than neighborhood commercial areas. It also describes a large-scale commercial redevelopment project on the east side of Route 1 & 9: Linden Airport and adjacent parcels. The Industrial Land Use section, conversely, describes a national and state level decline in the manufacturing sector that is also being seen in Linden. There is also discussion in this section of how Linden has been proactive in addressing the shift away from industrial uses in the municipality.

The main portion of the GM site is currently included in both the Light Industrial and Heavy Industrial land use categories, which also cover large portions of roughly the eastern two-thirds of Linden's land area. Specifically, a 200-foot (+/-) deep strip along Route 1 & 9 and Pleasant Street is located in the Light Industrial category with the remainder of the property that is north of Pleasant Street located in the Heavy Industrial category. The GM site also includes some smaller parcels south of Pleasant Street. The western portion of this area is in the Heavy Industrial category, the area backing up to the residential lots on Hampden Street is in the Medium Density Residential category and the area fronting on Route 1 & 9 is in the Light Industrial category.

### ***2003 Reexamination Report***

In January 2003, the Linden Planning Board adopted its most recent reexamination of the City's Master Plan. This document updated the 2000 Linden Master Plan Reexamination and notes the adoption of the 2002 Master Plan. The Reexamination mentions the "commercial redevelopment" that was taking place in the Route 1 corridor and elsewhere in Linden. It also reinforces the Master Plan's promotion of economic revitalization through the attraction of new business opportunities, and restates the Master Plan's objectives.

The comprehensive City Master Plan adopted on October 8, 2002 addresses the recommendation of the 2000 reexamination for the update of the City Master Plan.

Commercial redevelopment is taking place in the City especially along the Route 1 corridor. Aviation Plaza, part of the Linden Airport Redevelopment Plan, contains new retail stores including Home Depot and Target. The RD zone district on St. Georges Avenue has also experienced commercial redevelopment activity.

The updated City Master Plan promotes continued economic revitalization by attracting new business opportunities while maintaining and enhancing the quality of life for residents by providing adequate public services.

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## 5. THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES, AND OBJECTIVES

### *CHANGES AT THE LOCAL LEVEL*

All of the goals within the 2002 Master Plan and 2003 Master Plan Reexamination Report are still valid. The following section recommends the inclusion of three (3) new goals to the City Master Plan to update where there have been significant changes in assumptions, policies and objectives. They are as follows:

- Protect the integrity of predominantly single-family home neighborhoods, by preventing intrusion of two-family homes or other more intense uses, which will generate overcrowding and increased traffic.
  
- Provide for desirable non-residential development which will be in keeping with the existing character of the community with specific attention to the following:
  - a. Encouragement of uses of vacant properties that will enhance the character of development and reduce traffic impacts; and
  - b. Establishment of zoning policies that will reduce the adverse impacts of strip commercial development which is prevalent in Linden.

While these goals were crafted to protect existing residential development and to encourage appropriate nonresidential development, this Reexamination Report recognizes that in certain circumstances it may be appropriate to encourage more intensive development patterns, particularly to redevelop existing vacant, contaminated or other underutilized structures. This Reexamination Report also recognizes the need to adequately create buffer areas between uses with different levels of intensity.

The third goal that should be added to the City's future land use objectives is as follows:

- Provide public improvements to maximize public access to the waterfront.

### ***Transit Oriented Development***

The New Jersey Department of Transportation (NJDOT) and NJ Transit oversee a multi-agency Smart Growth partnership known as the Transit Village Initiative. The Transit Village Initiative is designed to assist in the process of redeveloping and revitalizing communities around transit facilities. One goal of the transit village initiative is to make communities a more appealing choice for people to live, work and play, thereby reducing reliance on the automobile.<sup>1</sup>

According to NJ DOT, the benefits of becoming a designated Transit Village are as follows:

- State of New Jersey commitment to the municipality's vision for redevelopment
- Coordination among the state agencies that make up the Transit Village task force
- Priority funding from some state agencies
- Technical assistance from some state agencies
- Eligibility for annual grants of \$1 million in NJDOT Transit Village funding

The City applied for Transit Village Initiative designation in 2004 but was not designated. In 2006, the City was awarded a Smart Growth Grant from the Department of Community Affairs (DCA) to development a transit oriented development plan around Linden Station.

The process to create the Linden Station Plan officially began in November 2006, when the City created a Steering Committee comprised of City personnel and residents representing the following groups: Mayor, City Council, Planning Board, Economic Development Committee and the Special Improvement District. The Master Plan Steering Committee was in charge of directing the TOD Plan process. The Steering Committee, with the assistance of the Planning Board was charged with creating a future vision for the area surrounding Linden Station. The Plan stresses positive and pro-active cooperation among property owners, developers, NJ Transit, Union County, New Jersey Department of Transportation and the City to achieve the objectives of the Plan.

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<sup>1</sup> New Jersey Department of Transportation. Transit Friendly Village Initiative, <http://www.state.nj.us/transportation/community/village/index.shtml>

The City Economic Development Director is the entity responsible for building continued consensus to implement the Plan. The Plan is a special area master plan element of the master plan that updates the land use plan element of the master plan. It provides policy statements and the framework for the creation, adoption and implementation of ordinances.

The Plan is the result of a consensus-based process that included interviews with major stakeholders in the community; a transit survey, and interviews with City Council members, municipal boards, and groups and officials.

In August of 2008, the City adopted the Transit Oriented Development (TOD)<sup>2</sup> specific area master plan element, which updated the Land Use Plan element of the Master Plan. The Plan creates a new vision for the Linden Station area in addition to recommending changes to the City's Land Development Ordinance. Furthermore, TOD Plan recognized a need to encourage revitalization around the Linden Train Station area.

### ***Subdivision of Land/Oversized Homes***

Since 2003, the pressure to subdivide residentially zoned properties in residential neighborhoods has increased. There has also been a trend to demolish existing older homes and replacing them with larger houses or two family houses. The result can be out of character with a stable neighborhood. Accordingly, the City should continue to review standards to better control the scale of infill development and consider measures, such as increased setbacks, increased lot sizes and elevation standards, and evaluate its existing residential zoning standards to encourage appropriate patterns of development and maintain stable neighborhoods.

### ***General Motors Site***

A major change that has occurred since 2003 relevant to this report is the closing and demolition of the General Motors plant on the Route 1 & 9 corridor. Plant closure has resulted in the loss of a large number of jobs from a major employer that has been in the community for many years. The economic impacts of the plant closing have also included a reduction of municipal tax revenue. The shutdown

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<sup>2</sup> The TOD Plan was funded by a grant from the Department of Community Affairs.

of the facility has created a need for Linden to guide the appropriate redevelopment of this property. In that vein, a significant change that has occurred in the past five years is the increase in retail activity along the Route 1 & 9 corridor. Notably, the Aviation Plaza commercial redevelopment was completed and occupied during this period and commercial redevelopment is underway at Park Avenue.

This retail growth is consistent with regional economic trends. The lack of available land for large scale commercial development has created a demand for new and renovated retail space in urban locations. There are many examples from throughout northern and central New Jersey in recent years where industrial properties have been redeveloped for commercial uses in communities including Clifton, Edgewater, Edison, Elizabeth, Lyndhurst and Union. The Route 1 & 9 corridor has adequate retail demand to warrant additional regional commercial development, which could be accommodated without adversely affecting existing retail elsewhere in the corridor in Linden. The type of regional commercial space appropriate in this location also would not compete with downtown Linden, which has a different type of setting and market.

There has also been a shift in preferences for industrial space. Older manufacturing facilities, such as multi-story factories or small-scale industrial buildings, have been supplanted by large new warehouse and distribution facilities. These types of operations have flourished in locations with good highway access and the availability of sizable tracts of land. Proximity to major transportation facilities, such as railroads, seaports or airports, has helped keep certain areas viable for this type of use.

These changes warrant revisions to the Master Plan and development regulations of the City of Linden to promote the appropriate and orderly redevelopment of the GM site for the benefit of the City and its residents. Linden is in need of additional ratable development to offset the loss of the GM plant. Retail, industrial and age-restricted multi-family residential development should be considered for the redevelopment of the GM site.

### ***Tremley Point Area and Industrial Node***

The New Jersey Turnpike (NJT) continues to move forward with its plan of creating a new four-lane 1.1 mile roadway/bridge between Linden and Carteret in Middlesex County that will

provided access to NJT Interchange 12. This City is desirous of the new connector roadway/bridge with Interchange 12 as it would provide increased access to heavy industrial development areas east of the NJT in Linden. Anticipated benefits include: increased access to areas east of the NJT, a reduction in truck and vehicular traffic on collector and local roads west of the NJT and increased opportunities for the private market to remediate brownfields. The project invests in the industrial future of the Tremley Point Area of Linden.

The Planning Board continues to recommend a study of Tremley Point Road, which is privately owned, for its needed improvement to support the redevelopment of the Tremley Point area. The City should approach the County about the possibility of the County assuming jurisdiction of Tremley Point Road.

### ***Code Enforcement***

Improving the quality of housing in Linden requires an effort on the part of code enforcement officials to identify substandard housing and to encourage improvement efforts. To achieve the goal of code enforcement, actions must be undertaken throughout the City with particular emphasis on substandard multi-tenant units. To achieve this task, improvements to the department should be investigated to allow for a blanket inspection of areas of the City, the modernization of equipment, and an aggressive prosecution of offenders. The City should consider creating a Task Force to identify and eliminate illegal conversions of residential uses that result in an increase in the number of dwelling units. In addition to exceeding the permitted density, illegal conversions are typically constructed without receiving building permits and associated inspections from the City. As a result, there are increased safety risks to residents.

The City should compile a database of important information on rental units such as the number of bedrooms in each unit, the property owner and the name of the party responsible for property management. This information is useful for tracking changes in occupancy, but also to implement an inspection and enforcement program.

Inspections, in all rental units, should take place at the change of occupant or annually, whichever comes first. Inspections should include, at a minimum, a review of all zoning codes and building

codes. While this program may take a few years to implement, the City should strive to install additional computer software to further track the process, such as a Geographic Information System (GIS).

### ***Senior Housing***

Under the new COAH Round III rules senior housing can be utilized to meet 25 percent of the City's Round III affordable housing obligation. The City should investigate options to create senior housing opportunities to meet the needs of City residents and to assist in meeting state housing requirements.

Consideration should be given to rezoning portions of the GM site south of Pleasant Street as a senior housing development.

### ***Recreation and Open Space***

Over the years, the City has continued to upgrade and add new parks to the local park and recreation system. However, in a fully developed City such as Linden, acquiring new parklands to provide additional outdoor recreation fields is a major land use challenge. In a community where the population density is high and where the land use is almost entirely developed, locating new park facilities to provide additional active recreation space will be challenging. Consideration should be given to incorporating plans for new parks in any large scale development/redevelopment plans, acquisition of Brownfield sites, and expansion of the existing park system into areas of the community that are already built up. This Master Plan Reexamination Report encourages providing new park and recreation opportunities and providing increased access to the waterfront. To achieve this goal, the City has partnered with the New Jersey Audubon Society to improve properties along the Rahway River with boardwalks and walkways.

## ***CHANGES AT THE COUNTY LEVEL***

Union County updated its master plan in June 1998. The plan does not indicate individual recommendations by municipality. Rather the plan updates:

- County Goals and Objectives
- Demographics

- Updated (non-municipal specific) Land Use Plan
- Circulation and Transportation Plan
- Public Transportation
- Economic Development Initiatives

However, the objectives and assumptions are county specific and do not make any specific recommendations regarding Linden.

### ***CHANGES AT THE STATE LEVEL***

#### ***New Jersey Council on Affordable Housing***

In 2004, the New Jersey Council on Affordable Housing (COAH) adopted a new rule and regulations to require that the amount of affordable housing needed by 2014 would be based upon the actual growth the City experienced from new residential and nonresidential construction. The City obligation under the 2004 rule was to provide at least one affordable dwelling unit for every eight market-rate residential units that are newly constructed and one affordable unit for every 25 new jobs, based on square footage of new nonresidential construction. In 2007, the City adopted a new housing plan element and fair share plan and petitioned COAH to certify the City plan for affordable housing.

In January 2007, an Appellate Court decision required that COAH revise its 2004 rule. As a result, COAH published a revised rule in January 2008 which went into effect in June 2008. The City obligation was increased to provide at least one affordable dwelling unit for every four market-rate residential units that are newly constructed and one affordable unit for every 16 new jobs, based on square footage of new nonresidential construction. The revised rule requires that the City revise and resubmit its housing plan element and fair share plan to address the rule changes and re-petition COAH for certification by December 31, 2008. On September 22, 2008, the New Jersey Council on Affordable Housing (COAH) voted to adopt further rule amendments that were proposed on June 16, 2008. The amendment assigned the City the obligation to plan for a projected need of 446 additional lower income housing units for the period 2004 to 2018.

On July 17, 2008, Governor Corzine signed a comprehensive affordable housing reform bill into law, P.L.2008, c.46, which included amendments to the Fair Housing Act. Major components of the law include establishment of a statewide 2.5% non-residential development fee and elimination of Regional Contribution Agreements (RCA). In order to retain non-residential fees for local use in providing affordable housing, the City is required to continue in the COAH process and adopt a local fee ordinance consistent with the State statute.

#### ***New Jersey Department of Environmental Protection***

The adoption of municipal stormwater regulations by the New Jersey Department of Environmental Protection (NJDEP) required preparation and adoption of stormwater management plans to address the need for promoting groundwater recharge and controlling the impacts of stormwater runoff from development.

In addition, the New Jersey Department of Environmental Protection (NJDEP) adopted Flood Hazard Area Control Act Rules in 2007 as N.J.A.C. 7:13 et seq. The rules establish the methods for determining the Flood Hazard Area as outlined in N.J.A.C. 7:13-3 and place substantial restrictions on development in Flood Hazard Areas.

## 6. SPECIFIC CHANGES FOR THE MASTER PLAN AND ZONING REGULATIONS

As part of the master plan reexamination process, zoning for numerous properties were identified as being inconsistent with existing land use patterns. A primary objective of this report is to recommend revisions to the Master Plan and zoning ordinance to maintain an up to date plan and development regulations.

This reexamination recommends amending the Master Plan to address the changed circumstances of the GM site. The reexamination further recommends amending the Master Plan to address the changing State requirements for planning for affordable housing.

In addition, this reexamination recommends the following changes to the Master Plan and the City Development Regulations

1. Amend the Master Plan and rezone the C-L Limited Retail-Specialized Manufacturing District located on Elizabeth Avenue to Light Industrial (LI).
2. Continue to evaluate the bulk standards for lot size, setbacks, parking, access and buffers along the Route 1&9 corridor.
3. Larger Homes on Oversized Parcels & Expansion of Homes - The construction of oversized homes adjacent to existing smaller homes is emerging as a land use concern within the community. Many new or proposed homes are often perceived as out of character with the neighborhoods.

Oversized buildings result when existing houses are demolished and replaced with new buildings that are significantly larger than the previous home and the adjacent buildings in the neighborhood.

Accordingly, this Master Plan Reexamination Report recommends protecting existing residential development and the character of stable neighborhoods from encroachment by incompatible infill development.

Recommendations to regulate infill development include the creation of the following standards:

- Control building intensity based upon lot size by using a sliding scale to reduce permitted building coverage percentage as lot sizes increases, and/or increase yard setbacks as the building size increases;
  - Establish bulk standards similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Require larger buildings to adhere to the existing architectural pattern of the surrounding neighborhood.
  - Requiring street side yard setback requirements for corner lots that are at least half of the front yard setback.
4. Encourage a pattern of zoning that is parcel based rather than a specified setback from a road right-of-way to limit split lot zoning<sup>3</sup>.
5. Create definitions in the Land Development Code for:
- Adult Active Living
  - Alteration
  - Assisted Living Facility
  - Cartway
  - Change In Use
  - Commercial Parking Facility
  - Concept Plan
  - Condominium
  - Coverage, Building
  - Density
  - Environmental Impact Statement
  - Flood Fringe Area
  - Grade, Existing

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<sup>3</sup> Split Lot Zoning – This occurs when a zoning boundary line runs through a piece of property, i.e., the portion fronting on a street is zoned for a commercial use but the rear portion of the lot is zoned residential.

- Grade, Finished
  - Lot, Flag
  - Lot, Through
  - Minimum Habitable Floor Area
  - Multi-family building
  - Nonresidential Zone
  - Parapet
  - Performance Guarantee
  - Pervious Surface
  - Public Area
  - Prohibited Use
  - Residential Flat
  - Retail Sales
  - Retail Services
  - Screening
  - Senior housing
  - Shoulder
  - Sidewalk Area
  - Townhouse Lot
  - Definitions should be clarified for lot coverage and improved lot coverage.
6. Change in use ordinance provisions should be created to clearly specify when an applicant requires site plan reviews and approval and which types of applications are exempt from site plan review.
7. Consolidate definitions located within the zoning, land development code and wireless telecommunications ordinance into one grouping of definitions.
8. Label the C-2 (40), C-2 (60), C-2 (100) and C-2 (HD) sub-districts on the City's Zone map.
9. Prohibit flag lots in the City.

10. To improve the likelihood of being designated as a Transit Village, the City should revise the Land Development Ordinance and zoning to implement recommendations from the Linden Station Transit Oriented Development Master Plan Element.
11. Revise the City design standards to require landscaping as part of non-residential and multi-family residential projects. New standards should be quantitative rather than qualitative to the maximum extent possible, i.e., plant one (1) street tree for every ten (10) parking spaces.
12. The City's Zoning Schedule of Limitations identifies several conditional uses in Linden. Additional conditions and standards for many of these conditional uses are located in Section 31-19. This Plan recommends revising the title for Section 31-19 from Supplementary Use Regulations to Conditional Use Standards. This Plan further recommends the creation of conditional use standards for all conditional uses or list such uses as principal permitted uses.
13. Changes Recommended for the GM Site  
The planned land use of the GM site in the Master Plan Land Use Element should be amended as described below. The property should be rezoned to be substantially consistent with the amended Land Use Element.

Site Status

The GM site was purchased by Linden Development, LLC, an affiliate of Duke Realty Corporation, a publicly traded REIT (real estate investment trust), in December 2007 with the intent of fostering the site's redevelopment. Building demolition is underway and the City has approved a subdivision of the property to facilitate its redevelopment. Concurrently with demolition and redevelopment planning, the site is undergoing environmental remediation planning and approval, with both the State and Federal governments. A major incentive for expediting the environmental cleanup of this site is its potential redevelopment. The GM site also has adequate water and sewer service available, and traffic impacts can be addressed.

The GM site will be ready for redevelopment to begin immediately after all local, state, and federal approvals are obtained. The appropriate uses for this property are influenced by its accessibility, visibility and surrounding uses. The GM site is ideally located on Route 1 & 9, a heavily traveled roadway. It is located across the street from a large retail commercial development and there are numerous retail and industrial developments near-by. Close proximity to Port of New York and New Jersey facilities is also a major advantage. Adjacent land uses vary from large retail, industrial and warehousing, some residential, and a large chemical manufacturing plant.

There has been significant market interest for retail opportunities along the GM site's Route 1 & 9 frontage as well as for industrial/distribution space.

#### Development Concept

The GM site should be redeveloped with a mix of uses, with retail and commercial uses along its highway frontage and warehouse/distribution (industrial) on the rear portion. There also is an opportunity for residential use south of Pleasant Street on a parcel that abuts existing residential uses. The residential option will be contingent upon results from further environmental testing and remediation alternatives.

Approximately 44 acres of land that fronts on Route 1 & 9 are proposed for retail and service commercial development. Three existing curb cuts would be maintained along Route 1 & 9, with access also provided from Pleasant Street. Smaller scale commercial/retail buildings will front Route 1 & 9 with parking behind and beside the buildings. All of these buildings will access to a common collector driveway and parking behind them, limiting curb cuts to the existing driveways. Larger retail stores will be developed behind the streetscape. The development will have design standards to control the architectural theme and maintain a cohesive design.

The industrial development behind the retail will most likely be comprised of two larger industrial buildings on roughly 48 acres. They will have access to both Linden Avenue and Pleasant Street, just as the GM plant did. Office portions of the building will match the retail

architectural theme and colors. A smaller flex/industrial building is planned on a parcel south of Pleasant Street. This facility could attract research and technology or medical service type uses. It will match the architectural theme and colors of the planned industrial buildings across the street, but at a smaller scale.

The potential residential portion of the redevelopment provides an appropriate transition from the existing residences to the south from the rest of the proposed development. The type of development projected for this location would be age restricted.

The redevelopment of the GM site also would allow for enhanced circulation. Currently, Rebecca Street is a dead end at the property line and does not run through Pleasant Street. The area of the existing private driveway connection to Pleasant Street across Lot 9 Block 470 should be dedicated to the City as a dedicated street allowing full access of the existing residences to the south of Pleasant Street and its signalized intersection with Routes 1 and 9.

The historical importance of the GM plant to the neighborhood and City will be recognized in the redevelopment of the site. This site's contribution to the regional economy, as well as its role during World War II will be preserved and commemorated in the details of the proposed development, which will be called "Legacy Square." Signage, banners and other markers will identify certain historical references such as "Rosie the Riveter." The Wildcat fighter plane — which was built at the GM plant — and past General Motors automobiles are all icons that will be showcased and referenced. Architectural elements will be integrated into the design standards of the development, building on the theme of the site's prior use and its legacy to the region.

Certain changes to the Master Plan and Zoning Ordinance will be required to permit this development concept. The proposed changes are described in the following two sections.

Recommended Master Plan Changes

The portions of the GM site currently located in the Light Industrial category and the entire portion of the GM site located north of Pleasant Street within approximately 1,000 feet of Route 1 & 9 should be placed in a Planned Commercial Development category to permit redevelopment based on an overall plan for commercial and retail use.

The small section of the GM site on the south side of Pleasant Street stretching from the rear of the Highway Commercial category to a distance of approximately 1,000 feet from Route 1 & 9 should be placed in a High Density Residential category for age restricted development. This area is currently located in the Medium Density Residential category. Changing its designation would allow for this property to be developed in a manner that provides a transition from any new commercial development to the north to the existing residential area along Hampden Street, Rebecca Street and Smith Street to the south.

The land use designation of the remainder of the GM site, which includes all areas located over roughly 1,000 feet from Route 1 & 9, should remain Heavy Industrial. Keeping the rear portion of the GM site in the Heavy Industrial category would leave adequate space to accommodate the demand for new industrial/warehouse/distribution space on the property.

Recommended Zoning Ordinance Changes

The Zoning Ordinance and Zoning Map should be amended to reflect the above-described master plan changes. The zoning for the commercial portion of the GM site should require a unified architectural theme, which could be regulated through design standards. Encouragement of “green” design, such as through the U.S. Green Building Council’s LEED certification, should be considered.

An area designated for Heavy Industrial land use would remain on the site to provide for redevelopment on industrial and warehouse uses.

A new multi-family, age restricted residential zone should be created as a transition from higher intensity commercial and industrial uses and neighboring single-family residential uses to the south of Pleasant Street.

14. The Planning Board should adopt an amended Housing Plan Element and Fair Share Plan to address the revised regulations of COAH and the amended State Fair Housing Act. The City zoning and land use regulations should be amended to implement the Housing Plan Element and Fair Share Plan. The City should adopt a development fee ordinance and spending plan to enable the City to retain housing development fees.

### ***Creation of a New Master Plan***

At this time, the Planning Board finds that there is not a need to prepare a wholly new master plan. The City's Master Plan, however, should be amended and updated in accordance with the recommendations of this reexamination.

## 7. RECOMMENDATIONS CONCERNING REDEVELOPMENT PLANS

In 2002, the City revised the Master Plan to incorporate redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law”. The City has also made changes to the City development regulations to effectuate the approved redevelopment plans. The Planning Board continues to recommend that the City pursue additional redevelopment opportunities by submitting an application to the Department of Community Affairs for a “Smart Growth” planning grant for a brownfield redevelopment study. Such a study would:

- a. Focus industrial revitalization efforts by working with the State to determine which properties are vacant or underutilized for inclusion in the State Brownfield Program ; and
- b. Work with the NJDEP’s Site Plan Remediation program to identify sites eligible for inclusion on the State’s brownfield inventory.

The future of Tremley Point continues to be a concern for the community. The City seeks to have beneficial reuse established on the brownfields of this area of Linden that was contaminated by prior industrial uses. The 2002 Master Plan recommends supporting a connector road between Tremley Point and New Jersey Turnpike Interchange 12 in Carteret, which is currently in the permitting process with the New Jersey Department of Environmental Protection and is an active New Jersey Department of Transportation Project.

Since the 2003 Master Plan Reexamination Report, Linden has adopted the St. Georges Avenue Redevelopment Plan, DuPont/ISP Redevelopment Plan, Infineum Redevelopment Plan, Merck & Co. Redevelopment Plan, Theater Redevelopment Plan. This Plan recommends incorporating all redevelopment plans with the exception of the DuPont/ISP Redevelopment Plan as the City is in the process of revisiting the ISP/DuPont Plan at this time.

This Plan recognizes the following Redevelopment Plans are in effect, as shown on the attached map.

- St. Georges Avenue – Phase 1
- St. Georges Avenue – Phase 2
- Tosco Polypropylene
- South Wood Avenue

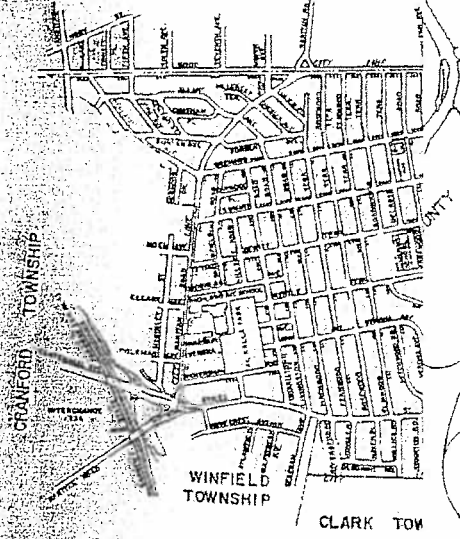
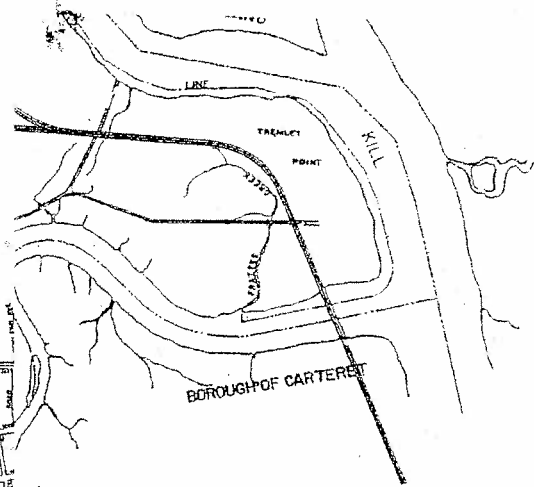
- Dupont / ISP
- Airport
- Movie Theater
- Landfill
- Merck
- Infineum
- Conoco-Phillips
- United Lacquer

# CITY OF LINDEN DEVELOPMENT PLANS



Georges Ave. - Phase 1  
 Georges Ave. - Phase 2  
 Polypropylene  
 Wood Avenue  
 Mont/ISP  
 Port  
 Theater  
 dfill  
 rck  
 ineum  
 onoco-Phillips  
 nited Lacquer

STREET	SECTION	SECTION	SECTION
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MAP  
 OF THE  
**CITY OF LINDEN**  
 UNION COUNTY N.J.  
 OCTOBER 1962  
 JOHN A. ZIEMIAN-CITY ENGINEER  
 PLAN SHOWING  
 HOUSE NUMBERING SYSTEM  
 ADOPTED MAY 1926