

2019 MASTER PLAN REEXAMINATION REPORT

CITY OF RAHWAY, UNION COUNTY, NEW JERSEY



PREPARED FOR THE CITY OF RAHWAY PLANNING BOARD BY

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MAY 2019

**2019 MASTER PLAN
REEXAMINATION REPORT**

**CITY OF RAHWAY
UNION COUNTY, NEW JERSEY**

Prepared for:

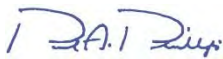
City of Rahway Planning Board

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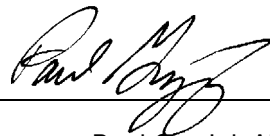
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I. Introduction

The City of Rahway is a mature suburban municipality with a major commuter railroad station, attractive residential neighborhoods and a traditional downtown that is undergoing a resurgence. Located approximately 15 miles southwest of Manhattan, Rahway is a short drive or train ride from New York City and Newark, as well as other attractions. Rahway has been active in redeveloping its downtown and adjoining areas, and has had significant new development projects throughout the City. There have been a number of successful redevelopment projects creating new residential, nonresidential and mixed-use developments that have restored vacant and underutilized properties to productive use. The focus on the arts and entertainment in particular has attracted new residents and businesses to Rahway.

However, there are multiple additional areas to be redeveloped that have the potential to change the character of the community. There is also a constant need to evaluate development regulations and to respond to changes in the markets for various land uses. But there are also opportunities, such as changes in the real estate market and designation of a large portion of Rahway as an “Opportunity Zone,” which could provide significant benefits to the City, its residents and businesses.



Rahway has commissioned the preparation of this Master Plan Reexamination in order to address these and other issues, as well as to meet the requirements of the Municipal Land Use Law (MLUL) of the State of New Jersey. The MLUL at N.J.S.A. 40:55D-89 mandates that a municipality’s governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination. The City of Rahway adopted its last comprehensive master plan in 1997. Revisions to this document were adopted in 2002, 2005, 2006, 2008 and 2010.

There are five elements which the reexamination report must include:

- 1) A section outlining the major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- 2) A section describing the extent to which such problems and objectives have been reduced or have increased subsequent to that date.

- 3) A section discussing the extent to which there have been significant changes in the 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.



- 4) A section setting forth the recommended changes to the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- 5) A section setting forth the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law” 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 remainder of this document includes the above required sections. In addition, there is a chapter that discusses issues and opportunities for a number of key areas around the City.



II. Problems and Objectives Set Forth in the Prior Master Plan and Their Current Status

A. Introduction

This chapter outlines the major problems and objectives relating to land development in Rahway as listed in the City's Master Plan, which was adopted in 1997 and amended multiple times, most recently in 2010. It also describes the extent to which such problems and objectives have been reduced or have increased subsequent to that date, thus addressing the requirements of items *a* and *b* in N.J.S.A. 40:55D-89, which lists the mandatory contents of a reexamination report.

B. Problems Outlined in the Master Plan

Below are four problems identified in the Master Plan, followed by a discussion of each one's current status:

- ***The manufacturing sector has declined.***

Current Status: As is the case in many locations in the Northeast and beyond, the decline of the manufacturing sector has continued in Rahway. There are still industrial operations in the City, notably Merck and Company's facilities in the east-central section. However, the City has continued its post-industrial transition. In some areas, this has meant changing use categories, such as former factories being reoccupied by offices,



retailers, distributors and other uses. In others, there are opportunities for warehouse, distribution and logistics uses which take advantage of proximity to Newark Liberty International Airport and the Port of New York and New Jersey's facilities in Newark and Elizabeth. Some recommendations related to this topic are provided in Chapter VI.

-
- ***Retailing has left downtown for regional malls and highway strip developments.***

Current Status: The evolution of retail and downtowns has continued. However, while retail of all types has been challenged by the growth of online shopping, there are trends that favor traditional mixed-use downtowns. Among these is the preference for experience-based places, with dining, entertainment and activities part of the mix. Downtown Rahway offers these types of attractions, with an emphasis on arts and culture. In fact, regional malls have fallen out of favor and many are being redeveloped, in some instances as mixed-use "town centers" – much like a traditional downtown.

- **Truck and vehicular traffic, and the reliance on major highways for passenger and freight movement, has displaced rail and waterborne forms of transportation.**

Current Status: The change in transportation preferences provides an opportunity as noted above for Port-related development. However, there is a need to address the impacts of increased truck traffic from this type of development.

- **The population is maturing and aging.**

Current Status: As discussed in Chapter III, the proportion of Rahway residents age 65 or older has actually been decreasing since 1990. This change is due to growth in other segments of the population, as well as a decrease in the total number of residents age 65 or older since 2000. Rahway has a diversity of housing types, which includes senior-only housing as well as other housing types beyond single-family homes. For example, transit-oriented downtown housing, which has attracted younger residents in Rahway, may also be a desirable housing type for older residents as well.

C. Master Plan Goals and Objectives

Each of the goals and objectives of the Rahway Master Plan is set forth below, followed by a discussion of its current status:

- **Maintain a proper balance between land uses so that the City's population is adequately served by a sound employment base and sufficient services.**

Current Status: This objective remains valid. Recommendations to strengthen the City's commercial and industrial areas are provided in Chapter IV to further this objective.

- **Protect residential neighborhoods from commercial, industrial and office encroachments.**

Current Status: This objective remains valid. Nonresidential development is focused in limited areas of the City.

- **Provide adequate public facilities for the City's population, including schools, parks, libraries, recreation/open space, fire and police, and solid waste disposal.**

Current Status: This objective remains valid.



-
- **Provide an opportunity for the development of housing of various types and sizes, to meet the needs of people at various stages in their life cycle.**

Current Status: This objective remains valid. Rahway has a diversity of housing types. Protecting existing residential neighborhoods while increasing the amount of transit-oriented downtown housing will help maintain a broad mix of housing choices.

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- **Encourage adequate affordable housing opportunities, especially for young families and senior citizens.**

Current Status: This objective remains valid.

-
- **Encourage mixed-use development where appropriate, such as residential uses within selected commercial/retail zones.**

Current Status: This objective remains valid. Mixed-use development is generally limited to the downtown area.



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- **Ensure that new development on vacant or underutilized land is in keeping with existing neighborhood character.**

- Current Status: This objective remains valid.

-
- **Preserve open space and protect natural, cultural and historic resources.**

- Current Status: This objective remains valid. A Green Building and Sustainability Master Plan Element was adopted in 2010.

-
- **Provided a systematic plan for the acquisition of riverfront and upland parcels for additional open space and parkland.**

Current Status: This objective/challenge remains valid. A Rahway River Greenway Plan was prepared for the City in 2006, but has not been implemented to date.

- **Provide social services adequate to meet the needs of elderly and handicapped residents, as well as increased need for child care.**

Current Status: This objective remains valid.



-
- **Encourage the revitalization of the downtown area of the City through partnerships between the public and private sectors.**

Current Status: This objective/challenge is being addressed through the efforts of the City, including the Redevelopment Agency and Parking Utility, as well as business owners, landowners and other entities. In particular, the Rahway Arts & Business Partnership (originally the Rahway Center Partnership) was created in 2009 to promote and enhance the business, educational, civic and cultural life of the Rahway Special Improvement District (SID) and has been designated as the District Management Corporation of the SID pursuant to state law.

-
- **Provide adequate infrastructure to meet the needs of industry.**

Current Status: As noted, the industrial sector is evolving. However, as changes occur in the focus of the City's industrial zones, there is a need to provide road access for trucks and other vehicles.

-
- **Provide for efficient and safe traffic circulation in the City. This should be achieved while the aesthetic quality is maintained, especially along residential streets.**

Current Status: This objective/challenge remains valid. The City should promote the development of "complete streets" where possible (i.e. roads that are accessible to all users). A bike path plan was prepared in 2004 but has only been partially implemented, and will be further implemented with "sharrow" on-street bicycle lanes in designated locations.



-
- **Optimize alternative modal choices within the City, in particular to access the railroad station. Access modes other than parking at the station should be encouraged, i.e., buses, jitneys, taxis, walking, bicycles, etc.**

Current Status: This objective/challenge remains valid. A bike path plan was prepared in 2004 but has not been implemented.



-
- **Protect lives and property from flood damage through stormwater control and management.**

Current Status: This objective has been addressed through the adoption of a Municipal Stormwater Management Plan in 2005 and subsequent adoption of Stormwater Control ordinances in 2006. The City has also acquired 30 properties in flood areas via Blue Acres during the last decade.

-
- **Encourage the redevelopment of Brownfield sites (underutilized and contaminated industrial sites) in the City.**

Current Status: This objective remains valid. Rahway's Central Business District was designated as a "Brownfield Development Area" by the New Jersey Department of Environmental Protection (NJDEP) in 2009. This program provides assistance to selected communities affected by multiple brownfields with the objective of enabling remediation and reuse of brownfields to occur in a coordinated fashion.

-
- **Improve development approval process by providing all zoning, subdivision and land use procedures under one comprehensive land development ordinance.**

Current Status: The Land Use Procedures, Flood Damage Prevention, Site Plan Review, Subdivision of Land and Zoning chapters have been grouped together under "Land Use Legislation" in the City's General Ordinances. However, they have not been consolidated into a single comprehensive ordinance.



III. 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

A. Introduction

For the most part, the assumptions, policies and objectives which formed the basis for the City’s Master Plan as last revised remain valid at the present time. However, a number of changes have occurred that impact Rahway and its planning policies. Notably, as discussed the City of Rahway has leveraged its assets and utilized regulatory tools to guide significant redevelopment activity in its downtown, commercial corridors and other areas. Actions taken by the municipal government and its partners in the public and private sectors have resulted in a vibrant arts community in Rahway, while investment in its train station and surrounding areas have resulted in new transit-oriented developments and other downtown developments that have increased the population of the City in general and the downtown in particular. Outside the downtown, a range of businesses have invested in Rahway through the construction of new commercial uses, hotels and other establishments.

Yet there remain multiple additional redevelopable areas that have the potential to change the character of the community. There is also a constant need to evaluate development regulations and to respond to changes in the markets for various land uses, as well as to account for changes in the real estate market and designation of a large portion of Rahway as an “Opportunity Zone.” The remainder of this chapter describes a number of changes that have occurred in the City and beyond in recent years that could affect Rahway’s planning efforts.

B. Demographics

According to estimates from the U.S. Census Bureau, Rahway’s population increased by ten percent between 2010 and 2017, to over 30,000 (see Table III-1).

Table III-1: Estimated Population, City of Rahway, 2010 to 2017
 Change

Year	Residents	Number	Percent
2010	27,396		
2011	27,983	587	2.14%
2012	28,281	298	1.06%
2013	28,502	221	0.78%
2014	29,159	657	2.31%
2015	29,570	411	1.41%
2016	29,745	175	0.59%
2017	30,131	386	1.30%
Change, 2010 to 2017		2,735	9.98%

Source: U.S. Census Bureau, Population Division

This shift is significant for continuing somewhat steady population growth in recent years, and the 2017 estimated population is higher than any decennial census population in the City’s history. As shown in Table III-2, the City’s population experienced its largest population growth by far during the 1920s, followed by the 1950s. Rahway’s population peaked in 1970, then decreased for two decades before moving upward again beginning in 1990.

Table III-2: Historical Population, City of Rahway, 1900 to 2010

Year	Residents	Change	
		Number	Percent
1900	7,935		
1910	9,337	1,402	17.7%
1920	11,042	1,705	18.3%
1930	16,011	4,969	45.0%
1940	17,498	1,487	9.3%
1950	21,290	3,792	21.7%
1960	27,699	6,409	30.1%
1970	29,114	1,415	5.1%
1980	26,723	-2,391	-8.2%
1990	25,325	-1,398	-5.2%
2000	26,500	1,175	4.6%
2010	27,346	846	3.2%

Source: U.S. Census Bureau

The median age in Rahway in 2016 was estimated as 37.9. This figure is lower than the median age for both Union County (38.5) and New Jersey (39.5). It also is lower than it was in Rahway according to the 2010 Census (38.8).

Rahway’s average household size remained relatively constant from 1990 to 2010, but is estimated to have increased somewhat since 2010 (see Table III-3).

Table III-3: Average Household Size, City of Rahway, 1990 to 2017

Year	Size
1990	2.62
2000	2.63
2010	2.58
2017	2.71

Source: U.S. Census Bureau, Population Division

Table III-4 shows the breakdown of population by age group in 2010 and 2017.

Table III-4: City of Rahway Population Distribution by Age, 2010 and 2017

	2010	2016
Under 5 years	5.3%	7.2%
5 to 9 years	6.2%	5.2%
10 to 14 years	6.4%	6.0%
15 to 19 years	7.2%	5.8%
20 to 24 years	6.5%	6.4%
25 to 34 years	12.4%	15.1%
35 to 44 years	15.3%	15.4%
45 to 54 years	15.3%	14.1%
55 to 59 years	7.1%	6.2%
60 to 64 years	4.2%	6.0%
65 to 69 years	6.7%	6.1%
75 to 84 years	5.1%	3.9%
85 years and over	2.3%	2.4%

Source: U.S. Census Bureau, 2006-2010 American Community Survey and 2013-2017 American Community Survey 5-Year Estimates

A notable trend shown in the above table is the significant growth since 2010 in the number of residents between 25 and 34 years old.

Both the number and percentage of residents age 65 or older have decreased in recent years, as shown in Table III-5.

Table III-5: Residents Age 65 or Older, City of Rahway, 1990 to 2017

Year	Percent	Number
1990	15.1%	3,829
2000	14.5%	3,836
2010	13.5%	3,693
2017	12.5%	3,675

Source: U.S. Census Bureau, Population Division

C. Development Activity

Table III-6 indicates that there was an average of 67.6 new housing units authorized to be built per year from 2010 to 2017; nearly 95 percent of these were issued for multifamily dwellings. However, these figures varied from year to year, from a low of two units in 2016 to a high of 173 units in 2012. There were also 19.1 residential demolition permits issued in Rahway from 2010 to 2017 (see Table III-7).

Table III-6: Residential Housing Units Authorized by Building Permits, City of Rahway, 2010-2017

	Total	1&2 family	Multifamily	Mixed use
2010	4	4	0	0
2011	3	3	0	0
2012	173	2	171	0
2013	118	2	116	0
2014	123	7	116	0
2015	8	3	5	0
2016	2	2	0	0
2017	110	7	103	0
Total	541	30	511	0

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

Table III-7: Residential Demolition Permits, City of Rahway, 2010-2017

	Total	1&2 family	Multifamily	Mixed use
2010	10	9	1	0
2011	6	5	1	0
2012	0	0	0	0
2013	2	2	0	0
2014	2	2	0	0
2015	3	3	0	0
2016	128	5	123	0
2017	2	2	0	0
Total	153	28	125	0

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

There has been a significant amount of non-residential development activity in Rahway in recent years. As shown in Table III-8 below, over 1.25 million square feet of non-residential floor area was authorized for construction in the past eight years. However, new office and retail development activity has been lacking, with less than 10,000 square feet added during this time period. The “Other” category in Table III-8 encompasses a range of uses including assembly, education, institutional, hotel/motel, industrial, storage and “multifamily/dormitory” uses.



Table III-8: Non-Residential Space Authorized by Building Permits, City of Rahway, 2010-2017

	Office	Retail	Other	Total
2010	816	0	3,758	4,574
2011	0	0	112,160	112,160
2012	0	0	152,351	152,351
2013	0	2,626	189,131	191,757
2014	624	0	175,862	176,486
2015	0	0	16,978	16,978
2016	0	0	464,884	464,884
2017	0	5051	135,334	140,385
Total	1,440	7,677	1,250,458	1,259,575

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

D. Changes at the Local Level

Introduction

Rahway remains a residential suburb with a significant downtown, even as it has evolved from a manufacturing hub to an arts and cultural center. Development of new performance spaces, such as Hamilton Stage, and of artists' housing are higher profile projects. But they have been joined by the growth of related businesses, like rehearsal studios, as well as restaurants, shops and a craft brewery. The remainder of this section discusses some notable changes in recent years related to land use and development in Rahway.



Redevelopment

A number of redevelopment plans have been prepared or amended in recent years. Notably, a consolidated redevelopment plan for the Central Business District was adopted in 2013 as discussed in Chapter V. Additional discussion regarding existing and potential redevelopment areas and plans is provided in Chapter V.

Zoning Amendments

The City has adopted a number of amendments to its Zoning Ordinance in recent years, including between 2005 and 2018. These have ranged for new and modified definitions to changes in permitted uses.

Designation of “Opportunity Zone”

In April 2018, a portion of the eastern section of the City of Rahway was designated as an “Opportunity Zone.” The designated area is Census Tract 360, which is bounded on the northwest by Elizabeth Avenue, on the west by Main Street, on the south by East Hazelwood Avenue (to the west of Routes 1&9) and the Rahway River (to the east of Routes 1&9), to the east by the Carteret municipal boundary, and to the northeast by the Linden municipal boundary. The boundaries of the Opportunity Zone are shown on a map in Figure 1.

The western edge of the designated area is located on the west side of the Rahway River in downtown Rahway. A range of land uses are located in Tract 360, as well as a portion of the City’s downtown, the Merck and Company campus and roughly three-quarters of the Routes 1&9 corridor in Rahway. The Rahway train station is located just to the west of the Opportunity Zone. It is noted there is an Opportunity Zone in the City of Linden directly adjacent to Tract 360 to the northeast, and a second one in Linden adjacent to that one as well.

The Opportunity Zones program was created through the 2017 federal Tax Cuts and Jobs Act. According to the federal government, Opportunity Zones are designed to spur economic development by providing tax benefits to private investors. The mechanism for attracting investment is a “Qualified Opportunity Fund,” which is an investment vehicle that is set up as either a partnership or corporation for investing in eligible property that is located in an Opportunity Zone and that utilizes the investor’s gains from a prior investment for funding the Opportunity Fund. Proposed regulations for Opportunity Zones were recently released by the Internal Revenue Service and the Treasury Department.

The Merck campus in the OR zone covers a significant portion of the Opportunity Zone, and the B-3 zone along Route 1 & 9 includes a substantial number of properties. Much of the western portion of Tract 360 is located within reasonable walking distance of the Rahway train station, making this area a prime opportunity for transit-oriented development. Modifications to the applicable redevelopment plans and/or zoning regulations for these areas should be considered to encourage additional development of this type.

Rahway Arts & Business Partnership

The City of Rahway has focused on development of its arts sector and related uses, such as artist housing, in recent years. The Rahway Arts & Business Partnership (originally the Rahway Center Partnership) was created in 2009 to promote and enhance the business, educational, civic and cultural life of the Rahway Special Improvement District (SID). It has been designated as the District Management Corporation of the SID pursuant to state law. The growth in the arts community has benefited Rahway by distinguishing it from other similarly sized cities and downtowns, and the Arts & Business Partnership supports its continued development. The boundaries of this district are shown on a map in Figure 2.



Medical Marijuana Cultivation Facility

The New Jersey Department of Health in December 2018 selected six businesses to advance in the process for obtaining permits for medical marijuana dispensaries, including one with plans for a cultivation site in Rahway and a dispensary in Elizabeth. Two sites were chosen for three regions in the state (north, central and south), with the Rahway/Elizabeth facility in the central region. The chosen applicants now must pass background checks, provide evidence of a dispensary location and municipal approval, and comply with all regulations under the Division of Medical Marijuana, including safety and security requirements, before receiving approval to grow medical marijuana. In Rahway, the facility would be located in the I-L Light Industrial or I-H Heavy Industrial zone districts, consistent with a September 2018 City Council adopted a resolution in support of this type of facility.

E. Changes at State Level

1. Affordable Housing

Significant changes have been made to affordable housing regulation in recent years. The New Jersey Council on Affordable Housing (“COAH”) first proposed Third Round substantive and procedural rules in October 2003. Those rules remained un-adopted and COAH re-proposed both the substantive and procedural Third Round rules (N.J.A.C. 5:94 and 5:95) in August of 2004 and adopted the same effective on December 20, 2004 (the “2004 Regulations”). The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules. On January 22, 2008, COAH proposed and published revised Third Round regulations in the New Jersey Register.

On May 6, 2008, COAH adopted the revised Third Round regulations and advised that the new regulations would be published in the June 2, 2008 New Jersey Register, thereby becoming effective. On May 6, 2008, COAH simultaneously proposed amendments to the revised Third Round rules it had just adopted. Those amendments were published in the June 16, 2008 New Jersey Register, were adopted on September 22, 2008 and made effective on October 20, 2008.

N.J.A.C. 5:96 and 5:97 as adopted in 2008 were challenged in court. In a 2010 decision, the Appellate Division determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second Rounds, i.e. 1987-1999. On September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds. COAH proceeded to propose such regulations in accordance with the schedule and amended schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised Third Round regulations.

Due to COAH’s failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center (“FSHC”), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant’s rights. On March 10, 2015 the New Jersey Supreme Court issued

its decision on FSHC's motion to enforce litigant's rights. The Supreme Court in the 2015 Case found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. (2015) (the "2015 Case"). In doing so, the Supreme Court declined to adopt a specific methodology or formula to calculate the Third Round affordable housing obligations of the municipalities. The Court did provide some guidance by reiterating its endorsement of the previous methodologies employed in the First and Second Round Rules as the template to establish Third Round affordable housing obligations. Notably for Rahway, the Court maintained the exclusion of "Urban Aid Municipalities" (including the City of Rahway) from having a "Prospective Need" obligation. However, a number of affordable housing opportunities have been developed in Rahway in recent years. These include The Willows at Rahway, a 58-unit affordable housing complex with a preference for artists, and the Jack and Margaret Myers Senior Residence, a 51-unit senior affordable housing community. All of the units in these developments are classified as affordable dwellings.

2. State Development and Redevelopment Plan

In October 2011, the New Jersey State Planning Commission proposed and released the draft State Strategic Plan ("SSP") as an update to the 2001 State Development and Redevelopment Plan ("SDRP"). Public hearings were held in February, March and September of 2012. The final draft of the SSP was released in November 2012, proposing the following four overarching goals to guide future planning and development in the state:

- **Goal #1: Targeted Economic Growth** – Enhance opportunities for attraction and growth of industries of statewide and regional importance.
- **Goal #2: Effective Planning for Vibrant Regions** – Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region.
- **Goal #3: Preservation and Enhancement of Critical State Resources** – Ensure that strategies for growth include preservation of the State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing the roles they play in sustaining and improving the quality of life for New Jersey residents and attracting economic growth.
- **Goal #4: Tactical Alignment of Government** – Enable effective resource allocation, coordination, cooperation and communication among those who play a role in meeting the mission of this Plan.

Unlike the 2001 SDRP, the SSP did not contain maps or designate planning areas. In November 2012, the State Planning Commission voted to table the adoption of the plan until amendments could be made to address the impacts of Superstorm Sandy that had occurred in October of the same year. The draft State Strategic Plan has not been adopted at this time.

3. Local Redevelopment and Housing Law

In 2013, the Local Redevelopment and Housing Law (“LRHL”) was amended to permit the designation of a redevelopment area with or without condemnation powers. The amendment set forth requirements for a municipality to indicate, in the resolution authorizing preliminary investigation, whether the redevelopment area designation will allow the exercise of eminent domain:

The resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condemnation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”).

The amendment also established additional notice requirements, and modified conditions necessary for an area in need of rehabilitation designation.

4. Amendments to the Municipal Land Use Law

a. Time of Decision (2010)

In May, 2010, Governor Christie signed P.L. 2010 C.9 into law, effectively nullifying the “time of decision” rule, which had previously allowed municipalities the ability to alter zoning requirements even after an application for development had been filed but before a formal decision on the application had been rendered. P.L. 2010 C.9 provides that the development regulations applicable to a property at the time an application and any decision made pertaining to it. P.L. 2010 C.9 became effective on May 5, 2011.

b. Extension of Time Between Reexamination Reports (2011)

The MLUL was amended in 2011 to extend the maximum time permitted between municipal master plan reexamination reports from six years to ten years.

c. Exemption of Applications for Co-Location of Wireless Communications Equipment on a Tower (2012)

The MLUL was amended in 2012 under N.J.S.A. 40:55D-46.2 so as to provide that an “application for development to collocate wireless communications equipment on a wireless communications support structure or in an existing equipment compound not be subject to site plan review” provided the application meets the following requirements: the wireless support structure shall have been previously approved by the appropriate approving authority; the collocation shall not increase the overall height of the support structure by more than 10 percent, nor increase the width of the support structure, nor increase the existing equipment compound to more than 2,500 square feet; and the collocation shall comply with all of the terms and conditions of the original approval and not trigger the need for variance relief.

d. Exemption of Solar Panels from Impervious Coverage Calculation (2014)

The MLUL was amended in 2014 through Bill S.921/A.2289 to exempt solar panels and canopies or arrays thereof from impervious coverage calculations as part of subdivision or site plan approval.

e. Statement of Strategy (2018)

In January 2018, Governor Christie signed into law an amendment to the MLUL at N.J.S.A. 40:55D-28b(2) to require any new Land Use Element of a municipality's Master Plan to incorporate "smart growth which in part, shall consider potential locations for the installation of electric vehicle charging stations, storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and environmental sustainability issues."

IV. Specific Changes Recommended for the Master Plan and Development Regulations

A. Introduction

Based on the assumptions, policies and objectives discussed above, a few specific changes are being recommended for the master plan and development regulations as part of this reexamination report. The recommended master plan and zoning changes are set forth below.

B. 2018 Reexamination Report Goals and Objectives

The 2018 Reexamination Report of the City of Rahway incorporates and endorses the purposes of the Municipal Land Use Law set forth at NJSA 40:55D-2 as part of its overall goals and objectives, which are supplemented by more community-specific goals and objectives. These are as follows:

- Maintain a proper balance between land uses so that the City's population is adequately served by a sound employment base and sufficient services.
- Protect residential neighborhoods from commercial, industrial and office encroachments.
- Provide adequate public facilities for the City's population, including schools, parks, libraries, recreation/open space, fire and police, and solid waste disposal.
- Provide an opportunity for the development of housing of various types and sizes, to meet the needs of people at various stages in their life cycle.
- Encourage adequate affordable housing opportunities, especially for young families and senior citizens.
- Encourage mixed-use development in the central business district and other appropriate locations, such as within selected commercial/retail zones.
- Ensure that new development on vacant or underutilized land is in keeping with existing neighborhood character.
- Preserve open space and protect natural, cultural and historic resources.
- Provide a systematic plan for the acquisition of riverfront and upland parcels for additional open space and parkland.
- Provide social services adequate to meet the needs of elderly and handicapped residents, as well as increased need for child care.
- Encourage the continued revitalization of the downtown area of the City, including through partnerships between the public and private sectors.
- Provide adequate infrastructure to meet the needs of residents, businesses and visitors.
- Increase walkability throughout the City.
- Provide for efficient and safe traffic circulation in the City, while maintaining aesthetic quality and incorporating "complete streets" principles when possible.
- Optimize alternative modal choices within the City (e.g., buses, jitneys, taxis, walking, bicycles, etc.), in particular to access the railroad station.
- Protect lives and property from flood damage through stormwater control and management.

- Encourage the continued redevelopment of brownfields (underutilized and contaminated industrial sites) in the City.
- Improve development approval process by providing all zoning, subdivision and land use procedures under one comprehensive land development ordinance.

C. Recommended Changes to Development Regulations

Introduction

As noted, there have been a number of changes to Rahway's development regulations in recent years, including zoning amendments and new and amended redevelopment plans. Nearly 2,000 new multifamily residential dwelling units have been built in roughly the past decade or are currently under construction. Still, there is the potential for additional changes. The following are recommendations for modifications to the City's Zoning Ordinance and other development regulations. The locations discussed below are shown on Figure 3.

West Grand Avenue from St. George's Avenue to Irving Street and Whittier Street

It is recommended that the development regulations for this corridor be amended through an overlay zone, or in the event all or part of the area qualifies as an "area in need of redevelopment" and/or "area in need of rehabilitation," through the preparation of a redevelopment plan. More information is provided regarding this area in Chapters V and VI. Some of the concepts that should be included in the new development regulations include the following:

- Revise which uses are permitted in the corridor and modify bulk regulations, particularly to provide incentives for lot consolidation or other improvements.
- Provide site and streetscape design standards, with focus on sidewalks, lighting and landscaping. Parking lot design requirements should also be included.
- Utilize existing and new funding sources to improve existing buildings in the corridor, such as housing rehabilitation funds and façade improvement grants and loans.

Essex Street North of East Milton Avenue

Rezone Block 321, Lots 3 and 4 on the west side of Essex Street and the south side of Monroe Street from R-2 to B-4. This change would reflect existing conditions on these properties.

I-L Zone Flanking East Hazelwood Avenue

Modify the existing I-L zone in the southeastern portion of the City along East Hazelwood Avenue to focus on port-related/logistics uses. Potential changes could include expanding the list of permitted uses and increasing maximum building height to at least 45 feet, which is needed for new industrial buildings. Additional information regarding this recommendation is provided in Chapter VI.

New Jersey Motor Vehicle Commission Property

Rezone the New Jersey Motor Vehicle Commission site (Block 302, Lot 1) from R-2 to I-L, or to a new Port-related zone as described above if one is created. It is not anticipated that this use will change anytime soon, but if it does in the future, the City should be ready with appropriate zoning for this property.

Certain B-1 Zones

The following two changes are recommended to areas currently located in the B-1 zone:

- Rezone Block 283, Lots 6, 7 and 8 on New Brunswick Avenue from B-1 to R-2
- Rezone Block 187, Lots 1, 2 and 3 at the intersection of Madison Avenue and Westfield Avenue from B-1 to R-2

Regulation of Places of Worship

Churches, synagogues, mosques, temples and other houses of worship are permitted as principal uses in the R-2 zone under the heading “Places of Worship.” The current bulk standards for this use category are as listed for “all other uses” in the R-2 zone other than single-family detached dwellings, community residences and residential health care uses, which are as follows:

Table IV-1: Existing R-2 Zone District Bulk Regulations – “All Other Uses”

Minimum lot area	20,000 square feet
Minimum lot width	100 feet
Minimum lot depth	200 feet
Minimum front yard	30 feet
Minimum side yard – one	20 feet
Minimum side yard – both	40 feet
Minimum rear yard	30 feet
Maximum building height	3 stories/40 feet
Maximum building coverage	20%
Maximum impervious lot coverage	50%
Maximum floor area ratio	0.40

Consideration should be given to changing this use to a conditional use, and providing specific standards directly applicable to places of worship. These could include a minimum lot area requirement, as well as additional regulations pertaining to setbacks, buffering and parking.

V. Recommendations of the Planning Board Concerning the Incorporation of Redevelopment Plans into the Land Use Element and Local Development Regulations

A. Introduction

A master plan reexamination report is required to include recommendations of the Planning Board concerning the incorporation of redevelopment plans (adopted pursuant to the Local Redevelopment and Housing Law of 1992) into the land use element, and accompanying changes, if any, to the development regulations. The Local Redevelopment and Housing Law (LRHL) affords municipalities the authority to designate areas “in need of redevelopment,” provided they meet specific statutory criteria. The LRHL also enables municipalities to designate areas “in need of rehabilitation” in accordance with other criteria. Municipalities may prepare and implement redevelopment plans for both redevelopment and rehabilitation areas. The remainder of this chapter describes existing redevelopment plans in Rahway as well as certain areas being considered for potential redevelopment area designation.

B. Existing Redevelopment Plans

Central Business District Redevelopment Plan

In 2013, the City of Rahway adopted a consolidated redevelopment plan for the downtown area, the Amended and Supplemented Central Business District Redevelopment Plan. The Central Business District Redevelopment Plan was originally adopted by the City in 1998 and has been amended numerous times since then. The 2013 amendment added the adjoining Block 149 Redevelopment Area and the Lower Main Street Urban Renewal Area to the Central Business District Redevelopment Plan, in order to comprehensively plan for the overall downtown area. The purpose of the amended Central Business District Redevelopment Plan is to provide a vision and set standards for the redevelopment of downtown Rahway. The plan envisions a vibrant, pedestrian-oriented mixed-use downtown environment, with retail and other active uses required at street level in certain key areas. The plan’s development regulations provide for variety in building heights and development intensities, and promote improved aesthetics and sustainable design. Development which helps to preserve, protect or enhance buildings of historic or architectural importance is encouraged by this redevelopment plan. No changes are proposed to this redevelopment plan at this time.

Other Redevelopment Plans

There are additional redevelopment plans in Rahway in the following locations:

- Elizabeth Avenue between Grand Avenue and Scott Avenue
- West side of New Brunswick Avenue south of Hazelwood Avenue
- East of Essex Street
- East side of Routes 1 & 9 between Grand Avenue and Scott Avenue
- Paterson Street

No changes are proposed to these redevelopment plans at this time.

C. Potential Redevelopment Areas

Areas Identified in Resolution No. AR-219-16

City Council Resolution No. AR-219-16 identifies six areas for consideration for designation as a “non-condemnation area in need of redevelopment,” pursuant to the State’s Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5. Based on initial reviews of existing conditions in these areas and of municipal records for the properties within them, further investigation is not warranted for three of these areas. However, the other three areas are being examined in greater detail to determine whether they could be designated as redevelopment areas. These areas are listed in the order as they are in Resolution No. AR-219-16, along with a brief discussion of each area and its current status.

Elizabeth Avenue from Rahway River to Grand Avenue

This area includes approximately four acres and five tax lots: Block 160, Lots 11, 12, 13, 14 and 15. The properties are developed with industrial buildings which are one story in height, with the exception of a two-story portion of the building on Lot 13. An investigation is currently being undertaken to determine whether these properties qualify as an “area in need of redevelopment.”

Elizabeth Avenue from West Scott Avenue to Linden Border

This area is approximately 10.5 acres in area and is located on the southeast side of Elizabeth Avenue. It includes Block 229, Lots 1 through 9 and Block 273, Lots 1, 2 and 3. The area is located in Rahway’s designated Opportunity Zone. Development on these parcels includes a number of industrial buildings, as well as a supermarket. An investigation is currently being undertaken to determine whether these properties qualify as an “area in need of redevelopment.”

West Grand Avenue from St. George’s Avenue to Irving Street and Whittier Street

This area includes both street frontages on four blocks of a heavily traveled road providing access to downtown Rahway. It is developed with a mix of commercial, residential, institutional and public uses. There are also one vacant lot. Among the issues impacting the area are the generally small sizes and shallow depths of the lots and diverse ownership of properties. Based on an initial review of the properties in this study area, only a portion of the overall area is currently being investigated for potential designation as an “area in need of redevelopment.” However, the overall area would likely qualify as an “area in need of rehabilitation” based on the age of the housing stock and the water and sewer infrastructure. This designation would allow for preparation of a redevelopment plan for the designated area. Additional information is provided in Chapter VI.

Seminary Avenue/St. Mark’s Church

This area encompasses six tax lots located in the central section of the City of Rahway: Block 162, Lots 8, 9, 10, 11, 12 and 13. It is approximately 1.4 acres in area and is bounded on the southwest

by Hamilton Street, on the northwest by Gordon Place, on the northeast by Seminary Avenue, on the east by Block 162, Lots 4, 5 and 8, and on the south by the Robinson's Branch of the Rahway River. The area includes the vacant former St. Mark's Church and adjoining parcels.

VI. Analysis of Key Properties and Areas

A. Introduction

Rahway is essentially a fully developed community, with limited land available for development. However, there are opportunities for redevelopment and reinvestment in a number of areas throughout the City. This chapter includes a discussion of Rahway's designated "Opportunity Zone," then analyzes a number of key properties and areas that may be viable for reuse or redevelopment. The properties that are being analyzed are located in the following areas:

- West Grand Avenue from St. George's Avenue to Irving Street and Whittier Street
- Essex Street
- I-L Zone Flanking East Hazelwood Avenue
- I-L Zone from West Scott Avenue to the Linden Border
- Motor Vehicle Commission Property
- New Brunswick Avenue
- Certain B-1 Zones

The locations of these areas within the City are shown in Figure 4.

The data gathered and analyzed for this chapter includes property areas, ownership, existing zoning, recent demolition and construction activity and recent development approvals. Field visits were conducted for each of these areas.

B. Opportunity Zone

Location

In April 2018, a portion of the eastern section of the City of Rahway was designated as an "Opportunity Zone." The designated area is Census Tract 360, which is bounded on the northwest by Elizabeth Avenue, on the west by Main Street, on the south by East Hazelwood Avenue (to the west of Routes 1&9) and the Rahway River (to the east of Routes 1&9), to the east by the Carteret municipal boundary, and to the northeast by the Linden municipal boundary. The western edge of the designated area is located on the west side of the Rahway River in downtown Rahway. A range of land uses are located in Tract 360, as well as a portion of the City's downtown, the Merck and Company campus and roughly three-quarters of the Routes 1&9 corridor in Rahway. The Rahway train station is located just to the west of the Opportunity Zone. It is noted there is an Opportunity Zone in the City of Linden directly adjacent to Tract 360 to the northeast, and a second one in Linden adjacent to that one as well.

Opportunity Zones Program Description

The Opportunity Zones program was created through the 2017 federal Tax Cuts and Jobs Act and is designed to drive long-term capital investments into low-income urban and rural communities. This program provides opportunities for private investors to support investments in designated areas through participation in Qualified Opportunity Funds. Under the federal legislation, eligible Opportunity

Zones are “low-income” census tracts with a poverty rate of 20 percent or a median family income up to 80 percent of the area median. In New Jersey, the governor was authorized to designate up to 25 percent of the state’s eligible low-income census tracts (up to 169 tracts) as Opportunity Zones. The selection process included meetings between the governor’s office and federal, state and local elected officials. The process of designating the census tracts took into account economic indicators such as income, unemployment rate and property values, as well as geographic distribution, access to transit and the value of existing investments. In New Jersey, 75 municipalities received at least one Opportunity Zone, with a minimum of one in each of the state’s counties. A total of 169 census tracts were nominated by the state in March 2018 and approved by the United States Department of the Treasury on April 9, 2018.

Benefits of Opportunity Zone Designation

According to the federal government, Opportunity Zones are designed to spur economic development by providing tax benefits to investors. The mechanism for attracting investment is a “Qualified Opportunity Fund,” which is an investment vehicle that is set up as either a partnership or corporation for investing in eligible property that is located in an Opportunity Zone and that utilizes the investor’s gains from a prior investment for funding the Opportunity Fund. The benefits to investors include 1) being able to defer tax on any prior gains until the earlier of the date on which an investment is sold or exchanged, or December 31, 2026, so long as the gain is reinvested in a Qualified Opportunity Fund, and 2) if the investor holds the investment in the Opportunity Fund for at least ten years, the investor would be eligible for an increase in basis equal to the fair market value of the investment on the date that the investment is sold or exchanged.

Proposed regulations for Opportunity Zones were recently released by the Internal Revenue Service and the Treasury Department. In addition, a recent presidential executive order directs federal resources to Opportunity Zones, with the intention of promoting development in the zones. This order created a White House Opportunity and Revitalization Council intended to prioritize Opportunity Zones in a variety of federal efforts. Multiple federal agencies are included in this council.

Recommendations

As a new program, it is uncertain how much of an impact Opportunity Zone designation will have. At a minimum, the City should promote this designation to property owners and potential investors. Modifications to the applicable redevelopment plans and/or zoning regulations for these areas should be considered to encourage development that leverages this designation. It is noted the Merck and Company campus in the OR zone covers a significant portion of the Opportunity Zone, and the B-3 zone along Route 1 & 9 includes a substantial number of properties. Much of the western portion of Tract 360 is located within reasonable walking distance of the Rahway train station, making this area a prime opportunity for transit-oriented development. New or amended redevelopment plans within the Opportunity Zone should emphasize the benefits of this designation.

C. Specific Areas

West Grand Avenue from St. George's Avenue to Irving Street and Whittier Street

Description

This area includes both street frontages on four blocks of a heavily traveled road providing access to downtown Rahway. It is developed with a mix of commercial, residential, institutional and public uses. There are also one vacant lot. This area was included in 2016 City Council Resolution Number AR-219-16 referring this and other areas to the Planning Board investigate for potential designation as a “non-condemnation area in need of redevelopment.” Among the issues impacting the area are the generally small sizes and shallow depths of the lots and diverse ownership of properties. In addition, there are numerous nonconforming uses in this corridor. These include retail stores and other commercial uses on properties in the R-2 zone, in which they are not permitted, and multifamily residential in the R-2 zone, where it is not permitted, and on the ground floor of buildings in the B-1 zone, where multifamily residential is only permitted on upper floors.

Current Zoning

Despite the mix of land uses along this corridor, only a portion at the western end is located in nonresidential zones. All of the properties on both sides of the street east of Winfield Place are located in the R-2 Medium Density Single-Family Residential zone. The northeast corner of the intersection of West Grand Avenue and St. George's Avenue and two adjacent parcels are located in the B-2 Regional Business zone, certain parcels to the east on both sides of West Grand Avenue are located in the B-1 Neighborhood Business zone, and the City-owned property on the southeast corner of the intersection of West Grand Avenue and St. George's Avenue is located in the O Open Space zone.

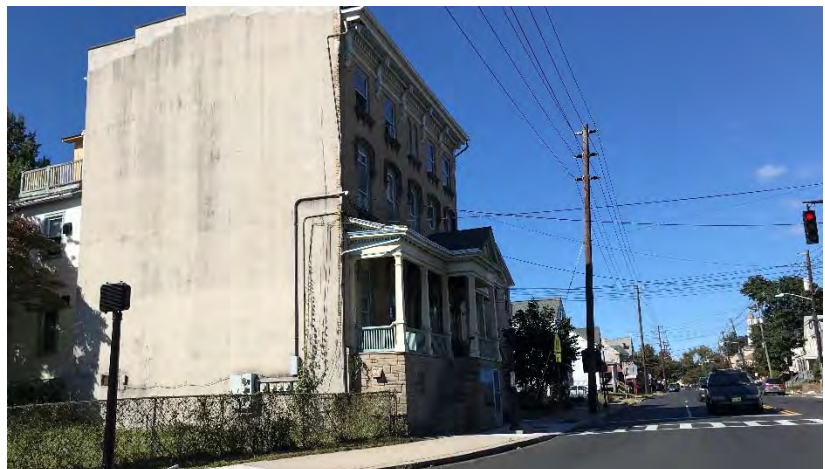


Table VI-1: Comparison of B-1 and R-2 Zone District Regulations

	B-1	R-2
Permitted principal uses	<ul style="list-style-type: none"> • Convenience retail uses • Specialty or comparative retail uses • Personal service uses • Restaurants, excluding drive-through or drive-in restaurants • Eating and drinking establishments • Professional offices • Medical and dental offices • Banks, but not drive-in or drive-through banks • Quasi-educational uses • Cultural facilities • Child care centers • Apartments, above the ground floor only 	<ul style="list-style-type: none"> • Single-family detached dwellings • Community residences for six persons or less • Public parks and playgrounds • Cemeteries • Places of worship • Schools • Civic and philanthropic uses • Public uses
Permitted conditional uses	None	<ul style="list-style-type: none"> • Home professional offices on lots fronting on Grand Avenue, Hazelwood Avenue, Milton Street, St. Georges Avenue, Scott Avenue, and Westfield Avenue • Accessory apartments within single-family detached dwellings on lots on Grand Avenue between St. Georges Avenue and Elizabeth Avenue • Two- and three-family uses on lots with frontage on West Grand Avenue between St. Georges Avenue and Elizabeth Avenue • Community residences for more than six but not more than 15 persons • Residential health care facility
Minimum lot area	5,000 square feet	5,000 square feet
Minimum lot width	50 feet	50 feet
Minimum lot depth	100 feet	100 feet
Minimum front yard	20 feet	20 feet
Minimum side yard	10 feet (one)/20 feet (both)	4 feet (one)/12 feet (both)
Minimum rear yard	25 feet	25 feet
Maximum building height	2 ½ stories, 35 feet	2 ½ stories, 35 feet
Maximum building coverage	30%	35%
Maximum lot coverage	70%	60%
Maximum floor area ratio	0.50	--

The R-2 zone bulk regulations listed in Table VI-1 are for single-family detached dwellings. More stringent standards apply to other permitted uses.

Recommendations

Overall

- Conduct an area in need of redevelopment investigation for the northwest corner of intersection of Irving Street and West Grand Avenue and certain adjoining parcels (Block 164, Lots 18 to 24, 26.01, 27, 28 and 29).
- Determine whether a broader area would qualify as an “area in need of rehabilitation.” This area could include the entirety of the blocks located between St. George’s Avenue, Union Street, Whittier Street, Irving Avenue and Seminary Avenue. Based on the age of the housing stock and the water and sewer infrastructure in this portion of Rahway, it would seem likely to qualify. This designation would allow for preparation of one or more redevelopment plans for the designated area, without the potential for condemnation.
- An overlay zone could be created for the properties in the R-2 zone with frontage on West Grand Avenue. This zone could allow for commercial or mixed-use development as long as certain standards are met. Incentives could be provided for lot consolidation, such as reduced parking ratios or increased building and/or lot coverage. In the event all or part of this area is designated as a rehabilitation or redevelopment area, a redevelopment plan could be prepared to provide these and other regulations.
- Look for ways to leverage redevelopment funds and/or other funding sources to pay for façade and/or streetscape improvements in the area.

Potential Development Regulations

- Revise which uses are permitted in the corridor and modify bulk regulations, particularly to provide incentives for lot consolidation or other improvements. For example, multifamily residential could be permitted on all floors of buildings on lots over a certain size, such as 10,000 square feet. Minimum requirements could also be provided for lot width and/or depth. Greater building height could also be considered for larger lots.
- Provide site and streetscape design standards, with focus on sidewalks, lighting, landscaping and trees. Parking lot design requirements should also be included, such as for screening, driveway widths and setbacks.
- Parking requirements could be adjusted to account for on-street spaces and shared parking between uses.
- If a redevelopment plan is prepared, the design regulations could be more stringent with regard to building materials and design than is permissible through zoning regulations.
- Utilize existing and new funding sources to improve existing buildings in the corridor, such as housing rehabilitation funds and façade improvement grants and loans.

Essex Street North of East Milton Avenue

Description

The portion of Essex Street between Milton Avenue and Bridge Street is four blocks long. The southernmost block between Milton Avenue and Washington Street is bounded on the west by the Rahway River and entirely residential on the east side. The other three blocks contain a mix of residential and other uses, with some commercial and light industrial uses interspersed. The block between Bridge Street and Monroe Street also has a townhouse development on the east side and outdoor storage areas for industrial/heavy commercial uses on the east side.

It is noted this area is located within Rahway's designated Opportunity Zone.



Current Zoning

All of the properties on the east side of this street are located in the R-2 Medium Density Single-Family Residential zone, which corresponds with existing uses. On the west side of the street, the properties in two blocks (between Bridge Street and Monroe Street and between Lafayette Street and Washington Street) are in the B-4 Service Business zone, while the other two blocks are in the R-2 zone. The purpose of the B-4 zone is as follows:

(T)o encourage a mixed-use environment at the fringes of the central business district. Except for automobile-oriented uses, all forms of retail, office and multifamily residential uses are encouraged. Arts-related uses and artists' live/work spaces would be permitted within this zone north of the railroad trestle. Development which helps to preserve, protect or enhance buildings of historic or architectural importance is encouraged.

Accordingly, the B-4 zone permits a broad mix of uses. These include a number of commercial uses as well as upper floor residential and low-rise apartments. The bulk regulations for the B-4 Zone are listed in Table VI-2.

Table VI-2: Existing B-4 Zone District Bulk Regulations

	Low-rise Apartments	All Other Uses
Minimum lot area	10,000 square feet	4,000 square feet
Minimum lot width	100 feet	40 feet
Minimum lot depth	100 feet	100 feet
Minimum front yard	0 feet	0 feet ¹
Minimum side yard – one	0 feet ²	0 feet ²
Minimum side yard – both	0 feet ²	0 feet ²
Minimum rear yard	25 feet	10 feet
Maximum building height	3 stories/35 feet	2 ½ stories/35 feet
Maximum building coverage	40%	90%
Maximum impervious lot coverage	80%	100%
Maximum floor area ratio	0.80	2.00

However, it is noted a number of properties on the west side of Essex Street, including the block between Bridge Street, Essex Street, Monroe Street and the Rahway River and the property on the southwest corner of the intersection of Essex and Monroe Streets (Block 321, Lots 3 and 4), are also part of the Central Business District Redevelopment Plan. They are part of the CBD-3 subdistrict, which permits a wide range of residential and nonresidential uses, with a height limit of three stories and 40 feet.

Recommendations

- A focus of this area should be the properties on the west side of Essex Street which are in the CBD-3 subdistrict of the Central Business District Redevelopment Plan. This classification allows for various development types, and permits reductions in required parking compared to the Zoning Ordinance regulations, or even payment in lieu of providing parking onsite.

¹ No building shall be set back further than the greater setback of the two adjoining buildings

² Where a side yard setback is provided, it shall be at least 10 feet

I-L Zone Flanking East Hazelwood Avenue

Description

This area is located a short distance from Routes 1 & 9, and accessible from Exit 12 of the New Jersey Turnpike. The western boundary of the zone is Witherspoon Street. There are residential areas on the west side of this street: multifamily north of East Hazelwood Avenue and one- and two-family to the south.



There are smaller lots with diverse owners in the southwestern portion of this I-L zone (i.e. between Pinewood Street and Witherspoon Street, south of East Hazelwood Avenue). The remainder of the zone includes a number of larger lots, however, some of which are in common ownership. The presence of these potential assemblages could allow for larger scale development with amenities geared to Port-related uses, logistics companies and other enterprises looking for new distribution and warehouse facilities close to major highways.



Current Zoning

The I-L zone permits a range of light industrial, office and service uses, and limited retail (e.g. garden centers, building supply and lumberyards). It does not permit any residential or most retail uses. The bulk regulations for the I-L Zone are listed in Table VI-3.



Table VI-3: Existing I-L Zone District Bulk Regulations

Minimum lot area	40,000 square feet
Minimum lot width	150 feet
Minimum lot depth	200 feet
Minimum front yard	40 feet
Minimum side yard – one	25 feet
Minimum side yard – both	50 feet
Minimum rear yard	60 feet
Maximum building height	2 stories/35 feet
Maximum building coverage	45%
Maximum impervious lot coverage	85%
Maximum floor area ratio	0.70

Recommendations

There has been tremendous growth in recent years in the market for light industrial and warehouse space in locations in New Jersey proximate to Interstate highway interchanges. The Port of Newark and Elizabeth also has been thriving, and is poised for long-term success by actions such as raising the Bayonne Bridge to make the Port accessible to the largest cargo ships in the world.

Given its location and accessibility, this section of Rahway has potential for attracting Port-related businesses, as well as warehouse, distribution and logistics space. One impediment may be the layout of roads and properties in the area. A redevelopment plan could enable modifying the street system to allow for larger properties more attractive for larger scale development.

Potential zoning changes (or redevelopment plan regulations) could include the following:

- Modify the list of permitted uses to allow for Port-related uses as described above.
- Increase the maximum building height to be adequate for new industrial buildings. The current maximum of 35 feet should be changed to at least 45 feet.
- Consider increasing maximum coverage standards.
- Promote lot consolidation and unified development through incentive zoning, which could permit the above recommendations and other modified zoning only on lots over a certain size.

Other recommendations are as follows:

- Undertake marketing and branding efforts for this area, with a focus on Port-related/logistics uses.
- Address potential impacts of increased truck traffic through the development review process as well as through longer-range planning efforts.

I-L Zone from West Scott Avenue to the Linden Border

Description

This area is located in the I-L zone on the southeast side of Elizabeth Avenue. It is developed with a number of industrial buildings, as well as a supermarket at the northern end. It is noted this area is located within Rahway’s designated Opportunity Zone.

Current Zoning

As noted, this area is located in the I-L Light Industrial zone, which permits a range of light industrial, office and service uses, and limited retail (e.g. garden centers, building supply and lumberyards). It does not permit any residential or most retail uses.



Recommendations

- The existing I-L zoning is generally appropriate for this area. However, similar to the discussion above for the East Hazelwood Avenue area, consideration could be given to modifying bulk or other regulations to encourage lot consolidation.
- Consider whether multi-family residential could be appropriate, at least on certain size lots.
- This area has potential for one or more properties to be designated as an “area in need of redevelopment,” particularly in the south-ern third of the area where there are smaller properties, older buildings with inadequate parking and a number of vacancies.
- Highlight the area’s location in the City’s Opportunity Zone to attract investment interest.



New Jersey Motor Vehicle Commission Property

Description

This large property (18.4 acres, per tax maps) is bounded on three sides by main roads (East Hazelwood Avenue, Woodbridge Road, Randolph Avenue) and is a short distance to the east of Routes 1&9. The property's uses include a New Jersey Motor Vehicle Commission agency, a motor vehicle inspection station and outdoor areas for driver testing.

A wide range of land uses exists in the vicinity of this site, including commercial, residential, industrial and public uses. Notable uses are a large-scale automotive sales operation to the south in Woodbridge Township, followed by East Jersey State Prison, and a sizable new warehouse building on the southeast corner of the intersection of Woodbridge Road and Randolph Avenue. The east side of Woodbridge Road is developed with a mix of commercial and residential uses and is located in the B-1 Neighborhood Business zone. There is a residential neighborhood in the R-2 zone further to the east between the B-1 zone and the I-L Light Industrial zone on the east side of Witherspoon Street.

Current Zoning

The property is located in the R-2 Medium Density Single-Family residential zone, despite the existing intense use of the property and its location near a major highway and bounded by main roads.



Recommendations

As the property is owned by the State of New Jersey and is heavily used, it would not seem likely that the use would change anytime soon. However, consideration should be given to the most appropriate zoning in the event all or part of the



property becomes available at some future date for a different use. A likely option for rezoning would be to the I-L zone. Light industrial would be consistent with development in the area and would provide additional opportunity for this type of use, which is in demand in northern and central New Jersey in locations near Interstate highways. Another option would be a new Port-related zone as discussed above, if one is created for the existing I-L zone area flanking East Hazelwood Avenue.

New Brunswick Avenue

Description

This street runs between St. Georges Avenue and Main Street and is a gateway to downtown Rahway from the south. It is a relatively long stretch of road with varied character. There are some large properties at the southern end, including the 26-acre API Foils site on the east side of the street, which is being investigated for potential redevelopment designation.



Current Zoning

Other than parcels in the B-2 zone at its intersection with St. George's Avenue, both sides of the street in the southern half of the corridor are in the I-H Heavy Industrial zone. One block to the north of Regina on the east side of New Brunswick Avenue is in the I-H zone. The west side of the street between Regina Avenue and East Hazelwood Avenue is in the I-H zone but also is subject to a redevelopment plan. The east side of the street between East Lake Avenue and East Hazelwood Avenue is in the B-1 zone as discussed below. North of East Hazelwood Avenue to Main Street, both sides of the street are in the R-2 residential zone.



The I-H zone permits the following principal uses:

- General and business offices.
- Research laboratories.
- Pilot manufacturing plants.
- Light manufacturing uses.
- Heavy manufacturing uses.
- Warehouse and distribution.
- Storage facilities, except storage of noncontainerized combustible materials.

- Parks and playgrounds.

It also permits the following as conditional uses:

- Utility installations.
- Automobile repair garages.
- Establishments which store noncontainerized combustible materials.

It does not permit any residential or retail uses. The bulk regulations for the I-H Zone are listed in Table VI-4. It is noted they are identical to the bulk regulations for the I-L Zone.

Table VI-4: Existing I-H Zone District Bulk Regulations

Minimum lot area	40,000 square feet
Minimum lot width	150 feet
Minimum lot depth	200 feet
Minimum front yard	40 feet
Minimum side yard – one	25 feet
Minimum side yard – both	50 feet
Minimum rear yard	60 feet
Maximum building height	2 stories/35 feet
Maximum building coverage	45%
Maximum impervious lot coverage	85%
Maximum floor area ratio	0.70

Recommendations

- The I-H zoning is appropriate where it exists in order to maintain this part of the City’s nonresidential tax base, although some modifications to the zone regulations could be warranted. These include amending permitted uses and increasing maximum permitted building height.
- Some changes may be appropriate to the B-1 zone as discussed below.
- Certain properties could be considered for designation as an “area in need of redevelopment” – particularly the API Foils site and other former industrial properties. As noted in Chapter V, a redevelopment area investigation is being undertaken for the API Foils site and adjoining lots.

Certain B-1 Zones

Introduction

There are three locations within the B-1 zone that are evaluated below. Each of these is located adjacent to R-2 residential zones. Table VI-5 compares the regulations of these two zones.

Table VI-5: Comparison of B-1 and R-2 Zone District Regulations

	B-1	R-2
Permitted principal uses	<ul style="list-style-type: none"> • Convenience retail uses. • Specialty or comparative retail uses. • Personal service uses. • Restaurants, excluding drive-through or drive-in restaurants. • Eating and drinking establishments. • Professional offices. • Medical and dental offices. • Banks, but not drive-in or drive-through banks. • Quasi-educational uses. • Cultural facilities. • Child care centers. • Apartments, above the ground floor only. 	<ul style="list-style-type: none"> • Single-family detached dwellings. • Community residences for six persons or less. • Public parks and playgrounds. • Cemeteries. • Places of worship. • Schools. • Civic and philanthropic uses. • Public uses.
Permitted conditional uses	<ul style="list-style-type: none"> • None. 	<ul style="list-style-type: none"> • Home professional offices, but only on lots which front on Grand Avenue, Hazelwood Avenue, Milton Street, St. Georges Avenue, Scott Avenue, and Westfield Avenue. • Accessory apartments, but only within single-family detached dwellings on lots located on Grand Avenue between St. Georges Avenue and Elizabeth Avenue. • Two- and three-family uses but only on lots with frontage on West Grand Avenue located between St. Georges Avenue and Elizabeth Avenue. • Community residences for more than six but not more than 15 persons. • Residential health care facility.
Minimum lot area	5,000 square feet	5,000 square feet
Minimum lot width	50 feet	50 feet
Minimum lot depth	100 feet	100 feet
Minimum front yard	20 feet	20 feet
Minimum side yard	10 feet (one)/20 feet (both)	4 feet (one)/12 feet (both)
Minimum rear yard	25 feet	25 feet

Maximum building height	2 ½ stories, 35 feet	2 ½ stories, 35 feet
Maximum building coverage	30%	35%
Maximum lot coverage	70%	60%
Maximum floor area ratio	0.50	--

Note: Listed R-2 zone bulk regulations are for single-family detached dwellings. More stringent standards apply to other permitted uses.

New Brunswick Avenue

This section of the zone includes the frontages of four blocks on the southeast side of the street between East Hazelwood Avenue and East Lake Avenue. Keeping some type of nonresidential zoning makes sense as a buffer to the more intense uses on the west side of the street. One potential change would be to adjust the boundaries of the zone to reflect existing land uses – in particular, to rezone Block 283, Lots 6, 7 and 8 from B-1 to R-2. Another option would be to change this area to a nonresidential/mixed-use overlay zone over the R-2 zone as discussed for West Grand Avenue.



B-1 Zone at intersection of Madison Avenue and Westfield Avenue

Nine tax lots are included in this section. Three are located on the north side of Westfield Avenue and east of Broadway and Valley Road, three are located on the north side of Westfield Avenue and west of Broadway and three are located on the south side of Westfield Avenue and east of Madison Avenue. It would seem to be difficult to effect much change on these sites given their existing zoning and uses. Particularly for the properties on the north side of Westfield Avenue, it would likely not make economic sense for property owners to give up any existing nonconforming conditions in order to redevelop these properties. However, the parcels on the south side of Westfield Avenue (Block 187, Lots 1, 2 and 3) are developed with more intensive uses and abut residential properties. These three lots should be rezoned from B-1 to R-2.



Woodbridge Road

This section is located on the east side of Woodbridge Road between East Hazelwood Avenue and Randolph Avenue. The future of this zone likely hinges on what happens on the Motor Vehicle Commission site to the west. In the near term, streetscape improvements could help improve the walkability and character of the area. Therefore, no changes to the existing zoning are recommended at this time.



Figure 1: Opportunity Zone Location

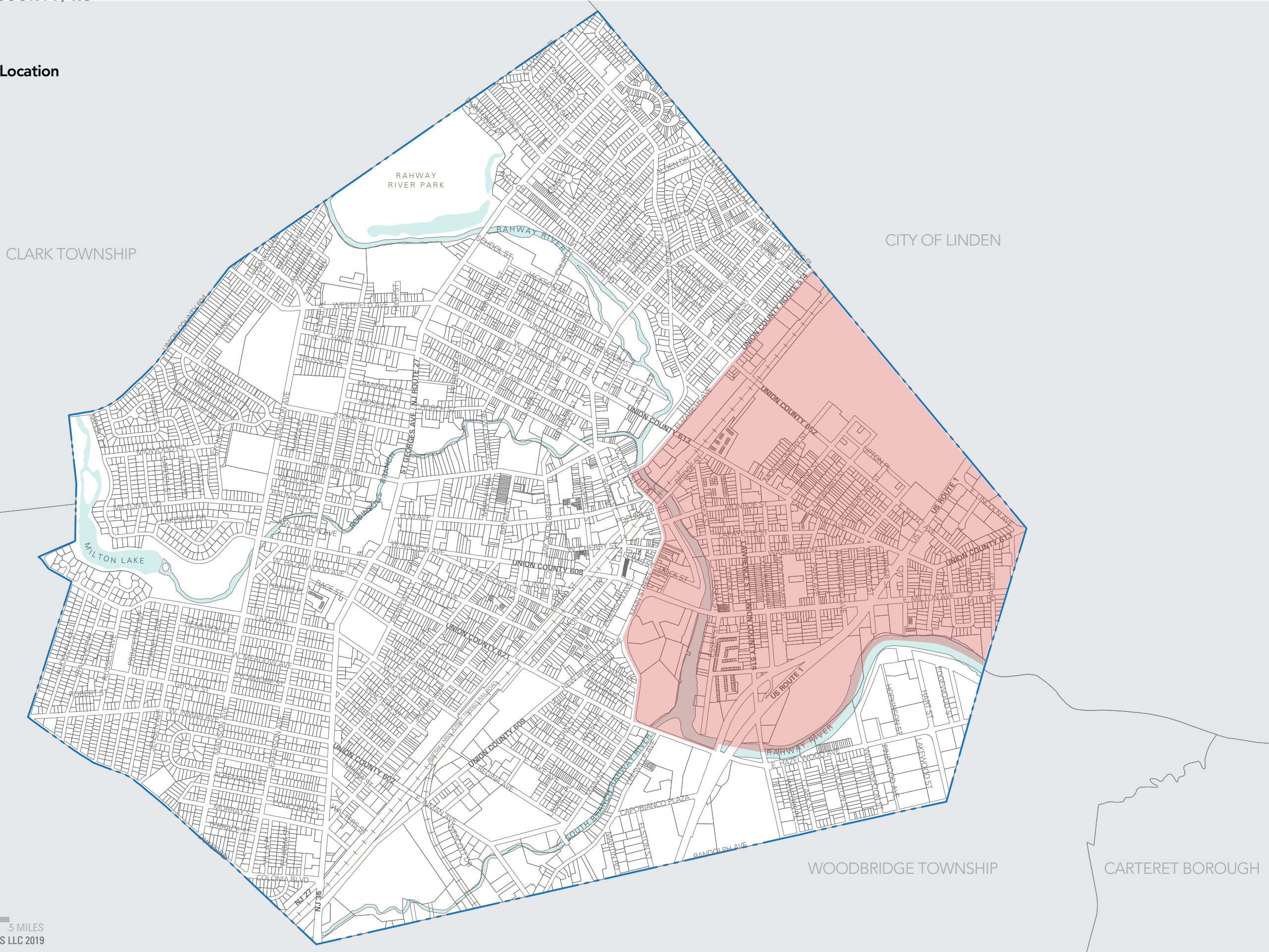


Figure 2: Rahway Center Special Improvement District

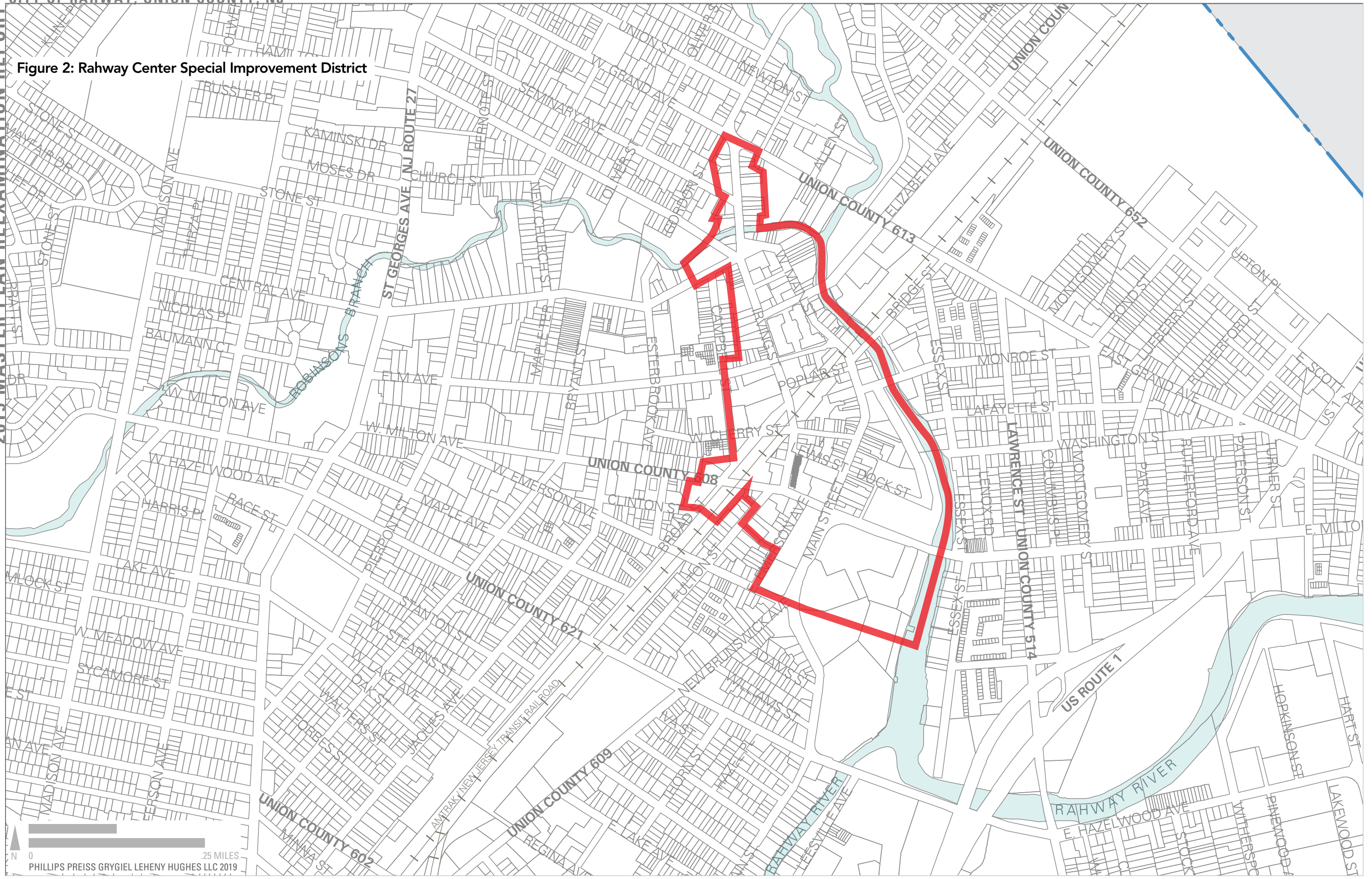


Figure 3: Recommended Zoning Amendments

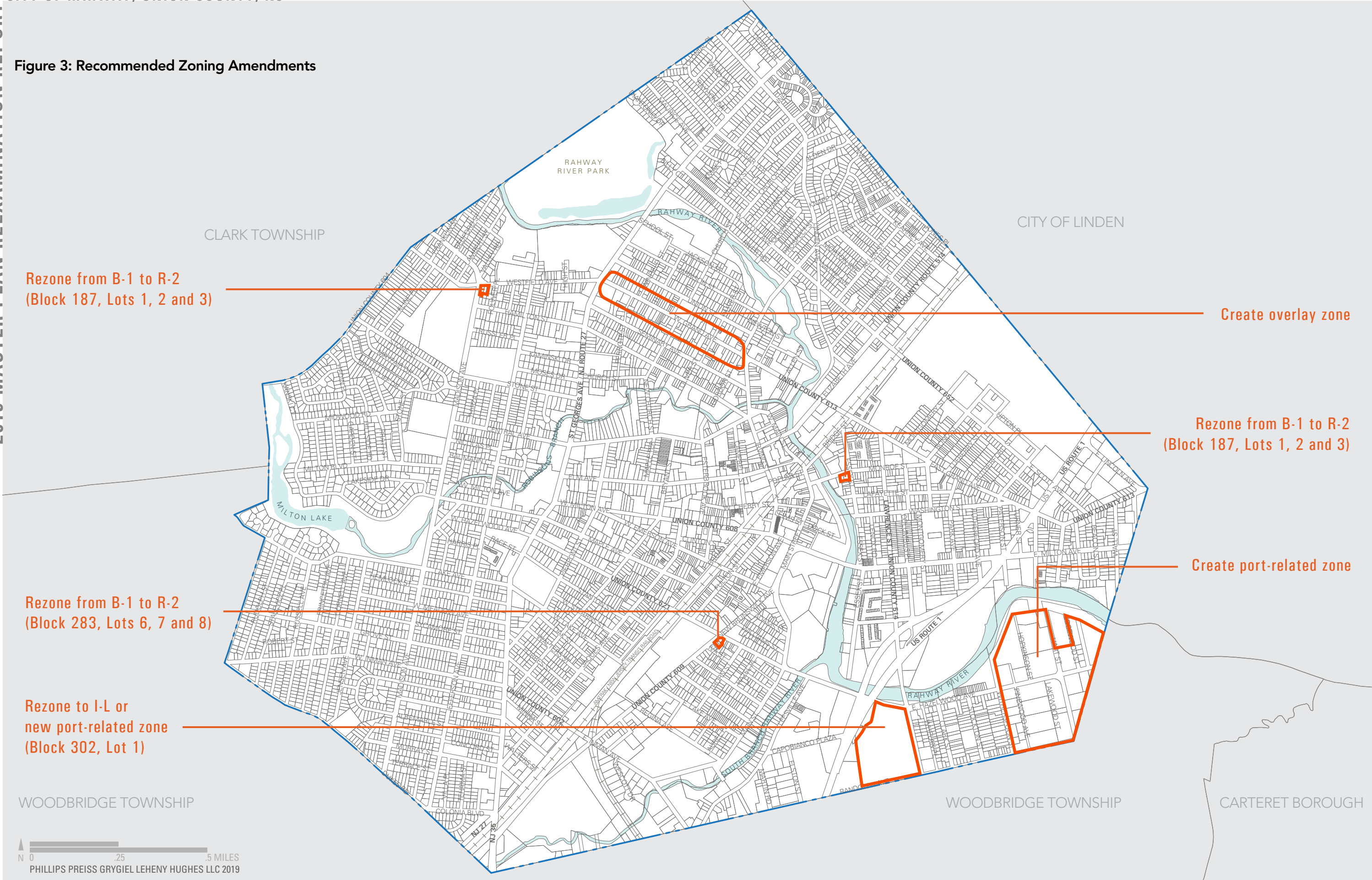


Figure 4: Key Properties and Areas

