

**Borough of Dunellen**  
**Ordinance 2021-10**

The following revision and amendment to the Dunellen Downtown Redevelopment Plan was Introduced for first reading on May 3, 2021. It was reviewed and approved by the Dunellen Planning Board at its meeting held on May 24, 2021. It is now being presented for Public Hearing and Adoption on June 7, 2021 at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey. Notice of this public hearing and adoption was published in *The Courier* on May 28, 2021. Copies of this ordinance have been posted on the Municipal Bulletin Board, and have been available at the Office of the Borough Clerk for any interested members of the public.

This ordinance amends the Dunellen Downtown Redevelopment Plan, Phase One, that was adopted in February 2003 and revised on July 12, 2004, with further Amendments in June 2011, August 2013, November 2014, February 2016, November 2017, September 4, 2018 and October 1, 2018.

The following contains sections being modified and reflect the amended versions:

For:

**Site #1. Train Station North (Block 69/All Lots), Site #2. Train Station South (Block 70/Lot 13 and 13.01), and 7.4.4 Remainder Properties Designated as Next Phase(s) Redevelopment Areas**

2. Minimum unit size:

- a) One (1) bedroom unit – 700 sf inclusive of balconies or other outdoor seating areas.
  - b) Two (2) bedroom unit – 800 sf inclusive of balconies or other outdoor seating areas.
  - c) Three (3) bedroom unit – 1,000 sf inclusive of balconies or other outdoor seating areas.
4. Front, side, and rear setback requirements. Front yard setback is a minimum of 16 feet measured from the face of the curb. Front yard setback does not include building overhangs such as awnings and balconies. There shall be no side yard or rear yard setback requirements.

### **8.6.5.c. Transit Supportive Parking Requirements**

Minimum Off-Street Parking Standards shall be as set forth in Section 8.13 herein. If no Off-Street Parking Standard is specified in Section 8.13, the current municipal code shall apply.

## **8.13 Transit Supportive Parking Requirements**

Parking standards within the transit village district should reflect proximity to high frequency transit service, pedestrian-friendly built forms, and mix of uses.

1. For new and rehabilitated sites under 20,000 sf there will be no on-site parking requirements for restaurants, commercial, retail, personal service establishment uses, theaters, bars, and nightclubs.
2. For new and rehabilitated sites, the on-site parking requirements for residential uses are as follows:
  - a. One (1) bedroom unit – one (1) parking space per unit
  - b. Two (2) bedroom units – one and half (1.5) parking space per unit
  - c. Three (3) bedroom units – one and three quarters (1.75) parking space per unit
3. For new and rehabilitated sites 20,000 sf or over, required on-site parking for restaurants, commercial, retail, personal service establishment uses, theaters, bars and nightclubs may be reduced by up to 50% by providing a shared parking analysis. The shared parking analysis must be prepared by a qualified parking expert or licensed professional planner and be based on the anticipated hours of operation and specific operational characteristics of the anticipated users in the proposed development. On street parking located adjacent and contiguous to the property only, may be counted toward the restaurants, commercial, retail, personal service establishment uses, theaters, bars, and nightclubs parking requirements only for the proposed development.
18. Payment in Lieu of Parking (PILOP): It is the policy of this Plan that, when practicable, parking requirements are to be met on site. However, if a new or rehabilitated development subject to this Plan is unable to meet the parking requirements of this Plan as a result of undue difficulty or hardship, the Borough, as redevelopment entity, may, in its discretion, require the redeveloper thereof to make a Payment in Lieu of Parking (PILOP) to satisfy, in whole or in part, all or a portion of such parking deficit. Such requirement will be documented in the redevelopment agreement and/or the Declaration of Covenants and Restrictions for the development, as appropriate. In the event that the Borough opts not to require a PILOP and/or to the extent that a parking deficit is not satisfied through a PILOP, the redeveloper will be required to apply for a variance with respect to such parking deficit and satisfy all legally required standards of proof in order for such variance to be granted.

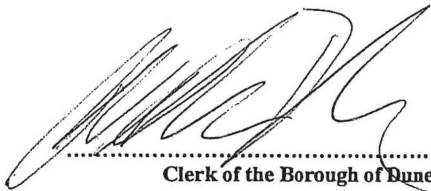
The PILOP may include but not be limited to (a) a one-time payment to the Borough per deficient parking space and/or (b) a requirement that the redeveloper lease one (1) parking

space per deficient parking space at a municipal parking lot, or if not available or practical, at a private parking lot. These leases are to be maintained for the life of the development, such obligation to be set forth in the Declaration of Covenants and Restrictions to be recorded against the redevelopment property and in a restriction to be recorded against any private property supplying a replacement space. Any change to a PILOP must be approved by the Borough Council.

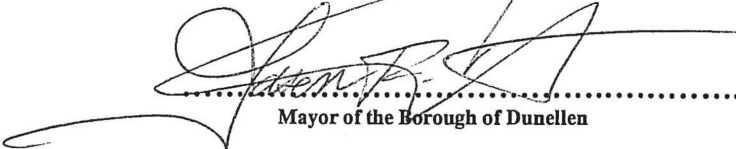
All initial PILOP payments will be paid into the Borough's Parking Improvement Program Trust Fund at the time of and as a condition of issuance of construction permits for the development. To secure payment of redeveloper's obligation to the Parking Improvement Program Trust Fund, a municipal assessment for a local improvement pursuant to N.J.S.A. 40:56 et seq. shall be placed upon the real estate that is the subject of PILOP. The provisions of N.J.S.A. 40:56 et seq. shall apply in the event of a default or late payment.

Prior to collecting a PILOP payment, the Borough shall apply to the State of New Jersey, Department of Community Affairs, Local Finance Board pursuant to administrative rule, for its approval and establishment of a dedicated and restricted trust fund (the Borough's Parking Improvement Program Trust Fund) for deposit of such payments. The PILOP payments collected and deposited into the Parking Improvement Program Trust Fund shall be dedicated to provide for: engineering and design; traffic and other feasibility studies; acquisition through purchase or condemnation; erection, construction of or installation of off-street parking facilities, parking structures, or equipment; and other associated parking project development costs. The expenditure of such funds for said purposes shall be made at the time and in the manner determined by the Borough to be in the best interests of the Borough in providing off-street parking.

19. For new and rehabilitated sites, Electric Vehicle (EV) charging stations are encouraged to be provided on-site. At a minimum one (1) EV charging station is required for every 25 parking spaces. If the on-site parking spaces are fewer than 25 parking spaces, an EV charging station is not required.

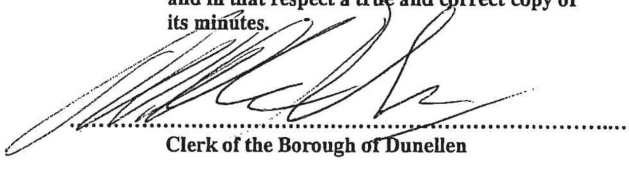
  
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Clerk of the Borough of Dunellen

Approved 6/7/2021 .....

  
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Mayor of the Borough of Dunellen

I certify the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Common Council of the Borough of Dunellen, held

6/2/2021  
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and in that respect a true and correct copy of its minutes.

  
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Clerk of the Borough of Dunellen