

Ordinance #:	24-3319
Introduction Date:	5/21/2024
Hearing Date:	6/11/2024
Passage Date:	6/11/2024
Effective Date:	6/20/2024

ORDINANCE OF THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY, AMENDING CHAPTER 35, DEVELOPMENT REGULATIONS, BY CREATING A NEW “MORRIS BROAD CROSSROADS OVERLAY ZONE” DISTRICT

Ordinance Summary: The purpose of this ordinance is to create an overlay zoning framework as a development alternative to the underlying B Business Zone designation to remain for Block 2706 Lots 1, 2, 3 and 4, which include the City’s firehouse site, Cedar Street office building and Chestnut Parking Lot, in order to address a portion of the City’s affordable housing obligation and, pursuant to the policy recommendations set forth in the City’s Master Plan, accommodate several public purposes including, but not limited to, the provision of residential development with a mandatory affordable housing set-aside, public parking adjacent to public uses and the Downtown, useable open space and accessibility for St. Teresa Memorial Hall, a local historic landmark. The overlay zone is envisioned to be developed as a single comprehensive integrated site design.

WHEREAS, the City of Summit owns those parcels identified as Block 2706 Lots 1, 3 and 4 in City tax records, which parcels include the City’s Chestnut Parking Lot, former firehouse site and Cedar Street office building, respectively; and

WHEREAS, the City anticipates the Fire Department will relocate to its newly constructed firehouse in the Summer of 2024 rendering the existing firehouse site, Lot 3, vacant which the City had planned to be developed for a new use; and

WHEREAS, the City has determined the subject parcels to be underutilized in their current conditions given their proximity to the Summit Downtown, train station and public amenities and imminent relocation of the Fire Department to its new firehouse; and

WHEREAS, the City envisions the mixed-use or residential development of tract in a manner that compliments surrounding land uses, is consistent with the character of Summit’s historic Downtown and intends to utilize this development opportunity to address a portion of its affordable housing obligations on this site through the provision of residential development with a mandatory affordable housing set-aside; and

WHEREAS, the City also intends to accommodate several other public purposes on this site, including but not limited to the provision of useable open green space, public parking adjacent to public uses and the Downtown, and accessibility to St. Teresa Memorial Hall, all of which are in accordance with the policies and objectives set forth in the City’s Master Plan; and

WHEREAS, in light of the above, the Mayor and Council have determined it to be in the public interest to create a development program for the site which allows for alternatives to the existing Business zoning in pursuit of the aforementioned opportunities, while also recognizing market realities.

NOW THEREFORE, BE IT ORDAINED, BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SUMMIT, IN UNION COUNTY, NEW JERSEY:

That Article XIII, Zoning Regulations, of Chapter 35, Development Regulations, of the Code of the City of Summit is hereby amended to create a new Morris Broad Crossroads Overlay Zone District for Block 2706 Lots 1, 2, 3 and 4, as follows:

Section 1. Preamble. The preamble to this ordinance is hereby incorporated as if restated in full.

Section 2. Morris Broad Crossroads Overlay Zone District Established. §35-8.1.A., “Establishment of zones” of the Code of the City of Summit (“City Code”) is hereby amended and supplemented to add therefore a new overlay zone district entitled the “Morris Broad Crossroads Overlay Zone” District and shall read as follows (additions are underlined thus; deletions are in brackets [thus]):

§35-8.1. Establishment of zones.

For the purposes of this article, the City of Summit is hereby divided into zone districts as follows:

A. Zoning districts.

R-5	Single and Two-Family Residential Zone
R-6	Single-Family Residential Zone
R-10	Single-Family Residential Zone
R-15	Single-Family Residential Zone
R-25	Single-Family Residential Zone
R-43	Single-Family Residential Zone
TH-1	Townhouse 1 Zone
TH-2	Townhouse 2 Zone
MF	Multifamily Residential Zone
MFT	Multifamily Tower Residential Zone
MF/TOD	Multifamily/Transit Oriented Development Zone
RAH-1	Affordable Housing Zone
CRBD	Central Retail Business District Zone
B	Business Zone
B-1	Business 1 Zone

NB	Neighborhood Business Zone
ORC	Office Residential Character Zone
ORC-1	Office Residential Character 1 Zone
LI	Light Industrial Zone
PROD	Planned Research Office Development Zone
PROD-2	Planned Research Office Development Zone
RO-60	Research Office Zone
PI	Professional Institutional Zone
PL	Public Lands Zone
G	Golf Zone
GW I	Gateway 1 Zone
GW II	Gateway II Zone
	[Broad Street West Redevelopment Area]

B. Overlay zones.

(No changes to B1-B7)

8. Morris Broad Crossroads Overlay Zone.

<u>Block</u>	<u>Lot</u>	<u>Property Address</u>
<u>2706</u>	<u>1</u>	<u>406 Broad Street</u>
<u>2706</u>	<u>2</u>	<u>402 Broad Street</u>
<u>2706</u>	<u>3</u>	<u>384-392 Broad Street</u>
<u>2706</u>	<u>4</u>	<u>7 Cedar Street</u>

Section 3. Zoning Map Amended – §35-8.2. §35-8.2. “Zoning Map” of the City Code is hereby amended and supplemented to add therefore a new overlay zone district entitled the “Morris Broad Crossroads Overlay Zone” District and shall read as follows (additions are underlined thus; deletions are in brackets [thus]):

§35-8.2. Zoning Map.

The location and boundaries of the above districts are hereby established on the Zoning Map of the City of Summit in Union County, dated [October 3, 2020] May 21, 2024, as amended, which is filed in the office of the City Clerk. Said map or maps and all notations, references and designations shown thereon shall be part of this article as if the same were all fully described and set forth herein. A copy of the Zoning Map is located in the Appendix of this chapter.

Section 4. Zoning Map Amended – Attachment 2. Attachment 2 – Appendix B, Zoning Map of Chapter 35, Development Regulations is hereby amended by placing Block 2706 Lots 1, 2, 3 and 4 in the Morris Broad Crossroads Overlay Zone created by this ordinance, as shown Exhibit B attached hereto.

Section 5. Morris Broad Crossroads Overlay Zone Regulations Established. Section 35-13.32, of Article XIII, Zoning Regulations, of Chapter 35, Development Regulations, of the City Code is hereby repealed in its entirety and replaced with a new Section 35-13.32 entitled, “Morris Broad Crossroads Overlay Zone,” which shall read as set forth in Exhibit A attached hereto and made a part hereof.

Section 6. Schedule of Space Regulations Amended. Attachment 3 – Appendix C, Schedule of Space Regulations, of Chapter 35, Development Regulations, of the City Code is hereby amended to include the bulk requirements of the new MBC Overlay Zone as set forth in Exhibit C attached hereto and made a part hereof.

Section 7. Remainder of Chapter 35 Unchanged. All other provisions of Chapter 35 of the City Code shall remain unchanged.

Section 8. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

Section 9. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

Section 10. Referral to Planning Board. Following introduction and prior to adoption, the City Clerk shall cause a copy of this ordinance to be referred to the City of Summit Planning Board for review pursuant to N.J.S.A. 40:55D-26.

Section 11. Effective date. This ordinance shall take effect immediately upon publication and final passage according to law.

Dated: June 11, 2024

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing ordinance was duly passed by the Common Council of said City at regular meeting held on Tuesday evening, June 11, 2024.

Approved:

Dr. Elizabeth Fagan, Mayor

City Clerk