

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1326

**AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE WATERFRONT REDEVELOPMENT AREA**

WHEREAS, the Mayor and Council of the Town of Harrison (“Town”) desires to adopt amendments to the Waterfront Redevelopment Plan; and

WHEREAS, the Town previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq), which area is commonly referred to as the “Waterfront Redevelopment Area”; and

WHEREAS, a Redevelopment Plan for the redevelopment area entitled Harrison Waterfront Redevelopment Plan was prepared by Heyer, Gruel & Associates and adopted by Ordinance Number 1077 on July 23, 2003; and

WHEREAS, an Amended Redevelopment Plan for the redevelopment area entitled Amended Harrison Waterfront Redevelopment Plan 2012 was prepared by Heyer, Gruel & Associates and adopted by Ordinance Number 1262 on April 24, 2012 (hereinafter the “Plan”); and

WHEREAS, since the adoption of the Plan, subsequent amendments have been adopted; and

WHEREAS, the Redevelopment Plan was amended by Ordinance No. 1319 on May 11, 2016, to amend the Additional Design Standards of the Redevelopment Plan to require that all projects provide one half of one percent (.5%) of their budgeted cost of construction either towards the creation of public art, or to a fund established by the Town dedicated to providing public art and/or open space & recreation within the Town of Harrison; and

WHEREAS, since the adoption of Ordinance No. 1319, there have been changes in conditions and circumstances regarding open space and parks; and

WHEREAS, due to these changes it is necessary to further amend the Redevelopment Plan; and

WHEREAS, the proposed amendments will not compromise the core principles and goals of the Redevelopment Plan; and

WHEREAS, the proposed amendments are necessary to execute the Redevelopment Plan; and

WHEREAS, there is a need for additional parks and recreation space throughout the Town and increasing the amount of parks and recreation spaces in the Town of Harrison is a stated goal of the Town’s Master Plan; and

WHEREAS, the subcategory of Public Art and Open Space & Recreation should be amended to remove the section which reads “One-half of one percent (.5%) of the budgeted cost of construction or renovation of the structure or the project itself, excluding land, shall be appropriated for public art and/or open space & recreation” and read as follows:

- “Public Art and Open Space & Recreation

A developer shall provide funds equal to one half of one percent (.5%) of the budgeted cost of construction or renovation of the project, excluding land, to a fund established by the Town dedicated to providing open space & recreation within the Redevelopment Area”; and

WHEREAS, the use of valet parking to meet the permanent residential parking requirements pursuant to the Plan does not adequately satisfy the Plan’s parking requirements; and

WHEREAS, there is a need to enforce the permanent residential parking requirements pursuant to the Plan; and

WHEREAS, the Mayor and Council desire to amend the Plan to prohibit valet parking to meet permanent residential parking standards and to require a plan amendment should any required residential off-street parking be deficient by 5% or more.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON, IN THE TOWN OF HARRISON AS FOLLOWS:

THAT: The subcategory "Public Art and Open Space & Recreation" under "Additional Design Standards" shall be amended to remove the section which reads "One-half of one percent (.5%) of the budgeted cost of construction or renovation of the structure or the project itself, excluding land, shall be appropriated for public art and/or open space & recreation" and read as follows:

**"Public Art and Open Space & Recreation**

- A developer shall provide funds equal to one half of one percent (.5%) of the budgeted cost of construction or renovation of the project, excluding land, to a fund established by the Town dedicated to providing open space & recreation within the Redevelopment Area"; and

THAT: The Plan section "Relationship of Plan to the Town Land Development Regulations," second paragraph, shall be amended to read as follows:

"Any deviation that would result in a "d" variance pursuant to N.J.S.A. 40:55D-70(d) shall be addressed as an amendment to the Plan. In addition, any valet parking proposed in order to address permanent residential parking requirements of a development shall require a Plan amendment. A deficiency of 5% or greater of the required permanent residential off-street parking shall also require a Plan amendment. Deviations of less than 5% shall be considered a "c" variance and, therefore, may be approved by the Planning Board in connection with a site plan. Neither the Planning board nor the Board of Adjustment shall have authority to allow deviations which would result in a "d" variance and/or Plan amendment. The Planning Board shall have power to grant relief from other bulk and dimensional requirements of the Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the Municipal Land Use Law. The Planning Board shall consider the comments of the Harrison Redevelopment Agency when evaluating relief from the bulk requirements"; and

THAT: All prior Ordinances which are inconsistent with the provisions of this Ordinance, as well as any prior versions of the above referenced Redevelopment Plan or any prior versions of the above referenced Maps, are hereby repealed to the extent of such inconsistency.

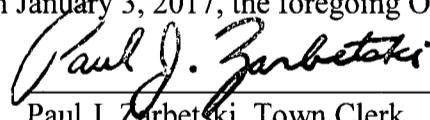
THAT: This Ordinance shall become effective immediately upon final passage and publication as required by law.

/s/ James P. Doran

Councilman James P. Doran

Introduced: 01-03-2017

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on January 3, 2017, the foregoing Ordinance passed on first reading.



Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
C. MANDAGLIO			X			
A. MILLAN			X			
F. NASCIMENTO					X	
E. VILLALTA			X			
J. FIFE			X			

Adopted: 02-07-2017

Approved: IS/  
Mayor James A. Fife

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council duly held on February 7, 2017 the foregoing Ordinance, previously published according to law, was adopted on second reading, approved by the Mayor, spread in full in the ordinance book, and published according to law.

  
Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
C. MANDAGLIO					X	
A. MILLAN			X			
F. NASCIMENTO						X
E. VILLALTA			X			
J. FIFE			X			