



CITY OF NEWARK Municipal Public Access Plan

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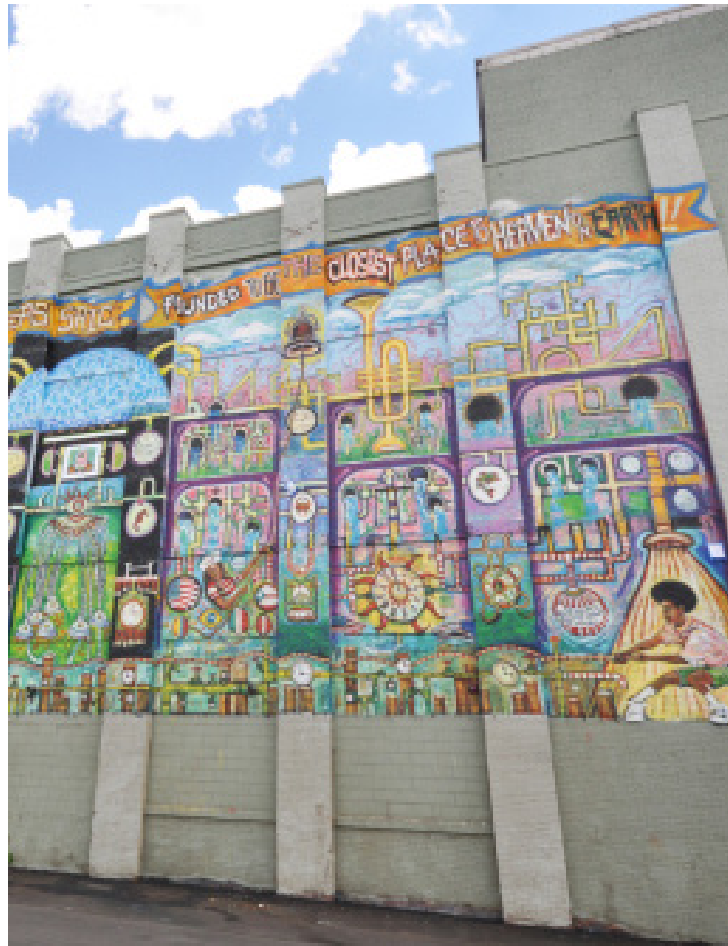
{Date of Municipal Adoption}

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CITY OF
NEWARK
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Financial assistance was provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration. The Grant Award # is NA12NOS4190165.



Scenes of Newark along the Passaic River: Kayaking and boat tours are available to residents and visitors along the riverfront during the summer. Visitors can view the Song of the Passaic mural at Riverfront Park Segment 1 (bottom right image).

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Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

Introduction



Newarkers walk along the orange boardwalk, a part of the public Right-of-Way along the riverfront.

Newark Riverfront Revival (NRR), an initiative of the Newark Office of Planning, Zoning & Sustainability (OPZS), aims to connect every Newarker to their river. Since 2008, NRR has built support for Newark's riverfront by taking hundreds of people on boat and walking tours, hosting dozens of outreach events, organizing design education programs for Newark's youth population, and staging a City Hall exhibition. Since 2012, NRR has worked with Essex County, the City of Newark, the Trust for Public Land, Ironbound Community Corporation, and other partners to build and program over 15 acres of riverfront parks, including a walking and biking trail, sports fields and courts, a floating boat dock, a riverfront boardwalk, a playground and other settings for relaxation, picnics, exercise, and environmental education.

Since then, the City of Newark has prepared several milestone documents:

- *The Riverfront That Newark Wants, Progress Report: 2009-2010* and visit www.newarkriver.wordpress.com for an overview of recent NRR activities.
- *Newark's River: Public Access & Redevelopment Plan* is a redevelopment plan for over 200+ acres of the riverfront. This document supersedes the zoning ordinance for a five-mile stretch of Newark's frontage on the Passaic River, including all of the potentially accessible riverfront near residential, retail, business, and entertainment areas of the city, including the Ironbound, Lower Broadway, and Downtown Newark.
 - » The guidelines and requirements, covering land use, building bulk, parking, urban design, and public waterfront access, were developed through a 24-month process including



LOCATION MAP

citywide and regional outreach, public meetings, consultations with property owners and community organizations. Stakeholder input was vital to crafting a set of rules for development that maximize the benefits and value of the riverfront.

- » The plan is designed to expedite and catalyze private development. By aligning Newark’s municipal zoning with State and Federal regulations, the plan will streamline entitlements for development along Newark’s riverfront in a more efficient and straightforward manner.
- » As Newark continues to develop and gain access to its riverfront through public and private development, the guidelines and requirements of this plan will ensure that Newark gets the riverfront it deserves.

This document, the *Municipal Public Access Plan* (MPAP), builds on the work of the previous NRR documents; its intent is to provide a comprehensive public access plan for our riverfront. It outlines the priorities and resources required to build new riverfront parks and trails, facilitate appropriate private development, and to work with the State and Federal authorities to complete the mandated clean-up of the Passaic River. The document identifies

and evaluates potential riverfront public access sites, elaborates on the status of under-construction sites, and identifies the appropriate next steps in their development. The MPAP affirms the City’s commitment to the current and proposed public riverfront access points, while identifying the community’s needs and articulating the intention of establishing a Public Access Fund, through which a monetary contribution is required from developers in lieu of the provision of public riverfront access. The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

This *Municipal Public Access Plan* (MPAP) was developed in accordance with N.J.A.C. 7:7E-8.11 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP.

Public rights of access to and use of the tidal shorelines and waters in New Jersey, including the ocean, bays, and tidal rivers, are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public’s right to full use of the seashore as declared in the following quotation from Book II of the Institutes of Justinian:

“By the law of nature these things are common to all mankind – the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

Influenced by Roman civil law, the tenets of public trust were maintained through English common Law and adopted by the original 13 colonies. Following the American Revolution, the royal right to tidelands was vested to the 13 new states, then to each subsequent state, and has remained a part of public policy into the present time. Through various judicial decisions, the right of use upheld by the Public Trust Doctrine,



Residents take time to enjoy the new Riverfront Park Segment 2 along the Passaic River.

allowing the public the right to all lands, water and resources held in the public trust by the state, including those in New Jersey.

The NJDEP adopted new rules governing public access on November 5, 2012 that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, and plans to preserve and enhance access based on community needs and State standards.

This plan was then developed in collaboration with the NJDEP, the Central Planning Board, consultants, and community groups, and was approved for submission to the NJDEP on {date}. Upon receiving approval from the NJDEP, the MPAP was incorporated into the Land Use Element of the Master Plan by resolution on {date}. Incorporation into the Master Plan, and final approval of this MPAP by

the NJDEP, was recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within Newark will be consistent with this plan.

Authority for Municipal Public Access Plans

The authority for a municipality to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 5, 2012.

The MPAP will be incorporated into the Land Use Element of the municipality's Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D). The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, Newark will be responsible for ensuring that public access to tidal waterways along the municipality's shorelines is provided in accordance to this plan. For each new public access project, Newark will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance to this plan. Per N.J.A.C. 7:7E-8.11(j)4, Newark is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 5, 2012. See Appendix 1.

State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access:

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide meaningful public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- The enhancement of public access by promoting adequate affordable public facilities and services.
- Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.

- Maintain all existing public access to, and along tidal waterways and their shores.
- Provide opportunities for public access to tidal waterways and their shores through new development.
- Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

Newark's *Municipal Public Access Plan* embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands which surround the city.

I. Municipal Public Access Vision



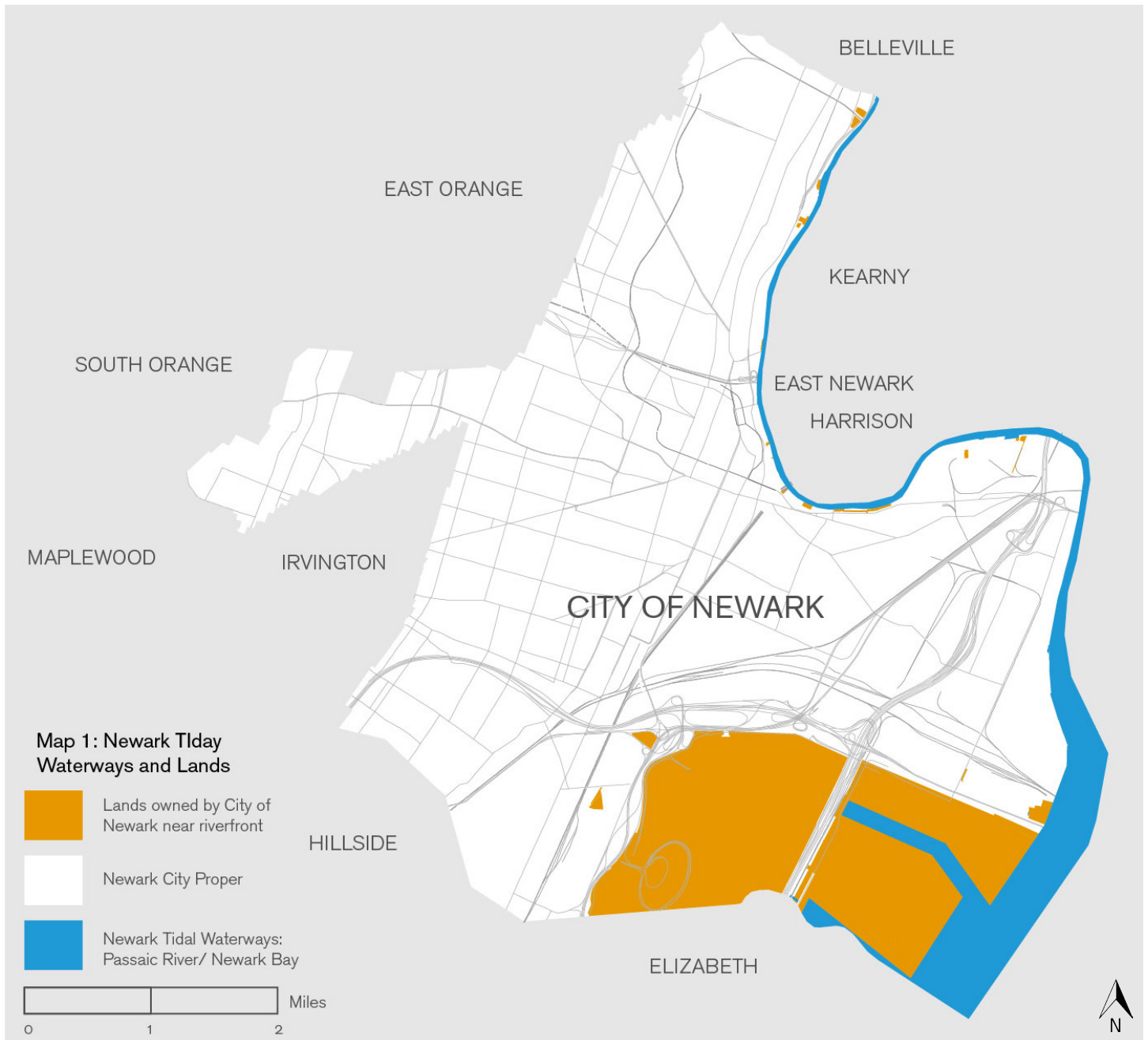
Newarkers wear orange to celebrate the opening of the new Riverfront Park Segment 2 at the Orange Sticks stage.

A. Overview of Municipality

1. Municipal Description

Newark's *Municipal Public Access Plan* is designed to address a broad cross-section of Newark's 273,546 residents. Newark is a majority ethnic minority city, with 84% of residents self-reporting as African-American or Latino in the 2010 Census. Many of Newark's residents struggle economically, with over one-quarter of residents (74,263) living below the federal poverty line, and with a citywide median household income of \$34,521. In terms of educational attainment, 58% of Newark residents hold high school diplomas but only 9% hold a bachelor's degree or higher. Newarkers and Newark organizations

have been working for over 30 years to revive their riverfront and reconnect to the Passaic River. Since 2009, these efforts have begun to materialize through activities, programs, and the physical transformation of the riverfront. In 2013, the *Newark's River: Public Access & Redevelopment Plan* was adopted by the City, which aligns with the goals of the *Municipal Public Access Plan*. Through public planning initiatives, NRR aims to continue to reach a broad cross-section of Newark residents, working with community-based groups to test and fine-tune its project materials and the programs it delivers. Beyond Newark, we hope to reach a regional and national audience, setting a national standard for urban transformation by developing and disseminating examples of innovative public outreach.



Map 1: Newark Tidal Waterways and Lands

2. Public Access Description

There are currently two public access facilities, Riverfront Park Segment 1 and the Riverfront Park Segment 2. The Newark OPZS has mapped seven additional potential public access facilities.

Public Access in Newark is provided by the municipality and Essex County and consists of a variety access points and facilities including public parks, a boat dock, an 800-foot bright orange recycled plastic boardwalk, spaces for soccer, baseball, tennis, and basketball, two playgrounds, a track with a rubberized surface, a meadow, the Song of the Passaic

mural, a performance space, and bathroom facilities. Newark protects and ensures public access through the *Newark’s River: Public Access & Redevelopment Plan*, access easements, the establishment of a Public Access Fund, and community programming and events on the riverfront. The overall goal of this MPAP is to establish Newark’s plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

3. Map 1: Newark Tidal Waterways and Lands

This map shows all the tidal waterways within the municipality and all lands held by the municipality.

B. Municipal Public Access Goals & Objectives

As part of the planning process, this MPAP has been reviewed and is consistent with *Newark's 2012 Master Plan*, specifically in the Future Land Use Plan as well as the following goals and elements:

1. Goals

- Volume 1 Chapter 2: Vision & Policy Goals
Goal 3: A City of Choice
Promote a “living downtown” and revitalized riverfront.
Revitalized Riverfront: Newarkers reconnect to the Passaic through improved public access and the development of housing, offices, retail, industry, and open space in appropriate locations along the five-mile-long stretch of the riverfront district. (29-30)

2. Elements

- Volume 1 Chapter 3: Business & Industry
 - » Strategy 1.9
Preserve medium industrial, light industrial and commercial uses in specific areas such as portions of the riverfront and around the Newark Industrial District. (46)
 - » Strategy 3.6
Support a limited amount of large-format retail development on land currently zoned for light industrial uses, and which offers excellent highway access, visibility, and opportunity for transit...[especially] along the Passaic River just north of I-280. (59)
- Volume 1 Chapter 4: Housing
 - » Strategy 1.2.1
Zone for appropriate densities related to transit, open space, and institutions. The riverfront public access and redevelopment plan... support[s] the provision of new housing in the downtown and vicinity. (75)
 - » Strategy 1.3.2
Promote new housing along lands adjacent to

McCarter Highway and the Passaic riverfront in the downtown.

The recently released *Newark's River: Public Access & Redevelopment Plan* establishes a regulatory framework for mixed-use development... The Plan is consistent with and furthers the goals of *Living Downtown Plan* and this Master Plan. (77)

- Volume 1 Chapter 5: Mobility
Connect neighborhoods to one another and to the various employment, recreation, entertainment, and waterfront destinations within the City. *The Riverfront Redevelopment Plan* will ensure adequate public access to and along the Passaic River as it is redeveloped. (110)
 - » Strategy 2.4
Continue to enhance the City's pedestrian network.
 - » Strategy 2.4.1
Adopt *Newark's River: Public Access & Redevelopment Plan* to develop recommended parallel and perpendicular riverfront access. (112)
- Volume 1 Chapter 6: Parks & Natural Resources
 - » Objective 1. Neighborhood Parks
Improve maintenance and programming at existing neighborhood parks, and strategically expand access to quality open space and recreational opportunities in neighborhoods underserved by parks
 - ◇ Strategy 1.5
Employ incentive zoning in target areas (where greater density is encouraged) to involve the private sector in creating public open space.
For example, the *Riverfront Public Access and Redevelopment Plan* incentivizes open space set-asides in specifically defined areas of private property in exchange for building density bonuses. (141)
 - » Objective 2: Regional Parks and Greenway
Develop a continuous trail along the Passaic River, and promote multi-modal connections and access to the regional open space network (142)

- ◇ Strategy 2.1
Continue to extend the continuous riverfront park along the Passaic River (142)
- ◇ Strategy 2.2
Create safe, multi-modal connections to parks and recreational facilities
The City needs to ensure that residents living in Newark's neighborhoods can reach the riverfront, Branch Brook Park, Weequahic Park, and other recreational areas both safely and efficiently. (143)
- ◇ Strategy 3.2
Ensure sufficient, dedicated funding and resources to maintain parks and recreational facilities
- ◇ Strategy 5.2
Restore degraded and protect existing natural habitats, including parks, wetlands, and the Passaic River (154)
- Volume 2 Chapter 11: Land Use
FIG 11.6: Future Land Use Plan reflects the boundary of *Newark's Riverfront: Public Access & Redevelopment Plan*. (24)
- Volume 2 Chapter 12: Urban Design
Policy 3 Riverfront
Redevelop the Passaic River waterfront as a regional recreational amenity with a diverse mix of new development and strong, active street connections to Newark's neighborhoods.
For more on the below policies, refer to *Newark's River: A Public Access and Redevelopment Plan*.
 - » Policy 3.1
Support Riverfront redevelopment to include new housing, offices, retail, industry, and open space in appropriate locations (49)
 - » Policy 3.2
Support water-related activities near the river and provide water access amenities, new park spaces, and pedestrian connections to the riverfront (49)
 - » Policy 3.3
Connect existing neighborhoods to the riverfront through harmonious and walkable development and a safe and welcoming public realm (49)
 - » Policy 3.4
Develop design guidelines to protect view corridors and create appropriate setbacks from the river's edge (49)
 - » Policy 3.5
Ensure the inclusion of public riverfront access in private redevelopment projects (49)
- Volume 2 Chapter 13: Neighborhoods
 - » North Broadway/Woodside
The Riverfront Public Access and Redevelopment Plan defines land use and design regulations for a small portion of the North Broadway/Woodside neighborhood. The Plan preserves job-intensive industrial uses along the river, while allowing for a mix of residential, light industrial, and retail uses on the west side of McCarter Highway. (127)
 - ◇ 4.2 Make connections to the riverfront by improving the pedestrian realm in a manner that is consistent with the *Riverfront Public Access and Redevelopment Plan* (128)
 - ◇ 4.4 Preserve job-producing industrial land uses and remediate contaminated properties on the riverfront and along Oraton Street (128)
 - » Lower Broadway
The Riverfront Public Access and Redevelopment Plan defines land use and design regulations along the riverfront in Lower Broadway, as well as for a number of blocks east of the river. The Plan allows for a mix of residential, light industrial, and retail uses between the riverfront and Mount Pleasant Avenue. South of Clay Street, only high density residential, office and retail uses are permitted. (131)
 - » Mount Pleasant
The Riverfront Public Access and Redevelopment Plan defines land use and design regulations along the riverfront in Mount Pleasant, as well as for a number of blocks east of the River. The Plan preserves job-intensive industrial uses along the River,

while allowing for a mix of residential, light industrial, and retail uses on the west side of McCarter Highway and Passaic Street. (139)

◇ 6.2 Improve the pedestrian realm and make connections to the riverfront in a manner that is consistent with the *Riverfront Public Access and Redevelopment Plan*

- Provide access at 3rd and 4th Avenues
- Improve the pedestrian realm and lighting at the periphery of Mount Pleasant Cemetery to deter crime and provide a safer and more attractive environment for walkers, joggers, and cyclists (1410)

◇ 6.3 Preserve and attract new job-producing industrial land uses and remediate contaminated properties on the riverfront (141)

» Downtown

Land use and design regulations in the downtown are currently defined by a number of redevelopment plans, including the Broad Street Station District, Education Center, Downtown Core, Living Downtown, Newark Plaza, and Riverfront Redevelopment Plans. (165)

» Ironbound

The Riverfront Public Access and Redevelopment Plan addresses land use and design regulations for a large section of the north Ironbound. (189)

◇ 14.3 Complete the development of a continuous riverfront park as defined in the *Riverfront Redevelopment Plan* (193)

◇ 14.5 Improve pedestrian and cycling connectivity to Riverbank Park, Hayes Park, the Ironbound Recreation Center, and the riverfront (193)

In addition to those goals outlined within the Master Plan and the three State required goals (the first three below), Newark establishes the following as goals specifically for public access:

1. All existing public access shall be maintained to the maximum extent practicable.
2. Maintain safe and adequate access locations for fishing (catch and release, as the fish should not be consumed due to pollution)
3. Provide clear informative signage for access locations and for public safety.
4. Connect existing neighborhoods to the riverfront through harmonious and walkable development.
5. Provide design guidelines to protect view corridors and create appropriate setbacks from the river's edge.
6. To ensure inclusion of public access to, along, and onto the river in all redevelopment projects in order to implement the Public Trust Doctrine.
7. Celebrate and enhance Newark's history and culture.



Summer movie nights are held at Riverfront Park Segment 2.

II. Existing Public Access



A Newarker sunbathes on the new public bench at Riverfront Park Segment 2

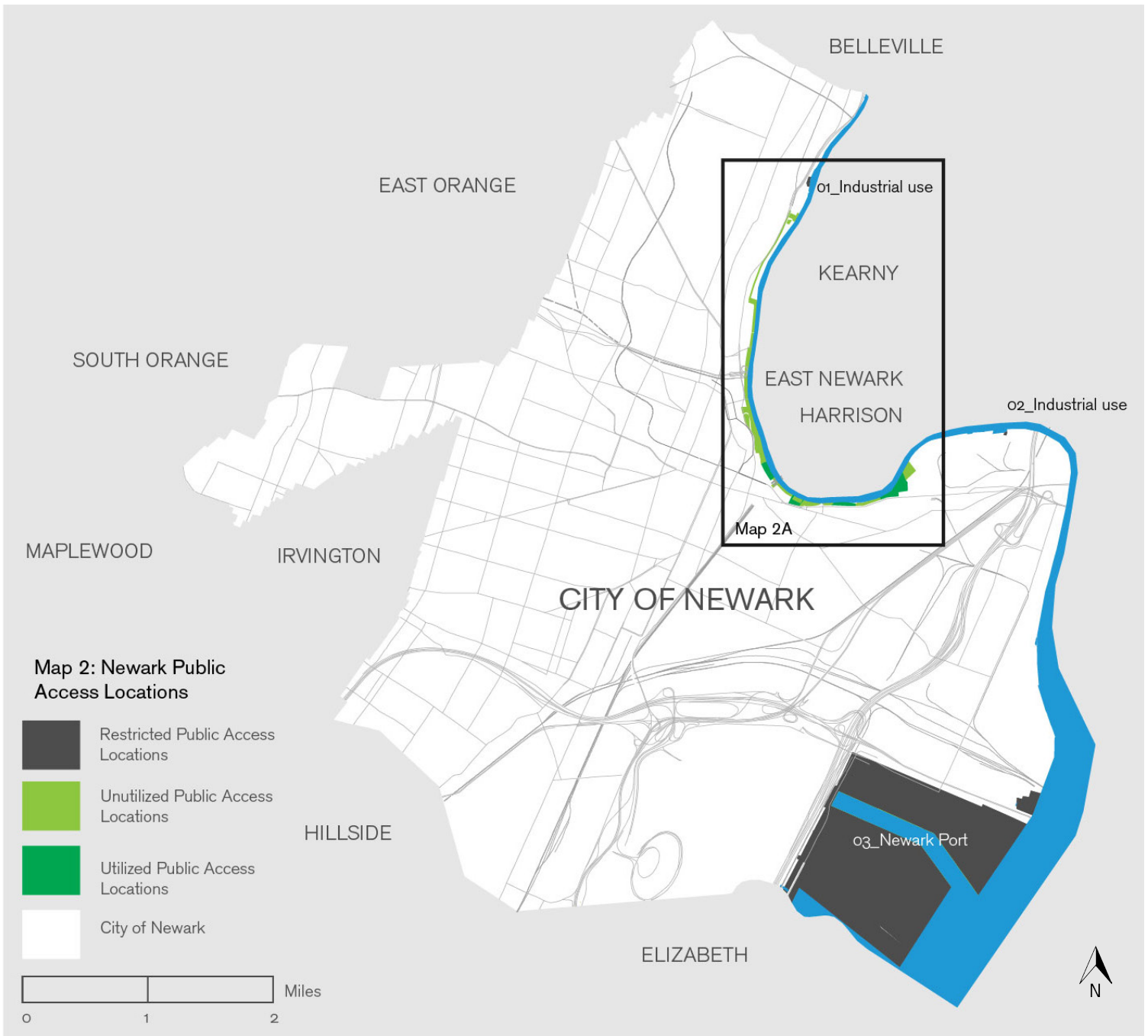
A. Public Access Locations

Map 2 Newark Public Access Locations, identifies an inventory of all public access locations within Newark whether they are currently Utilized, Restricted, or Un-utilized/Proposed, along with their attributes of improvements, and activities. See Table 1 for more detailed information needed for each location, which may be found in Appendix 4.

Restricted – meaning the location poses known or likely public health and safety or environmental damage concerns.

Utilized – meaning this location is used by the public and provides official or unofficial public access.

Un-utilized/Proposed – meaning this location contains no improvements and receives little or no use by the public. This location may be “proposed” for future development and use.



Map 2: Newark Public Access Locations

Restricted Public Access Locations (Refer to Map 2)

- **Newark Port:** The land is leased to the Port Authority for port and transportation and logistics use.
- **Industrial use areas:** Segment 1 and Segment 2

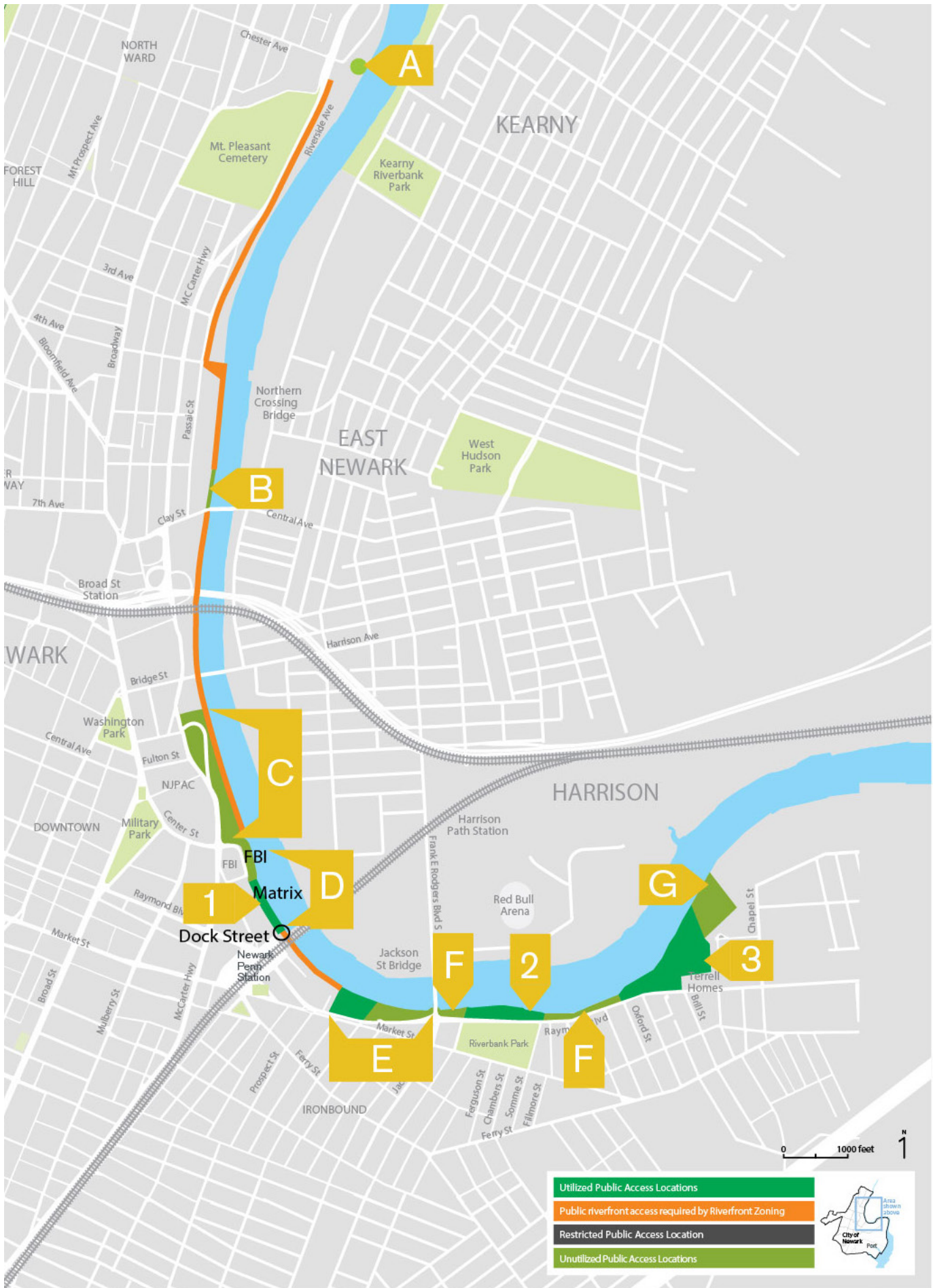
Utilized Public Access Locations (Refer to Map 2A)

1. Matrix segment of Downtown Riverfront Trail: A modest trail following the conservation easement trail through Matrix properties to the FBI

building is now complete. More improvements to the trail are to come.

2. Riverfront Park Segment 2, aka The Orange Sticks: 800-foot bright orange recycled plastic boardwalk, river-watching & kite-flying hills, a boat dock, a Langston Hughes poem plaque, and a rich installation of educational signage.

3. Riverfront Park Segment 1: 12 acres with soccer, baseball, tennis, basketball, two playgrounds, a meadow, and the mural *Song of the Passaic*.



Map 2A: Newark Public Access Locations

Unutilized/Proposed Public Access Locations (Refer to Map 2A)

The Public Riverfront Access Trail (in orange on Map 2A) is required by Riverfront Zoning outlined in *Newark's River: Public Access & Redevelopment Plan*. Segments of the trail (such as the Matrix segment of the Downtown Riverfront Trail, see #1 above) are under construction, though most of it remains to be built.

A. Chester Avenue Riverfront Park: Chester Avenue runs downhill from the North Broadway neighborhood, below Route 21, and to the river. With a public easement and modest improvements, North Ward residents could reach and enjoy the river.

B. Clay Street Riverfront Park: A 40-foot by 100-foot piece of City-owned property could become the Lower Broadway neighborhood's first riverfront park.

C. Downtown Riverfront Park: A swath of open space down the hill from NJPAC has been designated to become Newark's future front yard.

D. Downtown Riverfront Trail: A trail following the conservation easement trail through Matrix properties to the FBI building that will soon extend from Penn Station to NJPAC, with additional park-dedicated land available between the FBI building and Bridge Street.

E. Riverfront Park Segment 4 / Market Street Gasworks Riverfront Park: From the mid-1800s to the 1950s, the Market Street Gas Works produced gas to light Newark's streetlights. Today, PSE&G is completing an environmental clean-up of the land, most of which is publicly owned and dedicated for future parks. The site is partially completed, and became publicly accessible in the 3rd quarter of 2015.

F. Riverfront Park Segment 3: Improvements between Segments 1 & 2 and extension below Jackson Street Bridge is scheduled to break ground in the 1st quarter of 2016.

G. Terrell Homes Riverfront Park: The space between Terrell Homes and the river was long occupied by stored shipping containers. Today, it is a broken asphalt field, but it could be a riverfront park.

B. Improved Public Access Locations

Map 3 Newark Preferred Public Access Locations is a visitor-friendly map of the Utilized and the Unutilized/Proposed public access locations, identifying also parking accessibility, restrooms and ADA compliant spaces. See Table 1 for more detailed information on each location, which may be found in Appendix 4.

Part of the Downtown Riverfront Trail, Riverfront Park Segment 1, and Riverfront Park Segment 2 are ADA compliant. The Riverbank Park, as depicted in Map 3, is also ADA compliant.

C. Limitations to Public Access

The following limitations to public access in Newark currently exist:

1. Temporary Restrictions

General Restrictions

The areas listed under "Un-utilized/Proposed Public Access Locations" are restricted temporarily because they are proposed spaces and have yet to be developed into completed public parks or trails. These sites are restricted due to varying conditions and require different strategies to enable public access. Some require the creation of a public easement; others require an environmental cleanup and/or modest improvements; while still others require the creation of safe public access points.

Newark Riverfront Parks Today & Tomorrow

After decades of struggle for public access to the riverfront, the dream is coming true. Since 2012, the City & County have opened their first riverfront parks & adopted new riverfront zoning requiring that Newark residents and visitors are able to enjoy the Passaic River forever. On the map to the right, see where public access exists in 2014 & where it could exist in the future—if enough people get involved!

NEWARK RIVERFRONT PARKS
Despite plans to build Newark riverfront parks as early as 1922, until recently Newark did not have any public open space along the Passaic. In the 1990s, a coalition organized by Ironbound Community Corporation advocated new parks on their neighborhood's riverfront. In 2012 and 2013, the City and County opened Riverfront Park Segments 1 & 2 covering 15 acres.*

RIVERFRONT ZONING & PUBLIC ACCESS
In 2013, the Newark Municipal Council adopted Newark's River Public Access & Redevelopment Plan. The plan updated the city's development regulations along five miles of Passaic River (shown in gray on map below), including requirements that public riverfront access and open spaces must be built as part of all riverfront developments.*

POTENTIAL FUTURE PARKS
These locations have been identified as potential riverfront parks but require more popular support, official support, money, land, or all the above!

* Once riverfront parks & trails are built, the work begins to maintain them and produce popular programs to attract a critical mass of the most important ingredient to park success: people like you.



CLAY STREET RIVERFRONT PARK
A 40-foot by 100-foot piece of City-owned property could become the Lower Broadway neighborhood's first riverfront park.



DOW RIVERFRONT PARK
A modest trail from Penn Station to NJPAC is nearly complete, with additional park-dedicated land available between the FBI building & Bridge Street.



MARKET STREET GASWORKS RIVERFRONT PARK SEGMENT 4
From the mid-1800s to the 1950s, the Market Street Gas Works produced gas to light Newark's streetlights. Today, PSE&G is completing an environmental clean-up of the land, most of which is publicly owned & dedicated for future parks.



RIVERFRONT PARK SEGMENT 2 AKA THE ORANGE STICKS
Features an 800-foot bright orange recycled plastic boardwalk, river-watching & kite-flying hills, boat dock, a Langston Hughes poem, & a rich installation of educational signage.



LITTLE ORPHAN ANNIE BRIDGE PARK
New riverfront zoning allows the owner of this site to build taller buildings in exchange for creating a park with a great view of the Northern Crossing Bridge, which famously appeared in the 1982 film *Annie*.



CHESTER AVENUE RIVERFRONT PARK
Chester Avenue runs downhill from the North Broadway neighborhood, below Route 21, and to the river. With a public easement and modest improvements, North Ward residents could reach & enjoy the river.



RIVERFRONT PARK SEGMENT 1
12 acres with soccer, baseball, tennis, basketball, two playgrounds, meadow, and the mural *Song of the Passaic*.

RIVERFRONT PARK SEGMENT 3
Improvements between Segments 1 & 2 plus extension below Jackson Street Bridge on schedule for 2016 completion.



TERRELL HOMES RIVERFRONT PARK
The space between Terrell Houses & the river was long occupied by stored shipping containers. Today it is a broken asphalt field, but it could be a riverfront park.

RIVERBANK PARK
100-year-old 10-acre park. In early 2000s, saved from being destroyed for a baseball stadium.

- Existing riverfront parks—visit one today!
- Public riverfront access required by Riverfront Zoning
- Area regulated by Riverfront Zoning
- Potential riverfront parks



Map 3: Newark Preferred Public Access Locations

- Restrooms
- Parking
- ADA compliant

Fishing is restricted along the riverfront as the water is known to be contaminated and consuming animals caught from the river may cause severe health problems. Signs have been installed along the three existing sites to inform visitors that catching and consuming caught blue crab crabs from the Passaic River is illegal.

Site Specific Restrictions of Utilized Public Access Locations (as identified in Map 2)

The following sites are not restricted seasonally or by use. Parks are closed daily from 10pm to dawn. Parking may restrict use, as Riverfront Park Segment 1 is the only Utilized Public Access Location with on-site parking, comprising around 50 spaces. Street parking is available along Raymond Boulevard from Oxford to Van Buren Streets to service Riverfront Park Segment 1, Riverfront Park Segment 2, and the Matrix segment of the Downtown Riverfront Trail. Inadequate signage in the neighborhood indicating the direction or existence of the three locations below can also be a limitation to public access. To address that issue, the City is in the process of finalizing directional signage in and around the neighborhood to encourage access and visitation to the sites.

- Riverfront Park Segment 1: Includes around 50 on-site parking spots, on-site restrooms, ADA compliant.
- Riverfront Park Segment 2, aka The Orange Sticks: No on-site restrooms (though there are restrooms at Riverbank Park, which runs parallel, just across the street), on-street parking along Raymond Boulevard, ADA compliant.

- Segment of Downtown Riverfront Trail: A modest trail following the conservation easement trail through Matrix properties to the FBI building is now complete. More improvements to the trail are planned. The rest of the Downtown Riverfront Trail is still under construction and thus remains temporarily restricted. It had an expected completion date of the end of summer 2015. On-street parking is available along Raymond Boulevard; there are no on-site restrooms (though there are public restrooms in Newark Penn Station as well as at Riverbank Park). ADA compliance has yet to be determined, as the site is only partially constructed.

2. **Permanent Restrictions** (refer to “Restricted Public Access Locations” in Map 2)

The following sites are permanently restricted and are the same locations listed under “Restricted Public Access Locations” listed in Section IIA. The locations are tied to industrial use and will continue to be dedicated to future industrial use, thus making public access incompatible as it would endanger public health and safety.

- Newark Port: The land is leased to the Port Authority for port, transportation and logistics use; it will permanently restrict public access.
- Industrial use areas: Segment 1 and Segment 2 (correspond to Map 2)

III. Community Needs Assessment



Newark celebrates its riverfront in “Walk to the Water” march.

Newark has performed a community needs assessment. The methods and results are described in the following section:

Since 2008, NRR has built support for Newark’s riverfront by taking hundreds of people on boat and walking tours, hosting dozens of outreach events, organizing design education programs for Newark’s youth population, and staging a City Hall exhibition. Since 2012, NRR has worked with Essex County, the City of Newark, the Trust for Public Land, Ironbound Community Corporation, and other partners to build and program over 15 acres of riverfront parks, including a walking and biking trail, sports fields and

courts, a floating boat dock, a riverfront boardwalk, a playground and other settings for relaxation, picnics, exercise, and environmental education.

For an overview of recent NRR activities, see *The Riverfront That Newark Wants, Progress Report: 2009-2010* and visit www.newarkriver.wordpress.com.

Newark’s River: Public Access & Redevelopment Plan was shaped through a series of stakeholder consultations, economic analyses, and design studies.

Riverfront Outreach & Education Selected Events

October 2, 2008	Newark Riverfront Property Owners meeting NJ Transit
March 10, 2009	Riverfront Park planning meeting, Newark City Hall
March 26, 2009	Newark Riverfront Revival press conference, Newark City Hall
March–August 2009	Newark Riverfront 3000 exhibition, Newark City Hall
March 31, 2009	Riverfront Park planning meeting, Newark City Hall
May 5, 2009	Riverfront Park planning meeting, Newark City Hall
June 1, 2009	Consultation with La Casa de Don Pedro, 75 Park Avenue
June 1, 2009	Consultation with Ironbound Community Corporation, 179 Van Buren
June 1, 2009	Consultation with Municipal Council, Newark City Hall
July–September 2009	Riverfront Boat Tours
July 1, 2009	Consultation with Master Plan Working Group, The Priory
July 16, 2009	Citywide Riverfront Advisory Group, Newark City Hall
August 24, 2009	City Stakeholder Working Session, Newark City Hall
August 29, 2009	Ironbound Riverfront Walkshop
September 26, 2009	Downtown Riverfront Walkshop
October 2009	Making the Rules for Riverfront Development Workbooks released
October 5, 2009	Riverfront Zoning Workshop at Ironbound Superneighborhood meeting, St. James Church School
October 13, 2009	Public Meeting on Newark Riverfront Development Framework, Newark City Hall
October 15, 2009	Riverfront Zoning Workshop at University Heights Super Neighborhood

October 20, 2009	Citywide Riverfront Advisory Group Meeting, Newark City Hall
October 25, 2009	North of 280 Riverfront Walkshop
October 26, 2009	Riverfront Zoning Workshop with James Street Commons Neighborhood Association
October 28, 2009	Riverfront Zoning Workshop with Ironbound Community Corporation, 179 Van Buren
November 10, 2009	Riverfront Zoning Workshop with La Casa de Don Pedro, 39 Broadway
November 18, 2009	Riverfront Zoning Workshop at Broad Street Block Association
December 15, 2009	Public Meeting on Draft Development Framework Newark City Hall January 2010 Release of Draft Development Framework
June–October, 2010	Riverfront Boat Tours
December 2010	Riverfront Park Construction Begins
June–October, 2011	Riverfront Boat Tours
February 27, 2012	Draft <i>Newark's River: Public Access & Redevelopment Plan</i> public release
March 13, 2012	Information Session on <i>Newark's River: Public Access & Redevelopment Plan</i> Newark City Hall
June 11, 2012	Central Planning Board hearing on <i>Newark's River: Public Access & Redevelopment Plan</i>



Newarkers gather in “Walk to the Water.”

1. Expand riverfront open space and public access locations

At the start of 2015, there were only three public access locations along the riverfront: the Riverfront Park Segment 1, Riverfront Park Segment 2 (also known as The Orange Sticks), and a partially completed stretch of the Downtown Riverfront Trail that runs through the Matrix property. This represents a small fraction of the total Newark riverfront that could potentially offer public access. Moreover, as the three above-mentioned riverfront segments are primarily located in southern to central portions of the riverfront, the northern portion of the waterfront is lacking public access.

2. Activate street front design along key riverfront corridors

Development along the riverfront corridors should reflect an urban street design with entrances and windows facing the street to create an active street environment. Active street fronts along key riverfront corridors will encourage Newarkers and visitors to use the corridors to the riverfront, thus connecting the inner urban areas of the city to the riverfront.



Newarkers walk along Broad Street (above) down to Ferry Street (below) to “Walk to the Water.”



IV. Implementation Plan

Newark has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, and Municipal Tools for Implementation as described in the following sections.

A. Priorities

Through the many community engagements and activities, Newark has identified the following priorities:

1. [Maintain Existing Public Access](#)
2. [Expand riverfront open space and public access locations](#)
3. [Activate the riverfront through pedestrian-friendly development guidelines and street design to encourage public access](#)

B. Preservation of Public Access Locations

In 2013, the Newark Municipal Council adopted *Newark's River: Public Access & Redevelopment Plan*. This plan updated the City's development regulations along five miles of the Passaic River, including requirements that public riverfront access and open spaces must be built as part of all riverfront developments. Newark developed the following preservation and conservation measures:

1. Preservation Measures

Block 1 Lot 60 is listed in Newark's Recreation and Open Space Inventory (ROSI).

Segments of the following parcels are listed in the City of Newark Conservation Easement Inventory: Block 130 Lot 47, Block 130 Lot 12, Block 130 Lot 1, Block 133 Lot 1, Block 134 Lot 10, Block 169.01 Lot 58, Block 171 Lot 11, Block 174 Lot 41, Block 174 Lot 42, Block 2025 Lot 1, Block 2026 Lot 7, Block 2026 Lot 19, Block 2026 Lot 22, Block 2027 Lot 1, Block 2028 Lot 1.

The following waterfront access requirements implement national, state, and city policy objectives including the federal 1972 Coastal Zone Management Act (CZMA), the Public Trust Doctrine, Waterfront Development Law (NJSA 12:5-3), and the Tidelands Act (NJSA 12:3).

To provide parallel and perpendicular access to Newark's Passaic Riverfront, the development and conservation of appropriate public riverfront access is required for riverfront properties within *Newark's River: Public Access & Redevelopment Plan*. To create secure and accessible riverfront access, perpendicular access points have been located so that distances between access points is no greater than 300-400 feet, the length of a typical city block. Where possible, these perpendicular rights of way have been located along existing parcel lines.

All applications to the Newark Central Planning Board and the Zoning Board of Adjustment for projects affected by this plan shall comply with the public access requirements depicted in the following maps and described in the following Design Standards. Draft conservation easements shall be included in the application to the Central Planning Board or to the Zoning Board of Adjustment. The final recorded conservation easement shall be filed with the Newark Central Planning Board and the Department of Engineering. Upon project completion, Central Planning Board or Zoning Board of Adjustment staff shall not release the performance bond for projects with required public access easements until a letter stating that public access requirements have been met and as-built drawings have been obtained by the Director of Planning, Zoning & Sustainability. Sidewalks in the public right-of-way shall remain the responsibility of the property owner to maintain the adjacent riverfront walkway.

NEWARK'S RIVER: PUBLIC ACCESS & REDEVELOPMENT PLAN BOUNDARY MAP



Map 4: Newark's River: Public Access & Redevelopment Plan Boundary

Newark's River: Public Access & Redevelopment Plan articulates separate visions for four segments of the riverfront:

North Ward Riverfront

The North Ward Riverfront, from Riverside Avenue down to Fourth Avenue, is separated from upland neighborhoods by Route 21 and Mount Pleasant Cemetery. The plan protects the North Ward riverfront's status as a dedicated industrial zone, building on its cluster of construction and manufacturing, with an eye towards job-intensive industrial development and increased future use of marine transportation.

Lower Broadway

The plan introduces new residential and retail uses, allowing the neighborhood to grow towards the Passaic River, preserving existing light industry, and requiring public access to accompany redevelopment. Higher density development is encouraged near Broad Street Station and the Route 280 & Route 21 interchange in order to take advantage of robust transportation infrastructure. In the northern portion of the area, bonus density is provided in exchange for the provision of open space. To promote a valuable public realm, active streetfront design is required along key corridors.

Downtown

The plan supports the Downtown riverfront as an amenity to promote upland residential, office, and retail development. To the west of McCarter Highway, the plan encourages high-density development. Along the river's edge, the plan builds on existing designations for future park construction alongside medium-density development accompanied by public riverfront access. In the portion of the area closest to Newark Penn station, bonus density is provided in exchange for the provision of open space. To promote a valuable public realm, active street frontage design is required along key corridors.

Ironbound

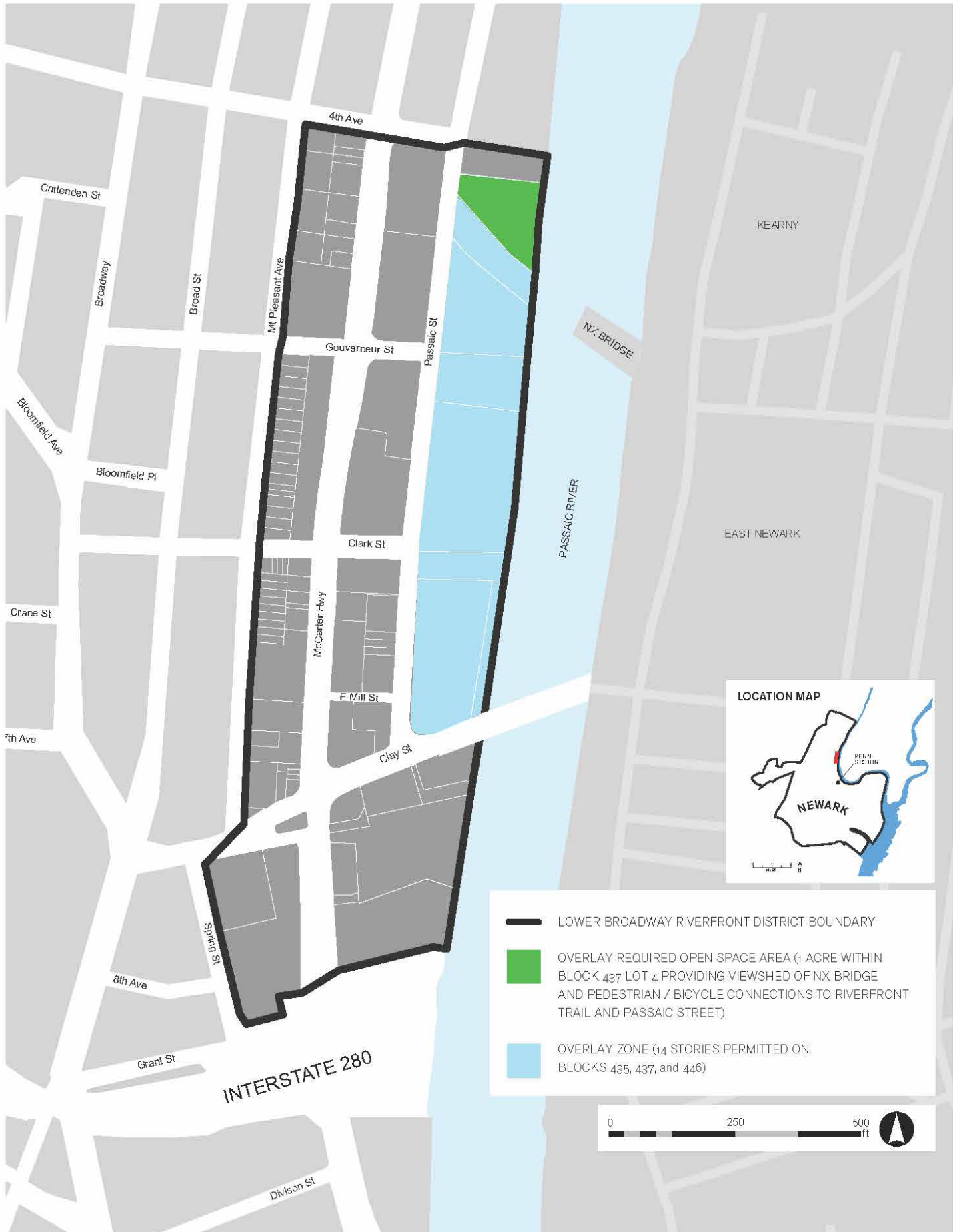
The plan promotes the Ironbound riverfront as primarily recreational, endorsing existing plans for open space and waterfront walkway development north of Raymond Boulevard. South of Raymond Boulevard, the plan protects the existing mixed-use, low-rise character of the neighborhood and makes provisions for better connections between upland and riverfront with active street front design. Higher density development is encouraged near Newark Penn Station, stepping up from the low-rise neighborhood towards Downtown.

Open Space Bulk Bonus Overlay Zones

Development projects located in overlay zones are eligible to receive additional bonus bulk, not to exceed 14 stories in the Lower Broadway Riverfront Overlay Zone and not to exceed 30 stories in the Downtown Riverfront Overlay Zone, if the developer agrees to contribute in perpetuity to open space located within the plan area. Refer to Section 6-A in the *Newark's River: Public Access & Redevelopment Plan* for more details on the Open Space Bulk Bonus Overlay Zones. The Overlay provisions for the riverfront are as follows:

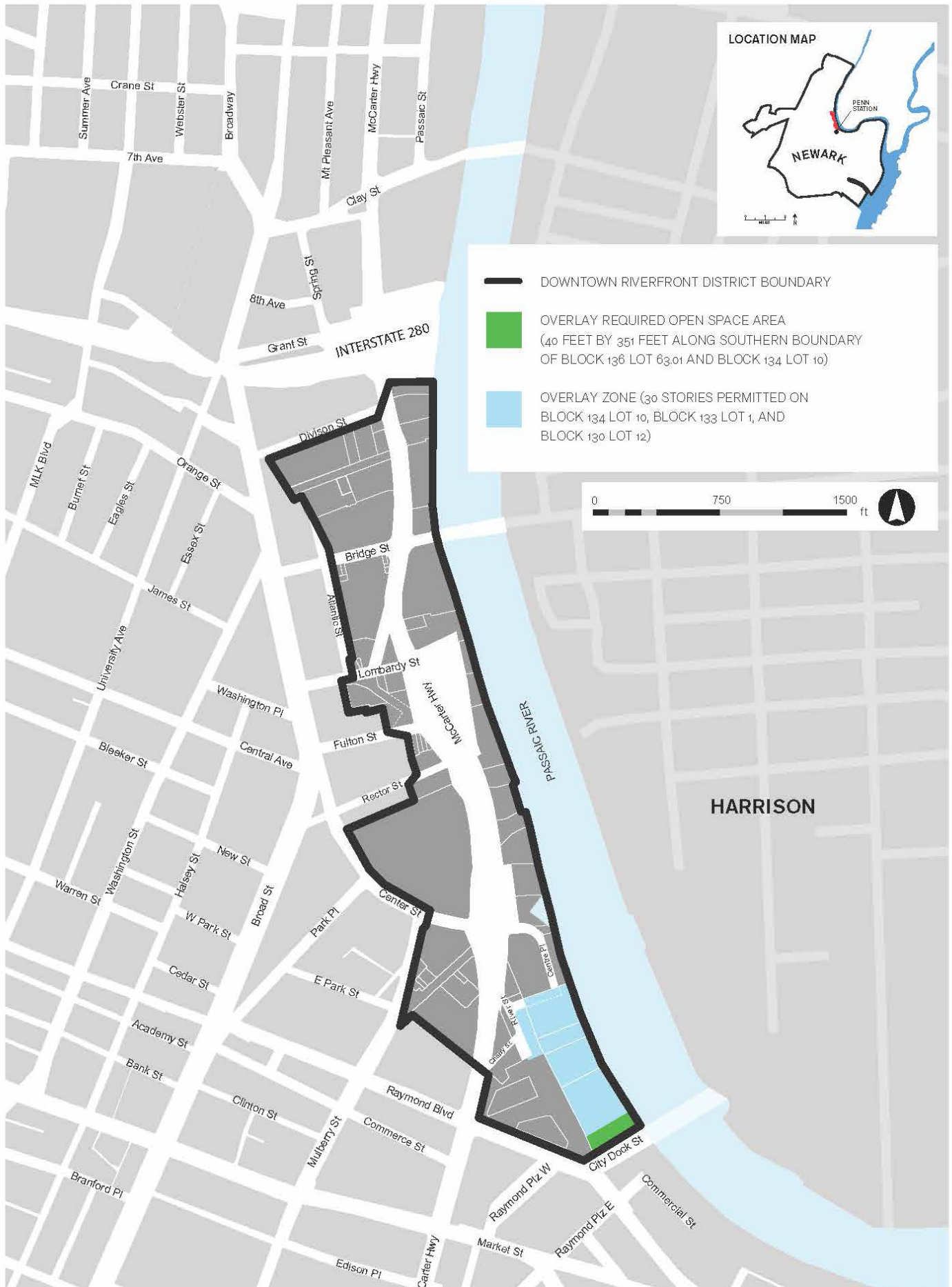
- a. Lower Broadway Riverfront Overlay Zone (Map 5A)
 - ii. Required Open Space: A minimum of 1 acre within Block 473 Lot 4, providing view shed of NX Bridge and providing pedestrian/bicycle connections to riverfront trail and Passaic Street.
 - iii. Bulk Bonus: 14 stories permitted on Blocks 435, 437, and 446.
- b. Downtown Riverfront Overlay Zone (Map 5B)
 - i. Required Open Space: 40 feet by 351 feet along southern boundary of Block 136 Lot 63.01 and Block 134 Lot 10.
 - ii. Bulk Bonus: 30 stories permitted on Block 134, Lot 10, Block 133, Lot 1, and Block 130, Lot 12.

LOWER BROADWAY OVERLAY MAP



Map 5A: Lower Broadway Overlay

DOWNTOWN OVERLAY MAP





Newarkers enjoy the Riverfront Right-of-Way at the Orange Boardwalk of Riverfront Park Segment 2.

Riverfront Right-of-Way

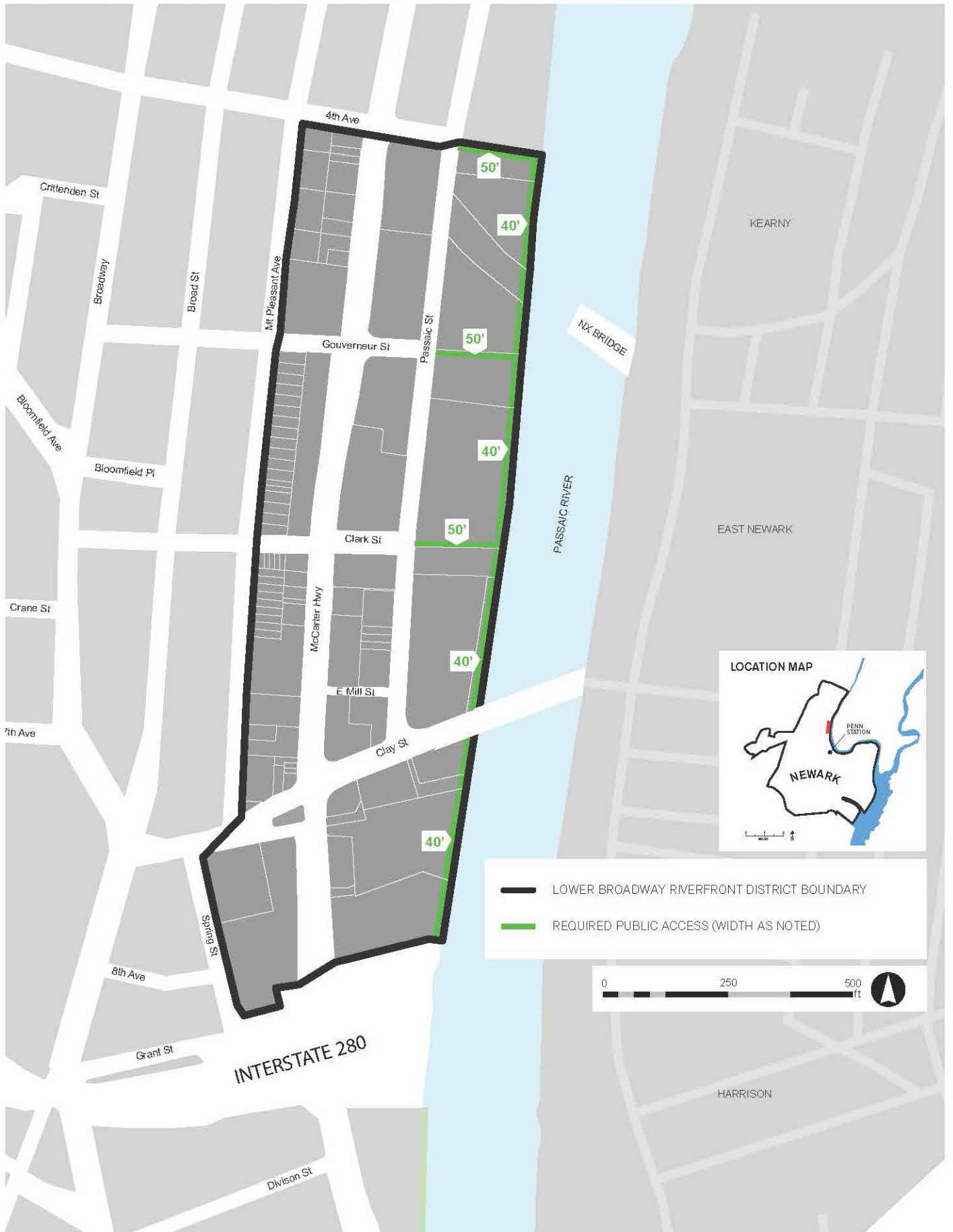
To provide parallel and perpendicular access to Newark’s Passaic Riverfront, the development and conservation of appropriate public riverfront access is required for riverfront properties within *Newark’s River: Public Access & Redevelopment Plan*. To create secure and accessible riverfront access, perpendicular access points have been located so that distances between access points is no greater than 300-400 feet, the length of a typical city block. Where possible, these perpendicular rights-of-way have been located along existing parcel lines. All applications to the Newark Central Planning Board and Zoning Board of Adjustment for projects affected by the *Newark’s River: Public Access & Redevelopment Plan* shall comply with the public access requirements depicted in the following maps.

For more details, please refer to Chapter 7 of *Newark’s River: Public Access & Redevelopment Plan*. The width

requirements for the Riverfront Right-of-Way are as follows:

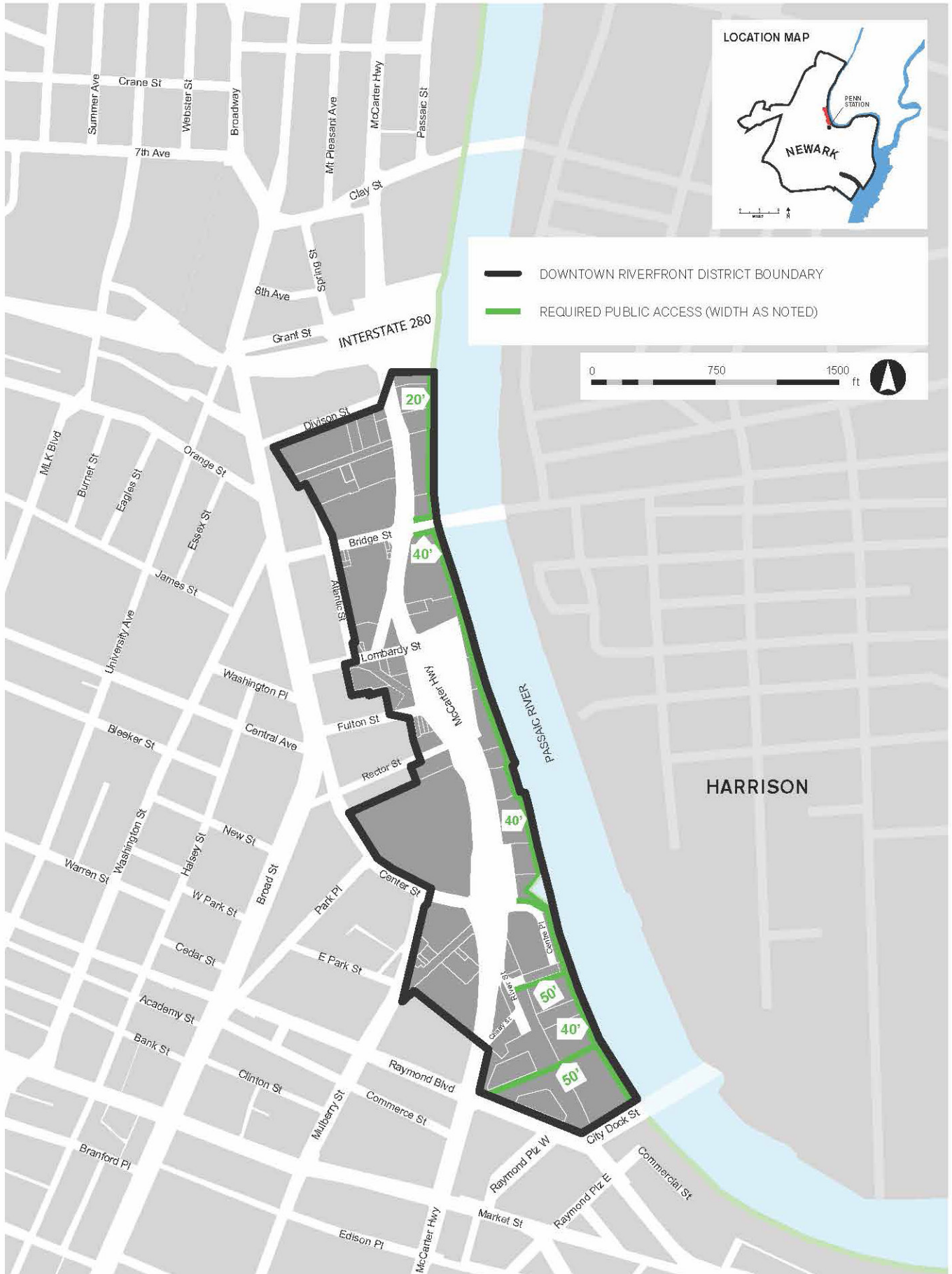
- a. Lower Broadway: 40-foot width minimum requirement
- b. Downtown
 - i. 20-foot width minimum requirement from Interstate 280 to Bridge Street
 - ii. 40-foot width minimum requirement for the rest of the Downtown zone
- c. Ironbound
 - i. 30-foot width minimum requirement from City Dock Street to where Prospect Street turns into Commercial Street and intersects Raymond Boulevard
 - ii. 40-foot width minimum requirement for the rest of the Ironbound zone

LOWER BROADWAY REQUIRED PUBLIC RIGHT-OF-WAY MAP



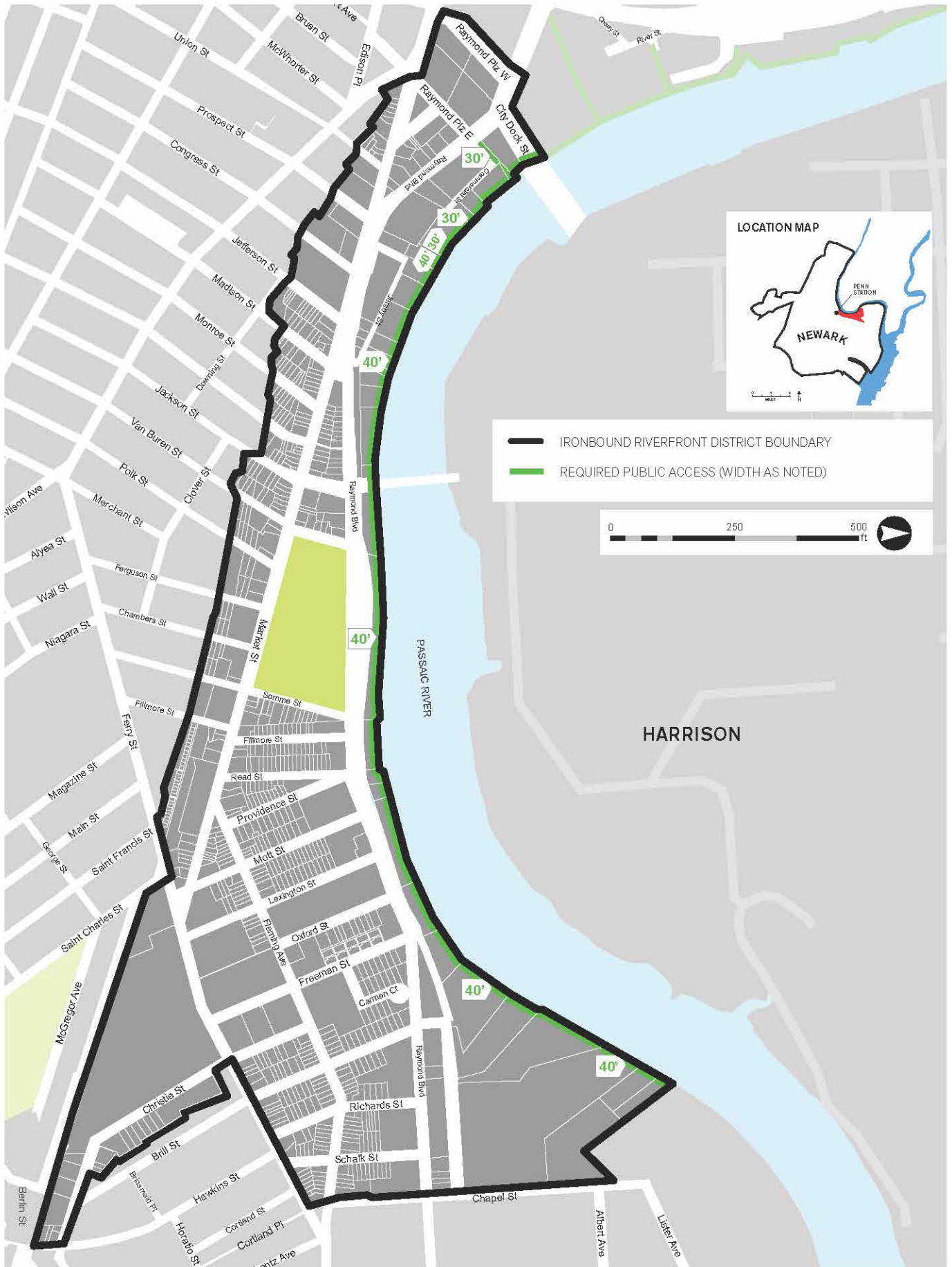
Map 6A: Lower Broadway Required Public Right-of-Way

DOWNTOWN REQUIRED PUBLIC RIGHT-OF-WAY MAP



Map 6B: Downtown Required Public Right-of-Way

IRONBOUND REQUIRED PUBLIC RIGHT-OF-WAY MAP



Map 6C: Ironbound Required Public Right-of-Way

Riverfront Right-of-Way Access Points

These access points provide secure and accessible perpendicular entry to and exit from the riverfront trail and parks, located every 300-400 feet.

- a. Lower Broadway
 - i. 50-foot width perpendicular access continuing from 4th Avenue
 - ii. 50-foot width perpendicular access continuing from Gouverneur Street
 - iii. 50-foot width perpendicular access continuing from Clark Street
- b. Downtown
 - i. 40-foot width perpendicular access on both sides of street continuing from Bridge Street
 - ii. 40-foot width perpendicular access where Center Street/Centre Place intersect McCarter Highway
 - iii. 50-foot width perpendicular access where Centre Place intersects River Street, or where Cherry Street would continue to the riverfront
 - iv. 50-foot width perpendicular access to the riverfront from where Raymond Boulevard and McCarter Highway intersect
- c. Ironbound
 - i. 30-foot width perpendicular access continuing from Raymond Plaza East

C. Signage

Currently, there are no public access signs installed at each public access way or area, or public parking area. The City of Newark intends to provide 10-20 signs directing the public towards the riverfront; they will be placed on streets with lots of vehicular, pedestrian and bike traffic near the Passaic River. Educational signs will also be placed in Riverfront Park Segment 2, providing rich cultural and historical information about Newark.

Newark's River: Public Access & Redevelopment Plan requires that "All perpendicular walkways shall be posted with a Newark Riverfront signage as provided by the City of Newark" (Chapter 7-C. Newark Riverfront Walkway Design Standards, Section 9.0).

D. Municipal Tools for Implementation

Newark has the following tools for the maintenance, enhancement and development of public access locations:

1. Maintenance Tools

The City of Newark has been activating the new Riverfront Park with various public programming events, ranging from yoga and zumba classes, movie showings, house music and Latin jazz concerts, kayaking, to boat and walking tours. For more information about these events, please visit www.planning.ci.newark.nj.us and www.newarkriverfront.org. These programs introduce residents to their riverfront and invite them to participate in various activities along the Passaic River.



Summer activities vary along the riverfront, ranging from yoga and movie nights to house music, Latin jazz, and gospel concerts.



2. Enhancement Tools

Riverfront Redevelopment Plan

Newark's River: Public Access & Redevelopment Plan outlines active streetfront design standards for certain street frontages found near the riverfront. Among them is the prohibition of side yards to ensure continuous street frontage. Minimum ground floor transparency in these designated active streetfront areas is 60%, and retail and commercial uses on the ground floor are encouraged. Street-facing building facades shall be located at the minimum setback from the property line for at least 70% of linear frontage to create a continuous street wall.

Newark Riverfront Public Access Fund

Newark shall require a monetary contribution to a dedicated Municipal Public Access Fund, also known as the Newark Riverfront Public Access Fund, as follows:

1. Any development within the City's boundaries, whether it be for residential, commercial, industrial, institutional, or other use, that would be required to provide on-site public access shall contribute to Newark's Public Access Fund (the Fund) in lieu of providing this access. Developments within the boundaries outlined in *Newark's River: Public Access & Redevelopment Plan* shall be excluded from this provision and shall be subject to the requirements set forth in *Newark's River: Public Access & Redevelopment Plan*.
2. Money collected in the Fund shall be used towards the proposed enhancements to public access identified in this plan.
3. A contribution to the Fund by the project developer/applicant shall be required upon NJDEP approval of the developer/applicant's permit application and the amount contributed shall be consistent with the formulas found at N.J.A.C. 7:7E-8.11 (e) 5iii and (f).
4. The monies shall be allocated to the Fund per N.J.A.C. 40A:4-39a-b.
5. The resolution establishing the dedication by rider for the Fund can be found in Appendix 3.

3. Development Tools

Newark's River: Public Access & Redevelopment Plan outlines the design and development rules along a five-mile stretch of the Passaic riverfront. The plan regulates active street frontage along the streets leading to the Passaic River, establishes bulk overlay zones to encourage the creation of public open spaces by private entities, mandates a public right-of-way along the riverfront, and establishes at least four perpendicular access points connecting the urban fabric to the riverfront right-of-way. The document also outlines Walkway Design Standards for the required public right-of-way. Among those design standards includes:

- ADA accessible grading along the Walkway.
- Seating requirements of 15 linear feet provided for every 100 linear feet of the Walkway.
- Lighting levels along the paved portion of the Walkway with an average of no less than ½ foot candle at ground level.
- Signs indicating perpendicular access points along the Walkway.
- Trash receptacles provided at the rate of one per 250 linear feet of Walkway.

The City of Newark also owns land along the riverfront; capital improvements outlined in *Newark's River: Public Access & Redevelopment Plan* could be made on these sites to enhance and expand open space access.

E. Implementation

1. Existing Maintenance

The three existing riverfront open spaces with public access correspond to the numbers indicated in the map to the right (Map 2A). The Essex County Park System maintains Riverfront Park Segment 2 (#2 on Map 2A). Matrix maintains the easement on their property (#1 on Map 2A). The City of Newark maintains Riverfront Park Segment 1 (#3 on Map 2A).

2. Enhancements to Existing Locations / Proposed Locations and Facilities

The City has identified seven public access locations to be developed into public access parks or trails. These locations correspond to the “unutilized public access locations” identified in Section IIA (and its accompanying map). The *Newark’s River: Public Access & Redevelopment Plan* outlines the urban design requirements for public riverfront spaces encompassed in the plan.

Improvements & In Progress

D. Downtown Riverfront Trail: A modest trail from Penn Station to New Jersey Performing Arts Center (NJ PAC) is nearly complete, with additional park-dedicated land available between the FBI building and Bridge Street. The Matrix segment of Downtown Riverfront Trail, a modest trail following the conservation easement trail through Matrix properties to the FBI building, is now complete. More improvements to the trail are to come as the City negotiates a public access trail with the FBI. The City is also under negotiations with the Parking Authority to gain perpendicular access to the Riverfront Trail. The rest of the Downtown Riverfront Trail is still under construction and thus remains temporarily restricted until completed. The expected completion date was summer 2015.

E. Riverfront Park Segment 4 / Market Street Gasworks Riverfront Park: From the mid-1800s to the 1950s, the Market Street Gas Works produced gas

to light Newark’s streetlights. Today, PSE&G is completing an environmental clean up of the land, most of which is publicly owned and dedicated for future parks. The site is partially completed, and became publicly accessible in the 3rd quarter of 2015.

F. Riverfront Park Segment 3: Improvements between Segments 1 & 2 and extension below Jackson Street Bridge is scheduled for 2015 completion. A lighted path will connect the currently existing boardwalk with a park segment below the Jackson Street Bridge.

Future Potential:

A. Chester Avenue Riverfront Park: Chester Avenue runs downhill from the North Broadway neighborhood, below Route 21, and to the river. With a public easement and modest improvements, North Ward residents could reach and enjoy the river.

B. Clay Street Riverfront Park: A 40-foot by 100-foot piece of City-owned property could become the Lower Broadway neighborhood’s first riverfront park.

C. Downtown Riverfront Park: A swath of open space down the hill from NJPAC has been designated to become Newark’s future front yard.

G. Terrell Homes Riverfront Park: The space between Terrell Homes and the river was long occupied by stored shipping containers. Today, it is a broken asphalt field, but it could be part of the extended riverfront park and should provide access to the riverfront for the residents of Terrell Homes.



Map 2A: Newark Public Access Locations; annotations refer to section 'E. Implementation'

V. Relationship to the Other Regional and State Plans

Newark's MPAP has been reviewed for consistency and has the following relationship to other Regional and State Plans.

The Plan is consistent with Essex County Plans and the NJ State Plan, focusing development in existing Urban Centers with the PA1 - Metropolitan Planning Area and leverages the highway and rail infrastructure.



Summer boat tours are held along the Passaic River and at Newark's Port, a collaboration with the Hackensack Riverkeeper and PANYNJ.

VI. Resolution of Incorporation

Newark has approved the following resolution for the incorporation of the MPAP:

Resolution for Incorporating the Municipal Public Access Plan into Newark’s Master Plan

(upon adoption the final resolution will replace this draft model)

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the Newark Municipal Public Access Plan was submitted to the Township Council and reviewed at the regular meeting of {date}, and

WHEREAS, the governing body has approved the plan as submitted,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of Newark, the “Newark Municipal Public Access Plan,” a copy of which is attached, is hereby approved.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the Municipal Council at a meeting held on {date}.

Municipal Clerk

Appendix 1

Municipal Public Access Plans

Required Sections per NJAC 8.11 (e)

1. (e) 1 Statement describing overall goal of the MPAP and the administrative mechanisms (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of Consistency with Master Plan
3. (e) 3 Public access needs assessment that evaluates:
 - existing access locations and capacities
 - practical limitations (esp. parking and bathrooms)
 - alternatives to address any limitations determined to exist
 - need for additional locations
4. (e) 4 Digital Map and Inventory identifying:
 - tidal waterways within municipality and adjacent lands held by municipality
 - existing and proposed public access ways
 - proposed public access facilities
 - identified facilities compliant with ADA
5. (e) 5 Implementation strategy
 - forms of proposed public access responsive to needs assessment (i)
 - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
 - proposed tools to implement the plan, including (iii)
 - i. adoption or amendment of muni ordinances
 - ii. uses of monetary compensation (Public Access Fund), if any
 - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
 - proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
 - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
 - implementation schedule (vii)
 - ordinances in place/to be adopted re signage requirements (viii)
 - measures to permanently protect public access per MPAP (ix)
 - examples/models of easements/restrictions for permanent protections (x)
 - draft resolution incorporating DEP-approved MPAP into a MP element (xi)

Appendix 2

Resolution for Incorporating the Municipal Public Access Plan into Newark’s Master Plan

(upon adoption the final resolution will replace this draft model)

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the Newark Municipal Public Access Plan was submitted to the Township Council and reviewed at the regular meeting of {date}, and

WHEREAS, the governing body has approved the plan as submitted,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of Newark, the “Newark Municipal Public Access Plan,” a copy of which is attached, is hereby approved.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the Municipal Council at a meeting held on {date}.

Municipal Clerk

Appendix 3

Resolution of Establishing Municipal Public Access Fund

(upon adoption the final resolution will replace this draft model)

Resolution # _____

RESOLUTION: REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MUNICIPAL PUBLIC ACCESS FUND REQUIRED BY THE STATE OF NEW JERSEY

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, Danielle A. Smith, acting Chief Financial Officer provides for receipt of various donations to the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Municipal Public Access Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement, as per N.J.A.C. 7:7E-8.11(e) 5iii and (f):

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Newark of the County of Essex, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Municipal Public Access Fund, also known as the Newark Riverfront Public Access Fund, from such dedicated revenues.
2. The Clerk of the City of Newark of the County of Essex is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Adopted this ____ day of _____, 20__ and certified as a true copy of an original.

Municipal Clerk

Appendix 4

Maps and Table

Map 1 Newark Tidal Waterways and Lands

Map 2 Newark Public Access Locations

Map 3 Newark Handicapped Accessible Public Access Locations

Table 1 Newark Public Access Location Amenities

ID	SIGNS	PARK- ING	NUM_ PARK- ING	STREET	BADGE	SWIM- MING	FISHING	SURF- ING	PLAY- GRD
1	No	No	0	Dock St	No	No	No	No	No
2	No	No Fee	Street Parking	Van Buren St/ Somme St	No	No	Restricted	No	No
3	No	No Fee	50	Oxford St/Brill St	No	No	No	No	Yes

This imbedded Excel spread sheet should be used for the table described in Section II (Existing Public Access). The title of each column should not be changed. The information about each public access location should be filled in using one of the options listed. This table will also be used to populate the information for each public access location in GIS. Additional information about each public access location can be included in the narrative portion of Section II. Please contact DEP with any questions or concerns about these options.

SIGNS: Does the location provide signage identifying the location as a point of public access? Yes/No

PARKING: Is there parking, and if so, is there a charge? Charge = there is a charge for public parking; No Charge = there is no charge for public parking; No = no public parking provided

AMT: How many parking spots are available? Provide a number

STREET: At what street end is the public access located? For parallel access, cross streets can be provided. Examples: 1st St; Ocean Ave/3rd; 45th St

BADGE: Are there times when a badge is required to use this location? Yes/No

PARK	PIER	BOAT-LNCH	MARINA	FOOD_DRINK	REST-RM	SEATS	H_C	SHORE-LINE	ACCESS_TYPE
No	No	No	No	No	No	Expected	Yes	River	Physical
Yes	Yes	Yes	No	No	No	Yes	Yes	River	Water
Yes	No	No	No	No	Yes	Yes	Yes	River	Physical

SWIMMING: Can you swim at this location? Guard= a guard is provided at times; At Own Risk= No guard is provided; No= Swimming is not allowed

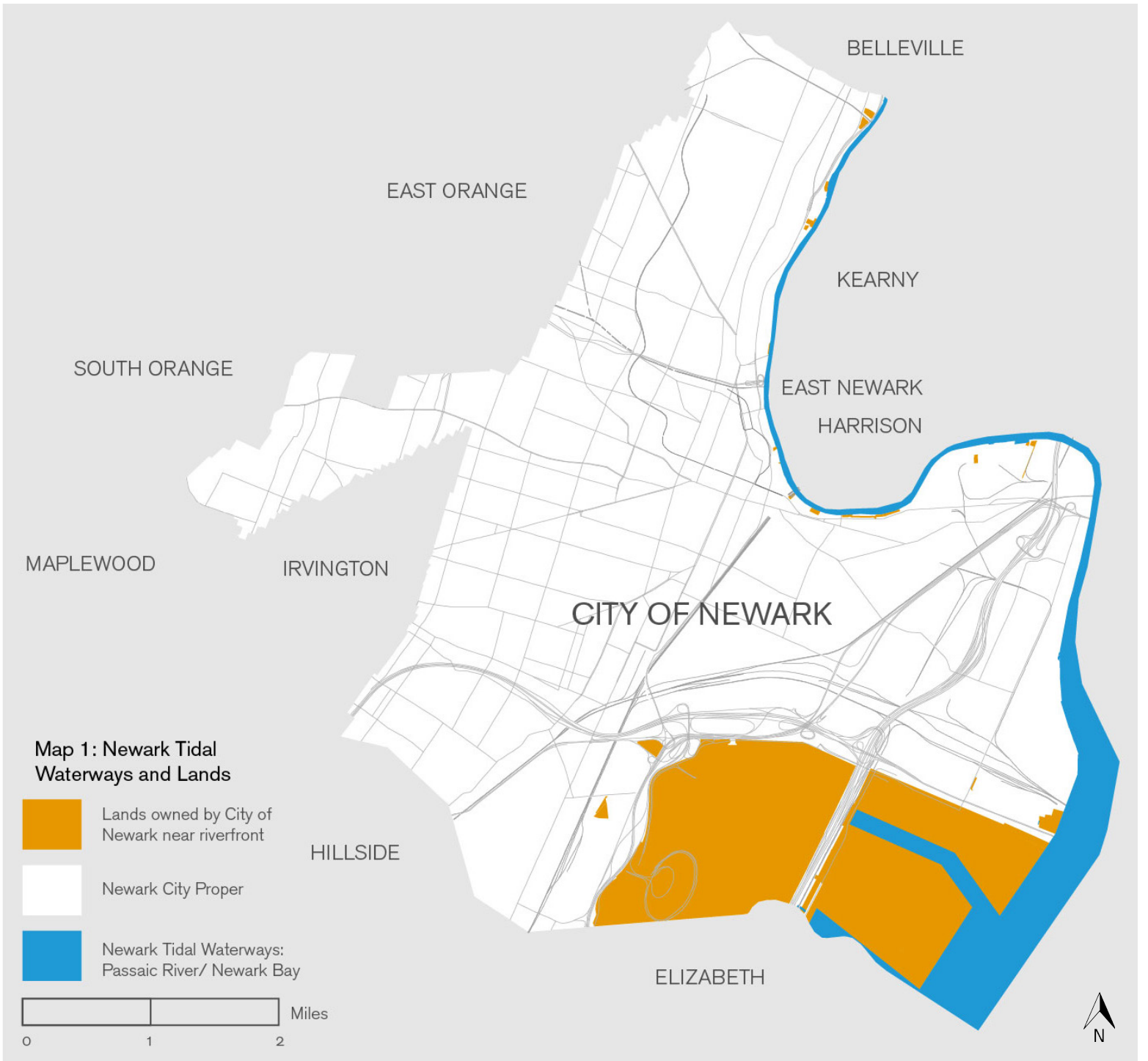
FISHING and SURFING: Is fishing/surfing allowed at this location? Unrestricted= Fishing/surfing is allowed at all times with no restrictions; Restricted= There exists a form of restriction of fishing/surfing, examples include time of day, seasonally, etc. These restrictions should be discussed in the Section II, C. (Limitations to Public Access).

PLAYGRD, PARK, PIER, BOATLNCH, MARINA, FOOD_DRINK, RESTRMS, SEATS: Does this location include these amenities? Yes/No

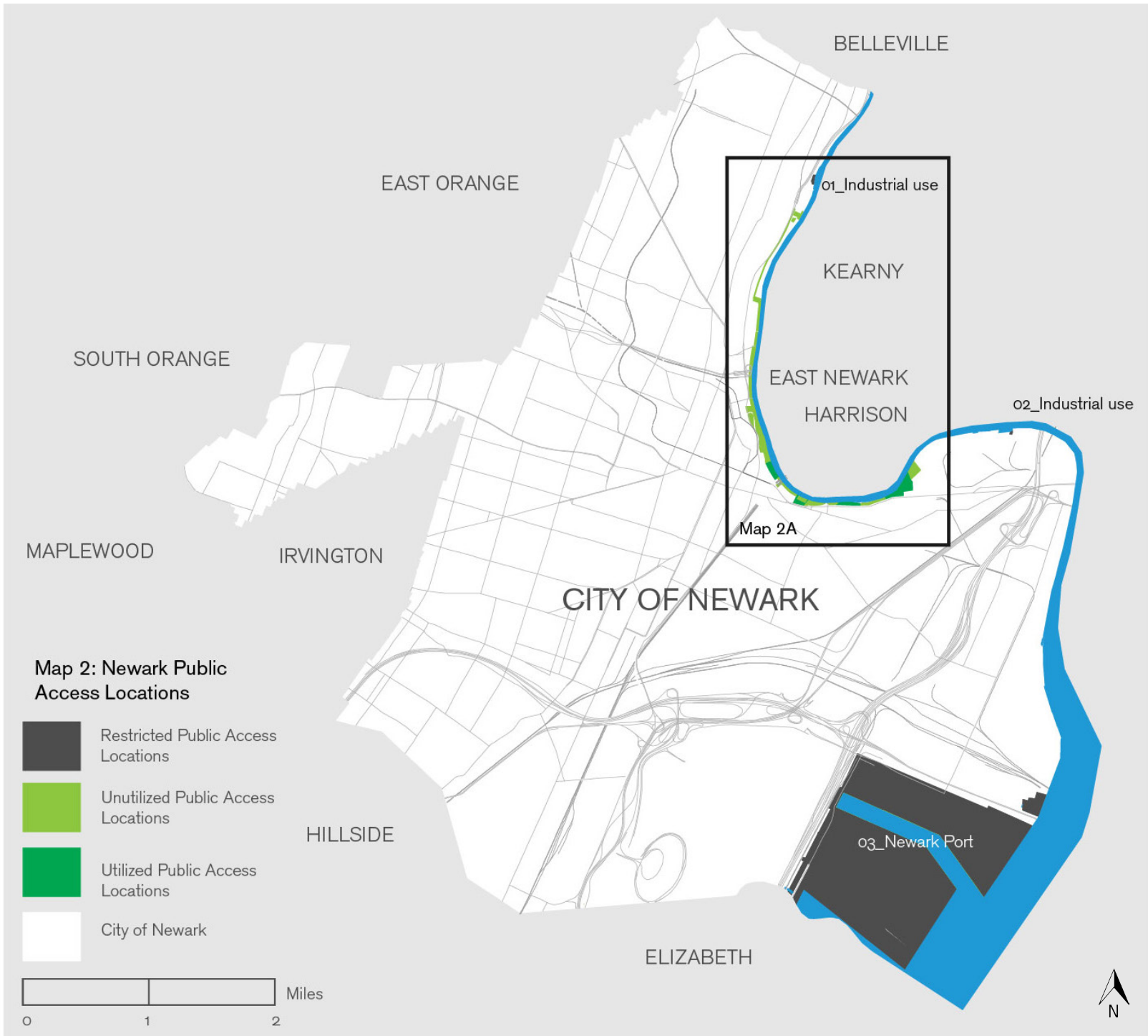
H_C: Is this location handicap accessible? (Not necessarily ADA Compliant) Yes/No. The type of accessibility should be expanded upon in Section II, B (Improved Public Access Locations).

SHORELINE: What shoreline does this location inhabit? The Beach, Bay, or River?

ACCESS_TYPE: Describe the type of access-physical, visual only, water



Map 1: Newark Tidal Waterways and Lands



Map 2: Newark Public Access Locations



Map 2A: Newark Public Access Locations

Newark Riverfront Parks Today & Tomorrow

After decades of struggle for public access to the riverfront, the dream is coming true. Since 2012, the City & County have opened their first riverfront parks & adopted new riverfront zoning requiring that Newark residents and visitors are able to enjoy the Passaic River forever. On the map to the right, see where public access exists in 2014 & where it could exist in the future—if enough people get involved!

NEWARK RIVERFRONT PARKS
Despite plans to build Newark riverfront parks as early as 1922, until recently Newark did not have any public open space along the Passaic. In the 1990s, a coalition organized by Ironbound Community Corporation advocated new parks on their neighborhood's riverfront. In 2012 and 2013, the City and County opened Riverfront Park Segments 1 & 2 covering 15 acres.*

RIVERFRONT ZONING & PUBLIC ACCESS
In 2013, the Newark Municipal Council adopted Newark's River Public Access & Redevelopment Plan. The plan updated the city's development regulations along five miles of Passaic River (shown in gray on map below), including requirements that public riverfront access and open spaces must be built as part of all riverfront developments.*

POTENTIAL FUTURE PARKS
These locations have been identified as potential riverfront parks but require more popular support, official support, money, land, or all the above!

* Once riverfront parks & trails are built, the work begins to maintain them and produce popular programs to attract a critical mass of the most important ingredient to park success: people like you. Read "Get There, Get Into It, Get Involved" on the back cover to join riverfront groups & activities!



CLAY STREET RIVERFRONT PARK
A 40-foot by 100-foot piece of City-owned property could become the Lower Broadway neighborhood's first riverfront park.



DOW RIVERFRONT PARK
A modest trail from Penn Station to NJPAC is nearly complete, with additional park-dedicated land available between the FBI building & Bridge Street.



MARKET STREET GASWORKS RIVERFRONT PARK SEGMENT 4
From the mid-1800s to the 1950s, the Market Street Gas Works produced gas to light Newark's streetlights. Today, PSE&G is completing an environmental clean-up of the land, most of which is publicly owned & dedicated for future parks.



RIVERFRONT PARK SEGMENT 2 AKA THE ORANGE STICKS
Features an 800-foot bright orange recycled plastic boardwalk, river-watching & kite-flying hills, boat dock, a Langston Hughes poem, & a rich installation of educational signage.



LITTLE ORPHAN ANNIE BRIDGE PARK
New riverfront zoning allows the owner of this site to build taller buildings in exchange for creating a park with a great view of the Northern Crossing Bridge, which famously appeared in the 1982 film Annie.



CHESTER AVENUE RIVERFRONT PARK
Chester Avenue runs downhill from the North Broadway neighborhood, below Route 21, and to the river. With a public easement and modest improvements, North Ward residents could reach & enjoy the river.



RIVERFRONT PARK SEGMENT 1
12 acres with soccer, baseball, tennis, basketball, two playgrounds, meadow, and the mural Song of the Passaic

RIVERFRONT PARK SEGMENT 3
Improvements between Segments 1 & 2 plus extension below Jackson Street Bridge on schedule for 2016 completion.



TERRELL HOMES RIVERFRONT PARK
The space between Terrell Houses & the river was long occupied by stored shipping containers. Today it is a broken asphalt field, but it could be a riverfront park.

RIVERBANK PARK
100-year-old 10-acre park. In early 2000s, saved from being destroyed for a baseball stadium.

- Existing riverfront parks—visit one today!
- Public riverfront access required by Riverfront Zoning
- Area regulated by Riverfront Zoning
- Potential riverfront parks



Map 3: Newark Handicapped Accessible Public Access Locations

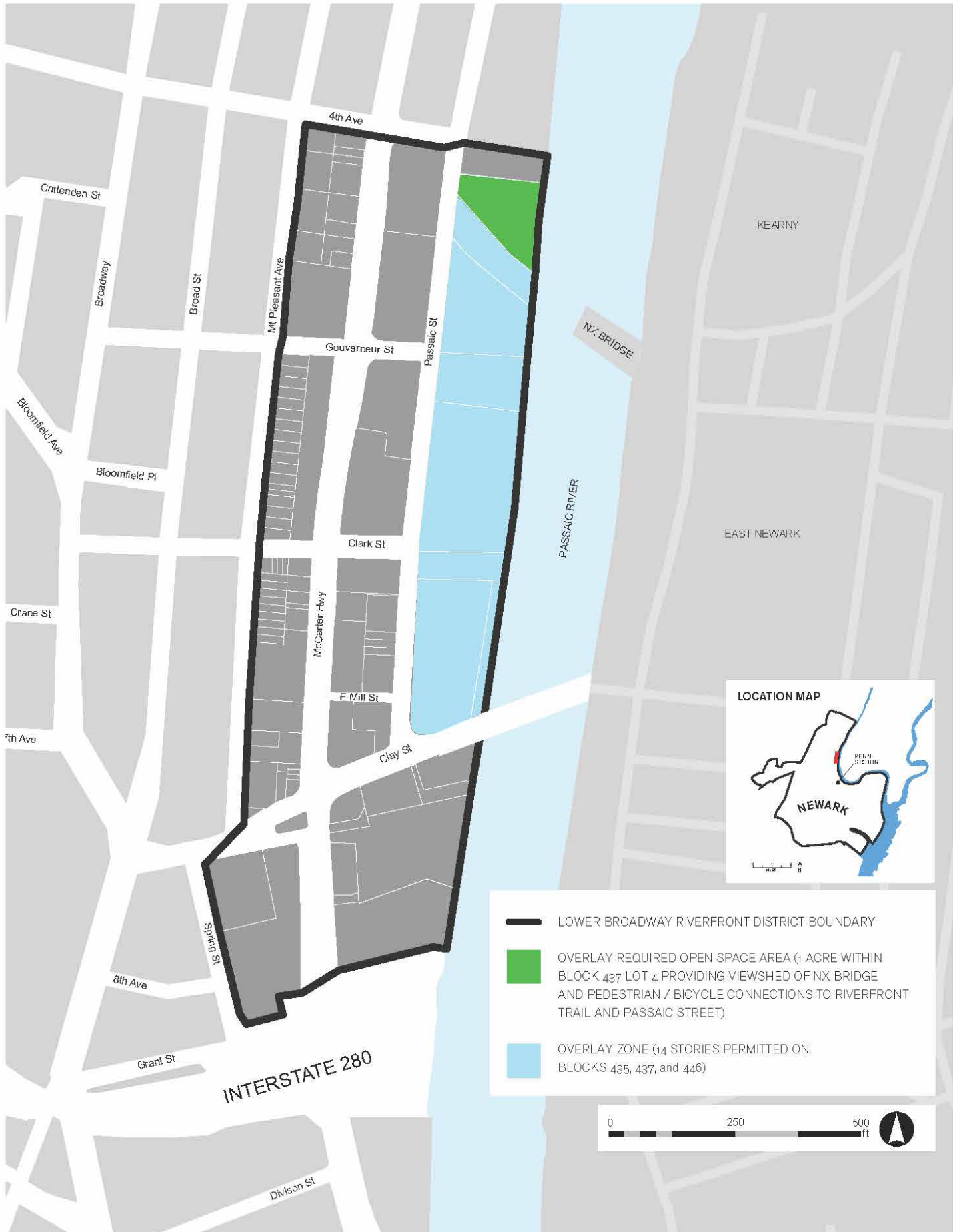
- Restrooms
- Parking
- ADA compliant




NEWARK'S RIVER: PUBLIC ACCESS & REDEVELOPMENT PLAN BOUNDARY MAP



50 **Map 4:** Newark's River: Public Access & Redevelopment Plan Boundary

LOWER BROADWAY OVERLAY MAP

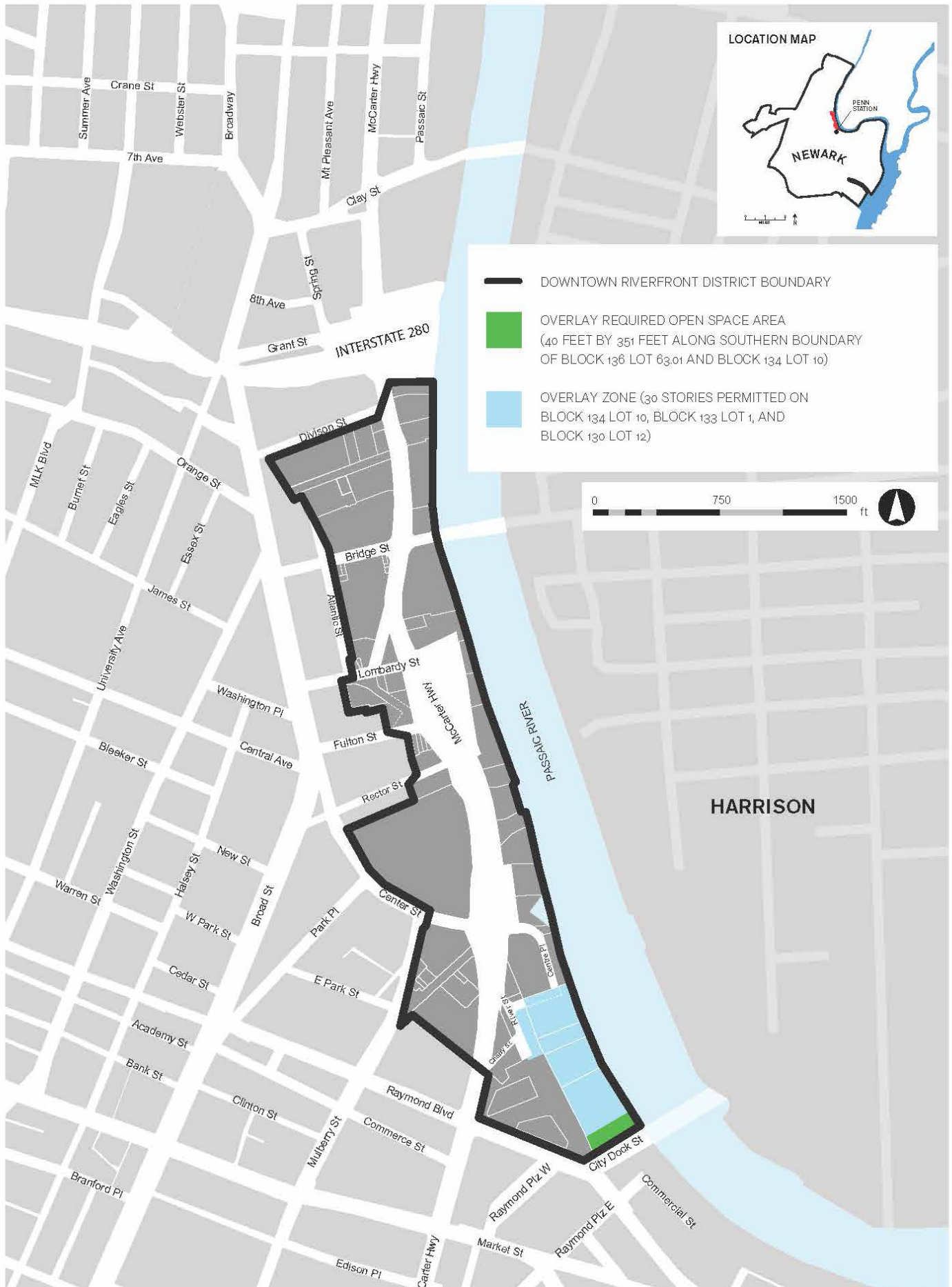


-  LOWER BROADWAY RIVERFRONT DISTRICT BOUNDARY
-  OVERLAY REQUIRED OPEN SPACE AREA (1 ACRE WITHIN BLOCK 437 LOT 4 PROVIDING VIEWSHED OF NX BRIDGE AND PEDESTRIAN / BICYCLE CONNECTIONS TO RIVERFRONT TRAIL AND PASSAIC STREET)
-  OVERLAY ZONE (14 STORIES PERMITTED ON BLOCKS 435, 437, and 446)

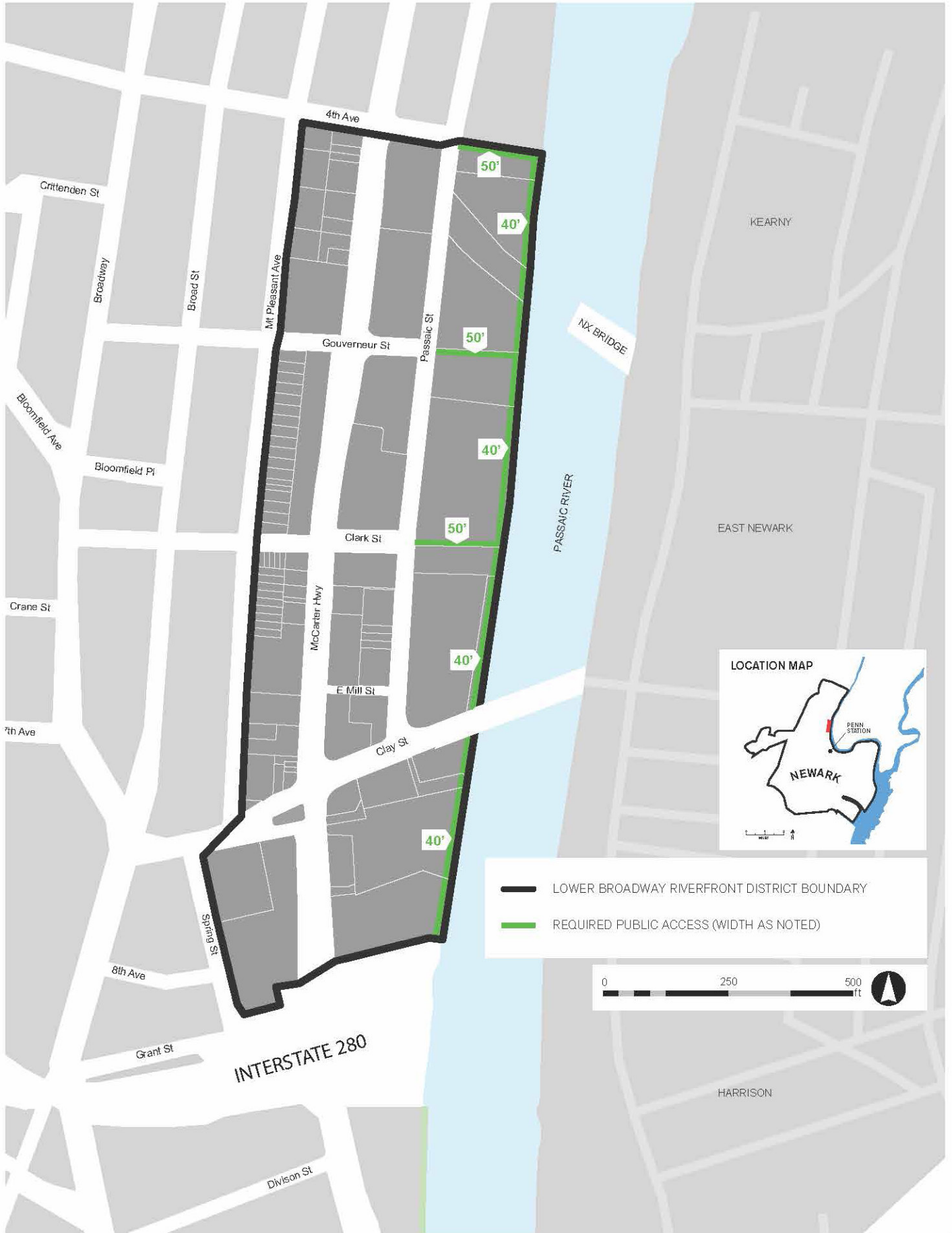


Map 5A: Lower Broadway Overlay

DOWNTOWN OVERLAY MAP

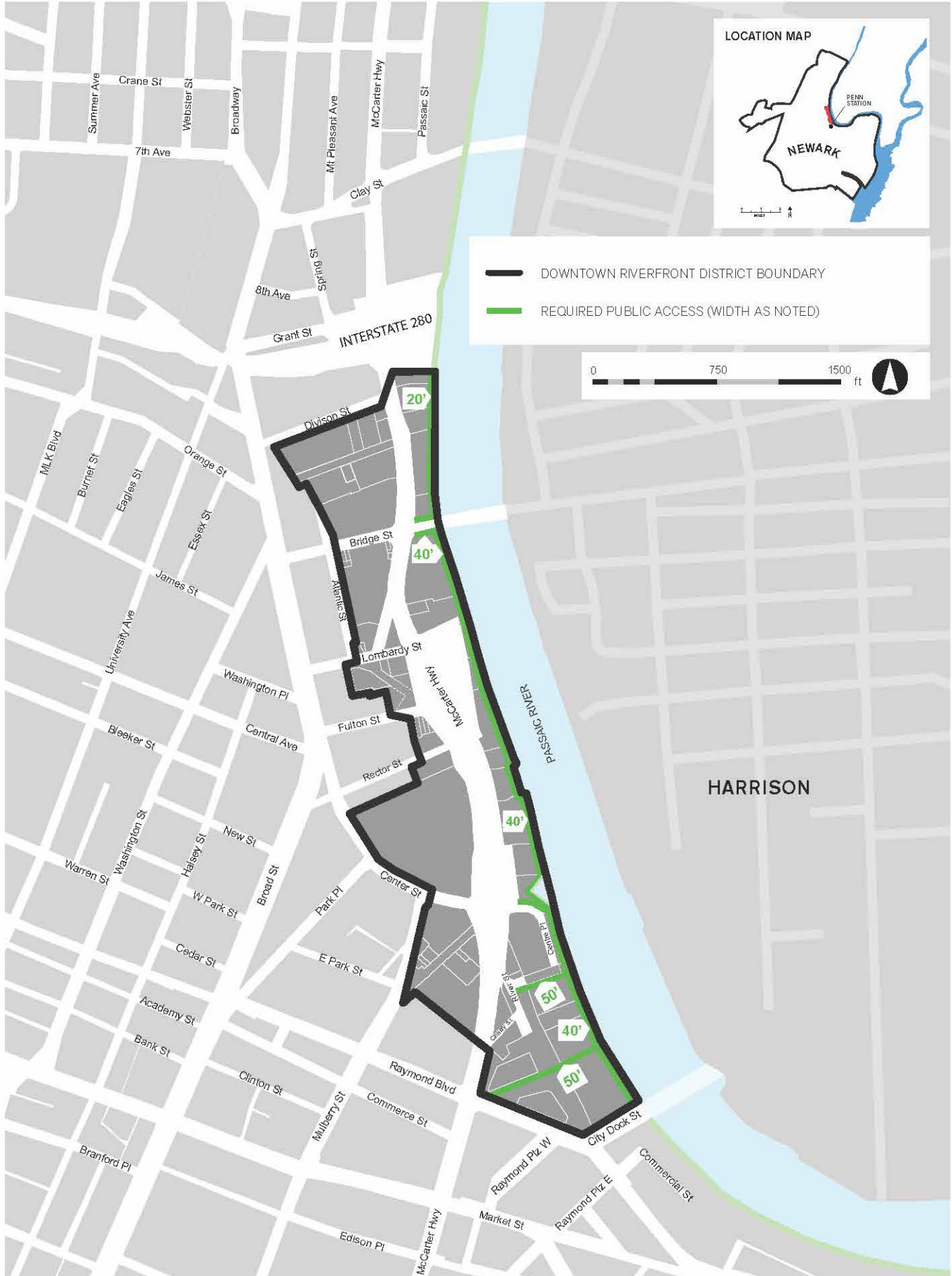


LOWER BROADWAY REQUIRED PUBLIC RIGHT-OF-WAY MAP



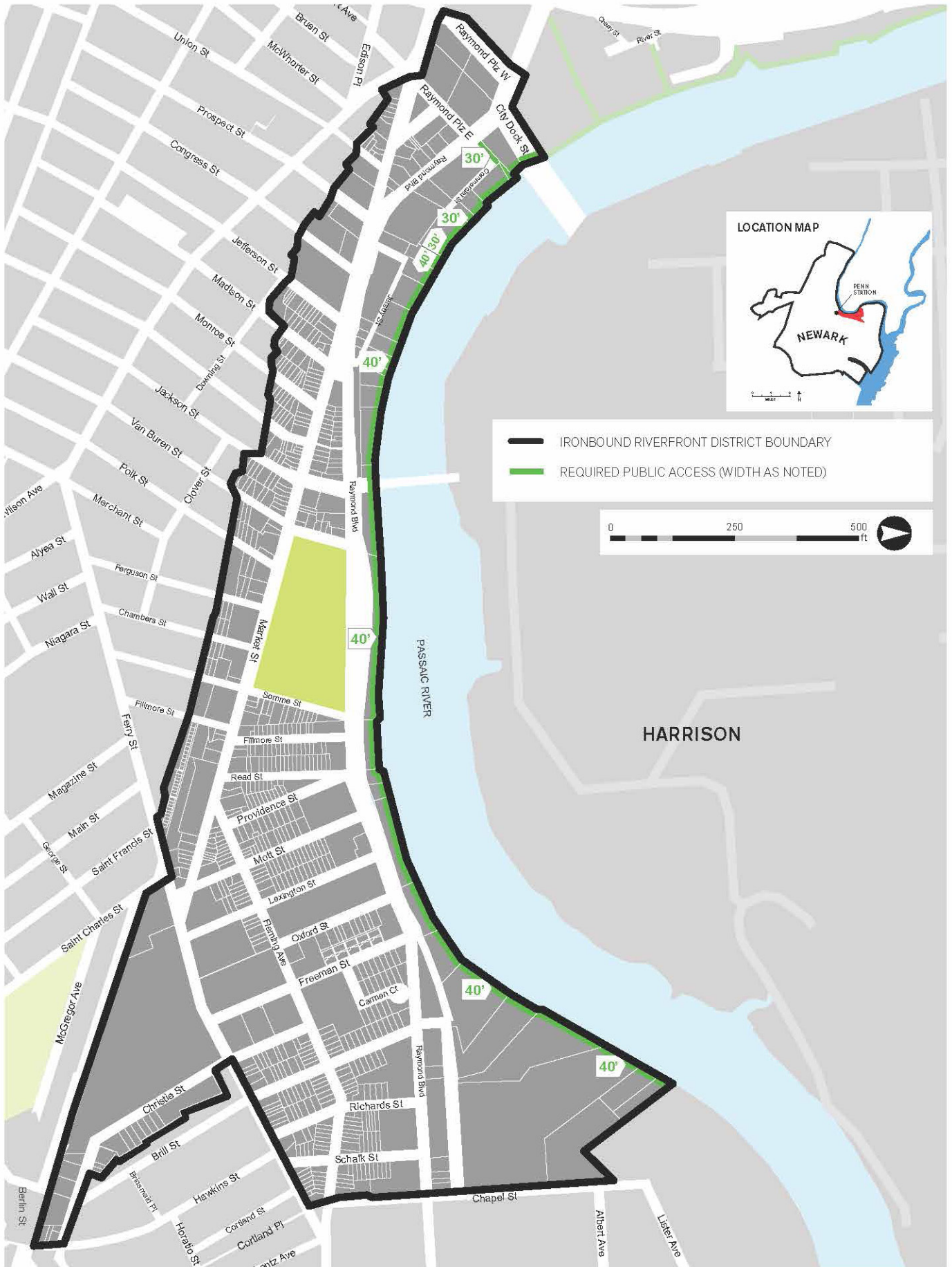
Map 6A: Lower Broadway Required Public Right-of-Way

DOWNTOWN REQUIRED PUBLIC RIGHT-OF-WAY MAP



Map 6B: Downtown Required Public Right-of-Way

IRONBOUND REQUIRED PUBLIC RIGHT-OF-WAY MAP



Map 6C: Ironbound Required Public Right-of-Way

Reference Section 1

Municipal Goals, Elements and Policies

40:55D-2. Purpose of the act

It is the intent and purpose of this act:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the

type, design and layout of residential, commercial, industrial and recreational development to the particular site;

- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources; and
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

Master Plan Elements - Required

- Statement of Purpose C.40:55D-28B(1)
- Land Use Element C.40:55D-28B(2)
- Housing Plan Element C.52:27D-310 (Addendum to C.40:55D-28B(3))
- Relationship with Other Plans C.40:55D-28D

Master Plan Elements – Optional C.40:55D-28B

- Circulation Plan (including Bicycle/Pedestrian Plan)
- Utility Service Plan
- Community Facilities Plan
- Recreation Plan (sometimes combined with Open Space)
- Conservation Plan (sometimes combined with Open Space)
- Economic Plan
- Historic Preservation Plan
- Recycling Plan
- Farmland Preservation Plan
- Sustainability Plan
- Tourism Plan

Reference Section 2

Potential Needs Assessment Approaches

Simple Process

Create committee to handle needs assessment (temporary planning board sub-committee)
Review Inventory of existing facilities
Prepare list of local and regional stakeholders
Engage stakeholders and request input on potential needs being addressed and not being addressed
Compare needs with existing facilities
Hold public review of comparison at Planning Board meeting for general public input.
Record and review input at mtg.
Review opportunities for municipal improvements, non-municipal improvements and existing facilities in surrounding communities.
Prepare report on needs assessment for use in MPAP with suggestions on possible solutions.

Extended Process

Create committee to handle needs assessment (MPAP committee with members of Planning Board and or other municipal boards, residents, non-residents and associations)
Review Inventory of existing facilities
Prepare list of local and regional stakeholders
Expand committee as needed to incorporate critical stakeholder groups
Hold public forum and engage stakeholders for input on potential needs being addressed or not being addressed
Consider online survey of needs through survey monkey or constant contact distributions
Compare needs with existing facilities
Hold public review of comparison at Planning Board meeting for general public input.
Record and review input at mtg.
Review opportunities for municipal improvements, non-municipal improvements and existing facilities in surrounding communities.
Prepare report on needs assessment for use in MPAP with suggestions on possible solutions

NOAA Coastal Service Center

Conducting Needs Assessments, <http://www.csc.noaa.gov/training/needs-assessment.html>

Online self-guided course for conducting needs assessments



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