

MEMORANDUM

TO: Capital City Redevelopment Corporation (CCRC)
FROM: Anish Kumar, Hillier Architecture
DATE: November 21, 2006
RE: Modification of Building Height Zones (Type I – Type IV) in Urban Code

Within the Capital City Renaissance Plan Urban Code, there are four building height zones identified. The types are as follows: – Type I (permitting buildings up to 10 stories), Type II (permitting buildings up to 6 stories), Type III (permitting buildings up to 4 ½ stories), and Type IV (permitting buildings up to 3 ½ stories).

The above building heights were specified to complement existing structures and the built environment as well as encourage development that was not concentrated in one place or structure in the capital district. However, recent changes in the development environment of the District require consideration of increased height for some buildings to support feasibility of new, high-quality, high-density, and pedestrian-oriented projects.

Therefore, after careful consideration of recent proposals in the District and in discussion with the CCRC Board, Hillier recommends adding the following language to the Urban Code:

“Proposed buildings may be permitted, at the discretion of the CCRC Board, to exceed the height limit in any of the building height zones based on the results of a case-by-case evaluation of the proposed project’s location, its public benefits, and feasibility”.

General Design Criteria:

At a minimum, all proposed projects, including those seeking relaxation of the established height limit, should share the following characteristics:

- Site planning should be responsive to the physical environment.
- The architectural expression of the building should respond to the neighborhood context, reinforcing the urban form and architectural attributes of the immediate area.
- The building should be well-proportioned and create a transition in bulk and scale if necessary.
- The streetscape level should have an active façade to promote pedestrian interaction and activity.
- If provided, open space associated with new developments should be usable to the public and incorporate landscaping, appropriate signage and adequate lighting.
- The number of curb cuts and the presence of service areas in new developments should be minimized.
- Parking facilities should be completely integrated into the building design.

Application Requirements

An application for relaxation of the height limit by CCRC should be accompanied by the following documents:

- 1 Site Plan showing existing buildings, open spaces and roadways within ¼-mile of the project site, annotated to indicate height of all existing buildings. Existing structures that exceed the CCRC height limits should be identified in the Site Plan.
- 2 Technical Memorandum with illustrations as appropriate to demonstrate the potential impact (negative and positive) of the proposed project on existing buildings, neighborhoods, public sites and other elements of the built environment.
- 3 Technical Memorandum describing the benefit to the City of increasing the height of the proposed project. Benefits may include elements that are deemed important to the district such as variety of housing, space for education, arts or other public functions, retail not available in the district, parking beyond the project’s requirements, remediation of problem sites and other benefits.



MEMORANDUM

TO: Capital City Redevelopment Corporation
FROM: Hillier Architecture
DATE: January 23, 2006
RE: Modification of Building Height Zones (Type I – Type IV) in Urban Code

Within the Capital City Renaissance Plan Urban Code, there are four building height zones identified. **The building heights were specified to complement existing structures and the built environment as well as encourage development that was not concentrated in one place or structure in the capital district.** The types are as follows: – Type I (permitting buildings up to 10 stories), Type II (permitting buildings up to 6 stories), Type III (permitting buildings up to 4 ½ stories), and Type IV (permitting buildings up to 3 ½ stories). In order to support new, high-density, pedestrian-oriented development, Hillier recommends adding the following language to the Urban Code:

*Proposed buildings shall be permitted to exceed the height limit in any of the building height zones based on the results of a case-by-case evaluation of the proposed project's, **location merits and feasibility.***

At a minimum, all proposed projects should share the following characteristics.

- Site planning should be responsive to the physical environment.
- The architectural expression of the building should respond to the neighborhood context, reinforcing the urban form and architectural attributes of the immediate area.
- The building should be well-proportioned and create a transition in bulk and scale if necessary.
- The streetscape level should have an active façade to promote pedestrian interaction and activity.
- If provided, open space associated with new developments should be usable **to the public** and incorporate landscaping, appropriate signage and adequate lighting.
- The number of curb cuts and the presence of service areas in new developments should be minimized.
- Parking facilities should be completely integrated into the building design.

For proposed projects that exceed the height limit, review of the project will include:

1- how the project contributes elements deemed important to the district such as variety of housing, space for education, arts or other public functions, retail not available in the district, parking beyond the project's requirements, remediation of problem sites and other benefits.

2- how the project has a negative and unmitigated impact on existing structures, neighborhoods, public sites or other elements.

3- how the proposed project compares with pre-existing structures that also exceed the heights limits in the CCRC code.



MEMORANDUM

TO: Capital City Redevelopment Corporation
FROM: Hillier Architecture
DATE: December 15, 2005
RE: Addition of Structured Parking Language to Urban Code

While the Renaissance Plan encourages the construction of structured parking garages, **integral to a development and clad by it, but** the Urban Code lacks specific language regulating their development. Not only does structured parking eliminate the visual gaps in the streetscape created by surface parking that discourage pedestrian activity, it is a more efficient use of valuable downtown land **and often offers easy-to-develop sites.** [Structured parking is an effective tool in reducing the amount of surface parking in downtown core areas where densities and activity levels are high.]

Hillier recommends adding the following language to the Urban Code:

*Parking structures shall be mixed-use buildings incorporating parking, residential, and commercial uses under one roof with retail and/or commercial uses at the street level. All structures shall integrate appropriate elements (façade treatments, architectural details, set-back upper stories, etc.) into the design of the structure in order to relate to the surrounding context and support a pedestrian-friendly downtown. New mixed-use structures that are predominantly garages shall be evaluated on a case-by-case basis according to the **location**, merits and feasibility of the proposed project.*

At a minimum, all new mixed-use buildings that predominantly house structured parking should share the following characteristics.

- All structures should enhance the downtown environment in both form and function.
- The massing, height, scale, and setbacks of the proposed structure should reflect those of the adjacent buildings.
- The building should be well-proportioned and create a transition in bulk and scale if necessary.
- The streetscape level should have an active façade (retail and/or commercial uses) to promote pedestrian interaction and activity.
- Signage should clearly differentiate between pedestrian and vehicular access points.
- Vehicular entrances should be located on side streets and alleys while pedestrian access should be from public streets.
- Lighting fixtures should be located so as to enhance safety while minimizing light spillover onto adjacent properties.
- Service areas should be screened from public rights-of-way.

52:9Q-9. Short title

This act shall be known and may be cited as the "**Capital City Redevelopment Corporation Act.**"

L. 1987, c. 58, s. 1.

52:9Q-10. Findings, declarations

The Legislature finds and declares that:

- a. The **city** of Trenton is of unique significance to the State and the nation both as the State **capital** and center of State governmental operations, and as the site of the battle which in the nation's memory turned the tide toward American independence;
- b. The historic and public importance of the **city**, once contemplated as the site of the nation's **capital** has too long been neglected in a State which lacks a demographic or commercial center of sufficient magnitude to serve as a focus for State identity and pride, and, as a result, the **city** is in great need of **redevelopment** and revitalization;
- c. The actions and decisions of the State government are vitally connected to the **redevelopment** and revitalization of those portions of the **city** which serve as the commercial center of the community and in which public buildings and historic sites are located;
- d. It is a public purpose of this State to establish a **capital** district within the **city** and to create a **redevelopment** corporation operating within the boundaries of the district, which will plan, coordinate and promote the public and private development of the district in a manner which enhances the vitality of the district as a place of commerce, recreation and culture and as an area in which to conduct public business and visit historic sites and thereby restores the prominence and prestige of the seat of State government for the benefit of all of the citizens of this State; and
- e. In the exercise of its powers toward this public purpose, the **Capital City Redevelopment Corporation** will plan, coordinate and encourage an appropriate balance of governmental and nongovernmental facilities and activities in the district, and assist in the provision of public, recreational and cultural facilities, in the preservation and restoration of historic structures and sites, and in the stimulation of private investment in the district in order to establish it as a source of State pride equal in standard to the best of State capitals in the country.

L. 1987, c. 58, s. 2.

52:9Q-11. Definitions

As used in this act, except where otherwise indicated:

- a. "Board of Directors" or "board" means the board of directors of the **Capital City Redevelopment Corporation**;
- b. "**City**" means the **city** of Trenton;
- c. "Corporation" means the **Capital City Redevelopment Corporation** established pursuant to section 4 of this act;
- d. "Director" means a director of the corporation;
- e. "District" means the **Capital City District** delineated in section 6 of this act;

f. "Fund" means the **Capital City Redevelopment** Loan and Grant Fund established pursuant to section 11 of this act;

g. "Person" means any natural person or persons or any firms, partnerships, associations, societies, trusts, corporations, or other legal entities;

h. "Plan" means the **Capital City Renaissance Plan** adopted pursuant to this act;

i. "Project" means (1) the acquisition, construction, reconstruction, **redevelopment**, historic restoration, repair, alteration, improvement or extension of any building, structure or facility, or public area or (2) the acquisition and improvement of real estate and the extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, provided that the work undertaken is consistent with the **Capital City Renaissance Plan** adopted pursuant to section 9 of this act; a project may also include planning, designing, acquiring, constructing, reconstructing or otherwise improving a building, structure or facility and extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, or any **redevelopment** undertaken by any person pursuant to section 12 of this act; and

j. "**Redevelopment**" means a program of renewal through planning, conservation, rehabilitation, clearance, development and **redevelopment**, and historic restoration; and the construction and rehabilitation of commercial, industrial, public or other structures; and the grant, dedication or rededication of land as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds or other public purposes including recreational and other facilities appurtenant thereto.

L. 1987, c. 58, s. 3.

52:9Q-12. Capital City Redevelopment Corporation

- a. There is established in the Executive Branch of the State Government a public body corporate and politic, with corporate succession, to be known as the **Capital City Redevelopment Corporation**. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the corporation is allocated within the Department of the Treasury, but, notwithstanding that allocation the corporation shall be independent of any supervision or control by the department or by the State Treasurer or any officer or employee thereof. The corporation is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this or any other act shall be deemed to be an essential governmental function of the State.
- b. The board of directors of the corporation shall consist of the following: a member of the Executive Branch to be appointed by the Governor, and the State Treasurer who shall both serve ex officio and may each designate, by written notification to the board, an alternate who shall act in their place with the authority to attend, vote and perform any duty or function assigned to them in their absence; one other high-ranking State officer designated by the Governor; the mayor of the **city** of Trenton, ex officio; and five public members appointed by the Governor with the advice and consent of the Senate, one of whom shall be a public employee of the State or **city**, one of whom shall have the **city** of Trenton as his principal place of business, and at least one of whom shall have the county of Mercer as his principal place of business. The five directors appointed by the Governor shall be residents of the State and shall have knowledge and expertise in the areas of economic development, urban planning, community affairs or finance;
- c. Each public member shall serve for a term of four years and until the appointment and qualification of a successor, except that of the directors who are first appointed, three shall be designated to serve for terms of two years, and two shall be designated to serve for terms of four years, from the date of appointment. All vacancies shall be filled in the same manner as the original appointment but for the unexpired term only. The directors shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties;
- d. Each director, before entering upon the duties of office, shall take and subscribe an oath to perform the duties of the office faithfully, impartially and justly to the best of their ability. A record of these oaths shall be filed in the Office of the Secretary of State. Each director appointed by the Governor may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing;
- e. The Governor shall appoint a chairman from among the members of the board. The vice chairman shall be one of the five public members and shall be elected by majority vote of all the directors. The directors shall elect a secretary and a treasurer from among their number, and the same person may be elected to serve both as secretary and treasurer. Five directors shall constitute a quorum at any meeting of the board. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of at least five directors. No vacancy in a directorship shall impair the right of a quorum to exercise all the powers and perform all the duties of the board;
- f. Each director shall execute a bond to be conditioned upon the faithful performance of their respective duties in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. The bonds shall be filed in the office of the Secretary of State. At all times thereafter the directors shall maintain these bonds in full force. All costs of the bonds shall be borne by the corporation; and
- g. The corporation may be dissolved by act of the Legislature if it has no debts or obligations

outstanding or if adequate provision has been made for the payment or retirement of any outstanding debts or obligations. Upon dissolution of the corporation all property, funds and assets thereof shall be vested in the State, the city or the county, subject to the terms of the act of dissolution.

L. 1987, c. 58, s. 4.

52:9Q-13. General powers

The corporation shall have the following general powers:

- a. To sue and be sued;
- b. To adopt an official seal and alter it;
- c. To make and alter bylaws for its organization and internal management and to make rules and regulations with respect to its projects, operations, properties and facilities;
- d. To make and enter into all contracts, leases, as lessee or lessor, and agreements necessary or incidental to the performance of its duties and the exercise of its powers under this act, and consent to any modification, amendment or revision of any contract, lease or agreement to which it is a party;
- e. To enter into agreements or other transactions with, and to accept grants, appropriations or the cooperation of the United States or any agency thereof or the State or any agency thereof in furtherance of the purposes of this act;
- f. To receive and accept aid or contributions from any public or private source of money, property, labor or other thing of value, to be held, used and applied to carry out the purposes of this act subject to the conditions upon which that aid or contribution may be made, including, but not limited to, gifts or grants from the United States or any agency thereof or the State or any agency thereof for any purpose consistent with this act;
- g. To invest moneys not required for immediate use in any obligations, securities or other investments in the same manner as trust funds in the custody of the State Treasurer;
- h. To acquire or contract to acquire from any individual, partnership, trust, association or corporation, or any public agency, by grant, purchase or otherwise, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same;
- i. To sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project, and in the case of the sale of any project, to accept a purchase money mortgage in connection therewith, and to lease, repurchase or otherwise acquire and hold any project which the corporation has theretofore sold, leased or otherwise conveyed, transferred or disposed of;
- j. To grant options to purchase any project or to renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;
- k. To manage any project, whether then owned or leased by the corporation, and to enter into agreements with any individual, partnership, trust, association or corporation, or with any public agency, for the purpose of causing any project to be managed;
- l. To consent to the modification, with respect to rate of interest, time of payment or any installment

of principal or interest, security, or any other terms, of any loan, mortgage, commitment, contract or agreement of any kind to which the corporation is a party;

m. In connection with any property on which it has made a mortgage loan, to foreclose on the property or commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement, and to bid for or purchase the property at any foreclosure or at any other sale, or acquire or take possession of the property; and in such event the corporation may complete, administer, pay the principal of and interest on any obligations incurred in connection with the property, dispose of and otherwise deal with the property, in such manner as may be necessary or desirable to protect the interests of the corporation therein;

n. To procure insurance against any loss in connection with its property and other assets and operations in any amounts and from any insurers it deems desirable;

o. To arrange or contract with any county or municipal government, or instrumentality thereof, with jurisdiction within the Capital City District, for the planning, opening, grading or closing of streets, roads or other places or for the construction or reconstruction of improvements, or public works necessary or convenient to carry out its purposes;

p. To appoint an executive director and any other officers, employees and agents as it may require for the performance of its duties. The executive director, and any employees appointed as personal staff to the executive director, shall be appointed by the corporation, which shall determine their qualifications, terms of office, duties, fix their compensation, and promote and discharge them, all without regard to the provisions of Title 11A of the New Jersey Statutes. All other officers, employees and agents appointed by the corporation shall be subject to the provisions of Title 11A of the New Jersey Statutes;

q. To engage the services of attorneys, accountants, architects, building contractors, engineers, urban planners, and any other advisors, consultants and agents as may be necessary in its judgment for the performance of its duties and fix their compensation;

r. To provide advisory, consultative, training and educational services, technical assistance and advice to any person, firm, association, partnership or corporation, either public or private, in order to carry out the purposes of this act; and

s. To do any and all things necessary or convenient to the exercise of the foregoing powers or reasonably implied therefrom.

L. 1987, c. 58, s. 5.

52:9Q-14. Capital City District

a. The corporation is authorized to carry out the purposes of this act on behalf of and exercise its powers within the Capital City District, which shall consist of that portion of the city of Trenton, beginning at the Delaware river at the point at which the center line of the Amtrak railroad corridor line crosses the center line of the river boundary of the city of Trenton; thence running northeasterly along the center line of the railroad to the point at which it intersects with the center line of South Clinton avenue; thence on a line running northeasterly from the intersection of the center line of South Clinton avenue and the railroad to the center line of the Walnut avenue extension at the point at which it bends northeasterly; thence running northeasterly along the center line of the Walnut avenue extension to its intersection with the center line of Hollywood avenue; thence on a line running northeasterly from the intersection of the center lines of the Walnut avenue extension and Hollywood avenue to the center line of Chestnut avenue at the point at which it would be intersected by the center line of the Amtrak

railroad; thence on a line running in a southwesterly direction from the intersection of the Amtrak railroad and Chestnut avenue to the intersection of the center lines of Yard avenue and Fairview avenue; thence running southwesterly along the center line of Fairview avenue following it along to its intersection with the center line of South Clinton avenue; thence running northerly along the center line of South Clinton avenue to its intersection with the center line of East State street; thence running westerly along the center line of East State street to its intersection with the center line of West Canal street; thence running northerly along the center line of West Canal street to its intersection with the center line of Merchant street; thence running westerly along the center line of Merchant street to its intersection with the center line of North Stockton street; thence running northerly along the center line of North Stockton street to its intersection with the center line of Hanover street; thence running westerly along the center line of Hanover street to its intersection with the center line of North Broad street; thence running northerly along the center line of North Broad street to its intersection with the center line of Brunswick avenue where it meets the center line of Pennington avenue; thence running along the center line of Pennington avenue around to its intersection with the center line of Warren street; thence running southwesterly along the center line of Warren street to its intersection with the center line of the feeder canal; thence following along the center line of the feeder canal in a westerly direction to the point at which it intersects with the center line of the waste weir which connects the feeder canal with the Delaware river; thence running southwesterly along the center line of the waste weir to the point reached by prolongating the center line of the waste weir to the center line of the Delaware river boundary of the city of Trenton; thence running along the center line of the Delaware river boundary of the city of Trenton downstream to the point at which the river boundary intersects with the center line of the Amtrak railroad.

b. The boundaries of the district may be expanded by mutual consent of the corporation and the city of Trenton. In order to expand the boundaries of the district, the city of Trenton shall, by ordinance duly adopted, or in the case of the corporation, by a parallel resolution, designate that area to be added to the district as (1) a blighted area pursuant to section 1 of P.L. 1949, c. 187 (C. 40:55-21.1) or an area in need of rehabilitation pursuant to section 3 of P.L. 1979, c. 233 (C. 54:4-3.123) and (2) an area in which the corporation may undertake a project or series of projects. No such ordinance or resolution may be adopted within the three years immediately following the effective date of this act. In addition to whatever information shall be required in the ordinance establishing a blighted area or area in need of rehabilitation pursuant to Titles 40 and 54 of the Revised Statutes, respectively, the ordinance and resolution provided herein shall include a description of the metes and bounds of the area and a statement setting forth the basis for the designation.

L. 1987, c. 58, s. 6.

52:9Q-15. Duties of corporation

It shall be the duty of the corporation to:

- a. Promote the revitalization of the **Capital City** District through the initiation of projects, encouragement of private **redevelopment**, restoration and improvement of historic areas, sites and structures, and formulation and implementation of programs and strategies which will enhance the vitality of the district as a place to live, visit, work, and conduct business, and thereby help restore the prominence and prestige of the **capital** area;
- b. Facilitate the development of a transportation system within the district which is designed to assure the safe, convenient and efficient movement of people and goods within and through the district and which serves as the hub of a regional transportation system in which the various modes of travel are integrated and coordinated;
- c. Facilitate coordination of its efforts with other governmental entities which currently have jurisdiction within, and in areas adjacent to, the district and in conjunction with the **Capital District Oversight Committee**, monitor the impact of the district on public safety in the **city** of Trenton, and on any other aspects of **city** life which the corporation determines may be affected by its existence.

L. 1987, c. 58, s. 7.

52:9Q-16. Executive director

- a. In order to oversee the performance of its duties, the board shall appoint an executive director, who shall be the chief executive officer of the corporation. The executive director shall perform the duties of office on a full-time basis, shall hold office at the pleasure of the board and shall receive such salary as the board shall provide.
- b. The executive director shall, subject to the approval of the board, appoint such employees, officers or agents as the board shall deem necessary without reference to political party affiliation, solely on grounds of fitness to perform their duties. The employees of the corporation shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

L. 1987, c. 58, s. 8.

52:9Q-17. Capital City Renaissance Plan

a. Within one year after the date of its first organizational meeting, the board shall adopt a 20-year Capital City Renaissance Plan. The plan may be revised from time to time as may be necessary. The plan shall guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment. The plan shall comprise a report or statement presenting the following elements:

(1) A statement of objectives, principles, assumptions and policies upon which the constituent proposals for the physical, economic and social development of the district are based;

(2) A design plan element which contains an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment. The commission shall make specific recommendations for conserving and improving the public landscape, including streets, recreational facilities, and other public spaces and amenities;

- (3) A cultural plan element which contains an inventory of the district's museums, theaters, parks, sports facilities and recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State;
 - (4) A transportation plan element which contains an inventory of facilities for all modes of transportation within the district, establishes the importance of the district transportation system in the regional context, sets forth a statement of objectives and principles regarding the transport of people and goods to and within the district and develops recommendations designed to improve the accessibility of the district to the rest of the city and the surrounding region;
 - (5) A land use plan element which incorporates recommendations contained in the other three elements; recommends appropriate future governmental and private land uses in specific areas; contains proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings; proposes strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces; and sets forth proposals for the restoration and improvement of the historic areas, sites and structures; and
 - (6) A relocation plan element which includes an assessment of the displacement of households and businesses within the district that would result from the implementation of the plan, and a strategy for relocation of households to adequate and affordable housing units.
- b. The plan shall be developed in consultation with the State Building Authority, the planning board of the city of Trenton, and the planning board of the county of Mercer. The corporation shall consider existing plans for areas included in the district in formulating its plan.
 - c. Prior to the adoption of the plan, the board shall provide a copy of the proposed plan to the planning boards of the city of Trenton and the county of Mercer and the State Building Authority and shall make copies available for public inspection and provide public notice of availability. Not less than 45 days after distribution of the plan to the planning boards and the State Building Authority, the board shall conduct public hearings on the plan and shall provide for a public comment period which shall extend at least 30 days after the final hearing.
 - d. Upon adoption of the plan, the planning board of the city of Trenton, the planning board of the county of Mercer, the State Building Authority, and any other governmental entities with plans affecting physical development within the district shall review and revise their plans to ensure that they are consistent with the Capital City Renaissance Plan. Any plan which affects the physical development of the district and is adopted by any governmental entity after the adoption of the Capital City Renaissance Plan shall be consistent with that plan.

L. 1987, c. 58, s. 9.

***52:9Q-18. Capital District Impact Statement**

Any department, board, agency, division or commission of the State and any county or municipal government entity, or instrumentality thereof, which undertakes any construction, reconstruction or extension of any building, structure or facility or other improvement within the district shall, prior to undertaking such action, file with the corporation a Capital District Impact Statement which describes the ways in which the proposed construction, reconstruction or extension is consistent with the plan in its various elements. Whenever a governmental entity is granted final authority to review and approve plans for private development proposed for the district, the appropriate governmental entity with authority to grant final approval of an action shall file an impact statement for each development which is granted final approval explaining the ways in which the proposed development is consistent with the plan. The approving authority is empowered to require the preparation and submission of that impact statement by the developer as part of the application for development.

L. 1987, c. 58, s. 10.

52:9Q-19. Capital City Redevelopment Loan Grant Fund

a. There is established in the State Treasury a nonlapsing, revolving fund to be known as the **Capital City Redevelopment** Loan and Grant Fund, and which shall be at the disposal of the executive director for carrying out the provisions of this act, and for no other purpose.

b. The State Treasurer may from time to time invest and reinvest those portions of the fund in investments in which other State funds may be invested.

c. There shall be included in the fund (1) all moneys appropriated and made available by the Legislature for inclusion therein, (2) any other moneys made available to the corporation from any source or sources, for its purposes, (3) any moneys repaid by persons pursuant to loan agreements under the terms of this act, which payments shall be transmitted to the State Treasurer for inclusion in the fund, and (4) any income, increment or interest derived from investment or reinvestment.

L. 1987, c. 58, s. 11.

52:9Q-20. Financing of projects

The fund created by this act shall be used by the corporation to undertake projects in accordance with the goals, objectives and priorities outlined in the plan and to make loans or grants for the purpose of financing projects which are consistent with the plan. Financing of projects pursuant to this act shall be in such form, amount and on such terms as the corporation shall believe necessary in order to assure the economic feasibility of a project and to assure, to the greatest degree compatible with that purpose, the full recovery of costs incurred by the authority in the undertaking of the project. The interest rate shall be sufficiently below the prevailing rate of interest to attract private participation in the loan program. The corporation shall assure by the terms of the financing of projects that at least 65% of the moneys appropriated to the fund shall be recovered and shall continue to be available for financing under this act.

L. 1987, c. 58, s. 12.

52:9Q-21. Considerations

With respect to projects for which costs are to be financed by the corporation pursuant to this act, the corporation shall in approving the financing for those projects, and in the planning and undertaking of its own projects, consider the following:

- a. The economic feasibility of the project;
- b. The degree to which the project will advance the goals and objectives set forth in the plan; and
- c. The likelihood that the project shall, after its completion, be able to repay to the fund all or part of any financing costs incurred.

L. 1987, c. 58, s. 13.

52:9Q-22. Removal, relocation of public utility facilities

The corporation shall have the power to provide for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances herein called "public utility facilities" of any public utility, as defined in R.S. 48:2-13, in, on, along, over or under any project.

Whenever the corporation shall determine that it is necessary that any public utility facilities which now are, or hereafter may be located in, on, along, over or under any project, should be relocated, or should be removed from that project, the public utility owning or operating those facilities shall relocate or remove them in accordance with the order of the corporation; provided, however, that the cost and expenses of that relocation or removal, including the cost of installing such facilities in a new location or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights of the public utility paid to the public utility in connection with the relocation or removal of that property, shall be ascertained and paid by the corporation as part of the cost of that project. In case of any relocation or removal of facilities, the public utility owning or operating the same, its successors or assigns, may maintain and operate those facilities, with the necessary appurtenances, in the new location or new locations, for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate those facilities in their former location or locations.

L. 1987, c. 58, s. 14.

52:9Q-23. Capital District Oversight Committee

a. For the purpose of assuring regular and effective liaison between the corporation, other public agencies and officers having responsibilities in areas related to the operations of the corporation, and the public, the Governor shall establish a **Capital District Oversight Committee** to consist of the following: the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the Attorney General, and the Superintendent of the Division of State Police in the Department of Law and Public Safety, or their designees, who shall all serve ex officio; the President of the **City Council** of the **city** of Trenton or his designee, ex officio; and nine public members, of whom five shall be citizen representatives and residents of the **city** of Trenton and four shall be representatives of the business sector of the **city** of Trenton who may live within or outside the **city** of Trenton, but shall be residents of the State, to be appointed as follows: two shall be appointed by the Governor, of whom one shall be a citizen representative and one shall represent the business sector; two shall be appointed by the Mayor of the **city** of Trenton, of whom one shall be a citizen representative and one shall represent the business sector; and five shall be appointed by the board, of whom three shall be citizen representatives and two

shall represent the business sector.

b. Each public member shall serve for a term of three years and until the appointment and qualification of a successor, except that of the five members first appointed by the corporation, one citizen representative and one business representative shall each serve for a term of one year, one citizen representative and one business representative shall each serve for a term of two years, and one citizen representative shall serve for a term of three years; of the two members first appointed each by the Governor and the Mayor of the **city** of Trenton, one shall serve for a term of two years and one shall serve for a term of three years. In the event of a vacancy occurring during the unexpired term of office, a public member shall be appointed to serve for the unexpired term by the government entity which made the original appointment.

c. The Mayor shall designate the chairman of the committee, who shall serve in that position for the duration of his term. A chairman may be redesignated. Seven members of the committee shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the committee at any meeting thereof by the affirmative vote of at least seven members. No vacancy in the membership of the committee shall impair the right of a quorum to exercise all the powers and perform all the duties of the committee.

d. The committee shall study, and issue periodic reports assessing, first, the impact of the district on the provision of police and fire service within the **city** of Trenton and, thereafter, on any other areas of municipal activity which, in the committee's estimation, may be affected by the establishment of the district. The committee shall also study and report on the ways in which such municipal activity may be improved to enhance the attractiveness of the district. Based on these reports, the committee shall make recommendations to improve the efficiency or effectiveness of public agencies in enhancing the district.

e. Upon appointment, the committee shall prepare a budget which shall contain an itemization of those expenses in order that the committee may fulfill its officially prescribed duties. The chairman shall submit a budget to the executive director on an annual basis, and the board shall provide funds within the limits of any funds appropriated or otherwise made available for the committee's purposes. The members of the committee shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties. The committee is authorized to engage such employees, advisors or consultants as are necessary in order to fulfill its prescribed duties. These employees, advisors or consultants, as the case may be, shall be appointed without regard to the provisions of Title 11A of the New Jersey Statutes and shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

f. All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

g. The corporation shall refer each application for financial assistance made to the **Capital City Redevelopment** Loan and Grant Fund to the committee prior to taking formal action to approve or reject the application. The committee shall have 30 days from the date of referral to provide written comments on the application, and any comments provided within that time shall be a part of the record of the corporation's official action on the application.

L. 1987, c. 58, s. 15.

52:9Q-24. Acquisition of real property

a. If, in order to implement any of the goals and objectives set forth in the plan, the corporation shall find it necessary or convenient to acquire any real property within its jurisdiction, or if for any of its authorized purposes the corporation shall find it necessary to acquire any real property beyond its jurisdiction, whether for immediate or future use, the corporation may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, the property shall be deemed to be required for a public use until otherwise determined by the corporation; and the determination shall not be affected by the fact that the property has heretofore been taken for, or is then devoted to, a public use of the State or any municipality, county, school district, or other local or regional district, authority or agency, but the public use in the hands or under the control of the corporation shall be deemed superior.

b. If the corporation is unable to agree with the owner or owners thereof upon terms for the acquisition of any real property, for any reason whatsoever, then the corporation may acquire that property, whether a fee simple absolute or a lesser interest, in the manner provided in the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et seq.).

c. Notwithstanding the provisions of subsections a. and b. of this section, the corporation shall not acquire or exercise control over any property in the custody of the State House Commission pursuant to R.S. 52:20-1 et seq. without the written consent of that commission.

L. 1987, c. 58, s. 16.

52:9Q-25. Annual budget; plan for expenditures

a. On or before February 1 of each year, the board shall submit a budget for the corporation to the State Treasurer for the State Treasurer's approval. The budget shall include those sums made available to the committee pursuant to section 15 of this act. The board shall file a copy of the budget with the governing body of the city of Trenton within 30 days of its approval. The board shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants, and the cost thereof shall be considered an expense of the corporation and a copy thereof shall be filed with the State Treasurer.

b. The executive director shall submit with the corporation's annual budget request a plan for expenditures from the **Capital City Redevelopment** Loan and Grant Fund for the upcoming fiscal year. This plan shall include, but not be limited to: performance evaluation of the expenditures made from the fund to date; a description of the various projects to be funded for the upcoming fiscal year; relocation assistance for the upcoming fiscal year; a copy of procedures developed by the corporation governing the operation of the loan and grant fund; a complete financial statement on the status of the State fund to date; and an estimate of expenditures from the State fund for the upcoming fiscal year. This information shall be used to assist the Legislature in determining the amount to appropriate to the State fund.

L. 1987, c. 58, s. 17.

52:9Q-26. Annual report

On or before February 1 of each year, the board shall make an annual report of its activities for the preceding calendar year to the Governor, the Legislature, and the governing body of the city of Trenton. The report shall include, but not be limited to, a description of all projects either planned, underway or completed by the corporation or financed by the corporation and the financial arrangements developed therefor. The report shall set forth relocations of households and businesses occurring in the past year as a result of implementation of the plan, and a description of the relocation assistance provided those households and businesses. The report shall contain an evaluation of the impact of the implementation

of the plan on the availability of adequate and affordable housing units in the city. The report shall also set forth the goals, strategies and priorities governing the selection of projects it anticipates financing, supporting or undertaking; and the board shall annually review and evaluate the projects actually undertaken in light of the goals, strategies and priorities established therefor by the Capital City Renaissance Plan. The report shall set forth a complete operating and financial statement covering the operations of the corporation during the year.

L. 1987, c. 58, s. 18.

52:9Q-27. Assistance

All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

L. 1987, c. 58, s. 19.

Capital City Redevelopment Corporation Statute

52:9Q-12. Capital City Redevelopment Corporation

a. There is established in the Executive Branch of the State Government a public body corporate and politic, with corporate succession, to be known as the Capital City Redevelopment Corporation. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the corporation is allocated within the Department of the Treasury, but, notwithstanding that allocation the corporation shall be independent of any supervision or control by the department or by the State Treasurer or any officer or employee thereof. The corporation is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this or any other act shall be deemed to be an essential governmental function of the State.

b. The board of directors of the corporation shall consist of the following: a member of the Executive Branch to be appointed by the Governor, and the State Treasurer who shall both serve ex officio and may each designate, by written notification to the board, an alternate who shall act in their place with the authority to attend, vote and perform any duty or function assigned to them in their absence; one other high-ranking State officer designated by the Governor; the mayor of the city of Trenton, ex officio; and five public members appointed by the Governor with the advice and consent of the Senate, one of whom shall be a public employee of the State or city, one of whom shall have the city of Trenton as his principal place of business, and at least one of whom shall have the county of Mercer as his principal place of business. The five directors appointed by the Governor shall be residents of the State and shall have knowledge and expertise in the areas of economic development, urban planning, community affairs or finance;

c. Each public member shall serve for a term of four years and until the appointment and qualification of a successor, except that of the directors who are first appointed, three shall be designated to serve for terms of two years, and two shall be designated to serve for terms of four years, from the date of appointment. All vacancies shall be filled in the same manner as the original appointment but for the unexpired term only. The directors shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties;

d. Each director, before entering upon the duties of office, shall take and subscribe an oath to perform the duties of the office faithfully, impartially and justly to the best of their ability. A record of these oaths shall be filed in the Office of the Secretary of State. Each director appointed by the Governor may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing;

e. The Governor shall appoint a chairman from among the members of the board. The vice chairman shall be one of the five public members and shall be elected by majority vote of all the directors. The directors shall elect a secretary and a treasurer from among their number, and the same person may be elected to serve both as secretary and treasurer. Five directors shall constitute a quorum at any meeting of the board. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of at least five directors. No vacancy in a directorship shall impair the right of a quorum to exercise all the powers and perform all the duties of the board;

f. Each director shall execute a bond to be conditioned upon the faithful performance of their respective duties in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. The bonds shall be filed in the office of the Secretary of State. At all times thereafter the directors shall maintain these bonds in full force. All costs of the bonds shall be borne by the corporation; and

g. The corporation may be dissolved by act of the Legislature if it has no debts or obligations outstanding or if adequate provision has been made for the payment or retirement of any outstanding debts or obligations. Upon dissolution of the corporation all property, funds and assets thereof shall be vested in the State, the city or the county, subject to the terms of the act of dissolution.

L. 1987, c. 58, s. 4.

52:9Q-13. General powers:

The corporation shall have the following general powers:

- a. To sue and be sued;
- b. To adopt an official seal and alter it;
- c. To make and alter bylaws for its organization and internal management and to make rules and regulations with respect to its projects, operations, properties and facilities;
- d. To make and enter into all contracts, leases, as lessee or lessor, and agreements necessary or incidental to the performance of its duties and the exercise of its powers under this act, and consent to any modification, amendment or revision of any contract, lease or agreement to which it is a party;
- e. To enter into agreements or other transactions with, and to accept grants, appropriations or the cooperation of the United States or any agency thereof or the State or any agency thereof in furtherance of the purposes of this act;
- f. To receive and accept aid or contributions from any public or private source of money, property, labor or other thing of value, to be held, used and applied to carry out the purposes of this act subject to the conditions upon which that aid or contribution may be made, including, but not limited to, gifts or grants from the United States or any agency thereof or the State or any agency thereof for any purpose consistent with this act;
- g. To invest moneys not required for immediate use in any obligations, securities or other investments in the same manner as trust funds in the custody of the State Treasurer;
- h. To acquire or contract to acquire from any individual, partnership, trust, association or corporation, or any public agency, by grant, purchase or otherwise, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same;
- i. To sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project, and in the case of the sale of any project, to accept a purchase money mortgage in connection therewith, and to lease, repurchase or otherwise acquire and hold any project which the corporation has theretofore sold, leased or otherwise conveyed, transferred or disposed of;
- j. To grant options to purchase any project or to renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;

k. To manage any project, whether then owned or leased by the corporation, and to enter into agreements with any individual, partnership, trust, association or corporation, or with any public agency, for the purpose of causing any project to be managed;

l. To consent to the modification, with respect to rate of interest, time of payment or any installment of principal or interest, security, or any other terms, of any loan, mortgage, commitment, contract or agreement of any kind to which the corporation is a party;

m. In connection with any property on which it has made a mortgage loan, to foreclose on the property or commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement, and to bid for or purchase the property at any foreclosure or at any other sale, or acquire or take possession of the property; and in such event the corporation may complete, administer, pay the principal of and interest on any obligations incurred in connection with the property, dispose of and otherwise deal with the property, in such manner as may be necessary or desirable to protect the interests of the corporation therein;

n. To procure insurance against any loss in connection with its property and other assets and operations in any amounts and from any insurers it deems desirable;

o. To arrange or contract with any county or municipal government, or instrumentality thereof, with jurisdiction within the Capital City District, for the planning, opening, grading or closing of streets, roads or other places or for the construction or reconstruction of improvements, or public works necessary or convenient to carry out its purposes;

p. To appoint an executive director and any other officers, employees and agents as it may require for the performance of its duties. The executive director, and any employees appointed as personal staff to the executive director, shall be appointed by the corporation, which shall determine their qualifications, terms of office, duties, fix their compensation, and promote and discharge them, all without regard to the provisions of Title 11A of the New Jersey Statutes. All other officers, employees and agents appointed by the corporation shall be subject to the provisions of Title 11A of the New Jersey Statutes;

q. To engage the services of attorneys, accountants, architects, building contractors, engineers, urban planners, and any other advisors, consultants and agents as may be necessary in its judgment for the performance of its duties and fix their compensation;

r. To provide advisory, consultative, training and educational services, technical assistance and advice to any person, firm, association, partnership or corporation, either public or private, in order to carry out the purposes of this act; and

s. To do any and all things necessary or convenient to the exercise of the foregoing powers or reasonably implied therefrom.

L. 1987, c. 58, s. 5.

52:9Q-14. Capital City District

a. The corporation is authorized to carry out the purposes of this act on behalf of and exercise its powers within the Capital City District, which shall consist of that portion of the city of Trenton, beginning at the Delaware river at the point at which the center line of the Amtrak railroad corridor line crosses the center line of the river boundary of the city of Trenton; thence running northeasterly along the center line of the railroad to the point at which it intersects with the center line of South Clinton avenue; thence on a line running northeasterly from the intersection of the

center line of South Clinton avenue and the railroad to the center line of the Walnut avenue extension at the point at which it bends northeasterly; thence running northeasterly along the center line of the Walnut avenue extension to its intersection with the center line of Hollywood avenue; thence on a line running northeasterly from the intersection of the center lines of the Walnut avenue extension and Hollywood avenue to the center line of Chestnut avenue at the point at which it would be intersected by the center line of the Amtrak railroad; thence on a line running in a southwesterly direction from the intersection of the Amtrak railroad and Chestnut avenue to the intersection of the center lines of Yard avenue and Fairview avenue; thence running southwesterly along the center line of Fairview avenue following it along to its intersection with the center line of South Clinton avenue; thence running northerly along the center line of South Clinton avenue to its intersection with the center line of East State street; thence running westerly along the center line of East State street to its intersection with the center line of West Canal street; thence running northerly along the center line of West Canal street to its intersection with the center line of Merchant street; thence running westerly along the center line of Merchant street to its intersection with the center line of North Stockton street; thence running northerly along the center line of North Stockton street to its intersection with the center line of Hanover street; thence running westerly along the center line of Hanover street to its intersection with the center line of North Broad street; thence running northerly along the center line of North Broad street to its intersection with the center line of Brunswick avenue where it meets the center line of Pennington avenue; thence running along the center line of Pennington avenue around to its intersection with the center line of Warren street; thence running southwesterly along the center line of Warren street to its intersection with the center line of the feeder canal; thence following along the center line of the feeder canal in a westerly direction to the point at which it intersects with the center line of the waste weir which connects the feeder canal with the Delaware river; thence running southwesterly along the center line of the waste weir to the point reached by prolongating the center line of the waste weir to the center line of the Delaware river boundary of the city of Trenton; thence running along the center line of the Delaware river boundary of the city of Trenton downstream to the point at which the river boundary intersects with the center line of the Amtrak railroad.

b. The boundaries of the district may be expanded by mutual consent of the corporation and the city of Trenton. In order to expand the boundaries of the district, the city of Trenton shall, by ordinance duly adopted, or in the case of the corporation, by a parallel resolution, designate that area to be added to the district as (1) a blighted area pursuant to section 1 of P.L. 1949, c. 187 (C. 40:55-21.1) or an area in need of rehabilitation pursuant to section 3 of P.L. 1979, c. 233 (C. 54:4-3.123) and (2) an area in which the corporation may undertake a project or series of projects. No such ordinance or resolution may be adopted within the three years immediately following the effective date of this act. In addition to whatever information shall be required in the ordinance establishing a blighted area or area in need of rehabilitation pursuant to Titles 40 and 54 of the Revised Statutes, respectively, the ordinance and resolution provided herein shall include a description of the metes and bounds of the area and a statement setting forth the basis for the designation.

L. 1987, c. 58, s. 6.

52:9Q-15. Duties of corporation

It shall be the duty of the corporation to:

a. Promote the revitalization of the Capital City District through the initiation of projects, encouragement of private redevelopment, restoration and improvement of historic areas, sites and structures, and formulation and implementation of programs and strategies which will enhance the vitality of the district as a place to live, visit, work, and conduct business, and thereby help restore the prominence and prestige of the capital area;

b. Facilitate the development of a transportation system within the district which is designed to assure the safe, convenient and efficient movement of people and goods within and through the district and which serves as the hub of a regional transportation system in which the various modes of travel are integrated and coordinated;

c. Facilitate coordination of its efforts with other governmental entities which currently have jurisdiction within, and in areas adjacent to, the district and in conjunction with the Capital District Oversight Committee, monitor the impact of the district on public safety in the city of Trenton, and on any other aspects of city life which the corporation determines may be affected by its existence.

L. 1987, c. 58, s. 7.

52:9Q-16. Executive director

a. In order to oversee the performance of its duties, the board shall appoint an executive director, who shall be the chief executive officer of the corporation. The executive director shall perform the duties of office on a full-time basis, shall hold office at the pleasure of the board and shall receive such salary as the board shall provide.

b. The executive director shall, subject to the approval of the board, appoint such employees, officers or agents as the board shall deem necessary without reference to political party affiliation, solely on grounds of fitness to perform their duties. The employees of the corporation shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefore.

L. 1987, c. 58, s. 8.

52:9Q-17. Capital City Renaissance Plan

a. Within one year after the date of its first organizational meeting, the board shall adopt a 20-year Capital City Renaissance Plan. The plan may be revised from time to time as may be necessary. The plan shall guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment. The plan shall comprise a report or statement presenting the following elements:

(1) A statement of objectives, principles, assumptions and policies upon which the constituent proposals for the physical, economic and social development of the district are based;

(2) A design plan element which contains an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment. The commission shall make specific recommendations for conserving and improving the public landscape, including streets, recreational facilities, and other public spaces and amenities;

(3) A cultural plan element which contains an inventory of the district's museums, theaters, parks, sports facilities and recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State;

(4) A transportation plan element which contains an inventory of facilities for all modes of transportation within the district, establishes the importance of the district transportation system in the regional context, sets forth a statement of objectives and principles regarding the transport of people and goods to and within the district and develops recommendations designed to improve the accessibility of the district to the rest of the city and the surrounding region;

(5) A land use plan element which incorporates recommendations contained in the other three elements; recommends appropriate future governmental and private land uses in specific areas; contains proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings; proposes strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces; and sets forth proposals for the restoration and improvement of the historic areas, sites and structures; and

(6) A relocation plan element which includes an assessment of the displacement of households and businesses within the district that would result from the implementation of the plan, and a strategy for relocation of households to adequate and affordable housing units.

b. The plan shall be developed in consultation with the State Building Authority, the planning board of the city of Trenton, and the planning board of the county of Mercer. The corporation shall consider existing plans for areas included in the district in formulating its plan.

c. Prior to the adoption of the plan, the board shall provide a copy of the proposed plan to the planning boards of the city of Trenton and the county of Mercer and the State Building Authority and shall make copies available for public inspection and provide public notice of availability. Not less than 45 days after distribution of the plan to the planning boards and the State Building Authority, the board shall conduct public hearings on the plan and shall provide for a public comment period which shall extend at least 30 days after the final hearing.

d. Upon adoption of the plan, the planning board of the city of Trenton, the planning board of the county of Mercer, the State Building Authority, and any other governmental entities with plans affecting physical development within the district shall review and revise their plans to ensure that they are consistent with the Capital City Renaissance Plan. Any plan which affects the physical development of the district and is adopted by any governmental entity after the adoption of the Capital City Renaissance Plan shall be consistent with that plan.

L. 1987, c. 58, s. 9.

52:9Q-18. Capital District Impact Statement

Any department, board, agency, division or commission of the State and any county or municipal government entity, or instrumentality thereof, which undertakes any construction, reconstruction or extension of any building, structure or facility or other improvement within the district shall, prior to undertaking such action, file with the corporation a Capital District Impact Statement which describes the ways in which the proposed construction, reconstruction or extension is consistent with the plan in its various elements. Whenever a governmental entity is granted final authority to review and approve plans for private development proposed for the district, the appropriate governmental entity with authority to grant final approval of an action shall file an impact statement for each development which is granted final approval explaining the ways in which the proposed development is consistent with the plan. The approving authority is

empowered to require the preparation and submission of that impact statement by the developer as part of the application for development.

L. 1987, c. 58, s. 10.

52:9Q-19. Capital City Redevelopment Loan Grant Fund

a. There is established in the State Treasury a nonlapsing, revolving fund to be known as the Capital City Redevelopment Loan and Grant Fund, and which shall be at the disposal of the executive director for carrying out the provisions of this act, and for no other purpose.

b. The State Treasurer may from time to time invest and reinvest those portions of the fund in investments in which other State funds may be invested.

c. There shall be included in the fund (1) all moneys appropriated and made available by the Legislature for inclusion therein, (2) any other moneys made available to the corporation from any source or sources, for its purposes, (3) any moneys repaid by persons pursuant to loan agreements under the terms of this act, which payments shall be transmitted to the State Treasurer for inclusion in the fund, and (4) any income, increment or interest derived from investment or reinvestment.

L. 1987, c. 58, s. 11.

52:9Q-20. Financing of projects

The fund created by this act shall be used by the corporation to undertake projects in accordance with the goals, objectives and priorities outlined in the plan and to make loans or grants for the purpose of financing projects which are consistent with the plan. Financing of projects pursuant to this act shall be in such form, amount and on such terms as the corporation shall believe necessary in order to assure the economic feasibility of a project and to assure, to the greatest degree compatible with that purpose, the full recovery of costs incurred by the authority in the undertaking of the project. The interest rate shall be sufficiently below the prevailing rate of interest to attract private participation in the loan program. The corporation shall assure by the terms of the financing of projects that at least 65% of the moneys appropriated to the fund shall be recovered and shall continue to be available for financing under this act.

L. 1987, c. 58, s. 12.

52:9Q-21. Considerations

With respect to projects for which costs are to be financed by the corporation pursuant to this act, the corporation shall in approving the financing for those projects, and in the planning and undertaking of its own projects, consider the following:

- a. The economic feasibility of the project;
- b. The degree to which the project will advance the goals and objectives set forth in the plan;
and
- c. The likelihood that the project shall, after its completion, be able to repay to the fund all or part of any financing costs incurred.

L. 1987, c. 58, s. 13.

52:9Q-22. Removal, relocation of public utility facilities

The corporation shall have the power to provide for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances herein called "public utility facilities" of any public utility, as defined in R.S. 48:2-13, in, on, along, over or under any project.

Whenever the corporation shall determine that it is necessary that any public utility facilities which now are, or hereafter may be located in, on, along, over or under any project, should be relocated, or should be removed from that project, the public utility owning or operating those facilities shall relocate or remove them in accordance with the order of the corporation; provided, however, that the cost and expenses of that relocation or removal, including the cost of installing such facilities in a new location or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights of the public utility paid to the public utility in connection with the relocation or removal of that property, shall be ascertained and paid by the corporation as part of the cost of that project. In case of any relocation or removal of facilities, the public utility owning or operating the same, its successors or assigns, may maintain and operate those facilities, with the necessary appurtenances, in the new location or new locations, for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate those facilities in their former location or locations.

L. 1987, c. 58, s. 14.

52:9Q-23. Capital District Oversight Committee

a. For the purpose of assuring regular and effective liaison between the corporation, other public agencies and officers having responsibilities in areas related to the operations of the corporation, and the public, the Governor shall establish a Capital District Oversight Committee to consist of the following: the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the Attorney General, and the Superintendent of the Division of State Police in the Department of Law and Public Safety, or their designees, who shall all serve ex officio; the President of the City Council of the city of Trenton or his designee, ex officio; and nine public members, of whom five shall be citizen representatives and residents of the city of Trenton and four shall be representatives of the business sector of the city of Trenton who may live within or outside the city of Trenton, but shall be residents of the State, to be appointed as follows: two shall be appointed by the Governor, of whom one shall be a citizen representative and one shall represent the business sector; two shall be appointed by the Mayor of the city of Trenton, of whom one shall be a citizen representative and one shall represent the business sector; and five shall be appointed by the board, of whom three shall be citizen representatives and two shall represent the business sector.

b. Each public member shall serve for a term of three years and until the appointment and qualification of a successor, except that of the five members first appointed by the corporation, one citizen representative and one business representative shall each serve for a term of one year, one citizen representative and one business representative shall each serve for a term of two years, and one citizen representative shall serve for a term of three years; of the two members first appointed each by the Governor and the Mayor of the city of Trenton, one shall serve for a term of two years and one shall serve for a term of three years. In the event of a

vacancy occurring during the unexpired term of office, a public member shall be appointed to serve for the unexpired term by the government entity which made the original appointment.

c. The Mayor shall designate the chairman of the committee, who shall serve in that position for the duration of his term. A chairman may be redesignated. Seven members of the committee shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the committee at any meeting thereof by the affirmative vote of at least seven members. No vacancy in the membership of the committee shall impair the right of a quorum to exercise all the powers and perform all the duties of the committee.

d. The committee shall study, and issue periodic reports assessing, first, the impact of the district on the provision of police and fire service within the city of Trenton and, thereafter, on any other areas of municipal activity which, in the committee's estimation, may be affected by the establishment of the district. The committee shall also study and report on the ways in which such municipal activity may be improved to enhance the attractiveness of the district. Based on these reports, the committee shall make recommendations to improve the efficiency or effectiveness of public agencies in enhancing the district.

e. Upon appointment, the committee shall prepare a budget which shall contain an itemization of those expenses in order that the committee may fulfill its officially prescribed duties. The chairman shall submit a budget to the executive director on an annual basis, and the board shall provide funds within the limits of any funds appropriated or otherwise made available for the committee's purposes. The members of the committee shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties. The committee is authorized to engage such employees, advisors or consultants as are necessary in order to fulfill its prescribed duties. These employees, advisors or consultants, as the case may be, shall be appointed without regard to the provisions of Title 11A of the New Jersey Statutes and shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefore.

f. All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

g. The corporation shall refer each application for financial assistance made to the Capital City Redevelopment Loan and Grant Fund to the committee prior to taking formal action to approve or reject the application. The committee shall have 30 days from the date of referral to provide written comments on the application, and any comments provided within that time shall be a part of the record of the corporation's official action on the application.

L. 1987, c. 58, s. 15.

52:9Q-24. Acquisition of real property

a. If, in order to implement any of the goals and objectives set forth in the plan, the corporation shall find it necessary or convenient to acquire any real property within its jurisdiction, or if for any of its authorized purposes the corporation shall find it necessary to acquire any real property beyond its jurisdiction, whether for immediate or future use, the corporation may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, the property shall be deemed to be required for a public use until otherwise determined by the corporation; and the determination shall not be affected by the fact that the property has heretofore been taken for, or is then devoted to, a public

use of the State or any municipality, county, school district, or other local or regional district, authority or agency, but the public use in the hands or under the control of the corporation shall be deemed superior.

b. If the corporation is unable to agree with the owner or owners thereof upon terms for the acquisition of any real property, for any reason whatsoever, then the corporation may acquire that property, whether a fee simple absolute or a lesser interest, in the manner provided in the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et seq.).

c. Notwithstanding the provisions of subsections a. and b. of this section, the corporation shall not acquire or exercise control over any property in the custody of the State House Commission pursuant to R.S. 52:20-1 et seq. without the written consent of that commission.

L. 1987, c. 58, s. 16.

52:9Q-25. Annual budget; plan for expenditures

a. On or before February 1 of each year, the board shall submit a budget for the corporation to the State Treasurer for the State Treasurer's approval. The budget shall include those sums made available to the committee pursuant to section 15 of this act. The board shall file a copy of the budget with the governing body of the city of Trenton within 30 days of its approval. The board shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants, and the cost thereof shall be considered an expense of the corporation and a copy thereof shall be filed with the State Treasurer.

b. The executive director shall submit with the corporation's annual budget request a plan for expenditures from the Capital City Redevelopment Loan and Grant Fund for the upcoming fiscal year. This plan shall include, but not be limited to: performance evaluation of the expenditures made from the fund to date; a description of the various projects to be funded for the upcoming fiscal year; relocation assistance for the upcoming fiscal year; a copy of procedures developed by the corporation governing the operation of the loan and grant fund; a complete financial statement on the status of the State fund to date; and an estimate of expenditures from the State fund for the upcoming fiscal year. This information shall be used to assist the Legislature in determining the amount to appropriate to the State fund.

L. 1987, c. 58, s. 17.

52:9Q-26. Annual report

On or before February 1 of each year, the board shall make an annual report of its activities for the preceding calendar year to the Governor, the Legislature, and the governing body of the city of Trenton. The report shall include, but not be limited to, a description of all projects either planned, underway or completed by the corporation or financed by the corporation and the financial arrangements developed therefore. The report shall set forth relocations of households and businesses occurring in the past year as a result of implementation of the plan, and a description of the relocation assistance provided those households and businesses. The report shall contain an evaluation of the impact of the implementation of the plan on the availability of adequate and affordable housing units in the city. The report shall also set forth the goals, strategies and priorities governing the selection of projects it anticipates financing, supporting or undertaking; and the board shall annually review and evaluate the projects actually undertaken in light of the goals, strategies and priorities established therefore by the Capital City Renaissance Plan. The report shall set forth a complete operating and financial statement covering the operations of the corporation during the year.

L. 1987, c. 58, s. 18.

52:9Q-27. Assistance

All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

L. 1987, c. 58, s. 19.

CHAPTER 58

AN ACT creating the Capital City Redevelopment Corporation, establishing the Capital City Redevelopment Loan and Grant Fund and making an appropriation therefor.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C. 52:9Q-9 Short title.

1. This act shall be known and may be cited as the "Capital City Redevelopment Corporation Act."

C. 52:9Q-10 Findings, declarations.

2. The Legislature finds and declares that:

a. The city of Trenton is of unique significance to the State and the nation both as the State capital and center of State governmental operations, and as the site of the battle which in the nation's memory turned the tide toward American independence;

b. The historic and public importance of the city, once contemplated as the site of the nation's capital has too long been neglected in a State which lacks a demographic or commercial center of sufficient magnitude to serve as a focus for State identity and pride, and, as a result, the city is in great need of redevelopment and revitalization;

c. The actions and decisions of the State government are vitally connected to the redevelopment and revitalization of those portions of the city which serve as the commercial center of the community and in which public buildings and historic sites are located;

d. It is a public purpose of this State to establish a capital district within the city and to create a redevelopment corporation operating within the boundaries of the district, which will plan, coordinate and promote the public and private development of the district in a manner which enhances the vitality of the district as a place of commerce, recreation and culture and as an area in which to conduct public business and visit historic sites and thereby restores the prominence and prestige of the seat of State government for the benefit of all of the citizens of this State; and

e. In the exercise of its powers toward this public purpose, the Capital City Redevelopment Corporation will plan, coordinate and encourage an appropriate balance of governmental and nongovernmental facilities and activities in the district, and assist

Mandate →

Activities →

in the provision of public, recreational and cultural facilities, in the preservation and restoration of historic structures and sites, and in the stimulation of private investment in the district in order to establish it as a source of State pride equal in standard to the best of State capitals in the country.

C. 52:9Q-11 Definitions.

3. As used in this act, except where otherwise indicated:
- a. "Board of Directors" or "board" means the board of directors of the Capital City Redevelopment Corporation;
 - b. "City" means the city of Trenton;
 - c. "Corporation" means the Capital City Redevelopment Corporation established pursuant to section 4 of this act;
 - d. "Director" means a director of the corporation;
 - e. "District" means the Capital City District delineated in section 6 of this act;
 - f. "Fund" means the Capital City Redevelopment Loan and Grant Fund established pursuant to section 11 of this act;
 - g. "Person" means any natural person or persons or any firms, partnerships, associations, societies, trusts, corporations, or other legal entities;
 - h. "Plan" means the Capital City Renaissance Plan adopted pursuant to this act;
 - i. "Project" means (1) the acquisition, construction, reconstruction, redevelopment, historic restoration, repair, alteration, improvement or extension of any building, structure or facility, or public area or (2) the acquisition and improvement of real estate and the extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, provided that the work undertaken is consistent with the Capital City Renaissance Plan adopted pursuant to section 9 of this act; a project may also include planning, designing, acquiring, constructing, reconstructing or otherwise improving a building, structure or facility and extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, or any redevelopment undertaken by any person pursuant to section 12 of this act; and
 - j. "Redevelopment" means a program of renewal through planning, conservation, rehabilitation, clearance, development and re-

Funding

development, and historic restoration; and the construction and rehabilitation of commercial, industrial, public or other structures; and the grant, dedication or rededication of land as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds or other public purposes including recreational and other facilities appurtenant thereto.

C. 52:9Q-12 Capital City Redevelopment Corporation.

4. a. There is established in the Executive Branch of the State Government a public body corporate and politic, with corporate succession, to be known as the Capital City Redevelopment Corporation. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the corporation is allocated within the Department of the Treasury, but, notwithstanding that allocation the corporation shall be independent of any supervision or control by the department or by the State Treasurer or any officer or employee thereof. The corporation is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this or any other act shall be deemed to be an essential governmental function of the State.

b. The board of directors of the corporation shall consist of the following: a member of the Executive Branch to be appointed by the Governor, and the State Treasurer who shall both serve ex officio and may each designate, by written notification to the board, an alternate who shall act in their place with the authority to attend, vote and perform any duty or function assigned to them in their absence; one other high-ranking State officer designated by the Governor; the mayor of the city of Trenton, ex officio; and five public members appointed by the Governor with the advice and consent of the Senate, one of whom shall be a public employee of the State or city, one of whom shall have the city of Trenton as his principal place of business, and at least one of whom shall have the county of Mercer as his principal place of business. The five directors appointed by the Governor shall be residents of the State and shall have knowledge and expertise in the areas of economic development, urban planning, community affairs or finance;

c. Each public member shall serve for a term of four years and until the appointment and qualification of a successor, except that of the directors who are first appointed, three shall be designated to serve for terms of two years, and two shall be designated to serve for terms of four years, from the date of appointment. All vacancies

shall be filled in the same manner as the original appointment but for the unexpired term only. The directors shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties;

d. Each director, before entering upon the duties of office, shall take and subscribe an oath to perform the duties of the office faithfully, impartially and justly to the best of their ability. A record of these oaths shall be filed in the Office of the Secretary of State. Each director appointed by the Governor may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing;

e. The Governor shall appoint a chairman from among the members of the board. The vice chairman shall be one of the five public members and shall be elected by majority vote of all the directors. The directors shall elect a secretary and a treasurer from among their number, and the same person may be elected to serve both as secretary and treasurer. Five directors shall constitute a quorum at any meeting of the board. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of at least five directors. No vacancy in a directorship shall impair the right of a quorum to exercise all the powers and perform all the duties of the board;

f. Each director shall execute a bond to be conditioned upon the faithful performance of their respective duties in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. The bonds shall be filed in the office of the Secretary of State. At all times thereafter the directors shall maintain these bonds in full force. All costs of the bonds shall be borne by the corporation; and

g. The corporation may be dissolved by act of the Legislature if it has no debts or obligations outstanding or if adequate provision has been made for the payment or retirement of any outstanding debts or obligations. Upon dissolution of the corporation all property, funds and assets thereof shall be vested in the State, the city or the county, subject to the terms of the act of dissolution.

C. 52:9Q-13 General powers.

5. The corporation shall have the following general powers:

- a. To sue and be sued;
- b. To adopt an official seal and alter it;

c. To make and alter bylaws for its organization and internal management and to make rules and regulations with respect to its projects, operations, properties and facilities;

d. To make and enter into all contracts, leases, as lessee or lessor, and agreements necessary or incidental to the performance of its duties and the exercise of its powers under this act, and consent to any modification, amendment or revision of any contract, lease or agreement to which it is a party;

e. To enter into agreements or other transactions with, and to accept grants, appropriations or the cooperation of the United States or any agency thereof or the State or any agency thereof in furtherance of the purposes of this act;

→ f. To receive and accept aid or contributions from any public or private source of money, property, labor or other thing of value, to be held, used and applied to carry out the purposes of this act subject to the conditions upon which that aid or contribution may be made, including, but not limited to, gifts or grants from the United States or any agency thereof or the State or any agency thereof for any purpose consistent with this act;

→ g. To invest moneys not required for immediate use in any obligations, securities or other investments in the same manner as trust funds in the custody of the State Treasurer;

h. To acquire or contract to acquire from any individual, partnership, trust, association or corporation, or any public agency, by grant, purchase or otherwise, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same;

i. To sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project, and in the case of the sale of any project, to accept a purchase money mortgage in connection therewith, and to lease, repurchase or otherwise acquire and hold any project which the corporation has theretofore sold, leased or otherwise conveyed, transferred or disposed of;

j. To grant options to purchase any project or to renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;

k. To manage any project, whether then owned or leased by the corporation, and to enter into agreements with any individual, part-

nership, trust, association or corporation, or with any public agency, for the purpose of causing any project to be managed;

l. To consent to the modification, with respect to rate of interest, time of payment or any installment of principal or interest, security, or any other terms, of any loan, mortgage, commitment, contract or agreement of any kind to which the corporation is a party;

m. In connection with any property on which it has made a mortgage loan, to foreclose on the property or commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement, and to bid for or purchase the property at any foreclosure or at any other sale, or acquire or take possession of the property; and in such event the corporation may complete, administer, pay the principal of and interest on any obligations incurred in connection with the property, dispose of and otherwise deal with the property, in such manner as may be necessary or desirable to protect the interests of the corporation therein;

n. To procure insurance against any loss in connection with its property and other assets and operations in any amounts and from any insurers it deems desirable;

o. To arrange or contract with any county or municipal government, or instrumentality thereof, with jurisdiction within the Capital City District, for the planning, opening, grading or closing of streets, roads or other places or for the construction or reconstruction of improvements, or public works necessary or convenient to carry out its purposes;

p. To appoint an executive director and any other officers, employees and agents as it may require for the performance of its duties. The executive director, and any employees appointed as personal staff to the executive director, shall be appointed by the corporation, which shall determine their qualifications, terms of office, duties, fix their compensation, and promote and discharge them, all without regard to the provisions of Title 11A of the New Jersey Statutes. All other officers, employees and agents appointed by the corporation shall be subject to the provisions of Title 11A of the New Jersey Statutes;

→ q. To engage the services of attorneys, accountants, architects, building contractors, engineers, urban planners, and any other advisors, consultants and agents as may be necessary in its judgment for the performance of its duties and fix their compensation;

r. To provide advisory, consultative, training and educational services, technical assistance and advice to any person, firm, association, partnership or corporation, either public or private, in order to carry out the purposes of this act; and

s. To do any and all things necessary or convenient to the exercise of the foregoing powers or reasonably implied therefrom.

C. 52:9Q-14 Capital City District.

6. a. The corporation is authorized to carry out the purposes of this act on behalf of and exercise its powers within the Capital City District, which shall consist of that portion of the city of Trenton, beginning at the Delaware river at the point at which the center line of the Amtrak railroad corridor line crosses the center line of the river boundary of the city of Trenton; thence running northeasterly along the center line of the railroad to the point at which it intersects with the center line of South Clinton avenue; thence on a line running northeasterly from the intersection of the center line of South Clinton avenue and the railroad to the center line of the Walnut avenue extension at the point at which it bends northeasterly; thence running northeasterly along the center line of the Walnut avenue extension to its intersection with the center line of Hollywood avenue; thence on a line running northeasterly from the intersection of the center lines of the Walnut avenue extension and Hollywood avenue to the center line of Chestnut avenue at the point at which it would be intersected by the center line of the Amtrak railroad; thence on a line running in a southwesterly direction from the intersection of the Amtrak railroad and Chestnut avenue to the intersection of the center lines of Yard avenue and Fairview avenue; thence running southwesterly along the center line of Fairview avenue following it along to its intersection with the center line of South Clinton avenue; thence running northerly along the center line of South Clinton avenue to its intersection with the center line of East State street; thence running westerly along the center line of East State street to its intersection with the center line of West Canal street; thence running northerly along the center line of West Canal street to its intersection with the center line of Merchant street; thence running westerly along the center line of Merchant street to its intersection with the center line of North Stockton street; thence running northerly along the center line of North Stockton street to its intersection with the center line of Hanover street; thence running westerly along the center line of Hanover street to its intersection with the center line of North Broad street; thence running northerly along the center line of North Broad street to its intersection with the center line of

Brunswick avenue where it meets the center line of Pennington avenue; thence running along the center line of Pennington avenue around to its intersection with the center line of Warren street; thence running southwesterly along the center line of Warren street to its intersection with the center line of the feeder canal; thence following along the center line of the feeder canal in a westerly direction to the point at which it intersects with the center line of the waste weir which connects the feeder canal with the Delaware river; thence running southwesterly along the center line of the waste weir to the point reached by prolongating the center line of the waste weir to the center line of the Delaware river boundary of the city of Trenton; thence running along the center line of the Delaware river boundary of the city of Trenton downstream to the point at which the river boundary intersects with the center line of the Amtrak railroad.

- b. The boundaries of the district may be expanded by mutual consent of the corporation and the city of Trenton. In order to expand the boundaries of the district, the city of Trenton shall, by ordinance duly adopted, or in the case of the corporation, by a parallel resolution, designate that area to be added to the district as (1) a blighted area pursuant to section 1 of P.L. 1949, c. 187 (C. 40:55-21.1) or an area in need of rehabilitation pursuant to section 3 of P.L. 1979, c. 233 (C. 54:4-3.123) and (2) an area in which the corporation may undertake a project or series of projects. No such ordinance or resolution may be adopted within the three years immediately following the effective date of this act. In addition to whatever information shall be required in the ordinance establishing a blighted area or area in need of rehabilitation pursuant to Titles 40 and 54 of the Revised Statutes, respectively, the ordinance and resolution provided herein shall include a description of the metes and bounds of the area and a statement setting forth the basis for the designation.

C. 52:9Q-15 Duties of corporation.

7. It shall be the duty of the corporation to:

- a. Promote the revitalization of the Capital City District through the initiation of projects, encouragement of private redevelopment, restoration and improvement of historic areas, sites and structures, and formulation and implementation of programs and strategies which will enhance the vitality of the district as a place to live, visit, work, and conduct business, and thereby help restore the prominence and prestige of the capital area;
- b. Facilitate the development of a transportation system within the district which is designed to assure the safe, convenient and

efficient movement of people and goods within and through the district and which serves as the hub of a regional transportation system in which the various modes of travel are integrated and coordinated;

*How do external
entities impact
the district*

→ c. Facilitate coordination of its efforts with other governmental entities which currently have jurisdiction within, and in areas adjacent to, the district and in conjunction with the Capital District Oversight Committee, monitor the impact of the district on public safety in the city of Trenton, and on any other aspects of city life which the corporation determines may be affected by its existence.

C. 52:9Q-16 Executive director.

8. a. In order to oversee the performance of its duties, the board shall appoint an executive director, who shall be the chief executive officer of the corporation. The executive director shall perform the duties of office on a full-time basis, shall hold office at the pleasure of the board and shall receive such salary as the board shall provide.

b. The executive director shall, subject to the approval of the board, appoint such employees, officers or agents as the board shall deem necessary without reference to political party affiliation, solely on grounds of fitness to perform their duties. The employees of the corporation shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

C. 52:9Q-17 Capital City Renaissance Plan.

9. a. Within one year after the date of its first organizational meeting, the board shall adopt a 20-year Capital City Renaissance Plan. The plan may be revised from time to time as may be necessary. The plan shall guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment. The plan shall comprise a report or statement presenting the following elements:

(1) A statement of objectives, principles, assumptions and policies upon which the constituent proposals for the physical, economic and social development of the district are based;

(2) A design plan element which contains an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment. The commission shall make specific recommendations for conserving and improving the

*What parks,
open space,
historic sites
and other
entities of
interest are
within the district*

public landscape, including streets, recreational facilities, and other public spaces and amenities;

(3) A cultural plan element which contains an inventory of the district's museums, theaters, parks, sports facilities and recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State;

(4) A transportation plan element which contains an inventory of facilities for all modes of transportation within the district, establishes the importance of the district transportation system in the regional context, sets forth a statement of objectives and principles regarding the transport of people and goods to and within the district and develops recommendations designed to improve the accessibility of the district to the rest of the city and the surrounding region;

(5) A land use plan element which incorporates recommendations contained in the other three elements; recommends appropriate future governmental and private land uses in specific areas; contains proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings; proposes strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces; and sets forth proposals for the restoration and improvement of the historic areas, sites and structures; and

(6) A relocation plan element which includes an assessment of the displacement of households and businesses within the district that would result from the implementation of the plan, and a strategy for relocation of households to adequate and affordable housing units.

b. The plan shall be developed in consultation with the State Building Authority, the planning board of the city of Trenton, and the planning board of the county of Mercer. The corporation shall consider existing plans for areas included in the district in formulating its plan.

c. Prior to the adoption of the plan, the board shall provide a copy of the proposed plan to the planning boards of the city of Trenton and the county of Mercer and the State Building Authority and shall make copies available for public inspection and provide public notice of availability. Not less than 45 days after distribution of the plan to the planning boards and the State Building Authority, the board shall conduct public hearings on the plan and shall provide for a public comment period which shall extend at least 30 days after the final hearing.

d. Upon adoption of the plan, the planning board of the city of Trenton, the planning board of the county of Mercer, the State Building Authority, and any other governmental entities with plans affecting physical development within the district shall review and revise their plans to ensure that they are consistent with the Capital City Renaissance Plan. Any plan which affects the physical development of the district and is adopted by any governmental entity after the adoption of the Capital City Renaissance Plan shall be consistent with that plan.

C. 52:9Q-18 Capital District Impact Statement.

10. Any department, board, agency, division or commission of the State and any county or municipal government entity, or instrumentality thereof, which undertakes any construction, reconstruction or extension of any building, structure or facility or other improvement within the district shall, prior to undertaking such action, file with the corporation a Capital District Impact Statement which describes the ways in which the proposed construction, reconstruction or extension is consistent with the plan in its various elements. Whenever a governmental entity is granted final authority to review and approve plans for private development proposed for the district, the appropriate governmental entity with authority to grant final approval of an action shall file an impact statement for each development which is granted final approval explaining the ways in which the proposed development is consistent with the plan. The approving authority is empowered to require the preparation and submission of that impact statement by the developer as part of the application for development.

C. 52:9Q-19 Capital City Redevelopment Loan, Grant Fund.

11. a. There is established in the State Treasury a nonlapsing, revolving fund to be known as the Capital City Redevelopment Loan and Grant Fund, and which shall be at the disposal of the executive director for carrying out the provisions of this act, and for no other purpose.

b. The State Treasurer may from time to time invest and reinvest those portions of the fund in investments in which other State funds may be invested.

c. There shall be included in the fund (1) all moneys appropriated and made available by the Legislature for inclusion therein, (2) any other moneys made available to the corporation from any source or sources, for its purposes, (3) any moneys repaid by persons pursuant to loan agreements under the terms of this act, which payments shall

be transmitted to the State Treasurer for inclusion in the fund, and (4) any income, increment or interest derived from investment or reinvestment.

C. 52:9Q-20 Financing of projects.

12. The fund created by this act shall be used by the corporation to undertake projects in accordance with the goals, objectives and priorities outlined in the plan and to make loans or grants for the purpose of financing projects which are consistent with the plan. Financing of projects pursuant to this act shall be in such form, amount and on such terms as the corporation shall believe necessary in order to assure the economic feasibility of a project and to assure, to the greatest degree compatible with that purpose, the full recovery of costs incurred by the authority in the undertaking of the project. The interest rate shall be sufficiently below the prevailing rate of interest to attract private participation in the loan program. The corporation shall assure by the terms of the financing of projects that at least 65% of the moneys appropriated to the fund shall be recovered and shall continue to be available for financing under this act.

C. 52:9Q-21 Considerations.

13. With respect to projects for which costs are to be financed by the corporation pursuant to this act, the corporation shall in approving the financing for those projects, and in the planning and undertaking of its own projects, consider the following:

- a. The economic feasibility of the project;
- b. The degree to which the project will advance the goals and objectives set forth in the plan; and
- c. The likelihood that the project shall, after its completion, be able to repay to the fund all or part of any financing costs incurred.

C. 52:9Q-22 Removal, relocation of public utility facilities.

14. The corporation shall have the power to provide for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances herein called "public utility facilities" of any public utility, as defined in R.S. 48:2-13, in, on, along, over or under any project.

Whenever the corporation shall determine that it is necessary that any public utility facilities which now are, or hereafter may be located in, on, along, over or under any project, should be relocated, or should be removed from that project, the public utility owning

or operating those facilities shall relocate or remove them in accordance with the order of the corporation; provided, however, that the cost and expenses of that relocation or removal, including the cost of installing such facilities in a new location or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights of the public utility paid to the public utility in connection with the relocation or removal of that property, shall be ascertained and paid by the corporation as part of the cost of that project. In case of any relocation or removal of facilities, the public utility owning or operating the same, its successors or assigns, may maintain and operate those facilities, with the necessary appurtenances, in the new location or new locations, for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate those facilities in their former location or locations.

C. 52:9Q-23 Capital District Oversight Committee.

15. a. For the purpose of assuring regular and effective liaison between the corporation, other public agencies and officers having responsibilities in areas related to the operations of the corporation, and the public, the Governor shall establish a Capital District Oversight Committee to consist of the following: the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the Attorney General, and the Superintendent of the Division of State Police in the Department of Law and Public Safety, or their designees, who shall all serve ex officio; the President of the City Council of the city of Trenton or his designee, ex officio; and nine public members, of whom five shall be citizen representatives and residents of the city of Trenton and four shall be representatives of the business sector of the city of Trenton who may live within or outside the city of Trenton, but shall be residents of the State, to be appointed as follows: two shall be appointed by the Governor, of whom one shall be a citizen representative and one shall represent the business sector; two shall be appointed by the Mayor of the city of Trenton, of whom one shall be a citizen representative and one shall represent the business sector; and five shall be appointed by the board, of whom three shall be citizen representatives and two shall represent the business sector.

b. Each public member shall serve for a term of three years and until the appointment and qualification of a successor, except that of the five members first appointed by the corporation, one citizen

52:9Q-9. Short title

This act shall be known and may be cited as the " **Capital City Redevelopment Corporation Act.**"

L. 1987, c. 58, s. 1.

52:9Q-10. Findings, declarations

The Legislature finds and declares that:

a. The **city** of Trenton is of unique significance to the State and the nation both as the State **capital** and center of State governmental operations, and as the site of the battle which in the nation's memory turned the tide toward American independence;

b. The historic and public importance of the **city**, once contemplated as the site of the nation's **capital** has too long been neglected in a State which lacks a demographic or commercial center of sufficient magnitude to serve as a focus for State identity and pride, and, as a result, the **city** is in great need of **redevelopment** and revitalization;

c. The actions and decisions of the State government are vitally connected to the **redevelopment** and revitalization of those portions of the **city** which serve as the commercial center of the community and in which public buildings and historic sites are located;

d. **It is a public purpose of this State to establish a capital district within the city and to create a redevelopment corporation operating within the boundaries of the district, which will plan, coordinate and promote the public and private development of the district in a manner which enhances the vitality of the district as a place of commerce, recreation and culture and as an area in which to conduct public business and visit historic sites and thereby restores the prominence and prestige of the seat of State government for the benefit of all of the citizens of this State; and**

e. In the exercise of its powers toward this public purpose, the **Capital City Redevelopment Corporation** will plan, coordinate and encourage an appropriate balance of governmental and nongovernmental facilities and activities in the district, and assist in the provision of public, recreational and cultural facilities, in the preservation and restoration of historic structures and sites, and in the stimulation of private investment in the district in order to establish it as a source of State pride equal in standard to the best of State capitals in the country.

L. 1987, c. 58, s. 2.

52:9Q-11. Definitions

As used in this act, except where otherwise indicated:

a. "Board of Directors" or "board" means the board of directors of the **Capital City Redevelopment Corporation**;

b. " **City** " means the **city** of Trenton;

c. "Corporation" means the **Capital City Redevelopment Corporation** established pursuant to section 4 of this act;

d. "Director" means a director of the corporation;

e. "District" means the **Capital City District** delineated in section 6 of this act;

f. "Fund" means the **Capital City Redevelopment** Loan and Grant Fund established pursuant to section 11 of this act;

g. "Person" means any natural person or persons or any firms, partnerships, associations, societies, trusts, corporations, or other legal entities;

h. "Plan" means the **Capital City Renaissance** Plan adopted pursuant to this act;

i. "Project" means (1) the acquisition, construction, reconstruction, **redevelopment**, historic restoration, repair, alteration, improvement or extension of any building, structure or facility, or public area or (2) the acquisition and improvement of real estate and the extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, provided that the work undertaken is consistent with the **Capital City Renaissance** Plan adopted pursuant to section 9 of this act; a project may also include planning, designing, acquiring, constructing, reconstructing or otherwise improving a building, structure or facility and extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, or any **redevelopment** undertaken by any person pursuant to section 12 of this act; and

j. "**Redevelopment**" means a program of renewal through planning, conservation, rehabilitation, clearance, development and **redevelopment**, and historic restoration; and the construction and rehabilitation of commercial, industrial, public or other structures; and the grant, dedication or rededication of land as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds or other public purposes including recreational and other facilities appurtenant thereto.

L. 1987, c. 58, s. 3.

52:9Q-12. Capital City Redevelopment Corporation

- a. There is established in the Executive Branch of the State Government a public body corporate and politic, with corporate succession, to be known as the **Capital City Redevelopment Corporation**. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the corporation is allocated within the Department of the Treasury, but, notwithstanding that allocation the corporation shall be independent of any supervision or control by the department or by the State Treasurer or any officer or employee thereof. The corporation is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this or any other act shall be deemed to be an essential governmental function of the State.
- b. The board of directors of the corporation shall consist of the following: a member of the Executive Branch to be appointed by the Governor, and the State Treasurer who shall both serve ex officio and may each designate, by written notification to the board, an alternate who shall act in their place with the authority to attend, vote and perform any duty or function assigned to them in their absence; one other high-ranking State officer designated by the Governor; the mayor of the **city** of Trenton, ex officio; and five public members appointed by the Governor with the advice and consent of the Senate, one of whom shall be a public employee of the State or **city**, one of whom shall have the **city** of Trenton as his principal place of business, and at least one of whom shall have the county of Mercer as his principal place of business. The five directors appointed by the Governor shall be residents of the State and shall have knowledge and expertise in the areas of economic development, urban planning, community affairs or finance;
- c. Each public member shall serve for a term of four years and until the appointment and qualification of a successor, except that of the directors who are first appointed, three shall be designated to serve for terms of two years, and two shall be designated to serve for terms of four years, from the date of appointment. All vacancies shall be filled in the same manner as the original appointment but for the unexpired term only. The directors shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties;
- d. Each director, before entering upon the duties of office, shall take and subscribe an oath to perform the duties of the office faithfully, impartially and justly to the best of their ability. A record of these oaths shall be filed in the Office of the Secretary of State. Each director appointed by the Governor may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing;
- e. The Governor shall appoint a chairman from among the members of the board. The vice chairman shall be one of the five public members and shall be elected by majority vote of all the directors. The directors shall elect a secretary and a treasurer from among their number, and the same person may be elected to serve both as secretary and treasurer. Five directors shall constitute a quorum at any meeting of the board. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of at least five directors. No vacancy in a directorship shall impair the right of a quorum to exercise all the powers and perform all the duties of the board;
- f. Each director shall execute a bond to be conditioned upon the faithful performance of their respective duties in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. The bonds shall be filed in the office of the Secretary of State. At all times thereafter the directors shall maintain these bonds in full force. All costs of the bonds shall be borne by the corporation; and
- g. The corporation may be dissolved by act of the Legislature if it has no debts or obligations

outstanding or if adequate provision has been made for the payment or retirement of any outstanding debts or obligations. Upon dissolution of the corporation all property, funds and assets thereof shall be vested in the State, the city or the county, subject to the terms of the act of dissolution.

L. 1987, c. 58, s. 4.

52:9Q-13. General powers

The corporation shall have the following general powers:

- a. To sue and be sued;
- b. To adopt an official seal and alter it;
- c. To make and alter bylaws for its organization and internal management and to make rules and regulations with respect to its projects, operations, properties and facilities;
- d. To make and enter into all contracts, leases, as lessee or lessor, and agreements necessary or incidental to the performance of its duties and the exercise of its powers under this act, and consent to any modification, amendment or revision of any contract, lease or agreement to which it is a party;
- e. To enter into agreements or other transactions with, and to accept grants, appropriations or the cooperation of the United States or any agency thereof or the State or any agency thereof in furtherance of the purposes of this act;
- f. To receive and accept aid or contributions from any public or private source of money, property, labor or other thing of value, to be held, used and applied to carry out the purposes of this act subject to the conditions upon which that aid or contribution may be made, including, but not limited to, gifts or grants from the United States or any agency thereof or the State or any agency thereof for any purpose consistent with this act;
- g. To invest moneys not required for immediate use in any obligations, securities or other investments in the same manner as trust funds in the custody of the State Treasurer;
- h. To acquire or contract to acquire from any individual, partnership, trust, association or corporation, or any public agency, by grant, purchase or otherwise, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same;
- i. To sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project, and in the case of the sale of any project, to accept a purchase money mortgage in connection therewith, and to lease, repurchase or otherwise acquire and hold any project which the corporation has theretofore sold, leased or otherwise conveyed, transferred or disposed of;
- j. To grant options to purchase any project or to renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;
- k. To manage any project, whether then owned or leased by the corporation, and to enter into agreements with any individual, partnership, trust, association or corporation, or with any public agency, for the purpose of causing any project to be managed;
- l. To consent to the modification, with respect to rate of interest, time of payment or any installment

of principal or interest, security, or any other terms, of any loan, mortgage, commitment, contract or agreement of any kind to which the corporation is a party;

m. In connection with any property on which it has made a mortgage loan, to foreclose on the property or commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement, and to bid for or purchase the property at any foreclosure or at any other sale, or acquire or take possession of the property; and in such event the corporation may complete, administer, pay the principal of and interest on any obligations incurred in connection with the property, dispose of and otherwise deal with the property, in such manner as may be necessary or desirable to protect the interests of the corporation therein;

n. To procure insurance against any loss in connection with its property and other assets and operations in any amounts and from any insurers it deems desirable;

o. To arrange or contract with any county or municipal government, or instrumentality thereof, with jurisdiction within the Capital City District, for the planning, opening, grading or closing of streets, roads or other places or for the construction or reconstruction of improvements, or public works necessary or convenient to carry out its purposes;

p. To appoint an executive director and any other officers, employees and agents as it may require for the performance of its duties. The executive director, and any employees appointed as personal staff to the executive director, shall be appointed by the corporation, which shall determine their qualifications, terms of office, duties, fix their compensation, and promote and discharge them, all without regard to the provisions of Title 11A of the New Jersey Statutes. All other officers, employees and agents appointed by the corporation shall be subject to the provisions of Title 11A of the New Jersey Statutes;

q. To engage the services of attorneys, accountants, architects, building contractors, engineers, urban planners, and any other advisors, consultants and agents as may be necessary in its judgment for the performance of its duties and fix their compensation;

r. To provide advisory, consultative, training and educational services, technical assistance and advice to any person, firm, association, partnership or corporation, either public or private, in order to carry out the purposes of this act; and

s. To do any and all things necessary or convenient to the exercise of the foregoing powers or reasonably implied therefrom.

L. 1987, c. 58, s. 5.

52:9Q-14. Capital City District

a. The corporation is authorized to carry out the purposes of this act on behalf of and exercise its powers within the Capital City District, which shall consist of that portion of the city of Trenton, beginning at the Delaware river at the point at which the center line of the Amtrak railroad corridor line crosses the center line of the river boundary of the city of Trenton; thence running northeasterly along the center line of the railroad to the point at which it intersects with the center line of South Clinton avenue; thence on a line running northeasterly from the intersection of the center line of South Clinton avenue and the railroad to the center line of the Walnut avenue extension at the point at which it bends northeasterly; thence running northeasterly along the center line of the Walnut avenue extension to its intersection with the center line of Hollywood avenue; thence on a line running northeasterly from the intersection of the center lines of the Walnut avenue extension and Hollywood avenue to the center line of Chestnut avenue at the point at which it would be intersected by the center line of the Amtrak

railroad; thence on a line running in a southwesterly direction from the intersection of the Amtrak railroad and Chestnut avenue to the intersection of the center lines of Yard avenue and Fairview avenue; thence running southwesterly along the center line of Fairview avenue following it along to its intersection with the center line of South Clinton avenue; thence running northerly along the center line of South Clinton avenue to its intersection with the center line of East State street; thence running westerly along the center line of East State street to its intersection with the center line of West Canal street; thence running northerly along the center line of West Canal street to its intersection with the center line of Merchant street; thence running westerly along the center line of Merchant street to its intersection with the center line of North Stockton street; thence running northerly along the center line of North Stockton street to its intersection with the center line of Hanover street; thence running westerly along the center line of Hanover street to its intersection with the center line of North Broad street; thence running northerly along the center line of North Broad street to its intersection with the center line of Brunswick avenue where it meets the center line of Pennington avenue; thence running along the center line of Pennington avenue around to its intersection with the center line of Warren street; thence running southwesterly along the center line of Warren street to its intersection with the center line of the feeder canal; thence following along the center line of the feeder canal in a westerly direction to the point at which it intersects with the center line of the waste weir which connects the feeder canal with the Delaware river; thence running southwesterly along the center line of the waste weir to the point reached by prolongating the center line of the waste weir to the center line of the Delaware river boundary of the city of Trenton; thence running along the center line of the Delaware river boundary of the city of Trenton downstream to the point at which the river boundary intersects with the center line of the Amtrak railroad.

b. The boundaries of the district may be expanded by mutual consent of the corporation and the city of Trenton. In order to expand the boundaries of the district, the city of Trenton shall, by ordinance duly adopted, or in the case of the corporation, by a parallel resolution, designate that area to be added to the district as (1) a blighted area pursuant to section 1 of P.L. 1949, c. 187 (C. 40:55-21.1) or an area in need of rehabilitation pursuant to section 3 of P.L. 1979, c. 233 (C. 54:4-3.123) and (2) an area in which the corporation may undertake a project or series of projects. No such ordinance or resolution may be adopted within the three years immediately following the effective date of this act. In addition to whatever information shall be required in the ordinance establishing a blighted area or area in need of rehabilitation pursuant to Titles 40 and 54 of the Revised Statutes, respectively, the ordinance and resolution provided herein shall include a description of the metes and bounds of the area and a statement setting forth the basis for the designation.

L. 1987, c. 58, s. 6.

52:9Q-15. Duties of corporation

It shall be the duty of the corporation to:

- a. Promote the revitalization of the **Capital City** District through the initiation of projects, encouragement of private **redevelopment**, restoration and improvement of historic areas, sites and structures, and formulation and implementation of programs and strategies which will enhance the vitality of the district as a place to live, visit, work, and conduct business, and thereby help restore the prominence and prestige of the **capital** area;
- b. Facilitate the development of a transportation system within the district which is designed to assure the safe, convenient and efficient movement of people and goods within and through the district and which serves as the hub of a regional transportation system in which the various modes of travel are integrated and coordinated;
- c. Facilitate coordination of its efforts with other governmental entities which currently have jurisdiction within, and in areas adjacent to, the district and in conjunction with the **Capital** District Oversight Committee, monitor the impact of the district on public safety in the **city** of Trenton, and on any other aspects of **city** life which the corporation determines may be affected by its existence.

L. 1987, c. 58, s. 7.

52:9Q-16. Executive director

- a. In order to oversee the performance of its duties, the board shall appoint an executive director, who shall be the chief executive officer of the corporation. The executive director shall perform the duties of office on a full-time basis, shall hold office at the pleasure of the board and shall receive such salary as the board shall provide.
- b. The executive director shall, subject to the approval of the board, appoint such employees, officers or agents as the board shall deem necessary without reference to political party affiliation, solely on grounds of fitness to perform their duties. The employees of the corporation shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

L. 1987, c. 58, s. 8.

52:9Q-17. Capital City Renaissance Plan

a. Within one year after the date of its first organizational meeting, the board shall adopt a 20-year Capital City Renaissance Plan. The plan may be revised from time to time as may be necessary. The plan shall guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment. The plan shall comprise a report or statement presenting the following elements:

- (1) A statement of objectives, principles, assumptions and policies upon which the constituent proposals for the physical, economic and social development of the district are based;
- (2) A design plan element which contains an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment. The commission shall make specific recommendations for conserving and improving the public landscape, including streets, recreational facilities, and other public spaces and amenities;

(3) A cultural plan element which contains an inventory of the district's museums, theaters, parks, sports facilities and recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State;

(4) A transportation plan element which contains an inventory of facilities for all modes of transportation within the district, establishes the importance of the district transportation system in the regional context, sets forth a statement of objectives and principles regarding the transport of people and goods to and within the district and develops recommendations designed to improve the accessibility of the district to the rest of the city and the surrounding region;

(5) A land use plan element which incorporates recommendations contained in the other three elements; recommends appropriate future governmental and private land uses in specific areas; contains proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings; proposes strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces; and sets forth proposals for the restoration and improvement of the historic areas, sites and structures; and

(6) A relocation plan element which includes an assessment of the displacement of households and businesses within the district that would result from the implementation of the plan, and a strategy for relocation of households to adequate and affordable housing units.

b. The plan shall be developed in consultation with the State Building Authority, the planning board of the city of Trenton, and the planning board of the county of Mercer. The corporation shall consider existing plans for areas included in the district in formulating its plan.

c. Prior to the adoption of the plan, the board shall provide a copy of the proposed plan to the planning boards of the city of Trenton and the county of Mercer and the State Building Authority and shall make copies available for public inspection and provide public notice of availability. Not less than 45 days after distribution of the plan to the planning boards and the State Building Authority, the board shall conduct public hearings on the plan and shall provide for a public comment period which shall extend at least 30 days after the final hearing.

d. Upon adoption of the plan, the planning board of the city of Trenton, the planning board of the county of Mercer, the State Building Authority, and any other governmental entities with plans affecting physical development within the district shall review and revise their plans to ensure that they are consistent with the Capital City Renaissance Plan. Any plan which affects the physical development of the district and is adopted by any governmental entity after the adoption of the Capital City Renaissance Plan shall be consistent with that plan.

L. 1987, c. 58, s. 9.

52:9Q-18. Capital District Impact Statement

Any department, board, agency, division or commission of the State and any county or municipal government entity, or instrumentality thereof, which undertakes any construction, reconstruction or extension of any building, structure or facility or other improvement within the district shall, prior to undertaking such action, file with the corporation a Capital District Impact Statement which describes the ways in which the proposed construction, reconstruction or extension is consistent with the plan in its various elements. Whenever a governmental entity is granted final authority to review and approve plans for private development proposed for the district, the appropriate governmental entity with authority to grant final approval of an action shall file an impact statement for each development which is granted final approval explaining the ways in which the proposed development is consistent with the plan. The approving authority is empowered to require the preparation and submission of that impact statement by the developer as part of the application for development.

L. 1987, c. 58, s. 10.

52:9Q-19. Capital City Redevelopment Loan Grant Fund

a. There is established in the State Treasury a nonlapsing, revolving fund to be known as the **Capital City Redevelopment** Loan and Grant Fund, and which shall be at the disposal of the executive director for carrying out the provisions of this act, and for no other purpose.

b. The State Treasurer may from time to time invest and reinvest those portions of the fund in investments in which other State funds may be invested.

c. There shall be included in the fund (1) all moneys appropriated and made available by the Legislature for inclusion therein, (2) any other moneys made available to the corporation from any source or sources, for its purposes, (3) any moneys repaid by persons pursuant to loan agreements under the terms of this act, which payments shall be transmitted to the State Treasurer for inclusion in the fund, and (4) any income, increment or interest derived from investment or reinvestment.

L. 1987, c. 58, s. 11.

52:9Q-20. Financing of projects

The fund created by this act shall be used by the corporation to undertake projects in accordance with the goals, objectives and priorities outlined in the plan and to make loans or grants for the purpose of financing projects which are consistent with the plan. Financing of projects pursuant to this act shall be in such form, amount and on such terms as the corporation shall believe necessary in order to assure the economic feasibility of a project and to assure, to the greatest degree compatible with that purpose, the full recovery of costs incurred by the authority in the undertaking of the project. The interest rate shall be sufficiently below the prevailing rate of interest to attract private participation in the loan program. The corporation shall assure by the terms of the financing of projects that at least 65% of the moneys appropriated to the fund shall be recovered and shall continue to be available for financing under this act.

L. 1987, c. 58, s. 12.

52:9Q-21. Considerations

With respect to projects for which costs are to be financed by the corporation pursuant to this act, the corporation shall in approving the financing for those projects, and in the planning and undertaking of its own projects, consider the following:

- a. The economic feasibility of the project;
- b. The degree to which the project will advance the goals and objectives set forth in the plan; and
- c. The likelihood that the project shall, after its completion, be able to repay to the fund all or part of any financing costs incurred.

L. 1987, c. 58, s. 13.

52:9Q-22. Removal, relocation of public utility facilities

The corporation shall have the power to provide for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances herein called "public utility facilities" of any public utility, as defined in R.S. 48:2-13, in, on, along, over or under any project.

Whenever the corporation shall determine that it is necessary that any public utility facilities which now are, or hereafter may be located in, on, along, over or under any project, should be relocated, or should be removed from that project, the public utility owning or operating those facilities shall relocate or remove them in accordance with the order of the corporation; provided, however, that the cost and expenses of that relocation or removal, including the cost of installing such facilities in a new location or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights of the public utility paid to the public utility in connection with the relocation or removal of that property, shall be ascertained and paid by the corporation as part of the cost of that project. In case of any relocation or removal of facilities, the public utility owning or operating the same, its successors or assigns, may maintain and operate those facilities, with the necessary appurtenances, in the new location or new locations, for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate those facilities in their former location or locations.

L. 1987, c. 58, s. 14.

52:9Q-23. Capital District Oversight Committee

a. For the purpose of assuring regular and effective liaison between the corporation, other public agencies and officers having responsibilities in areas related to the operations of the corporation, and the public, the Governor shall establish a **Capital District Oversight Committee** to consist of the following: the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the Attorney General, and the Superintendent of the Division of State Police in the Department of Law and Public Safety, or their designees, who shall all serve ex officio; the President of the **City Council** of the **city** of Trenton or his designee, ex officio; and nine public members, of whom five shall be citizen representatives and residents of the **city** of Trenton and four shall be representatives of the business sector of the **city** of Trenton who may live within or outside the **city** of Trenton, but shall be residents of the State, to be appointed as follows: two shall be appointed by the Governor, of whom one shall be a citizen representative and one shall represent the business sector; two shall be appointed by the Mayor of the **city** of Trenton, of whom one shall be a citizen representative and one shall represent the business sector; and five shall be appointed by the board, of whom three shall be citizen representatives and two

shall represent the business sector.

b. Each public member shall serve for a term of three years and until the appointment and qualification of a successor, except that of the five members first appointed by the corporation, one citizen representative and one business representative shall each serve for a term of one year, one citizen representative and one business representative shall each serve for a term of two years, and one citizen representative shall serve for a term of three years; of the two members first appointed each by the Governor and the Mayor of the **city** of Trenton, one shall serve for a term of two years and one shall serve for a term of three years. In the event of a vacancy occurring during the unexpired term of office, a public member shall be appointed to serve for the unexpired term by the government entity which made the original appointment.

c. The Mayor shall designate the chairman of the committee, who shall serve in that position for the duration of his term. A chairman may be redesignated. Seven members of the committee shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the committee at any meeting thereof by the affirmative vote of at least seven members. No vacancy in the membership of the committee shall impair the right of a quorum to exercise all the powers and perform all the duties of the committee.

d. The committee shall study, and issue periodic reports assessing, first, the impact of the district on the provision of police and fire service within the **city** of Trenton and, thereafter, on any other areas of municipal activity which, in the committee's estimation, may be affected by the establishment of the district. The committee shall also study and report on the ways in which such municipal activity may be improved to enhance the attractiveness of the district. Based on these reports, the committee shall make recommendations to improve the efficiency or effectiveness of public agencies in enhancing the district.

e. Upon appointment, the committee shall prepare a budget which shall contain an itemization of those expenses in order that the committee may fulfill its officially prescribed duties. The chairman shall submit a budget to the executive director on an annual basis, and the board shall provide funds within the limits of any funds appropriated or otherwise made available for the committee's purposes. The members of the committee shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties. The committee is authorized to engage such employees, advisors or consultants as are necessary in order to fulfill its prescribed duties. These employees, advisors or consultants, as the case may be, shall be appointed without regard to the provisions of Title 11A of the New Jersey Statutes and shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

f. All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

g. The corporation shall refer each application for financial assistance made to the **Capital City Redevelopment** Loan and Grant Fund to the committee prior to taking formal action to approve or reject the application. The committee shall have 30 days from the date of referral to provide written comments on the application, and any comments provided within that time shall be a part of the record of the corporation's official action on the application.

L. 1987, c. 58, s. 15.

52:9Q-24. Acquisition of real property

a. If, in order to implement any of the goals and objectives set forth in the plan, the corporation shall find it necessary or convenient to acquire any real property within its jurisdiction, or if for any of its authorized purposes the corporation shall find it necessary to acquire any real property beyond its jurisdiction, whether for immediate or future use, the corporation may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, the property shall be deemed to be required for a public use until otherwise determined by the corporation; and the determination shall not be affected by the fact that the property has heretofore been taken for, or is then devoted to, a public use of the State or any municipality, county, school district, or other local or regional district, authority or agency, but the public use in the hands or under the control of the corporation shall be deemed superior.

b. If the corporation is unable to agree with the owner or owners thereof upon terms for the acquisition of any real property, for any reason whatsoever, then the corporation may acquire that property, whether a fee simple absolute or a lesser interest, in the manner provided in the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et seq.).

c. Notwithstanding the provisions of subsections a. and b. of this section, the corporation shall not acquire or exercise control over any property in the custody of the State House Commission pursuant to R.S. 52:20-1 et seq. without the written consent of that commission.

L. 1987, c. 58, s. 16.

52:9Q-25. Annual budget; plan for expenditures

a. On or before February 1 of each year, the board shall submit a budget for the corporation to the State Treasurer for the State Treasurer's approval. The budget shall include those sums made available to the committee pursuant to section 15 of this act. The board shall file a copy of the budget with the governing body of the city of Trenton within 30 days of its approval. The board shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants, and the cost thereof shall be considered an expense of the corporation and a copy thereof shall be filed with the State Treasurer.

b. The executive director shall submit with the corporation's annual budget request a plan for expenditures from the **Capital City Redevelopment** Loan and Grant Fund for the upcoming fiscal year. This plan shall include, but not be limited to: performance evaluation of the expenditures made from the fund to date; a description of the various projects to be funded for the upcoming fiscal year; relocation assistance for the upcoming fiscal year; a copy of procedures developed by the corporation governing the operation of the loan and grant fund; a complete financial statement on the status of the State fund to date; and an estimate of expenditures from the State fund for the upcoming fiscal year. This information shall be used to assist the Legislature in determining the amount to appropriate to the State fund.

L. 1987, c. 58, s. 17.

52:9Q-26. Annual report

On or before February 1 of each year, the board shall make an annual report of its activities for the preceding calendar year to the Governor, the Legislature, and the governing body of the city of Trenton. The report shall include, but not be limited to, a description of all projects either planned, underway or completed by the corporation or financed by the corporation and the financial arrangements developed therefor. The report shall set forth relocations of households and businesses occurring in the past year as a result of implementation of the plan, and a description of the relocation assistance provided those households and businesses. The report shall contain an evaluation of the impact of the implementation

of the plan on the availability of adequate and affordable housing units in the city. The report shall also set forth the goals, strategies and priorities governing the selection of projects it anticipates financing, supporting or undertaking; and the board shall annually review and evaluate the projects actually undertaken in light of the goals, strategies and priorities established therefor by the Capital City Renaissance Plan. The report shall set forth a complete operating and financial statement covering the operations of the corporation during the year.

L. 1987, c. 58, s. 18.

52:9Q-27. Assistance

All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

L. 1987, c. 58, s. 19.

52:9Q-9. Short title

This act shall be known and may be cited as the " **Capital City Redevelopment Corporation Act.**"

L. 1987, c. 58, s. 1.

52:9Q-10. Findings, declarations

The Legislature finds and declares that:

a. The **city** of Trenton is of unique significance to the State and the nation both as the State **capital** and center of State governmental operations, and as the site of the battle which in the nation's memory turned the tide toward American independence;

b. The historic and public importance of the **city**, once contemplated as the site of the nation's **capital** has too long been neglected in a State which lacks a demographic or commercial center of sufficient magnitude to serve as a focus for State identity and pride, and, as a result, the **city** is in great need of **redevelopment** and revitalization;

c. The actions and decisions of the State government are vitally connected to the **redevelopment** and revitalization of those portions of the **city** which serve as the commercial center of the community and in which public buildings and historic sites are located;

d. It is a public purpose of this State to establish a **capital** district within the **city** and to create a **redevelopment** corporation operating within the boundaries of the district, which will plan, coordinate and promote the public and private development of the district in a manner which enhances the vitality of the district as a place of commerce, recreation and culture and as an area in which to conduct public business and visit historic sites and thereby restores the prominence and prestige of the seat of State government for the benefit of all of the citizens of this State; and

e. In the exercise of its powers toward this public purpose, the **Capital City Redevelopment Corporation** will plan, coordinate and encourage an appropriate balance of governmental and nongovernmental facilities and activities in the district, and assist in the provision of public, recreational and cultural facilities, in the preservation and restoration of historic structures and sites, and in the stimulation of private investment in the district in order to establish it as a source of State pride equal in standard to the best of State capitals in the country.

L. 1987, c. 58, s. 2.

52:9Q-11. Definitions

As used in this act, except where otherwise indicated:

a. "Board of Directors" or "board" means the board of directors of the **Capital City Redevelopment Corporation**;

b. " **City** " means the **city** of Trenton;

c. "Corporation" means the **Capital City Redevelopment Corporation** established pursuant to section 4 of this act;

d. "Director" means a director of the corporation;

e. "District" means the **Capital City District** delineated in section 6 of this act;

f. "Fund" means the **Capital City Redevelopment** Loan and Grant Fund established pursuant to section 11 of this act;

g. "Person" means any natural person or persons or any firms, partnerships, associations, societies, trusts, corporations, or other legal entities;

h. "Plan" means the **Capital City** Renaissance Plan adopted pursuant to this act;

i. "Project" means (1) the acquisition, construction, reconstruction, **redevelopment**, historic restoration, repair, alteration, improvement or extension of any building, structure or facility, or public area or (2) the acquisition and improvement of real estate and the extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, provided that the work undertaken is consistent with the **Capital City** Renaissance Plan adopted pursuant to section 9 of this act; a project may also include planning, designing, acquiring, constructing, reconstructing or otherwise improving a building, structure or facility and extension or provision of utilities, access roads and other appurtenant facilities in connection therewith, or any **redevelopment** undertaken by any person pursuant to section 12 of this act; and

j. "**Redevelopment**" means a program of renewal through planning, conservation, rehabilitation, clearance, development and **redevelopment**, and historic restoration; and the construction and rehabilitation of commercial, industrial, public or other structures; and the grant, dedication or rededication of land as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds or other public purposes including recreational and other facilities appurtenant thereto.

L. 1987, c. 58, s. 3.

52:9Q-12. Capital City Redevelopment Corporation

- a. There is established in the Executive Branch of the State Government a public body corporate and politic, with corporate succession, to be known as the **Capital City Redevelopment Corporation**. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the corporation is allocated within the Department of the Treasury, but, notwithstanding that allocation the corporation shall be independent of any supervision or control by the department or by the State Treasurer or any officer or employee thereof. The corporation is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this or any other act shall be deemed to be an essential governmental function of the State.
- b. The board of directors of the corporation shall consist of the following: a member of the Executive Branch to be appointed by the Governor, and the State Treasurer who shall both serve ex officio and may each designate, by written notification to the board, an alternate who shall act in their place with the authority to attend, vote and perform any duty or function assigned to them in their absence; one other high-ranking State officer designated by the Governor; the mayor of the **city** of Trenton, ex officio; and five public members appointed by the Governor with the advice and consent of the Senate, one of whom shall be a public employee of the State or **city**, one of whom shall have the **city** of Trenton as his principal place of business, and at least one of whom shall have the county of Mercer as his principal place of business. The five directors appointed by the Governor shall be residents of the State and shall have knowledge and expertise in the areas of economic development, urban planning, community affairs or finance;
- c. Each public member shall serve for a term of four years and until the appointment and qualification of a successor, except that of the directors who are first appointed, three shall be designated to serve for terms of two years, and two shall be designated to serve for terms of four years, from the date of appointment. All vacancies shall be filled in the same manner as the original appointment but for the unexpired term only. The directors shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties;
- d. Each director, before entering upon the duties of office, shall take and subscribe an oath to perform the duties of the office faithfully, impartially and justly to the best of their ability. A record of these oaths shall be filed in the Office of the Secretary of State. Each director appointed by the Governor may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing;
- e. The Governor shall appoint a chairman from among the members of the board. The vice chairman shall be one of the five public members and shall be elected by majority vote of all the directors. The directors shall elect a secretary and a treasurer from among their number, and the same person may be elected to serve both as secretary and treasurer. Five directors shall constitute a quorum at any meeting of the board. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of at least five directors. No vacancy in a directorship shall impair the right of a quorum to exercise all the powers and perform all the duties of the board;
- f. Each director shall execute a bond to be conditioned upon the faithful performance of their respective duties in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. The bonds shall be filed in the office of the Secretary of State. At all times thereafter the directors shall maintain these bonds in full force. All costs of the bonds shall be borne by the corporation; and
- g. The corporation may be dissolved by act of the Legislature if it has no debts or obligations

outstanding or if adequate provision has been made for the payment or retirement of any outstanding debts or obligations. Upon dissolution of the corporation all property, funds and assets thereof shall be vested in the State, the city or the county, subject to the terms of the act of dissolution.

L. 1987, c. 58, s. 4.

52:9Q-13. General powers

The corporation shall have the following general powers:

- a. To sue and be sued;
- b. To adopt an official seal and alter it;
- c. To make and alter bylaws for its organization and internal management and to make rules and regulations with respect to its projects, operations, properties and facilities;
- d. To make and enter into all contracts, leases, as lessee or lessor, and agreements necessary or incidental to the performance of its duties and the exercise of its powers under this act, and consent to any modification, amendment or revision of any contract, lease or agreement to which it is a party;
- e. To enter into agreements or other transactions with, and to accept grants, appropriations or the cooperation of the United States or any agency thereof or the State or any agency thereof in furtherance of the purposes of this act;
- f. To receive and accept aid or contributions from any public or private source of money, property, labor or other thing of value, to be held, used and applied to carry out the purposes of this act subject to the conditions upon which that aid or contribution may be made, including, but not limited to, gifts or grants from the United States or any agency thereof or the State or any agency thereof for any purpose consistent with this act;
- g. To invest moneys not required for immediate use in any obligations, securities or other investments in the same manner as trust funds in the custody of the State Treasurer;
- h. To acquire or contract to acquire from any individual, partnership, trust, association or corporation, or any public agency, by grant, purchase or otherwise, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same;
- i. To sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project, and in the case of the sale of any project, to accept a purchase money mortgage in connection therewith, and to lease, repurchase or otherwise acquire and hold any project which the corporation has theretofore sold, leased or otherwise conveyed, transferred or disposed of;
- j. To grant options to purchase any project or to renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;
- k. To manage any project, whether then owned or leased by the corporation, and to enter into agreements with any individual, partnership, trust, association or corporation, or with any public agency, for the purpose of causing any project to be managed;
- l. To consent to the modification, with respect to rate of interest, time of payment or any installment

of principal or interest, security, or any other terms, of any loan, mortgage, commitment, contract or agreement of any kind to which the corporation is a party;

m. In connection with any property on which it has made a mortgage loan, to foreclose on the property or commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement, and to bid for or purchase the property at any foreclosure or at any other sale, or acquire or take possession of the property; and in such event the corporation may complete, administer, pay the principal of and interest on any obligations incurred in connection with the property, dispose of and otherwise deal with the property, in such manner as may be necessary or desirable to protect the interests of the corporation therein;

n. To procure insurance against any loss in connection with its property and other assets and operations in any amounts and from any insurers it deems desirable;

o. To arrange or contract with any county or municipal government, or instrumentality thereof, with jurisdiction within the Capital City District, for the planning, opening, grading or closing of streets, roads or other places or for the construction or reconstruction of improvements, or public works necessary or convenient to carry out its purposes;

p. To appoint an executive director and any other officers, employees and agents as it may require for the performance of its duties. The executive director, and any employees appointed as personal staff to the executive director, shall be appointed by the corporation, which shall determine their qualifications, terms of office, duties, fix their compensation, and promote and discharge them, all without regard to the provisions of Title 11A of the New Jersey Statutes. All other officers, employees and agents appointed by the corporation shall be subject to the provisions of Title 11A of the New Jersey Statutes;

q. To engage the services of attorneys, accountants, architects, building contractors, engineers, urban planners, and any other advisors, consultants and agents as may be necessary in its judgment for the performance of its duties and fix their compensation;

r. To provide advisory, consultative, training and educational services, technical assistance and advice to any person, firm, association, partnership or corporation, either public or private, in order to carry out the purposes of this act; and

s. To do any and all things necessary or convenient to the exercise of the foregoing powers or reasonably implied therefrom.

L. 1987, c. 58, s. 5.

52:9Q-14. Capital City District

a. The corporation is authorized to carry out the purposes of this act on behalf of and exercise its powers within the Capital City District, which shall consist of that portion of the city of Trenton, beginning at the Delaware river at the point at which the center line of the Amtrak railroad corridor line crosses the center line of the river boundary of the city of Trenton; thence running northeasterly along the center line of the railroad to the point at which it intersects with the center line of South Clinton avenue; thence on a line running northeasterly from the intersection of the center line of South Clinton avenue and the railroad to the center line of the Walnut avenue extension at the point at which it bends northeasterly; thence running northeasterly along the center line of the Walnut avenue extension to its intersection with the center line of Hollywood avenue; thence on a line running northeasterly from the intersection of the center lines of the Walnut avenue extension and Hollywood avenue to the center line of Chestnut avenue at the point at which it would be intersected by the center line of the Amtrak

railroad; thence on a line running in a southwesterly direction from the intersection of the Amtrak railroad and Chestnut avenue to the intersection of the center lines of Yard avenue and Fairview avenue; thence running southwesterly along the center line of Fairview avenue following it along to its intersection with the center line of South Clinton avenue; thence running northerly along the center line of South Clinton avenue to its intersection with the center line of East State street; thence running westerly along the center line of East State street to its intersection with the center line of West Canal street; thence running northerly along the center line of West Canal street to its intersection with the center line of Merchant street; thence running westerly along the center line of Merchant street to its intersection with the center line of North Stockton street; thence running northerly along the center line of North Stockton street to its intersection with the center line of Hanover street; thence running westerly along the center line of Hanover street to its intersection with the center line of North Broad street; thence running northerly along the center line of North Broad street to its intersection with the center line of Brunswick avenue where it meets the center line of Pennington avenue; thence running along the center line of Pennington avenue around to its intersection with the center line of Warren street; thence running southwesterly along the center line of Warren street to its intersection with the center line of the feeder canal; thence following along the center line of the feeder canal in a westerly direction to the point at which it intersects with the center line of the waste weir which connects the feeder canal with the Delaware river; thence running southwesterly along the center line of the waste weir to the point reached by prolongating the center line of the waste weir to the center line of the Delaware river boundary of the city of Trenton; thence running along the center line of the Delaware river boundary of the city of Trenton downstream to the point at which the river boundary intersects with the center line of the Amtrak railroad.

b. The boundaries of the district may be expanded by mutual consent of the corporation and the city of Trenton. In order to expand the boundaries of the district, the city of Trenton shall, by ordinance duly adopted, or in the case of the corporation, by a parallel resolution, designate that area to be added to the district as (1) a blighted area pursuant to section 1 of P.L. 1949, c. 187 (C. 40:55-21.1) or an area in need of rehabilitation pursuant to section 3 of P.L. 1979, c. 233 (C. 54:4-3.123) and (2) an area in which the corporation may undertake a project or series of projects. No such ordinance or resolution may be adopted within the three years immediately following the effective date of this act. In addition to whatever information shall be required in the ordinance establishing a blighted area or area in need of rehabilitation pursuant to Titles 40 and 54 of the Revised Statutes, respectively, the ordinance and resolution provided herein shall include a description of the metes and bounds of the area and a statement setting forth the basis for the designation.

L. 1987, c. 58, s. 6.

52:9Q-15. Duties of corporation

It shall be the duty of the corporation to:

- a. Promote the revitalization of the **Capital City** District through the initiation of projects, encouragement of private **redevelopment**, restoration and improvement of historic areas, sites and structures, and formulation and implementation of programs and strategies which will enhance the vitality of the district as a place to live, visit, work, and conduct business, and thereby help restore the prominence and prestige of the **capital** area;
- b. Facilitate the development of a transportation system within the district which is designed to assure the safe, convenient and efficient movement of people and goods within and through the district and which serves as the hub of a regional transportation system in which the various modes of travel are integrated and coordinated;
- c. Facilitate coordination of its efforts with other governmental entities which currently have jurisdiction within, and in areas adjacent to, the district and in conjunction with the **Capital** District Oversight Committee, monitor the impact of the district on public safety in the **city** of Trenton, and on any other aspects of **city** life which the corporation determines may be affected by its existence.

L. 1987, c. 58, s. 7.

52:9Q-16. Executive director

- a. In order to oversee the performance of its duties, the board shall appoint an executive director, who shall be the chief executive officer of the corporation. The executive director shall perform the duties of office on a full-time basis, shall hold office at the pleasure of the board and shall receive such salary as the board shall provide.
- b. The executive director shall, subject to the approval of the board, appoint such employees, officers or agents as the board shall deem necessary without reference to political party affiliation, solely on grounds of fitness to perform their duties. The employees of the corporation shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

L. 1987, c. 58, s. 8.

52:9Q-17. Capital City Renaissance Plan

a. Within one year after the date of its first organizational meeting, the board shall adopt a 20-year Capital City Renaissance Plan. The plan may be revised from time to time as may be necessary. The plan shall guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment. The plan shall comprise a report or statement presenting the following elements:

- (1) A statement of objectives, principles, assumptions and policies upon which the constituent proposals for the physical, economic and social development of the district are based;
- (2) A design plan element which contains an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment. The commission shall make specific recommendations for conserving and improving the public landscape, including streets, recreational facilities, and other public spaces and amenities;

(3) A cultural plan element which contains an inventory of the district's museums, theaters, parks, sports facilities and recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State;

(4) A transportation plan element which contains an inventory of facilities for all modes of transportation within the district, establishes the importance of the district transportation system in the regional context, sets forth a statement of objectives and principles regarding the transport of people and goods to and within the district and develops recommendations designed to improve the accessibility of the district to the rest of the city and the surrounding region;

(5) A land use plan element which incorporates recommendations contained in the other three elements; recommends appropriate future governmental and private land uses in specific areas; contains proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings; proposes strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces; and sets forth proposals for the restoration and improvement of the historic areas, sites and structures; and

(6) A relocation plan element which includes an assessment of the displacement of households and businesses within the district that would result from the implementation of the plan, and a strategy for relocation of households to adequate and affordable housing units.

b. The plan shall be developed in consultation with the State Building Authority, the planning board of the city of Trenton, and the planning board of the county of Mercer. The corporation shall consider existing plans for areas included in the district in formulating its plan.

c. Prior to the adoption of the plan, the board shall provide a copy of the proposed plan to the planning boards of the city of Trenton and the county of Mercer and the State Building Authority and shall make copies available for public inspection and provide public notice of availability. Not less than 45 days after distribution of the plan to the planning boards and the State Building Authority, the board shall conduct public hearings on the plan and shall provide for a public comment period which shall extend at least 30 days after the final hearing.

d. Upon adoption of the plan, the planning board of the city of Trenton, the planning board of the county of Mercer, the State Building Authority, and any other governmental entities with plans affecting physical development within the district shall review and revise their plans to ensure that they are consistent with the Capital City Renaissance Plan. Any plan which affects the physical development of the district and is adopted by any governmental entity after the adoption of the Capital City Renaissance Plan shall be consistent with that plan.

L. 1987, c. 58, s. 9.

52:9Q-18. Capital District Impact Statement

Any department, board, agency, division or commission of the State and any county or municipal government entity, or instrumentality thereof, which undertakes any construction, reconstruction or extension of any building, structure or facility or other improvement within the district shall, prior to undertaking such action, file with the corporation a Capital District Impact Statement which describes the ways in which the proposed construction, reconstruction or extension is consistent with the plan in its various elements. Whenever a governmental entity is granted final authority to review and approve plans for private development proposed for the district, the appropriate governmental entity with authority to grant final approval of an action shall file an impact statement for each development which is granted final approval explaining the ways in which the proposed development is consistent with the plan. The approving authority is empowered to require the preparation and submission of that impact statement by the developer as part of the application for development.

L. 1987, c. 58, s. 10.

52:9Q-19. Capital City Redevelopment Loan Grant Fund

a. There is established in the State Treasury a nonlapsing, revolving fund to be known as the **Capital City Redevelopment** Loan and Grant Fund, and which shall be at the disposal of the executive director for carrying out the provisions of this act, and for no other purpose.

b. The State Treasurer may from time to time invest and reinvest those portions of the fund in investments in which other State funds may be invested.

c. There shall be included in the fund (1) all moneys appropriated and made available by the Legislature for inclusion therein, (2) any other moneys made available to the corporation from any source or sources, for its purposes, (3) any moneys repaid by persons pursuant to loan agreements under the terms of this act, which payments shall be transmitted to the State Treasurer for inclusion in the fund, and (4) any income, increment or interest derived from investment or reinvestment.

L. 1987, c. 58, s. 11.

52:9Q-20. Financing of projects

The fund created by this act shall be used by the corporation to undertake projects in accordance with the goals, objectives and priorities outlined in the plan and to make loans or grants for the purpose of financing projects which are consistent with the plan. Financing of projects pursuant to this act shall be in such form, amount and on such terms as the corporation shall believe necessary in order to assure the economic feasibility of a project and to assure, to the greatest degree compatible with that purpose, the full recovery of costs incurred by the authority in the undertaking of the project. The interest rate shall be sufficiently below the prevailing rate of interest to attract private participation in the loan program. The corporation shall assure by the terms of the financing of projects that at least 65% of the moneys appropriated to the fund shall be recovered and shall continue to be available for financing under this act.

L. 1987, c. 58, s. 12.

52:9Q-21. Considerations

With respect to projects for which costs are to be financed by the corporation pursuant to this act, the corporation shall in approving the financing for those projects, and in the planning and undertaking of its own projects, consider the following:

- a. The economic feasibility of the project;
- b. The degree to which the project will advance the goals and objectives set forth in the plan; and
- c. The likelihood that the project shall, after its completion, be able to repay to the fund all or part of any financing costs incurred.

L. 1987, c. 58, s. 13.

52:9Q-22. Removal, relocation of public utility facilities

The corporation shall have the power to provide for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances herein called "public utility facilities" of any public utility, as defined in R.S. 48:2-13, in, on, along, over or under any project.

Whenever the corporation shall determine that it is necessary that any public utility facilities which now are, or hereafter may be located in, on, along, over or under any project, should be relocated, or should be removed from that project, the public utility owning or operating those facilities shall relocate or remove them in accordance with the order of the corporation; provided, however, that the cost and expenses of that relocation or removal, including the cost of installing such facilities in a new location or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights of the public utility paid to the public utility in connection with the relocation or removal of that property, shall be ascertained and paid by the corporation as part of the cost of that project. In case of any relocation or removal of facilities, the public utility owning or operating the same, its successors or assigns, may maintain and operate those facilities, with the necessary appurtenances, in the new location or new locations, for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate those facilities in their former location or locations.

L. 1987, c. 58, s. 14.

52:9Q-23. Capital District Oversight Committee

a. For the purpose of assuring regular and effective liaison between the corporation, other public agencies and officers having responsibilities in areas related to the operations of the corporation, and the public, the Governor shall establish a **Capital District Oversight Committee** to consist of the following: the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the Attorney General, and the Superintendent of the Division of State Police in the Department of Law and Public Safety, or their designees, who shall all serve ex officio; the President of the **City Council** of the **city** of Trenton or his designee, ex officio; and nine public members, of whom five shall be citizen representatives and residents of the **city** of Trenton and four shall be representatives of the business sector of the **city** of Trenton who may live within or outside the **city** of Trenton, but shall be residents of the State, to be appointed as follows: two shall be appointed by the Governor, of whom one shall be a citizen representative and one shall represent the business sector; two shall be appointed by the Mayor of the **city** of Trenton, of whom one shall be a citizen representative and one shall represent the business sector; and five shall be appointed by the board, of whom three shall be citizen representatives and two

shall represent the business sector.

b. Each public member shall serve for a term of three years and until the appointment and qualification of a successor, except that of the five members first appointed by the corporation, one citizen representative and one business representative shall each serve for a term of one year, one citizen representative and one business representative shall each serve for a term of two years, and one citizen representative shall serve for a term of three years; of the two members first appointed each by the Governor and the Mayor of the city of Trenton, one shall serve for a term of two years and one shall serve for a term of three years. In the event of a vacancy occurring during the unexpired term of office, a public member shall be appointed to serve for the unexpired term by the government entity which made the original appointment.

c. The Mayor shall designate the chairman of the committee, who shall serve in that position for the duration of his term. A chairman may be redesignated. Seven members of the committee shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the committee at any meeting thereof by the affirmative vote of at least seven members. No vacancy in the membership of the committee shall impair the right of a quorum to exercise all the powers and perform all the duties of the committee.

d. The committee shall study, and issue periodic reports assessing, first, the impact of the district on the provision of police and fire service within the city of Trenton and, thereafter, on any other areas of municipal activity which, in the committee's estimation, may be affected by the establishment of the district. The committee shall also study and report on the ways in which such municipal activity may be improved to enhance the attractiveness of the district. Based on these reports, the committee shall make recommendations to improve the efficiency or effectiveness of public agencies in enhancing the district.

e. Upon appointment, the committee shall prepare a budget which shall contain an itemization of those expenses in order that the committee may fulfill its officially prescribed duties. The chairman shall submit a budget to the executive director on an annual basis, and the board shall provide funds within the limits of any funds appropriated or otherwise made available for the committee's purposes. The members of the committee shall receive no compensation for their services, but may be reimbursed for their expenses in performing their official duties. The committee is authorized to engage such employees, advisors or consultants as are necessary in order to fulfill its prescribed duties. These employees, advisors or consultants, as the case may be, shall be appointed without regard to the provisions of Title 11A of the New Jersey Statutes and shall receive such compensation as shall from time to time be fixed by the corporation within the limits of available appropriations therefor.

f. All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

g. The corporation shall refer each application for financial assistance made to the **Capital City Redevelopment** Loan and Grant Fund to the committee prior to taking formal action to approve or reject the application. The committee shall have 30 days from the date of referral to provide written comments on the application, and any comments provided within that time shall be a part of the record of the corporation's official action on the application.

L. 1987, c. 58, s. 15.

52:9Q-24. Acquisition of real property

a. If, in order to implement any of the goals and objectives set forth in the plan, the corporation shall find it necessary or convenient to acquire any real property within its jurisdiction, or if for any of its authorized purposes the corporation shall find it necessary to acquire any real property beyond its jurisdiction, whether for immediate or future use, the corporation may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, the property shall be deemed to be required for a public use until otherwise determined by the corporation; and the determination shall not be affected by the fact that the property has heretofore been taken for, or is then devoted to, a public use of the State or any municipality, county, school district, or other local or regional district, authority or agency, but the public use in the hands or under the control of the corporation shall be deemed superior.

b. If the corporation is unable to agree with the owner or owners thereof upon terms for the acquisition of any real property, for any reason whatsoever, then the corporation may acquire that property, whether a fee simple absolute or a lesser interest, in the manner provided in the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et seq.).

c. Notwithstanding the provisions of subsections a. and b. of this section, the corporation shall not acquire or exercise control over any property in the custody of the State House Commission pursuant to R.S. 52:20-1 et seq. without the written consent of that commission.

L. 1987, c. 58, s. 16.

52:9Q-25. Annual budget; plan for expenditures

a. On or before February 1 of each year, the board shall submit a budget for the corporation to the State Treasurer for the State Treasurer's approval. The budget shall include those sums made available to the committee pursuant to section 15 of this act. The board shall file a copy of the budget with the governing body of the city of Trenton within 30 days of its approval. The board shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants, and the cost thereof shall be considered an expense of the corporation and a copy thereof shall be filed with the State Treasurer.

b. The executive director shall submit with the corporation's annual budget request a plan for expenditures from the **Capital City Redevelopment** Loan and Grant Fund for the upcoming fiscal year. This plan shall include, but not be limited to: performance evaluation of the expenditures made from the fund to date; a description of the various projects to be funded for the upcoming fiscal year; relocation assistance for the upcoming fiscal year; a copy of procedures developed by the corporation governing the operation of the loan and grant fund; a complete financial statement on the status of the State fund to date; and an estimate of expenditures from the State fund for the upcoming fiscal year. This information shall be used to assist the Legislature in determining the amount to appropriate to the State fund.

L. 1987, c. 58, s. 17.

52:9Q-26. Annual report

On or before February 1 of each year, the board shall make an annual report of its activities for the preceding calendar year to the Governor, the Legislature, and the governing body of the city of Trenton. The report shall include, but not be limited to, a description of all projects either planned, underway or completed by the corporation or financed by the corporation and the financial arrangements developed therefor. The report shall set forth relocations of households and businesses occurring in the past year as a result of implementation of the plan, and a description of the relocation assistance provided those households and businesses. The report shall contain an evaluation of the impact of the implementation

of the plan on the availability of adequate and affordable housing units in the city. The report shall also set forth the goals, strategies and priorities governing the selection of projects it anticipates financing, supporting or undertaking; and the board shall annually review and evaluate the projects actually undertaken in light of the goals, strategies and priorities established therefor by the Capital City Renaissance Plan. The report shall set forth a complete operating and financial statement covering the operations of the corporation during the year.

L. 1987, c. 58, s. 18.

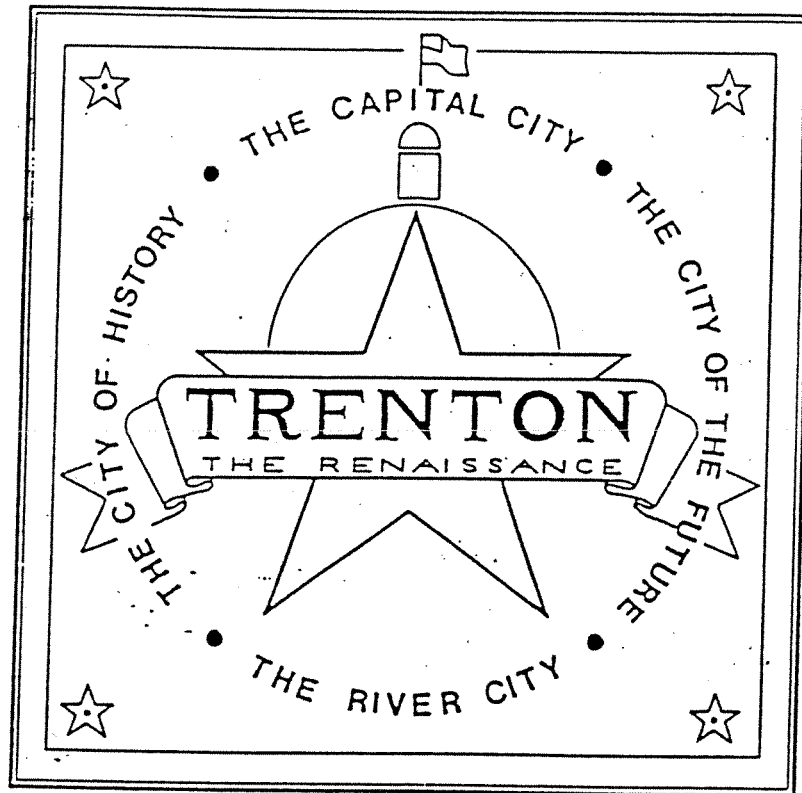
52:9Q-27. Assistance

All officers, departments, boards, agencies, divisions and commissions of the State are hereby authorized and empowered to render any services to the corporation as may be within the area of their respective governmental functions as fixed or established by law, and as may be requested by the corporation.

L. 1987, c. 58, s. 19.

THE CAPITAL CITY RENAISSANCE PLAN

Adopted October 30, 1989



Capital City Redevelopment
Corporation
State of New Jersey

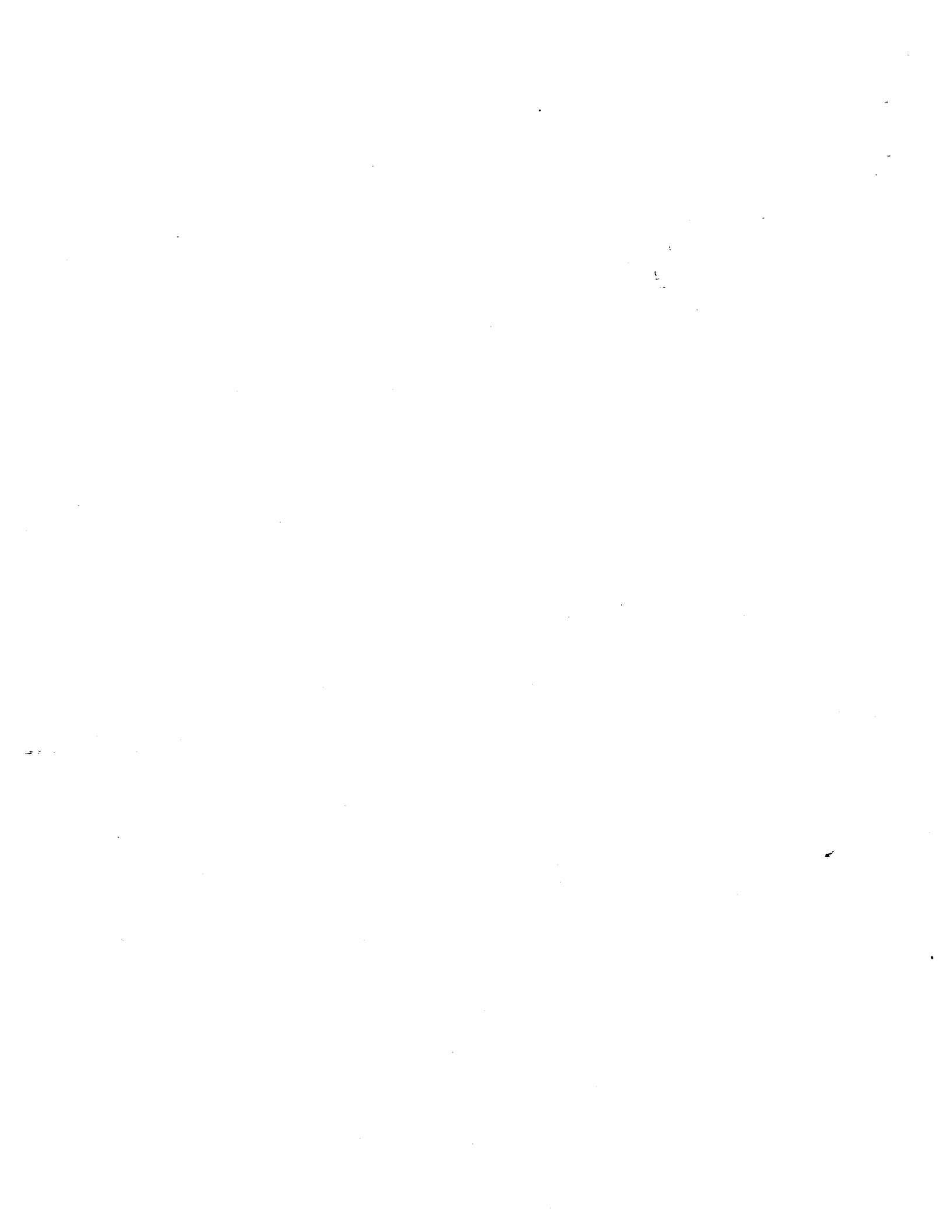


THE CAPITAL CITY RENAISSANCE PLAN

October 30, 1989

**Capital City Redevelopment Corporation
State of New Jersey**

**4 North Broad Street, CN203
Trenton, New Jersey 08625-0203
(609) 984-5664**



CAPITAL CITY REDEVELOPMENT CORPORATION

Board of Directors

Chair: Ingrid W. Reed
Richard Druckman
Italo Gargione
Arthur J. Holland
Barbara Marrow-Mooring
Feather O'Connor (designee: Caren Raphael)
Borden Putnam (designee: Linda Williams)
Albert Robinson
Anthony M. Villane, Jr.

Executive Director

Robert M. Litke

Oversight Committee

Chair: William J. Guhl
Carmen Armenti
Wendell Breithaupt
S. Bobby Bryant
Virgin Cubano
Christopher J. Daggett (designee: William J. White)
Gregory Faljean, Jr. (resigned 1/89)
Hazel Frank Gluck (designee: Robert Innocenzi)
Richard Goldman
Colonel Clinton L. Pagano (designee: Capt. Joseph Eaton)
Peter N. Perretti (replaced Cary Edwards 2/89)
(designee Thomas J. O'Reilly)
Ruth Rosser
Reverend William Sanders
Stanley Switlik
Anthony M. Villane, Jr. (designee: Charles Richman)

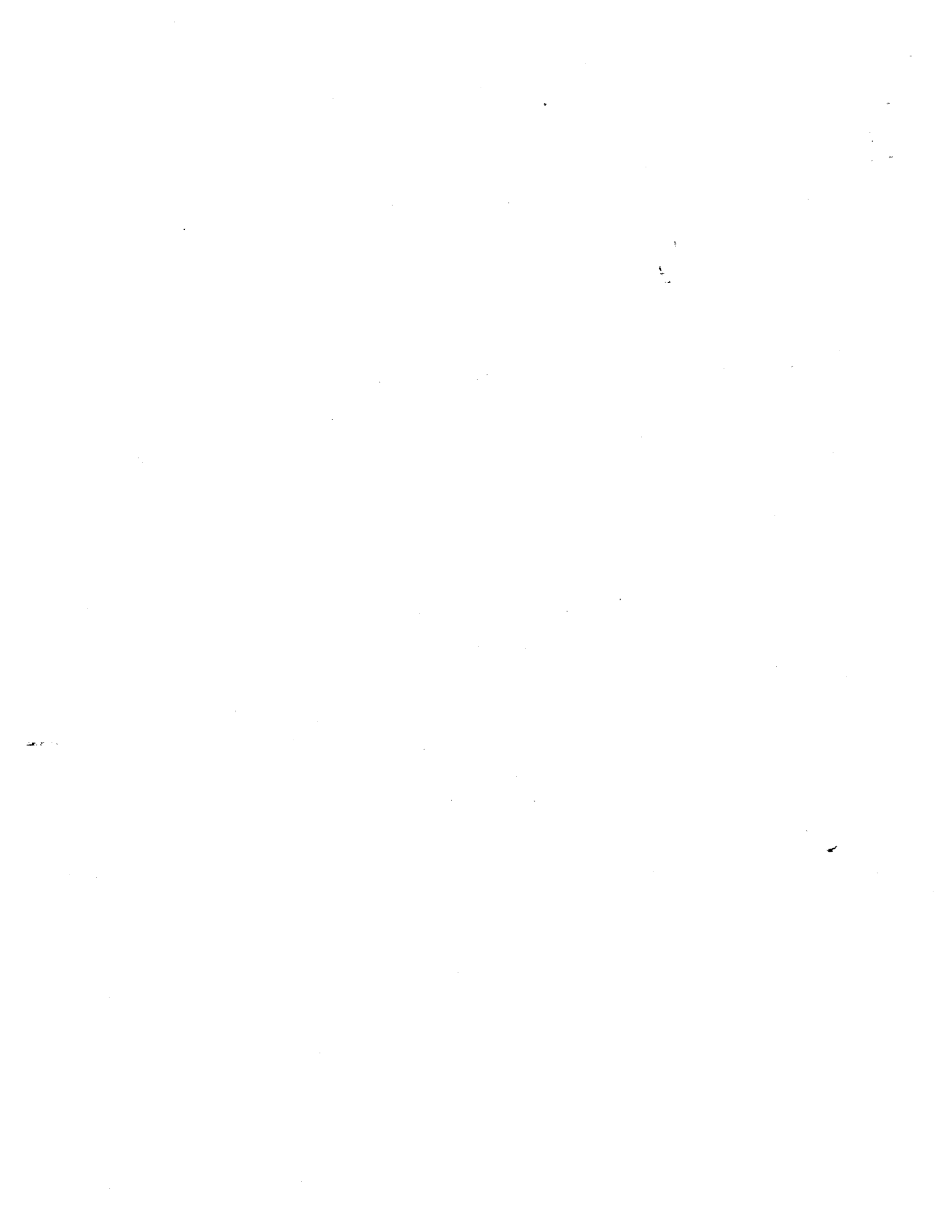
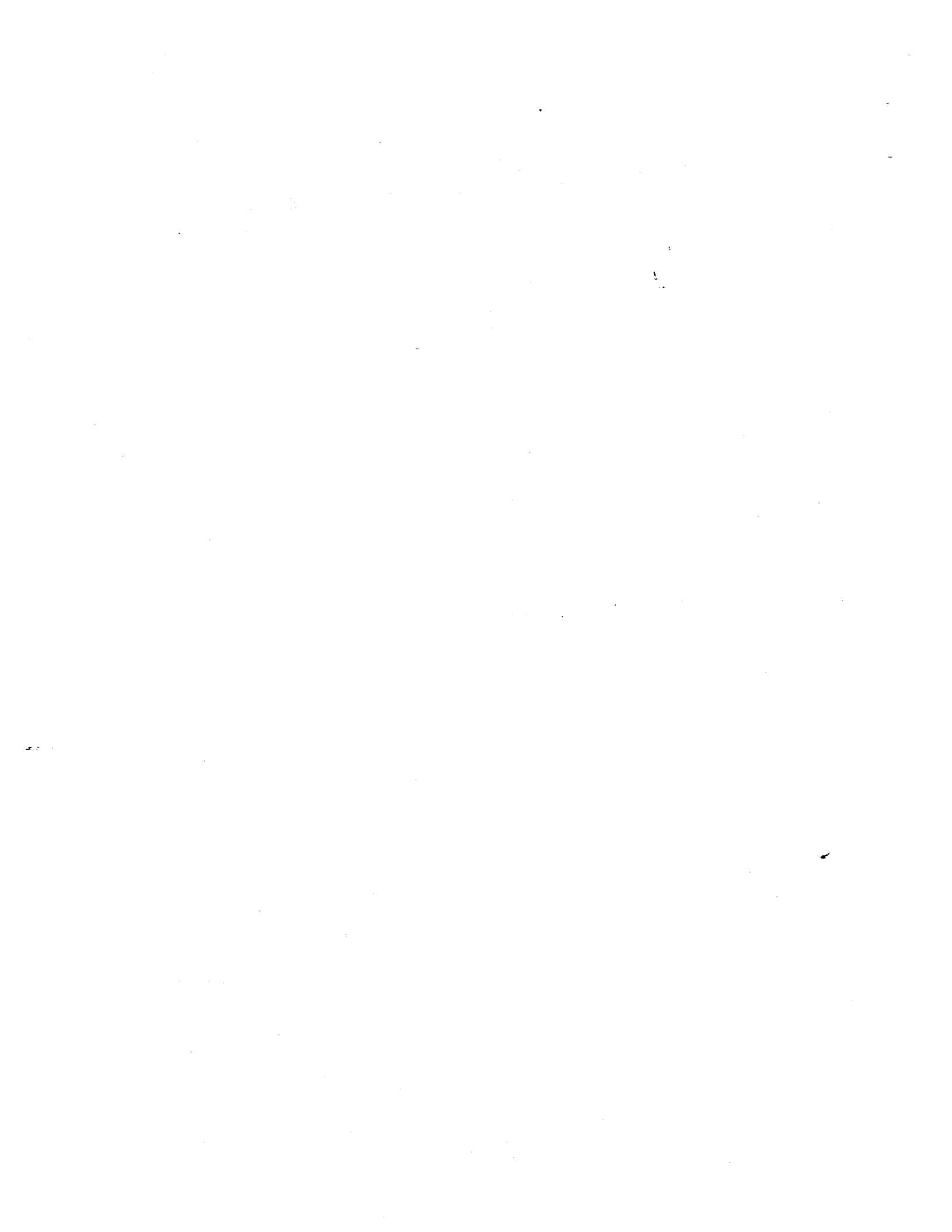


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RENAISSANCE PLAN EXECUTIVE SUMMARY

The Capital City Redevelopment Corporation (CCRC) was created by an act of the New Jersey State Legislature and charged with revitalizing the Capital District for the benefit of all the citizens of the State. ~~The legislation requires the Corporation to adopt a twenty-year Capital City Renaissance Plan to guide "the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment."~~

The document, the Capital City Renaissance Plan, is intended to guide public and private development investment decisions in the Capital District through goals, policies and specific recommendations aimed at creating a more attractive physical, social and investment environment in keeping with the intent of the legislation. The Renaissance Plan is one element in CCRC's multifaceted effort to revitalize the District. The Renaissance Plan will be complemented by an implementation strategy that identifies the actions CCRC and others can take to further encourage private investment and foster economic development in the Capital District.

The Renaissance Plan sets out a twenty-year vision for the future.

Sections I, II and III include a statement of legislative intent and implementation plans of the Corporation, a mission statement for the Corporation and the goals and objectives of the Renaissance Plan.

Sections IV, V, VI, VII and VIII are specific elements of a master plan required by the legislation as follows:

...Section IV, Design Plan Element, includes an inventory of important buildings and features in the District and contains recommendations for improving the public landscape.

...Section V, Cultural Plan Element, includes an inventory of the District's cultural assets and contains recommendations for enhancing these assets.

...Section VI, Transportation Plan Element, describes the local and regional transportation systems affecting the Capital District and contains

recommendations for improving accessibility to and within the area.

...Section VII, Land Use Plan Element, includes land use recommendations, proposals for conservation of existing buildings, strategies and proposals for improving the public environment and historic areas and contains design and planning principles that underlie the proposals contained in the Renaissance Plan.

The Renaissance Plan seeks to preserve the historical and architectural assets of the Capital District while offering significant new development opportunities, such as:

- * 2-3 million square feet of office space,
- * 100,000-200,000 square feet of retail space,
- * 2,000 - 3,000 new housing units,
- * 15,000-20,000 parking spaces in garage structures,
- * a 200-room hotel and conference center.

In addition, the Renaissance Plan envisions significant enhancements to the public spaces in the Capital District including the creation of:

- * a new Stacy Park between the river and the State House,
- * a new park, amphitheater and skating rink adjacent to the War Memorial,
- * a linear park and drive along the D & R Canal,
- * a D & R Canal Museum in the West Hanover Street/canal area,
- * a plaza in front of the Trenton Main Public Library and the Kerney Campus of the Mercer County Community College, and
- * a community center and plaza on Perry/Bank Street.

The Renaissance Plan also contains recommendations for improving the flow of traffic on local streets in and serving the Capital District and goals for improvements to the major highways directly serving the District so as to simplify access to the downtown street network and improve pedestrian connections to the downtown and to the Delaware riverfront.

Section VIII of the Renaissance Plan sets out the policies of the Corporation as they apply to residential and business relocation.

CAPITAL CITY RENAISSANCE PLAN

I. INTRODUCTION

A. The Legislation

The Capital City Redevelopment Corporation (CCRC) was created by an act of the New Jersey Legislature and adopted into law (P.L. 1987, Chapter 58) on March 3, 1987. Among its findings and declarations, the Legislature stated that:

"The city of Trenton is of unique significance to the State and the nation...as the State capital and center of State government operations, and as the site of the battle which in the nation's memory turned the tide toward American independence;

...The historic and public importance of the city...has too long been neglected...and, as a result, the city is in great need of redevelopment and revitalization;

...It is a public purpose of this State to establish a capital district...and to create a redevelopment corporation...which will plan, coordinate and promote...development...in a manner which enhances the vitality of the district...and thereby restores the prominence and prestige of the seat of State Government for the benefit of all of the citizens of this State;

...In the exercise of its powers toward this public purpose, the Capital City Redevelopment Corporation will plan, coordinate...activities within the district...in order to establish it as a source of State pride equal in standard to the best of State capitals in the country."

The legislation mandated that the Board of the Corporation adopt a twenty-year Capital City Renaissance Plan to "guide the use of lands within the district in a manner which promotes the economic vitality of the district and enhances the quality of the public environment." The Renaissance Plan set forth herein is intended to do just that.

B. The Capital City Renaissance Plan

This Capital City Renaissance Plan is presented as a sound guide for the future, in compliance with the requirements for a master plan as stated in the Capital City legislation.

The Renaissance Plan is a blueprint or a road map, intended to guide the redevelopment of the Capital District into the future. It presents a vision of what the Capital District could be, with an idea of the type of development which should be encouraged. The Plan also contains certain land use and building controls.

The Renaissance Plan by itself will not make development happen. The private sector must be attracted into Trenton to broaden the city's economic base and make it less dependent upon the growth of State government. The physical and economic revitalization of the Capital District, and ultimately of Trenton, cannot be dependent solely upon government.

The Capital City Redevelopment Corporation is dedicated to expanding efforts to make Trenton attractive to private development investment by working with the City of Trenton, Mercer County and State of New Jersey as well as the business community to create policies which enhance the private investment climate in the City and increase opportunities for women and minority-owned small businesses.

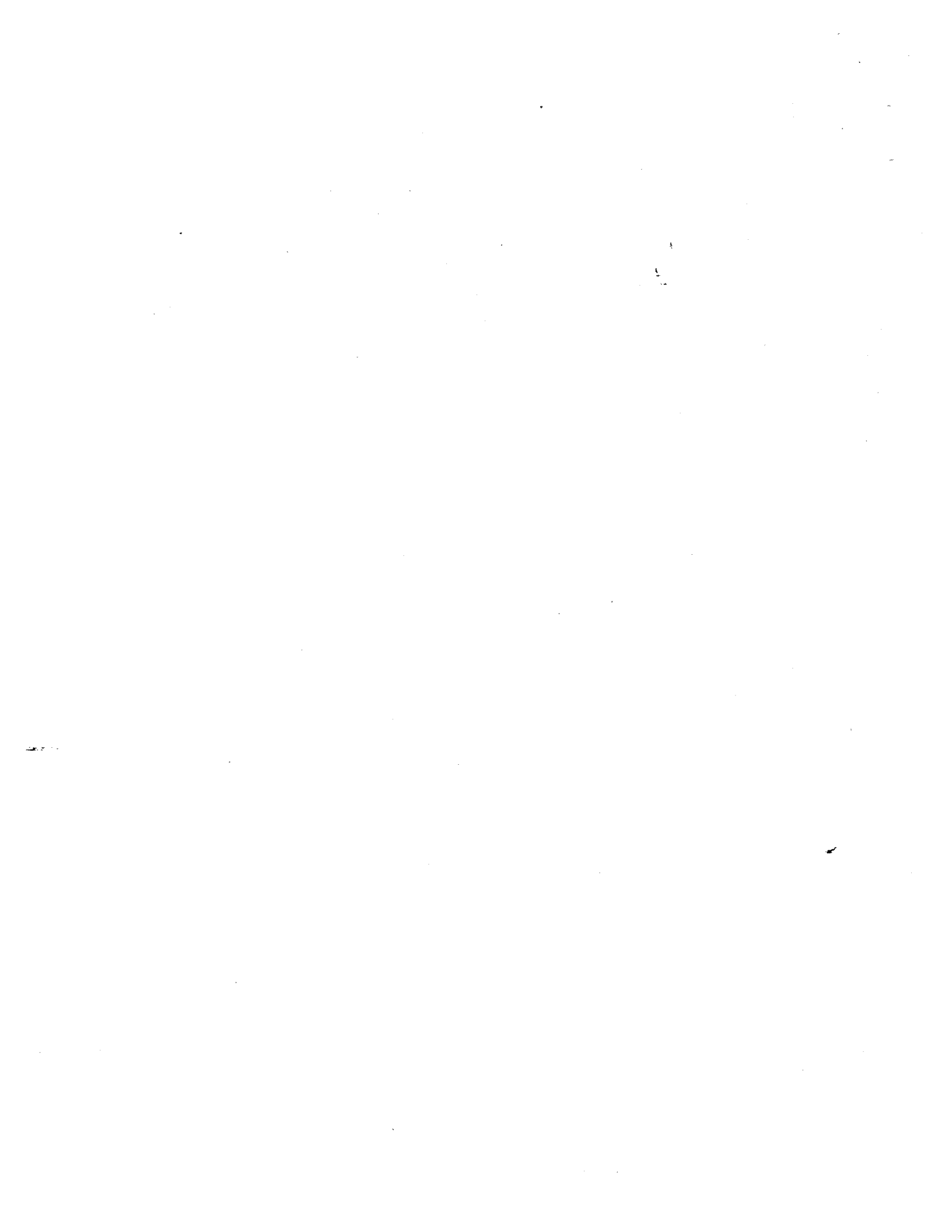
With the Renaissance Plan in place, public and private investment decisions affecting the Capital District will have a common framework.

C. Implementing the Renaissance Plan

The implementation of the Renaissance Plan over the next two decades will be its true test of success. The Capital City Redevelopment Corporation intends to spearhead the revitalization of the Capital District in cooperation with the public sector: the city, the county, the State, and the community at large; and the private business sector. The Corporation will work to assure that downtown revitalization is supportive of neighborhood redevelopment goals. The Corporation will seek to maximize participation by the community during implementation using a variety of techniques intended to involve a broad range of public interests.

The Capital District Renaissance Plan is not a permanent and immutable document. It is a guide for the future, and must be tempered and tested by the realities of the marketplace. The Renaissance Plan will be reviewed frequently and updated, modified or amended by the Capital City Redevelopment Corporation as often as needed to respond to unforeseen events, new opportunities or new and better ways of accomplishing its goals.

Following the introduction of this Renaissance Plan, the Capital City Redevelopment Corporation will prepare implementation strategies including staging proposals, marketing plans to attract private investment, financial options, policies governing financial investments, and general procedures affecting the management and implementation of the Plan. The Corporation intends to take an active role in making the Renaissance Plan a reality over the next twenty years.



II. MISSION STATEMENT

Trenton is an historic city with roots dating back to the earliest days of colonial settlement. While it retains treasured connections to its past, it continues to harbor a vision of its future. And though Trenton has its share of problems, these issues unquestionably offer opportunities for creative solutions.

During its heyday at the turn of the century, Trenton was one of the nation's leading industrial cities and the center of business, retail and cultural activity for the region. In 1900, the city housed 77% of Mercer County's population. After World War II, Trenton suffered a loss in its industrial base as manufacturing companies closed, moved to the suburbs, or relocated to other regions of the country. With the advent of suburban shopping malls, the city's retail sector declined. During the 1960s, Trenton experienced an exodus of middle-income residents, and its housing stock deteriorated.

The 1980s have brought stabilization and some rejuvenation to the city. State government adopted a policy of concentrating offices in Trenton, guaranteeing a large employment base. The city has benefitted from a regional economic boom, as evidenced by rising property values; between 1978 and 1988 Trenton's residential property values increased by 220%. The downtown streets are active during the work day, however they are virtually empty in the evenings and on weekends.

Exhibit A shows the downtown Capital District and how it relates to surrounding neighborhoods and the rest of the City. The Capital District holds great promise for redevelopment into a vibrant urban area. Nowhere else in the county can one find such a compact, walkable commercial core with a concentration of historic and cultural attractions. Thousands of visitors come to Trenton each year to visit the State museum, tour the Old Barracks, attend cultural events at the War Memorial, tend to business at the Federal and County courthouses and lobby the State Legislature. Trenton is the governmental center for the State of New Jersey and Mercer County, both committed tenants and fully supportive of the city's revitalization. The Capital District houses some 19,000 State employees, many in new buildings built or leased by the State.

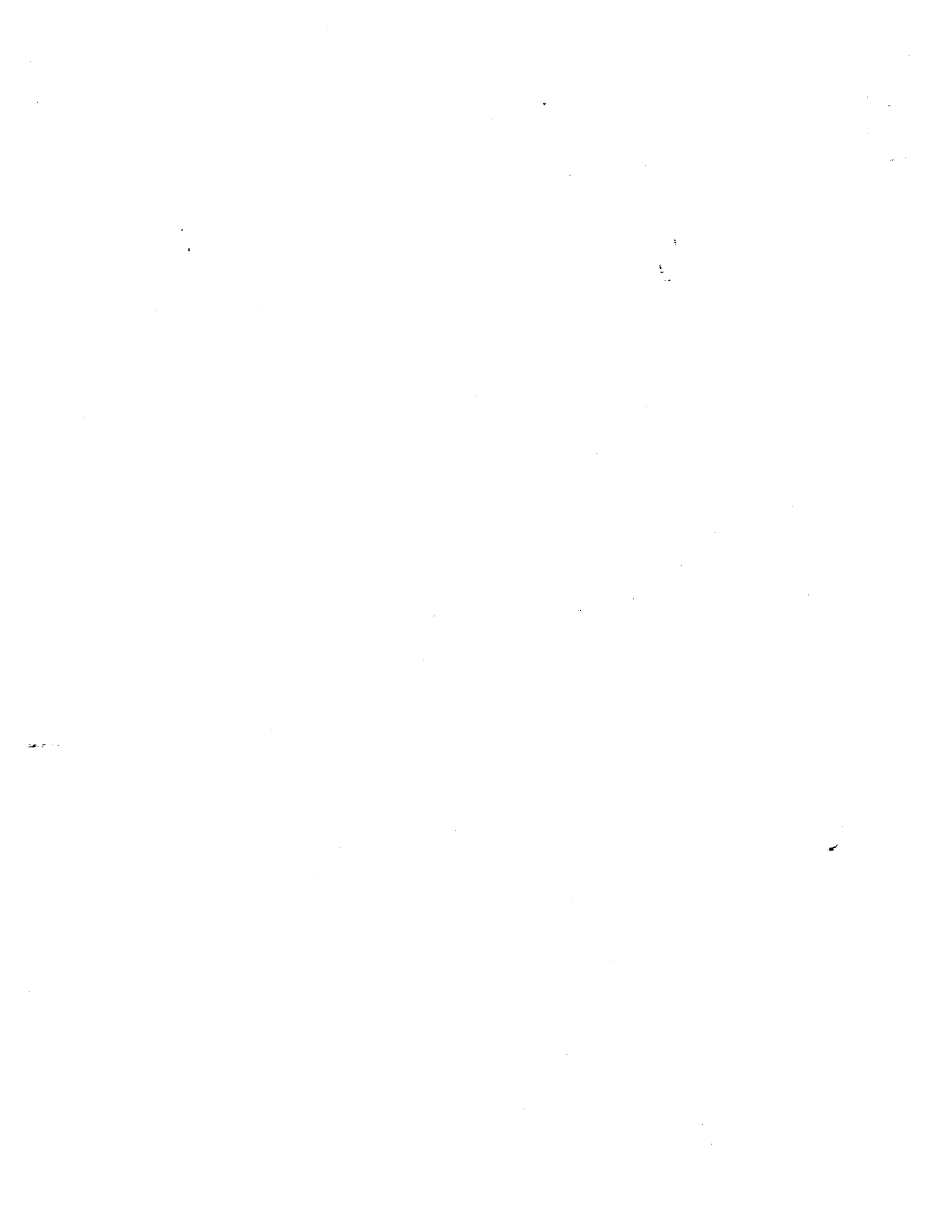
Numerous sites exist for development, including scattered infill opportunities, as well as acres of surface parking lots created during the "urban renewal" era. The proximity of many of these sites to the City's waterways -- the Delaware River, the Assunpink Creek and the Delaware and Raritan Canal -- potentially increases their value.

Trenton's future role as a full partner in the region's development will spring from a renewed ability to add private investment to its already solid base of history, culture and the public sector.

It is the mission of the Capital City Redevelopment Corporation to make the Capital District, and therefore the city of Trenton, a better place to live, visit, work and conduct business by:

- * Promoting the revitalization of the Capital District by providing creative opportunities for public and private development and redevelopment, facilitating public initiatives to stimulate private investment, and encouraging redevelopment, restoration and improvement of historic areas, sites and structures.
- * Formulating and implementing programs to enhance the vitality of the District and thereby help restore the prominence and prestige of the capital area.
- * Facilitating transportation improvements to 1) assure safe, convenient and efficient movement through the District and 2) coordinate the various modes of travel in the region's transportation system.
- * Coordinating its efforts with other governmental entities that currently have jurisdiction in the District and its adjacent areas.
- * Undertaking, participating in and encouraging residential development and rehabilitation to achieve a mix of income levels.
- * Working with surrounding neighborhoods to promote the goals of the Renaissance Plan and to assure that they are supportive of neighborhood redevelopment efforts.

This twenty-year Renaissance Plan establishes an operating framework to attract people and investment while remaining responsive to proposals for change. It sets out a practical and attainable vision for the Capital District in a manner detailed enough to set the course of action and flexible enough to encourage creativity.



III. DEVELOPMENT GOALS

The development and implementation of a master plan to guide the revitalization of the Capital District cannot be done in a vacuum. It can only be accomplished as a political process with many people articulating the goals for redevelopment. As an important part of its planning efforts, CCRC drew on a broad spectrum of people with a vested interest in the Capital District: those active in culture, recreation and education; developers, merchants and business people; religious and community leaders; employees; residents and government officials. At public planning sessions, CCRC raised some fundamental questions: What should Trenton be? What should be addressed in a master plan? What are the priorities for redevelopment?

The following goals were distilled from community responses.

1. Make downtown Trenton more attractive, inviting and safe.
Improving the downtown atmosphere depends upon increased activity - especially pedestrian activity - in the daytime, at night, and on weekends. To achieve this, more opportunities and sites are needed for the expansion of theatrical and cultural facilities, restaurants and retail outlets. The general appearance of the area should be improved. Streets should be clean and properly lit, new buildings should be well designed, and property owners and tenants should be motivated to upgrade their buildings and stores. A palpable sense of safety and security must be coupled with the physical improvements.
2. Improve access in and around downtown.
Access to the downtown should be easy for workers and visitors alike. Not only are improved signage systems needed to inform people and guide them through the Capital District, but the street system itself needs more coherence. Major gateways into the city should offer a better sense of arrival. Pedestrian linkages between parts of downtown and to adjacent neighborhoods should be direct, physically attractive, and include buildings offering visual interest.
3. Restore traditional linkages to waterways.
Trenton's development into a vital industrial center was based on its connections to the Delaware River, the Assunpink Creek and the Delaware and

Raritan Canal. In addition to their obvious benefits as a recreational resource, the waterways can be used to create valuable residential and commercial development opportunities. Links to these valuable natural resources need to be reestablished to provide citizen access to the waterways and to again make Trenton a river city.

4. Promote a diversity of uses.

Successful downtowns have a mix of uses including housing, office and retail, and usually have cultural, educational and recreational components. When linked through patterns of movement, each activity helps create a market and provide support services for the others. The Capital District needs a diverse mix of these activities taking place at different times to create a safer and more exciting environment. Early development of housing in the downtown area is desirable to create a demand for other uses that make up a vital central core. Expansion and improvements of historic and cultural facilities to attract more visitors to the area rates a high priority. The resulting market synergy will foster an attractive climate for private investment, leading ultimately to a better ratio of private to public employment in the Capital District.

5. Improve the transportation and parking network downtown.

The reasonable parking needs of workers, residents, visitors and shoppers must be analyzed and supported. A balance is required between mass transit and private auto access to the District. Priority should be given downtown to short-term, shopper- and visitor-oriented parking to meet the competitive needs of retail and small business uses. This provision should be complemented by fringe parking locations supported where necessary with appropriate shuttle services to major employment centers. Every effort should be made to encourage partnerships among public agencies and the private sector to accomplish this goal.

6. Exploit the historic value of Trenton.

Trenton's historic legacy provides a promising base for a more vigorous tourist industry. Its historic buildings and sites, museums, theaters, and other attractions need a better environment within which to prosper in the marketplace. A visitors center, improved parking and circulation, and convenient, attractive pedestrian linkages are all essential amenities. All of this will add prominence to the State House as the symbol of Trenton's status as the State capital.

7. Improve the public environment.

The public environment should be more attractive and inviting to help stimulate economic revitalization. The streets and open spaces, parks, plazas, street furniture, public art and connections between sections of the downtown and adjacent neighborhoods should be well designed. The most mundane elements of a streetscape - lights, signs, and trash cans - are essential components of the downtown environment and warrant attention. Linking parks and other recreational facilities into an open space network will complement the city's urban landscape.

8. Enhance the social environment.

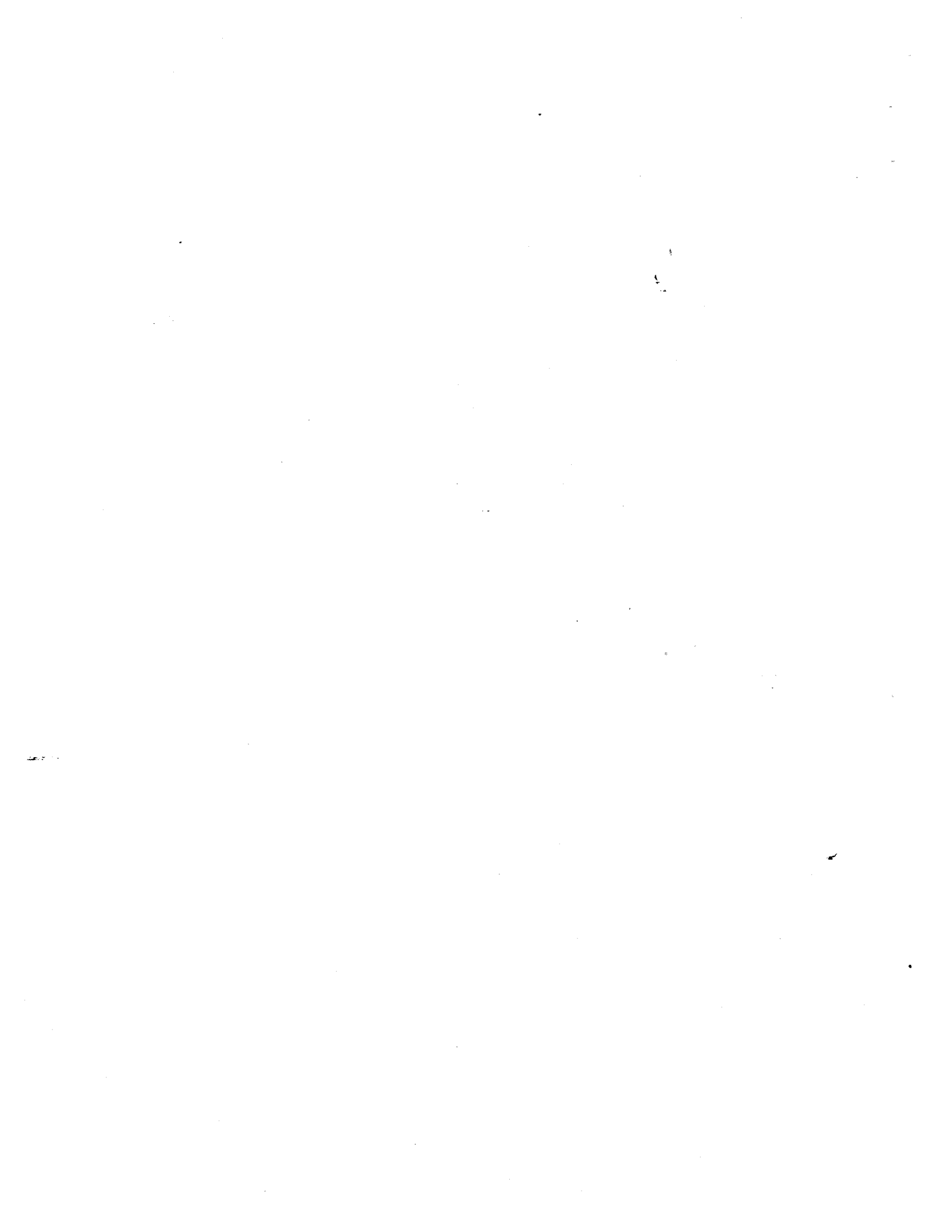
The social environment can be improved - albeit indirectly - through implementation of the Renaissance Plan. New housing will strengthen downtown at the same time it protects the residential character of existing neighborhoods. The setting of existing educational institutions will be enhanced. Economic expansion in the Capital District will create new job opportunities for Trenton residents. New opportunities will be created to encourage minority- and women-owned small businesses.

9. Enhance and exploit the seat of government.

As a State capital and the seat of county government, Trenton can become the center for public and private activities. The District has the potential to become a conference and training center. Annual expenditures for training government employees, for meetings and general educational conferences can be focused to create development opportunities for a hotel-conference center. Trenton should maximize the economic development possibilities of this resource.

10. Strengthen the fiscal situation in Trenton.

Downtown development can improve the city's financial position. It is anticipated that downtown business and residential development will produce a net surplus of tax revenue since the range of municipal services to a downtown population generally should be less than those required to support more traditional neighborhoods.



IV. DESIGN PLAN ELEMENT

This Design Plan Element addresses the legislative requirement for:

- * an inventory and evaluation of buildings within the district which are of unique historic or architectural merit; streets, parks and public spaces; and any other relevant aspect of the public environment;
- * specific recommendations for conserving and improving the public landscape, including streets, recreational facilities, and other public spaces and amenities.

This element also discusses the built environment, describing the Renaissance Plan's provisions for ensuring that new development is compatible with surrounding buildings.

A. Building Inventory

The following maps contain an inventory of buildings within and adjacent to the Capital District which are of unique historic or architectural merit, as well as the streets, parks and public spaces: Historic Districts and Landmark Properties (Map #1), Existing Streets, Parks and Open Spaces (Map #2).

B. Historic Downtown

History, and the historic aspect of the neighborhoods in and adjacent to the Capital District, constitute an important asset to support the revitalization of the District. The Renaissance Plan recognizes this and seeks to create and maintain an environment in which the past, the present and the future can coexist. The Renaissance Plan envisions an architectural fabric where old buildings can be rehabilitated, upgraded and modernized and where new structures will be in harmony with their neighbors.

The following material, which describes the designated Historic Districts within the Capital District, has been extracted largely from documentation prepared for the City of Trenton as part of the historic district designation process.

(1) Mill Hill Historic District

The area included in the Mill Hill Historic District is located at the top of a small rise, and slopes down to the Assunpink Creek which runs through the northern

portion of the district. It is bounded roughly by Broad Street on the west, Front Street on the north, the line of Clay Street on the east, and Greenwood on the south. The area encompasses all or parts of Broad, Jackson, Mercer, Clay, Front, Livingston, Market and Greenwood streets. Two of the boundary streets, Broad and Front, are major thoroughfares, as is Market Street, which bisects the district sharply; the remaining streets are small and almost exclusively residential in nature.

The architecture of the district is homogeneous in type and scale. Most residential units are brick row houses, ranging from two to slightly higher than three stories. None is more than three bays wide. Scattered through the district, however, are a few detached smaller frame houses.

Although Mill Hill presently survives as a middle-class mid-19th century residential district, its historical significance reaches back to the late 17th century. Indeed, its name refers to its importance as the area's first industrial site, a grist mill, erected in 1679. During the American Revolution, the Second Battle of Trenton was fought near the site of this mill.

(2) West State Street Historic District

Within a few blocks parallel to the Delaware River are buildings that reflect over two hundred years of Trenton's cultural, civic, economic and social history. They include major governmental structures and residential row houses that provide a panorama of the prevailing tastes and styles of Trenton's 19th century industrial heyday, and single residences that reveal Trenton's emergence from a country village to a major city.

West State Street presents a comprehensive catalogue of architectural phases and styles throughout the whole 19th century. Starting with a row of late Federal clapboard houses, this collection progresses from Greek revival, mid-century eclecticism, Richardsonian Ashlar and Georgian Revival to early skyscraper, all welded together into a satisfying urban landscape. The series chronicles the adaptations made by central New Jersey urban builders and the local specialties, such as the indigent tile and pottery works. The juxtaposition of different facades exhibit the constant experimentation and lively imagination of this period.

The buildings of West State Street serve another important function. In their diversity of appearance and their private nature, they contrast with the large public buildings of the State Capitol and the State Cultural Center.

There are very few encroachments within the State Street Historic District. Most of the buildings that were added since 1900 are in keeping with the scale, texture and architectural integrity of the area. An egregious intrusion into the fabric of the Historic District is best illustrated by a 16-story reinforced concrete structure added in the 1970s as a hotel at the corner of West State and Calhoun Streets. The building bears no relationship to its surroundings and represents a dramatic example of the type of development that the Renaissance Plan is intended to prevent.

On the other hand, the three-story building at 150 West State built in the mid-1980s is a good example of a modern building that complements its surroundings.

(3) South Warren Street Historic District

South Warren Street, linking the heart of downtown with the City's waterfront, contains a fine collection of buildings representative of the different periods of Trenton's history.

Warren Street features some of Trenton's oldest structures which were originally built as residences in the Federal and Greek Revival periods. During the Victorian era, new construction on the street was complemented by remodeling of older residences and adding Victorian storefronts as the street evolved into a commercial center. Reflecting the architectural styles in vogue during the economic boom of the 1920s, the street continued its evolution with the construction of architecturally significant Art Deco buildings.

C. The Design Context

The buildings in the Historic Districts summarize the economic, social and cultural growth of Trenton from its earliest days to the early 20th century. There is an abundance of good, and often excellent examples of the architectural styles popular through the years in America. Some would be rated as outstanding in any setting. Others are typical of their genre, and still others, representing solid

examples of vernacular architecture, are important as part of the total, closely interwoven urban mix that characterizes the Capital District.

The value of the Historic Districts lies not simply with the individual buildings, important as some of them may be, but the total urban context of components related in height and bulk, in fenestration patterns, in materials, and in the interplay of rich and irreplaceable detailing. It is this variety within unity, as well as the human scale of each Historic District, that gives them unique value.

In short, the Historic Districts are a graphic representation of Trenton's history and American architectural styles. While some buildings may be of higher quality than others, without the structures that provide appropriate background, the key landmarks would be severely diminished. The entire fabric of the Capital District's historic areas and the interrelationships of their components are essential ingredients of the urban landscape that symbolize the design qualities this Renaissance Plan seeks to achieve.

New buildings in the Capital District which will provide infill or architectural background, and existing buildings to be rehabilitated must reflect the objectives of this Renaissance Plan and reinforce the character of the Historic Districts as well as other undesignated areas. The whole of each Historic District is greater than the sum of its parts. Decisions affecting any of their components must be made in that context.

To guide the implementation of this vision, the Renaissance Plan includes design standards for development as set forth in the Urban Code (see Exhibit B). The standards and controls in the Urban Code are intended to ensure that development, whether it is in the form of new construction or rehabilitation, is compatible with the scale, placement, materials and facades of buildings in existing business districts and residential neighborhoods. See Map #3A, Building Height Zones (Existing Conditions) which depicts the zones for the development types specified in the Urban Code. Map #3B, Building Height Zones (Proposed Conditions) shows the same zones superimposed on the District with the proposals of the Renaissance Plan in place.

The Illustrative Site Plan (see Map #4) offers a graphic depiction of the overall design context within which development in the Capital District should take place. This plan also shows recommended locations and basic design parameters and concepts for public plazas, parks, street and highway improvements and public parking facilities; and it illustrates public and private development opportunities and recommended land uses at particular locations in configurations that reflect the development goals and objectives and the design principles set forth in this Renaissance Plan.

D. Improving the Public Landscape

Generally, the public spaces in the Capital District are not easily accessible; hence those who might take advantage of them are discouraged from doing so.

(1) Mill Hill Park

Mill Hill Park is the largest public park in the District. The most natural users are the residents of Mill Hill and nearby office workers, but the park is significantly underutilized, in part because of its design. The park wall along Front Street runs approximately 500 feet without a break, making access inconvenient. Other reasons for low utilization are poor maintenance and the attraction of the park to homeless persons.

Design improvements to Mill Hill Park should increase accessibility to downtown office workers and provide amenities that will make it more appealing to a broader user population.

(2) Commons Block

The Illustrative Site Plan shows the reopening to automobile traffic of the Commons Block between Broad and Montgomery Streets. While this street will be perceived by the motorist as part of the conventional downtown street network, the design will have to allow logical transition to the Commons block between South Warren and South Broad streets, which will remain a pedestrian way.

(3) D & R Canal

The section of the D & R Canal in downtown Trenton has been underutilized as a recreational amenity for a long time. The Illustrative Site Plan depicts a linear park along the length of the Canal as it runs along the Capital District boundary,

and immediately beyond from North Broad Street to Route 1. This improvement will provide an important link in the overall 63-mile long D & R Canal State Park system.

Alongside the linear park, a proposed Canal Drive will open the canal vista and provide important relief for traffic that otherwise will use Perry Street, a significant corridor in a residential neighborhood which should not be forced to carry significantly heavier volumes of traffic resulting from new development within the Capital District. Special care should be taken in the design of this linear park and walkway system to assure adequacy of views of the canal, pedestrian safety and compatibility of adjacent land uses. A profile of Canal Drive is included in this Renaissance Plan as Exhibit C.

(4) Assunpink Creek

The Assunpink Creek is another waterway running through the District that is largely inaccessible. It is recommended that this condition be rectified through improved landscape maintenance along the right of way, and if feasible, the portion of the creek that has been culverted between South Warren and South Broad Streets should be reopened and landscaped. Accessibility directly to the water's edge is not necessary. Visual access is appropriate where it is impractical to allow direct pedestrian access to the water's edge.

(5) Battle Monument Park

Battle Monument Park is neither well maintained nor well utilized. Improvements to this park, which is a significant neighbor to a major landmark (the Battle Monument itself), are necessary as part of the overall effort to cultivate the Capital District as a major tourist center (see discussion under Section V).

It is important to note that an automobile service station is adjacent to the Battle Monument Park and the D & R Canal. This use conflicts with the goals of opening the canal and upgrading the park. A solution could be achieved either through acquisition or a major redesign of the facility with the objective of making it a more acceptable neighbor.

(6) West Hanover/North Warren Streets

The property on the triangular block at the juncture of West Hanover and North Warren Streets is deteriorated and can exert a blighting influence in the area which

has been the locus of intense new development since the mid-1980's. Improvements to this part of Hanover Street will be important to the smooth flow of traffic along this leg of the Hanover-Front Streets one-way loop system in the District. The impact of this property on development in the area should be reviewed periodically. If the property is not improved to eliminate any blighting effect it may have on the area, and it is determined that the property should be acquired to further the redevelopment goals of the Renaissance Plan, that portion of the property not needed for street improvement purposes should be developed as public open space.

(7) Riverside Park

A major new park is recommended between the river and the State House (where Stacy Park once was) and around the War Memorial Auditorium (see Illustrative Site Plan). The park should be designed for passive uses but be attractive to residents, workers and visitors. To enhance the War Memorial, and to expand the opportunities for active recreation in the downtown as well as the cultural activities of the community, a skating rink and an outdoor amphitheater are recommended. This could be an appropriate complement to the improvements of the War Memorial facility undertaken by the State.

(8) Perry/Bank Street Square

A new public square is recommended at Perry/Bank Street between Broad and Warren Streets. This square, in the midst of a neighborhood of several churches, could become an important focus of community activity. The square could be used for a weekend, if not daily, farmers market and other activities of a sort that would generate a business life and an active pedestrian environment -- one of the more significant goals of this Renaissance Plan.

(9) Public Streets

The issue of street and open space maintenance should be given a high level of attention as the Renaissance Plan moves through its implementation phases.

The Capital District's street design will have a considerable impact upon the way in which the streets are perceived and function.

Lighting that provides high visibility with a minimum of dark shadows or corners will attract more nighttime pedestrian activity.

Well-designed, strategically placed and regularly serviced trash receptacles are important to maintain cleanliness in the downtown.

Lighting fixtures, regardless of the lighting levels they provide, are an important visual element on the street. In the Capital District, there are a wide variety of fixture types (and future designs should seek some cohesion of the lighting styles).

The array, quality and location of informational signs on the streets of the Capital District tend to cause confusion and general dismay. A coherent system for presenting information on the street is required to achieve a user-friendly environment.

It is recommended that the streetscape be upgraded with a view towards a system that will have uniform goals but not necessarily a uniform presentation.

E. Recommendations for Adjacent Areas

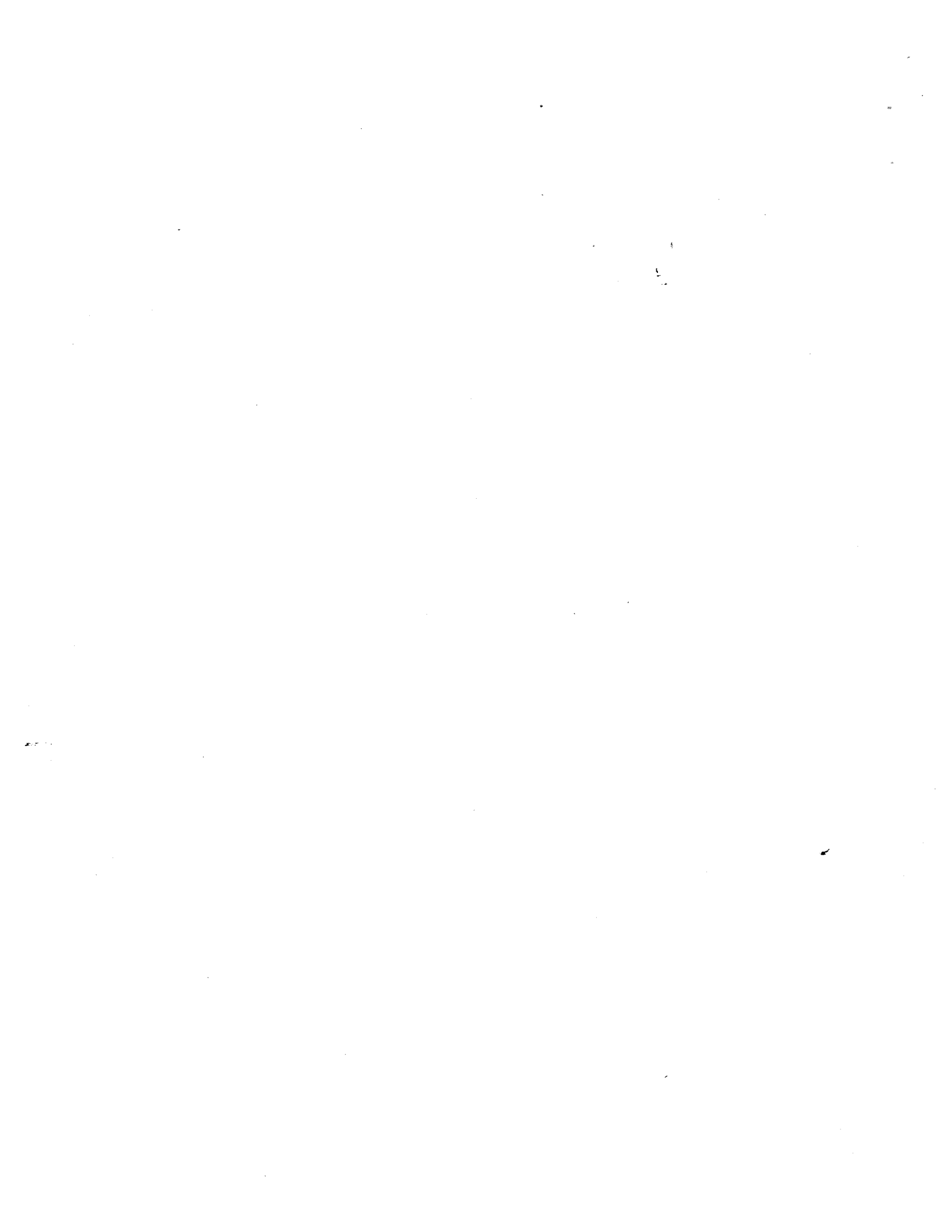
The Illustrative Site Plan shows proposals for development in areas adjacent to the boundaries of the Capital District.

Around the Battle Monument, new development is shown in configurations that reflect the design goals of the Renaissance Plan. A redesign of the hard-surfaced, underutilized park adjacent to the D & R Canal on Tucker Street is shown.

The Old Trenton neighborhood can be affected by what takes place within the District. The Illustrative Site Plan depicts certain improvements that might be beneficial to the community, such as:

- * Canal Drive which will work as a new one-way westbound street to help relieve traffic on Perry Street, which in turn would become a one-way street eastbound.
- * A potential parking structure that would be an element in the overall downtown parking program, including some facilities on the fringe of downtown but accessible to major employment centers by a shuttle system.
- * New residential development along the canal on either underutilized or vacant land owned by the City and the State.

- * A public plaza that would appropriately set off two major institutions in the neighborhood: The Trenton Main Public Library and the Kerney Campus of the Mercer County Community College.
- * A public parking facility at Merchant Street and a new road improvement that would link Armory Drive to Hanover Street creating a one-way couplet of Front Street eastbound with Hanover Street westbound.



V. CULTURAL PLAN ELEMENT

This Cultural Plan Element addresses the legislative requirement for:

- * an inventory of the district's museums, theaters, parks and sports facilities;
- * recommendations for the maintenance and enhancement of these facilities for the benefit of residents of the city, region and State.

A. Building Inventory

For identification of the District's parks and religious, educational, governmental, cultural and historic buildings (including museums and theaters), reference Map #4, the Illustrative Site Plan.

B. Cultural Attractions in the District

The cultural attractions in the Capital District draw thousands of visitors from throughout the State. For example, each year there are:

- * Approximately 300,000 visitors to the State Museum complex, 25,000 visitors to the Old Barracks, and 8,000 visitors to the Trent House.
- * Performances at the War Memorial auditorium that frequently draw sell-out audiences of 2,000 people.

The performing and visual arts, housed at various times in the War Memorial Auditorium, the State Museum Auditorium, the Mill Hill Park Playhouse, the State Museum and the Trenton Artworks Center, offer a strong base for enrichment and expansion of the cultural assets of the Capital District. The national historic prominence of the Old Barracks, the Trent House and the Battle Monument adds to the cultural assets that are important elements in attracting new residents and business to settle in the Capital District. As the tourist potential of the area is improved, it is reasonable to expect that the demand for the services of the cultural, artistic and historic community will grow and a greater capacity will be available to generate the financial support that this community needs to thrive and serve the public.

A major goal of the Renaissance Plan is to make the Capital District a place where people want to spend time: day and night, weekdays and weekends. The design principles of the Renaissance Plan seek to encourage pedestrian activity by fostering a linked network of public streets, plazas and parks planned at a comfortable human scale. Streets framed by buildings with retail shops and designed for comfort and security will enhance the vitality and economic potential of the City's cultural assets. Improved street signage, a comprehensible street network and a rational traffic flow system will help out-of-towners reach their destination with minimal problems. By guiding the setting of cultural facilities, the Renaissance Plan will enhance their appeal to the residents of the City, region and State, and foster development of a strong tourist base in the Capital District.

C. Maintenance and Enhancement of the Cultural Environment

The Renaissance Plan recommends a range of improvements that will help enhance and maintain the Capital District's cultural facilities. For example:

- * Adjacent to the War Memorial auditorium, a large park, bisected by the Assunpink Creek, including a public skating rink and an outdoor amphitheater.
- * A new park to replace the former Stacy Park; structured parking, and a visitors center to improve the image of, and access to, the State House complex and the State Museum facilities. The visitors center would serve as the focal point of a tourism industry in Trenton.
- * The creation of a traditional street grid pattern and new residential and commercial development near the Trent House to integrate this facility with the rest of the Capital District and end the isolation and general inaccessibility of this major landmark site.
- * Design improvements to Mill Hill Park, making it more accessible and visible by opening new entry points along Front Street and enhancing the setting of the Mill Hill Playhouse and the landmark Douglass House.
- * Opportunities for development for new or expanded cultural facilities, including a regional performing arts center.

- * A 10-12,000-seat arena suitable for sporting events, concerts and small conventions.
- * A 200-room hotel and conference center.
- * New public plazas or redesigned parks in front of important historic and cultural assets in and around the District - specifically the Battle Monument, the City Library, and the cluster of churches in the Old Trenton neighborhood. These public places will enhance the settings for these buildings and underscore their historic and cultural significance.

Many of these elements are reflected on the Illustrative Site Plan which depicts public and private development opportunities and recommended land uses at particular locations.

Cultural and historic assets in the Capital District can be used as an economic development tool to create tourist activity which could support a hotel and expanded retail activity, and attract market rate residential development into the District. To maximize the opportunities afforded by the Renaissance Plan, organized efforts should be undertaken by an entity that is representative of the cultural and business community to promote cultural tourism in the Capital District. A visitors center in the State House Complex should be opened at the earliest opportunity. The operation of a central box (ticket) office would be a significant enhancement to the District's cultural life.



VI. TRANSPORTATION PLAN ELEMENT

This Transportation Plan Element responds to the legislative requirement for:

- * an inventory of facilities for all modes of transportation within the district;
- * establishing the importance of the district transportation system in the regional context;
- * a statement of objectives and principles regarding the transport of people and goods to and within the district;
- * recommendations to improve the accessibility of the district to the rest of the city and the surrounding region.

A. The District's Transportation System.

The regional highway network effectively directs most through traffic around the Capital District. As a result, much of the traffic which remains on the highways within the area has origins or destinations in the immediate vicinity. Map #5, Existing Vehicular Network, shows this network within the Capital District and the connections to major highways.

The discontinuous nature of the local street network in the Capital District leads to confusion for the motorist. This situation is compounded by the location and design of the major entry points into the Capital District. The area along State Street is especially difficult to approach, since access roads to and from Route 1 and Route 29 fail to lead to this section of the District. In contrast, the South Trenton area, and especially the Justice Complex, is easy to reach from both highways.

Although traffic operates effectively during most periods of the day, problems do occur along South Broad Street, Perry Street and Willow Street. In all three cases, high volumes of traffic and extensive turning movements exceed the available capacity for two-way traffic flow.

In addition to inter-city rail service, the Capital District is served by an extensive local bus network. NJ Transit operates ten local bus routes in the

Capital District, most of which operate on a 20-minute or 30-minute headway all day long. Bus riders are drawn largely from the city of Trenton and the western half of Hamilton Township. Service is also provided to Ewing, Hopewell, Pennington, Lawrence and Princeton. In 1980 a total of 9% of all commute trips to downtown Trenton were made by bus; 20% of the work trips from the city of Trenton and 14% of the trips from Hamilton Township were made by bus.

B. The Regional Transportation System.

Located at the end of tidewater on the Delaware River, and midway between New York and Philadelphia, the City of Trenton owes its existence in large measure to its critical location along the northeast corridor.

Trenton has always been well served by transportation facilities (see Map #6, Regional Transportation Network). Access to the interstate system is provided by the New Jersey Turnpike, the Pennsylvania Turnpike and Interstate 95. Regional traffic is served by Routes 1 and 29, which pass directly through the Capital District; and Interstates 295, a beltway passing around Trenton and connecting with the Delaware River communities in Burlington and Camden Counties, and 195 which provides connections to the shore towns of New Jersey. Construction during the 1990s of the "Trenton Complex," a major interchange with connecting roads leading to the New Jersey Turnpike, will improve access to Trenton from the interstate highway system.

The future extension of Route 29 to the east, to link with the "Trenton Complex", will make it the principal gateway into the Capital District from the south.

Route 1, which intersects the Pennsylvania Turnpike in Bucks County and the New Jersey Turnpike near New Brunswick, is the second most important gateway to the Capital District.

Route 31 connects the Capital District to areas in northwestern New Jersey; Route 206 to the north links with Princeton and Somerset County, and Route 33 leads to Hamilton Township, Hightstown and Monmouth County.

The principal regional public transportation facility serving the Capital District is the Northeast Corridor rail line. Amtrak provides high-speed connection between the Capital District and Boston, New York, Philadelphia and Washington. NJ TRANSIT provides local rail service to New York and SEPTA to Philadelphia. These rail services are important to both Trenton and the surrounding region. NJ TRANSIT is planning a major parking garage near the railroad station within the Capital District to serve users of the rail line.

C. Objectives and Principles for Transportation in the Future.

(1) Automobile access - Automobile access routes to the Capital District should be easy to understand, especially for visitors. Highway interchanges and street intersections should be logical, with clear signage leading a driver to his or her destination.

To serve the Capital District's many different visitors, a highway system should balance the goal of direct access to local streets with the need for adequate peak-hour capacity.

Similarly, the needs of pedestrians and the need to create a city with a human scale should be in balance with the needs of automobile users.

Changes to the roadway network within the District may impact the surrounding regional transportation system. This impact must be carefully considered in order to maintain the integrity of the regional transportation system.

The Capital City Redevelopment Corporation will work with the State Department of Transportation to achieve these goals in the designs for improvements to Routes 1 and 129 and Route 29.

(2) Transit access - As the nexus of inter-city public transportation services, the Trenton railroad station is neither functionally adequate nor aesthetically appropriate as a major visitor gateway. Upgrading of the station and its surroundings should rectify these conditions as well as provide for improvements in the flow of buses, taxis and private cars around the station.

The majority of worker trips to the Capital District by public transportation are made via the bus system. This service should be enhanced to attract greater ridership as one means of relieving traffic congestion.

(3) Pedestrian movement - The quality of the pedestrian environment should be enhanced to encourage walking as an alternative to short auto trips.

(4) Truck Access - Adequate truck access and circulation should be maintained to ensure that goods flow smoothly to and within the district.

(5) Parking - Parking is an essential service which must be available in the Capital District. At the same time, the storage of vehicles is a sterile use of land that can have a severe impact on the quality of the streetscape. Where economically feasible, structured parking should be encouraged. Surface parking, where used, should be appropriately screened. Parking policies affecting rates and locations should reflect the goals of encouraging the use of mass transit, car pools, van pooling and shuttle services, encouraging private development and supporting downtown commercial activity through the following priorities:

- * Convenient short-term parking should be available for those on quick business or shopping trips. A high turnover rate for this parking should be encouraged.
- * A second tier of longer term parking, including daily parking for tourists and other visitors should be available. Because visitors are occasionally unfamiliar with the city, this parking should be convenient to both major destinations and principal entry points.
- * Additional tiers of long-term parking for the downtown workforce can be provided at locations convenient to major employment centers and, in some instances, at locations serviced by a shuttle bus system.

(6) Management of Transportation Demand - As new development occurs in the District, the demands on the transportation system will increase. The nature of this demand -- whether people choose to drive, carpool or take mass transit, and the times at which they travel -- can be shaped through policies affecting the relative convenience and cost of various modes of travel. A demand management strategy

should be developed to ensure that transportation needs are met in a way that supports the overall revitalization of the District.

D. Recommended Access Improvements

The following improvements to the street and highway network of the Capital District reflect the goals, objectives and design principles discussed above and in other sections of this Renaissance Plan.

(1) Route 29. The freeway which was constructed along the Delaware Riverfront in the 1960s does not respond to the present day needs and redevelopment goals of the Capital District. Although it offers speedy freeway service to the downtown area, it blocks access to the riverfront for pedestrians, obstructs the view of the river from surrounding land uses, and is not conducive to the development of high-value riverfront uses.

Route 29 does not provide clear, convenient connections to the local street system. Since most of the traffic on the highway has destinations within the Capital District, the limited access that is offered to the core of the downtown area negates a primary purpose of the highway.

A redesign of Route 29 is appropriate and desirable to provide opportunities for pedestrians to reach the riverfront and to improve connections to the District's street network. A transition should be provided between the highway environment east and west of the Capital City District and the urban street environment of the District. The re-design must recognize that Route 29 is a major commuter corridor and that it will be required to accommodate peak hour traffic volumes. The design must also address the role played by Route 29 in the regional transportation system. Realignment of the highway should seek to maximize the visibility of landmark buildings within the Capital District. The view of the State House and its dome when approaching from the south should be protected and enhanced. Finally, improved signage to major destinations should be installed.

The Illustrative Site Plan does not depict any particular design solution to these goals and principles. Detailed study of design alternatives in the context of the regional transportation system and the goals of the Renaissance Plan is necessary.

(2) Route 129. The Illustrative Site Plan depicts the Department of Transportation's proposed design for Route 129 and its connection to Route 1 and the local street system. The Capital City Redevelopment Corporation should work with the Department of Transportation to produce measures which will mitigate disruptions to traffic and pedestrian patterns which the highway will cause and to improve the clarity and quality of the section between Route 1 and the train station. Already a severe barrier to the natural flow of pedestrian traffic, this area will become significantly more hostile when the Route 129 construction commences.

The proposed design for Route 129 does not improve access to the Capital District. The existing interchange of the Route 1 freeway and Perry Street will require mitigating reconstruction as a result of the changes in traffic flow resulting from the construction of Route 129. Associated changes to the Perry Street corridor will be required to accommodate increased traffic which the Route 129 highway will generate.

(3) Perry Street Corridor/Canal Drive. The Renaissance Plan proposes the construction of a new street - Canal Drive - extending along the south side of the Delaware & Raritan Canal from Route 1 to Willow Street. This new street would operate as a one-way street westbound, permitting Perry/Bank Street to be operated one-way eastbound, affording needed traffic relief on Perry Street. Canal Drive would diverge from Perry Street at the southbound Route 1 ramp intersection. The one-way operation of Perry Street and Canal Drive could be extended west of Willow Street by operating Spring and Passaic Streets as a one-way pair from Willow to Prospect Streets.

Canal Drive is intended to handle peak hour traffic flow while it serves as a frontage road for residential development along the south side of the street, buffered, where possible, with a strip of planted trees. The road should be designed to discourage high speed traffic. On the north side of Canal Drive, an improved Delaware & Raritan Canal Park should be included as part of the drive's construction. The canal park should include a green planting area incorporating a pedestrian and bikeway plus benches, trees and other amenities (see Exhibit C for an illustrative profile of Canal Drive).

(4) Broad and Warren Street. The principal north-south corridor through the Capital District consists of Broad and Warren Streets. These parallel streets have always been a major development axis for Trenton. This travel corridor operates relatively well from the Battle Monument south to the current end of one-way operation just north of Market Street. South of this point, the corridor is subject to extensive congestion because of the limited width of Broad Street.

It is recommended that the one-way operation of these two streets be extended south beyond the Route 1 freeway. This might be accomplished by reopening old Warren Street from the Assunpink Creek to the Justice Complex.

(5) State Street Corridor. The section of the Capital District located north of the Assunpink Creek between the State House and City Hall constitutes the traditional downtown of Trenton and has the highest existing building density. Centered along State Street, this is the area with the most extensive retail shopping, the highest pedestrian volumes and the greatest concentration of bus service. The Renaissance Plan proposes that this area continue to be the most densely developed section of Trenton.

To accommodate automobile and truck circulation while encouraging development and maintaining the current street system, which generally is quite narrow, the following operational improvements should be analyzed for early implementation:

(a) A one-way loop parallel to State Street should be established using Hanover and Front Streets. This will provide efficient east-west movement through the city away from the highest pedestrian flows on State Street. The one-way pattern can take maximum advantage of the varying widths of the two streets by dropping and adding lanes at intersections or providing or prohibiting parking. East-west bus traffic should be routed along these streets through as much of the Capital District as possible.

(b) Montgomery and Stockton Streets should be operated as a one-way pair between Front Street and Canal Drive. The extremely narrow width of these streets north of Hanover Street is inappropriate for two-way operation. A one-way operation south of Hanover Street will facilitate traffic flow and make installation of progressive signalization much easier.

(c) Vehicular traffic should be allowed through the Commons block between Montgomery and Broad Streets. This would permit motorists to drive along more of the city's main street while keeping the pedestrian mall in operation in its most densely used portion, between Broad and Warren Streets. Realigning the block between Broad and Warren Streets so that there is a clear view through the mall to the other side at Warren Street would improve the motorist's comprehension of the street system.

(6) South Trenton Redevelopment Area. As part of the redevelopment of the extensive parking lot areas in South Trenton, a pair of major east-west streets parallel to Market Street are proposed. Operated as a one-way pair, these streets will provide an improved connection between Route 29 and Broad and Warren Streets, the major north-south corridor within the Capital District.

(7) State House District. Major improvement is proposed for the riverfront side of the State House including the development of a new Stacy Park and an extension of Lafayette Street providing access to parking structures proposed to replace the existing surface lots. Curb parking along the extension would facilitate parking for chartered buses bringing visitors to the State House (see Exhibit D for a profile of this Capital Boulevard).

(8) Traffic Control System. The close proximity of traffic signals on a street grid suggests the need for an interconnected signal system. A computer-controlled traffic signal system may be required to facilitate smooth traffic flow within the Capital District. Ideally, it would be tied into traffic systems operating on arterials in the remainder of the Trenton metropolitan area.

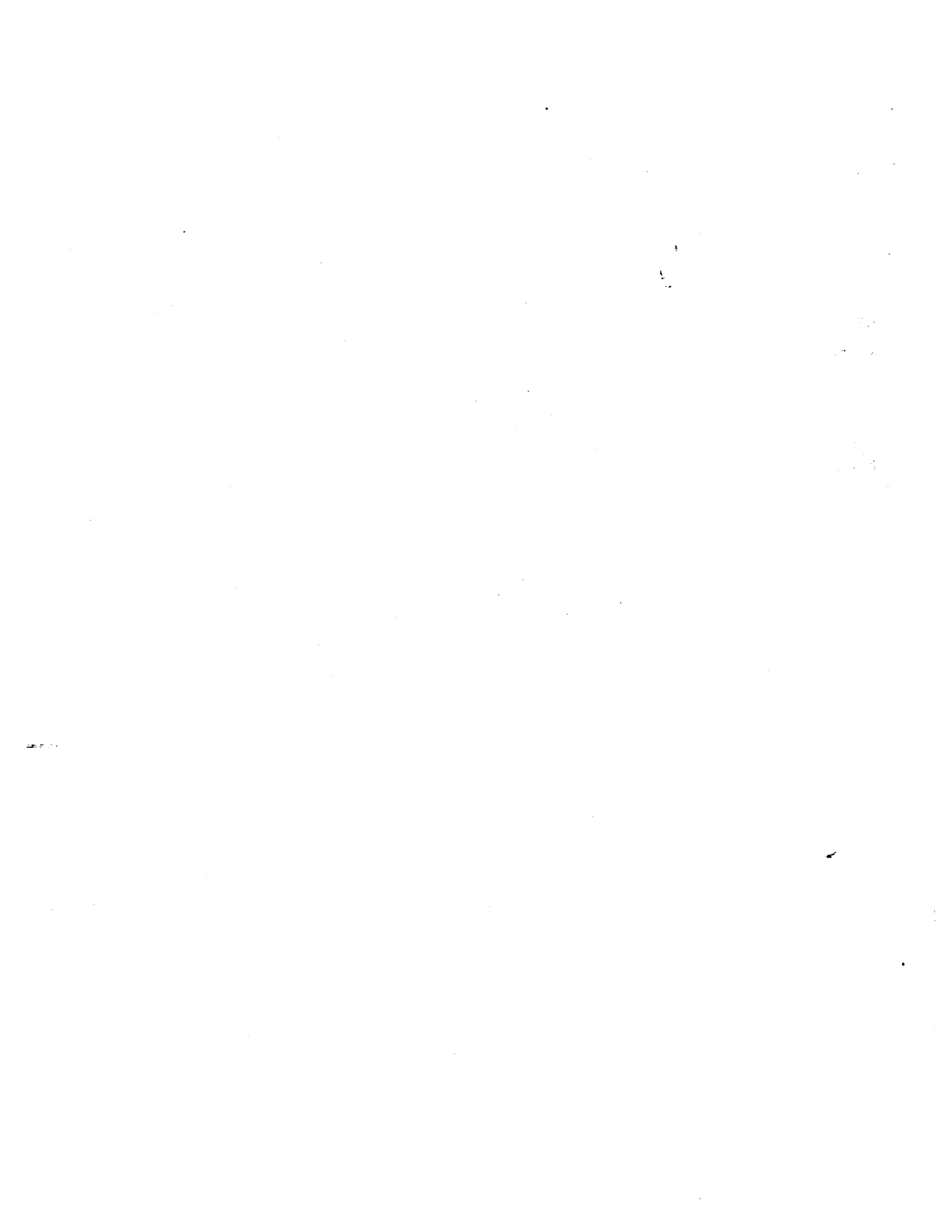
(9) Upgraded Railroad Station. The existing railroad station, constructed in the late 1960's, is inadequate for handling current passenger volumes. Aesthetically, it is hardly fitting as a major gateway to the State's Capitol. The Capital City Redevelopment Corporation intends to work closely with NJ TRANSIT to initiate the process of upgrading the terminal building with extensive additional services for transit users. Such a facility could also serve as a terminal for inter-city bus services to areas not conveniently served by the rail system. A

mixed-use development that incorporates an upgraded terminal building would be an appropriate solution to this need (see Section VII, B, (6)).

Frequent and convenient distributional transit services are needed from the train station to the Capital District's major destinations, including the Justice Complex and the State House.

E. Conclusion

There is a limited number of transportation improvements which can be provided within the Capital District. If the District is to become an increasingly vital and enjoyable place to work, shop and live, it will be important to implement policies, goals and objectives discussed throughout the Renaissance Plan which are intended to accommodate vehicular traffic while not allowing vehicles to dominate the urban environment. The needs of vehicles should be balanced with the other needs of the city.



VII. LAND USE PLAN ELEMENT

This Land Use Plan Element addresses the legislative requirement to:

- * recommend appropriate future governmental and private land uses in specific areas,
- * contain proposals for conservation, rehabilitation and adaptive reuse of existing governmental and nongovernmental buildings,
- * propose strategies concerning conservation and improvement of the public environment, including streets, walkways, parks, and other public spaces, and
- * set forth proposals for the restoration and improvement of the historic areas, sites and structures.

A. Design Principles

The following design and planning principles underlie the Land Use Plan Element and the other Elements discussed in detail in Section IV, Design Plan Element; V, Cultural Plan Element; and VI, Transportation Plan Element. They are intended to create a physical environment that will be attractive to public and private investment and foster renewed economic vigor in the Capital District.

(1) Pedestrian Orientation and Streetscape

- (a) Linkages should be established between downtown activity centers to encourage pedestrian activity.
- (b) The connections between adjacent neighborhoods and downtown activity centers should be strengthened to encourage interaction between them.
- (c) Pedestrian routes should be physically attractive, comfortable, and supported with commercial activity.
- (d) Infill development of vacant lots is desirable.
- (e) The impact of land uses which inhibit pedestrian movement - such as buildings with blank walls or surface parking lots - should be mitigated.
- (f) The flow of pedestrian activity on a street should not be impeded by poorly placed street furniture or landscaping.
- (g) Development should maximize opportunities for retail activity along the streets.
- (h) Pedestrian access to the waterways should reflect safety considerations.

(2) Signage

- (a) Signage systems should clarify and not confuse.
- (b) Signs should not distract from the architectural quality of a building.
- (c) The size, design and placement of signs should respect the historic character of the Capital District.
- (d) The placement and location of signs should relate to the informational purpose of the sign.
- (e) Signs should be placed so that they do not impair traffic safety.
- (f) The signage systems in the District should have a design logic.
- (g) Signs should be designed for ease of maintenance.

(3) Streets Lights and Furniture

- (a) Streets, sidewalks and parking areas should be well lit at night to improve security and support commercial activity.
- (b) Residential areas should be lit at night, but not so brightly as to disrupt residents.
- (c) The design of lighting systems used should have some logic and coherence which complements the Capital District's historic character.
- (d) Street lights should be designed and placed to enhance the scale, character and safety of each street.
- (e) Street furniture, including public art, should be an important element of the urban fabric and a significant contribution to a well designed city.
- (f) Street furniture should be designed and placed in a manner which reflects the character of the street and neighborhood.
- (g) The design, placement and construction of street furniture should take maintenance into consideration.
- (h) The use of street trees and other plantings should be encouraged to provide comfort, shade and beauty.

(4) Building Design

- (a) Building placement on a lot should reflect a relationship to the street that reinforces a pedestrian-oriented, human scale.
- (b) The design of new buildings and the use of exterior materials should complement and be responsive to the historic character of the Capital District.

- (c) Buildings should complement, rather than overwhelm, adjacent and neighboring buildings in terms of their height, scale and design.
- (d) A sense of building scale should be reinforced through appropriate architectural expression.
- (e) Buildings at the street level should be designed to enhance pedestrian activity through attractive window treatment, signage and location of entrances.
- (f) Building design and placement should exploit the appeal and attractiveness of the waterways in the Capital District.
- (g) The ground floor of parking structures should be designed for active uses along public sidewalks.

(5) Transportation and Parking

- (a) A balance should be maintained between the movement of pedestrians and the movement of vehicles.
- (b) Improvements to road systems for the movement of private automobiles should be balanced by improvements to mass transit systems.
- (c) The street system should be legible and coherent to the motorist.
- (d) Parking for short-term commercial activities should be convenient and accessible.
- (e) Alternatives to long-term parking immediately adjacent to major employment centers should be explored.

B. Future Governmental and Private Land Uses

The Illustrative Site Plan offers a graphic depiction of the overall design context within which development in the Capital District should take place. This Site Plan shows recommended locations and basic design parameters for public plazas, parks, street and highway improvements and public parking facilities, and it illustrates public and private development opportunities and recommended land uses in a configuration that reflects the development goals and principles set forth in Sections III - IV.

The following is a general description of the proposals depicted on the Illustrative Site Plan, grouped loosely by location. The diverse mix of uses - residential, retail, office, cultural, recreational - that are interspersed

throughout the Capital District is intended to help create a dynamic, stimulating and distinctly urban environment.

(1) The West State Street Area

The area west of Calhoun Street is a mix of low-rise masonry and clapboard townhouses (including one locally designated landmark building -- the Emlen House) on the north side of State Street and a mix of high- and low-rise buildings in residential and office uses on the south side of the street. Conservation and property upgrades are likely to be the long-term focus of development activities in this area. The area along State Street is included within the Type III zone, with a height limitation for new development of 4.5 stories. Along the back of the area, as it slopes down toward the river, higher development in a Type II zone is appropriate. Mixed use development for residential and office uses would be encouraged.

The scale and design continuity of that section of the Historic District east of Calhoun Street has been broken in the recent past. Vigorous efforts will be required to ensure that new buildings developed in the area are not intrusive but compatible with the neighborhood. The controls of this Renaissance Plan should support the long-term conservation and preservation of this unique area.

(2) The Capitol Complex and the War Memorial

The Renaissance Plan envisions enhancing the State House, the Annex, the State Library and Museum Complex, the War Memorial and the Old Barracks by improving the setting as befits the importance of this major public complex. The Illustrative Site Plan depicts the State House with a new entry facing the river. As visitors approach the domed building on Route 29, they would see the State House framed by a gently sloping green park and a large reflecting pond located where parking lots replaced the former Stacy Park.

The park would set off the War Memorial building, a significant cultural center in the Capital District, and would surround it on two sides with the last stretch of the Assunpink Creek before the stream flows into the Delaware River. To support the programming at the War Memorial and expand the opportunities for active recreation in the downtown, a skating rink and an outdoor amphitheater are recommended.

Parking could be provided on new decks adjacent to and behind the State House, servicing the Capitol, the State Library, and the Museum complex. A Visitors Center in the State House area would help inform visitors of the important attractions within the Capital District and provide a focal point for tourism as a stimulus to further economic development in the District. New offices reflected in the State House plan could be built on top of the parking deck to meet future capacity needs.

The Illustrative Site Plan depicts an extension of Lafayette Street to the Capitol complex. This would create a short-term parking opportunity for tourists arriving at the Capitol. It would also provide easy access to and from Route 29. A cross section of a possible design for this "Capital Boulevard" as it relates to the State House complex and the proposed park is shown in Exhibit D.

A possible helipad site on the Delaware River immediately north of the Calhoun Street bridge and adjacent to the Trenton waterworks plant could offer access to the State House and major highways and would be isolated enough to limit noise and other disruptions from the helicopters. Moreover, the river itself offers a safe and easy entry point for helicopters into the Capital District.

(3) The State Street/ Commons Area

The State Street/ Commons area is the retail and commercial core of the Capital District. The intent of the Renaissance Plan is to reinforce that role. Building heights are highest along State Street from Willow to just past Montgomery Street. Along this spine, buildings may reach ten stories in height (see Map #3, Building Height Zones). Infill development and new large scale development on sites that might be assembled privately are encouraged and could be undertaken in conformance with the Renaissance Plan.

Streets and other public spaces that are inviting to pedestrians are especially important in the State Street/ Commons area. Pedestrian Continuity Frontages (see Map #7) are designated along State Street, its cross streets, and part of Front Street to achieve a lively commercial ambience. Commercial development along Front Street on land used for surface parking between Montgomery Street and Route 1 is desirable.

Parking facilities in this area should serve the needs of the public through a rate structure that encourages short-term parking.

Improved signage is needed to help visitors navigate the Capital District.

The Commons block between Warren and Broad Streets should become the focus of high-density retail activity in downtown Trenton. Retention of the pedestrian mall on this block, along with improved lighting, new street furniture and landscaping, and an ongoing, effective maintenance program should strengthen the retail potential of this street. Facade improvements, especially for ground floor commercial establishments along the Commons, would add to the attractiveness of the area.

(4) The Riverfront District

The Delaware Riverfront generally is unseen and definitely is inaccessible. If Route 29 were redesigned so that people in the Capital District could see the river and walk to it, the riverfront could reach its potential as an amenity that offers valuable recreational and development opportunities. The Illustrative Site Plan depicts mixed-used development in this area with residential, office, retail, and structured parking uses.

A new neighborhood created in this area would be framed by a traditional grid street system oriented towards the River. Appropriate landscape treatment of the central chilling plant to create a plaza-like park in front of the Department of Labor and Industry and the Department of Agriculture and Health buildings would serve to strengthen the character of this newly established neighborhood. The isolation of the Trent House would end with development in this area.

The density of development proposed should be sufficient to support cafes, restaurants, and the retail activities needed to enhance the area as a pleasant place to live, work, stroll, eat, and enjoy the vistas.

Parking in the riverfront area would be structured and internal to the blocks as depicted in Exhibits E and F which show how this concept could be applied to office and residential buildings.

The following principles should be applied to the redesign of Route 29 so that it meets the goals and objectives of the Renaissance Plan:

- * Easy access to the riverfront for pedestrians.
- * Improved and clearer connections to the local street network.
- * Creation of high-value opportunities on underutilized land along the roadway, capitalizing on the Delaware River as a visible and accessible amenity.

A section illustrating how some of these principles can be implemented is shown as Exhibit G.

The Illustrative Site Plan does not depict any particular design solution to these goals and principles. Detailed study of design alternatives in the context of the regional transportation system and the goals of the Renaissance Plan are necessary.

(5) The Mill Hill Neighborhood

The Renaissance Plan recognizes the need to preserve the charming historic and residential character of the Mill Hill neighborhood through sensitive design controls. Some infill development is recommended for vacant lots. Improvements to Mill Hill Park and the Assunpink Creek are proposed.

(6) The Train Station

The Trenton Train Station is a major gateway into the City for commuters and visitors and warrants a greater sense of visual importance than it presently commands. The Illustrative Site Plan depicts a more impressive terminal building with a landscaped entrance. New buildings - for office, commercial and/or residential use - are shown filling in the empty lots near the station. These buildings would enjoy excellent access to the station, Route 1 and Route 129, as well as the openness conferred by the historic, lush, wooded cemetery.

The Illustrative Site Plan shows the Department of Transportation's proposed design for Route 129 and its connection to Route 1 and the local street system. This design will create disruptions to traffic and pedestrian patterns without making access to the Capital District easier. The Capital City Redevelopment

Corporation intends to work with the DOT to seek solutions to this problem, especially for the area between Route 1 and the train station and at the Perry Street/Route 1 interchange.

To make the station more accessible to those who work or live downtown, a safe and pleasant pedestrian link is needed along Market Street as it runs under Route 1. Pedestrians should be encouraged to walk along the Assunpink Creek as it runs through the Mill Hill Park and into the heart of the Capital District. To accommodate the needs of motorists, sites for two large parking facilities are proposed in close proximity to the station.

(7) The Old Trenton Neighborhood

The Old Trenton neighborhood lies outside the boundaries of the Capital District but is too close not to be affected by development within the District. The Renaissance Plan suggests certain actions which should benefit the community. These include new residential development on vacant and underutilized land near the D&R Canal, a public plaza in front of the Trenton Main Public Library and adjacent to the Kerney Campus of the Mercer County Community College, construction of new parking facilities, and creation of Canal Drive to relieve heavy traffic volume on Perry Street. In addition, a new public square is recommended at Perry/Bank Street between Broad and Warren Streets. This square could become an important focus of community activity and is a good location for a farmers market.

(8) The Battle Monument Area

A redesigned and better-maintained Battle Monument Park is necessary to improve the setting for the Battle Monument itself - a registered National Landmark. The automobile service station adjacent to the park should be redesigned or acquired to upgrade the park and enhance its proximity to the proposed D&R Canal park. Although the surrounding area is outside the boundaries of the Capital District, the Illustrative Site Plan shows new development configured around the park. Also depicted is a redesign of the hard-surfaced, underutilized park on Tucker Street, adjacent to the D&R Canal.

(9) The West Hanover Street/Canal Neighborhood

The Renaissance Plan recognizes the need to reinforce the residential nature of this small community. As structured parking facilities are built elsewhere, the

land now used by the State for surface parking should be made available for residential reuse. A site adjacent to the canal is identified for a Canal Museum which would strengthen the neighborhood's tie to this waterway and create another cultural and historical resource for the entire city's enjoyment.

The intensity of development since 1985 along Hanover Street between Willow and Broad Streets has made the area a major center of office and retail activity. The property on the triangular block at Warren and Hanover Streets is in a deteriorated condition and can have a blighting effect on redevelopment activity in the area. If the property is not improved to eliminate the blighting influence, it should be considered for acquisition to foster the redevelopment goals of the Renaissance Plan. Any land not required for circulation improvements should be devoted to public open space.

(10) Parking Facilities

The availability of adequate parking facilities is essential to the economic vitality of the Capital District. The Urban Code (Exhibit B) requires that residential, commercial and office development have sufficient parking spaces available either in close proximity to the site or in more remote locations which are serviced by a shuttle.

Parking requirements are:

...one space for each 500 square feet of commercial use in buildings with 5,000 square feet or more of Gross Floor Area.

...one space for each residential unit.

Parking spaces generally shall be provided within 1,000 feet of the lot they serve.

Parking is not required for an independent building with less than 5,000 square feet of Gross Floor area.

Parking would be provided through public or private means. To maximize the value of large tracts of land presently devoted to surface parking lots, the Renaissance Plan encourages the construction of structured parking garages. Such facilities could be part of a commercial or residential development as shown in

Exhibits E and F. Sites for structured parking garages are shown on the Illustrative Site Plan. The proposed sites should be analyzed prior to development to assure that adjacent roads have adequate capacity to handle peak-hour traffic generated by the garage.

(11) Housing Opportunities

The Renaissance Plan shows locations that offer the potential for the development of some 2,000 housing units of various types including traditional three-and-a-half story townhouses in the Mill Hill area, apartments above shops in the downtown retail district, and apartments in multi-story buildings overlooking the River. Infill housing opportunities are suggested along Canal Road in the Old Trenton neighborhood and near West Hanover Street. New residential development in the Capital District will lead to increased demand for restaurants, retail outlets and entertainment downtown, and will result in greater activity levels in the evenings and on weekends.

C. Existing Buildings

It is the intent of the Renaissance Plan to create a supportive environment for conserving and upgrading existing buildings in the Capital District.

There are many buildings of a public or private institutional character that are especially significant because of their location or functions. For example:

...The Mercer County Courthouse on South Broad Street has established a major presence because of the economic activity generated by the substantial number of people who work and visit there.

...The Masonic Temple on Barrack Street is a relatively underutilized building that holds potential for a variety of public or quasi-public functions.

...The Old Barracks Museum is a registered national historic landmark that has received substantial funds over the years for major restoration work and is an important historic attraction.

...The Mill Hill Playhouse and the Douglass House, adjacent to one another on Front Street, together with the nearby Artworks Center, create a locus of

significant cultural and historic importance in the Mill Hill neighborhood. This area holds great potential for enhancement as an arts district.

Several churches and private buildings have significant impact upon their immediate surroundings by virtue of their size, architectural quality or historic importance.

The proposals in this Land Use Element and the controls in the Urban Code are intended to nurture an environment that will be conducive to the maintenance, conservation and, where appropriate, adaptive reuse of any of these buildings, and to ensure that new development will be compatible with existing structures.

Other recommendations aim to enhance the quality of the streetscape to provide a more complementary setting for existing buildings. The land use proposals seek to reinforce and strengthen the character of existing neighborhoods and business districts.

D. Conserving the Public Environment

Conserving and improving the public environment is a central strategy of the Renaissance Plan for revitalizing the Capital District. The District contains some fine public spaces which could be compromised or lost altogether as development takes place. The reality of this threat can be seen in the urban renewal area in front of the Justice Complex. There, the streets are exclusively devoted to the automobile, pedestrian travel is uncomfortable, public gathering places are nonexistent, and the city's historic streetscapes have been replaced with large parking lots.

Streets, walkways, parks and other public spaces must be attractive for the Capital District to appeal to visitors, residents, employees and investors. The Renaissance Plan seeks to conserve the strong elements of the public environment as they exist today and extend them throughout the area. This section discusses policies and strategies to meet this goal.

(1) Streets

The Capital District's historic streets are its most frequently used public spaces. The Renaissance Plan aims to preserve their character by balancing the

necessity for the automobile with the needs of pedestrians for ample sunlight, sidewalk spaces, safety and urban activity. The Urban Code would make streets more inviting to pedestrians through the following controls:

- * Requiring that adjacent buildings abut the property line or a common build-to line to help create a comfortable, human scale on the street and add harmony to a block of buildings.
- * Limiting the amount of glazed area on a building's facade and generally restricting facade building materials to help ensure that new development harmonizes with older structures.
- * Generally encouraging mixed-used development, and mandating commercial uses on the ground floor of buildings to encourage activity along pedestrian routes.
- * Requiring buildings to have their main entrance facing the street or a public park to maximize pedestrian activity.
- * Screening vacant lots (including surface parking lots) with a street wall to minimize their interruption of building frontages.

To help upgrade these buildings, the Capital City Redevelopment Corporation will encourage and, where appropriate, make resources available to support facade improvements, especially along the ground floor of commercial establishments.

The Capital District's traditional grid layout makes the street network legible to visitors. Together with height limitations, it could help create blocks that are a comfortable, human scale. The Illustrative Site Plan depicts an extension of the grid street through the area southwest of the Assunpink Creek.

Other important elements of the street as a public space include signage, street furniture, public art, street trees and other plantings, and lighting. A more coherent system for presenting information on street signs is needed to make the Capital District an inviting place for visitors.

Street furniture, landscaping and lighting should enhance the pedestrian experience, reflect a sensitivity to the historic character of the area, and be consistent with surrounding blocks.

(2) Walkways

To encourage pedestrian activity, the Renaissance Plan recommends conserving and building upon the Capital District's walkways. One approach to draw residents, shoppers and employees onto the streets is to make walking more interesting. The Urban Code requires that 70% of the ground floor of a building along a designated Pedestrian Continuity Frontage be devoted to commercial use. These Frontages are along major retail streets, including Broad, Warren and State Streets. To promote attractive storefronts and window displays, the Urban Code calls for at least 70% glass area on the ground floor of these Frontages.

Infill development on small, scattered parcels of vacant land is recommended along major pedestrian routes in the District so these routes will be lined with buildings. Parking structures are proposed for the inside of a block, often surrounded by buildings on three sides. A graphic depiction of these proposals can be seen through the placement of buildings in the Illustrative Site Plan.

Where walkways run through parks, they should be visible to enhance security. New walkways are recommended linking the train station with the downtown area, running alongside the D&R Canal, the Assunpink Creek and the Delaware River.

(3) Parks and Other Public Spaces

The Renaissance Plan considers public spaces to be important focal points of the Capital District. Road improvements and new buildings should be sited around them in locations which complement the public spaces and capitalize on the amenities they confer. The Illustrative Site Plan shows existing and proposed public spaces, buildings and roads in a physical configuration that meets this goal. The proposed new parks and plazas are located in front of buildings with civic and historic significance, such as the State House, War Memorial, the Trenton Main Public Library and the Kerney Campus of Mercer County Community College, a cluster of churches in the Old Trenton neighborhood, and the train station.

The Renaissance Plan recommends several specific improvements to existing public spaces, including Mill Hill Park, the State Street Commons, the Assunpink Creek, the Battle Monument Park and the plaza adjacent to Battle Monument Park. These proposals are described in the Design Element.

(4) Maintenance

To serve their desired function, public spaces must be clean, well lit at night, and in a state of good physical repair. The responsibility for maintenance activities should be clearly assigned when new public spaces are created. To improve the appearance of existing public spaces which are in need of attention, the parties which benefit from their existence should become involved in funding, management oversight, identification of needed improvements, and/or direct maintenance activities. These parties may include the City, the State, private employers, downtown merchants, civic groups and developers. The scope of the downtown management should be expanded and/or replicated so that a coordinating role is filled throughout the Capital District.

E. Historic Areas

Trenton's historic areas, sites and structures not only give the city much of its character, but constitute an important and irreplaceable set of tourist attractions. Their appeal to visitors depends largely upon how attractive and inviting they are. Revitalization thus presents both a risk and an opportunity to historic sites. On one hand, contextual development and redevelopment could enhance the surrounding environment by making it cleaner, livelier, and more secure. On the other hand, revitalization could result in new development at an overwhelming scale which detracts from the historic character of an area.

(1) Design Controls

Preserving the Capital District's historic assets while encouraging new development and redevelopment constitutes an important challenge addressed in the Renaissance Plan.

The design controls in the Urban Code are a response to this challenge and are intended to ensure that new buildings respect historic structures in their vicinity. The Urban Code delineates five buildings types appropriate for different sections of the Capital District. For each type, the Code sets forth building

height, placement, use, parking and material standards that are intended to produce a pleasing urban fabric, relating to both the new and the old.

The building regulations reflect several goals:

...To spread new development throughout the Capital District rather than concentrate it in a few tall buildings.

...To provide for a range of attractive investment opportunities.

...To ensure that the scale of new buildings would complement, rather than overwhelm, surrounding buildings.

The building types are described briefly below. Their locations can be found on Map #3, Building Height Zones.

- * Type I (high-rise) buildings at a maximum of ten stories along State Street from Willow to just past Montgomery Street.
- * Type II (mid-rise) buildings at a maximum of six stories. They are designated in a buffer around the State Street high-rise area and elsewhere and generally provide a transition to adjacent low-rise areas.
- * Type III (low-rise) buildings at a maximum of 4.5 stories. They are designated primarily around the State Street Historic District, the D&R Canal, and the Battle Monument area where low buildings currently prevail.
- * Type IV (townhouse) buildings at a maximum of 3.5 stories. They are designated for the Mill Hill Historic District and the South Warren Street Historic District to preserve the existing scale of development.

2. Recommended Improvements

The following recommendations are designed to strengthen and reinforce the special qualities of the Capital District's historic areas.

(a) Mill Hill Historic District

In the Mill Hill Historic District, small-scale infill development is proposed for the few vacant lots. New development would be required to conform to the Urban Code standards for Type IV buildings, ensuring compatibility with the heights and materials of the existing brick row houses, detached frame houses and other buildings including commercial frontages along Broad Street.

Design improvements to the Mill Hill Park are recommended to make it more accessible and inviting. Attention must be paid to maintenance and security to minimize conflict between desirable and undesirable users of the park.

(b) West State Street Historic District

New development in the West State Street Historic District and the West Hanover/Canal area would be required to conform to the Type III standards in the Urban Code. Mixed-use development for residential or commercial purposes is encouraged.

The West State Street Historic District is impacted by the large number of tour buses which park directly on State Street. The future extension of Lafayette Street behind the State House would offer a better location for tour bus parking.

The residential area between West Hanover Street and the D&R Canal has been reduced by the expansion of surface parking lots to meet State parking needs. New housing along the street frontages would reinforce the residential character of the area. Further development could screen the remaining parking from the street or replace it altogether as opportunities occur. To reclaim a link with the D&R Canal and create a local resource identified with this small community, development of a small Canal Museum is recommended along a narrow grassy park next to the Canal.

(c) South Warren Street

The South Warren Street Historic District ends abruptly at Lafayette Street, beyond which sprawling parking lots and isolated office buildings predominate. The intent of the Renaissance Plan is to foster mixed-use development and extend the commercial street character of the area all the way down to the Trent House through the following improvements:

- * Rebuilding a traditional grid street system and creating sites for a series of six-story buildings along Warren Street and between Warren and Route 29.
- * Designating Pedestrian Continuity Frontages along Warren Street to ensure that the street has a lively, pedestrian orientation.
- * Siting a hotel/conference center on Warren Street between Lafayette and the Assunpink Creek.

Implementation of these proposals would link the Warren Street Historic District to the Justice Complex and knit these two areas together within the total urban fabric of the Capital District.

(d) The Old Trenton Neighborhood

The Old Trenton neighborhood is bounded by Route 1, the D&R Canal, North Broad Street, and East Hanover Street. It is directly outside the Capital District but close enough to be affected by what takes place within the District. This predominantly residential area is dominated by brick row houses, many vacant; and contains significant tracts of vacant and underutilized land.

Certain actions are recommended as a means to protect the neighborhood's residential character and historic assets:

...A new road, Canal Drive, to handle westbound traffic, allowing the heavily congested Perry Street to become a one-way eastbound street.

...New residential development along the canal on land that is underutilized, vacant or otherwise could be made available.

...A public plaza is suggested to setoff the neighborhood's two major institutions: the Trenton Main Public Library and the Kerney Campus of the Mercer County Community College.

F. Summary of Development Opportunities

The Renaissance Plan seeks to preserve the historical and architectural assets of the Capital District while offering significant new development opportunities, such as:

- * 2-3 million square feet of office space,
- * 100,000-200,000 square feet of retail space,
- * 2,000-3,000 new housing units,
- * 15,000-20,000 parking spaces in garage structures,
- * a 10,000-12,000 seat civic arena, and
- * a 200-room hotel and conference center.

In addition, the Renaissance Plan envisions significant enhancements to the public spaces in the Capital District including the creation of:

- * a new Stacy Park between the river and the State House,
- * a new park, amphitheater and skating rink adjacent to the War Memorial,
- * a linear park and drive along the D&R Canal,
- * a D&R Canal Museum in the West Hanover Street/canal area,
- * a plaza in front of the Trenton Main Public Library and the Kerney Campus of the Mercer County Community College, and
- * a community center and plaza on Perry/Bank Street.

The Renaissance Plan also contains recommendations for improving the flow of traffic on local streets in and serving the Capital District and goals for improvements to the major highways directly serving the District so as to simplify access to the downtown street network and improve pedestrian connections to the downtown and to the Delaware riverfront.

VIII. RELOCATION PLAN ELEMENT

This Relocation Plan Element addresses the legislative requirement to:

- * assess the displacement of households and businesses within the district that would result from the implementation of this plan,
- * propose a strategy for relocation of households to adequate and affordable housing units.

A. Residential Relocation

The redevelopment program planned for the Capital City Redevelopment District will result in economic resurgence in downtown Trenton. This redevelopment, coupled with rising property values, can cause problems for those who are economically disadvantaged if it results in their leaving their homes and neighborhoods involuntarily. The Capital City Redevelopment Corporation recognizes that it has an obligation to address this issue as an integral part of its development program.

There are certain conditions in neighborhoods within and adjacent to the Capital District which make the residents vulnerable to the market forces resulting from successful development and revitalization efforts in the District. Some of these characteristics include:

1. A high percentage of renter households of low and moderate income;
2. A high percentage of substandard housing units;
3. A high percentage of absentee ownership;
4. A high percentage of properties with limited or fixed cash flows;
5. A substantial amount of vacant and underutilized land;
6. A significant number of vacant deteriorating buildings.

Implementation of the Capital City Renaissance Plan will encourage private investment, rehabilitation, and development. While increasing real estate values is a clear goal of any redevelopment program for downtown, such a result could be harmful to those who may not have the ability to pay higher rents or who may face displacement as a result of private investment decisions.

In assessing the potential impact of its Renaissance Plan on households in and near the District, CCRC recognizes two possibilities:

1. Displacement that occurs directly as a result of actions of CCRC will require relocation assistance for affected households in accordance with the laws of New Jersey.
2. Displacement could occur indirectly as a result of the economic forces operating within the market place in response to the success of CCRC development activities but could be mitigated to some extent by a variety of efforts by CCRC and others.

In the first instance, CCRC is not proposing any development project which would displace present Capital District residents. If such a project is proposed in the future, CCRC will require that a relocation plan, in conformance with relevant New Jersey statutes, be submitted and approved as a part of the overall development proposal. Where possible, CCRC will provide the opportunity for any affected household to be relocated to a comparable unit within the Capital District.

Regarding the second possibility, CCRC recognizes that there could be an impact on the housing market within and around the Capital District resulting from the Corporation's planning, coordinating and promoting public and private development activities in the District. The availability and affordability of housing units for individuals and families of low and moderate incomes could be affected unless there are responsible efforts and adequate resources provided to meet this need.

In response, CCRC will use some of its own resources, as well as obtain and coordinate other resources, to accomplish the following objectives:

1. To seek, promote and develop housing opportunities which will foster mixed income neighborhood development;
2. To use new and existing programs and mechanisms to support stabilization, preservation and revitalization within the Capital District.
3. To achieve mixed-income occupancy in residential projects receiving CCRC assistance with a minimum of 25 percent of units affordable by households of low and moderate income. Such income mixes will be

considered based upon the availability of subsidy funds as well as the marketability, financing and long-term economic viability of each proposed project.

To reach its objective of expanding housing opportunities, CCRC will utilize the following supportive strategies:

1. Encourage, promote and assist residential ownership opportunities for households of various income levels;
2. Provide assistance to property owners to repair, rehabilitate, improve or otherwise bring housing units into code compliance while keeping such units available to households with modest incomes;
3. Provide assistance for mixed income residential development;
4. Provide assistance in the rehabilitation or adaptive reuse of buildings for residential purposes;
5. Encourage the use of rental assistance programs in support of residential rehabilitation;
6. Encourage nonprofit community development corporations to develop and maintain housing units affordable to households with low and moderate incomes.

Successful implementation of these strategies will accomplish the following goals:

1. To increase the opportunities for residential ownership within the Capital District;
2. To increase the availability and use of incentives for property owners to make physical improvements to their properties;
3. To increase the number of decent and affordable occupied units within the Capital District;
4. To decrease the number of substandard occupied units within the Capital District;
5. To decrease the number of deteriorated buildings which blight the neighborhoods;
6. To decrease the amount of vacant and underutilized land which weakens neighborhood vitality;
7. To increase the tax base for the City of Trenton.

To achieve the goals described above, CCRC anticipates utilizing the following programs and mechanisms:

1. Federal, State and local development assistance, housing assistance and rental subsidy programs;
2. CCRC's Redevelopment Loan and Grant Fund;
3. Private loans and grants available through the Community Reinvestment Act;
4. Funds generated through Regional Contribution Agreements;
5. Funds generated from commercial development; and
6. Other available resources which could provide assistance to owners, developers or renters to reduce the cost of housing to the user, including units provided by inclusionary residential development agreements.

Further, in recognition of the possible impact that its activities could have on neighborhoods near the Capital District, CCRC intends to coordinate its efforts with other public and private entities to help insure the availability and affordability of housing units in those areas. All of these efforts will be in keeping with the intent and spirit of the Capital City Renaissance Plan.

B. Business Relocation

The Renaissance Plan does not propose large scale public acquisition and displacement of existing businesses within the Capital District, although limited and scattered acquisition and displacement may be necessary to implement the Plan during its 20-year life. Any business that is compatible with the land uses, goals and objectives of the Renaissance Plan and is displaced through actions taken by the Capital City Redevelopment Corporation while implementing this Plan, will be encouraged to relocate within the Capital District. All businesses displaced by CCRC actions will be compensated under New Jersey law for their reasonable and necessary moving expenses. CCRC will cooperate with businesses in their efforts to obtain loans and other support.