ORDINANCE NO. 2012-02

AN ORDINANCE AMENDING THE 2007 ECONOMIC REDEVELOPMENT PLAN FOR THE WARETOWN TOWN CENTER ESTABLISHING A SUB-AREA REDEVELOPMENT PLAN FOR THE OCEAN COMMONS SITE (BLOCK 41, LOT 42.01) LOCATED IN THE TC-OC DISTRICT IN THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, NEW JERSEY

WHEREAS, The New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1, et seq., authorizes the governing body to adopt by ordinance redevelopment plans and amendments to redevelopment plans for areas in need of redevelopment or rehabilitation; and,

WHEREAS, Block 41, Lot 42.01, commonly known as the Ocean Commons site in the Waretown Town Center, is located within a designated area in need of redevelopment; and,

WHEREAS, The Township Committee adopted an Economic Redevelopment Plan (ERP) in June 2000, for properties west of Route 9 and north of Wells Mills Road, which was subsequently amended by the Township Committee in December 2007; and,

WHEREAS, the 2007 ERP amendment included a Conceptual Development Plan for the Waretown Town Center that identified the Ocean Commons site for multi-family residential development as part of the comprehensive mixed-use redevelopment plan for the Waretown Town Center; and,

WHEREAS, on November 13, 2008, the Township's zoning map was amended to include the portion of Block 41, Lot 42.01, that is located within the Waretown Town Center as being located within the TC-OC District consistent with its designation in the Town Center Conceptual Development Plan and ERP; and

WHEREA, the Township Committee has determined that a maximum of 55 residential units is appropriate within the TC-OC District and Ocean Commons site; and

WHEREAS, a redevelopment plan for the redevelopment of the Ocean Commons site entitled "Redevelopment Plan: Ocean Commons Sub Area (Block 41, Lot 42.01)" dated January 12, 2012, (attached hereto as Exhibit A) has been prepared by T&M Associates for the Ocean Township Committee; and

WHEREAS, the redevelopment plan, including the land use and building requirements and conceptual development plan incorporated into the plan, reflects the intent of the Township Committee as to the redevelopment of the Ocean Commons site; and,

WHEREAS, the Township Committee has reviewed the Planning Board report, given due consideration to the Redevelopment Plan, and has determined that the Redevelopment Plan is in the best interest of the Township,

THEREFORE, BE IT ORDAINED, by the **Township Committee of the Township of Ocean** that:

SECTION 1.

1. The Redevelopment Plan is found to be consistent with the Township's Master Plan and the criteria for redevelopment plans set forth in N.J.S.A. 40A: 12A-7

2. The Township Committee has reviewed the Redevelopment Plan and held a public hearing concerning the same to receive the comment of the public.

3. The Redevelopment Plan attached hereto as Exhibit A for the Ocean Commons site is hereby adopted and will act as an amendment to the 2007 Economic Redevelopment Plan and supersede the existing zoning requirements for the area as described in the Redevelopment Plan.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 4: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at meeting held on the 12th day of January, 2012. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 9th day of January, 2012, at 6:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

_____

Diane B. Ambrosio
Township Clerk

Redevelopment Plan

Ocean Commons Sub Area
(Block 41, Lot 42.01)

Township of Ocean
Ocean County, New Jersey

January 12, 2012

Prepared By

T&M ASSOCIATES
11 Tindall Road
Middletown, NJ 07748

The original of this document has been signed and sealed
in accordance with New Jersey Law

Stan Slachetka, AICP, P.P., LEED-GA
New Jersey Professional Planner
License No. LI-03508

ADOPTED BY THE TOWNSHIP COMMITTEE: _____

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INTRODUCTION

In June 2000, an Economic Redevelopment Plan (ERP) was adopted to guide future redevelopment of properties north of Wells Mill Road and west of Route 9. The 2000 ERP was amended in December 2007 to update the plan based upon the December 2005 plan endorsement and center designation of the Waretown Town Center from the New Jersey State Planning Commission.

The 2007 ERP amendments reflect the Township's plan endorsement and center designation as required by the Planning and Implementation Agenda (PIA) approved by the State Planning Commission. They permit a pedestrian-oriented mixed-use town center within the previously designated redevelopment plan area. The 2007 ERP included a Conceptual Development Plan for the Waretown Town Center that identified the portion of Block 41, Lot 42.01, (a.k.a. the Ocean Commons site) located in the center for multi-family residential development, with a maximum of 85 residential units.

It is the intent of this Redevelopment Plan to amend the 2007 ERP to establish a sub-area redevelopment plan for the Ocean Commons site that reduces the number of permitted residential units in the Ocean Commons sub-area to a maximum of 55 units and specifies the land use and building requirements for Block 41, Lot 42.01.

STATUTORY REQUIREMENTS

This Redevelopment Plan is written pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7), which provides that "no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body." Pursuant to the requirements of the LRHL, the redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

(1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

(2) Proposed land uses and building requirements in the project area.

(3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

(4) An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

(5) Any significant relationship of the redevelopment plan to: (a) the master plans of contiguous municipalities; (b) the master plan of the county in which the municipality is located; and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al.).

The Ocean Commons Redevelopment Plan addresses each of these requirements as described in the following sections of the plan.

REDEVELOPMENT AREA DESCRIPTION

The Ocean Commons site is located just south of the intersection of Bay Parkway and Route 9, east of the Garden State Parkway and west of Route 9 (See Figure 1.) Surrounding land uses include a commercial use to the North, unimproved land, a Sonic restaurant and a diner (Paul's Oceanside) to the east across Route 9, Clayton Block stone yard to the south and a waste management use and unimproved pinelands to the west. The subject property, identified on Township Tax Maps as Block 41, Lot 42.01 is approximately 9.3 acres in size, of which approximately 4.45 acres are located within the Town Center. The remaining portion of the tract is located in the Environmental Conservation (EC) Redevelopment District.

REDEVELOPMENT PLAN OBJECTIVES

The goals and objectives of the redevelopment plan are as follows:

- Protect the health, safety, and welfare of the citizens of the Township of Ocean by developing a multi-family development project having a unified design theme that incorporates principles of neo-traditional design, provides pedestrian and vehicular linkages to adjoining properties and the planned Town Center;
- Provide tax ratables for the Township through the redevelopment of the area;
- Promote the overall economic and land use objectives of the Township's Master Plan;
- Improve the aesthetic image of the Township;
- Provide residential development to create the critical mass necessary to support planned non-residential development within the Center;
- Provide a range of housing choices for various income levels and age groups;
- Establish a public-private partnership in the redevelopment of the site by leveraging private investment with a strategic use of public funding and technical assistance to support private redevelopment efforts;
- Create a pedestrian-friendly environment, easily accessible from neighboring residential and non-residential areas; and
- Direct development and redevelopment into the Waretown Town Center consistent with the smart growth policies of the State Plan.

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0 225 450 900 Feet

Prepared by: STK, January 16, 2008
Source: NJDEP - Open Water; Streams; NJDOT - 2005 Roads;
Ocean Township Planning - Redevelopment Districts, Town Center, Tax Parcels
File Path: H:\OTRE\R00090\GIS\Projects\Figure 1 - Redevelopment District.mxd

Figure 1: Redevelopment District
Ocean Township
Ocean County, New Jersey

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NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

ENVIRONMENTAL CONSTRAINTS AND ACCESS

ENVIRONMENTAL CONSTRAINTS

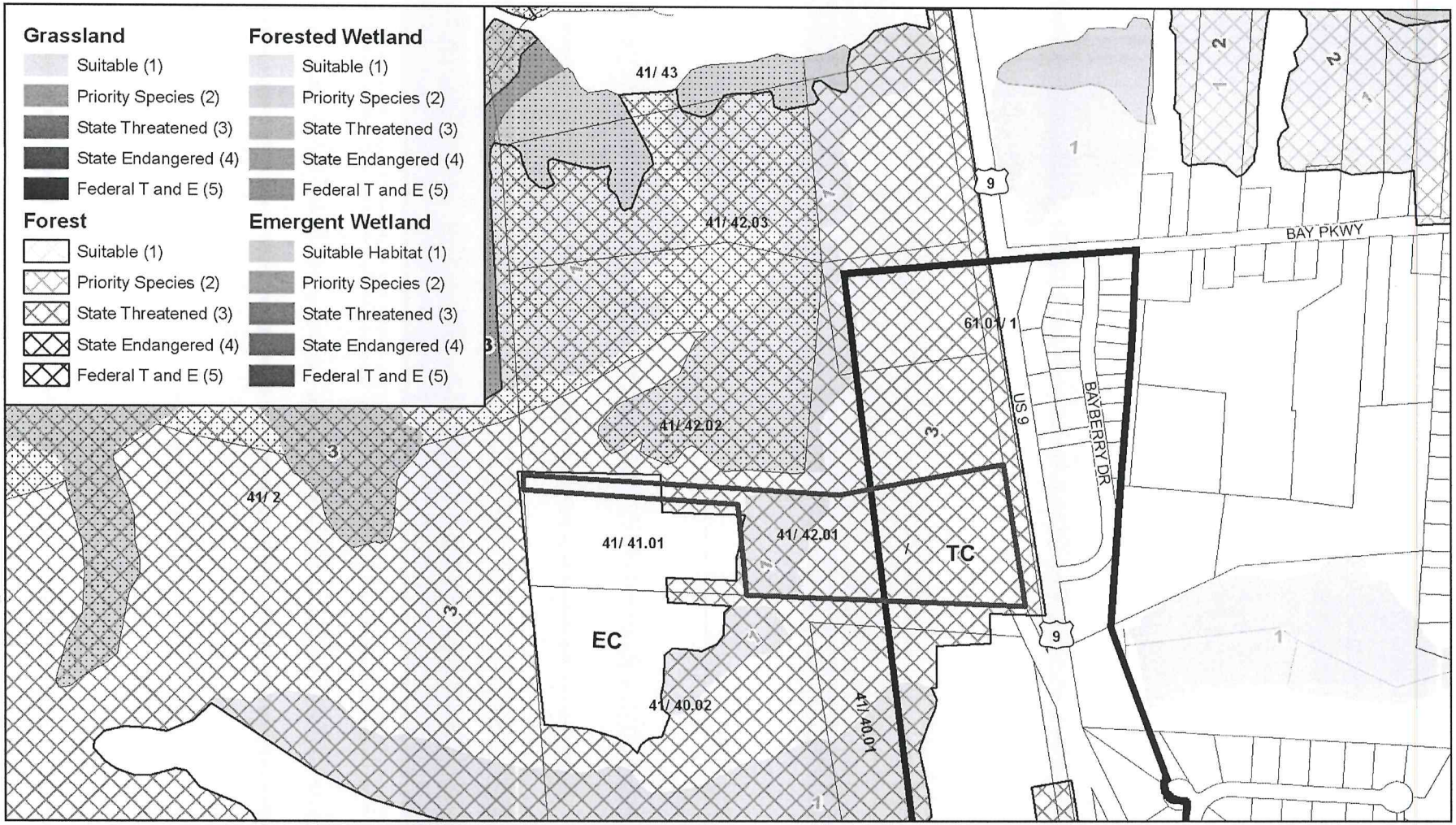
Freshwater wetlands are located outside the Town Center in the Environmental Conservation District. The portion of the Redevelopment Area within the Town Center contains no wetlands, floodplains or no known contaminated sites. The State's Landscape Project mapping identifies the portion of the property within the Town Center as a Category 3 state threatened forest species habitat (See Figure 2).

ACCESS

Access to the site requires crossing Block 61.01, Lot 1, which is a former railway right-of-way that runs parallel to Route 9. Block 61.01, Lot 1, is owned by Ocean County and is planned to be improved as a regional pedestrian path and bikeway. An unpaved driveway traverses the site and provides access to a waste disposal service located on Block 41, Lot 41.01, which is located over 450 feet from the Town Center boundary. This driveway is planned to be relocated along the northerly property line of the subject property ("Access Road"). At the time of the writing of this plan, the final alignment of the proposed Bay Parkway extension into Waretown Center has not been designed. Accordingly, the identified access road could potentially serve as a portion of Bay Parkway Extension or as a connection to Bay Parkway if it is extended from the north.

Access to the residential development proposed in the redevelopment plan is to be accomplished from the access road. No direct access to Route 9 via new driveways other than the intersection with the access road is proposed.

This plan recognizes that the design of the intersection of the access road and Route 9 will need to be designed based upon the final agreed upon location of the proposed Bay Parkway Extension. This may be addressed in the Township's proposed Transportation Improvement District (TID). NJDOT will provide final approval of this intersection. However, the applicant shall provide a crosswalk for the County bike path, as per the County's requirements.



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Redevelopment Plan Area
Town Center Boundary
Wood Turtle Habitat

Other Features
Streams
Open Water
Tax Parcels

0 225 450 900 Feet

Figure 2: Environmental Constraints Ocean Township Ocean County, New Jersey

Prepared by: STK, January 16, 2008
Source: NJDEP - Open Water; Streams, Landscape Project data; NJDOT - 2005 Roads; Ocean Township Planning - Redevelopment Districts, Town Center, Tax Parcels
File Path: H:\OTRE\R0090\GIS\Projects\Figure 2 - Environmental Constraints.mxd

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NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES

MASTER PLAN

The Township of Ocean and its Planning Board have adopted a number of planning documents, reports, and studies through the years. Among these documents are the:

- 1999 Master Plan Update - 1999
- 2000 Economic Redevelopment Plan - June 2000
- 2001 Master Plan Reexamination Report - April 19, 2001
- Community Forestry Plan 2002 – 2007 - January 15, 2002
- 2002 Open Space and Recreation Plan - September 12, 2002
- 2003 Amended Land Use Plan Element - April 21, 2003
- Route 9 – Phase I Redevelopment Plan - July 9, 2004
- Amended Land Use Plan Element, Circulation Plan Element and Master Plan Reexamination – December 14, 2005
- Land Use Element Amendment Environmental Conservation (EC) and Bayfront Conservation (BC) Areas – October 5, 2006
- 2007 Economic Redevelopment Plan Amendments – December 2007
- Zoning Map Amendments – November 13, 2008
- 2008 Housing Element and Fair Share Plan – December 2008

Regarding land use issues in the Township, the 2005 Reexamination Report reaffirmed the following Community Goals and Objectives from previous plans and recommended several new goals as follows:

> "The Amended Land Use Plan Element is designed in a manner consistent with the "Smart Growth" policies promoted in New Jersey's State Development and Redevelopment Plan (State Plan). The State Plan's overall vision is to promote development and redevelopment that will consume less land, deplete fewer natural resources and use the State's infrastructure more efficiently. Therefore, the Township's Land Use Plan Element is designed to guide future development into areas where infrastructure is available and to limit growth in environmentally sensitive areas". (Page 1 – 2003 Amended Land Use Plan Element)

General Goals

- Create an attractive, diverse, and vibrant center consisting of mixed-use development, open space, civic buildings and residential uses.
- Create safe trail linkages between the destination nodes in the center, municipal facilities, elementary schools, and the Barnegat Bay (Across Route 9),

Land Use Goals

- Create a pedestrian friendly town, easily accessible from neighboring residential areas.
- Develop a Center at a density that creates a sense of place, encourages pedestrian activity and uses infrastructure efficiently.

Environmental Goals

- Protect environmentally sensitive lands and direct growth towards areas of Township with existing infrastructure.

Housing

- Encourage a variety of housing types suiting the needs of all income and age levels.
- Incorporate low and moderate income housing in centers.

Circulation

- Create pedestrian walkways, bikeways, and other pathways to enhance both the ability and desirability of walking and bicycling.
- Design the interior roadways of the Center to meet the needs of the car, pedestrian and bicyclists.
- Establish trails and greenways linking neighborhoods, schools, recreational facilities, community facilities and the Town Center.

Design

- Create building design which ensures privacy, safety and contributes to the long-term desirability of the community.
- Create small-town charm as a key design element for future development.

The goals and objectives of the redevelopment plan are designed to effectuate these overall goals and objectives as stated in the Township's comprehensive planning documents. Therefore, the redevelopment plan is consistent with the Township's Master Plan and Master Plan Reexamination Report.

RELATIONSHIP TO TOWNSHIP ZONING AND LAND DEVELOPMENT REGULATIONS

The portion of the Ocean Commons site located in the Town Center is identified as the TC-OC Ocean Commons Town Center Redevelopment Sub District in the currently adopted Zone Map of the Township. The portion of the site outside of the center is in the EC Environmental Conservation District and no changes are proposed in this area of the site. This plan amends the TC-OC District to specify that a maximum of 55 residential units shall be developed in the TC-OC District as part of the comprehensive mixed-use development plan for the Waretown Town Center. The TC-OC sub-district and its relationship to adjoining zone districts are shown in Figure 2. This plan also amends the Waretown Town Center Conceptual Development Plan included in the 2007 Economic Redevelopment Plan to incorporate the Conceptual Redevelopment Plan for the Ocean Commons site presented in this plan.

The Redevelopment Plan Area delineated shall be redeveloped in accordance with the permitted uses, development requirements, and design standards detailed in this plan. In order to implement the Redevelopment Plan consistent with the goals and objectives herein, this Redevelopment Plan supersedes the use, bulk, and design standards provisions of the Township Land Development Ordinance as they relate to the Area governed herein. Other Township regulations affecting development that are in conflict are also superseded by this Redevelopment Plan. However, existing engineering standards, definitions, and sections of the Land Development Ordinance not covered by the Plan or specified in this plan as being applicable shall apply.

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0 100 200 400 Feet

Figure 3: Ocean Commons Redevelopment Sub District
Ocean Township
Ocean County, New Jersey

Prepared by: STK, January 16, 2008, Revised by ARR January 10, 2012
Source: NJDEP - 2007 Aerials, Streams; NJDOT - 2005 Roads;
Ocean Township Planning - Redevelopment Districts, Town Center, Tax Parcels
H:\OTRE\R0090\GIS\Projects\Figure 3- Ocean Commons Sub District_01102012.mxd

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NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

Proposed Land Use and Building Requirements

The LHRL requires that the Redevelopment Plan provide the proposed land uses and building requirements for the designated project area. The following are the regulations and design standards for the Ocean Commons Redevelopment area, which will be known as the Ocean Commons (TC-OC) sub district of the Town Center district. The portion of the Ocean Commons site in the EC Environmental Conservation District will be governed by the land use regulations and requirements of the EC District.

DESIGN CONCEPT

A redevelopment conceptual design plan has been prepared which forms the basis of the future development of the Ocean Commons site in the Waretown Town Center. (See Figure 3) In reviewing the application for the redevelopment project, the Planning Board may permit minor modifications of the Concept Plan as part of site plan review as long as they promote the goals and objectives of this plan and the comprehensive Town Center Plan, and the uses, maximum permitted residential units, and key design concepts of the plan are not altered.

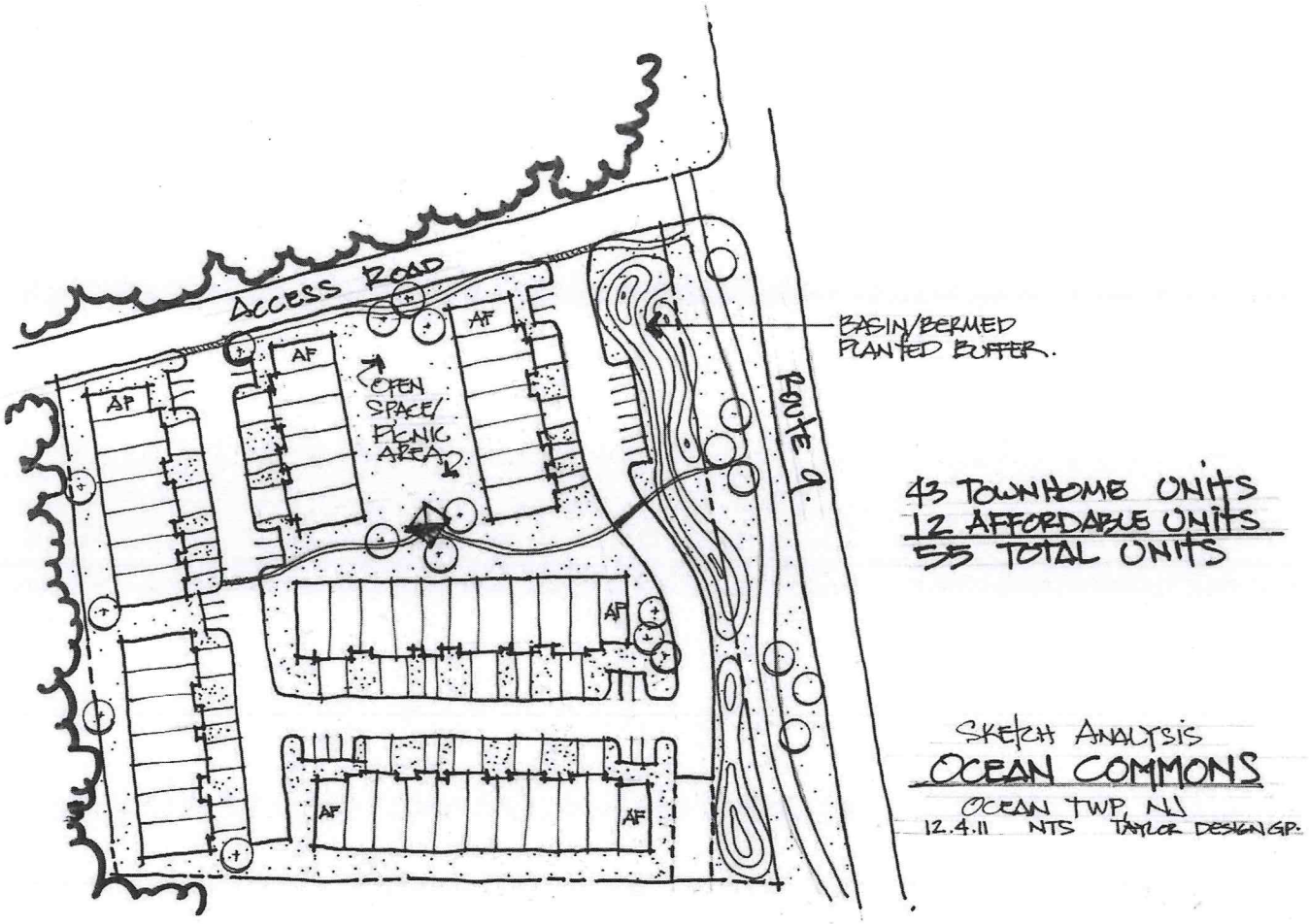
The design concept takes its inspiration from the period of time when Waretown was a bayside fishing and ship building village inhabited by a limited year-round population and a large influx of seasonal visitors. Over the past sixty years, Waretown has become a closely knit, year-round community. The objective for the redevelopment plan is to create a multi-family project conveying a sense of an established residential community.

The design concept for this sub area of the Waretown Town Center redevelopment plan provides for 55 townhome units, including 12 affordable units, which will be included in townhome-style flats in six (6) townhome buildings identified as "AF" on the concept plan.

The architecture of the project shall be traditional Jersey Shore housing style. The architecture shall provide for decorative front building facades for all building sides that face roadways and internal driveways. Exterior façades shall be designed in a late 19th – early 20th century worker's Victorian or foursquare style, and will incorporate wood clapboard or shingle siding, wide porches, broad gables or cross gables, dormers, windows with grilles and stone foundations. Materials chosen for this project shall include self-sealing roof shingles, simulated wood shake, metal roof highlights and synthetic stone veneers. The gazebo shall also employ the same materials. The project shall be designed and utilize energy efficient materials that are recognized by the Leadership in Energy and Environmental Design (LEED).

Bicycle and pedestrian walks will connect the complex to the County rail-to-trails for recreational access. A picnic area with pavilion or gazebo, and open lawn area will also serve the development.

FIGURE 4—REDVELOPMENT CONCEPTUAL DESIGN PLAN



LAND USE AND BUILDING REQUIREMENTS

A. DEFINITIONS AND TERMS EXPLAINED

1. A setback line identifies the minimum horizontal distance between a property line and the nearest point of all structures, in order to ensure a minimum area without buildings.

2. Building frontage. Building frontage is the length of a building façade that faces a street.

3. Townhome Style Flats - Townhouse style flats correspond with proposed 12 affordable units as identified as "AF" on the concept plan. Townhouse style flats are designed to appear as traditional attached townhouses from the exterior. Each unit is located above or beneath another unit.

B. PERMITTED PRINCIPAL USES

1. Townhomes
2. Townhome-style flats in AF buildings pursuant to the Concept Plan
3. Home Occupation

C. PERMITTED CONDITIONAL USES

1. None

D. PERMITTED ACCESSORY USES

1. Uses that are customarily incidental to the permitted use including a clubhouse, gazebos, pool and recreation facilities for the use of the residents and guests of the development.

2. Ancillary storage facilities or structures for bike and recreation equipment and other personal items as approved by the Planning Board.

3. Patios or decks, as approved by the Planning Board.

E. SPECIFICALLY PROHIBITED USES

1. Outdoor storage

F. General Requirements

Description	Permitted
Minimum Tract Area	9 acres
Maximum Residential Units	55
Minimum affordable-unit setaside	20 percent
Maximum Impervious Coverage (Town Center)	70%
Minimum Open Space (Town Center)	30%
Maximum Impervious Coverage (EC District)	3%
Minimum Open Space (EC District)	97%

G. Bulk Requirements

Description	Permitted
Setback to County rail trail ROW	12 to 20 feet
Building length	220 feet
Minimum Rear Yard Setback to common parking lot	24 feet
Minimum Front Yard Setback to common parking lot	12 feet
Maximum Number of Stories	2.5
Maximum Height	35 feet
Planted Buffer to Adjoining Property	10 feet to the southern and northern property lines
Setback from Access Road	20 feet
Minimum Rear Yard Setback to Town Center Boundary line	25 feet
Minimum Setback to Common Parking Areas	15 feet
Minimum Distance Between Buildings	15% of average building length of adjacent buildings
Maximum Number of Units per Building	13
Maximum Number of Affordable Units per Building	4

H. Additional Requirements

1. Parking area setback to property line: ten (10) feet
2. Off-street parking shall be provided in accordance with the New Jersey Residential Site Improvement Standards.
3. Must provide affordable housing in accordance with affordable housing requirements of the Township's Housing Plan Element and regulations of the Department of Community Affairs (DCA) or successor state agency responsible for the regulation of affordable units at the time of an issuance of a certificate of occupancy.

I. Additional Accessory Use Requirements

1. The minimum distance of accessory buildings to the primary structure shall be ten (10) feet.
2. No accessory building shall be used for human habitation.
3. No accessory building, other than the clubhouse, shall have floor or ground area in excess of five hundred (500) square feet or one-third (1/3) of the floor or ground area of the principal building, whichever is greater.
4. No accessory building or structure, other than the clubhouse shall exceed fifteen (15) feet in height.
5. No accessory building or structure shall be permitted in front of a principal building.
6. Accessory buildings built in a rear yard shall be no closer than five (5) feet from any side or rear property line of the lot containing said accessory building; provided, however, that no accessory building shall be located closer than eight (8) feet to said line on any lot which has a rear lot line that serves as a side line of an adjoining property.
7. No accessory building shall be erected on any corner lot closer to any of the lines of the streets abutting said lot than the build-to line requirement from said streets.

J. Yards

1. Yards required by this Plan shall be free of buildings, structures or parts thereof, unless specifically permitted as part of this plan.
2. Projections and encroachments. No building or structure shall project into any build-to line requirement, front, side, rear yard or buffer required by this plan, nor shall use be made of such yard, except as follows:
    a. Unenclosed porches, including steps may extend not more than seven (7) feet into the build-to line requirement or three (3) feet into the side yard setback along public streets.
    b. Building entrances may encroach not more than six (6) feet into the build-to line requirement, side and rear yard setbacks.
    c. Window wells affording light and air to basement and cellar areas.

d. Cornices and eaves may project not more than two (2) feet into any required yard or build-to line requirement.

e. Chimneys may project not more than two (2) feet into any required yard or build-to line requirement.

f. Driveways providing access to permitted garages or parking areas.

g. Sills, leaders and similar ornamental or structural features may project not more than six (6) inches into any required yard or build-to line requirement.

h. Fences and retaining walls, where specifically permitted in this plan.

i. Residential heating and cooling units, if located in the side yard shall be buffered from adjacent neighbors with evergreen plantings to help mitigate visual appearance, noise and vibration.

j. A four (4) foot sidewalk shall be permitted within the eastern property buffer as shown on the Concept Plan.

K. Architectural Guidelines

1. All buildings in their design and layout are to be integrated into the total development scheme. The design intent shall be to achieve the appropriate relationships in scale, form, functional utility as well as appropriateness and relationship to adjoining buildings.

2. The purpose is to permit townhome development and six (6) townhome-style flat buildings. The community is to be designed as a harmonious neighborhood with buildings of a similar and/or compatible scale, massing and use of materials. The goal is to create a comfortable human experience within the community with a continuity of design that allows for individuality of design while still providing a distinct identity for the area.

3. All structures shall be situated with proper consideration of their relationship to other buildings, both existing and proposed in terms of light, air and usable open spaces, access to public rights-of-way and off street parking, height and bulk.

4. Architectural focal points such as community buildings or gazebos shall be designed to present a harmonious appearance with the rest of the development in terms of building silhouette, architectural style and scale; massing of building form; surface material, finish and texture; decorative features; window and doorway proportions, entryway placement and location, signage and landscaping.

5. Exterior building materials shall include self-sealing roof shingles, simulated wood shake, metal roof highlights and synthetic stone veneers subject to approval by the Planning Board. Vinyl siding shall only be permitted upon approval from the Redevelopment Committee. Ideally, fiber cement siding, i.e., Hardie board, is preferred.

6. All buildings shall be designed to have attractive, finished appearances when viewed from all public spaces. Rooflines shall be pitched and varied for architectural interest. All building and unit entrances shall be clearly defined and well lit.

7. Townhome-style flats shall have the appearance of a 2.5 story townhome building.

8. Any third floor living space shall be concealed within the pitch of the roof and dormers to give the appearance of a dormered attic.

9. Porches shall not be enclosed.

10. Building facades facing a public street or right-of-way shall be designed to appear as the front of a building. Each side entry shall include a door(s) and window fenestration and architectural interest typical of the front of a home.

11. Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls. Walls which can be viewed from public streets shall be designed using a variety of architectural features and landscaping. Landscaping shall be provided along the building for at least 50% of the wall length.

12. The front elevation of any residential building shall have a minimum of four offsets of no less than four (4) feet each for every 100 feet along the front façade, so long as the distance between any two offsets shall be not greater than 30 feet.

13. Architectural features include, but are not limited to the following: recesses, projections, wall insets, balconies, window projections, landscape structures or other features that complement the design intent of the structure and are acceptable to the Planning Board.

14. The roofline at the top of the structure should incorporate offsets and jogs to reduce the monotony of any uninterrupted roof plane.

15. Roofs should be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate to the architectural style of the building. Variations within an architectural style are highly encouraged. Visible rooflines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground are highly encouraged. Overhanging eaves, sloped roofs and multiple roof elements are highly encouraged.

16. Exterior Insulated Finish System (EIFS) materials shall not be permitted.

17. The following exterior finish materials are permitted:

    a. Building façade: Brick, stone or precast cultured stone, fiber cement board, cedar or Portland cement stucco;

b. Roof: fiberglass or asphalt shingles; standing seam metal as an accent roof material but not the primary roof material; and

c. Vinyl siding shall only be permitted upon approval of the Redevelopment Committee.

18. The development shall have an identifiable edge consisting of a planted buffer no less than ten feet wide at any point along the southerly and westerly property lines.

19. A consistently high quality of architecture shall be used throughout the development. The mass and spatial relationships should emulate traditional towns and local character.

20. Signs. – One monument sign no greater than twelve (12) square feet shall be permitted subject to Planning Board approval. Monument signs shall be faced with a primary building material, i.e., stone veneer.

21. Open space areas where improved, shall be attractively landscaped with grass lawns, trees and shrubs. Provision shall be made for the preservation of existing trees and natural features including those in designated critical areas. All proposed landscaping, including existing and new trees, shrubs and natural screening shall be shown on the site plan submitted to the approving Board for approval and prepared by a certified landscape architect.

22. Streetscape/bikeway improvements are required along the County rails-to-trails frontage, including signage, decorative street lighting, sidewalks, and street trees to provide a decorative and attractive street frontage.

L. Landscape Guidelines

1. Landscaping is to be provided as part of all redevelopment and is to be integrated into building arrangements, topography, parking, buffering and other site features. Landscaping may include trees, shrubs, ground cover, berms, flowers, sculpture, art and similar materials, and shall be designed to provide aesthetic, buffering, environmental, ornamental, and other related functions. All landscaping plans shall be prepared by a New Jersey licensed landscape architect, and subject to approval by the Planning Board.

2. Landscaping for non-residential uses should define entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for loading and equipment areas.

3. Landscaping shall permit adequate site distance for motorists and pedestrians entering and exiting a site and shall not interfere with circulation patterns.

4. Landscaping shall be provided adjacent to and within parking areas to screen vehicles from view and to minimize the expansive appearance of parking fields. Trees shall be installed adjacent to roadways and driveways.

5. Trees shall be planted adjacent to roadways and driveways parallel to the street along all streets.

6. Tree spacing adjacent to roadways and driveways shall be determined by species type. Large maturing trees shall be planted a maximum of 40 feet on center. Small and medium maturing trees shall be planted a minimum of 10 feet and a maximum of 30 feet on center.

7. Plantings toward the street shall respect the integrity of the street by not obscuring important buildings and respecting views to and from streets, porches, walks, and public open spaces.

M. Streetscape and Hardscape Standards

1. The purpose of this section is to establish standards to ensure uniform streetscape elements in the Waretown Town Center.

2. These standards are supplementary to the site plan and subdivision design standards outlined elsewhere in Title 17 and are applicable to all future development in the Waretown Town Center boundary. To provide a uniform design, a specific manufacturer has been identified for various site furnishings and improvements. Other manufacturers providing an exact replica of the identified furnishings may be substituted for the identified furnishings subject to Planning Board approval.

3. Litter Receptacle. DuMor Site Furnishings Model 102-32SH – Thirty two gallon all-steel receptacle with steel shield and tapered flat cover lid. Color – Black.

4. Recycling Receptacle - DuMor Site Furnishings Model 102-32SH – Thirty two gallon all-steel receptacle with steel shield and RC-Recycled Lid "Cans & Bottles Only". Color – Black.

5. Bollard Bike Rack – Maglin Site Furniture Incorporated Model MBR200 – direct burial bollard style bike rack. Color – Black.

6. Bike Rack – Urban Accessories – Model D – Color - Black. Length – 6 feet or as approved by the reviewing authority.

7. Light Pole and Fixture – King Luminaire – Fixture Model – K-199 "California Style". Color – Standard Black. Pole – 13 Foot "Cleveland" style decorative fluted fiberglass pole. Color – Black.

8. Bench - DuMor Site Furnishings Model 119-60 – Six foot long bench. Color – Black.

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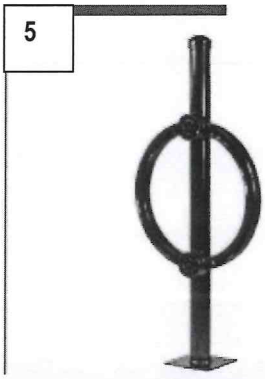

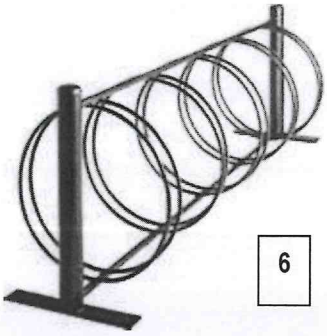

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N. FENCES OR WALLS

1. Fences or walls in excess of eighteen (18) inches in height shall be considered as accessory uses to a principal permitted use and shall be permitted in accordance with the standards set forth below:

   a. Type of fence or wall.

Solid (90% or more solid)	Semi-Open (25% up to 90%)	Open (Up to 25%)
Solid picket	1x2 wood screen	Split rail
Board	Contemporary picket	Contemporary rail
Board and batten	Block laid on side	Rail and wire mesh
Louver panel		Chain link
Staggered board		
Panel		
1x4 wood screen		
Brick		

NOTE: Openness is defined as the total area of solid elements divided by the total area of fence. Translucent, transparent or clear plastic or similar materials shall be considered as solid elements.

   b. Maximum height and location.

Type of Fence	Height (feet)	Location
All	Over 4	Any fence over four (4) feet in height shall not be located closer to the front lot line than the rear building line of the principal structure (excluding minor projections). Such fences may extend to the side and rear property lines.
Solid	Up to 4	Solid fences up to four (4) feet in height shall not be located closer to the build-to line than the front building line of the principal structure (excluding minor projections). Such fences may extend to the side and rear property lines.
Semi-open	Up to 4	Semi-open fences up to four (4) feet in height shall not be closer than ten (10) feet to the street right-of-way line and may extend to the side and rear property lines.
Open	Up to 4	Such fences may be located anywhere on the lot up to the lot lines. Exception: Chain link fences shall not front on a public roadway, right-of-way or internal driveway.

2. General regulations for fences and walls.

   a. No fence or wall shall be so constructed or installed so as to constitute a hazard to traffic or safety.

   b. No fence shall be greater than 6 feet in height.

   c. Hedges and other landscaping shall be exempt from the height limitations of this subsection, but shall not be located so as to constitute a hazard to traffic or safety.

   d. The face or finished side of a fence or wall shall face the adjacent property.

   e. No fence or wall shall be constructed with barbed wire, metal spikes or other such dangerous material or constructed in such manner as to be dangerous to animals or humans.

   f. Split rail fences used at property corners as part of a general landscaping or decorative plan shall be exempt from the provisions of this subsection.

   g. Any fence or wall meeting the above standards may be constructed and maintained without the issuance of any permit therefore.

   h. Swimming pool fences. Every private swimming pool shall have a fence enclosure which complies with applicable building codes and local ordinances.

   i. Retaining Wall: Any retaining wall 48 inches or greater in height shall require a building permit and approval of the Planning Board. Appropriate structural calculations must be provided. .

O. Parking and Circulation

1. A comprehensive pedestrian and bicycle circulation system must link all uses, with the intent of minimizing walking distances and reducing dependence on the private automobile for internal travel within the Center and external access.

2. No parking spaces shall be located closer than ten feet from a residential building, except where parking garages are located in the building.

3. Sidewalks shall be required between parking areas and principal structures, along aisles and driveways and wherever pedestrian traffic occurs, in compliance with the NJ Residential Site Improvement Standards, or as required by the Planning Board. They shall have a minimum of four feet of passable width and shall be raised six inches or more above the parking area except when crossing streets or driveways. Parked vehicles shall not overhang or extend over sidewalk areas unless an additional sidewalk width of 2 feet is provided to accommodate such overhang.

4. On-site parking areas and private roadways shall be paved with asphalt and curbed with granite block as approved by the Planning Board.

5. Decorative lighting shall be provided within all on-site parking areas, roadways and driveways. All parking areas, private roadways and driveways shall be lighted to provide a minimum of 1/2 footcandles throughout the area. The lighting level at any property line shall not exceed the minimum. Such lighting shall be shielded and shall not be a hazard or nuisance to the adjoining properties or the traveling public.

6. Parking spaces, private roadways, driveways and aisles shall be clearly marked with directional signs and double space markings. Certain areas are to be maintained for fire fighting or other emergency purposes, and these areas shall be appropriately designated.

7. Any driveways leading to a garage shall be at least 20 feet in length, measured between the garage door and the curb or between the garage door and a sidewalk, whichever distance is less.

8. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with the Township of Ocean road specifications; provided, however, that curbing may be waived or modified by the Planning Board when found not to be needed for control of stormwater, protection of pavement and similar purposes.

9. Any off-street parking spaces must be screened from view of any public road, pedestrian path, or bikeway.

P. LIGHTING

1. Lighting fixtures shall be compatible with the streetscape standards.

2. To maintain a pedestrian scale, the lighting fixture poles shall not exceed a maximum of 16' in height.

3. Light fixtures shall be located and shielded to avoid unnecessary skyward glare and light glare shining directly into the residences on the site and on surrounding properties.

Q. TRASH / RECYCLING ENCLOSURES

1. The responsible solid waste generator shall contract for regular solid waste collection service with any person lawfully providing private solid waste collection services; provided, however, that any responsible solid waste generator transporting the solid waste which is generated at his residential premises directly to a solid waste facility shall be exempt. It shall be the responsibility of the owner of the multiple dwelling to provide a sufficient number of appropriate solid waste containers for the deposit of non-recyclable waste materials to be disposed of as solid waste. The responsible solid waste generator shall arrange for solid waste collection at least twice per week.

2. Trash and recycling receptacles shall be located in trash enclosures constructed out of the primary exterior building material and shall include a pitched roof. Where it is determined that a pitched roof is unpractical based upon the types of vehicles servicing the trash refuge area(s), the Board may waive the requirement of providing pitched roofs.

R. Maintenance of Common Elements

The developer shall submit proposals for ownership and maintenance of common elements including open space, recreation facilities, meeting rooms, parking areas, driveways, private streets and similar facilities.

Planning Relationships

Ocean Township Master Plan

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan." (N.J.S.A. 40A:12A-7d) As described in the prior sections, the Redevelopment Plan is substantially consistent with the Township's Master Plan and Land Use Plan Element of the Master Plan and is designed to effectuate the goals and objectives of the Master Plan and its Land Use Plan Element.

Adjacent Municipalities

The redevelopment area is centrally located within Ocean Township and does not border adjacent municipalities. Accordingly, no negative impacts are anticipated to adjoining municipalities.

Ocean County

The Redevelopment Plan is consistent with the County's Master Plan in that it proposes redevelopment and revitalization of existing developed communities in a manner consistent with the County Master Plan.

State Development and Redevelopment Plan (SDRP)

The TC-OC Redevelopment District and the area proposed for redevelopment pursuant to this plan is located within the Waretown Town Center, which received plan endorsement from the State Planning Commission on December 7, 2005. The remainder of the tract is in the Environmentally Sensitive Planning Area (PA 5).

The SDRP encourages environmentally appropriate redevelopment in existing centers to support center-based development to accommodate growth that would otherwise occur in the environs. The SDRP supports redevelopment in developed communities to attract growth that may otherwise be planned for the environs. The proposed redevelopment plan is consistent with these concepts and is designed to revitalize the Township of Ocean consistent with the SDRP.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

AMENDING THE REDEVELOPMENT PLAN

Upon compliance with the requirements of applicable law, the Township Committee may amend, revise or modify the Redevelopment Plan in general or for specific properties within the redevelopment area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL.

REDEVELOPER SELECTION

The Township intends to undertake a developer selection process that will provide a qualified redeveloper(s) to implement the redevelopment plan in a manner that is in the best interest of the Township. The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper(s) for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force.

1. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
2. The redeveloper, its successors or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
3. Until the required improvements are completed and a Certificate of Completion is issued, the redeveloper covenants provided for in the LRHL (N.J.S.A. 40A:12A-9) and imposed in any redeveloper agreement, lease, deed or other instruments shall remain in full force and effect.
4. The redeveloper agreement(s) shall include the provision of affordable units or payment in lieu of constructing affordable housing on-site in accordance with state regulations at the time that a certificate of occupancy is issued.
5. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.

PLANNING BOARD REVIEW PROCESS

Pursuant to N.J.S.A. 40A12A-13, all development applications for development of sites governed by the Ocean Commons Redevelopment Plan shall be submitted to the Township's Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment and rehabilitation projects for the area:

- No building permit shall be issued by the construction or zoning official for any work resulting in a change of density or intensity of development or change of use for any

properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Redevelopment Entity and the Planning Board.

- Regular maintenance and minor repair shall not require Planning Board review and approval.

- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55D-1 et seq. and the Township's Land Development Ordinance.

- The redeveloper shall furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Township's Land Development Ordinance. The performance guarantees shall be in favor of the Township of Ocean, and the Township Engineer shall determine the amount of any performance guarantees.

- Any subdivision of lots or parcels of land within the Ocean Commons Redevelopment Plan area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40A:55D-1 et seq.

- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."

- No variances, deviations, or waivers may be granted by the Planning Board which will result in permitting a use prohibited or not expressly permitted within this Redevelopment Plan or which will result in a density that exceeds the densities permitted in this Plan or which triggers a type "d" variance in accordance with Section 40:55D-70 of the Municipal Land Use Law.

- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and municipality pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.

- Any and all definitions contained within the Ocean Commons Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Township's Zoning Ordinance shall prevail.

- Except for the limitations described herein, the Planning Board may approve modifications or waivers from the building requirements and standards if deemed in the interest of project implementation and in furtherance of the goals and objectives of the Ocean Commons Redevelopment Plan or the Economic Redevelopment Plan that governs the development of the Waretown Town Center, and where such modifications or waivers do not result in a substantial detriment to the public good.

- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Township's Land Development Ordinance and New Jersey law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Township or its designated redevelopment entity as part of the Ocean Commons Redevelopment Plan. Any such payments required to reimburse the Township shall be specified in the redeveloper agreement.

- The above provisions are all subject to approval by ordinance and/or resolution according to law. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of the Ocean Commons Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

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