

OCEAN TOWNSHIP MASTER PLAN

1999 UPDATE

FOR

TOWNSHIP OF OCEAN

OCEAN COUNTY, NEW JERSEY

Prepared By

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A handwritten signature in black ink, reading "Michael D. Vena". The signature is written in a cursive style with a horizontal line underneath the name.

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## I. INTRODUCTION

The Municipal Land Use Law 40:55d-89 provides that the governing body shall, at least every six years, provide for the general re-examination of its Master plan and develop regulations by the Planning Board. The Township committee of Ocean has authorized the Ocean Township Land Use Board to prepare and adopt by resolution a re-examination of the Township's Master Plan. Such update to include the required elements of land use and housing as well as an updated Circulation Plan Element and an Economic Plan Element.

The Master Plan Re-Examination/Update has been prepared per the guidelines set forth in the Municipal Land Use Law [MLUL] 40:55D-28 and 40:55D-89. In the preparation of this update, it was assumed that the Soils Map from the 1982 Master Plan and the 1982 Natural Resource Inventory Element did not need to be altered and they are included without change as part of this update.

In addition to the 1992 Master Plan, prepared for Ocean Township by Charles H. Mackie Associates, dated April 1982, the following documents were reviewed and either replaced entirely or updated as needed:

1. Township of Ocean Municipal Code:
  - a. Chapter XVIIIA Land Use Procedure
  - b. Chapter XVIII Land Subdivision
  - c. Chapter XIX Zoning
  - d. Ordinances that impacted the above listed chapters enacted since the 1982 Master Plan.
2. Traffic Impact Study, Garden State Parkway Interchange 69, prepared for Ocean County by T&M Associates, dated February 1998.
3. Ocean Township Circulation Element, Supplementing 1997 Master Plan Update, prepared for Ocean Township by Schoor Depalma, dated September 1998.
4. Center Designation Report for the Township of Ocean, prepared by T&M Associates with revisions and updates by Richard A. Alaimo Associates, dated April 1999.
5. Draft master Plan Updated, prepared for Ocean Township L.U.B. by Remington, Vernick & Vena Engineers, dated 1998.

The Master Plan Update will serve as the Development Plan for Ocean Township for the first decade of the 21<sup>st</sup> Century. It will set the Township's growth and development guidelines in conformance with the New Jersey State Development and Redevelopment Plan [The State Plan] as well as the coastal management regulations established by the NJDEP.

## II GOALS AND OBJECTIVES

The intent and purpose of the Master Plan for Ocean Township is to develop guidelines for future land development and redevelopment within the Township. Included in this plan are recommendations for the locations, types and densities for residential and non-residential land uses. The plan is based on specific issues listed in the Municipal Land Use Law, Purpose of the Act, C.40:55D-2, which are referenced and made a part of this section.

The Municipal Land Use Law, C.40:99D-89 requires municipalities to consider five specific statements in their Master Plans, either through a Master Plan Re-examination or update every six years. The following comments are made in response to those statements:

NJSA 40:55D-89a THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST RE-EXAMINATION REPORT.

The Town's 1982 Master Plan was developed as a response to the newly adopted Pinelands Comprehensive Management Plan (CMP). As part of its Pinelands certification process, the Township re-examined its Master Plan and development ordinances to conform to the CMP. No specific problems were identified, only growth management and conservation issues related to anticipated future development. The following objectives for future development were itemized in the 1982 update of the Township's land use planning documents:

### *OBJECTIVES FOR FUTURE DEVELOPMENT*

#### *Residential Development and Housing*

- *Maintain and enhance the prevailing single-family character of the community. Increase lot sizes where possible and limit multi-family development to selected locations and types.*
- *Maintain and upgrade the quality of seasonal housing converted to year-round occupancy through the administration and use of proper standards and codes.*
- *Encourage new residential development in areas with public water and sewer facilities and in areas where these facilities can be made available. Provide for large lot sizes in areas not served by central sewer and water facilities.*

- *Discourage major subdivisions and large-scale residential developments west of the Parkway.*
- *Provide for the development of high-value, high-amenity townhouse-type or condominium properties in selected bay front locations for the purposes of producing tax ratables and upgrading housing quality and diversity in the community.*
- *Provide for cluster subdivision design to conserve open space and natural amenities in residential areas and to reduce road and utility cost.*

### Commercial and Industrial Development

- *Discourage "strip" development along the entire Route 9 frontage; provide for concentrated patterns of commercial use to facilitate traffic control and promote traffic safety; use frontage roads and minimize access/egress points wherever practicable.*
- *Promote a village center atmosphere in and around the center of Waretown; provide a zone for only certain types of smaller-scale commercial uses and physical separation between the village center and highway-type commercial development on Route 9.*
- *Provide for the development of selective small-scale commercial uses along Route 532 between the Parkway and Route 9 which are compatible with the general residential character of the area; restrict highway-type commercial activities from this area.*
- *Promote the development of marine-oriented and complementary commercial uses, including marinas, in certain bay front locations; minimize their traffic, noise, and aesthetic impacts on adjacent residential areas by screening and other means.*
- *Provide for the development of employment and tax-producing resource-based industrial activities in rural sections of the Township west of the Parkway, including sand/gravel extraction, wood and wood products, glass products, etc.; provide for adequate access, setbacks, buffers, and performance standards in order to minimize environmental and aesthetic impacts.*
- *Promote the development of employment and tax-producing industrial uses in designated areas east of the Parkway, such uses to include distribution facilities and certain types of manufacturing which will have minimal impacts on the environment and community.*

### Transportation and Public Facilities

- *Maintain and enhance the traffic carrying capacity of principal thoroughfares, such as Route 9, by making traffic engineering improvements and regulating access and egress.*
- *Develop a system of secondary streets in built-up and urbanizing areas which improve access to individual areas and reduce use of Route 9 for internal trips.*
- *Improve local streets and drainage where poor conditions and problems exist.*
- *Provide for the expansion of public sewer and water systems to serve all built-up areas and future development generally east of Route 9.*
- *Develop a system of recreation sites to serve local neighborhoods, such facilities to be accessible primarily by foot or bicycle.*
- *Expand and improve all other public services and facilities commensurate with need and population growth.*

### Conservation and Environmental Protection

- *Provide for cluster design, as mentioned above, to conserve open space and natural amenities in residential subdivisions and projects.*
- *Restrict unsewered development in all areas with less than five (5) foot depth to seasonal high water table.*
- *Establish a system of conservation areas which are designed to limit or restrict development in wetlands, along streams, and in undeveloped bay front locations; promote appropriate recreational uses in these conservation areas.*
- *Limit the type and scale of development west of the Parkway in accordance with Pinelands regulations.*
- *Retain and improve the village atmosphere and identity of Waretown center by regulating land uses, and the design of new facilities and by promoting the restoration, reuse, and maintenance of older structures.*

NJSA 40:55D-89b THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO SUCH DATE.

The same growth management and conservation issues identified in the 1982 Master Plan are still with the Township today. Most of the Pinelands-related issues have been resolved through the Pinelands CMP certification process. Development in the non-Pinelands Area portion of the Township east of the Garden State Parkway has been slow to moderate since 1982.

NJSA 40:55D-89c THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES, AND OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS AS LAST REVISED, WITH PARTICULAR REGARD TO THE DENSITY AND DISTRIBUTION OF POPULATION AND LAND USES, HOUSING CONDITIONS, CIRCULATION, CONSERVATION OF NATURAL RESOURCES, ENERGY CONSERVATION, COLLECTION, DISPOSITION, AND RECYCLING OF DESIGNATED RECYCLABLE MATERIALS, AND CHANGES IN STATE, COUNTY, AND MUNICIPAL POLICIES AND OBJECTIVES.

There have significant changes to state land use and environmental regulations since 1982, particularly in the protection of freshwater wetlands and coastal development. The Pinelands Comprehensive Management Plan now regulates most of the land use and development policies west of the Garden State Parkway, and the Coastal Area Facilities Review Act (CAFRA) regulate most development forms east of the Parkway. Other public policy changes in pollution control, energy policy, and waste management also restrict the Township's economic development potential, which in turn impacts the local job base and economy. Additional mandates from the State government, such as affordable housing obligations and others from the Federal government, have forced local governments to look at the private sector to meet local needs and to see local problem solving as a public-private partnership.

The Forked River nuclear power plant, which is anticipated to close in the not too distant future, has spawned development in Lacey Township but has not had much of an economic or growth impact in Ocean Township. The Southern Ocean Landfill Facility (SOLF) has been closed and must be capped to prevent further environmental degradation. Some of the Township's post-World War II maritime, commercial and residential area showing wear and tear.



Most of the Township's five marinas, which are a significant part of the tax-base and bayside quality of life, are in disrepair and in need of dredging to make them economically viable. Year of leapfrog development along the US 9 corridor and competition in adjacent Lacey and Barnegat Townships has been difficult for this collection of small-scale and strip commercial and industrial uses. Many parcels remain vacant as do many buildings along the corridor. Other areas and buildings are significantly underutilized. All three of these areas appear to be in need of redevelopment. In addition, many residential units throughout the Township's older neighborhoods and in isolated areas appear to be in need of substantial rehabilitation.

NJSA 40:55D-89d THE SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES, AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATIONS SHOULD BE PREPARED.

Due to the degree of change in land use and environmental issues, state and federal regulation, as well as public attitudes and policies towards the aforementioned issues and others which the 1982 Master Plan, Ocean Township would be best served by the preparation and adoption of a new and revised Master Plan. These changes could not be sufficiently addressed in a re-examination report. These issues will be discussed in more detail in the accompanying Land Use Element.

NJSA 40:55D-89e THE RECOMMENDATIONS OF THE PLANNING BOARD CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS ADOPTED PURSUANT TO THE "LOCAL REDEVELOPMENT AND HOUSING LAW", P.L. 1992, C. 79 (C.40A:12A-1 ET SEQ.) INTO THE LAND USE PLAN ELEMENT OF THE MUNICIPAL MASTER PLAN AND RECOMMENDED CHANGES, IF ANY, IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY.

The Ocean Township Planning Board approved, via Resolution 98-8, a 1998 study to recommend declaring the properties within the I-1 and I-2 industrial zones an area in need of redevelopment. No changes are recommended to this earlier designation. Additional areas in

need of redevelopment have also been evaluated for the Southern Ocean Landfill Facility (SOLF), the Edgemont Tract, the US 9 corridor and Waretown Center, and the marina districts on the bay. Recommendations for these potential redevelopment areas are found in the Economic Plan, in the appendix.

The list below contains a general development statement and amendments to the 1982 plan objectives. The Goals and Objectives for Transportation and Public Facilities, and Conservation and Environmental Protection are reaffirmed.

### **General Development Goals**

- Encourage the use of best management policies for all development to ensure the least negative impact on the overall quality of residential life and the environment in the Township.
- Review and continually update, as needed the various codes and development standards and maintain an aggressive code enforcement policy to ensure the highest quality of life within the Township.
- Review and continually update the permitted uses within each zone to ensure that only those uses compatible with the land capacity to support them are permitted.

### **Residential Development**

- Maintain and enhance the existing single-family residential neighborhoods. Develop programs, which will encourage the upgrading of these neighborhoods.
- Ensure that any conversion of season residential units to year-round residential uses is accomplished in a manner consistent with all applicable codes and standards.
- Encourage develop of new residential housing units in areas that are served with adequate infrastructure including water, sewer, stormwater management, and streets, so as to minimize any negative environmental impacts.

## Clustering

- Cluster development is defined in the current ordinance as "Development based on overall density for the entire tract allowing reduced lot sizes so that higher densities result in individual segments of the tract provided the gross density of the entire tract permitted by this chapter is not exceeded and open space preservation is an integral part of the design". We would suggest that this definition be re-worded:

*"Clustering permits the use of various design techniques including reduced individual lot size, reduced cartway widths and reduced required impervious coverage coupled with an increase in open space preservation without an increase in the overall permitted density of the development of the complete tract."*

The use of clustering recognizes that by concentrating the intensity of the development of a parcel, the protection of open space can be maximized. Specific clustering guidelines should be set forth for the individual conditions under which they are to be permitted and utilized. The combination of the clustering design technique with a conditionally permitted use provides maximum control of the development of the specific tract by the reviewing authority and allows them to best control the balance between protecting the land's capacity development while permitting the development rights of the property owners.

### Commercial Development

- Encourage the development of commercial uses in the Waretown Coastal Village designated area along the US Route 9, Main Street Corridor.
- Review economic development and redevelopment programs to encourage both new construction and conversion of existing non-commercial uses to viable commercial activities.
- Encourage owner occupied commercial uses in selected areas of the townships.
- Review and update as required the home occupation and "cottage industry" commercial activities.
- Maximize the economic benefit of resource based development with the lowest possible negative environmental impact.

### Industrial Development

- Encourage development in the I-1 and I-2 Industrial zones that provide the most employment opportunities for local residents with the lowest negative environmental impact.
- Encourage the use of incentive programs which promote industrial development that provide the maximum positive tax revenue at the least possible municipal cost impact.

### III STATEMENT OF RELATIONSHIP TO OTHER PLANS

The Municipal Land Use Law, N.J.S.A. 40:55D-28d provides "The master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," Sections 1 through 12 of P.L. 1985, c. 398 (C.52:18A-196 et seq.) and (4) the district Solid Waste Management Plan required pursuant to the provisions of the "Solid Waste Management Act," P.L. 1970, c. 39 (C.13:1E-1 et seq.) of the county in which the municipality is located".

#### 1. Contiguous Municipalities

Ocean Township is bordered by Barnegat Township to the south and west and Lacey Township to the north. On the eastern boundary along the main channel to the Barnegat Inlet the towns of Berkeley and Long Beach Township abut Ocean Township.

There are two (2) major highway corridors which run north and south through Ocean Township linking the Township with its northern and southern neighbors. These are the Garden State Parkway and U. S. Route 9. The land uses which surround these major arterials are determined and planned for based upon the impact of the vehicular movement along them and the proposed land uses are compatible from township to township along these corridors.

The lands west of the Garden State Parkway are within the land development planning control of the Pinelands Commission. All three municipalities have certified land use ordinances and therefore the relationship between them has been reviewed and coordinated by the Pinelands Commission.

The northern boundary between Lacey Township and Waretown east of the Garden State Parkway is the Oyster Creek. Development along this boundary is directly related to the use of this water body. Furthermore, the

Oyster Creek Nuclear Plant occupies the lands in Lacey Township. The proposed land uses are compatible.

The southern boundary along Barnegat Township east of the Garden State Parkway is divided into two (2) sections; the lands west of U. S. Route 9 and those east of U. S. Route 9. The lands to the west in Ocean Township are zoned residential and are presently largely undeveloped. The lands in Barnegat Township are similar. Also some wetland corridors exist. The lands to the east of U. S. Route 9 are residential and mostly developed in both Townships. In fact their water and sewer utility services are connected. The proposed land uses are compatible.

## 2. Ocean County Master Plan and other Regional Plans

The existing and proposed Land Use Plan for Ocean Township is generally consistent with the Ocean County Master Plan.

A report entitled "A Watershed Management Plan for Barnegat Bay, Volume 1: Action Plans and Volume 2 Appendices prepared in 1992 by the New Jersey Department of Environmental Protection (NJDEP) was also reviewed. This document named five (5) specific objectives:

- (a) Encourage existing planning and regulatory bodies to coordinate and further promote land use which is sensitive to the natural environment;
- (b) Improve water quality of the Bay by reducing non-point source pollution, including nutrients, sediments, toxins and pathogens to a point which the full biotic and recreational potential of the Bay is reached;
- (c) Promote development patterns, densities and management strategies which minimize the increase in storm water run-off and associated pollutants;
- (d) Maintain shoreline open space; and
- (e) Recommend development designs that minimize impacts to natural habitants and maintain wildlife corridors.

This Master Plan Update has incorporated these goals into the Township's goals and makes specific recommendations to limit the intensity of development in the Bayfront Conservation District by recommending changes in the permitted land uses. The proposed land uses in the Ocean Township Master Plan are compatible with those of the Watershed Management Plan for Barnegat Bay.

3. State Development and Redevelopment Plan

Ocean Township has been an active participant in the Cross Acceptance process with Ocean County of the State Development and Redevelopment Plan. The Township has prepared and submitted a series of Village Center Petitions, first in July of 1998 prepared by Birdsall Engineering and the most recent petition prepared by T & M Associates and updated by Richard A. Alaimo Associates in April of 1999. This latest plan is currently under review by the State Office of Planning.

With the exception of some minor changes in The Circulation Element and Economic Element the proposed Master Plan Update and latest center petition are in compliance. The assumptions contained in Section III Basis for Designation are consistent with the goals and objectives of this Master Plan Update.

4. Solid Waste Management Act

The Township is an active participant in the County Solid Waste Management process and its goals and objectives are consistent. An ongoing issue is the capping of the Southern Ocean Landfill. The Township and County officials are working with the property owners on this project.

5. NJDEP/CAFRA

Probably the most significant regulations impacting current and future development in Ocean Township are the revised Coastal Permit Program Rules

and Coastal Zone Management Rules. These new regulations were first proposed in Volume 31, Number 15 of the Journal of State Agency Rulemaking dated August 2, 1999, with revisions in Number 16, dated August 16, 1999. At this time a complete comparison review has not been possible. The Master Plan Update does propose some minor changes in the Township's Commercial Districts to better reflect what is proposed in the new State Development Regulations. The Township does not necessarily agree with all the proposed changes and is currently reviewing the rules especially as they relate to the State Development and Redevelopment Plan.

In addition to the review of the proposed revised Coastal Permit Program Rules and the Coastal Zone Management Rules, the Township is currently involved with the New Jersey Department of Environmental Protection through the Sewage Infrastructure Improvement Act Grants (NJAC 7:22A) in mapping the municipalities Storm Water Management System and developing an update to storm water management ordinances.



## LAND USE ELEMENT

- A. Introduction
- B. Pinelands Area
- C. CAFRA Area
  - 1. Central Corridor
  - 2. Coast Region (Corridor East)
  - 3. Central Region (Corridor West)

#### IV LAND USE ELEMENT

##### A. INTRODUCTION

Although the Federal Act establishing the Pinelands National Reserve included all of Ocean Township, the State Statute that created the Pinelands Comprehensive Management Plan designated only that land west of the Garden State Parkway within the jurisdiction of the Pinelands commission. Ocean Township is one of only a handful of municipalities that voluntarily requested Commission certification of its Zoning Ordinance. Commission certification was sought to streamline the applicant review process through CAFRA and other State environmental regulations.

Since then, the State Plan for Development and Redevelopment has provided an additional layer of regional land use policy decision-making on Ocean Township. At the request of the Township and County, Waretown was listed as an "existing village" in the State Plan, but the exact boundaries of the "village" were not defined. Official designation as a "village" by the State Planning Commission may qualify the Township to be prioritized for future state highways, schools, water, and sewer infrastructure funds. The Township should continue to explore official designation of Waretown as a "village center" in light of these and other potential benefits including improvements on US Route 9 and expansion of the industrial park.

In addition to transportation routes, the quality and character of existing development and of the capacity of the vacant land to support the intensity of development are the key factors in municipal land use planning. The following are general observations on existing land uses, zoning district regulations, and anticipated future development opportunities for each zone in the Township. For the purposes of this element the Township has been divided into two (2) general areas. The area west of the Garden State Parkway commonly referred to as the "Pinelands Area", and the area east of the Garden State Parkway to the Barnegat Bay shore line, commonly referred to as "the CAFRA Area".

In addition to the review of the current and proposed land uses by districts we have also reviewed the land development ordinances to ensure that they are written in such a way as to implement the goals and objections of the Land Use Element and the

Master Plan. Because of its location on the Barnegat Bay, any development in Ocean Township should be planned utilizing the best possible management techniques to insure that the land's capacity to sustain the development is not exceeded. Development regulations should also be designed to permit the development of land by its owner to the highest economic potential possible.

**B. PINELANDS AREA (WEST OF THE GARDEN STATE PARKWAY)**

Development in the western half of the Township is significantly restricted by the land use and environmental performance standards of the Pinelands Comprehensive Management Plan (CMP). The bulk of this area is within the relatively pristine Oyster Creek watershed and includes the Wells Mill Pond County Park, Boy Scout and Girl Scout campgrounds and a closed 285 acre landfill. The following is a general description of existing and permitted land uses, by zone and recommended land use policy changes:

**PA Preservation Area Zone:** This 38 acre area is the most restrictive in the Township allowing only "Pinelands cultural housing" on 3.2 acres, Pinelands agriculture, and other natural resource and passive recreation uses on minimum 5 acre lots. Pinelands Development Credits (PDCs) can also be generated on private parcels. No changes are recommended for this zone.

**FO, FOC, and FOR Forest Area Zones:** Residential uses are permitted on 20 acre lots or "Pinelands cultural housing" on 3.2 acres. A variety of natural resource, agricultural, and passive recreation uses are also permitted. This zone and the Rural Development Area residential zone was studied in 1993 and 1994 to determine whether they would benefit by implementing the Pinelands Comprehensive Management Plan's (CMP) density transfer program and other CMP amendments. The density transfer program essentially allows municipalities to allow residential development on smaller sized lots in "receiving subzones" if the balance of the minimum lot area acreage was purchased and deed restricted from further growth in a "conservation subzone". The program was identified as beneficial to both property owners and the Township. Subsequently, the Zoning Ordinance was amended to allow residential development on 2.5 acre lots in the Forest (FO) zone if 17.5 acres of

noncontiguous land were deed restricted elsewhere in the zone. The conservation subzone was designed to encourage expansion of the county park and scout facilities. Subdivision is permitted in the FOR (receiving area) zone if the land is deed restricted elsewhere. No changes are recommended in this zone.

**RU, RUR, and RUC Rural Development Area Residential Zones:** These zones permit agriculture and residential development on 5 acre lots and subdivision to 1 acre lots in the RUR (receiving area) zone if the balance of the 5 acres is deed restricted elsewhere. Over time the program is expected to preserve open space, reduce local infrastructure costs, and concentrate growth in the Pinelands Area to its most logical location, i.e. near the Parkway. The Township also removed its 440 acre Pinelands "Municipal Reserve Area" provision which had designated the Rural Development (RUR) receiving area as the place where future sewer service infrastructure and higher residential densities could develop when the R-2 zone east of the Parkway had been built out. No additional density increases are recommended west of the Parkway other than those provided under the Pinelands density transfer program.

**RUI Rural Development Area Industrial Zone:** This zone was designed around the Southern Ocean Landfill Facility (SOLF) site and permits a variety of uses and conditional uses, most of which are industrial in nature. No changes are recommended in this zone other than continuing to explore measures to cap and re-use this 285 acre site and adjacent properties through redevelopment.

**PV Pinelands Village:** The village zone was designed to permit compatible development in the established rural hamlet of Brookville. Residential uses on 3.2 acres and agricultural uses are permitted. No changes are recommended in this zone.

#### C. **CAFRA AREA**

For the purposes of planning, this area can be subdivided into three (3) sections. A central corridor comprised of US Route 9 and Old Main Street currently the C-1 and C-

2 zones; the lands west of this corridor, currently comprised of the I-1, I-2, RU-2 and R2 zones; and the lands to the east currently consisting of the R-1, R-1A, WD, and BC zones.

1. Central Corridor

This area contains most of the Township's commercial property. US Route 9 is a major north/south artery for those not using the Garden State Parkway (GSP). The proposed revised CAFRA regulations have designated a portion of this area as "coastal village".

C-1 General Commercial District: This zone permits a variety of commercial uses and several conditional uses on 30,000 square foot lots on either side of US Route 9. The Zoning Ordinance's setback and coverage requirements as well as the conditional use requirements are adequate and compatible with general planning principals. The Ordinance does not specifically permit shopping centers, although it implies they are permitted.

C-2 Limited Commercial District: This zone is similar to the C-1 Zone, but is geared to "downtown" business development on Main Street and the Bryant Road area. Smaller C-2 zones are located along US Route 9 at the entrances to Sands Point Harbor and Pebble Beach. The zone provides a variety of permitted uses and conditional commercial uses. Shopping centers measuring less than 20,000 square feet are permitted, as are single-family homes and home occupations. There are several historic buildings and places in the Waretown district, but no observable provision to identify or preserve them.

A community's quality of life is an important element in its local character and US Route 9 communities with downtown districts, such as Barnegat, are often perceived as more desirable places than those where the highway simply runs through the town. Waretown Center is an important location that can, over time, be revitalized to reinforce Ocean Township's small town, hometown character. Consideration should also be given to relocate small-scale businesses off US Route 9 and onto Main Street. These uses should include personal service establishments, shops of tradespeople, business and professional offices, funeral

homes, etc. Furthermore, we recommend that the town revise the C-1 and C-2 zoning districts to be more consistent with the State Plan and coastal development regulations.

**Recommendations For Changes to the C-1 and C-2 Zones:**

Change the C-2 designation to "Coastal Village" with a revised boundary that would extend from the intersection of US Route 9 and Main Street, thence northeast on Main Street to Old Main Shore Road (County Route 613) to US Route 9, thence west a perpendicular distance of 500 feet, thence south along a line that is parallel to and 500 feet west of US Route 9 to a point that is a perpendicular distance of 500 feet north of County Route 532, thence west along a line that is parallel to and 500 feet north of county Route 532 a distance of 1500 feet, thence south along a line that is perpendicular to County Route 532 to a point that is a perpendicular distance of 500 feet south of County Route 532, thence east along a line that is a parallel to and 500 feet south of county Route 532 to US Route 9, and thence south on US Route 9 to Main Street.

This description would create an identification through the use of the "Village" as a town center. By making the boundary the same as proposed by NJDEP, development review can be expedited. The Coastal Village designation has a CAFRA impervious coverage ratio of 60% which is acceptable. Section 19-6.7 should be reviewed and revised to list those uses that are usual in a village and which will be consistent with economic revitalization efforts. (See Economic Element)

Change the C-1 designation to "Highway Commercial". This area would be the existing C-1 zone revised by the changes outlined for the "Coastal Village Zone". Section 19-6.8 should be reviewed and revised to list those uses that are compatible with development along a major arterial. Portions of this area is now designated as a CAFRA Fringe Planning Area with an impervious coverage ratio of 5%. Because much of this area is within a sewer service area, the Township should petition to change the designation to a CAFRA Suburban Planning Area with a 30% ratio.

"Strip" and "big box" development should be discouraged along the entire U.S. Route 9 corridor. Compatibly-scaled uses and structures to promote the Township's "small town" character through architecture and landscape architecture design review should be promoted during the site plan review process; and concentrate highway scale development in shopping centers to facilitate traffic control and to minimize curb cuts where practical. Shopping centers with major tenants, such as supermarkets, should also be encouraged. Neighborhood-scale commercial and mixed use development along Main Street to revitalize the downtown, small town character of Waretown Village. Redevelopment opportunities should be explored.

## 2. Coast Region (Corridor East)

This area of the Township is generally developed with most of the vacant land considered environmentally sensitive. The area is divided into three (3) use groups as outlined below:

**R-1 and R-1A Single-Family Residential:** Single-family detached homes are primarily found in the older R-1A (8,000 square foot) district and the R-1 (12,500 square foot) district, which contains the more recently developed homes in Waretown. Whereas most of the land in the R-1A is developed, some smaller developable tracts still remain in the R-1 zone.

The LUB should review the list of permitted and conditional uses to ensure that they are compatible with current planning concepts. We would suggest that the Clustering and Planned Unit Development permitted in the R-1 zone be eliminated. We would suggest that the home occupation section of the conditional use section be reviewed and updated. Daycare facilities as defined in MLUL 40:55D-66.56 should be added as permitted uses within the zones.

**WD Waterfront Development:** This zone allows certain residential, marine commercial, institutional, and recreational uses on the mainland bayfront, along certain lagoons, and along the Oyster Creek. Most of this land is dedicated to existing marinas, marine related commercial or storage uses, or fishing piers, and launching ramps. The Township has responded to increasing market pressure to allow bayside townhouse development as a conditional use within this zone and some townhomes have been recently erected. Due to the proximity of adjacent existing single-family homes in the R-1 and R-1A zones, the lack of developable land, and additional waterfront development regulatory restrictions, expansion of the WD district are unlikely.

Some of the marinas do not appear to be as "successful" as those outside the Township. This condition is probably related to external market or environmental conditions or the personal business situation of the individual proprietors for which local zoning regulations have no control. One cause could be the need to dredge these older marinas to allow larger craft. The social and economic health



of the entire community is related to the continued healthy operation of these marine facilities. The Township should explore available measures to encourage the health of the business in these WD district uses and other ways to improve their appearance through redevelopment. Resolution of shipworm and channel depths should also be explored.

One WD area fronting on Oyster Creek is owned by the adjacent power plant and is currently undeveloped. The plan purchased it to minimize possible biological impacts of warm and/or irradiated water on downstream marinas and pleasure craft. Although the utility pays taxes on the property and its vacant condition has no adverse impact to adjacent homes, the existing zoning and land use plan does not correlate to its current use. The Township should evaluate whether it wishes to have this land remain undeveloped open space, used for additional housing, or eventually used for some other commercial use, such as waterfront restaurants, shops, and recreational uses that would meet the utility's concerns restricting access to the creek. Redevelopment could bring desired tax rates to the community. The Township should initiate communication with the utility to discuss future land use alternatives and zoning options for this site.

**BC Bayfront Conservation:** This zone contains the Sedge Islands State Wildlife Management Area and the last undeveloped private mainland bayfront woodlands. Because all of these areas have significant environmental restrictions due to wetlands or the seasonal high water table, development has been restricted to public open space, single family detached homes on 25,000 square foot lots, or cluster residential development for developments with 10 or more lots. This zone appears aptly crafted to these unique environmental features future development in this area should be kept to a minimum. Every effort should be made to ensure that the intensity of development be limited to ensure the maximum protection to the environmental sensitivity of the land. Therefore we make the following recommendations: Permitted uses should be limited to single-family homes on a minimum of 25,000 SF lots with public sewer, conservation areas with permitted limited public access, and nature preserves and wildlife sanctuaries. There should be no permitted conditional uses and

accessory uses should be limited to those which are accessory to the permitted uses with a maximum impervious lot coverage of 3%

### 3. Central Region (Corridor West)

This area contains most of the Township's vacant developable land. It is bounded on the north by Oyster Creek, the west by the Garden State Parkway, the south by Barnegat Township and on the east by the western boundary of the central corridor. This area is divided into two general land capacity areas, Zone I-1 and Zone RU-2 zones which are outside of the sewer service area and I-2 and R-3 which are considered sewerable.

**RU-2 Rural Development District:** This zone allows residential development on 5 acre lots similar to the RU zone west of the Parkway. This area, which is mostly constrained by wetlands and seasonal high water table conditions, is not anticipated to have any significant development. No changes are recommended other than clarifying in the ordinance that the zone is not in the Pinelands.

**I-1 and I-2 Industrial Districts:** The Industrial Use District of the Township is divided into two (2) separate areas. The I-1, General Industrial District is located south of the Lacey Township border (Oyster Creek), west of the C-1 District and north of the I-2 District. This area is considered a Rural Development (Land Capability Designation 4) in the Pinelands comprehensive Management Plan and is not located in a sewer service area. The I-1 Industrial District was identified in the 1993 Revised Master Plan Land Use Element and adopted by the Township in Ordinance No. 1993-11 when Subsection 19-6.16 of the Land Development Ordinance was added. The I-2 Industrial District is considered in a Growth Region (Land Capability Designation 5) in the Pinelands Comprehensive Management Plan and is located in an area that can be sewerd. Because the area could be sewerd, more intensive land uses are permitted.

It is anticipated that the expansion of Exit 69 of the Garden State Parkway will make the future development of the Industrial Zones more economically viable. It is recommended that, in conjunction with the Economic Plan Element and the

redevelopment plans for Ocean Township, the uses and area and bulk requirements for the I-1 and I-2 zones be reviewed. Any revisions should be considered in relationship with the New Jersey State Development and Redevelopment Plan and revisions to the CAFRA regulations.

CAFRA has designated the area between Oyster Creek, U.S. Route 9, and Route 532 as a "Coastal Fringe Planning Area". This would only provide a 5% impervious coverage ratio, which is unrealistic in the existing I-2 Industrial Area and R-2 Zone, which is already within a sewer service area. The Township should petition CAFRA to change the proposed planning map to correlate to the existing service area in order to provide for future redevelopment opportunities there with up to 30% impervious coverage as a Suburban Planning Area.

As noted in the Circulation Plan Element Volunteer Way should be extended from its existing entrance off of US Route 9 through the industrial zones and connect to County Route 532. The final location of the road and its connection with Route 532 should be coordinated by the L.U.B. with the future development plans of the industrial zones and the Ocean County Planning Department's development plans for Route 532.

**R-2 Single Family Residential:** This is a large mostly undeveloped area that is located between the Garden State Parkway and US Route 9. It is currently bounded on the north by the RU-2 and I-2 Industrial Districts and on the south by Barnegat Township. It is within an area considered grown (Land Capability Designation 5) in the Pinelands Comprehensive Management Plan and therefore is an area which can be sewered. The current zoning permits single family dwellings on 20,000 square foot lots; public and community oriented parks and play areas; nature preserves and wildlife sanctuaries; and planned residential developments (PRD); agriculture uses as defined, but not the raising and keeping of livestock; and subject to the provisions of Section 19-7 in the zoning ordinance. There are also a number of conditional uses listed, including commercial uses for property fronting on Route 532 subject to the conditions in Section 19-11.5.a.

Because this is the largest undeveloped area of land within the Township it is very important that the development that is permitted to take place in this area is a careful balance between the need to maximize the economic future of both the Township and the industrial property owners, taking into consideration various State of New Jersey regulatory limitations and requirements and insure that the lands capacity to sustain development is not exceeded. This area also is within the CAFRA Suburban Planning Area, with a 30% impervious coverage ratio, which is acceptable.

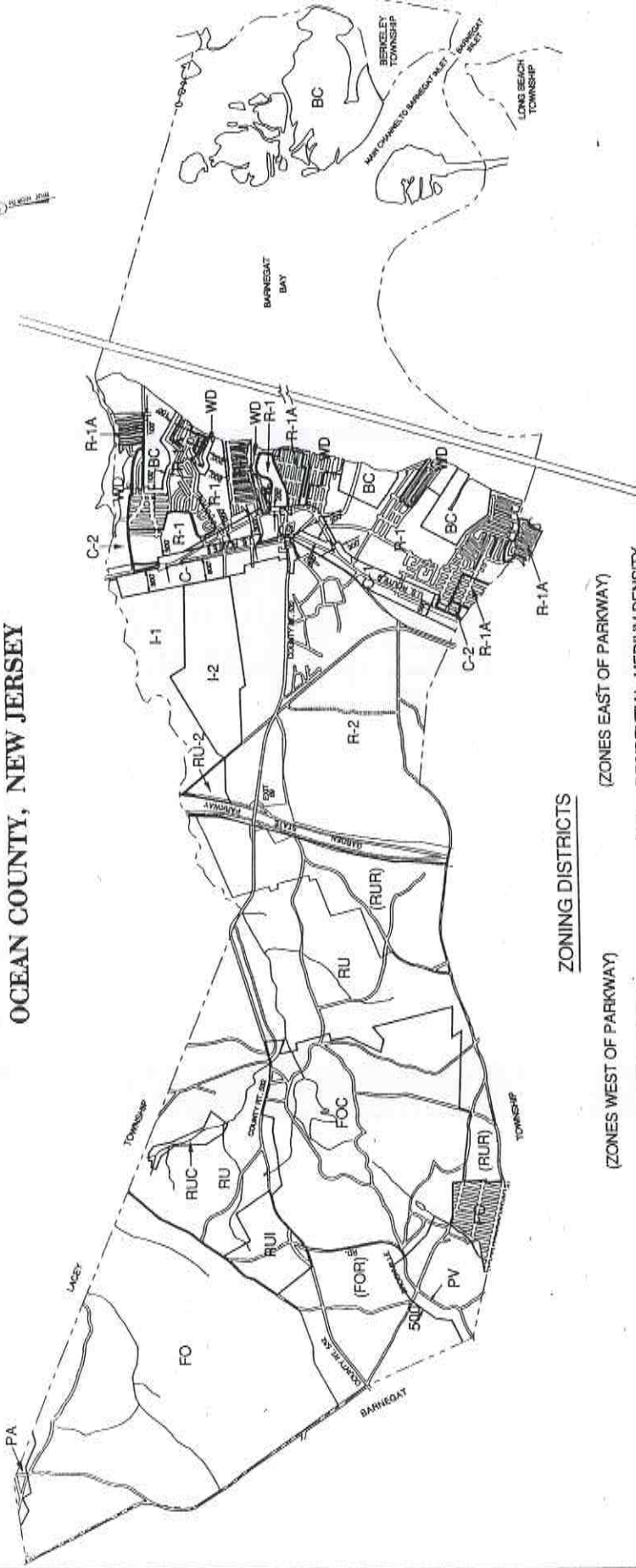
The following recommendations are made concerning the R-2 District:

- Conditionally permit the construction of affordable housing at a gross density of six units per acre in the section of the R-2 District north of Route 532, east of the Garden State Parkway, south of the RU-2 and west of the Jersey Central Power & Light (JCPL) right-of-way. We would also suggest that the cluster development technique as described in the general recommendations of the land use element be utilized.
- Commercial uses continue to be permitted as conditional uses on properties, which front on Route 532. We would suggest that for the section of Route 532 from the Garden State Parkway east to where the JCPL right-of-way crosses Route 532, to a depth of 500' be changed to Highway Commercial. Encourage higher FARs and shared parking and stormwater management infrastructures to permit office usage on second floors over retail spaces. This use would enable the Township to take advantage of the expansion of Exit 69 without allowing Route 532 to become another "Route 37" highway strip development. See the proposed revised Zone Plan Map.
- As in the Circulation Element, it is recommended that the County establish the JCPL utility right-of-way as an arterial by-pass between Route 532 and Route 9. This by-pass could provide emergency evacuation for the residents of the southeastern section of the Township

in the event of a disaster requiring evacuation. It could also, if needed, provide an indirect access into the undeveloped areas of the R-2 District.

- Continue to permit PRDs in the district, again utilizing the clustering development technique in the general land use recommendations.

# MASTER PLAN TOWNSHIP OF OCEAN OCEAN COUNTY, NEW JERSEY



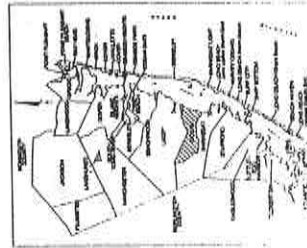
## ZONING DISTRICTS

(ZONES WEST OF PARKWAY)

RU	RURAL DEVELOPMENT	R-1A	RESIDENTIAL, MEDIUM DENSITY
(RUR)	RURAL DEVELOPMENT RECEIVING	R-1	RESIDENTIAL, MEDIUM DENSITY
RUI	RURAL DEVELOPMENT INDUSTRIAL	R-2	RESIDENTIAL, LOW DENSITY
RUC	RURAL DEVELOPMENT CONSERVATION	RU-2	RESIDENTIAL, RURAL DEVELOPMENT
FO	FOREST AREA	WD	WATERFRONT DEVELOPMENT
(FOR)	FOREST AREA RECEIVING	BC	BAYFRONT CONSERVATION
FOC	FOREST AREA CONSERVATION	C-1	GENERAL COMMERCIAL
PV	PINELANDS VILLAGE PRESERVATION AREA	C-2	LOCAL COMMERCIAL
PA		I-1	GENERAL INDUSTRIAL
		I-2	RESOURCE INDUSTRIAL

(ZONES EAST OF PARKWAY)

R-1A	RESIDENTIAL, MEDIUM DENSITY
R-1	RESIDENTIAL, MEDIUM DENSITY
R-2	RESIDENTIAL, LOW DENSITY
RU-2	RESIDENTIAL, RURAL DEVELOPMENT
WD	WATERFRONT DEVELOPMENT
BC	BAYFRONT CONSERVATION
C-1	GENERAL COMMERCIAL
C-2	LOCAL COMMERCIAL
I-1	GENERAL INDUSTRIAL
I-2	RESOURCE INDUSTRIAL



ORDINANCE NO. 1984-10, ADOPTED APRIL 14, 1984  
 ORDINANCE NO. 1985-1, ADOPTED MAY 13, 1985  
 ORDINANCE NO. 1985-2, ADOPTED MAY 13, 1985  
 ORDINANCE NO. 1985-3, ADOPTED MAY 13, 1985  
 REVISIONS MAY 11, 1992  
 PREPARED BY THE OCEAN TOWNSHIP COMMISSION, MAY 11, 1992

## ZONING PLAN



PREPARED BY:

REMINGTON VERNICK & VENA  
ENGINEERS

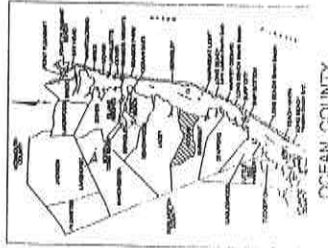
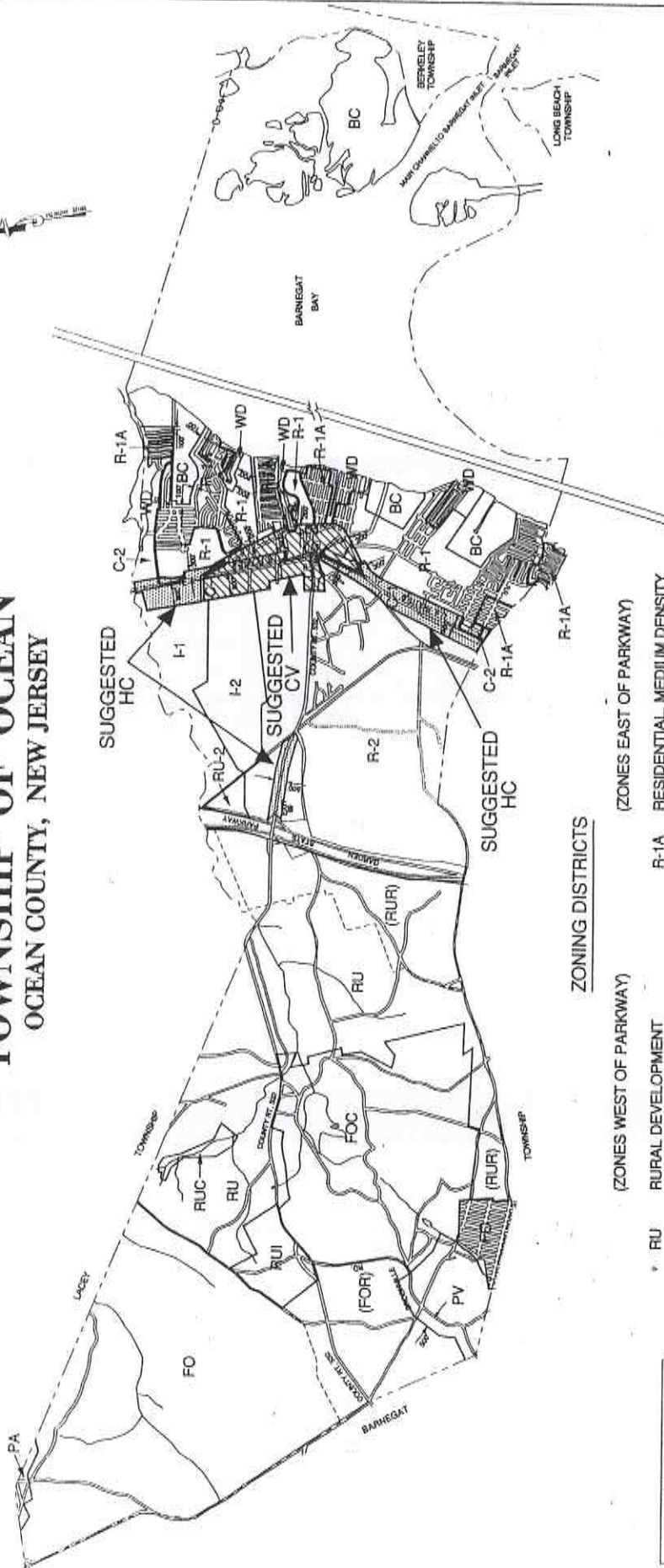
3 Main Street - Free Port, New Jersey 08022 - (732) 382-2229

AUGUST 1989

# MASTER PLAN

## TOWNSHIP OF OCEAN

### OCEAN COUNTY, NEW JERSEY



#### ZONING DISTRICTS

(ZONES WEST OF PARKWAY)

RU	RURAL DEVELOPMENT
(RUR)	RURAL DEVELOPMENT RECEIVING
RII	RURAL DEVELOPMENT INDUSTRIAL
RUC	RURAL DEVELOPMENT CONSERVATION
FO	FOREST AREA
(FOR)	FOREST AREA RECEIVING
FOC	FOREST AREA CONSERVATION
PV	PINELANDS VILLAGE
PA	PRESERVATION AREA

(ZONES EAST OF PARKWAY)

R-1A	RESIDENTIAL, MEDIUM DENSITY
R-1	RESIDENTIAL, MEDIUM DENSITY
R-2	RESIDENTIAL, LOW DENSITY
RU-2	RESIDENTIAL, RURAL DEVELOPMENT
WD	WATERFRONT DEVELOPMENT
BC	BAYFRONT CONSERVATION
-R-1A	GENERAL COMMERCIAL - HIGHWAY COMMERCIAL
-R-2	GENERAL COMMERCIAL - COASTAL VILLAGE
I-1	GENERAL INDUSTRIAL
I-2	RESOURCE INDUSTRIAL

### SUGGESTED REVISIONS TO ZONING PLAN



PREPARED BY:

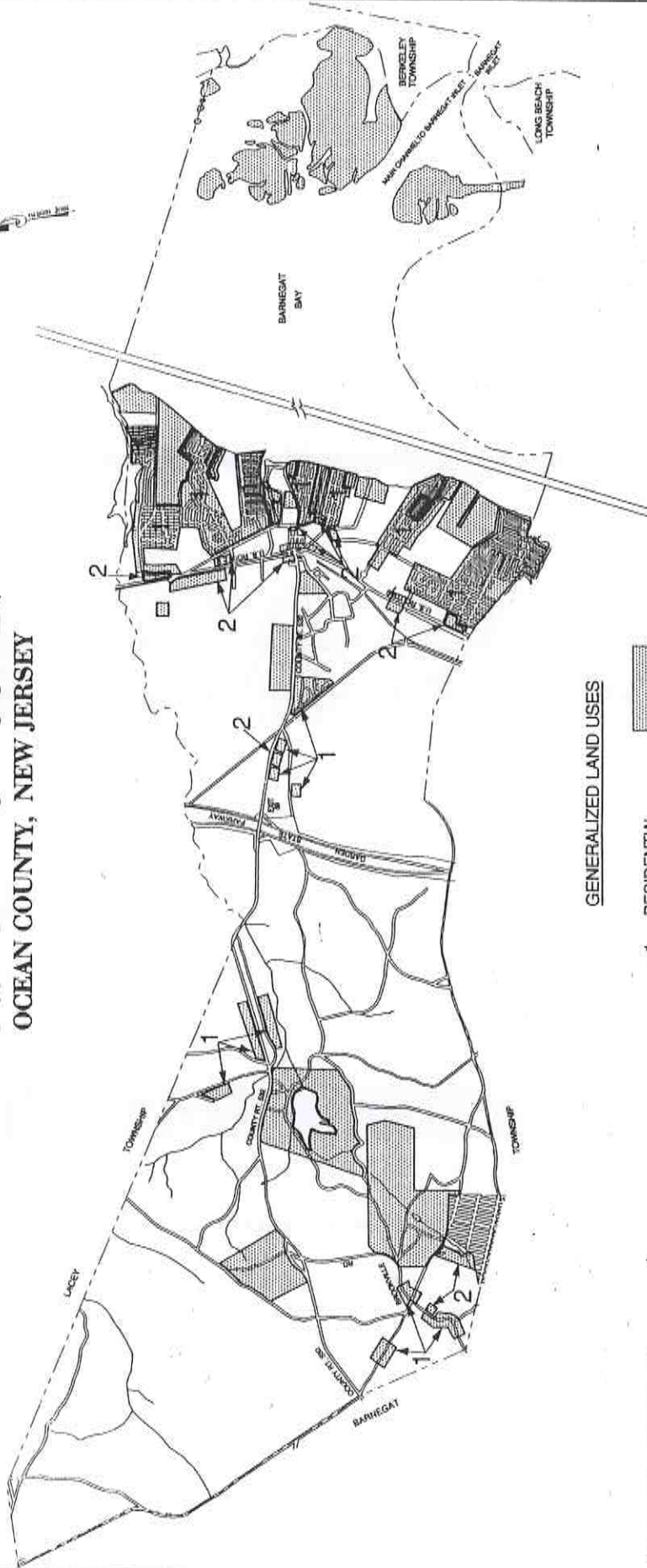
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DATE: 11/15/2011

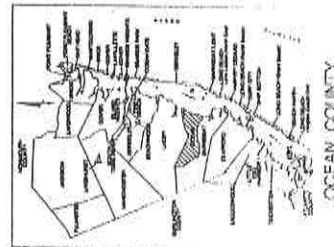
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ORDINANCE NO. 198-99, ADOPTED APRIL 14, 2015  
ORDINANCE NO. 198-100, ADOPTED APRIL 14, 2015

# MASTER PLAN TOWNSHIP OF OCEAN OCEAN COUNTY, NEW JERSEY



## GENERALIZED LAND USES

- |    |                   |  |
|----|-------------------|--|
| 1. | RESIDENTIAL       |  |
| 2. | COMMERCIAL        |  |
| 3. | INDUSTRIAL        |  |
| 4. | MARINE COMMERCIAL |  |
| 5. | CONSERVATION      |  |
| 6. | PARKS/SCHOOLS     |  |
| 7. | VACANT            |  |



## GENERAL LAND USE



PREPARED BY:  
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ENGINEERS  
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4-23-07-1000



## Housing Element

- A. Purpose
- B. Population, Employment, and Housing Analyses
- C. Projection of Future Housing Stock
- D. Conclusions
- E. Housing Plan Recommendations
- F. Fair Share Housing
- G. Evaluation of Low and Moderate Income Housing Measures
- H. Fair Share Recommendations
- I. Appendix
  - 1990 US Census Data Tables
    - General Population
    - Employment
    - Household Income
    - Housing Conditions

## HOUSING AND FAIR SHARE HOUSING ELEMENT

### A. PURPOSE

- Update the Master Plan Housing Element per the Municipal Land Use Law C.40:55D-28(3).
- Prepare a Housing and Fair Share Housing Plan per C.52:27D-310.
- Make recommendations for the Construction and Improvement of Housing within Ocean Township.
- Make recommendations on how Ocean Township can best satisfy it's local and regional affordable housing obligations.

### B. POPULATION, EMPLOYMENT, AND HOUSING ANALYSES (The following information is based on 1990 U. S. Census data).

The total population of Ocean Township, estimated at 5,416 in 1990, has been increasing for the past few decades. There was a 67% increase between 1970 and 1980; and another 45% increase from 1980 to 1990. This represents a total increase between 1970 and 1990 of 3,194 persons in 20 years or almost 150%. This is an on-going trend in rural communities in New Jersey and across the nation on the fringes of suburbia. The Township's population is predicted to boom in the future. The Office of State Planning's trend analysis shows an estimated year 1995 population of 6,541 and year 2010 at 9,579 people. Although these numbers may be a bit optimistic, it does provide a sobering forecast for a Township whose population in 1970 was only 2,222.

This Township of roughly 21 square miles represents 3% of the County's total land mass but only 1% of its population. Most of that population is located in a series of marina and suburban developments between the Barnegat Bay and U. S. Route 9. The median age of the Township (35.1 years) was slightly less than the County (38.5 years) probably due to the large number of senior developments elsewhere in the County. Younger families were more common in the Township than the County, a trend that is expected to continue and will effect school system planning in the future. Ethnically, the Township is predominantly white (99%).

In terms of education, the Township had the same percentage of children in grades 1 to 12 in school (15% of total population) as the County, but has fewer students attending college (2.5% versus 4.8%). Similarly, of the total number of people aged 25 years or over, 10.7% in the Township were college graduates versus 15.3% in the County. Education levels sometimes has a significant impact on future employment opportunities and household incomes. This in turn reflects on housing values and residential property taxes. The census data indicates a higher percentage of blue collar employees in the Township than the County and a lower average household income. The average Township per capital income was \$13,464 and median household income was \$30,839, versus \$15,598 and \$33,110 for the County, respectively. Of the total number of families with children under 18 years of age, 12% in the Township were below the poverty level versus 7% in the County.

Household and housing unit data also proved interesting. The Township's average household size was comparable to the County, roughly 2.5 persons per household, as was the average number of persons per owner-occupied unit, about 2.5. However, the Township's average number of persons per renter-occupied unit was larger than the County's, 2.9 versus 2.6. The median surveyed monthly rent in the Township was \$620 versus \$578 in the County. These higher occupancy and monthly rent numbers could be related to the few numbers of available renter units, and the average number of rooms in a rental available in Ocean Township.

U.S. Census data are all based on survey respondents. Ocean Township, however, is a bayside community with a large percentage of seasonal residents. The 1990 census counted 26% of the total 2,828 housing units as vacant with two-thirds of those units (492 or 17% of the total) as seasonally vacant. A raw extrapolation would indicate that the Township grows by 17% during the summer months and perhaps more so with visitors to other residents in that season. The number of vacant and seasonal homes appears to be decreasing since 1990 as more of them are becoming year round residences, many of which occupied by seniors. More definitive data on this trend will be found in the upcoming 2000 Census.

The vast majority of homes in the Township are single-family (97% versus 82% in the County). There were only about one dozen duplexes, a handful of other multi-family

structures in the Township, and a couple of apartment buildings in Waretown and Pebble Beach. Of the occupied units surveyed, 86% were owner-occupied, which is slightly higher than that of the County at 83%. The 1989 median value of those homes was, however, slightly lower than the County with \$119,100 per Township unit versus \$126,000 County unit. This lower figure, however, could be related to several factors, including the average size or age of the housing stock, remote location, and other factors.

The census numbers show that the rate of older housing stock is comparable to the County with 8% dating from before 1940. However, the post war suburbanization trends in the Township were different than those in the County. The Census indicates that about one-third of the Township's total housing stock was built in the 1960s whereas almost one-third of the County's was built in the 1970s. One-fifth of the Township's homes (about 566) were built in the 1980s compared to one-quarter of the County's homes. This means that while housing continues to grow in the Township at a rapid pace, it is slower than the County. Although both have a similar percentage of homes built between 1940 and 1980, the Township's boom happened in the 1960s and the County's was in the 1970s. Tax Assessor records indicate that approximately 96 new homes were built in Ocean Township between 1990 and 1996.

Although the 1990 Census shows that only 47% of the Township's homes had public water, that figure has increased substantially with almost all of the homes east of the Parkway right-of-way online. A similar statement can also be made for sewer service. The 1990 Census also indicated that approximately 14 homes lacked complete kitchens and 8 lacked complete plumbing. No current figures are available for this statistic. Any proposed housing improvement program should prioritize connection of these basic code deficiencies.

More detailed information from the 1990 U.S. Census is included as an appendix to this plan.

C. PROJECTION OF FUTURE HOUSING STOCK

With the anticipated completion of the full interchange on the Garden State Parkway and the availability of sewer service connections to the largely undeveloped uplands areas in the R-2 zone, Ocean Township is anticipated to receive a second wave of suburban residential expansion in the next century. Although the vast majority of vacant land is found west of the Parkway, zoning restrictions in this Pinelands portion of the Township significantly restrict development there. The Pinelands Commission's latest estimates show a theoretical maximum buildout of 69 units in the PV (Pinelands Village) zone, 156 units in the FO, FOR, and FOC (Forest Area) zones, and 482 units in the RU, RUR, and RUC (Rural Development Area) zones. Although these 707 units may seem a substantial number, they represent the total future growth for the 7,705 acres in the western half of the Township. Due to the lack of vacant developable residentially zoned land east of the Parkway outside the Pinelands Area in the R-1, R-1A, B, and C and WD zones, it is anticipated that most of the Township's future growth will occur in the R-2 zone.

Residential growth in the R-1, R-1A, B, and C and WD zones, is expected to be incremental infill development of single-family homes. Apartment buildings and other multi-family uses are not permitted uses in the Township. The Ordinance does permit planned residential developments (PRDs) for senior citizen housing in single-family detached and attached (townhouse) units. The Ordinance requires a minimum lot size of 50 acres and sewer service availability. Standards are also provided for minimum lot sizes, building coverage's, setbacks, and other features. Although this use is designed for the R-2 zone, it can also be built in the I-2 zone where sufficient land and sewer service is available. Certain types of small scale commercial uses are also permitted on Wells Mill Road (County Route 532). It is anticipated that after the new Parkway interchange is constructed, development pressure on this county road will increase for such non-residential uses. The bulk of the R-2 zone is composed of large lots (about 5 to 10 acres in size) and most of these are upland areas.

D. CONCLUSIONS ON POPULATION, EMPLOYMENT AND HOUSING ANALYSES

The demographic data indicate that Ocean Township is, for the most part, fairly typical with other Ocean County communities. Slight differences in median age, education, and income do exist, but may be related to the Township's remote location and lack of accessibility. The Township's predominant residential use is dense single-family homes east of U. S. Route 9 with more rural development patterns elsewhere. The protection of the Pinelands ecosystem, wetlands, and other natural resources continues to be a major influence in the Township's existing development patterns and land use regulations. New housing construction is expected to be concentrated in the R-2 district. Some new infill construction will take place in the R1, R1A Zones.

E. HOUSING PLAN RECOMMENDATIONS

All future residential development must be designed, constructed, and maintained in accordance with the Residential Development, Transportation and Public Infrastructure, and Conservation and Environmental Protection objectives identified in the Land Use Plan. All construction in Flood Zones must be in accordance with all applicable codes. The Township should develop plans to encourage the upgrading of existing older housing stock.

F. FAIR SHARE HOUSING

The New Jersey Fair Housing Act requires a housing element to be included in every municipal Master Plan. The element must address the needs of low and moderate income residents of the municipality and contain other reference data required by the Act. It must also provide "realistic affordable housing opportunities recognizing the unique character, limitations, resources, and growth potential of the municipality." Upon adoption of a housing element, the municipality may request the Council on Affordable Housing (C.O.A.H.) to certify the plan as being in substantive conformance with the Act. Such certification, which extends for 6 years, provides a municipality substantial protection from exclusionary lawsuits from developers.

The following chart identifies Ocean Township's affordable housing obligation, as determined by C.O.A.H., for the 1993-1999 period:

PRE-CREDITED NEED	
Indigenous Need (actual deteriorated units in Ocean Township)	19 units
+Re-allocated Present Need (in the tri-County region)	9 units
=Present Need 1993	27 units
+Prospective Need 1993-1999 (in the tri-County region)	93 units
= Total Need 1993-1999	120 units
+Prior Cycle Prospective Need (unmet from 1988-1992 obligation)	123 units
+Demolitions	15 units
-Filtering	-4 units
-Residential Conversions	0 units
-Spontaneous Rehabilitation	-1 unit
=Pre-Credited Need	254 units

The chart indicates that the Township must provide or plan for the creation or rehabilitation of 254 low and moderate income units with the next 6 years. This number includes 123 units from the prior 1988-1992 obligation period which have not yet been provided by the Township. In 2000, it is likely that the Township's obligation will increase by another 120 units for the next 6 year period.

This 254 unit figure can be further broken down into rehabilitation (or local) and inclusion components. The rehabilitation component is equal to the indigenous need factor minus the spontaneous rehabilitation number, or in this case, 18 units. This means that C.O.A.H. estimates that Ocean Township will be in substantial conformance with the Fair Housing Act is goal of providing local low and moderate income housing if it can document that at least 18 units were either substantially rehabilitated or created for local residents. The balance of that number, i.e. 236 units, reflects C.O.A.H.'s estimate for providing the Township's obligation of units in the east central region of the State (Mercer, Monmouth, and Ocean Counties). C.O.A.H. estimates are generated from Statewide demographic, economic, and land use indices.

The following chart indicates the approved 1999 affordable housing income thresholds by family size in the Mercer, Monmouth, and Ocean County region.

<u>Income Type</u>	<u>1 person</u>	<u>2 persons</u>	<u>3 persons</u>	<u>4 persons</u>	<u>5 persons</u>	<u>6 persons</u>	<u>7 persons</u>	<u>8 persons</u>
Median	\$42,74	\$48,84	\$54,95	\$61,060	\$65,94	\$70,830	\$75,71	\$80,59
Moderate	\$34,19	\$39,07	\$43,96	\$48,848	\$52,75	\$56,664	\$60,57	\$64,47
Low	\$21,37	\$24,42	\$27,47	\$30,530	\$32,97	\$35,415	\$37,85	\$40,30

**G. EVALUATION OF LOW AND MODERATE INCOME HOUSING MEASURES**

The following is a review of some traditional and innovative measures that the Township has considered in its commitment to provide its fair share of low and moderate income housing:

1. Rehabilitation of Substandard Units

The 1990 U. S. Census indicated that 14 units lacked a complete kitchen and 8 lacked completed plumbing facilities. Due to the Township's relatively small population, small local budget, and large land area, the identification of substandard units has not been a high priority. In order to qualify as a credited unit, rehabilitations must amount at least \$8,000 per unit and involve at least one major building system in a home for a low or moderate income household.

Since April 1, 1990, there have been 4 qualifying rehabilitation projects in Ocean Township as part of Ocean County's Housing Rehabilitation Program. County records indicate that these projects involved low income owner-occupied households with an average expenditure of \$9,171.00 per unit. Between 1986 and 1990 there were 8 similar rehabilitations with an average expenditure of \$5,776.00 per unit. It should be noted that housing costs and rehabilitation costs in the Waretown section of Ocean Township are typically lower than those in surrounding communities. This, a rehabilitation expenditure of \$8,000.00 to \$10,000.00 represents a substantial added value to low income properties in Waretown.



Another 15 properties are to be rehabilitated in order to meet the Township 19 unit rehabilitation component. The Township should consider working with County Officials to increase awareness of the on-going rehabilitation program in Waretown. In addition, it should also consider development of a program to identify homes with Code Deficiencies throughout the Township to better market the program and address other housing improvement issues. Tax abatements and other incentives should be explored to encourage housing rehabilitation throughout the Township.

## 2. Zoning for Inclusionary Development

This tool is an effective way of providing units in municipalities where there is vacant developable land. Due to the preponderance of vacant land in the R-2 zone, the potential for sewer service connections, and the limited amount of wetlands restrictions, this measure would probably be the most appropriate measure in Ocean Township.

The Township's 236 unit inclusionary housing component should be provided in an undeveloped portion of the R-2 zoning district immediately northeast of the Route 532 Garden State Parkway interchange. This +60 acre tract, which is situated between the Parkway, Route 532, and an old electric utility right-of-way, includes all of the residentially compatible land in this vicinity, as well as another 20 acre parcel that contains a small cemetery. The tract is comprised of predominantly developable upland soils in a sewer service area. The R-2 zone currently allows for development of 4 homes per acre on sewer service with a commercial use overlay zone along Route 532 frontage.

The Township should consider permitting within this R-2 tract the development of affordable housing at a density of 6 units per acre as a conditional use. The conditions to be developed in the ordinance should include sewer service availability and other design standards for high density residential uses, such as buffering, landscaping, recreational facilities, architectural design, etc. Assuming that 40 acres in this +60 acre tract is developed at 6 units per acre, all of the Township's inclusionary obligation can be satisfied in this tract. This density

would be compatible with existing zone and development patterns in the Township. It should also provide a sufficient economic incentive to construct low and moderate income units in Ocean Township. If some of these units are rentals, additional C.O.A.H. credits could be garnered. The ordinance also should be amended to include affordable housing provisions, as recommended by C.O.A.H, so that any future qualifying residential units will be appropriately constructed, marketed, and monitored.

3. Development Fees to Support Rehabilitation

Any such program would require completion of a substandard housing inventory (see above). Upon completion of this survey, the Township should consider implementing such a program to support rehabilitation. These funds can be used for minor repairs, weatherization, or other such improvements.

4. Municipally Sponsored New Construction, Gut Rehabilitation, and Other Innovative Programs

Due to the lack of administrative personnel, fixed budget, and the estimated relatively low number of qualifying units in the Township, this measure would prove inefficient at this time.

5. Purchase of Existing Units

The purchase and management of existing qualifying units would not be feasible in Ocean Township for the same reasons as stated above.

6. Creation of Accessory Apartments

The Zoning Ordinance permits second story residential uses in the C-2 zone as part of the Township's plan to recreate a mixed-use downtown village center in Waretown. However, the exact number of potential accessory apartment uses can not be estimated at this time.

7. Provisions of Alternative Living Arrangements and Other Innovative Programs

The Township's predominant character of single-family detached homes and its goal of maintaining its established small town character precludes consideration of such alternative living arrangements. The Ordinance does allow for planned residential developments, clustering, and density bonuses, as well as townhouse development opportunities, where appropriate.

8. Regional Contribution Agreements

At this time, the Township does not have the funding or other mechanisms necessary to support a regional contribution agreement for transferring all or a portion of its fair share obligation to another municipality. The Township should explore developing such a program with the Borough of Lakewood, with the assistance of the County Planning Board.

H. FAIR SHARE PLAN RECOMMENDATIONS

All things considered, the following recommendations are made to prepare the Township to meet its affordable housing obligations:

1. Work with the County to develop a monitoring program to identify substandard and code deficient housing and explore measures to fund housing rehabilitation.
2. Consider amending the R-2 Zone area north of Route 532 and west of the old electric utility easement to provide for a new conditional use allowing affordable housing at a density of 6 units per acre.
3. It is not recommended at this time that Ocean Township submit a petition to COAH for substantive certification.

I APPENDIX

1990 U.S. Census Data Tables for Ocean Township and Ocean County

GENERAL POPULATION	OCEAN TWP.		OCEAN CO		% COUNTY
TOTAL POPULATION	5,416		433,203		1%
LAND MASS (SQM)	20.8	-	636.3	-	3%
DENSITY (PEOPLE/SQM)	260	-	681	-	38%
MALE	2,628	49%	204,181	47%	1%
FEMALE	2,788	51%	229,022	53%	1%
<b>AGE</b>	<b>OCEAN TWP.</b>		<b>OCEAN CO</b>		<b>% COUNTY</b>
0-4 YEARS OLD	477	9%	28,816	7%	2%
5-17 YEARS OLD	856	16%	69,349	16%	1%
18-24 YEARS OLD	417	8%	34,378	8%	1%
25-44 YEARS OLD	1,679	31%	121,929	28%	1%
45-54 YEARS OLD	512	9%	39,066	9%	1%
55-64 YEARS OLD	447	8%	39,257	9%	1%
65-74 YEARS OLD	635	12%	55,703	13%	1%
75 OR MORE YEARS OLD	393	7%	44,705	10%	1%
< 18 YEARS OLD	1,333	25%	98,165	23%	1%
18-64 YEARS OLD	3,055	56%	234,630	54%	1%
> = 65 YEARS OLD	1,028	19%	100,408	23%	1%
MEDIAN AGE	35.1	-	38.5	-	91%
<b>RACIAL BACKGROUND</b>	<b>OCEAN TWP.</b>		<b>OCEAN CO</b>		<b>% COUNTY</b>
WHITE	5,362	99%	412,709	95%	1%
BLACK	21	0%	12,035	3%	0%
NATIVE AMERICAN	9	0%	615	0%	1%
ASIAN & PACIFIC	10	0%	3,874	1%	0%
OTHER	14	0%	3,970	1%	0%
LATIN (ANY RACE)	93	2%	13,950	3%	1%
<b>EDUCATION</b>	<b>OCEAN TWP.</b>		<b>OCEAN CO</b>		<b>% COUNTY</b>
PEOPLE > = 3 YRS ENROLLED	1055	19%	93,686	22%	1%
PREPRIMARY (> K)	100	9%	8,369	9%	1%
PRIMARY (1-12)	825	78%	64,721	69%	1%
PRIVATE SCHOOL	9.9	1.20%	7,055	10.90%	0%
COLLEGE	130	12%	20,596	22%	1%
PEOPLE 16-19 YRS IN SCHOOL/GRAD	231	4%	20,503	5%	1%
NOT IN SCHOOL/GRAD	213	92%	18,647	91%	1%
	18	8%	1,856	9%	1%
	10	56%	923	50%	1%
EMPLOYED/MILITARY					
UNEMPLOYED	0	0%	325	18%	0%
NOT IN LABOR	8	44%	608	33%	1%

FORCE					
PEOPLE > = 25YRS	3666	68%	301,185	70%	1%
< 9 YRS SCHOOLING	291	8%	25,627	9%	1%
HS GRADUATE/EQUIV	2676.18	73%	225,588	74.90%	1%
BACHELORS DEG	392.262	10.70%	46,081	15.30%	1%

EMPLOYMENT	OCEAN TWP.		OCEAN CO		% COUNTY
PERSONS > = 16YRS	4203	78%	345,672	80%	1%
IN LABOR FORCE	2500	59%	194,096	56%	1%
CIVILIAN EMP	2344	94%	181,415	93%	1%
CIVILIAN UNEMP	147	6%	11,344	6%	1%
MILITARY EMP	9	0%	1,337	1%	1%
FEMALES > = 16YRS	2174	40%	186,025	43%	1%
IN LABOR FORCE	1064	49%	88,112	47%	1%
CIVILIAN EMP	999	94%	82,680	94%	1%
CIVILIAN UNEMP	65	6%	5,280	6%	1%
MILITARY EMP	0	0%	152	0%	0%
WITH KIDS < 6YRS	449	21%	23,738	13%	2%
IN LABOR	210.132	46.80%	12,771	53.80%	2%
FORCE					
WITH KIDS 6-	286	13%	25,734	14%	1%
17YRS					
IN LABOR	207.922	72.70%	19,661	76.40%	1%
FORCE					
CIV. VETERANS > 16 YRS	705	13%	60,018	14%	1%
VETERANS	241	34%	24,245	40%	1%
> 65YRS					

CIVILIAN OCCUPATIONS	OCEAN TWP.		OCEAN CO		% COUNTY
EMPLOYED > = 16YRS	2,344		181,415		1%
(sample data)					
MANAGRL/PROFL	438	19%	46,027	25%	1%
TECH/SALES/SPPRT	665	28%	61,955	34%	1%
- SERVICE	378	16%	25,359	14%	1%
FARM/FOREST/FISH	42	2%	2,321	1%	2%
PRODUCTION/CRAFT	534	23%	24,531	14%	2%
OPERATORS/LABOR	287	12%	21,222	12%	1%
PRIV WAGE/SALARY	1,788	76%	138,629	76%	1%
GOVT WORKER	356	15%	30,384	17%	1%
SELF-EMPLOYED &	200	9%	12,402	7%	2%
UNPAID					

JOURNEY TO WORK	OCEAN TWP.		OCEAN CO		% COUNTY
WORKERS > = 16YRS	2280	42%	178,966	41%	1%
DRIVE ALONE	1805.76	79.20%	142,099	79.40%	1%
CARPOOLED	337.44	14.80%	23,802	13.30%	1%
PUBLIC TRANSPORT	41.04	1.80%	3,579	2.00%	1%

OTHER MEANS	86.64	3.80%	9,306	5.20%	1%
AVG TRAVEL TIME (mins)	30.1	-	26.9	-	112%
NO VEHICLE HHOLDS	91	4%	15,015	9%	1%
1 VEHICLE HHOLDS	852	41%	70,543	42%	1%
2 VEHICLE HHOLDS	853	41%	58,902	35%	1%
3+ VEHICLES HHOLDS	291	14%	23,687	14%	1%

HOUSEHOLD INCOME	OCEAN TWP.		OCEAN CO		% COUNTY
SPECIFIED HOUSEHOLDS	2,094		168,312		1%
< \$25,000	817	39%	62,602	37%	1%
\$25,000-\$49,999	788	38%	58,077	35%	1%
> = \$50,000	489	23%	17,633	10%	3%
MEDIAN HHOLD	\$ 30,839	-	\$ 33,110	-	93%
INCOME					
PER CAPITA INCOME	\$ 13,464	-	\$ 15,598	-	86%
WITH SOCIAL SECURITY	743	35%	71,886	43%	1%
WITH PUBLIC ASSISTANCE	119	6%	6,850	4%	2%
POVERTY STATUS					
(sample data)					
ALL PERSONS	5,395		426,849		1%
< POVERTY LEVEL	476	9%	25,600	6%	2%
PERSONS > 65 YRS	1,028		96,680		1%
< POVERTY LEVEL	33	3%	5,358	6%	1%
FAMILIES W/	722		51,367		1%
CHILDREN					
< POVERTY LEVEL	85	12%	3,592	7%	2%

FAMILIES & HOUSEHOLDS	OCEAN TWP.		OCEAN CO		% COUNTY
TOTAL HOUSEHOLDS	2087	-	168,147	-	1%
AVG PERSONS/HHOLD	2.57	-	2.54	-	101%
FAMILY HHOLDS	1536	74%	120,783	72%	1%
NON-FAMILY HHOLDS	552	26%	47,364	28%	1%
1 PERSON HHOLD	467	85%	41,879	88%	1%
> = 65YRS	260	56%	27,121	65%	1%
GROUP QUARTERS	53	1%	6,351	1%	1%
INSTITUTIONALIZED	0	0%	4,529	71%	0%
NOT	53	100%	1,822	29%	3%
INSTITUTIONALIZED					
MARRIED FAMILIES	1306	85%	103,653	86%	1%
WITH CHILDREN	616	47%	41,521	40%	1%
NO CHILDREN	690	53%	62,132	60%	1%
FEM. HEAD, NO HUSB.	175	11%	13,837	11%	1%
WITH CHILDREN	72	41%	5,780	42%	1%
NO CHILDREN	103	59%	8,057	58%	1%

HOUSING CONDITIONS	OCEAN TWP.		OCEAN CO		% COUNTY
TOTAL HSG UNITS	2828		219,863		1%
OCCUPIED UNITS	2087	74%	168,147	76%	1%
VACANT UNITS	741	26%	51,716	24%	1%
SEASONAL VACANT	492	66%	35,017	68%	1%
BUILT PRE-1939	231	8%	14,587	7%	2%
BUILT 1940-1979	2031	72%	149,326	68%	1%
BUILT 1980-1989	566	20%	55,950	25%	1%
NO COMPLETE KITCHEN	14	0%	892	0%	2%
NO COMPLETE PLUMBING	8	0%	527	0%	2%
PUB/PRI WATER COMPANY	1317	47%	186,404	85%	1%
PUBLIC SEWER	2496	88%	193,899	88%	1%
PERSONS/UNIT (OWNER)	2.51	-	2.54	-	99%
PERSONS/UNIT (RENTER)	2.93	-	2.55	-	115%

UNITS / STRUCTURE	OCEAN TWP.		OCEAN CO		% COUNTY
1 UNIT/STRUCTURE	2,731	97%	181,154	82%	2%
2 UNITS/STRUCTURE	13	0%	9,904	5%	0%
3-4 UNITS/STRUCTURE	6	0%	5,960	3%	0%
5-9 UNITS/STRUCTURE	4	0%	4,292	2%	0%
> = 10 UNITS/STRUCTURE	24	1%	10,584	5%	0%
MOBILE HOME & OTHER	50	2%	7,969	4%	1%

VALUE & RENT	OCEAN TWP.		OCEAN CO		% COUNTY
TOTAL OCCUPIED Dus	2087		168,147		1%
OWNER OCCUPIED Dus	1795	86%	139,417	83%	1%
RENTER OCCUPIED Dus	292	14%	28,730	17%	1%
SPEC. OWNER OCCUPIED	1707		120,725		1%
> \$50,000	23	1%	3,136	3%	1%
\$50-99,999	501	29%	31,077	26%	2%
\$100-149,999	669	39%	48,144	40%	1%
\$150-199,999	352	21%	22,182	18%	2%
> = \$200,000	162	9%	16,186	13%	1%
MEDIAN VALUE	\$ 119,100	-	\$ 126,000	-	95%
SPEC. RENTER OCCUPIED	253		26,313		1%
MEDIAN MONTHLY RENT	\$ 620	-	\$ 578	-	107%

## Circulation Element

- A. Introduction
- B. Comments on existing Circulation Element
- C. Recommendations
- D. Circulation Map



## A. INTRODUCTION

The Circulation Element is one of the optional elements of a Community's Master Plan that the Municipal Land Use Law [40:55D-286b.(4)] – "A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality, taking into account the functional highway classification system of the Federal Highway Administration and the types, locations, conditions and availability of existing and proposed transportation facilities including air, water, road and rail";

The current Circulation Element was prepared by Schoor Depalma, 200 Highway Nine, P. O. Box 900, Manalapan, New Jersey 07726-0900, Final Draft dated September 1998 (Report).

This report contained the following identified topics: Description of the Road Network, Residential Site Improvement Standards (RSIS), RSIS Street Classification, Garden State Parkway Interchange, Route 9 Corridor, Federal Legislation, Identification of Problem Areas, Pedestrian Corridors/Bikeways/Greenways and Summary Recommendations. The Summary Recommendations section contained ten (10) specific suggestions.

B. COMMENTS ON EXISTING CIRCULATION ELEMENT

We have reviewed the existing Circulation Element and offer the following comments specific to the plan. Where we have indicated "No Comment" no revision or updating is recommended.

- Description of the Road Network

The current Circulation Element identified the State Highways, provides a listing of the Ocean County Roadways and states that "the remainder of the road network is maintained as local roadways serving the Township of Ocean".

This update supplements this information with a map which identifies the road network and classification in the Township east of the Garden State Parkway. Volunteer Way has been added as a collector roadway providing access into the Town's Industrial Zone.

- Residential Site Improvement Standards (RSIS) and RSIS Street Classification

This update supplements this section with the following. The RSIS does not include non-public right-of-ways or private streets. Private streets are found in planned unit developments such as condominiums and PRDs. These streets are usually maintained by an Association of the property owners. The property owners receive a tax abatement or prorated tax refund which recognizes that the property owners are not receiving the same service for the maintenance of their road system as other property owners in the Township. It is possible that at a future date these streets could become public right-of-ways and become the responsibility of the Township to maintain. It is recommended that minimum development standards be provided in the Land Development Regulations for Condominiums and PRDs for private streets.

- Garden State Parkway Interchange

No comment.

- Route 9 Corridor

The Traffic Impact Study prepared for Ocean County by T & M Associates, Garden State Parkway Interchange No. 69, Township of Ocean, County of Ocean, New Jersey, Traffic Impact Study, February 1998, T & M Associates, makes the point on page 3 that "The need for additional local north/south transportation capacity in the future can be accommodated only by providing additional capacity on the Parkway and/or on U.S. Route 9". The current circulation element does state on page 7 "The full buildout of the Route 9 corridor also necessitates a collector road to be constructed to accommodate future residential growth west of Route 9". The reference to a 'collector road to be constructed' is vague. No suggested location or use is included.

The full buildout of the Route 9, corridor which is comprised of the C-1 and C-2 Zones along U.S. Route 9, will be accessed directly from U.S. Route 9. The growth will obviously increase the flow of traffic along Route 9 and County Route 532 especially when the full Garden State Interchange is completed.

The area west of the U.S. Route 9 corridor and east of the Garden State Parkway can be generally considered to be divided into four (4) local circulation areas. The northern area comprised of the I-1 and I-2 Zones, the north central area which is the R-2 Zone north of County Route 532, the south central area which is the R-2 Zone south of County Route 532 and north of the Public Utility Right-of-Way (PUROW) and the south area which is the remaining R-2 Zone between the PUROW and U.S. Route 9.

For the north area (Industrial Park), Volunteer Way has already been connected to U.S. Route 9 and will serve as the primary access from U.S. Route 9 into the Industrial Zone. This street will eventually connect to County Route 532 near the western section of the Industrial Zone and through the western section of the R-2 Zone. The final location of the connection with County Route 532 will most probably be determined by the environmental constraints which are known to exist in this area of the Township. We have indicated this extension of Volunteer Way with a dashed line on the Circulation Element Map and Township's Official Map.

Development in the north central area, which fronts on County Route 532 and James Drive should not require any new collector streets.

Development in the south central area has already begun. Access in this area of development to Route 532 is provided by Laurelwyck Drive, and Royal Oaks Drive, as well as Railroad Avenue. Access from the Route 9 corridor is provided by County Lane, which also connects via Johnson Street to Railroad Avenue. As additional development occurs, it will connect to this existing street network.

Access to the south area, which is the largest contiguous area of privately owned undeveloped land east of the Garden State Parkway in the Township, can be from Pancoast Road, a Township owned R.O.W. from U.S. Route 9 to the PUROW and directly to County Route 532. Several paper streets (undeveloped) are shown on the tax maps in this area: Pancoast Road from the PUROW west to the Barnegat Township border, Hamilton Road from Pancoast Road south to the Barnegat border and Garrison Road from Pancoast Road north to the PUROW. These R.O.W.'s are shown as dashed lines on the Circulation and official maps. The actual need and location for these residential neighborhood and collector streets can best be determined when development plans are presented to the Land Use Board for their review. The R-2 Zone permits PRD's, and it is possible that this area of the Township could be developed as a single project. (See comment earlier concerning private streets)

The need to provide a "by-pass" between the southern section of U.S. Route 9 and County Route 532, east of the proposed expanded Garden State Parkway Interchange No. 69, may become a reality when the interchange is completed. By definition such a roadway would be an arterial and should therefore fall under the County's jurisdiction. Ocean Township is fortunate in that a one hundred foot wide utility R.O.W. exists which connects the Pancoast Road Municipal R.O.W. to County Route 532. After Interchange No. 69 is completed and the need for a "by-pass" has been established this PUROW would provide the most logical location for such a roadway

- Federal Legislation

No comment.

- Identification of Problem Areas

The report states in part "Any future residential developments east of the Garden State Parkway and west of the Route 9 corridor will contribute to traffic congestion of Route 532" (page 8). Until specific developments are presented by developers and the required Traffic Impact Studies reviewed, it is not certain what impact such development may have on County Route 532. Furthermore, the responsibility for the maintenance and improvements to County Route 532 fall with Ocean County, not with Ocean Township.

The report makes a recommendation in this section (page 8, 3<sup>rd</sup> paragraph) that Ocean Township needs to develop what is generally referred to as an "Impact Ordinance", we agree with this recommendation (see Economic Development Element). We do not feel that it applies to the improvements to non-Township owned infrastructure improvements. The Land Use Board may want to suggest to Ocean County to review the Route 532 corridor from U.S. Route 9 to the Barnegat Township border for a possible TDD (Transportation Development District) or impact fee implementation study area.

The other major problem area which was identified was the need for "a new collector road linking new residential development west of Route 9 with County Route 532". The use of existing streets for this by-pass is not recommended.

- Pedestrian Corridors/Bikeways/Greenways

The report recommends that the Land Use Board should "require developers to create pedestrian linkages to Route 532 as well as community facilities and Township parks" when reviewing applications for future development in the R-2 Zone (page 10). Before any pedestrian linkages are required, a Bikeway Master Plan should be developed. RSIS requires implementation of a bicycle route when such a

plan is adopted. While the use of alternate methods of transportation should be encouraged, the use of arterial level road systems as pedestrian and bikeways possesses a number of safety issues which require additional planning beyond the scope of this element.

The inclusion of pedestrian and bikeways within developments should be encouraged, especially in PRD's.

## Summary Recommendations

The ten (10) recommendations presented in the current Circulation Element were based upon the research and meetings conducted in the preparation of the Element. We have reviewed these recommendations, however the next section of this report makes specific recommendations regarding the Circulation Element which will supercede the prior recommendations.

C. 1999 CIRCULATION UPDATE RECOMMENDATIONS

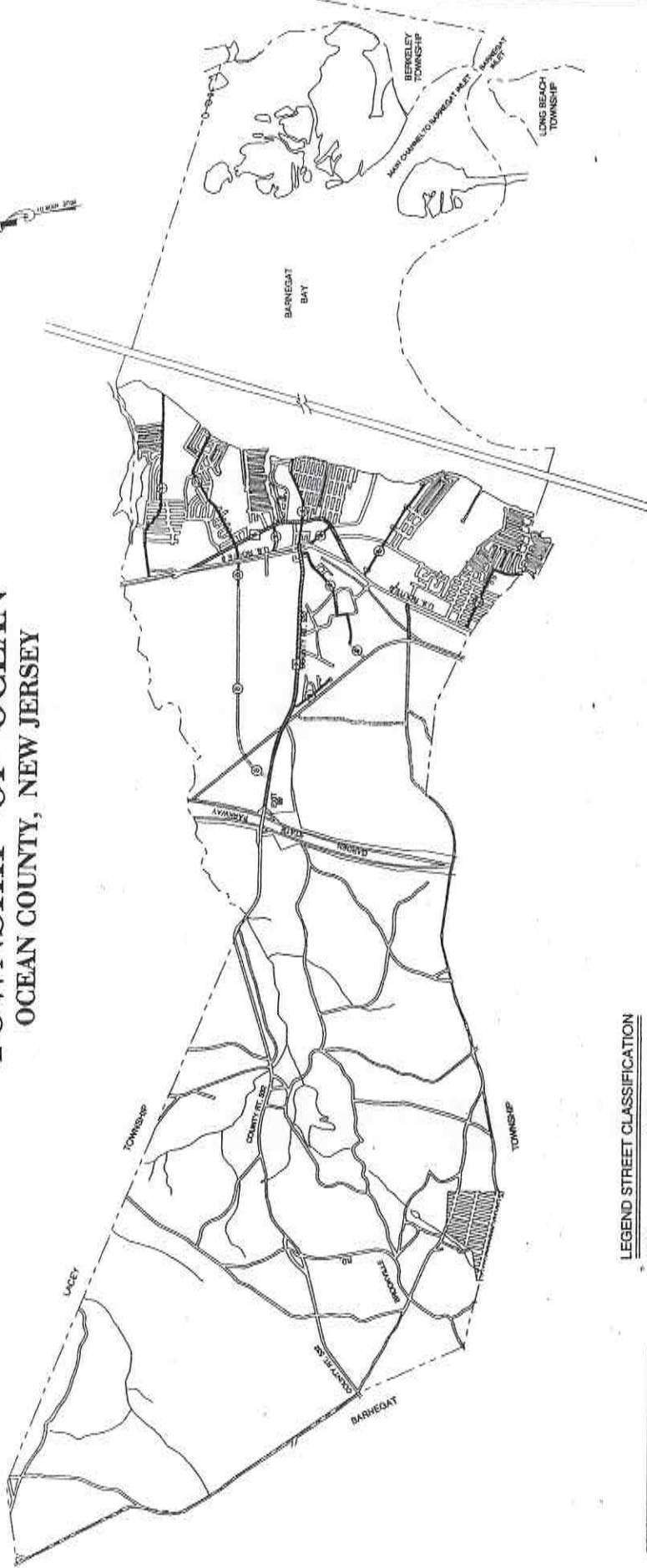
1. The following recommendations are made concerning Circulation issues beyond the direct control of Ocean Township.
  - Encourage and support the expansion of the Garden State Parkway Interchange No. 69.
  - Encourage and support improvements to County Route 532, which may become necessary to safely handle the additional traffic resulting from the expansion of Interchange No. 69.
  
2. The following recommendations are made concerning Circulation issues over which the Township has direct control.
  - Encourage any development, commercial, industrial or residential, that provides for safe circulation within the development and safe access to the two major arterials, U.S. Route 9 and County Route 532.
  - Develop minimum design standards for private right-of-ways in the Land Development Regulations. At a minimum, we recommend that the RSIS standards apply.
  - Encourage and support the development of Volunteer Way through the industrial zone to Route 532.
  - Encourage development in the area south of Route 532, west of Route 9 and east of the PUROW, which completes the Laurelwyck Drive to Walker Lane to Johnson Street collector.
  - Review the need for and the location of undeveloped streets in the largely undeveloped R-2 Zone as development plans are presented to the Land Use Board. Encourage any residential development, that provides for safe



circulation within the development and safe access to the two major arterials, U.S. Route 9 and County Route 532

- Develop a town wide bikeway system, which will provide for the safe movement of people using non-vehicular means. Whenever possible provide non-vehicular connectors between public facilities such as parks and schools with residential areas.
  - In conjunction with the Economic Element, review the possibility of establishing an impact fee program which would measure the impact of potential development on all facets of the Circulation System within the Township and provide for a fee system that would assist the Township in managing the impact.
  - Review and adopt the attached Circulation Plan Map and the Official Map as part of the Circulation element.
3. These recommendations supercede any and all other Circulation Element recommendations.

# MASTER PLAN TOWNSHIP OF OCEAN OCEAN COUNTY, NEW JERSEY

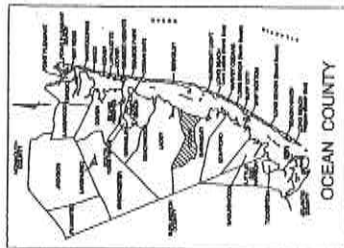


### LEGEND STREET CLASSIFICATION

CLASS	NAME	AS LABELED
FREEWAYS	GARDEN STATE PARKWAY	AS LABELED
MAJOR ARTERIALS	STATE HIGHWAY ROUTE 9	AS LABELED
MINOR ARTERIALS	1. MAIN STREET	AS LABELED
	2. ROUTE 532	AS LABELED
COLLECTORS	1. BAY PARKWAY	AS LABELED
	2. LIGHTHOUSE DRIVE	AS LABELED
	3. BIRDSALL STREET	AS LABELED
	4. BRYANT ROAD	AS LABELED
	5. CLEARWATER DRIVE	AS LABELED
RESIDENTIAL NEIGHBORHOOD AND/OR SPECIAL PURPOSE STREETS	6. BARNEGAT BEACH	AS LABELED
	7. SENECA BLVD	AS LABELED
	8. VOLUNTEER WAY	AS LABELED
	9. WALKER-JOHNSON	AS LABELED
	10. [Symbol]	AS LABELED

ALL OTHER STREETS (PUBLIC RIGHT-OF-WAYS) ARE CLASSIFIED  
RESIDENTIAL NEIGHBORHOOD AND/OR SPECIAL PURPOSE STREETS

EXISTING  
PROPOSED



## CIRCULATION PLAN EAST OF GARDEN STATE PARKWAY



PREPARED BY:

**REMINGTON VERNICK & VENA**  
ENGINEERS

2 John Street - Dover, New Jersey 08020 - (732) 246-2222

AUGUST 1988

- NOTES:
- COUNTY ROUTE 532 SHOULD BE UPGRADED TO MAJOR ARTERIAL WHEN EXIT 88 OF GARDEN STATE PARKWAY IS EXPANDED.
  - PROPOSED PUBLIC RIGHT-OF-WAYS ARE SHOWN WITH DOTTED LINES. THEIR FINAL LOCATION WILL BE DETERMINED BY THE LAND USE BOARD AT THE TIME OF PROJECT REVIEW.
  - ANY PRIVATE STREETS (PUDS, PROS) ARE NOT SHOWN. THEIR LOCATION WILL BE DETERMINED BY THE LAND USE BOARD AT THE TIME OF PROJECT REVIEW. ONLY PUBLIC RIGHT-OF-WAY STREETS ARE SHOWN ON THE CIRCULATION PLAN.

## ECONOMIC ELEMENT

- A. Introduction
- B. Element Overview
- C. Analysis of Existing Conditions
- D. Economic Development/Redevelopment Recommendations
- E. Appendix
  - 1. Reference
  - 2. Tables
  - 3. Map

A. INTRODUCTION

An Economic Plan Element is one of the optional elements listed in Article 3 Master Plan of the Municipal Land Use Law (MLUL) as a component of a community's Master Plan. The Land Use Board (LUB) and governing body have determined that this 1999 Master Plan Update should include an Economic Element. Ocean Township has not experienced the economic growth that has been enjoyed by Barnegat and Stafford Township's to the south and Lacey and Berkeley Township's to the north. With the recent announcement that Exit 69 of the Garden State Parkway is to be expanded to full service, the Township hopes that, what has often been voiced as a primary contributing factor to the lack of growth in the Township – lack of access – will be corrected.

## B. ELEMENT OVERVIEW

The Municipal Land Use Law (MLUL) 40:55D-28b.(9) describes an economic element as "a plan element considering all aspects of economic development and sustained economic vitality, including (a) a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas and (b) an analysis of the stability and diversity of the economic development to be promoted;".

In addition to the labor pool or jobs created, the economic element should provide the municipality with a realistic analysis of the existing conditions which have an impact on the economic vitality of the community. This element will include a general analysis of these factors. Based upon the situations discovered in the analysis goals and objectives for economic growth are set forth. These goals and objectives should be consistent with the Township's General Master Plan goals and consistent with County and State regulatory requirements. The most important part of this Economic Element Plan is the section which formulates and describes the various strategies for economic development and redevelopment.

This Economic Plan Element has not only been prepared following the MLUL, but also the State of New Jersey's Standards (N.J.S.A. 40A:12A-1 et.seq.) will serve as the LUB's review and recommendations for the determination of areas "in need of redevelopment and rehabilitation".

In that aspect this Economic Element incorporates the Township of Ocean Redevelopment Project, Preliminary Investigation for Environmental Constraints, dated March 1, 1998 and prepared by Schoor DePalma, Inc., 1466 Route 88 West, P. O. Box 1429, Brick, NJ.

The New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5) sets forth seven standards for evaluating a delineated area for redevelopment. When the conditions in an area of a municipality conform to any of the seven qualifications, that area can be properly designated as an Area in Need of Redevelopment by the Planning

Board and the City Commission. The seven statutory qualifications quoted below are from the Statute:

"A delineated area may be determined to be in need of redevelopment if after investigation, notice and hearing as provided . . . the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found":

- (a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;
- (b) The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes, the abandonment of such buildings or the same being allowed to fall into so great a state of disrepair as to be untenable;
- (c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land, which has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;
- (d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;
- (e) A growing or total lack of proper utilization of areas caused by the condition of the title, diverse ownership or the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

- (f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
  
- (g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act" . . . the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment . . . for the purpose of granting tax exemptions within the enterprise zone district . . . or the adoption of a tax abatement and exemption ordinance . . . The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C. 40A) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

By definition, a redevelopment area may also include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.

As an Economic Plan Element the area of study is the complete municipality. The area of study has been divided into two large sub areas: A – "Pinelands", The area of Ocean Township west of the Garden State Parkway and B - "CAFRA", the area east of the Garden State Parkway. Area B "CAFRA" is farther divided into three sections, B West: the area between the Garden State Parkway and the U. S. Route 9 corridor and B East: the area east of the Route 9 corridor and area BC: which is the U. S. Route 9 corridor.

The following lists the "measurement" items reviewed in the analysis and environmental constraints:

- a. Population Demographics
- b. Housing Characteristics
- c. Residential Land Use
- d. Non-residential Land Use
- e. Access
- f. Environmental Constraints



C. C. ANALYSIS OF EXISTING CONDITIONS:

1. Area A: "Pinelands"

This section of Ocean Township is regulated by the Pinelands. In 1993, the Township undertook an extensive review and update of this area and established as required by the Pinelands Comprehensive Management Plan, sending and receiving districts, which permit the transfer of land based development rights from non-buildable to buildable property while maintaining the overall permitted density of development.

This area contains a Pinelands Village and a Rural Development Industrial Zone both of which permit non-residential development. There is also a Forest Area Receiving Area immediately adjacent to the Pinelands Village. This zone would permit higher density residential development through the use of the Transfer of Development Rights (TDR's).

The expansion of Exit 69 at the Garden State Parkway is expected to increase traffic along County Route 532 and Brookville Road. Because of its location within the Pinelands any changes in zoning in this section of the Township would require review and approval by the Pinelands Commission.

The current development guidelines currently appear appropriate to handle the economic growth that might be expected in the next six (6) years. However, these guidelines should be reviewed in the near future to see if there are other quality of life performance standards which should be incorporated. At this time a more in depth study or analysis does not appear warranted. The Land Use Board should review this area again when this element is updated in the future.

Although most of the Township's opportunities for redevelopment are located east of the Parkway, the Southern Ocean Landfill Facility (SOLF) also meets the criteria for an "area in need of redevelopment" under criterion "e". This old, uncapped landfill, due to ownership issues and closure costs remains a potential health and safety hazard to the environment and general population. (see tract 4).

## 2. Area B: "CAFRA"

As noted in Section B, Element Overview this area has been further subdivided into three sections. Each of these sections are identifiably different from each other in how they have been developed. Area BW contains most of the vacant developable property in the Township; Area BE has been developed to most of it's capacity and also contains water based marina development; and Area BC surrounding U. S. Route 9 is a mixture of highway commercial development and undeveloped and under-utilized properties. For the purpose of the analysis each of the measurement items listed in the Element Overview is described in general terms and then related to the specific sub area.

### a. Population Demographics:

The 1990 population of 5416 is divided almost 50/50 between male and female with a median age of 35 years. The population density is listed as 260 people per square mile, however this is misleading. Most of the residential population lives in the eastern half of the Township with a high concentration east of U. S. Route 9. Future residential growth would be expected to continue to occur in the western section of the "CAFRA" zone.

As of the 1990 Census the average persons per household was 2.57 which is consistent with the County average 2.54. However the median household income of \$30,839.00 and per capita income of \$13,464.00 are both about 10% lower than the County's averages. In 1990 there were 4203 residents over 16 years of age of which 2500 or

59% were considered to be in the labor force. Of those 2500, 2280 travel an average of 30 minutes to work. It is apparent that most Township residents do not work in the Township.

b. Housing Characteristics:

As of the 1990 Census the Township had 2828 total housing units. The 1993 Master Plan Update Report prepared by this office (see appendix) indicated that there were a total of twenty-three (23) residential dwellings in the Pinelands section of the Township. This supports the earlier point that most of the residential density in the Township is east of the Garden State Parkway. According to the 1990 Census, 2031 dwelling units (dus) were built between 1940 and 1979. This means that over 70% of the Township's housing stock is 20 years or older.

Of the 2087 totally occupied dus, 1795 or 86% are owner occupied. 492 of the vacant units are considered seasonal leaving 249 vacant or almost 10% of the existing dus as vacated and unoccupied.

The median value of the housing units in 1990 was \$119,000.00 and the median monthly rent paid for the 292 rental units was \$620.00. The median value is about 5% less than the County average, while the rent paid is 107% of the County average.

c. Residential Land Use:

There are four residential zoning districts in this section of the Township. R-1, R-1A, R-2 and RU-2. The R-1 and R-1A districts are located east of the Route 9 corridor and contain the bulk of the housing stock of the Township. Very little vacant developable land exists in these zones. Many of the dus in this area are over 20 years old, many are converted summer residences and many are located in flood prone areas. A significant number of older homes are in substantial need of rehabilitation.

The R-2 district is a large area west of the Route 9 corridor and east of the Garden State Parkway, with a small portion north of County Route 532. About one third of the district, a triangular area bounded by the Route 9 corridor, County Route 532 and the Jersey Central Power and Light Company R-O-W contains most of the existing housing stock. This area has seen most of the residential subdivision growth that the Township has experienced. It is expected that this area will continue to grow with small major subdivision developments. A significant number of older homes are in substantial need of rehabilitation.

The southeastern section of the R-2 Zone contains an area known as the Edgemont Tract, shown as Insert 4 on Tax Sheet #32 of the Township's Tax Maps. This is a "subdivision" dating back to the early 1900's. This collection of property is made-up of numerous small lots owned by numerous owners (See chart in the Appendix). The current lot sizes and ownership pattern and the fact that this area has remained undeveloped for almost 100 years indicates that this property is undevelopable in its present ownership situation. It thus meets criterion "e" "for an area" in need of redevelopment" due to the condition of title and diverse ownership patterns for an outdated and undevelopable subdivision tract. (See Tract 2)

The remaining area of the R-2 Zone is largely undeveloped. It is within the sewer service area and the current R-2 zoning permits various opportunities for large scale residential development. It is highly likely that the improvements to Exit 69 will be the economic catalytic agent for the development of this area.

The remaining RU-2 Residential Zone has limited growth potential as it is outside of the sewer service area and contains considerable wetlands.

d. Non-Residential Land Use:

A breakdown of the C-1 and C-2 Commercial Zones (see charts in the Appendix) identified 285 parcels. Of these parcels 55 or 19.3% were classified by the Township tax records as commercial use and 93 or 32.6% of the parcels as vacant. The remaining 117 parcels representing almost half of the property in these commercial zones are in residential use.

The commercial properties averaged 3.2 acres with an average assessed value of \$83,323.00 per acre. The vacant property averaged 17.6 acre per parcel at about \$2,463.00 per acre of assessed value. The residential properties averaged less than one acre per parcel with an average assessed value of \$119,475.00 per acre.

Comparing the taxes generated between the three general types of land uses within the C-1 and C-2 districts shows an average of about \$70.00 per acre for the vacant land; \$2,400.00 per acre for the commercial property and \$3,500.00 per acre for the residential property. Due to growing proper utilization of land uses along this linear corridor, this area has become stagnant and not fully useful and valuable for contributing to the Township's tax ratable base and economic welfare. It therefore meets "e" for an area in need of redevelopment. (See Tract 3)

The remaining non-residentially zoned areas of the Township consist of the two Industrial Zones I-1 and I-2 and the Waterfront Development District.

The Waterfront Development District permits mixed uses and currently contains residential, marine commercial and recreational uses. The districts are located on the bay front, certain lagoons and along the Oyster Creek. Townhouse construction is permitted as a conditional use and some recent development activity of townhouse construction has taken place.

Some of the marinas do not appear to be as successful as others located out of the Township. A major deterrent to the successful operation of these marinas could be the need to dredge the marinas and associated channels. A marina which does not provide adequate depth for the boats makes it very difficult for the marina to compete.

As such, the channels have become substandard and dilapidated and not conducive to adequate working conditions. Much of the waterfront marina improvements and infrastructure is also dilapidated as are many of the buildings. These properties in the five "WD" Waterfront Development Districts therefore meet criterion "a" for an area in need of redevelopment. (See Tract 5) With the potential increase in access expected from the expansion of Exit 69 of the Garden State Parkway the marinas must be given the opportunity to compete. The Township should explore any opportunity for funding support for dredging.

The areas of the Township with the greatest economic development potential are the I-1 and I-2 Districts. The primary difference between the two zones is the ability to provide public sewers in the I-2 District. Because of this some higher intensity uses are permitted in the district.

The Township owns most of the property in these two zones. Over the past six years the Township has worked very diligently attempting to develop this zone. Up to this point the only major development has been the construction of Ocean County's Fire Fighting Academy. A study prepared in 1998 by Schoor DePalma (see Appendix) resulted in a determination by the Planning Board (see Resolution #98-8 in the Appendix) that certain properties as listed in the resolution should be designated as a redevelopment area as defined in the New Jersey Redevelopment and Housing Law NJSA 40:A:12A-1 et.seq. This included the land identified as Tract 1 on the Economic Plan Element Map.

e. Access:

Access defined in this context is the ability of individuals to be able to reach either a place of employment, residence, or commercial activity in a convenient and safe manner. For Ocean Township the primary source of access is the private automobile. Limited public NJ Transit bus service is available along U. S. Route 9 but no other form of public transportation exists in the Township.

The expansion of Exit 69 of the Garden State Parkway is expected to provide access to Ocean Township which has not been available in the past. This increased accessibility is expected to open up economic development and redevelopment potential to the Township.

For more information see the Circulation Element of the Master Plan.

f. Environmental Constraints:

The protection of the environment both within the Township boundaries and the Barnegat Bay is a land development priority. The current State Development Regulations referred to as CAFRA are in the process of being up dated. The basic controlling factor utilized in these regulations is the percentage of impervious cover permitted. Depending on the development potential classification of the land for a project, a maximum permitted percentage of coverage is permitted. In addition, no development is permitted in areas of mapped freshwater wetlands. For larger, higher density projects complete environmental studies are required. Any developmental approvals granted by the Township are conditioned upon the review and approval of the project by the State.

For additional background see the Natural Resource Element of the Master Plan.

D. ECONOMIC DEVELOPMENT/REDEVELOPMENT RECOMMENDATIONS:

There are a number of methods available to the Township that can be utilized to assist in the economic growth and housing rehabilitation in the Township.

1. Tax Abatement (NJSA 40A:21-1 et. seq.)

A municipality can adopt an ordinance allowing five year exemptions and abatements if at least part of the municipality has been determined to be "an area in need of rehabilitation". For an area to be developed such the following conditions should exist:

- a. A significant portion of structures in the area are in a deteriorated or substandard condition;
- b. There is a continuing pattern of vacancy, abandonment or under-utilization of properties in the area, with persistent arrearages property tax payments; and
- c. A program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the Community.

In reviewing the complete municipality for the presence of areas which based upon the above general criteria the following specific areas with the Township are recommended as areas in need of rehabilitation. (See map in the Appendix)

Residential Uses

- Considering that over 70% of the housing stock of the Township is twenty (20) or more years old and that a great percentage of the tax income is generated as a result of residential assessments. A program which would grant to an owner of a single family home located within the Township some tax relief for repairing and improvements to that dwelling which when completed increases the assessed value and therefore the taxes.



- Considering the fact that the "Edgemont" tract has been vacant and undeveloped for almost 100 years and future development of the property in its present lot and ownership configuration is not expected, it is recommended that this area be considered an area in need of redevelopment. Furthermore it is recommended that the municipality seek to obtain the individual lots through foreclosure so that the property could become a single parcel which would make it a more attractive development opportunity. (See area 2 on map)

#### Non-Residential Uses

- As previously recommended by the Land Use Board the property in the I-1 and I-2 Districts should be considered an area in need of redevelopment. It is noted here that all the property in these districts should be considered. (See area 1 on map)
- The C-1 and C-2 Zoning Districts as presently drawn, which currently provide commercial development opportunities have not been developed to their potential. Only 20% of the properties are listed as commercial usage and some of these are abandoned or vacant. In addition another 30% of the parcels are vacant. Clearly, the economic potential in these zones is under-utilized. We recommend that both zones be considered areas in need of rehabilitation.

Furthermore it is suggested that tax abatements be considered in the following three (3) categories: By including a combination of these three approaches the use of tax abatements will generate a program of rehabilitation to prevent further deterioration and promote development.

- New construction for commercial uses.
- Conversion of residential uses into either mixed use or commercial use which would increase the assessed value of the property.

- Up-grades to existing commercial uses which would increase the assessed value.

## 2. Revision of Land Use Regulations

In some cases the requirements of the Land Development Ordinance including such items as permitted uses, area and bulk requirements and design standards can be revised to encourage development. In this area we make the following recommendations:

- Clarification and revision to the clustering concept, specifically in Section 19.7 Planned Residential Development. The overall density for PRD's is four (4) units per acre based upon the gross area of the project. The minimum lot sizes and dimensions should be reduced from 7,500 SF to a smaller total, possibly 5,000 SF; the lot width should also be reduced from 75' to possibly 50' maintaining a lot depth of 100'. These reductions would permit the development to reduce the related infrastructure (streets, curbs, sidewalks) thereby reducing the overall intensity as measured by impervious cover of the development without increasing the gross density of the development.
- In addition, the reduction of required cartway width and the requirement for sidewalks on both sides of the street should be considered. The reduced infrastructure cost could become an economic incentive for the development.
- We recommend the use of a general development plan [MLUL 40:55D-45.1] when a development is presented as a PRD. This methodology, in addition to being required by the MLUL can help the developer and the Township to plan the growth over time and protect the interest of both the Township and the land owner.
- The designation of a part of the Township as a "center" within the context of the State plan. It is becoming more apparent that a center designation can have an impact on the availability of State Aid. While this may not be a direct

economic development issue the maintenance and up keep of the Township's infrastructure is crucial to successful economic growth.

- The realignment or redesignation of zoning districts as suggested in the Land Use Element the redesignation and realignment of the C-1 and C-2 Districts is suggested.

#### E. APPENDIX

##### Reference:

"Preliminary Investigation for Environmental Constraints",  
Township of Ocean Redevelopment Project, Adopted by Resolution 98-8  
of the Ocean Township Land Use Board dated 7 May 1998.

##### Tables

1990 U.S. Census Data Tables

Edgemont Tract

C-1 and C-2 Land Uses

##### Map



**TOWNSHIP OF OCEAN  
REDEVELOPMENT PROJECT**

**PRELIMINARY INVESTIGATION  
FOR  
ENVIRONMENTAL CONSTRAINTS**

**PREPARED FOR:  
THE TOWNSHIP OF OCEAN  
LAND USE BOARD**

**MARCH 1, 1998**

Schoor DePalma, Inc.  
1466 Route 88 West  
P.O. Box 1429  
Brick, NJ 08723-0285

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### OVERLAYS

Overlays refer to the map prepared as "Exhibit 1" based on the 1990 Aerial Photography from the Ocean County Planning Board.

Overlay 1 - Municipal Tax Boundaries Obtained from the Municipal Tax Map for the Township of Ocean, Ocean County, NJ.

Overlay 2 - Wetlands Information Obtained from State Freshwater Wetlands Mapping.

Overlay 3 - Soil Series Information Obtained from the USDA Soil Survey for Ocean County.

I. Introduction

This office has been authorized by the Township of Ocean Land Use Board to prepare a preliminary investigation of the proposed redevelopment area as per N.J.S.A. 40A:12A-1 et seq.

This report will summarize the identified physical and regulatory constraints that pertain to development of the specified semi-contiguous parcels of land within the Township of Ocean, Ocean County, NJ. The findings presented below have been drawn from published public information and available private reports. The data and conclusions presented below are based solely on the above referenced information, and have not been field verified.

1. Study Location and Boundaries

The study area found within Township of Ocean, Ocean County, NJ is roughly defined as the area bordered by Oyster Creek to the north, Route 9 to the east, Waretown Creek and Route 532 to the south, and the Garden State Parkway to the west (Overlay 1). As noted, this is the rough boundary, as the Blocks and Lots of the actual study area are not entirely contiguous and are listed below in section I.B.

2. List of Blocks and Lots In the Study Area

<u>Bayview Heights</u>		<u>Waretown Manor</u>	
<u>Block</u>	<u>Lot</u>	<u>Block</u>	<u>Lot</u>
414	1082	403	57-61
416	999	406	24-27 & 39-40
418	873 & 903	407	22-26
420	754	409	28-31
422	539		
425	255		
426	185-186		
428	83	<u>Block</u>	<u>Lot</u>
435	1182, 1190-1192 & 1211	41	2, 4, 5, 9, 13.01, 15.07, 17, 18.01, 18.02 & 20

The majority of the lots, specifically in Bayview Heights and Waretown Manor, are between 2,000 and 2,500 square feet in size. The lots within block 41 comprise the majority of the land within the study area.

## II. Analysis of Constraints

### 1. Physical Constraints

The information presented below will summarize the physical site conditions which could potentially affect and/or limit the developability of the site. Overall, the study area is undeveloped and forested with a mixed oak-pine cover type.

Two major streams, the Oyster Creek and the Waretown Creek, transverse the study area from west to east. The Oyster Creek makes up the northern boundary of the subject site, while the Waretown Creek makes up the eastern portion of the southern boundary. Sizeable wetland systems are found along the corridors of these streams.

#### A. Wetlands and Open Waters

Wetlands are areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation (NJDEP, 1994, "Technical...").

##### i. State Freshwater Wetlands Mapping

The New Jersey Department of Environmental Protection has prepared the State Freshwater Wetlands Mapping as required by the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1, to provide a functional, complete and up to date composite wetlands inventory for the entire state. The Freshwater Wetland Maps were prepared from 1986 color infra-red aerial photography at a scale of 1 inch equals 1000 feet (NJDEP Pub.).

According to the State Freshwater Wetlands Mapping (Overlay 2), the majority of the wetlands within the study area are associated with both the Oyster Creek, to the north, and the Waretown Creek, to the south. A wetland corridor, indirectly related to the streams, is found near the east - central portion of the site and projects approximately 3,000 feet west into the study area. All of the wetlands mapped are palustrine or riverine in type. The cover types of the palustrine wetlands include forested and scrub / shrub broadleaf deciduous, forested and scrub / shrub needle leaf evergreen, forested and scrub / shrub white cedar and persistent emergent while the riverine wetlands are primarily lower perennial open water (Ibid).

## II. Analysis of Constraints (Con't)

### 1. Physical Constraints (Con't)

#### ii. National Wetlands Inventory Mapping

The National Wetlands Inventory (NWI) Mapping was prepared by the Office of Biological Sciences, U.S. Fish and Wildlife Service, Department of the Interior. These maps have been prepared through the analysis of high altitude aerial photography where wetlands were identified based on vegetation, visible hydrology, and geography. The specific aerial used for the analysis of this map is dated March 26, 1977 and was at an original scale of 1:80,000. The finished NWI maps are plotted over the corresponding USGS 7.5 Minute Quadrangle and, consequently, are at a scale of 1 inch equals 2000 feet (USFW, Pub.).

The NWI map for the Forked River quadrangle shows two distinct wetland systems associated with the Oyster Creek and the Waretown Creek. The wetland corridor in the east - central portion of the study area, noted above in the State Freshwater Wetland Mapping, is less pronounced, and appears isolated on the NWI mapping (Ibid).

The cover types as noted on the NWI mapping include palustrine needle leaf evergreen and broadleaf deciduous forests, palustrine emergent, palustrine scrub / shrub, and palustrine open water (Ibid).

#### iii. USDA Soil Survey of Ocean County

The USDA Soil Conservation Service in cooperation with the NJ Agricultural Experiment Station, Cook College, Rutgers University, and the NJ Dept. of Agriculture, State Soil Conservation Committee have worked jointly to prepare and publish the Soil Survey for Ocean County. The Soil Survey represents an extensive mapping of the major soil types within the region (Overlay 3), which was completed through the use of aerial photography and extensive field verification (USDA, 1980).

The Soil Survey of Ocean County shows soils with a seasonal high water table less than one foot from the surface along the corridors of both the Oyster Creek and the Waretown Creek. Specifically, the Manahawkin muck, the Berryland sand and the Atsion sand soil series are found along the stream corridors (Ibid).

The eastern portion of the site is almost entirely Lakehurst sand, where the seasonal high water table is between one and a half and three feet. It is not uncommon to find additional wetland areas within the Lakehurst sand, especially in ditches and low lying areas. The soil survey does show a few isolated 'wet spots' throughout the Lakehurst sand. The wetland corridor discussed in the above sections appears to be made up of a Berryland sand and associated with a surface water connection to the Barnegat Bay.



## II. Analysis of Constraints (Con't)

### 1. Physical Constraints (Con't)

Development after the publishing of the Soil Survey in April 1980 may have isolated or piped this wetland system's connection to the Barnegat Bay (Ibid).

It does not appear that there are wetlands in the central and south west portions of the site where the soil, the Lakewood sand, has a depth to the seasonal high water table in excess of six feet (Ibid).

### B. Soils

#### i. USDA Soil Survey

As noted in Section I.A.iii above, the major limitation of the soils within the study area is their depth to the seasonal high water table (Overlay 3). The Manahawkin, Atsion, and Berryland soil series found primarily within the wetland areas would be a severe limitation to development, including buildings and roads. The Lakehurst series found primarily on the eastern portion of the site has moderate limitations to the development of buildings and roads due to wetness, however, due to the shallow water table, dwellings and businesses with basements and/or the use of subsurface disposal systems would be severely limited (USDA, 1980).

The Lakewood sand, found on the western portion of the study area has few limitations to development, except for the limitations associated with sandy soils. These limitations could include excessively coarse material in the substratum unsuitable for subsurface disposal systems, and unstable cutbanks and excavations (Ibid).

### C. Topography

#### i. USGS 7.5 Minute Topographic Map

The 7.5 Minute Arc, 1:24,000 scale topographic map prepared by the United States Geologic Survey shows few limitations to development with regards to the topography. Limited areas of the study area are mapped as possessing steep terrain, and these areas are found in the northern portion of the study area where the conversion is made from the upland area to the Oyster Creek corridor (USGS, Pub.).

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues

#### A. NJDEP Freshwater Wetland Protection Act (FWPA)

##### i. FWPA Summary and Applicability

The Freshwater Wetlands Protection Act (FWPA) N.J.A.C. 7:7A, regulates wetland areas as defined under the Army Corp of Engineers Wetland Delineation Manual, Dated 1989. The designation of these wetland areas, as noted in the manual, shall be based upon the three parameter approach of soils, vegetation and hydrology. According to the FWPA, "The three-parameter approach is a methodology for determining, in a consistent and repeatable manner the presence of wetlands and the boundaries of wetlands" (NJDEP, 1992, "Freshwater...").

The State of New Jersey Department of Environmental Protection (NJDEP) will regulate most activities in a wetland, State open water, and/or the wetland transition area. These activities will include: The removal, excavation, disturbance or dredging of soil, sand, gravel, or aggregate material of any kind; the drainage or disturbance of the water level or water table; dumping, discharge or filling with any materials; the driving of pilings; the placing of obstructions; or the destruction of plant life which could alter the character of the freshwater wetland (Ibid).

Prior NJDEP approval is required before regulated activities can be conducted in a wetland, State open water or wetland transition area. Due to the noted presence of threatened or endangered species on or in the vicinity of the project site, a threatened or endangered species survey may be required before Statewide General Permits will be issued.

##### ii. Wetland Transition Area

The width of the wetland transition area will depend on the resource value classification of the wetland. The resource value of a wetland has been divided into three classifications: Ordinary, intermediate, and exceptional.

Ordinary resource value wetlands include man-made ditches and swales, and isolated wetlands surrounded by development. There is no transition area associated with ordinary resource value wetlands. Intermediate resource value wetlands do not exhibit the characteristics of exceptional resource value wetlands and do not meet the criteria of ordinary resource value wetlands. The width of the transition area on intermediate resource value wetlands is 50 feet.

According to the FWPA, exceptional resource value wetlands are "Those which discharge into FW-1 waters or FW-2 Trout Production waters;

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues (Con't)

or those which are present habitats for threatened or endangered species, or those which are documented habitats for threatened or endangered species, and which remain suitable for breeding, resting, or feeding by these species during the normal period these species would use the habitat" (NJDEP, 1992, "Freshwater..."). The transition area width for exceptional resource wetlands is 150 feet.

The streams that border the study area are not FW-1 waters, nor are they FW-2 Trout Production waters (NJDEP, 1994, "Surface..."). However, according to the report titled Preliminary Environmental and Health Impact Statement for the Resource Recovery Facility, prepared by GBB-Killam, and dated July 1987, there may be a variety of threatened or endangered species within the subject area (GBB-Killam, 1987). If threatened or endangered species are found in the wetland, or in some way found to be using the wetland areas in any way, the wetland would be classified as exceptional resource value (refer to 2.B.ii, below, for a more detailed discussion of the presence of threatened or endangered species).

Specifically, the GBB-Killam report cites that the study area may be critical habitat for the pine snake (*Pituophis melanoleucus*), corn snake (*Elphe quatta*), Pine Barrens treefrog (*Hyla andersonii*), and eastern tiger salamander (*Ambystom tigrinum*). In fact, in recent history individual specimens of the pine snake, the corn snake, and the Pine Barrens treefrog have been recovered on or in the near vicinity of the study area. Although the pine snake and the corn snake are primarily upland species, the Pine Barrens treefrog is found in wetland areas, and could affect the resource value classification of the wetland. Please note that the presence of threatened or endangered flora, for which less data is available, will also affect the resource value classification (Ibid).

Based on the information collected, there is a possibility that the State of NJ DEP may classify the wetlands within the study area as exceptional resource value wetlands with an associated 150 foot buffer.

### B. Coastal Area Facility Review Act (CAFRA)

#### i. CAFRA Summary and Applicability

The Coastal Area Facility Review Act (CAFRA) and its two operational documents: The Coastal Permit Program Rules, N.J.A.C. 7:7-1.1 et seq. and the Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq. govern certain development within the Coastal Zone. The Coastal Zone extends along coastal communities from the Raritan Bay to Cape May to the Delaware Bay. When developments meet pre-determined criteria, a CAFRA

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues (Con't)

permit is required and compliance with numerous policies is mandated before a permit is issued.

The following, sections ii through v, are selected policies within CAFRA that we have identified as having the greatest potential impact on future development within the study area.

#### ii. Endangered Species

Numerous documented and undocumented sightings of threatened or endangered flora and fauna have been reported on or in the vicinity of the study area. CAFRA's policy on threatened or endangered species is brief but can have major ramifications on the developability of a site.

The CAFRA policy states that "Areas known to be inhabited on a seasonal or permanent basis by or to be critical at any stage in the life cycle of any wildlife or vegetation identified as "endangered" or "threatened" species on official Federal or State lists of endangered or threatened species, or under active consideration for State or Federal listing, are considered Special Areas". In addition to the above, the definition of a "Special Area" also includes "...a sufficient buffer area to ensure continued survival of the population of the species....The required threatened or endangered species habitat buffer area shall be dependent on the range of the species and the development's anticipated impacts to the species habitat". The "Special Area[s]" noted in the policy are areas that CAFRA has the authority to regulate, if indeed a CAFRA permit is required. In fact "Development of this special area is prohibited unless it can be demonstrated that endangered or threatened wildlife or vegetation species habitat would not directly or through secondary impacts on the relevant site or in the surrounding area be adversely affected" (NJDEP, 1994, "Technical...").

The endangered or threatened species policy does not *forbid* development in the presence of endangered or threatened species, however the process of determining the presence, types, habitats, home ranges, required buffers, etc. of endangered or threatened species can be a costly and time consuming process. Based on the fact that many factors of endangered or threatened species life cycles are not well understood, conservative buffers are often placed upon their required habitats to ensure that development does not have an adverse impact. As stated above, development within these buffers is prohibited, *unless* it can be demonstrated that the species habitat would not be impacted.

In conclusion, the presence of endangered or threatened species, and/or their critical habitat, can have profound impacts on both the developability and/or the developable area of a site. More specifically, the

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues (Con't)

presence of endangered or threatened species and their critical habitat within the study area have the potential to adversely impact the developability.

#### iii. Pinelands National Reserve and State Pinelands Protection Act

Although the study area lies outside of the jurisdiction of the State Pinelands Area, the boundaries of the Pinelands National Reserve do encompass the site. When a CAFRA permit is needed in a CAFRA / National Pinelands area jurisdictional overlap, the State Pinelands Commission will serve as an ancillary reviewing agency. The NJDEP personnel, when reviewing a CAFRA application in the National Pinelands area, will take the comments of the State Pinelands Commission very seriously, particularly with regards to the development area designation. These designations dictate the density and types of development allowed within the Pinelands Areas. Based on the development area mapping, the site appears to be split by the designations of Rural Development Area in the north and Regional Growth Area in the southern portion of the study area (N.J.S.A. 13:18A).

It is probable that the Pinelands comments to CAFRA will reflect the presence of endangered and threatened species and the designated development areas.

#### iv. Intensity of Development

The determination of the acceptable intensity of development within the Coastal Zone is based upon three factors:

- Coastal Growth Rating
- Environmental Sensitivity Rating
- Development Potential

A discussion of the three factors is given below, however the acceptable intensity of development and the resulting coverage percentages cannot be determined because they are based upon the specific use and size of the development. Also the location of the specific lots within the study area will effect the extent of the applicability of the Intensity of Development policy (NJDEP, 1994, "Technical...").

#### Coastal Growth Rating:

The study area lies within the Barnegat Corridor Region, which is designated an Extension Region. The Extension Region is a region where development should be channeled after full development of the

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues (Con't)

Development Region. Generally, infill and some extension of development is acceptable here (NJDEP, 1994, "Technical...").

#### Environmental Sensitivity Rating:

This rating is based upon the presence of high permeability moist soils, or soils with a depth to seasonal high water table of three feet or less, unless the soils are loamy sand or coarser, in which case they are soils with a depth to seasonal high water table of four feet or less. Areas with soils that are high permeability moist soils are considered High Environmentally Sensitive areas. Areas where the soils have a depth to seasonal high water greater than 6 feet are considered low environmentally sensitive areas, while Moderate Sensitivity areas do not exhibit characteristics of either High or Low Environmentally Sensitivity areas (NJDEP, 1994, "Technical...").

Based on this definition, it appears that the northern, eastern, and southern portions of the study area are high permeability moist soils, or areas of High Environmentally Sensitivity. The south west and west central areas of the study area appear to be of a Low Environmental Sensitivity.

#### Development Potential:

Development potential has three levels; high, medium, and low, depending on the presence or absence of certain development oriented elements at or near the site of the proposed development. The determination of the Development Potential is very specific and are dependent on the type of use proposed. Broad conclusions regarding the development of the whole study area may not be appropriate. We can assume that many of the specific Blocks and Lots within the study area will be of a Low Development Potential based on their remoteness and the lack of surrounding development, however, there may be lots on the eastern and southern boundaries of the study area that may qualify for Medium and High Development Potential (NJDEP, 1994, "Technical...").

In summary, the policy on the Acceptable Intensity of Development has the potential to limit the percent impervious coverage anywhere from 80% to as little as 3%. The 3% is not an unrealistic worst case, as this could represent the acceptable intensity of geographically isolated lots within the

## II. Analysis of Constraints (Con't)

### 2. Regulatory Issues (Con't)

study area.

#### C. Stream Encroachment

##### i. Summary and Applicability

A Stream Encroachment permit will be required for establishing stream encroachment lines as well as any new stormwater discharges and proposed fill within the delineated floodplain. Due to the extent of flood zone areas within the study area, detailed below, Stream Encroachment constraints should be investigated further prior to any development.

##### ii. FEMA Flood Insurance Rate Map

The Federal Emergency Management Agency, National Flood Insurance Program has published a series of maps which show the extent of the 500 and 100 year flood events.

As would be expected, a significant amount of the areas along the Oyster Creek and the Waretown Creek are within the 500 year flood zone. It is worthy to note that a large portion of the Waretown Creek is within the 100 year flood zone (FEMA, 1983).

## III. Conclusions

Based on the information provided herein, it appears that the future potential development of the study area, and associated properties, could be limited by certain physical and regulatory factors. This office recommends any future developer of the subject properties to conduct preliminary application meetings with referenced agencies in order to better define potential impacts on development. This report is a preliminary investigation and was not based on actual on-site field conditions and therefore could be further refined based on additional analysis of existing on-site conditions.

## REFERENCES

- GBB-Killam, 1987, "Preliminary Environmental and Health Impact Statement for the Resource Recovery Facility", Millburn, NJ.
- FEMA, 1983, Flood Insurance Rate Map, Township of Ocean, NJ, Ocean County, Community Panel Numbers 340518 0007A and 340518 0010A.
- NJDEP, 1992, "Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A".
- NJDEP, Pub., Freshwater Wetlands Mapping and "Wetlands Legend"
- NJDEP, 1992, "Special Animals of New Jersey", Office of Natural Lands Management, Division of Parks and Forestry, Trenton, NJ.
- NJDEP, 1992, "Special Plants of New Jersey", Office of Natural Lands Management, Division of Parks and Forestry, Trenton, NJ.
- NJDEP, 1994, "Surface Water Quality Standards, N.J.A.C. 7:9B".
- NJDEP, 1994, "Technical Manual for the Land Use Regulation Program, Bureaus of Inland and Coastal Regulations, Coastal Zone Management Permits (specifically N.J.A.C. 7:7 and N.J.A.C. 7:7E).
- N.J.S.A 13:18A-1, as amended through 3/19/90, Pinelands Comprehensive Management Plan and Associated Documents.
- US ACOE, 1989, "Corps of Engineers Wetland Delineation Manual", Technical report Y-89-1 prepared for Department of the Army, US Army Corps of Engineers, Washington, DC.
- USFW, Pub., National Wetlands Inventory Mapping and Associated Publications.
- USGS, Pub., USGS 7.5 Minute-Arc Topographic Quadrangle.
- USDA SCS in cooperation with the NJ Ag. Experiment Station, Cook College, Rutgers, the State University and the NJ Dept. of Agriculture, State SCS, 1980, "Soil Survey of Ocean County".



Appendix  
1990 U.S. Census Data Tables for Ocean Township and Ocean County

GENERAL POPULATION		OCEAN TWP.		OCEAN CO		% COUNTY
TOTAL POPULATION	5,416			433,203		1%
LAND MASS (SQM)	20.8			636.3		3%
DENSITY (PEOPLE/SQM)	260			681		38%
MALE	2,628	49%		204,181	47%	1%
FEMALE	2,788	51%		229,022	53%	1%
AGE		OCEAN TWP.		OCEAN CO		% COUNTY
0-4 YEARS OLD	477	9%		28,816	7%	2%
5-17 YEARS OLD	856	16%		69,349	16%	1%
18-24 YEARS OLD	417	8%		34,378	8%	1%
25-44 YEARS OLD	1,679	31%		121,929	28%	1%
45-54 YEARS OLD	512	9%		39,066	9%	1%
55-64 YEARS OLD	447	8%		39,257	9%	1%
65-74 YEARS OLD	635	12%		55,703	13%	1%
75 OR MORE YEARS OLD	393	7%		44,705	10%	1%
< 18 YEARS OLD	1,333	25%		98,165	23%	1%
18-64 YEARS OLD	3,055	56%		234,630	54%	1%
> = 65 YEARS OLD	1,028	19%		100,408	23%	1%
MEDIAN AGE	35.1			38.5		91%
RACIAL BACKGROUND		OCEAN TWP.		OCEAN CO		% COUNTY
WHITE	5,362	99%		412,709	95%	1%
BLACK	21	0%		12,035	3%	0%
NATIVE AMERICAN	9	0%		615	0%	1%
ASIAN & PACIFIC	10	0%		3,874	1%	0%
OTHER	14	0%		3,970	1%	0%
LATIN (ANY RACE)	93	2%		13,950	3%	1%
EDUCATION		OCEAN TWP.		OCEAN CO		% COUNTY
PEOPLE > = 3 YRS ENROLLED	1055	19%		93,686	22%	1%
PREPRIMARY (> K)	100	9%		8,369	9%	1%
PRIMARY (1-12)	825	78%		64,721	69%	1%
PRIVATE SCHOOL	9.9	1.20%		7,055	10.90%	0%
COLLEGE	130	12%		20,596	22%	1%
PEOPLE 16-19 YRS	231	4%		20,503	5%	1%
IN SCHOOL/GRAD	213	92%		18,647	91%	1%
NOT IN SCHOOL/GRAD	18	8%		1,856	9%	1%
EMPLOYED/MILITARY	10	56%		923	50%	1%
UNEMPLOYED	0	0%		325	18%	0%
NOT IN LABOR FORCE	8	44%		608	33%	1%
PEOPLE > = 25 YRS	3666	68%		301,185	70%	1%
< 9 YRS SCHOOLING	291	8%		25,627	9%	1%
HS GRADUATE/EQUIV	2676.18	73%		225,588	74.90%	1%
BACHELORS DEG	392.262	10.70%		46,081	15.30%	1%

## ECONOMIC ELEMENT

- A. Introduction
- B. Element Overview
- C. Analysis of Existing Conditions
- D. Economic Development/Redevelopment Recommendations
- E. Appendix
  - 1. Reference
  - 2. Tables
  - 3. Map

A. INTRODUCTION

An Economic Plan Element is one of the optional elements listed in Article 3 Master Plan of the Municipal Land Use Law (MLUL) as a component of a community's Master Plan. The Land Use Board (LUB) and governing body have determined that this 1999 Master Plan Update should include an Economic Element. Ocean Township has not experienced the economic growth that has been enjoyed by Barnegat and Stafford Township's to the south and Lacey and Berkeley Township's to the north. With the recent announcement that Exit 69 of the Garden State Parkway is to be expanded to full service, the Township hopes that, what has often been voiced as a primary contributing factor to the lack of growth in the Township – lack of access – will be corrected.

B. ELEMENT OVERVIEW

The Municipal Land Use Law (MLUL) 40:55D-28b.(9) describes an economic element as "a plan element considering all aspects of economic development and sustained economic vitality, including (a) a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas and (b) an analysis of the stability and diversity of the economic development to be promoted;"

In addition to the labor pool or jobs created, the economic element should provide the municipality with a realistic analysis of the existing conditions which have an impact on the economic vitality of the community. This element will include a general analysis of these factors. Based upon the situations discovered in the analysis goals and objectives for economic growth are set forth. These goals and objectives should be consistent with the Township's General Master Plan goals and consistent with County and State regulatory requirements. The most important part of this Economic Element Plan is the section which formulates and describes the various strategies for economic development and redevelopment.

This Economic Plan Element has not only been prepared following the MLUL, but also the State of New Jersey's Standards (N.J.S.A. 40A:12A-1 et.seq.) will serve as the LUB's review and recommendations for the determination of areas "in need of redevelopment and rehabilitation".

In that aspect this Economic Element incorporates the Township of Ocean Redevelopment Project, Preliminary Investigation for Environmental Constraints, dated March 1, 1998 and prepared by Schoor DePalma, Inc., 1466 Route 88 West, P. O. Box 1429, Brick, NJ.

The New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5) sets forth seven standards for evaluating a delineated area for redevelopment. When the conditions in an area of a municipality conform to any of the seven qualifications, that area can be properly designated as an Area in Need of Redevelopment by the Planning

Board and the City Commission. The seven statutory qualifications quoted below are from the Statute:

"A delineated area may be determined to be in need of redevelopment if after investigation, notice and hearing as provided . . . the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found":

- (a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;
- (b) The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes, the abandonment of such buildings or the same being allowed to fall into so great a state of disrepair as to be untenable;
- (c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land, which has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;
- (d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;
- (e) A growing or total lack of proper utilization of areas caused by the condition of the title, diverse ownership or the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

- (f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
  
- (g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act" . . . the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment . . . for the purpose of granting tax exemptions within the enterprise zone district . . . or the adoption of a tax abatement and exemption ordinance . . . The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C. 40A) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

By definition, a redevelopment area may also include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.

As an Economic Plan Element the area of study is the complete municipality. The area of study has been divided into two large sub areas: A – "Pinelands", The area of Ocean Township west of the Garden State Parkway and B - "CAFRA", the area east of the Garden State Parkway. Area B "CAFRA" is farther divided into three sections, B West: the area between the Garden State Parkway and the U. S. Route 9 corridor and B East: the area east of the Route 9 corridor and area BC: which is the U. S. Route 9 corridor.

The following lists the "measurement" items reviewed in the analysis and environmental constraints:

- a. Population Demographics
- b. Housing Characteristics
- c. Residential Land Use
- d. Non-residential Land Use
- e. Access
- f. Environmental Constraints

C. C. ANALYSIS OF EXISTING CONDITIONS:

1. Area A: "Pinelands"

This section of Ocean Township is regulated by the Pinelands. In 1993, the Township undertook an extensive review and update of this area and established as required by the Pinelands Comprehensive Management Plan, sending and receiving districts, which permit the transfer of land based development rights from non-buildable to buildable property while maintaining the overall permitted density of development.

This area contains a Pinelands Village and a Rural Development Industrial Zone both of which permit non-residential development. There is also a Forest Area Receiving Area immediately adjacent to the Pinelands Village. This zone would permit higher density residential development through the use of the Transfer of Development Rights (TDR's).

The expansion of Exit 69 at the Garden State Parkway is expected to increase traffic along County Route 532 and Brookville Road. Because of its location within the Pinelands any changes in zoning in this section of the Township would require review and approval by the Pinelands Commission.

The current development guidelines currently appear appropriate to handle the economic growth that might be expected in the next six (6) years. However, these guidelines should be reviewed in the near future to see if there are other quality of life performance standards which should be incorporated. At this time a more in depth study or analysis does not appear warranted. The Land Use Board should review this area again when this element is updated in the future.



Although most of the Township's opportunities for redevelopment are located east of the Parkway, the Southern Ocean Landfill Facility (SOLF) also meets the criteria for an "area in need of redevelopment" under criterion "e". This old, uncapped landfill, due to ownership issues and closure costs remains a potential health and safety hazard to the environment and general population. (see tract 4).

2. Area B: "CAFRA"

As noted in Section B, Element Overview this area has been further subdivided into three sections. Each of these sections are identifiably different from each other in how they have been developed. Area BW contains most of the vacant developable property in the Township; Area BE has been developed to most of it's capacity and also contains water based marina development; and Area BC surrounding U. S. Route 9 is a mixture of highway commercial development and undeveloped and under-utilized properties. For the purpose of the analysis each of the measurement items listed in the Element Overview is described in general terms and then related to the specific sub area.

a. Population Demographics:

The 1990 population of 5416 is divided almost 50/50 between male and female with a median age of 35 years. The population density is listed as 260 people per square mile, however this is misleading. Most of the residential population lives in the eastern half of the Township with a high concentration east of U. S. Route 9. Future residential growth would be expected to continue to occur in the western section of the "CAFRA" zone.

As of the 1990 Census the average persons per household was 2.57 which is consistent with the County average 2.54. However the median household income of \$30,839.00 and per capita income of \$13,464.00 are both about 10% lower than the County's averages. In 1990 there were 4203 residents over 16 years of age of which 2500 or

59% were considered to be in the labor force. Of those 2500, 2280 travel an average of 30 minutes to work. It is apparent that most Township residents do not work in the Township.

b. Housing Characteristics:

As of the 1990 Census the Township had 2828 total housing units. The 1993 Master Plan Update Report prepared by this office (see appendix) indicated that there were a total of twenty-three (23) residential dwellings in the Pinelands section of the Township. This supports the earlier point that most of the residential density in the Township is east of the Garden State Parkway. According to the 1990 Census, 2031 dwelling units (dus) were built between 1940 and 1979. This means that over 70% of the Township's housing stock is 20 years or older.

Of the 2087 totally occupied dus, 1795 or 86% are owner occupied. 492 of the vacant units are considered seasonal leaving 249 vacant or almost 10% of the existing dus as vacated and unoccupied.

The median value of the housing units in 1990 was \$119,000.00 and the median monthly rent paid for the 292 rental units was \$620.00. The median value is about 5% less than the County average, while the rent paid is 107% of the County average.

c. Residential Land Use:

There are four residential zoning districts in this section of the Township. R-1, R-1A, R-2 and RU-2. The R-1 and R-1A districts are located east of the Route 9 corridor and contain the bulk of the housing stock of the Township. Very little vacant developable land exists in these zones. Many of the dus in this area are over 20 years old, many are converted summer residences and many are located in flood prone areas. A significant number of older homes are in substantial need of rehabilitation.

The R-2 district is a large area west of the Route 9 corridor and east of the Garden State Parkway, with a small portion north of County Route 532. About one third of the district, a triangular area bounded by the Route 9 corridor, County Route 532 and the Jersey Central Power and Light Company R-O-W contains most of the existing housing stock. This area has seen most of the residential subdivision growth that the Township has experienced. It is expected that this area will continue to grow with small major subdivision developments. A significant number of older homes are in substantial need of rehabilitation.

The southeastern section of the R-2 Zone contains an area known as the Edgemont Tract, shown as Insert 4 on Tax Sheet #32 of the Township's Tax Maps. This is a "subdivision" dating back to the early 1900's. This collection of property is made-up of numerous small lots owned by numerous owners (See chart in the Appendix). The current lot sizes and ownership pattern and the fact that this area has remained undeveloped for almost 100 years indicates that this property is undevelopable in its present ownership situation. It thus meets criterion "e" "for an area" in need of redevelopment" due to the condition of title and diverse ownership patterns for an outdated and undevelopable subdivision tract. (See Tract 2)

The remaining area of the R-2 Zone is largely undeveloped. It is within the sewer service area and the current R-2 zoning permits various opportunities for large scale residential development. It is highly likely that the improvements to Exit 69 will be the economic catalytic agent for the development of this area.

The remaining RU-2 Residential Zone has limited growth potential as it is outside of the sewer service area and contains considerable wetlands.

d. Non-Residential Land Use:

A breakdown of the C-1 and C-2 Commercial Zones (see charts in the Appendix) identified 285 parcels. Of these parcels 55 or 19.3% were classified by the Township tax records as commercial use and 93 or 32.6% of the parcels as vacant. The remaining 117 parcels representing almost half of the property in these commercial zones are in residential use.

The commercial properties averaged 3.2 acres with an average assessed value of \$83,323.00 per acre. The vacant property averaged 17.6 acre per parcel at about \$2,463.00 per acre of assessed value. The residential properties averaged less than one acre per parcel with an average assessed value of \$119,475.00 per acre.

Comparing the taxes generated between the three general types of land uses within the C-1 and C-2 districts shows an average of about \$70.00 per acre for the vacant land; \$2,400.00 per acre for the commercial property and \$3,500.00 per acre for the residential property. Due to growing proper utilization of land uses along this linear corridor, this area has become stagnant and not fully useful and valuable for contributing to the Township's tax ratable base and economic welfare. It therefore meets "e" for an area in need of redevelopment. (See Tract 3)

The remaining non-residentially zoned areas of the Township consist of the two Industrial Zones I-1 and I-2 and the Waterfront Development District.

The Waterfront Development District permits mixed uses and currently contains residential, marine commercial and recreational uses. The districts are located on the bay front, certain lagoons and along the Oyster Creek. Townhouse construction is permitted as a conditional use and some recent development activity of townhouse construction has taken place.

Some of the marinas do not appear to be as successful as others located out of the Township. A major deterrent to the successful operation of these marinas could be the need to dredge the marinas and associated channels. A marina which does not provide adequate depth for the boats makes it very difficult for the marina to compete.

As such, the channels have become substandard and dilapidated and not conducive to adequate working conditions. Much of the waterfront marina improvements and infrastructure is also dilapidated as are many of the buildings. These properties in the five "WD" Waterfront Development Districts therefore meet criterion "a" for an area in need of redevelopment. (See Tract 5) With the potential increase in access expected from the expansion of Exit 69 of the Garden State Parkway the marinas must be given the opportunity to compete. The Township should explore any opportunity for funding support for dredging.

The areas of the Township with the greatest economic development potential are the I-1 and I-2 Districts. The primary difference between the two zones is the ability to provide public sewers in the I-2 District. Because of this some higher intensity uses are permitted in the district.

The Township owns most of the property in these two zones. Over the past six years the Township has worked very diligently attempting to develop this zone. Up to this point the only major development has been the construction of Ocean County's Fire Fighting Academy. A study prepared in 1998 by Schoor DePalma (see Appendix) resulted in a determination by the Planning Board (see Resolution #98-8 in the Appendix) that certain properties as listed in the resolution should be designated as a redevelopment area as defined in the New Jersey Redevelopment and Housing Law NJSA 40:A:12A-1 et.seq. This included the land identified as Tract 1 on the Economic Plan Element Map.

e. Access:

Access defined in this context is the ability of individuals to be able to reach either a place of employment, residence, or commercial activity in a convenient and safe manner. For Ocean Township the primary source of access is the private automobile. Limited public NJ Transit bus service is available along U. S. Route 9 but no other form of public transportation exists in the Township.

The expansion of Exit 69 of the Garden State Parkway is expected to provide access to Ocean Township which has not been available in the past. This increased accessibility is expected to open up economic development and redevelopment potential to the Township.

For more information see the Circulation Element of the Master Plan.

f. Environmental Constraints:

The protection of the environment both within the Township boundaries and the Barnegat Bay is a land development priority. The current State Development Regulations referred to as CAFRA are in the process of being up dated. The basic controlling factor utilized in these regulations is the percentage of impervious cover permitted. Depending on the development potential classification of the land for a project, a maximum permitted percentage of coverage is permitted. In addition, no development is permitted in areas of mapped freshwater wetlands. For larger, higher density projects complete environmental studies are required. Any developmental approvals granted by the Township are conditioned upon the review and approval of the project by the State.

For additional background see the Natural Resource Element of the Master Plan.

D. ECONOMIC DEVELOPMENT/REDEVELOPMENT RECOMMENDATIONS:

There are a number of methods available to the Township that can be utilized to assist in the economic growth and housing rehabilitation in the Township.

1. Tax Abatement (NJSA 40A:21-1 et.seq.)

A municipality can adopt an ordinance allowing five year exemptions and abatements if at least part of the municipality has been determined to be "an area in need of rehabilitation". For an area to be developed such the following conditions should exist:

- a. A significant portion of structures in the area are in a deteriorated or substandard condition;
- b. There is a continuing pattern of vacancy, abandonment or under-utilization of properties in the area, with persistent arrearages property tax payments; and
- c. A program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the Community.

In reviewing the complete municipality for the presence of areas which based upon the above general criteria the following specific areas with the Township are recommended as areas in need of rehabilitation. (See map in the Appendix)

Residential Uses

- Considering that over 70% of the housing stock of the Township is twenty (20) or more years old and that a great percentage of the tax income is generated as a result of residential assessments. A program which would grant to an owner of a single family home located within the Township some tax relief for repairing and improvements to that dwelling which when completed increases the assessed value and therefore the taxes.

- Considering the fact that the "Edgemont" tract has been vacant and undeveloped for almost 100 years and future development of the property in its present lot and ownership configuration is not expected, it is recommended that this area be considered an area in need of redevelopment. Furthermore it is recommended that the municipality seek to obtain the individual lots through foreclosure so that the property could become a single parcel which would make it a more attractive development opportunity. (See area 2 on map)

#### Non-Residential Uses

- As previously recommended by the Land Use Board the property in the I-1 and I-2 Districts should be considered an area in need of redevelopment. It is noted here that all the property in these districts should be considered. (See area 1 on map)
- The C-1 and C-2 Zoning Districts as presently drawn, which currently provide commercial development opportunities have not been developed to their potential. Only 20% of the properties are listed as commercial usage and some of these are abandoned or vacant. In addition another 30% of the parcels are vacant. Clearly, the economic potential in these zones is under-utilized. We recommend that both zones be considered areas in need of rehabilitation.

Furthermore it is suggested that tax abatements be considered in the following three (3) categories: By including a combination of these three approaches the use of tax abatements will generate a program of rehabilitation to prevent further deterioration and promote development.

- New construction for commercial uses.
- Conversion of residential uses into either mixed use or commercial use which would increase the assessed value of the property.



- Up-grades to existing commercial uses which would increase the assessed value.

## 2. Revision of Land Use Regulations

In some cases the requirements of the Land Development Ordinance including such items as permitted uses, area and bulk requirements and design standards can be revised to encourage development. In this area we make the following recommendations:

- Clarification and revision to the clustering concept, specifically in Section 19.7 Planned Residential Development. The overall density for PRD's is four (4) units per acre based upon the gross area of the project. The minimum lot sizes and dimensions should be reduced from 7,500 SF to a smaller total, possibly 5,000 SF; the lot width should also be reduced from 75' to possibly 50' maintaining a lot depth of 100'. These reductions would permit the development to reduce the related infrastructure (streets, curbs, sidewalks) thereby reducing the overall intensity as measured by impervious cover of the development without increasing the gross density of the development.
- In addition, the reduction of required cartway width and the requirement for sidewalks on both sides of the street should be considered. The reduced infrastructure cost could become an economic incentive for the development.
- We recommend the use of a general development plan [MLUL 40:55D-45.1] when a development is presented as a PRD. This methodology, in addition to being required by the MLUL can help the developer and the Township to plan the growth over time and protect the interest of both the Township and the land owner.
- The designation of a part of the Township as a "center" within the context of the State plan. It is becoming more apparent that a center designation can have an impact on the availability of State Aid. While this may not be a direct

economic development issue the maintenance and up keep of the Township's infrastructure is crucial to successful economic growth.

- The realignment or redesignation of zoning districts as suggested in the Land Use Element the redesignation and realignment of the C-1 and C-2 Districts is suggested.

E. APPENDIX

Reference:

"Preliminary Investigation for Environmental Constraints",  
Township of Ocean Redevelopment Project, Adopted by Resolution 98-8  
of the Ocean Township Land Use Board dated 7 May 1998.

Tables

1990 U.S. Census Data Tables

Edgemont Tract

C-1 and C-2 Land Uses

Map