Town Center Redevelopment Plan

BERKELEY TOWNSHIP
Ocean County, NJ

June 10, 2009
As introduced by Township Council by Ordinance on August 10, 2009

Prepared for:
Berkeley Township Planning Board

Prepared by:
CMX

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***In consultation with*:**
BROWN & KEENER

TABLE OF CONTENTS

Section 1. Introduction…2

Section 2. The Public Purpose…5
2.1 Goals and Objectives
2.2 Relationship to Local Objectives

Section 3. The Town Center Redevelopment Plan…11
3.1 Definitions
3.2 Waivers
3.3 Concept Plan
3.4 Redevelopment Activities
3.5 Land Use Requirements
3.6 Design Standards
3.7 Parking and Loading
3.8 Provisions Related to Off-Site Improvements
3.9 Provisions Related to State and Federal Regulations
3.10 Provisions Related to Affordable Housing
3.11 Transfer of Development Rights

Section 4. Relationship to the Land Use and Zoning Ordinance…41
4.1 Zoning Ordinance
4.2 Map Amendment

Section 5. Significant Relationship to Other Plans…43
5.1 Plans of Adjacent Municipalities
5.2 Ocean County Master Plan
5.3 NJ State Development and Redevelopment Plan
5.4 NJ Pinelands Commission

Section 6. Amendments and Completion…46
6.1 Amending the Redevelopment Plan
6.2 Certificate of Completion

List of Figures
1. Town Center Boundary…3
2. Town Center Redevelopment Area…4
3. Vision Plan…7
4. Master Plan Land Use Plan…8
5. Proposed Sending and Receiving Zones…10
6. Concept Plan…14
7. Zoning Map Amendment…42

SECTION 1. INTRODUCTION

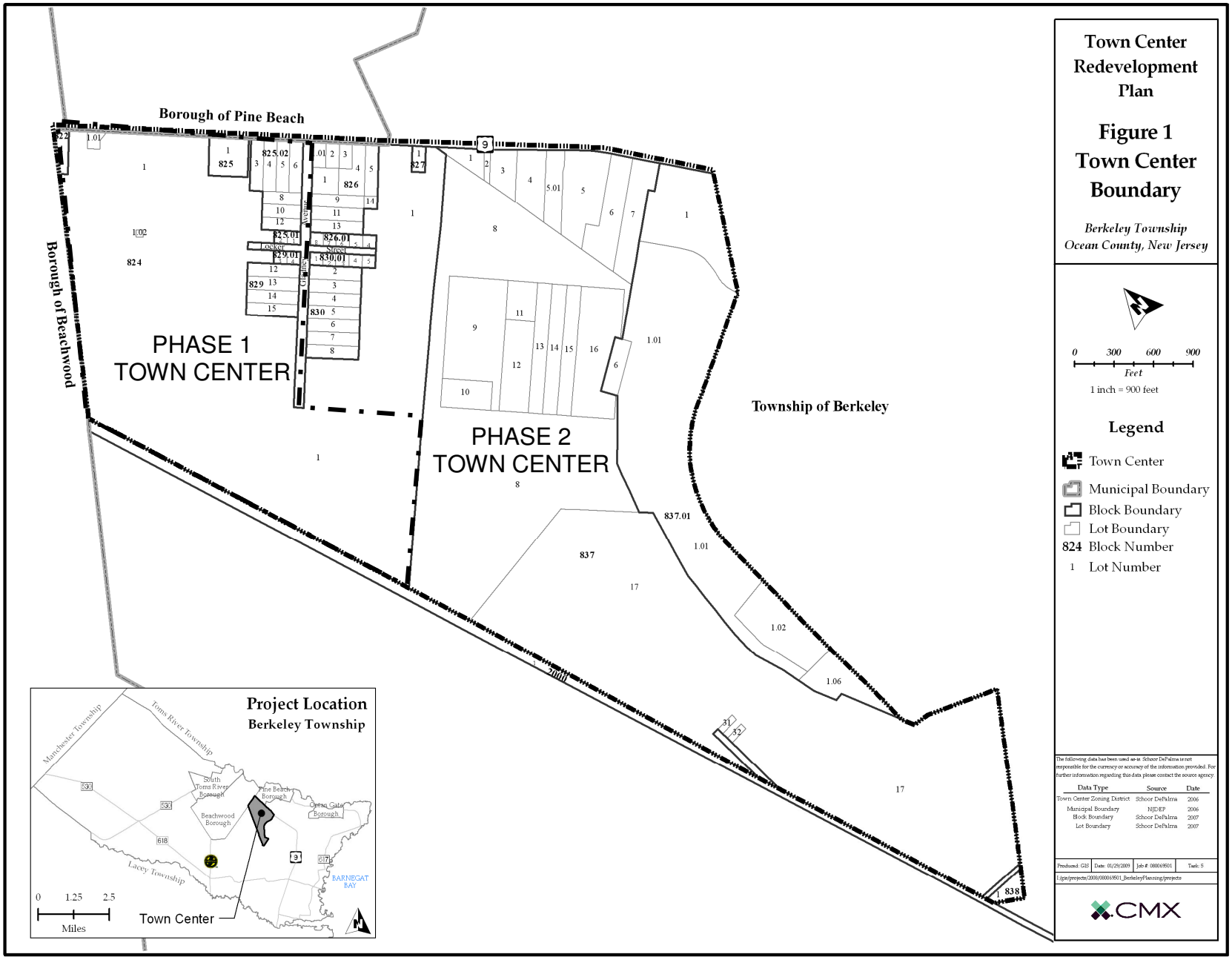
In 2002/2003, the Township conducted a visioning exercise for the Eastern Mainland portion of the community – the area between the Garden State Parkway and Barnegat Bay. One of the outcomes of the visioning process – which is presented in more detail in Section 2.2 of this plan – was the recognition that future development in the Township should be primarily focused in a well-planned Town Center. It was determined that the most suitable location for the Town Center was a 425-acre site at the northern end of the Township with substantial frontage on Route 9 (see Figure 1). A substantial portion of the site was and remains in a general state of deterioration with a marginal shopping center and substantial industrial contamination left over from an asphalt facility and gravel mining operation.

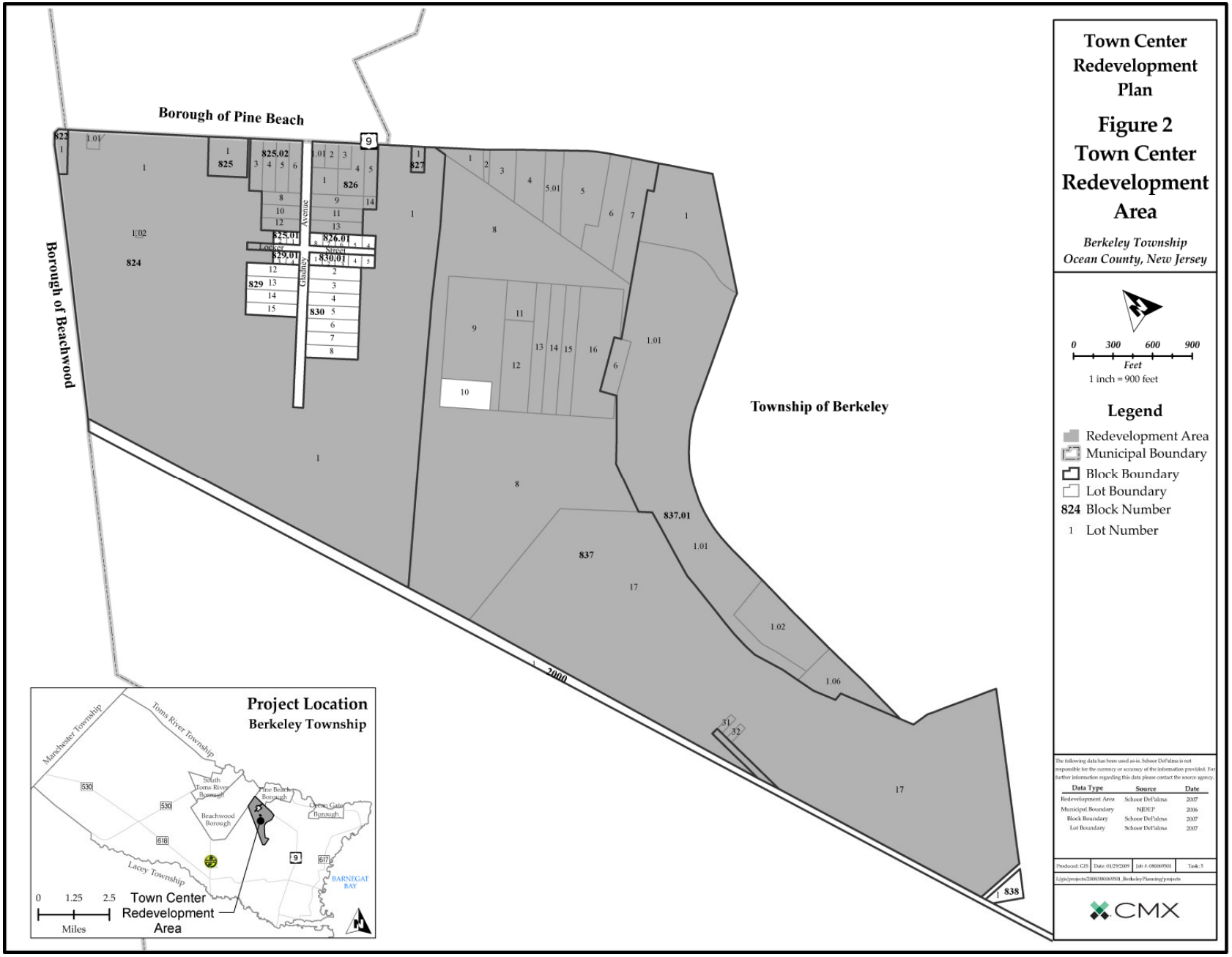
On January 5, 2002 the Berkeley Township Council adopted a resolution directing the Berkeley Planning Board to conduct a preliminary investigation into whether or not the entire length of Route 9 through Berkeley, which includes the proposed Town Center area, qualified as an "area in need of redevelopment" as defined in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq. The Planning Board held a public hearing on the investigation results and adopted a resolution recommending that the Township Council designate the majority of the proposed Town Center (referred to in the investigation report as Beachwood Plaza) as an area in need of redevelopment. The Township Council adopted a resolution to that effect. (See December 5, 2002 Route 9 Corridor Redevelopment Investigation Report.)

This redevelopment plan applies to that portion of the Town Center that was declared in need of redevelopment as illustrated on Figure 2 and in the following table. The remainder of the area would, however, continue to be governed by the Berkeley Land Development Ordinance.

Town Center Redevelopment Area

Block	Lot
822	1
824	1, 1.01
825	1
825.02	3, 4, 5, 6, 8,10, 12
826	1, 1.01, 2, 3, 4, 5, 9, 11, 13,14
827	1
837	1, 2, 3, 4, 5, 5.01, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 31, 32
837.01	1, 1.01, 1.02, 1.06, 6


Town Center Redevelopment Plan
Figure 1
Town Center Boundary
Berkeley Township
Ocean County, New Jersey
Borough of Pine Beach
Borough of Beachwood
Township of Berkeley
PHASE 1
TOWN CENTER
PHASE 2
TOWN CENTER
0 300 600 900
Feet
1 inch = 900 feet
Legend
Town Center
Municipal Boundary
Block Boundary
Lot Boundary
824 Block Number
1 Lot Number
Project Location
Berkeley Township
Manchester Township
Toms River Township
Lacey Township
South Toms River Borough
Pine Beach Borough
Beachwood Borough
Ocean Gate Borough
BARNEGAT BAY
Town Center
0 1.25 2.5
Miles
CMX


Town Center Redevelopment Plan
Figure 2
Town Center Redevelopment Area
Berkeley Township
Ocean County, New Jersey
0 300 600 900
Feet
1 inch = 900 feet
Legend
Redevelopment Area
Municipal Boundary
Block Boundary
Lot Boundary
824 Block Number
1 Lot Number
Borough of Pine Beach
Borough of Beachwood
Township of Berkeley
Project Location
Berkeley Township
Manchester Township
Toms River Township
Lacey Township
South Toms River Borough
Pine Beach Borough
Beachwood Borough
Ocean Gate Borough
BARNEGAT BAY
0 1.25 2.5
Miles
Town Center Redevelopment Area
CMX

SECTION 2. THE PUBLIC PURPOSE

2.1 Goal and Objectives

The goal of the Town Center Redevelopment Plan is to promote the development of a compact, pedestrian-oriented Town Center with the potential for 24-hour activity, consisting of high-intensity retail and employment facilities, vibrant and dynamic mixed-use areas, open space and recreation facilities, and residential living environments that provide a broad range of housing types for an array of housing needs.

The redevelopment of the Town Center is to be guided by the following objectives:

1. Promote a diverse mix of residential, business, commercial, office, institutional, educational, recreational and cultural and entertainment activities for workers, visitors, and residents;
2. Encourage pedestrian-oriented development at densities and intensities that will help promote transit usage, interconnected uses and businesses;
3. Promote the health and well-being of residents by encouraging physical activity, alternative transportation options and greater social interaction;
4. Create a center that represents a unique, attractive and memorable destination for visitors and residents;
5. Encourage lively, human-scaled activity areas and gathering places through the promotion of high-quality urban design;
6. Ensure that all buildings are consistent with and enhanced by high-quality streetscape amenities; and
7. Accommodate off-street parking in a convenient manner that does not interfere with the rhythm of the street network and building façades.

2.2 Relationship to Local Objectives

2020 Vision Statement

The concept of the Town Center was conceived as part of the Berkeley visioning process in 2002-2003, which considered the future of the Township between the Garden State Parkway and Barnegat Bay, an area also known as the Eastern Mainland. The process resulted in a Vision Statement that was adopted as a supplement to the Berkeley Township Master Plan through the 2003 Master Plan Reexamination Report and Land Use Plan Amendment.

The visioning process was conducted as a public dialogue amongst government agencies, non-profit groups, businesses, institutions, public service organizations and private citizens. The process was led by a Steering Committee, which consisted of a 20-member cross-section of the community. The Committee hosted the visioning sessions and drafted this Vision Statement for the Township Council's consideration.

The visioning process focused on determining areas for development and conservation, the desired and appropriate locations and intensities of land uses, and community design. The resulting vision statement identifies long-range goals for the Eastern Mainland's physical, economic and environmental future. The 2020 vision map (see Figure 3) translates the vision statement into a graphic depiction of the future landscape of the Eastern Mainland.

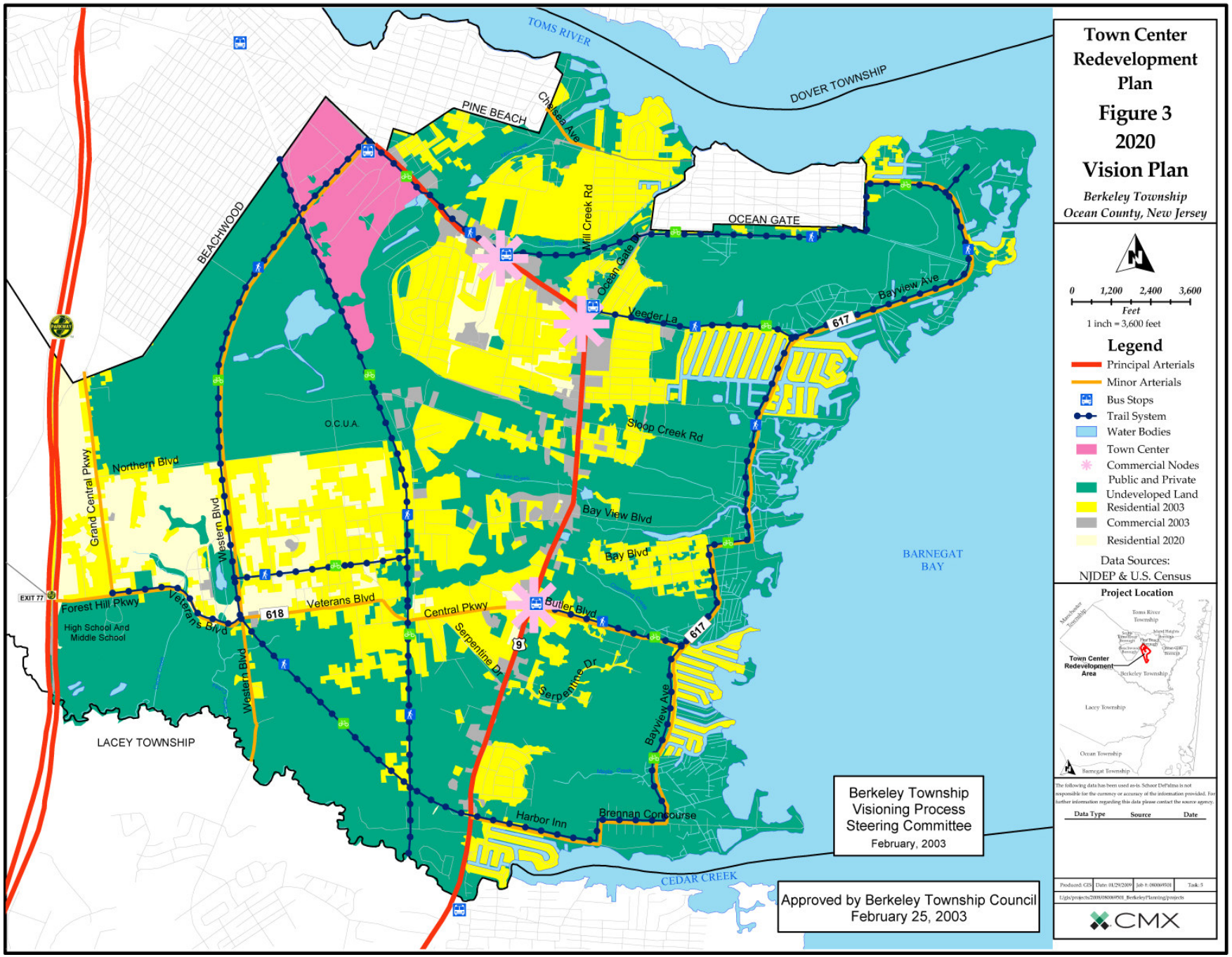
The vision statement departs from trend by establishing four primary targets for future development – Town Center and three commercial nodes – while preserving a substantial portion of the Township as open land. By contrast, the trend scenario would continue to disperse growth throughout the Eastern Mainland while consuming most of the remaining open lands.

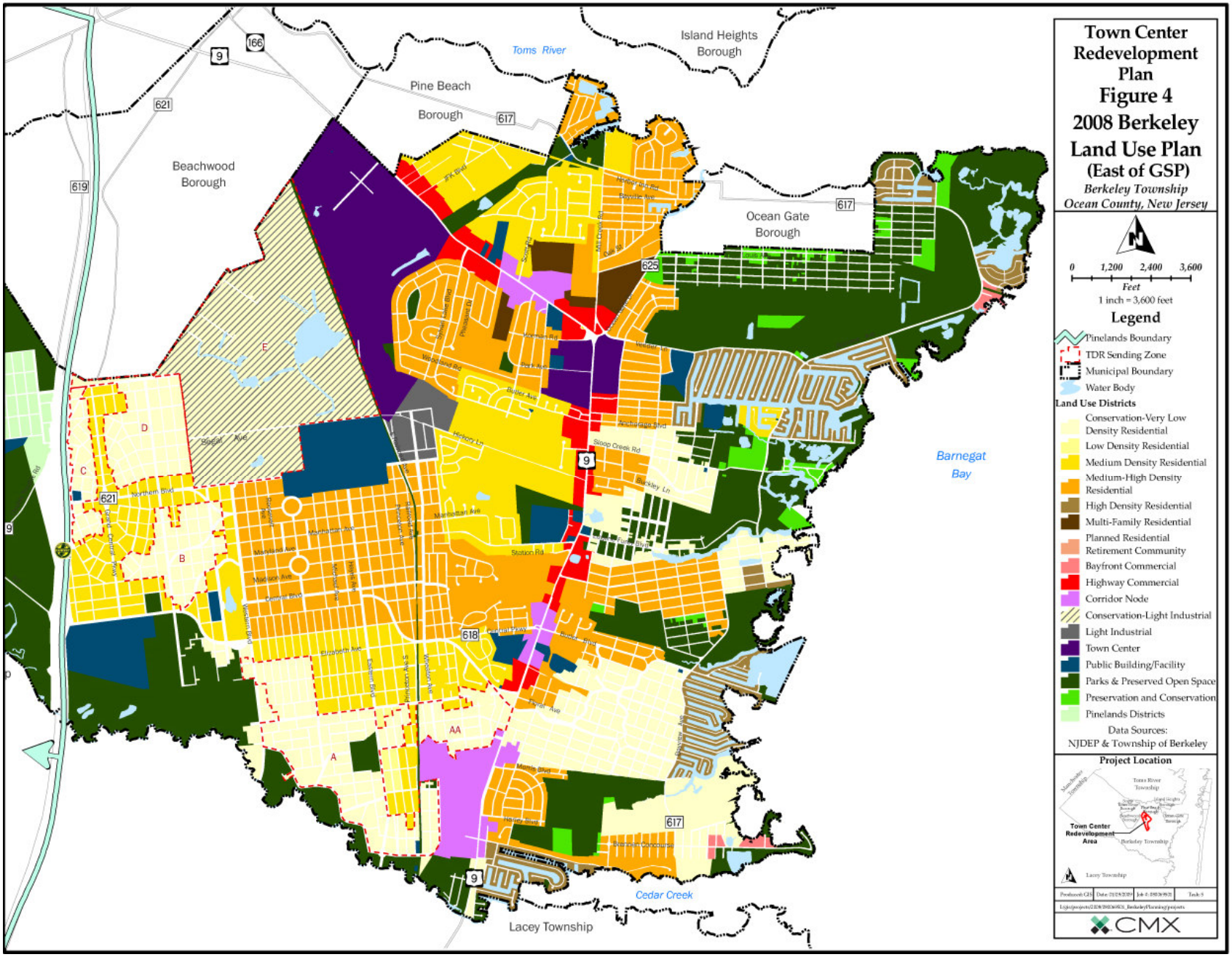
The Vision Statement opens with the following:

> I*n the year 2020 the Eastern Mainland is a comfortable mix of quality residential neighborhoods and convenient shopping and employment opportunities defined by an extensive open space system. The Eastern Mainland is both internally and externally linked by public transportation and a coordinated pedestrian and bicycle trail system. Over the previous 17 years, the Township has reversed the trend toward further sprawl by adopting policies to:*
>
> - *Retrofit existing strip-type development along the Route 9 corridor into concentrated, mixed-use alternatives;*
> - *Promote in-fill development and efficient use of existing infrastructure;*
> - *Promote a well designed town center as the focus of the Township's growth;*
> - *Preserve environmentally sensitive coastal resources;*
> - *Maximize circulation and mobility options; and*
> - *Maximize housing opportunities.*

The Vision Statement also contains the following community design goals that are particularly applicable to the Town Center.

- Promote aesthetically pleasing human scale development that recognizes the character of traditional New Jersey bay front towns.
- Encourage traditional neighborhood elements such as sidewalks, alleys, front porches, public spaces, green spaces, street grids, street trees, and mixed uses that support pedestrian activity, human interaction, public safety, mass transit, and easy access to goods and services.
- Encourage commercial development and retrofitting that emphasizes quality architecture, shared access and parking, transit friendly facilities, pedestrian circulation, appropriate intensification of buildings, and extensive landscaping especially in parking areas; and avoids blank or windowless walls, oversized parking areas, light pollution, multiple and uncontrolled highway access points.


Town Center Redevelopment Plan
Figure 3
2020 Vision Plan
Berkeley Township
Ocean County, New Jersey
0 1,200 2,400 3,600
Feet
1 inch = 3,600 feet
Legend
Principal Arterials
Minor Arterials
Bus Stops
Trail System
Water Bodies
Town Center
Commercial Nodes
Public and Private Undeveloped Land
Residential 2003
Commercial 2003
Residential 2020
Data Sources:
NJDEP & U.S. Census
Project Location
Town Center Redevelopment Area
Berkeley Township
Lacey Township
Ocean Township
Barnegat Township
Data Type
Source
Date
CMX
TOMS RIVER
DOVER TOWNSHIP
PINE BEACH
Chelsea Ave
BEACHWOOD
OCEAN GATE
Mill Creek Rd
Ocean Gate Dr
Veeder La
Bayview Ave
617
O.C.U.A.
Sloop Creek Rd
Northern Blvd
Grand Central Pkwy
Western Blvd
Bay View Blvd
Bay Blvd
BARNEGAT BAY
EXIT 77
Forest Hill Pkwy
High School And Middle School
Veterans Blvd
618
Central Pkwy
Butler Blvd
Serpentine Dr
9
LACEY TOWNSHIP
Harbor Inn
Brennan Concourse
CEDAR CREEK
Berkeley Township Visioning Process Steering Committee
February, 2003
Approved by Berkeley Township Council
February 25, 2003


Town Center Redevelopment Plan
Figure 4
2008 Berkeley Land Use Plan
(East of GSP)
Berkeley Township
Ocean County, New Jersey
0 1,200 2,400 3,600
Feet
1 inch = 3,600 feet
Legend
Pinelands Boundary
TDR Sending Zone
Municipal Boundary
Water Body
Land Use Districts
Conservation-Very Low Density Residential
Low Density Residential
Medium Density Residential
Medium-High Density Residential
High Density Residential
Multi-Family Residential
Planned Residential Retirement Community
Bayfront Commercial
Highway Commercial
Corridor Node
Conservation-Light Industrial
Light Industrial
Town Center
Public Building/Facility
Parks & Preserved Open Space
Preservation and Conservation
Pinelands Districts
Data Sources:
NJDEP & Township of Berkeley
Project Location
Town Center Redevelopment Area
Toms River
Island Heights Borough
Pine Beach Borough
Beachwood Borough
Ocean Gate Borough
Barnegat Bay
Cedar Creek
Lacey Township
CMX

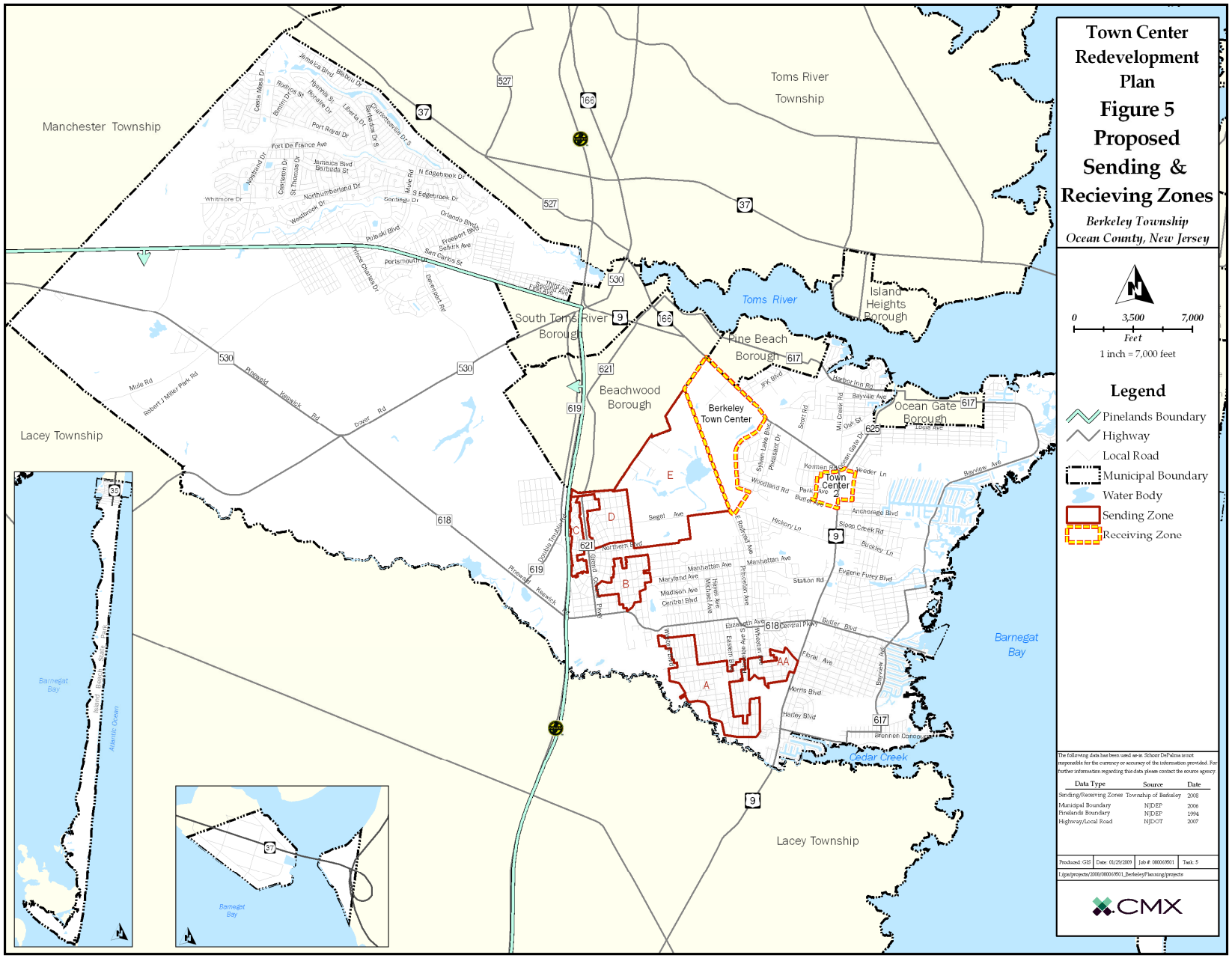
Berkeley Township Master Plan

In early 2009, the Berkeley Township Planning Board adopted a new master plan land use and circulation element that incorporates and supports the Town Center.

As stated in the land use element, an important component of the new land use plan is the establishment of two Town Centers and three corridor nodes at strategic locations along the Route 9 corridor (See Figure 4). These targeted compact growth areas are integral to achieving the Township's vision of concentrating growth in areas with access to infrastructure while preserving environmentally sensitive areas of the Township for open space. The centers and nodes will provide an alternative to continued strip development in the Route 9 corridor. The two Town Centers will also play a role in meeting the Township's affordable housing obligations as outlined in the Township's housing element.

The Town Center is also integral to the Township's proposed Development Transfer Program. In 2004, New Jersey established a statewide Transfer of Development Rights (TDR) program. Berkeley Township was one of six communities selected to participate in a state sponsored TDR demonstration program by the New Jersey Department of Community Affairs. The purpose of the TDR program is to provide an incentive-based process for permanently preserving environmentally sensitive and open space lands that provide a public benefit through their natural state. These areas are referred to as *sending zones*. The TDR provisions are intended to preserve land by transferring the development rights associated with a parcel of land in a sending zone to a pre-determined *receiving zone*. The receiving zones – in Berkeley's case the two Town Centers - are delineated based on their ability to support additional growth and density due to the availability of infrastructure and the absence of severe environmental constraints. The proposed sending and receiving zones are illustrated in Figure 5.

A separate development transfer master plan element is being prepared by the Township in accordance with Article 18 of the Municipal Land Use Law, "State Transfer of Development Rights," and will serve as the basis for Berkeley's TDR program and ordinance.


Town Center Redevelopment Plan
Figure 5
Proposed Sending & Recieving Zones
Berkeley Township
Ocean County, New Jersey
0 3,500 7,000
Feet
1 inch = 7,000 feet
Legend
Pinelands Boundary
Highway
Local Road
Municipal Boundary
Water Body
Sending Zone
Receiving Zone
Manchester Township
Toms River Township
Lacey Township
South Toms River Borough
Beachwood Borough
Pine Beach Borough
Island Heights Borough
Ocean Gate Borough
Berkeley Town Center
Town Center
Toms River
Barnegat Bay
Cedar Creek
A
AA
B
C
D
E
The following data has been used as-is. Schoor DeFalco is not responsible for the currency or accuracy of the information provided. For further information regarding this data please contact the source agency.
Data Type Source Date
Sending/Receiving Zones Township of Berkeley 2008
Municipal Boundary NJDEP 2006
Pinelands Boundary NJDEP 1994
Highway/Local Road NJDOT 2007
Produced: GIS Date: 01/29/2009 Job # 080069501 Task: 5
CMX

SECTION 3. REDEVELOPMENT PLAN

3.1 Definitions

Planned Unit Development (PUD) – shall mean an area of contiguous acreage of 10 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters and one or more public, quasi-public, commercial or industrial areas. A PUD may be developed in phases of less than 10 acres in accordance with an approved concept plan for the entire PUD.

Redevelopment Project – shall mean any work or undertaking pursuant to this redevelopment plan; such undertaking may include any buildings, land, including demolition, clearance or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping, and administrative, community, health, recreational, educational, and welfare facilities. For purposes of this Plan, an entire Planned Unit Development may be considered a redevelopment project, or, if developed in phases, may be broken down into several redevelopment projects.

All other terms used herein shall have the same meaning as defined in the Berkeley Township Land Use Ordinance unless otherwise specified in this redevelopment plan.

3.2 Waivers

Variation from the requirements set forth in this redevelopment plan may be necessary in certain circumstances to achieve a desirable design objective or to meet state or federal permit requirements. In such an instance, the Planning Board, after referral to the Mayor and Council, acting as the Redevelopment Entity, for comment, may waive certain bulk, parking or design requirements if the designated redeveloper demonstrates that such waiver will not substantially impair the intent of the redevelopment plan, and will not present a substantial detriment to the public health, safety and welfare.

3.3 Town Center Concept Plan

The redevelopment area is envisioned as a mixture of residential and commercial uses and green space that will provide high quality housing opportunities and retail and service markets for both local and regional patrons while protecting sensitive natural resources. As illustrated in Figure 6, the Town Center Concept Plan is designed to enable a mixture of complementary uses, attractive public spaces, strategically placed parking, and a safe and efficient circulation system, patterned after a traditional town environment.

The northern end of the Town Center (Phase 1 Town Center) would contain the more intense core with commercial and mixed-use buildings oriented toward a town green and contributing to a lively main street environment. Commercial buildings will range from typical street-front shops, to stand-alone retail, to large-scale retail. Mixed-use buildings may be arranged with retail on street-level, residential or office above in two or three story buildings. A progression from three and two-story multifamily, town homes, duplexes (twins) to detached single-family units will provide a gradual transition

to the neighboring residential neighborhoods. Parking would be provided in well-landscaped surface lots and structures wrapped by commercial and residential buildings.

The central portion of the Town Center (Phase 2 Town Center), generally located south of Gladney Avenue, would be developed primarily for residential development with the parcels south of Block 824, Lot 1 to be developed as an active adult or age-targeted development , depending on real estate market conditions at the time the redevelopment agreement is executed. An age-restricted, active adult community of single-family detached and single-family attached units will be the default project permitted for the portion of the Town Center south of Block 824, Lot 1, unless the selected Redeveloper provides a Real Estate Market Analysis (REMA) that demonstrates the lack of a market for age-restricted units, in which case the Redevelopment Entity may permit a development that is not age-restricted, but that is designed to attract "empty nesters". Non age-restricted higher density development is also permitted for purposes of meeting growth share affordable housing requirements. This lower density section of the Town Center will be an easy walk for residents wishing to visit the shops and services in the core. Housing types would include multifamily buildings, townhomes, duplex (twins) and single-family detached units with the lowest density housing abutting the preservation area at the southern end of the Town Center. The preservation area would remain undisturbed to protect the wetlands and other natural features found along the Mill Creek. The entire center would be laced with open space and civic spaces to provide identity and ample recreation and gathering places.

The circulation pattern would be a modified grid to provide multiple options for accessing the various uses and districts by foot, bike or car. Appropriate connections would be made to Route 9 and Western Boulevard to accommodate regional traffic, but the internal roads would be designed primarily for local, low-speed traffic. "Cut-through" streets are to be avoided. Opportunities should be provided for connecting to the Barnegat Branch Trail that forms the western border of the Town Center.

An urban design Concept Plan has been developed for the Township by Brown & Keener Urban Design and Barton Partners that is illustrated in Figure 6. Figure 6 presents the optimal overall conceptual framework plan for the entire Town Center Redevelopment Area that illustrates the points made above..

Besides the need to interface with two adjacent municipalities, the Concept Plan layout was driven by the need to advance the redevelopment of Beachwood Plaza at the earliest possible stage of redevelopment, as well as to address a short-term and long-term traffic circulation problem. The short-term problem is the critical need for a signalized entrance to the Town Center from Route 9 closer to the most intensely developed portion (Beachwood Plaza) so that Gladney Avenue does not become overloaded at its existing signalized intersection with Route 9, where Motor Road is a major gateway to Pine Beach. The Concept Plan provides an opportunity to use the internal circulation network of the Town Center to divert through traffic from Mizzen Avenue by extending Berkeley Avenue through the Town Center site to a new signalized intersection

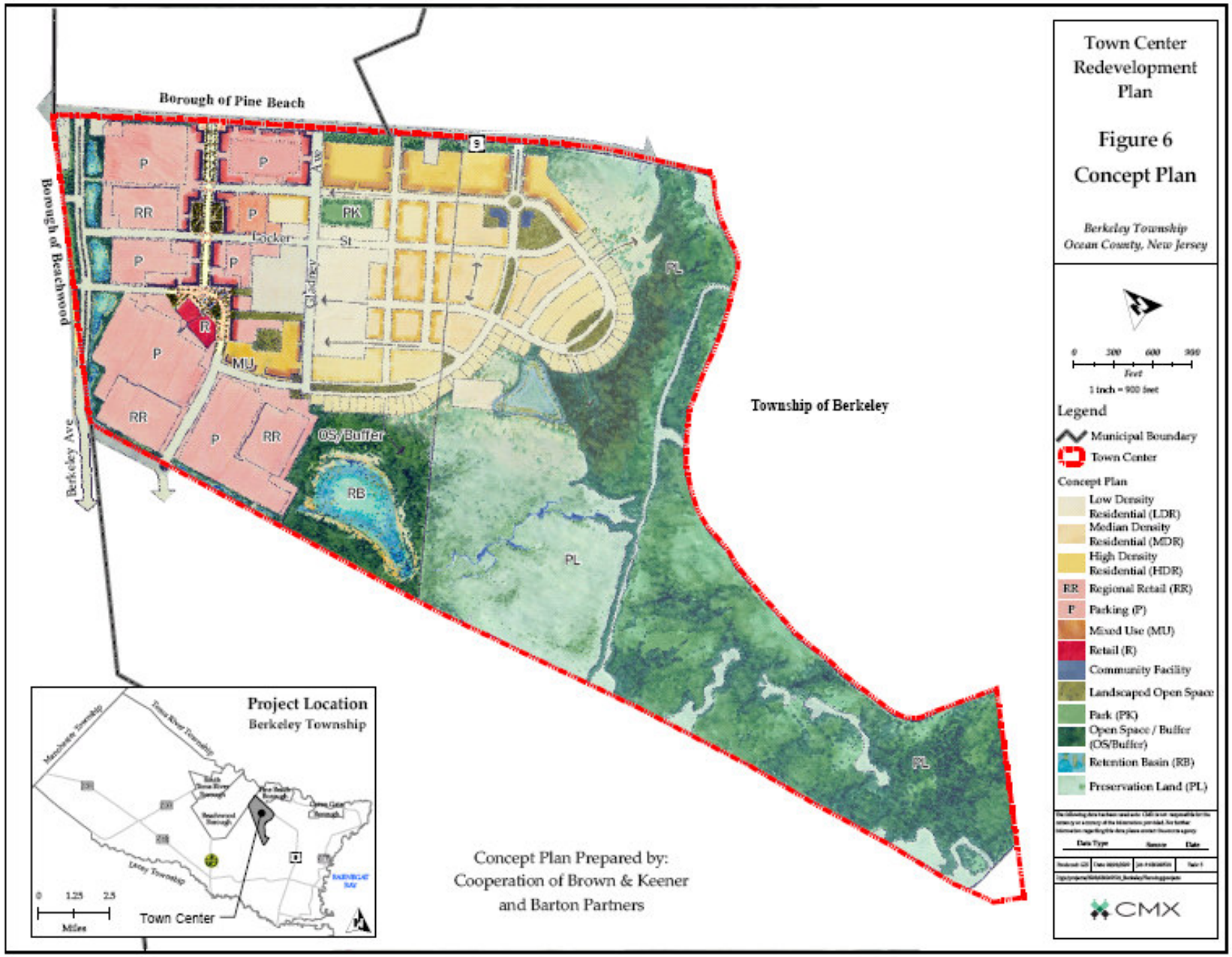
with Washington Street in Beachwood. This improvement, which could be linked to the redevelopment of the Plaza in the first phase, would eliminate the existing hazardous overlapping left turn at Mizzen and Washington Avenues and Route 9.

The long-term circulation problem is the need for a roadway link between Pinewald and Bayville originally envisioned as an extension of Western Boulevard, which currently ends at Northern Boulevard at the opposite end of the NJ Pulverizing sand extraction site from the redevelopment area. That roadway project has been stalled due to the presence of threatened and endangered species habitat in the path of the previously arranged easement through NJ Pulverizing. An alternate route is proposed in the recently adopted Land Use & Circulation Plan Element of the Berkeley Master Plan, but construction of the road is likely several years away. The Concept Plan needs to provide the final link of that future road through the project to the proposed new signalized intersection with Route 9 in a way that does not funnel through traffic into Pine Beach at Gladney.

Because of the significant environmental and traffic problems that need to be solved, the redevelopment area is not expected to be developed all at once, but will likely be developed as one or more Planned Unit Developments (PUD) carried out by one or more redevelopers consistent with the Town Center Concept Plan illustrated in Figure 6a & 6b. Each PUD shall consist of a minimum of 10 acres. Each designated redeveloper will prepare a more detailed site layout plan for the proposed PUD covering the relevant portion of the Town Center Concept Plan and demonstrate how the proposed PUD will incorporate applicable portions of the Town Center Concept and that the PUD has been designed to function both independently and as a component of the ultimate build-out of the entire redevelopment area. Overall consistency with the Town Center Concept Plan will be determined by the Township Redevelopment Entity through the review of one or more of such site layout plans until a final site layout plan is approved and appended to a Redevelopment Agreement between the Redeveloper and the Redevelopment Entity. The Redevelopment Agreement must be executed prior to the the filing of a formal application to the Planning Board for site plan approval.

Each individual PUD may be constructed in phases, although the first phase must include the Beachwood Plaza site. Each phase will include an appropriate and functional share of the proposed streets and circulation system, lighting, landscaping and outdoor spaces, screening and other site and architectural amenities of the entire project. Each phase will provide for future pedestrian and vehicular linkages to adjoining sections of the Town Center. The extent of these improvements, including the necessity for off-site improvements extending beyond the subject PUD, will be determined for each phase of a specific project in the redeveloper agreement and may not be based solely upon a proportional or equal share of the entire Town Center.

The need for and location of public uses such as emergency services, libraries, schools, and utilities these uses will be identified during the review of each PUD concept.


Town Center Redevelopment Plan
Figure 6
Concept Plan
Berkeley Township
Ocean County, New Jersey
Borough of Pine Beach
Borough of Beachwood
Berkeley Ave
Township of Berkeley
Locker St
Cladney Ave
P
RR
PK
R
MU
OS/Buffer
RB
PL
Project Location
Berkeley Township
Town Center
Miles
Concept Plan Prepared by:
Cooperation of Brown & Keener
and Barton Partners
Legend
Municipal Boundary
Town Center
Concept Plan
Low Density Residential (LDR)
Median Density Residential (MDR)
High Density Residential (HDR)
Regional Retail (RR)
Parking (P)
Mixed Use (MU)
Retail (R)
Community Facility
Landscaped Open Space
Park (PK)
Open Space / Buffer (OS/Buffer)
Retention Basin (RB)
Preservation Land (PL)
CMX

3.4 Redevelopment Activities

The major activities planned for the redevelopment area include:

- Acquisition, clearance and assembly of an approximately 443 acre parcel of land for the construction of residential, commercial and recreational uses, and for open space preservation.
- Utility and infrastructure upgrades necessary to support the redevelopment plan.
- Mitigation of existing soil and water contamination.

3.5 Land Use Requirements

3.5.1 Permitted Uses

The list of permitted uses in the redevelopment area is provided below. Use types shall be located and mixed in accordance with the concept plan illustrated in Figure 6 of this redevelopment plan. All uses are subject to the requirements of the Town Center Redevelopment Plan Design Standards, Berkeley Township Land Use and Zoning Ordinance or as otherwise stated in this plan. Uses permitted by specific provision of the Municipal Land Use Law shall also be permitted in the redevelopment area.

Residential

1. Single-family detached dwellings.
2. Single-family semi-detached dwellings, such as patio homes and duplexes.
3. Single-family attached townhomes.
4. Multifamily units above commercial uses.
5. Live/Work Units
6. Multifamily dwellings
7. Independent Senior Residential Facilities
8. Assisted Living Facilities
9. Home Occupations

Retail Goods and Services

1. Retail and commercial merchandise and service establishments.
2. Banks and financial institutions.
3. Business, corporate and professional offices.
4. Health clubs and spas.
5. Medical Services, including Imaging Centers and Out-patient treatment.
6. Day-care center, preschool and day nursery school.
7. Senior day-care and senior centers
8. Stand-alone large format retail establishments, including department stores, supermarkets and grocery stores, specialty retailers, wholesale clubs and/or warehouse retail uses.
9. Fuel filling facilities and garden centers as accessory uses to a large format retail use as permitted in (7) above.

Food and Lodging Establishments

1. Restaurants and other establishments serving food and beverage to the general public such as a restaurant, café, delicatessen, tavern, retail baker, confectionery or ice cream/ice shop, including outdoor dining and walk-up windows.
2. Hotel, motels, and extended stay establishments provided they are not used as single room occupancies, transient or residential hotels, or boarding houses that allow occupancy for more than 45 days.
3. Bed and breakfasts inns.

Instructional/Studio/Arts/Performance

1. Business and instructional schools and studios, including trade schools, martial arts and visual and performing arts.
2. Academic Facilities, including Continuing Education.
3. Galleries and museums.
4. Artist studios and lofts.
5. Theaters, including motion pictures and stage plays, but excluding any adult entertainment venues.

Religious/Fraternal/Civic/Recreation

1. Religious institutions and their ancillary uses.
2. Non-profit clubs and lodge halls for civic and fraternal organizations.
3. Government administration uses, post office, public schools, community center, public library, offices for public utilities, and police, EMS and fire substations.
4. Public and private park, plaza, square, courtyard, urban garden, water features, and public recreation areas with ancillary facilities such as information kiosks, restrooms, vending areas, and environmental/interpretive centers.
5. Open space preserve areas such as wetlands and habitat refuge areas.

Preservation District

The only uses permitted in the areas designated for preservation on the concept plan (Figure 6) are those that do not result in the erection of any structure or alter the ground surface configuration by the addition of fill, dredging or draining. Such uses include:

1. Forestry and tree farming using best management practices to protect wetlands from damage from soil erosion and otherwise.
2. Agricultural uses that use best management practices to protect wetlands from damage from soil erosion and otherwise.
3. Water impoundments and well supplies.
4. Drainage ways, streams, creeks or other paths of normal runoff.
5. Wildlife refuge.
6. Conservation areas and nature trails.
7. Open space as permitted by subdivision regulations and other sections of this ordinance.

8. Access ways if essential to the productive use of the land and consistent with NJDEP Dredging and Filling regulations.
9. Utility rights of way or easements including power lines and pipelines which are constructed using best management practices and only if there is no feasible alternative location.

Any structure, activity or improvement proposed in the Preservation District shall be regulated by the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B; the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1; and the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50, and any subsequent revision or consolidation of said Acts. Such regulated activities include, but are not limited to:

- Cutting of vegetation
- Dredging
- Excavation or removal of soil
- Drainage or disturbance of the water level
- Filling or discharge of any materials
- Driving of pilings, and
- Placing of obstructions.

Special Exceptions in the Preservation District

1. The Planning Board may grant a special exception for the undertaking of a use not otherwise permitted in the Preservation District, which may include the erection of a structure, dredging, filling, draining, or otherwise altering the surface configuration of the land, if it can be shown that such proposed use conforms with the above referenced rules and regulations of the New Jersey Department of Environmental Protection.

2. A property owner proposing to conduct any activity within the Preservation District shall first obtain a General Permit or Individual Permit; a Stream Encroachment Permit or a CAFRA Permit from The New Jersey Department of Environmental Protection and provide proper evidence of this effect to the Planning Board.

3.5.2 Conditional Uses

Cellular telecommunication towers and facilities are permitted as conditional uses in accordance with Section 35-127.12 of the Berkeley Land Development Ordinance.

3.5.3 Permitted Temporary Uses

Temporary uses in the redevelopment area are subject to the Berkeley Township General Code or as otherwise provided for by the Township Council on a case by case basis. Temporary uses include but are not limited to:

1. Street vendors in commercial areas.
2. Farmer's market.
3. Seasonal outdoor retail sales.
4. Outdoor art and craft shows, antique shows, flea markets, or group activities, within parking areas.
5. Circuses, carnivals, or similar amusement enterprises.

6. Outdoor entertainment such as music, concerts and performing groups in commercial areas.
7. Outdoor dining and picnics
8. Community sponsored events.

3.5.4 Permitted Accessory Uses

Accessory uses and structures are permitted that are customarily incidental and subordinate to, and located on the same lot as a principal permitted use. Accessory uses include but are not limited to:

1. Playgrounds.
2. Tennis courts.
3. Club house.
4. Swimming pools.
5. Detached garages.
6. Storage and maintenance sheds, no larger than 100 square feet.
7. Greenhouses and other horticultural structures for private/non-commercial purposes.
8. Patios, freestanding decks, gazebos, and other similar recreational or ornamental buildings or structures.
9. Common open space, social and recreational facilities.
10. Parking lots and structures.
11. Outdoor dining for restaurants within commercial areas.

3.5.5 Prohibited Uses

Any use that is not expressly permitted in Sections 3.3.3 through 3.3.6 of this plan is hereby prohibited. Prohibited uses include but are not limited to the following:

1. Automobile or other vehicle sales and service, or repair establishments, including vehicle body repair, vehicle painting or washing.
2. Gasoline service station and filling station except when permitted as an accessory use under Section 3.3.3.
3. Self-service storage facilities (mini-warehouses).
4. Sexually oriented businesses and services.
5. Commercial advertising billboard signs.
6. Check cashing business.
7. Stand-alone bar with a liquor-to-food sale ratio exceeding 40%.
8. Massage Parlors.
9. Sale of firearms.
10. Tattoo Parlors.
11. Single room occupancies, transient or residential hotels and boarding houses of any type.
12. Wholesale vending and distribution establishments.
13. All permitted and prohibited uses identified in Section 35-107 (Industrial Zones) of the Berkeley Land Development Ordinance, unless specifically listed in Section 3.3.3 of this plan.
14. Metal, single and multi-story garage structures erected for the purpose of storing contractor vehicles and/or equipment.

In addition, the following uses are specifically prohibited in the preservation district:

1. Any use which utilizes, stores, processes, or disposes of toxic substances which may pose a threat to surface or ground water quality is prohibited.
2. Underground fuel storage tanks.

3.6 Design Standards

The following design standards will be applied to all development in the Town Center Redevelopment Area. Any elements not covered by these standards will be subject to other appropriate provisions of this redevelopment plan and/or the Berkeley Township Land Development Ordinance. All redevelopment activities are also subject to applicable State and Federal requirements.

Full build-out of the Town Center is likely to require several years, multiple phases and multiple redevelopers. The standards presented here are meant to provide some degree of flexibility to account for market and regulatory fluctuations, and unanticipated geophysical issues, while ensuring that the goals and objectives of the redevelopment plan are achieved. To ensure conformance with the Town Center Concept Plan, a designated redeveloper must prepare a more detailed version of the concept plan as it pertains to the subject redevelopment parcel or PUD. The redeveloper shall demonstrate how the applicable portions of the overall concept will be incorporated into the PUD. The redeveloper's concept must be approved by the Township Redevelopment Entity prior to the redeveloper making formal application to the Planning Board.

3.6.1 Maximum Impervious Coverage

Total overall development of the designated redevelopment area shall have a maximum impervious coverage of 30%. Individual redevelopment projects will likely significantly exceed 30% impervious coverage in the Phase 1 Town Center area, but sufficient open space and lower density development in the Phase 2 Town Center area will balance the impervious coverage so that the build-out of the entire Town Center Redevelopment Area will not exceed 30% impervious coverage unless Transfer of Development Rights (TDR) credits are purchased. (See Section 3.11 of this plan for a discussion of the relationship of impervious coverage to the purchase of TDR credits.)

3.6.2 Open Space

As illustrated in the Town Center Concept Plan (Figure 6a), there are certain areas of the redevelopment area that are designated for open space and/or preservation. To ensure that the plan promotes and encourages a suitable environment devoted to civic spaces, parks, recreation and open space and preserves and protects areas of special or unusual ecological, environmental or geographical interest, not less than 30% of the entire Redevelopment Area shall be set aside as preserved or restored open space and situated in accordance with the Town Center Concept Plan. All open space areas shall be suitable for active or passive use or contribute to viable

wildlife habitats. To that end, landscaped areas such as parking islands, roadway medians, and planting strips shall not be counted towards the open space requirement. However, stormwater management features, such as retention ponds, stormwater detention areas, rain gardens, bio-retention basins and the equivalent that are designed to supplement or enhance landscaped buffers, open space areas or wildlife habitat and are reasonably accessible to the public may be counted toward the minimum open space requirements.

3.6.3 Bulk Requirements

Development in the Town Center shall conform to the bulk standards provided in Schedule A on the following page.

Schedule A
Bulk Standards

Building Type	Min. Lot Size	Lot Width	Lot Depth	Setbacks Front/Side/Rear	Height Floors/Feet	Other Requirements
Single-Family Detached	6,000 sf	60'min	100'min	15' min-25' max / 5' min- 15' aggregate / 20' min	2.5 / 36' max	
Single-Family Detached Active Adult/Age-Targeted	5,000 sf	50' min	100'min	15' min-25' max / 5' min- 15' aggregate / 20' min	2.5 / 36' max	
Townhome	2,400 sf	16' min	100' min	0' min-15'max / 0' min / 20' min	3 / 36' max	
Live/Work	2000 sf	16'-30' min	100' min	0' min-15' max / 0' min / 20' min	3 / 42' max	*Base Density: 10 DU/AC TDR Bonus: 15 DU/AC
Multi-Family	No min	100' min	100' min	0' min-10' max / 20' min/ 20' min	3.5 / 50' max	*Base Density: 20 DU/AC TDR Bonus: 30 DU/AC
Office	No min	200' max bldg**	200' max bldg**	0' min-10' max/ 20' min / 20' min	5 / 55' max	Façade "rhythm" of 50' max**
Retail	No Min.	300' max bldg**	200' max bldg**	0' min-10' max / 20' min/ 20' min	1.5 min/30' max	Building breaks at min of every 50 linear feet of façade length**
Mixed-Use with Ground Floor Retail	No min	-	-	0' min-10' max / 0' min- / 20' min	5 / 60' max – Office; 3.5 / 50' – Resid. 5 / 60 w. TDR Density Bonus	Façade "rhythm" of 25'-35' max Resid; 50' Office *Base Density: 20 DU/AC TDR Bonus: 30 DU/AC
Large Format Retail	No min	-	-	15' max setbacks except for rear loading areas	2 floors encouraged if footprint is reduced	"Liner buildings" of smaller retail spaces required on sides fronting walkable streets
Pad Site	No min	--	--	--	--	--
Parking Structure	No min			20' min unless ventilated		Screen from road or wrap with buildings where possible

***Base Density is calculated based on total acreage of building footprint + all site elements required to serve building, including parking, landscaped areas, pedestrian circulation systems abutting the building.** ** Not applicable if fronted with a liner building

3.6.4 Building and Site Design

A. Building Form & Orientation

This section illustrates the form and orientation of "typical" building types that are envisioned for the Town Center.

Single –Family Detached

Single-family housing forms, located as shown on the Town Center Concept Plan, are to be oriented on minimum lots as shown on Schedule A on the preceding page. The Concept Plan shows a neo-traditional street plan that creates blocks and lots that range from 40 to 70 feet in lot width with a lot depth of 100 feet. Single-family homes require a minimum of 1.5 stories and a maximum of 2.5 stories and all homes are required to include gable roofs, front porches or porticos. Porches or porticos are to define the entrance and may be located within the front yard provided they are open on three sides except for safety railings.

Townhome

Townhomes will be arranged to face the street. Roofs should be either gable or hip; dormers are encouraged. Each townhome will have a porch defining the entry, which may be located within the required front yard.

Multi-Family

Multi-family development, where permitted on the Town Center Concept Plan, will follow a building form that keeps the building close to the public sidewalk with breaks in the front facades and a variety of architectural styles as illustrated in the photo below. Building height will be limited to three and one half stories. The base density for multi-family development is 20 dwelling units per acre, with a bonus to 30 dwelling units per acre with the purchase of TDR development credits.

Live/Work

Live/Work building types include living quarters with attached work space, whether shared in common with other dwelling units as a "limited common element" of a condominium (also known as "co-housing"), or used exclusively by the occupant of the dwelling unit. Such attached work space may include a kitchen and recreational space to facilitate live-work activities, but shall not constitute a separate dwelling unit. The form of these buildings will be a maximum of three stories and they shall be oriented close to the public sidewalk. The base density shall be 10 dwelling units per acre, except that TDR credits may be purchased to increase the maximum allowable density to 15 dwelling units per acre.

Office

To the extent that the market enables a mix of office space within the Town Center, the Concept Plan provides for the integration of offices either as a stand-alone building or mixed with street-level retail as shown in the image below. The building form would be on par with the mixed-use buildings within the Town Center in terms of height, setback from the public sidewalk, and architectural styling.

Retail

Stand-alone retail buildings shall be designed so that front facades have architectural breaks resembling individual storefronts. Building heights will range from 1 to 2 stories. Street level facades must contain storefront windows covering at least 50% of the surface area.

Mixed-Use Retail/Office

Mixed-use buildings will be built to the right-of-way lines to establish a traditional Main Street streetwall. In a multi-tenant building, each shop will have its own shopfront. The shopfronts may either have identical designs to reinforce the building design or varied designs to express the different businesses. A shop front should be separated from the roofline or a second floor by a horizontal architectural element such as a sash, cornice, frieze, molding, etc.

First floor facades shall have large, clear storefront glass areas (50 to 70% of the street-facing building facade) to display the nature of the business and produce an interesting streetscape. Storefront windows may be either typical large, single pane or multiple smaller panes separated by mullions.

All buildings are required to have entrances accessed directly from a sidewalk or plaza. Upper floors are to be provided with separate exterior entrances unless a large common lobby or atrium is provided.

Sidewalks should extend from the building façade to the curb (with appropriate accommodations for street trees) for the purpose of facilitating pedestrian movement and creating opportunities for outdoor eating and shopping areas, and street furniture.

Mixed-Use Multi-Family

Buildings with street-level retail and residential apartments on the upper floors shall use a variety of design techniques to differentiate the retail and residential elements of the building, including the use of sash and frieze elements between the street level and upper levels. Buildings with multifamily above retail should be oriented towards public open spaces whenever possible. Density parameters shall follow those of buildings that are solely multi-family, including the ability to expand to 5 stories and 55 feet when TDR credits are purchased to increase the base density from 20 dwelling units per acre to 30 dwelling units per acre.

Large Format Retail

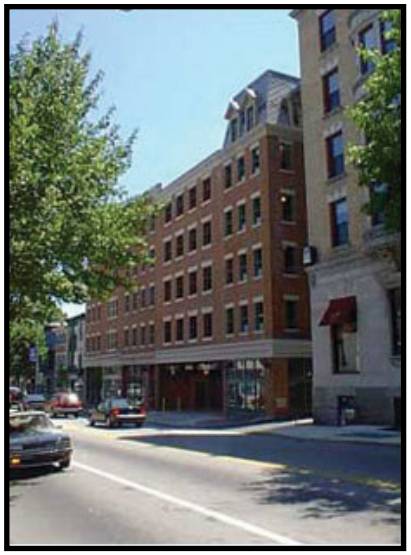
All buildings shall be of high-quality architectural design with all building street elevations being attractively finished with varied building materials that may include front facades of brick or stone or have prominent brick sashes or banding.

Whenever possible, large format retail buildings should be built to the street line (upper right photo) or wrapped with liner buildings along street fronts (lower right photo).

Parking Structure

It is recognized in this Plan that the use of parking structures, while desirable to conserve land, reduce heat island effects, reduce stormwater runoff and reduce walking distances, may not be economically feasible, at least in the early phases of the Town Center redevelopment. However, if and when structured parking becomes economically feasible and required by the Redevelopment Entity, it must be architecturally integrated into the principal commercial buildings or lined with commercial or residential structures in the same manner described for regional retail buildings. Structured parking shall be designed to provide architectural interest and soften the appearance of large concrete facades. Upper floors must be screened with landscaping, walls, architectural elements or other decorative features.

The parking structure shown above that replaces a former surface parking lot in Princeton NJ is lined with a mixed-use building facing a public park that is also flanked by the new Public Library. The deck also has street-level retail to mask its street façade like the structures pictured below left and below right.



B. General Requirements

Appropriate design features will be incorporated to accommodate potential bus or shuttle service at appropriate locations within each Planned Development. Features may include such elements as shelters, street furniture, information kiosks and pull-off lanes located within reasonable proximity to major uses. The Redevelopment Entity will take any necessary actions with agencies providing public transportation to encourage the routing of buses through the Town Center.

Public rights-of-way will be designed to meet all local, state and federal standards. Final determination as to the acceptance of streets within the Planned Development by the Township as public streets shall be addressed in the redevelopment agreement. All pedestrian crossings will utilize materials and colors to readily distinguish vehicular from pedestrian travel ways. All streets, public or private, fronted by buildings with primary access points should be planted with street trees at an average spacing of 30 to 40 feet consistent with the project's overall landscaping and open space plan. Light foliaged trees are encouraged in front of commercial uses to increase visibility of signage.

All rooftop mechanical equipment and other appurtenances visible from 6 feet above grade within 100 feet of the building shall be concealed by or integrated within the roof form and screened from the view of all adjoining properties and building floors or nearby streets. The following, when above the roofline, requires screening: stair wells, elevator shafts, air conditioning units, large vents, heat pumps, and mechanical equipment

All wall-mounted mechanical, electrical, communication, and service equipment, including satellite dishes and vent pipes, shall be screened from public view by parapets, walls, fences, architectural grills, landscaping, or other approved measures.

Solid security gates or solid roll-down metal windows shall not be permitted. Link or grill-type security devices shall be permitted only if installed from the inside, within the window or door frame. Security grills shall be recessed or concealed during normal business hours.

Front yard fences shall be permitted at a height not to exceed three feet and shall be less than 60% solid.

3.6.5 Landscaping

Any portion of the redevelopment area that is not absolutely required for buildings or parking will be devoted to public plazas and green space. These areas will be designed to provide:

- Amenities for the residents, employees, shoppers and visitors to the Town Center.
- A lively human-scale street environment.
- Protection for environmentally sensitive resources.
- Mitigation of "heat island" effects.
- A workable pedestrian and bicycle circulation system.
- Appropriate visual and noise buffers.

- A soft transition between higher and lower intensity uses.

The redeveloper will prepare a landscaping and open space plan for review by the Township Redevelopment Entity. The plan will be prepared by a certified landscape architect and specifically address and demonstrate how each of the above objectives is achieved. These performance standards take the place of any landscaping or buffer requirements currently in the Berkeley ordinances.

3.6.6 Exterior and Street Lighting

General

All lighting shall be decorative and blend with the architectural style of the Town Center. All exterior lighting shall be designed to prevent glare onto adjacent properties. Pedestrian pathways need to be clearly marked and well lit. Lighting should be sufficient for security and identification without allowing light to trespass onto adjacent sites. Use of "pulse start" metal halide or color-corrected sodium light sources is encouraged. Non-color corrected low-pressure sodium are prohibited. High-efficiency lighting such as LED lighting and solar powered lighting are encouraged where appropriate and wherever fixtures are commercially available. LED and solar lighting may be used in applications such as: pedestrian bollards, signage, accent lighting, walkway lighting, and small scaled site lighting where applicable. All new emerging lighting technologies proposed for use in a PUD within the Town Center Redevelopment Area must be supported by IES photometry and isolux data for modeling of proposed illumination and uses.

Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building and shall comply with the Township building codes. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways, and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior, and, as a general rule, lights should be concealed through shielding or recessed behind architectural features. The use of low-pressure sodium, fluorescent, or mercury vapor lighting, either attached to buildings or to light the exterior of buildings, shall be prohibited. Mounting brackets and associated hardware should be inconspicuous.

Porch light and yard post lighting is encouraged to augment street lighting design. Residential garages facing lanes shall be provided with elevated lighting on the garage facade facing the lane or a post lamp.

Spacing and Heights

Decorative lampposts, not greater than 12 feet in height, shall be provided at regular intervals along all commercial or mixed-use streets, parking areas, sidewalks, walkways, courtyards, community greens, and interior open spaces in the redevelopment area. Posts in commercial mixed-use and senior citizen and townhouse streets shall be spaced at no greater than 60 feet on center. Lighting on residential streets

should be no greater than 150 feet apart per side and should be located at the intersections and corners. Lighting standards shall be consistent throughout the redevelopment area.

In parking lots, post heights may be extended to a maximum of 30 feet.

The height of fixtures, except for within surface parking lots for large format retail sections of a PUD shall be a maximum of 25 feet for parking lots and 16 feet for pedestrian walkways. Fixtures in surface parking lots for large format retail development shall not exceed 35 feet in height for parking areas and 20 feet in height for pedestrian walkways.

3.6.7 Signage

The redeveloper will prepare a comprehensive sign plan as part of the site plan process that will identify, locate and illustrate each proposed sign within the redevelopment area. The sign plan must demonstrate to the satisfaction of the Berkeley Township Planning Board that the absolute minimum amount of signage is being used that is necessary to appropriately represent all tenants of the Town Center and that the following performance standards have been met:

a. The requested signage is necessary for the reasonable identification of the redevelopment area tenants.
b. The requested signage will not contribute to visual clutter.
c. The requested signage will not present any safety hazards.
d. The requested signage will complement the architectural style of the development.
e. All signs will be professionally designed and constructed of a durable material.
f. No sign will be illuminated in a manner that permits any light to shine or cause a nuisance to an adjacent residential use.
g. Freestanding signs will be consolidated at strategic locations, be limited to the name and logo of the project or center and be ground-based as opposed to pole-mounted.
h. Tenant directory signs will be located internal to the site and away from the right-of-way.
i. Façade signs will complement and not interfere with, be out of proportion with, or cover over a building's architectural details.

All signage will comply with Section 35-91 of the Berkeley Township Land Development Ordinance or as otherwise provided for in this plan. Commercial advertising billboard signs are prohibited in the redevelopment area.

Monument/Ground Sign

Monument or ground signs shall conform to the following standards:

a. The sign panel shall not exceed 200 square feet in area.
b. The total sign height shall not exceed 15 feet.
c. The sign panel shall be located three feet above finished grade and shall include ground landscaping at the base of the sign.
d. The sign shall be setback a minimum 15 feet from the right-of-way

e. A one foot border shall be incorporated along the bottom and side edges of the sign panel to provide an enhanced architectural feature, while a two foot mantle-type border shall be incorporated along the top edge. This border area shall not be included in the sign area calculation.
f. The sign shall be architecturally integrated with the overall design of the redevelopment area.

Wall-Mounted Signs

Wall-mounted signs shall conform to the following standards:

a. The sign shall be affixed to the front facade of the building.
b. The area of the signboards shall not exceed 10% of the ground floor front facade area.
c. No part of a sign shall extend above the base of the second floor windowsill, parapet, eve or building facade.
d. Retail and Mixed-Use Buildings with retail uses are limited to one (1) sign per business but one additional wall-mounted sign shall be permitted on any side or rear entrance which is open to the public. Such wall sign may only be lighted during the operating hours of the business. Large format retail uses shall be permitted five (5) signs on the front façade and the total area of signage shall meet the 10% ground floor façade area limitation above.
e. Wall-mounted building directory signs identifying the occupants of a commercial building, including upper story business uses shall not extend above the parapet, eve or building facade.
f. Applied letters with backlighting may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass or black anodized aluminum. Applied plastic letters shall not be permitted.

Projecting Signs

Projecting signs shall conform to the following standards:

a. Projecting signs, including graphic or icon signs, shall be mounted perpendicular to the building wall, provided the height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single story building, or the height of the sill or bottom of any second story window, if attached to a multistory building.
b. The distance from the building wall to the signboard shall not exceed 12 inches.
c. Limited to one sign per entrance to a ground floor business.

Painted Window or Door Signs

Painted windows or door signs shall conform to the following standards:

a. The total painted area shall not exceed 30% of the total window or door area in aggregate, or 24 square feet, whichever is less.

b. The sign shall be silk screened or hand painted.
c. Limited to one window sign per business window and one door sign.

Awnings

Buildings may have awnings or canopies, where appropriate, to complement the architectural style of a building. The design of awnings and canopies will be architecturally compatible with the style, materials, colors and details of such buildings and should not conceal significant architectural features, such as cornices, columns, pilasters or other trim details. Internally illuminated or backlit awnings and canopies are prohibited.

All ground-level awnings and canopies will comply with the following standards:

a. The maximum height from ground level to uppermost portion of an awning or canopy will not exceed the height of the sill or bottom of any second story window or 15 feet whichever is less. In the case of single-story buildings, the maximum height will not exceed 12 feet or the top of the wall whichever is less.
b. The minimum height from ground level to lowermost portion of awning or canopy will be eight feet.
c. The maximum horizontal projection dimension of an awning from the building wall, including any appurtenances, will not exceed six feet from the building face. Awnings may project over a public sidewalk but will not be closer than two feet of the vertical plane of the curb edge or the edge of any other public right-of-way.
d. The maximum total vertical dimension of an awning will not exceed the total horizontal projection dimension.
e. An awning's surfacing material will be constructed of canvas, cloth or vinyl.
f. No awning will contain more than two colors plus white. The color of any sign messages or other graphic features will be included in the number of colors. The colors must be compatible with the architectural color scheme of the entire building.
g. On buildings with multiple storefronts, compatible awning and canopy frame styles will be used as a means of unifying the structure.

A business at street level may include identification signage on a canopy or awning subject to the following restrictions:

a. The sign will only be located on the front portion of the awning commonly known as the "valance." If a valance is not provided, the sign graphics will be restricted to the lowest 14 inches of the awning parallel to the building wall face.
b. An awning sign will be professionally sewn or painted.
c. The maximum height of letters, individual numbers or other characters or images on the awning will not exceed 12 inches.
d. No single awning will contain sign messages for more than two business establishments.

3.7 Parking and Loading

3.7.1 Parking Facilities

Parking Structures

To the greatest possible extent, commercial parking should be provided for in parking structures that are architecturally integrated into the principal commercial buildings or lined with commercial or residential structures. Structured parking shall be designed to provide architectural interest and soften the appearance of large concrete facades. Upper floors of all parking garages shall provide a visual screen of vehicles from all rights-of-way, public open spaces and residential uses. Screening shall include landscaping, walls, architectural elements or other decorative features. (See Section 3.6.4.A. for additional requirements.)

Surface Parking

Whenever possible, surface parking should be located to the side or rear of the building. Parking areas are prohibited between the street right-of-way and the front façade of a building, provided that a regional retail use (department store, supermarket, wholesale club, warehouse retail) may have parking located adjacent to the main public entrance and exit provided that such parking is designed so as not to discourage pedestrian access to the use from other areas of the Town Center and the surface parking is laid out in general conformance with Figure 6, or the regional retail use includes a liner building on at least one side. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise, or exhaust fumes onto adjacent properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity.

All off-street parking areas shall be set back a minimum 15 feet from a right-of-way. Parking lots adjacent to street rights-of-way, excluding internal roads or driveways within easements that are not accepted by the Township as a public street, shall be screened with either a landscaped buffer or a solid wall architecturally integrated into the overall site development. Screening shall consist of a minimum three-foot high, year-round visually impervious screen, or hedge, or a three foot high wall. The height of any required screen, hedge or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.

Surface lots shall be extensively landscaped or designed with a combination of interior and perimeter landscape treatments that mitigate against the adverse visual impact, heat island effect and the generation of stormwater runoff. Tree islands are recommended at the ends of each aisle and interspersed within aisles to provide visual relief from long expanses of parking and to guide circulation. All commercial parking areas shall be broken up into sections separated by landscaped islands wide enough to incorporate a pedestrian walkway flanked by five foot minimum planting strips to support

medium sized shade trees or ornamental trees. The pedestrian walkways shall be designed into the overall pedestrian and bicycle circulation system within the Town Center

All surface parking lots of 20 spaces or more shall be designed with planting islands to facilitate vehicular circulation and sized to support shade trees, with a caliper of 2.5 inches minimum. The number and location of the planting islands shall be shown in the concept site plans submitted to the Redevelopment Entity prior to application to the Planning Board for Site Plan Approval.

Shared Access

Shared access drives shall be required, except where shared access is not available and no alternative point of access exists. Parking areas shall be interconnected by cross-access drives, and constructed in a manner that creates one fluid parking area for adjoining properties.

Wherever possible and practical, each lot shall provide cross-access easements for its parking areas and access driveways guaranteeing access to adjacent lots. Interconnections shall be logically placed and easily identifiable to ensure convenient traffic flow. In the event that a lot develops prior to the development of an adjacent lot(s), provisions for cross-access drives shall be established through cross-access easements, which shall not be utilized as parking spaces.

Pedestrian Circulation

Safe provisions for pedestrian access to and through a parking lot shall be required, including striping, enhanced pavement markings, traffic calming features and sufficient lighting in accordance with Township standards.

Bicycle Facilities

Bike racks or lockers shall be provided in close proximity to all commercial uses. Racks may be located at a store entrance or at a central location connected by pedestrian walkways but not is such a manner as to impede pedestrian flow. The equivalent of a minimum of one bike rack per store entrance is required.

On-Street Parking

On-street parking may be regulated to enable short-term parking in front of retail stores and long term parking in surface lots or partking structures. Parallel or angled parking shall be permitted along both street sides in locations deemed safe for vehicular, bicycle and pedestrian circulation by the Board Engineer.

3.7.2 Parking Calculations

Number of Spaces

The required number of parking spaces shall conform to the Residential Site Improvement Standards (RSIS), the Berkeley Township Ordinance, and the following schedule:

a. Bank: 4 per indoor teller window; plus 2 per walk-up ATM
b. Convenience Store: 1 per 250 gross sq. ft. of floor area
c. Office: No parking is required for the first 400 gross sq. ft.; 1 space per each additional 300 gross sq. ft.
d. Bed & Breakfast: 2 spaces, plus 1 per guest room or rental room
e. Restaurant: 1 parking space per three seats based on total seating capacity.
f. Fast Food: No parking is required for the first 300 sq. ft. of patron floor area, 1 space is required per each additional 75 sq. ft. of patron floor area, plus 1 per employee on the largest shift.
g. Retail, Personal Service: No parking is required for the first 350 gross sq. ft. of space devoted to sales/service; 1 space is required for each additional 300 gross sq. ft. of space devoted to sales/service, plus 1 per employee on the largest shift. Regional retail uses, such as department stores, supermarkets, wholesale clubs and warehouse retail, that contain several uses otherwise covered in this section shall count all floor space under this subsection.
h. Theatre: 1 per 4 seats
i. Indoor Amusements: 1 per 200 sq. ft. of gross floor area
j. Studios: 1 per 500 sq. ft. minimum
k. Private or Fraternal Clubs: 1 per 150 sq. ft. above the first 2,400 sq. ft.
l. Religious Institution: 1 per 5 seats
m. Government Uses, Community Center, Libraries: 1 per 850 sq. ft. of gross floor area
n. Funeral Homes: The greater of 1 per 4 seats or 1 per 50 sq. ft.
o. Gallery and Museum: 1 space per 850 sq. ft.

Required Parking Study

Each designated redeveloper or other such party responsible for the development of a property in the redevelopment area for a nonresidential development greater than 5,000 square feet shall conduct a parking study to determine the number of on-street and off-street parking spaces required to accommodate peak parking demand. In calculating peak parking demand, the designated redeveloper or other such party responsible for the development of a property in the redevelopment area shall:

a. Project the peak number of occupied parking spaces using formulas and procedures presented in the most recent edition of Parking Generation, an information report published by the Institute of Transportation Engineers (ITE).
b. Calculate the number of parking spaces needed by expanding the number of occupied parking spaces by 10% to assure a reasonable number of vacant parking spaces to permit turnover of the parking supply.
c. Identify how these parking spaces will be assured to future occupants and customers of the proposed land uses.

Each use may reduce the number of required spaces up to 100% if the requirements are met by one of the following, or a

combination of the following to meet the necessary requirements:

a. The use is located within 400 feet walking distance from an available parking facility.
b. Sufficient on-street parking is provided within a 50-foot radius of the building.
c. Shared parking meets the requirements outlined below.

Shared Parking

Shared parking shall be encouraged for all commercial parking lots and particularly for those serving mixed-use commercial and residential buildings. Where necessary, the Planning Board may permit a limited amount of parking to be reserved either for residential or specified commercial uses only; or may restrict the hours that certain spaces are to be used for residential or commercial uses only.

The designated redeveloper or other such party responsible for the development of a property in the redevelopment area seeking to satisfy its parking requirement for a Planned Development using a shared parking approach shall prepare a parking report that documents how an adequate supply of parking spaces will be provided to satisfy projected parking demand within the entire Planned Development. The report shall be prepared using procedures presented in the most recent version of the report Shared Parking, published by the Urban Land Institute. The report shall be prepared using the most current shared parking methodology published by the Urban Land Institute or the Institute of Transportation Engineers. The report may also adjust projected parking demand based on an analysis of captured parking using procedures presented in the most recent version of the Trip Generation Handbook published by the Institute of Transportation Engineers.

A captured and shared parking study and report for each Planned Development shall:

a. Calculate the projected peak parking demand for each land use that will be sharing the available parking supply using the latest edition of the ITE informational report Parking Generation.
b. Calculate the extent to which parking demand will be mitigated on the site as a result of trips captured from adjoining land uses both within and adjacent to the Planned Development and therefore occurring without the use of a vehicle.
c. Calculate the peak parking accumulation for the development, making use of shared parking procedures.
d. Expand the peak parking accumulation by 10% to determine the needed supply of parking spaces. This will assure an adequate capacity of spaces for the turnover of vehicles.
e. Determine the number of on-site parking spaces that will be supplied.
f. Determine the number of on-street parking spaces that are available to the development in accordance with procedures established by this section.

g. Determine whether any additional parking spaces will be needed to serve the development and if so how they will be supplied.

3.7.3 Loading and Service Areas

Loading and service areas shall be designed, located and arranged to be of appropriate size for the intended use; so as not to interfere with vehicular or pedestrian circulation; and to be screened from public view.

Service and loading areas must be located to the side or rear of buildings unless a more appropriate location is approved by the Planning Board. Loading docks shall not be located along primary street frontages. Screening and landscaping shall be provided to minimize direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and buffering shall be achieved through walls, fences, and landscaping. Screening shall be a minimum of six feet high and shall be visually impervious. Recesses in the building, or depressed access ramps, may be used.

Shared refuse storage facilities shall be utilized where available and practical. The storage of refuse shall be provided inside building(s) or within an outdoor area in the rear of the property, screened around the perimeter by a roofed wood enclosure; or by brick walls with a minimum height of seven feet with a gate or door. Such a wall shall be capped on the top.

No delivery, loading, trash removal or compaction, or other such operations shall be permitted in areas of the site located within 500 feet of an off-tract residential use between the hours of 9:00 p.m. and 6:00 a.m. unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level compliant with Township noise ordinances, as measured at the lot line of any adjoining property.

3.8 Provisions Related to Off-Site Improvements

The designated redeveloper or other such party responsible for the development of a property in the redevelopment area will be responsible for their fair share of any installation or upgrade of infrastructure related to their project whether on-site or off-site including improvements to Route 9. Infrastructure items include but are not limited to gas, electric, water, sanitary and storm sewers, traffic control devices, telecommunications, streets, curbs, sidewalks, street lighting and street trees.

The Township and redeveloper will work in partnership to overcome access and traffic circulation issues with the NJDOT and Ocean County Traffic Engineering agencies to enable an orderly, safe, and efficient re-routing of traffic through and around the redevelopment area. This includes working with the County to accommodate the most efficient and least disruptive extension of Western Boulevard through the NJ Pulverizing Company property.

The extent of the redeveloper's responsibility will be outlined in the redeveloper's agreement with the Township. Off-site responsibility for properties not covered under the redeveloper's agreement will be determined during the permit and/or site plan review phases.

All infrastructure improvements will comply with applicable local, state and federal codes including the Americans With Disabilities Act. All utilities will be placed underground.

3.9 Provisions Related to State and Federal Regulations

Certain activities proposed in this plan may be subject to state and federal standards, regulations and permit requirements. The redeveloper is responsible for ensuring compliance with all applicable standards and obtaining necessary state and federal permits prior to the issuance of any construction permits.

3.10 Provisions Related to Affordable Housing

The redeveloper is responsible for providing any affordable housing obligation generated by the redevelopment activities in the redevelopment area in compliance with the current or amended rules and regulations of the Council on Affordable Housing and applicable local ordinances. The base densities provide in this Plan prior to the purchase of TDR credits includes the density bonus required by COAH Third Round Rules as an incentive for affordable housing and is more than double the presumptive density prescribed by COAH.

Inventory of Affordable Housing

N.J.S.A. 40A:12A-7 requires an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms , and tenure. In response to this requirement, there are not any housing units affordable to low and moderate income households as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304) that will be removed as a result of implementation of this Redevelopment Plan.

Plan for the Provision of Affordable Replacement Housing

N.J.S.A. 40A:12A-7 requires a plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of a redevelopment plan. In response to this requirement, the implementation of this Redevelopment Plan does not result in the removal of any affordable housing unit that is subject to affordability controls.

3.11 Transfer of Development Rights

As noted in Section 2.2, the Township is preparing a TDR program that identifies the Town Center as a receiving zone. The TDR program will:

- Provide an effective and predictable incentive process for property owners to preserve lands with a public benefit; and
- Provide an efficient and streamlined administrative review process to ensure that transfers of development rights from a sending zone to a receiving zone are evaluated in a timely fashion, balanced with other Township goals and policies and recorded as a restrictive easement that ensures each participating sending site's natural resource is preserved in perpetuity.

Berkeley's TDR program will take the form of both a development transfer ordinance and an element of the Township's master plan in accordance with the Municipal Land Use Law. It is anticipated that the TDR program may enable the transfer of up to 500 residential units from the sending zones.

In order to absorb the transferred development, the maximum impervious coverage in the redevelopment area, when fully redeveloped, will likely need to exceed the 30% maximum allowed under the Land Use and Development Requirements found in this plan and in the current CAFRA regulations governing non-center areas in Planning Area 2. In order to make the TDR program viable, the Township is pursuing official center designation for the Town Center from the State Planning Commission. Designation of all or a portion of the Town Center will enable the maximum impervious coverage in the Town Center to be increased to 70% under CAFRA regulations. However, this Plan incorporates other forms of incentives for purchasing TDR credits, including height and density bonuses in the later phases of build-out.

Upon completion and final adoption of the TDR program by the Township, and designation of the Town Center by the State Planning Commission, any increase in the impervious coverage above 30% for the overall redevelopment area will be contingent upon a developer's successful purchase of development credits from the sending zones in accordance with the procedures to be set forth in Berkeley's adopted TDR Program. The details regarding the minimum number of credits to be purchased will be set forth in the redeveloper agreement, and will be based upon a PUD concept plan that is approved by the Township Council, acting as the redevelopment entity. The Township Council may refer the concept plan to the Planning Board or its Route 9 Subcommittee, and/or the Plan Endorsement Advisory Committee for review and comment.

SECTION 4. RELATIONSHIP TO THE LAND USE AND ZONING ORDINANCE

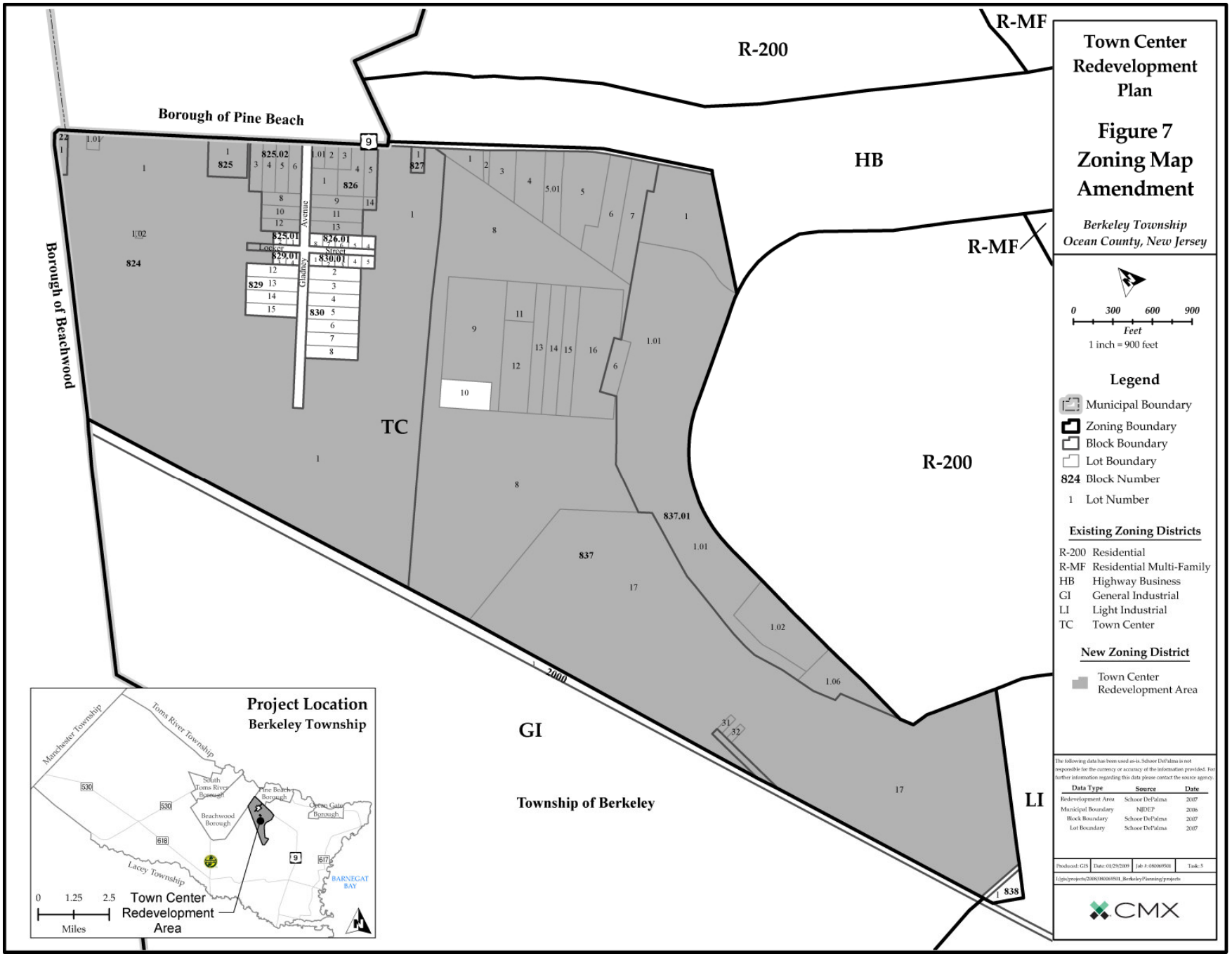
4.1 Zoning Ordinance

The standards contained within this redevelopment plan supersede any conflicting regulations in the Berkeley Township Land Development Ordinance. In the case where a particular land use or site standard is not covered in this redevelopment plan, compliance with the Berkeley Township Land Development Ordinance or other applicable Berkeley Township code or ordinance will be required.

Properties within the Town Center that are not included in the redevelopment area will continue to be governed by the existing base zoning until such time as it may be revised by the Township Council. These properties may, however, choose to comply with the standards contained in this redevelopment plan.

4.2 Map Amendment

The Zoning Map of the Township of Berkeley is hereby amended in accordance with Figure 7 to indicate the boundaries of the redevelopment area and to identify the district as the Town Center Redevelopment Area.


Town Center Redevelopment Plan
Figure 7
Zoning Map Amendment
Berkeley Township
Ocean County, New Jersey
0 300 600 900
Feet
1 inch = 900 feet
Legend
Municipal Boundary
Zoning Boundary
Block Boundary
Lot Boundary
824 Block Number
1 Lot Number
Existing Zoning Districts
R-200 Residential
R-MF Residential Multi-Family
HB Highway Business
GI General Industrial
LI Light Industrial
TC Town Center
New Zoning District
Town Center Redevelopment Area
The following data has been used as-is. Schoor DePalma is not responsible for the currency or accuracy of the information provided. For further information regarding this data please contact the source agency.
Data Type Source Date
Redevelopment Area Schoor DePalma 2007
Municipal Boundary NJDEP 2006
Block Boundary Schoor DePalma 2007
Lot Boundary Schoor DePalma 2007
Produced: GIS Date: 01/29/2009 Job #: 080069501 Task: 5
L:\gis\projects\2008\080069501_BerkeleyPlanning\projects
CMX
R-200
R-MF
HB
R-MF
R-200
TC
GI
LI
Borough of Pine Beach
Borough of Beachwood
Township of Berkeley
Gladney Avenue
Locust Street
825
825.02
826
827
825.01
826.01
829.01
830.01
829
830
824
837.01
837
838
2000
Project Location
Berkeley Township
Manchester Township
Toms River Township
South Toms River Borough
Pine Beach Borough
Ocean Gate Borough
Beachwood Borough
Lacey Township
BARNEGAT BAY
530
618
9
617
0 1.25 2.5
Miles
Town Center Redevelopment Area

SECTION 5. SIGNIFICANT RELATIONSHIPS TO OTHER PLANS

5.1 Plans of Adjacent Municipalities

Berkeley shares its municipal border with Seaside Park Borough on the Barrier Island; Ocean Gate Borough, Pine Beach Borough, Beachwood Borough, South Toms River Borough and Toms River Township to the north; Manchester Township to the west in the Pinelands; and Lacey Township to the south. Berkeley technically shares a border with a two other municipalities – Island Heights and Seaside Heights. Both borders are considered inconsequential due to the fact that Island Heights is separated from Berkeley by the Toms River, and the Seaside Heights border adjoins Pelican Island, a small bay island separated from the Berkeley mainland by Barnegat Bay.

The redevelopment area is located at the northern end of Berkeley adjacent to the Boroughs of Pine Beach and Beachwood. The 2001 Pine Beach Land Use Plan identifies the land that is adjacent to the redevelopment area along Route 9 as Highway Shopping Centers (B-1). The Berkeley Town Center Redevelopment Plan proposes complementary uses along Route 9.

Beachwood's 2000 Land Use Plan includes single family residential, school and recreational uses along the Berkeley border. The Town Center concept envisions primarily

residential uses and limited road connections along the Beachwood border.

The Town Center Redevelopment Plan will replace a blighted area with a vibrant mixed-use community that will provide new goods and services and substantial open space, all of which will provide positive regional benefits. The smart growth mixed-use principles and stringent design guidelines for the Town Center should mitigate any direct conflicts with Pine Beach or Beachwood.

5.2 Ocean County Master Plan

The Ocean County Master Plan was adopted in December 1988. The following county goals are relevant to and compatible with the Town Center Redevelopment Plan:

- Continue to provide a coordinated management program to control the spatial development of the County by directing new growth to environmentally suitable areas which can be provided with essential infrastructure and support facilities.
- Promote the provision of a broad range of housing opportunities for all income levels and household types by encouraging the maintenance or rehabilitation of the existing housing stock and through the construction of new housing units.

- Promote the development of an improved and balanced, multi-modal transportation system which integrates the highway system with bus, rail, and waterborne transport systems.
- Continue the economic development efforts of the County to reduce unemployment, provide year-round employment opportunities and enhance the tax base by encouraging compatible industrial and commercial operations to locate or expand in Ocean County.

In addition, growth areas were identified to provide an objective measure of development opportunities and constraints within the county. The redevelopment area is identified as a "maximum growth area." Growth areas were determined based on environmental features, ability to accommodate increased land use activity, growth trends, area development patterns, local zoning policies, water supply, wastewater treatment facilities, and transportation facilities (accessibility to major highways and travel distance to major commercial and shopping facilities). The development criteria associated with maximum growth areas include:

- Infill of vacant lands within existing developed areas;
- Redevelopment of existing developed areas consistent with land use and density guidelines; and
- Serviced by an existing wastewater treatment system with sufficient capacity to provide treatment for increased wastewater flows.

5.3 New Jersey State Development and Redevelopment Plan

The redevelopment area is located in the Suburban Planning Area (PA-2) on the State Plan Policy Map. The Town Center Redevelopment Plan is compatible with the State Plan's intention for the Suburban Planning Area, which is to provide for much of the state's future development; provide growth in centers and other compact forms; protect the character of existing stable communities; protect natural resources; redesign areas of sprawl; reverse the trend toward further sprawl; and revitalize cities and towns.

This plan will move Berkeley several steps forward toward the realization of one of the State Plan's major objectives – providing alternatives to sprawl by planning for and creating new "communities of place." It is the Township's intention to have the Town Center officially designated by the State Planning Commission. In addition, the plan would achieve the following State Plan goals:

- Promoting beneficial economic growth – The redevelopment area will provide a focal point for future economic activity in the Township. It is expected that a higher quality and greater diversity of goods and services will be available to residents than is currently found in the strip developments that characterize the Route 9 corridor.
- Revitalizing cities and towns – Much of this area is underutilized and contaminated and detracts from the quality of life in the community. Those conditions will be replaced with a center that will attract quality investment into the Township.

- Improving environmental quality – The extensive contamination of the soil and ground water at this site will be remediated as a result of this project. Endangered habitats, wetlands and other environmentally sensitive features on the site will be preserved.
- Ensuring cost-effective delivery of infrastructure – The State Plan offers centers as the model for cost-effective delivery of infrastructure.
- Preserving and enhancing the quality of community life – Centers provide a focal point for the community as a whole and a vibrant, human-scaled living environment for those who live and work in the center.
- Preserve and enhance areas with historic, cultural, scenic open space and recreational value – Open space will be an integral part of the redevelopment area. Existing wetlands and water features will be incorporated into the design of the center.

5.4 New Jersey Pinelands Commission

Approximately 10,310 acres in Berkeley – west of the Garden State Parkway and south of the New Jersey Central Power and Light Company right-of-way – fall under the jurisdiction of the Pinelands Commission. The Town Center is not within the Commission regulated portion of the Township (i.e., the "Pinelands Area").

SECTION 6. AMENDMENTS AND COMPLETION

6.1 Amending the Redevelopment Plan

This plan may be amended from time to time in accordance with the procedures of the Local Redevelopment and Housing Law. To the extent that any such amendment to the redevelopment plan materially affects the terms and conditions of a duly executed redevelopment agreement between a redeveloper and Berkeley Township, the provisions of the redevelopment plan amendment will be contingent upon the amendment of the redeveloper agreement to provide for the plan amendment.

6.2 Certificate of Completion and Compliance

Upon the inspection and verification by Berkeley Township 's redevelopment entity that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

The redevelopment plan will remain effective until the redevelopment area has been redeveloped and deemed no longer in need of redevelopment by the Berkeley Township Council.