

Redevelopment Plan

Block 3, Lots 2.01, 4.01, 6, 7.01 & 9.01

176 Riverside Avenue, et. al
Red Bank, New Jersey

Prepared for:

The Borough of Red Bank
Monmouth County, New Jersey

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INTRODUCTION

On May 10, 2017, the Red Bank Borough Council adopted Resolution No. 17-107 directing the Borough Planning Board to undertake a preliminary investigation to determine whether a portion of the Borough met the statutory criteria to be designated as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-3 et seq. (the “LRHL”). At the public hearing on July 17, 2017, the Planning Board recommended that the Borough Council designate the Study Area as an “Area in Need of Rehabilitation” pursuant to the LRHL. The Borough Council subsequently adopted Resolution No. 17-174 on July 26, 2017 designating the Study Area as an “Area in Need of Rehabilitation” in accordance with the Planning Board’s recommendation. Block 3, Lots 2.01, 4.01, 6, 7.01, and 9.01, which are the properties included in this Redevelopment Plan (“Redevelopment Plan” or “Plan”), were included in the delineated area that was found to meet the standard for an area in need of rehabilitation designation.

It is expected that the designation of an area in need of rehabilitation will prevent the further deterioration of an area and promote the overall development of the community. One of the tools afforded to the municipality by the LRHL to accomplish this task is the adoption of a Redevelopment Plan to govern redevelopment in the area.

This Redevelopment Plan is intended to govern the redevelopment of Block 3, Lots 2.01, 4.01, 6, 7.01, and 9.01 (referred to herein as the “Redevelopment Area”). The Plan establishes permitted land uses, bulk and area requirements, and design standards for any proposed development of the Redevelopment Area. The adoption of this plan is the first phase of a multi-step process that will establish the basic parameters for redevelopment. After the parameters for redevelopment are adopted, later phases of the redevelopment process shall include a detailed redeveloper agreement between the Borough and the designated redeveloper. In addition, the designated redeveloper(s) must prepare and submit a development application to the Planning Board where the Board will have an opportunity to review said application and ensure that the developer satisfies all applicable requirements as set forth within this Plan and any applicable additional requirements set forth within the Borough’s Ordinance.

STATUTORY REQUIREMENTS

This Plan, and the provisions herein, have been prepared pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7), which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an...area in need of rehabilitation...according to criteria set forth in section 5...as appropriate.” Pursuant to the requirements of the LRHL, this Redevelopment Plan includes an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment area sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.
- Proposed land uses and building requirements in the redevelopment area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the redevelopment area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the redevelopment area proposed to be acquired in accordance with redevelopment plan;
- Any significant relationship of the redevelopment plan to:
 - (a) The Master Plans of contiguous municipalities;
 - (b) The Master Plan of the County in which the municipality is located, and;
 - (c) The State Development and Redevelopment Plan (the “SDRP”) adopted pursuant to the “State Planning Act,” P.L. 1985, c.398 (C.52:18A-196 et al.).
- As of the date of the adoption of the resolution finding the area to be in need of redevelopment, 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.
- 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 the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited

against a prospective municipal obligation under the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on the progress in implementing the plan for the provision of comparable, affordable replacement housing required pursuant to this section.

The LRHL provides that “a redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985 c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.” Finally, the Plan is required to describe its relationship to pertinent municipal development regulations and must note whether the provisions of the Plan supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district.

DESCRIPTION OF REDEVELOPMENT AREA

The Redevelopment Area governed by this Plan is approximately 2.7 acres in area and is comprised of the following properties:

- Block 3, Lot 2.01
- Block 3, Lot 4.01
- Block 3, Lot 6
- Block 3, Lot 7.01
- Block 3, Lot 9.01

The boundaries of the lands governed by this Plan can be seen in Appendix A: *Redevelopment Area Boundaries Map*.

The Redevelopment Area is bordered by Lots 1.01 and 1.02 in Block 3 to the north, Bodman Place to the east, Riverside Avenue to the south and New Jersey State Route 35 to the west. Just north of the Redevelopment Area is the Navesink River, and the site is also less than 0.5 miles from the Red Bank Train Station and just over 0.5 miles from the downtown area.

REDEVELOPMENT PLAN OBJECTIVES AND RELATIONSHIP TO LOCAL OBJECTIVES

This Redevelopment Plan provides standards to facilitate the redevelopment of an existing single-family home converted into an office, vacant office building, and surface parking lots. The objectives of the Redevelopment Plan are as follows:

- Create a distinct sense of place at a key location along New Jersey Route 35 in the northern end of the Borough, one of the first visible sites in the Borough when entering from Middletown Township;
- Establish a contextual and attractive gateway to the Borough that contributes to the vibrancy and connectivity of the downtown area and the overall neighborhood and attracts residents and businesses to the area;
- Facilitate pedestrian access and walkability in the vicinity of Route 35, Riverside Avenue, and Bodman Place in a manner that allows for the free flow of traffic along these roadways.
- Provide for flexibility and creativity with respect to design of buildings and improvements within the Redevelopment Area while ensuring that the aesthetics of redevelopment project(s) are of a high quality and consistent with the character and history of the neighborhood and the Borough.
- Promote sustainability through environmentally conscious design, materials, and uses;
- Provide for the revitalization of the Redevelopment Area in a manner consistent with the Red Bank Borough Master Plan, Monmouth County Planning documents, and the State Development and Redevelopment Plan.

The Redevelopment Plan objectives articulated above are consistent with and seek to advance the goals of the Borough Master Plan and SDRP as discussed herein.

LAND USE PLAN

Relationship to Zoning and Land Development Regulations

In order to implement the Plan consistent with the objectives herein, the Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. Except as otherwise noted herein, this Plan shall serve as an optional overlay district on the underlying zoning regulations of the Borough including use, bulk, and design standards as they relate to the area governed by this Redevelopment Plan. Where categorically no standards are provided within this Plan, the standards found within the Borough's Planning and Development Regulations shall apply.

Applications for development may proceed either under the underlying zoning standards, or the standards found within this Plan. The developer shall have the option of the conventional underlying zoning or the redevelopment zoning, but once chosen the options cannot be altered or combined. No benefits or incentives available as per the Local Redevelopment and Housing Law (LHRL) to a redeveloper shall be available unless development occurs in accordance with the standards put forth in this Redevelopment Plan.

Land Use and Building Requirements

Permitted Principal Uses

1. Inclusionary multifamily dwellings and apartment uses;
2. Professional and administrative offices, including co-working spaces Co-working spaces shall mean an office use in which common and unassigned office space is made available on a short-term basis, including daily rates. Assigned office spaces and longer lease periods may be included in this definition so long as they are still provided access to common use space and common facilities. Long term assigned (increments greater than 1 month) office space without access to common use space and common facilities shall be considered Professional and administrative offices;;
3. Common open space and public areas including public plaza, seating areas, public art, and pocket-parks;
4. Any other use which is substantially similar to the permitted principal uses listed herein, subject to the approval of the Planning Board.

Prohibited Uses

1. Adult oriented businesses.
2. Boardinghouses and lodging houses.
3. Bulk storage.
4. Drive through facilities.
5. Fast-food establishments.
6. Gas stations.
7. Junkyards.
8. Industrial uses.
9. Massage parlors.
10. Motels.

11. Motor vehicle diagnostic and service facilities.
12. Motor vehicle repair garages.
13. Motor vehicle service stations.
14. Self-service laundry or self-service dry cleaning shops.
15. Shops which offer for sale firearms and/or ammunition.
16. Tattoo parlors/body piercing.
17. Thrift stores, secondhand, pawn and consignment shops.

Permitted Conditional Uses

The following uses are permitted as conditional uses, and shall be permitted subject to satisfying the conditions listed below:

1. Primary food service establishments.
 - a. Maximum gross floor area shall be 2,500 square feet.
2. Retail food establishments.
 - a. Maximum gross floor area shall be 2,500 square feet.
3. Public parking facilities.
 - a. Parking facilities that are constructed primarily as accessory use facilities for a principal use may be permitted to provide excess capacity within the parking facility that may be leased to third parties, or made available to the public for general parking.

Permitted Accessory Uses

1. Leasing offices associated with residential development.
2. Resident amenities for private use by residents including but not limited to: common terraces/decks/gardens, tenant storage areas, private fitness centers, swimming pools, business centers, green roofs, and interior common areas.
3. Off-street parking associated with permitted principal uses in accordance with the Off-Street Parking, Loading and Circulation Requirements outlined within this Plan.
4. Electric car charging stations.
5. Signs as regulated pursuant to §490-104.
6. Sidewalk cafes as regulated pursuant to §562.
7. Any other use that is deemed by the Planning Board or Zoning Officer to be customary, incidental, and accessory to the principal uses or structures permitted herein.

Lot, Building, and Intensity Requirements

| Standard | Requirement |
|---|------------------------|
| Minimum Project Area | 2 acres |
| Minimum Building Setback | |
| Front Yard | 9 feet |
| Side Yards: | |
| Lot 1.01 | 20 feet |
| Other side lot lines | 0 feet |
| Rear Yard | 0 feet |
| Flood Hazard Area | 20 feet |
| Maximum Building Height | 6 stories/65 feet |
| Maximum Building Coverage | 77% |
| Maximum Impervious Coverage | 90% |
| Maximum Residential Density | 70 dwelling units/acre |
| Minimum Gross Habitable Floor Area | |
| Studio Unit | 500 square feet |
| One-Bedroom Unit | 600 square feet |
| Two-Bedroom Unit | 1,000 square feet |
| Three-Bedroom Unit | 1,150 square feet |
| Maximum Floor Area Ratio (FAR) | None |

Additional Standards

1. All applications for redevelopment shall include a publicly accessible outdoor plaza, courtyard, or similar gathering space of a minimum of one thousand (1,000) square feet, located along or adjacent to a public Right-of-Way. The space shall include public seating and decorative landscaping. Any impervious surfaces devoted to a public gathering space shall be exempt from maximum coverage requirements.
2. All portions of a building which are above the 4th story shall be set back a minimum of 10 additional feet from the primary building façade.
3. Porches, stoops, or steps at building entrances may encroach into the required front yard area a maximum of five (5) feet, provided that a minimum sidewalk width of five (5) feet is maintained.
4. There shall be no limitation to the size or overall area of stoops, porches, or stairs at the ground level of a building.
5. Bay windows, balconies, overhangs, or other projections from the building façade may encroach into the required front yard area a maximum of three (3) feet, provided that a minimum clearance of twelve (12) feet above the adjacent sidewalk grade is maintained.
6. No buffer areas shall be required between the Redevelopment Area and any adjacent lots or uses.
7. No additional bulk, density, intensity, or dimensional standards shall apply to redevelopment projects other than those found in this Plan.

Off-Street Parking, Loading, and Circulation Requirements

1. Off-street parking shall be provided in a vertical parking garage or combination of vertical parking garage and surface parking lot in accordance with the provisions of §490-98 of the Borough Planning and Development Regulations and the provisions of this Redevelopment Plan. Off-street parking to serve any residential use shall be provided pursuant to the following parking ratios for the specified dwelling units:
 - a. Studio and One-Bedroom Units: 1 space per dwelling unit.
 - b. Two-Bedroom Unit: 1.7 spaces per dwelling unit.
 - c. Three-Bedroom Unit: 2 spaces per dwelling unit.
2. All non-residential uses, except primary food establishments and primary liquor service establishments, shall have a parking requirement of 1 space per 350 square feet of gross floor area. Primary food establishments and primary liquor service establishments shall have a parking requirement of 1 space per 4 seats.
3. Up to 50% of the parking requirement for any non-residential use of the property can be satisfied by on-street parking within 200 feet of the Redevelopment Area. In order to utilize on-street parking to satisfy this requirement, a redeveloper must demonstrate that parking supply is present and generally available during the hours of operation for the proposed non-residential use.
4. Vehicular access shall be provided from Bodman Place. A maximum of two (2) access driveways shall be permitted along the roadway. Vehicle entrances to internal parking garages shall not front upon Riverside Avenue or State Route 35.
5. Off-street loading shall be provided in accordance with the provisions of §490-97 of the Borough Planning and Development Regulations.
6. Any application for development shall include a detailed Traffic Impact Statement, which shall address impacts associated with the proposed project on the existing roadway network. The report shall address adequacy of service levels at access points, adequacy of existing signalized intersections, vehicular and pedestrian circulation throughout the site, and the adequacy of proposed parking and loading areas.

Sustainable Building Requirements and Permissible Density Bonuses

In order to encourage redevelopment project(s) to meet additional goals of the Borough, a developer shall be entitled to a density bonus of five (5) additional units per acre for each of the following sustainable building measures which are incorporated into the redevelopment project, up to a maximum of 20 additional dwelling units per acre:

The following sustainable building measure shall be required of all applications for redevelopment within the Redevelopment Area:

1. Demonstration that the project would meet the requirements in order to achieve a LEED (Leadership in Energy Efficient Design) Silver rating or greater. Actual certification shall not be required.

The following sustainable measures shall be considered optional, and are encouraged but not required of any redevelopment project:

2. The inclusion of a “green roof” on the top of the building. A minimum of 50 percent of the building roof area must be covered in living plant materials.
3. The inclusion of solar panels, solar site lighting, or a solar energy system into the project.
4. The inclusion of a wind energy system into the project.
5. Demonstrating that the building has been designed to use passive solar heating to decrease reliance on mechanical systems.
6. The utilization of locally sourced materials in the construction of the building. A minimum of 50% of the primary building structure materials, exterior finish materials, and interior finishes must originate within 200 miles of the Borough of Red Bank.
7. The incorporation of a gray water recycling system into the building.
8. The incorporation of a rain garden into the stormwater management system.
9. The provision of bicycle parking at a ratio of one (1) space for every three (3) residential units.
10. The provision of a shuttle to transport residents to and from the Red Bank Train Station during peak commuting hours. The transportation service must be offered for at least three (3) trips each during morning and evening commuting hours.
11. The provision of on-site car sharing services. A minimum of five (5) parking spaces provided shall be restricted for use of car-share vehicles.
12. Providing one half of one percent (0.5%) of the estimated construction costs of the building towards public art. The public art may be provided on site in an area either publicly accessible, or highly visible to the public, or at an off-site location, subject to the approval of the Planning Board and the Mayor and Council.

Design Standards

General Design Standards

Redevelopment of the Redevelopment Area shall comply with the following general design standards:

1. The design of redevelopment project(s) shall take into account the character and context of the surrounding neighborhood and streetscape. Redevelopment project(s) shall be designed in a manner that:
 - a. Utilizes materials and architectural elements that complement and are compatible with the built environment along Bodman Place and Riverside Avenue.
 - b. Distinguishes the site as a gateway into the Borough using massing, additional height and/or contrasting materials.
 - c. Places monuments, fountains, or similar structures at points of visual termination. These structures shall generally employ enhanced height, massing and architectural treatments designed to stand out.
 - d. Includes high quality, durable architectural materials.
 - e. Incorporates a complementary color palette that utilizes neutral shades. The façade finishes may incorporate bold accent colors provided that such accent colors are compatible with primary finishes and all other color selections.
 - f. Incorporates façade articulation and fenestration in a manner that is sensitive to the built environment and reduces the overall perceived mass of any building(s).
 - g. Minimize the visual impact of parking facilities, whether they be vertical parking garages, or surface parking lots.
2. Blank, or featureless walls shall be avoided.
3. Architectural elements and treatments shall be provided along all building facades to provide a visually interesting design which shall be subject to the review and approval of the Borough Planning Board.

Architectural Design Standards

1. Buildings shall be oriented so that their primary entrance faces the public street.
2. Primary exterior building wall materials shall be brick, stone, wood, stucco, metal, glass, or similar quality materials.
3. Building walls shall be consistent in quality and finish materials on all elevations visible from the public street.
4. Where a blank or featureless wall is unavoidable, it shall be decorated with a mural, green screens, or other form of public art, which is intended to create a visually attractive and pedestrian friendly streetscape.

5. Buildings which have a horizontal width of greater than 100 feet on any façade shall be designed to be visually separated into vertical segments rather than long horizontal walls.
6. No building shall have a wall with an uninterrupted length of more than 50 feet without including a change in the vertical plane of the façade. This may be achieved through any one or combination of the following:
 - a. Pilasters, bay windows, building step-backs, and other façade recesses or projections.
 - b. The step-back or projection shall be a minimum of 18 inches from the primary building façade.
 - c. The changes in the building façade plane shall occur over at least two stories of a building which is 3 stories in height or greater. For buildings less than 3 stories in height, the change may occur on only a single story.
7. Openings for windows or window panes shall have vertical dimensions greater than or equal to the horizontal dimensions.
8. Windows may be grouped to create a horizontal composition, if separated by a mullion. Their combined width shall not exceed 3 times their height.
9. Windows shall be inset into the wall cavity a minimum of 4 inches from the building face.
10. Window sills and lintels shall project a minimum of 2 inches from the building face.
11. If exterior shutters are used, they shall be sized and mounted to fit their window opening, whether or not they are actually operable.
12. Pitched roofs shall have eaves that overhang the building face by a minimum of 2 feet.
13. Buildings with flat roofs shall have a decorative cornice which projects on average a minimum of 6 inches from the building face.
14. Focal elements or architectural features on a building which serve to distinguish the site as a prominent gateway area into the Borough may be permitted to exceed building height requirements by up to 20 feet.
 - a. Such features shall not occupy more than 5% of the roof area of the building

Commercial Design Standards

1. For any food service or retail food establishment spaces, a minimum of 60% of their building façade area shall be transparent glazing.
2. No more than 20 percent of the glazed area may be blocked by interior furnishings, advertisements, or paper signs.
3. The maximum height of the storefront sill above the sidewalk shall be 3 feet.

4. Commercial tenant spaces in a building shall be designed to incorporate a designated signage band above the storefront area.
5. Outdoor dining is permitted within the sidewalk area in front of restaurants or cafes.
 - a. Where outdoor dining is proposed, a minimum effective sidewalk of 5 feet in width shall be maintained to allow for pedestrian movement.
 - b. Tables and chairs for outdoor dining must be located immediately in front of, or within 30 feet of the establishment which is serving the food.
 - c. Restaurants shall provide for their own disposal of waste and recycling materials.

Landscaping & Fence Design Standards

1. All areas on a site not used for buildings, sidewalks, pavement or other circulation shall be landscaped with plantings that are intended to complement the design of the building and other site improvements.
2. Where foundations on a principal building are exposed, they shall be screened by decorative landscaping.
3. Garden walls shall be constructed of the same material as the first floor of the principal building.
4. Garden walls shall be a minimum of 24 inches in height, and a maximum of 36 inches in height.
5. A landscape or decorative paver strip of at least 4 feet in width shall be placed between the curb and the sidewalk.
6. Street trees shall be placed within the landscape or decorative paver strip at a maximum of 40 feet apart.
7. Street trees shall be deciduous shade trees that are a species native to the Jersey shore area and suitable for an urban environment.
8. Street trees shall be a minimum of 2.5 inches in caliper and have a minimum branch height of 6 feet above the sidewalk at the time of planting.
9. Residential setback areas shall be enclosed by a garden wall or other landscaping.
10. Street furniture such as benches or planters are encouraged.
11. All benches, planters, or other landscaping shall be located so as to not hinder or interfere with pedestrian traffic.
12. Chain link fences are not permitted.
13. Fences in a front yard area shall be visually open and have a maximum height of 4 feet.
14. Fences in a side or rear yard area shall have a maximum height of 6 feet.

Circulation Design Standards

1. Loading and service areas shall be located to the side or rear of the principal building, and screened from public view to the extent feasible.
2. Parking lots or structured parking shall be screened from public view to the maximum extent feasible.
3. Structured parking shall be designed to be complementary to the design of the principal building.
4. Access to parking lots or structured parking shall be designed to minimize conflicts with pedestrian traffic.
5. Public sidewalks with a minimum width of 5 feet shall be provided along the frontage of all streets.
6. Sidewalks shall be provided between the public sidewalk and the entrances to buildings.
7. Crosswalks shall function as an extension of the sidewalk, and include appropriate ADA accessible curb ramps.

Mechanical Equipment and Utilities

1. Efforts shall be made to make utilities and mechanical equipment as visually unobtrusive as possible.
2. Where feasible, utilities shall be located underground.
3. Mechanical equipment such as HVAC, emergency generators, and other such equipment shall be located to the side or rear of a principal building, or on the roof, and shall be screened from public view.
4. Utilities meters shall be located internally, or to the side or rear of the principal building, and shall be screened from public view.
5. All trash, recycling, and storage of refuse shall be fully enclosed within the proposed building(s), except that staging shall be allowed in designated areas outside on pick up days.
6. Permanent outside storage of trash, recycling, or other refuse shall be prohibited.
7. Trash and recycling receptacles for public use shall be located at intersections of high pedestrian traffic.

Additional Design Standards

1. Up to two (2) development identification signs are permitted, provided that said signs are consistent with the overall character of the development.
2. Any signage for a non-residential use in the Redevelopment Area shall conform to the standards for W1 or W2 signs as set forth in §490 Attachment 1 – Schedule A, Sign Regulations.
3. Directional and safety signage shall be provided in accordance with applicable standards to ensure ease and safety of vehicular and pedestrian circulation throughout the site.

4. All lighting within the Redevelopment Area shall be provided in accordance with the applicable provisions of the Borough Planning and Development Regulations and shall be subject to the compliance approval of the Board Engineer.

PLANNING RELATIONSHIP

Red Bank Borough Master Plan

Pursuant to the LRHL, “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.” (N.J.S.A. 40A:12A-7d).

The Borough’s most recent Master Plan was adopted in 1995. The Borough Planning Board subsequently adopted Master Plan Reexamination Reports in 2002, 2008, and 2009. The Borough adopted its most recent Housing Plan Element and Fair Share Plan in 2010.

The 1995 Master Plan established several goals pertaining to the development and redevelopment of the Borough including:

- Develop in higher density mixed-use centers that accommodate the varied housing types, employment, retail and support services, the use of alternative modes of transportation; and
- As part of the larger goal of expanding the commercial tax base, the Downtown should grow and thrive. Development should be encouraged, historic structures and areas should be protected, and a true mix of uses that includes a variety of residences should occur.

The Master Plan Reexamination Reports prepared and adopted subsequent to the 1995 Master Plan recognize that the objectives and policies of the 1995 Master Plan continue to remain appropriate. The 2002 Master Plan Reexamination Report noted that “insufficient parking continues to be a problem” and that “Heightened emphasis on providing adequate parking and improved traffic flow is an important issue to focus on as the Borough moves forward.” Indeed, all of the Borough’s Master Plan Reexamination Reports note the Borough’s land use boards have been reluctant to approve applications where adequate parking is not provided.

This Redevelopment Plan sets forth standards that will facilitate the construction of a mixed use inclusionary multifamily development that provides adequate parking to serve any residential or nonresidential component that may be developed as part of any redevelopment project(s). This Redevelopment Plan provides standards that will contribute to the growth of the Borough’s Downtown and provide a true mix of uses. This Redevelopment Plan also contains requirements ensuring the provision of an affordable housing component to the project. With this in mind, the Redevelopment Plan and standards herein are substantially consistent with the Borough Master Plan and will effectuate the goals and objectives of the Master Plan.

Contiguous Municipalities

Red Bank Borough is bordered by the Navesink River and Middletown Township to the north and west, the Borough of Fair Haven to the east, and the Boroughs of Little Silver, Shrewsbury, and Tinton Falls to the south. While the Redevelopment Area is proximate to the Borough’s northwesterly border with Middletown Township, the Navesink River separates the Redevelopment Area from developed portions of Middletown, and thus will have a negligible

effect on the Master Plan of Middletown Township and the other municipalities bordering Red Bank Borough.

Monmouth County

The Monmouth County Master Plan was adopted by the County Planning Board on October 17, 2016. The Master Plan establishes three overarching goals for development in Monmouth County, each with various principles and objectives to guide planning efforts. This Redevelopment Plan and the goals and objectives established herein serve to further the objectives of Goal #3 (“Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay”) of the Monmouth County Master Plan:

- Encourage a range of housing options including types, sizes, styles, and accommodations to meet the needs associated with various lifestyles, life-stages, abilities, and occupations of residents while supporting economic sustainability within the region.
- Encourage the redevelopment and revitalization of highway commercial corridors that incorporate multi-purpose uses, higher design standards, are located outside Special Flood Hazard Areas (SFHA), and improve circulation both on and off-site.
- Promote vibrancy, attractiveness, and a diverse array of uses, occupations, services, and amenities for downtowns and business districts.
- Encourage regional and local arts/cultural planning initiatives and support creative placemaking efforts that attract innovative ideas, community involvement, entrepreneurial talent, and new businesses to a community.
- Promote in-fill development and the adaptive reuse of substandard, underutilized, or abandoned structures that complement or improve adjacent land uses and support or enhance neighborhood character resulting in healthier places to live, work, learn, and recreate.
- Promote the development and use of design standards that reinforce neighborhood character and improve the appearance and appeal of special improvement districts, commercial districts and corridors, and redevelopment areas.
- Encourage housing development in locations that provide access to various modes of travel that could reduce automobile dependency.

The Redevelopment Plan promotes the continued revitalization and enhancement of a portion of the Borough that has been designated an area in need of rehabilitation and serves to promote the Borough’s easily accessible, compact, and varied core, which contains a robust mix of uses. This Redevelopment Plan establishes standards that permit the development of inclusionary multifamily residential uses that will serve to diversify the housing stock and opportunity for housing within the Borough. The Redevelopment Area is bordered by a State Route and serves as one of the gateways to the Borough, thus promoting placemaking along a visible corridor. Furthermore, the Redevelopment Area is located less than 0.5 miles from the Red Bank Train Station, which provides access to local and regional transit options via bus and rail. The

redevelopment of the Redevelopment Area serves to promote the use of public transit while capitalizing on the walkability of the Borough.

Coastal Monmouth Plan

The Coastal Monmouth Plan, prepared by the Monmouth County Planning Department in 2007 and revised in 2010, recognizes Red Bank as a Regional Center in accordance with the designation of the Office of Smart Growth, Department of Community Affairs. The Coastal Monmouth Plan also recognizes that the Borough's population will continue to grow at a substantial rate. This Redevelopment Plan provides provisions to:

- Encourage the development of housing to accommodate the Borough's anticipated population growth; and
- Enhance the mix of uses contained within the Borough's mixed-use center.

Therefore, this Redevelopment Plan is consistent with the provisions of the Coastal Monmouth Plan.

State Development and Redevelopment Plan

The State Plan Policy Map and State Development and Redevelopment Plan (SDRP) classify all of Red Bank Borough as a Metropolitan Planning Area (PA-1). According to the State Plan, the Metropolitan Planning Area is intended to provide for much of the state's future development and redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities. Further, the SDRP envisions the Metropolitan Planning Area as an area to promote compact development forms and protect natural resources.

The Redevelopment Area is located in an existing urbanized area characteristic of the Metropolitan Planning Area. Existing infrastructure is readily available to serve the Redevelopment Area and the Redevelopment Area is located proximate to a wealth of transportation choices.

The goals, objectives, and provisions of this Redevelopment Plan are intended to guide the redevelopment of the Redevelopment Area in a manner consistent with the State Plan policies established for the Metropolitan Planning Area. The Plan serves to promote growth in compact forms. Redeveloping the Redevelopment Area will also serve to expand housing to attract a balanced residential population in a manner consistent with the traditional urban fabric.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Acquisition and Relocation

The Redevelopment Area governed by this Redevelopment Plan is an Area in Need of Rehabilitation and does not confer any condemnation power to the municipality. The Redevelopment Area does not currently contain any residential uses. Therefore, provisions related to acquisition and relocation assistance are not required. In the event that it is determined that relocation assistance is necessary, the Borough will provide the appropriate relocation assistance pursuant to applicable State and Federal law as necessary.

Inventory and Replacement of Affordable Housing

The Redevelopment Area governed by this Redevelopment Plan contains no 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). No affordable units will be removed as a result of implementation of this Redevelopment Plan. The provision of any newly required affordable housing shall be included in the redevelopment agreement(s) entered into by the Borough and the designated redeveloper(s).

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. Any proposed changes in permitted uses, the land use plan, building height, or other core design concepts of this Plan shall require notice and public hearings in a manner similar to the adoption of the original Plan.

Redevelopment Powers

The Borough may also use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this Plan, except that the use of eminent domain shall be prohibited. The Borough may enter into agreements with a designated redeveloper(s) in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the designated Redevelopment Area that it owns or may acquire via means other than eminent domain. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or developers in connection with the implementation of the Redevelopment Plan.

Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Borough Council and shall be in effect until the

redevelopment of the Redevelopment Area is completed as evidenced by the issuance by the Borough of a certificate of project completion in accordance with the Redevelopment Plan.

REDEVELOPER OBLIGATIONS

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a designated redeveloper. The following restrictions and controls on redevelopment shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

- The redeveloper will be obligated to carry out the specified improvements in accordance with this Redevelopment Plan.
- The redeveloper, its successors or assignees shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.
- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.
- The redevelopment agreement(s) shall contain provisions to assure that the redeveloper provides a good faith effort to pay a fair share towards, and cooperate in seeking any necessary outside agency approvals in connection with off-site transportation improvements.

AFFORDABLE HOUSING REQUIREMENTS

The redeveloper shall provide for an affordable housing component to the project so as to contribute towards the Borough's constitutional fair share obligation through any lawful mechanism recognized by the Fair Housing Act and the Council on Affordable Housing's implementing regulations as agreed upon by the Borough. Compliance with this requirement shall be included in any redevelopment agreement(s) entered into by the Borough and the designated redeveloper(s).

PLANNING BOARD REVIEW PROCESS

Pursuant to N.J.S.A. 40A:12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the redevelopment area:

- No building or zoning permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan without prior review and approval of the work by the Borough Council and the Planning Board.
- Regular maintenance and minor repair shall not require Planning Board review and approval.
- Where any change of tenancy or site alteration is proposed which would not require subdivision or site plan approval as per the Borough's Planning and Development Regulations, or would not result in a change in the intensity of the development, review of the proposed change by the Planning Board shall not be required and a building or zoning permit may be issued by the construction or zoning official.
- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55D-1 et seq. and the Borough Planning and Development Regulations.
- As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Borough Planning and Development Regulations. The performance guarantees shall be in favor of the Borough of Red Bank, and the Borough Engineer shall determine the amount of any performance guarantees.
- Any subdivision of lots or parcels of land within the Redevelopment Area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the Local Redevelopment and Housing Law and N.J.S.A. 40:55D-1 et seq.
- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."
- The Planning Board may grant "C" variances, exceptions or waivers from design standards from the requirements for site plan or subdivision approval. Any exceptions or waivers granted shall be reasonable within the general purposes and intent of the provisions for site plan review and/or subdivision approval within this Redevelopment Plan. No deviations may be granted under the terms of this section unless such deviations can be granted

without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan or the Borough Master Plan.

- No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Redevelopment Plan that results in a “D” variance, pursuant to N.J.S.A. 40:55D-70d, may only be addressed as an amendment to the Redevelopment Plan by the Borough Council rather than via variance relief through the Borough Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.
- Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Red Bank Planning and Development Regulations and Borough Zoning Map.
- Unless otherwise defined in the Redevelopment Plan, terms used in this Redevelopment Plan shall have the same meaning as defined in the Borough Planning and Development Regulations.
- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
- The extent of the redeveloper’s responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution thereto, shall, whether on-site or off-site, be subject to a redevelopment agreement with the Borough of Red Bank, as the municipal redevelopment agency.
- Any and all definitions contained within this Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Borough Planning and Development Regulations shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be considered invalid.
- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough Ordinance and State law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

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

AMENDMENT TO ZONING MAP AND DEVELOPMENT REGULATIONS

The Borough Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area in its entirety. Additionally, the listing of zoning districts in the Borough of Red Bank Planning and Development Regulations is hereby amended to include a reference to this Redevelopment Plan constituting such overlay zoning district.

Where specifically provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the Planning and Development Regulations of the Borough of Red Bank. In all other instances, the Borough Planning and Development Regulations shall remain in full force and effect.

OTHER PROVISIONS

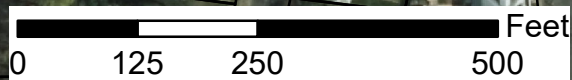
In accordance with the LRHL, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan does not permit or require the acquisition of privately-owned property.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Red Bank. The Plan also advances the goals and objectives of the New Jersey State Development and Redevelopment Plan.

Non-Discrimination Provisions

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Borough Council or by a redeveloper or any of its successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the redeveloper, upon the basis of race, creed, color, sexual orientation, or national origin in the sale, lease, use, or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use on the basis of race, creed, color or national origin.

Appendix A: Redevelopment Area Boundaries



Redevelopment
Area Aerial Map

Red Bank Borough
Monmouth County
New Jersey

Legend

- Redevelopment Area
- Red Bank Parcels

Source: NJGIN



CONSULTING & MUNICIPAL ENGINEERS

3141 BORDENTOWN AVENUE, PARLIN, N.J. 08859
1460 ROUTE 9 SOUTH HOWELL, N.J. 07731
3759 ROUTE 1 SOUTH SUITE 100, MONMOUTH JUNCTION, NJ 08852
ONE MARKET STREET SUITE 1F, CAMDEN, NJ 08102

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| DATE | SCALE | LAST REVISED | CREATED BY |
|-----------|-------------------|--------------|------------|
| 6/28/2018 | 1 inch = 200 feet | 6/29/2018 | AM |