TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #12-1

AN ORDINANCE ADOPTING A "REDEVELOPMENT PLAN" FOR AN AREA IN NEED OF REDEVELOPMENT INCLUDING BLOCK 16.02/LOT 41 FORMERLY OCCUPIED BY THE YALE MATERIAL HANDLING CORPORATION MANUFACTURING FACILITY IN ACCORDANCE WITH N.J.S.A. 40A:12A-7. AND AMENDMENTS AND SUPPLEMENTS TO TITLE 16 OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN" WITH SPECIFIC REFERENCES TO EXISTING SECTION 16.22.010, "ESTABLISHMENT OF ZONES", TO EXISTING SECTION 16.22.020, "ZONING MAP", AND TO A NEW SECTION 16.28C WHICH INCLUDES ZONING PROVISIONS FOR A NEW "RJR" RARITAN JUNCTION REDEVELOPMENT DISTRICT GOVERNING THE DEVELOPMENT OF A "RARITAN JUNCTION REDEVELOPMENT PLAN"

WHEREAS, on September 7, 2010, the Township Committee of the Township of Raritan adopted Resolution No. 10-142 which authorized the Township of Raritan Planning Board to undertake a preliminary investigation to determine whether or not certain lands should be designated as an "Area In Need Of Redevelopment" in accordance with N.J.S.A. 40A:12A-1, et seq.(the "Redevelopment Law"); and

WHEREAS, more particularly, the lands considered by the Township Committee to be the subject of the preliminary investigation by the Planning Board included Tax Block 16.02/Lots 41, 42, 44, 45, 46, 47, 48 & 49 (the "Study Area"). Lot 41 contains approximately 44.61 acres and is the property previously used by Yale Materials Handling Corporation Manufacturing Facility (a.k.a. the "Yale Property"); and

WHEREAS, the preliminary investigation "Study Area" is bounded by Route 31, Walter E. Foran Boulevard (County Route 523) and Junction Road. To the north of the Study Area is the "Raritan Town Square" mixed-use development; to the southeast of the Study Area is the Hunterdon Central Regional High School, single-family detached dwellings and a light industrial/auto-related use; and to the west of the Study Area is the State Route 31 highway with a mixture of residences, offices, a garden center and nonconforming lots fronting thereon; and

WHEREAS, the Study Area consists of an abandoned and obsolete manufacturing facility (the Yale Property) of approximately 328,136 square feet and a recreational area which are separated from the lots and uses fronting on Route 31 by environmentally sensitive lands, a power line easement, and steeply sloped lands; and

WHEREAS, during November 2010, the Planning Board received a report, dated November 4, 2010, prepared by the Township Planner, Jamie Sunyak, PP, AICP, entitled "Preliminary Investigation for Determination of An Area in Need of Redevelopment for the Study Area Identified within: Block 16.02/Lots 41, 42, 44, 45, 46, 47, 48 & 49" (the "Report"); and

WHEREAS, the Report included a map depicting the Study Area and addressed whether any or all of the lots included in the Study Area were in need of redevelopment; and

WHEREAS, on November 22, 2010, the Planning Board reviewed the Report, heard testimony from the Township Planner, accepted the Report into evidence, and conducted a public hearing during which members of the general public were given the opportunity to present their own evidence, cross-examine the Township Planner and/or address questions to the Planning Board and its representative regarding the potential designation of any or all of the lots included in the Study Area and whether or not they were in need of redevelopment; and

WHEREAS, members of the public did in fact present their own testimony and address questions and comments to members of the Planning Board and to the Planning Board's representatives concerning the inclusion of any or all of the lots included in the Study Area within the identified area that is in need of redevelopment; and

WHEREAS, after the conclusion of the public hearing described above, the Planning Board adopted, on December 13, 2010, Resolution No. 29-2010 (the "Board Resolution") finding and concluding that only Block 14.02/ Lot 41 (the Yale Property with 44.61 acres) of the Study Area should be designated as an area in need of redevelopment pursuant to the Redevelopment Law, and that the remaining properties included within the Study Area were not found to be consistent with the redevelopment criteria pursuant to the Redevelopment Law; and

WHEREAS, the Township Committee subsequently agreed with the recommendation of the Planning Board that only Block 16.02/ Lot 41 be designated as an area in need of redevelopment pursuant to Redevelopment Law; and

WHEREAS, on December 21, 2010, the Township Committee adopted Resolution No. 10-233 which designated only Block 16.02/Lot 41 as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6 of the Redevelopment Law and directed the Planning Board to prepare a Redevelopment Plan for Block 16.02/Lot 41 pursuant to N.J.S.A. 40A:12A-7.f. of the Redevelopment Law; and

WHEREAS, the Commissioner of the State Department of Community Affairs has approved the designation of Block 16.02/Lot 41 as an "Area In Need Of Redevelopment".

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, in the County of Hunterdon and the State of New Jersey, that a "Raritan Junction Redevelopment Plan" (the "Redevelopment Plan") be adopted, as follows, in accordance with N.J.S.A. 40A:12A-7. of the Redevelopment Law and that, as part of the Redevelopment Plan, the "I-2" Major Industrial Zone provisions of Title 16 of the "Revised General Ordinances of the Township of Raritan" currently applicable to Block 16.02/Lot 41 shall be superseded as follows:

SECTION 1. OBJECTIVES OF THE "REDEVELOPMENT PLAN":

In accordance with N.J.S.A. 40A:12A-7.a.(1) of the Redevelopment Law, the "Raritan Junction Redevelopment Plan" (the "Redevelopment Plan") is intended to implement the local objectives of the Township regarding appropriate land uses, density of population, and improved traffic transportation, public utilities, recreational and community facilities and other public improvements. As discussed below, there are three (3) particular development objectives which are proposed to be accomplished with the "Raritan Junction Redevelopment Plan":

1. **Promotion Of Smart Growth Planning Principles & Objectives:**
   a. The subject site presents Raritan Township with an exceptional opportunity to promote smart growth principles and objectives.

b. The site offers an excellent opportunity to remediate and redevelop an existing brownfield site with an abandoned and obsolete industrial building by creating a neighborhood town center offering retail, employment, residential and recreational components, both unto itself and in conjunction with existing neighboring land uses.

c. Design strategies are to target both social and environmental objectives, with particular emphasis placed on creating a vibrant and sustainable community by creating a mixed use development for work, shopping, recreation, and living on a site with existing water and sewer infrastructure in place.

d. In order to help insure that the redevelopment of the site will promote smart growth planning principles and objectives, a November 11, 2011 "Conceptual Site Plan Exhibit" (the "Conceptual Plan") for the "Raritan Junction Redevelopment Plan" has been prepared by Menlo Engineering Associates, Inc. and appears on the following page of this Redevelopment Plan.

e. The proposed Conceptual Plan provides for a large box, single user retail store to complement the existing Lowe's and Wal-Mart large box stores and the smaller retail uses and offices in the "Raritan Town Square", which is directly across the street (Walter E. Foran Boulevard/County Route 532) from the site to the north. The proposed anchor store, along with smaller retail stores, residential land uses, active recreation areas and connecting walkways and bikeways in the "Raritan Junction Redevelopment Plan", will provide a sense of place for the community in conjunction with the existing "Raritan Township Center" and the school complex.

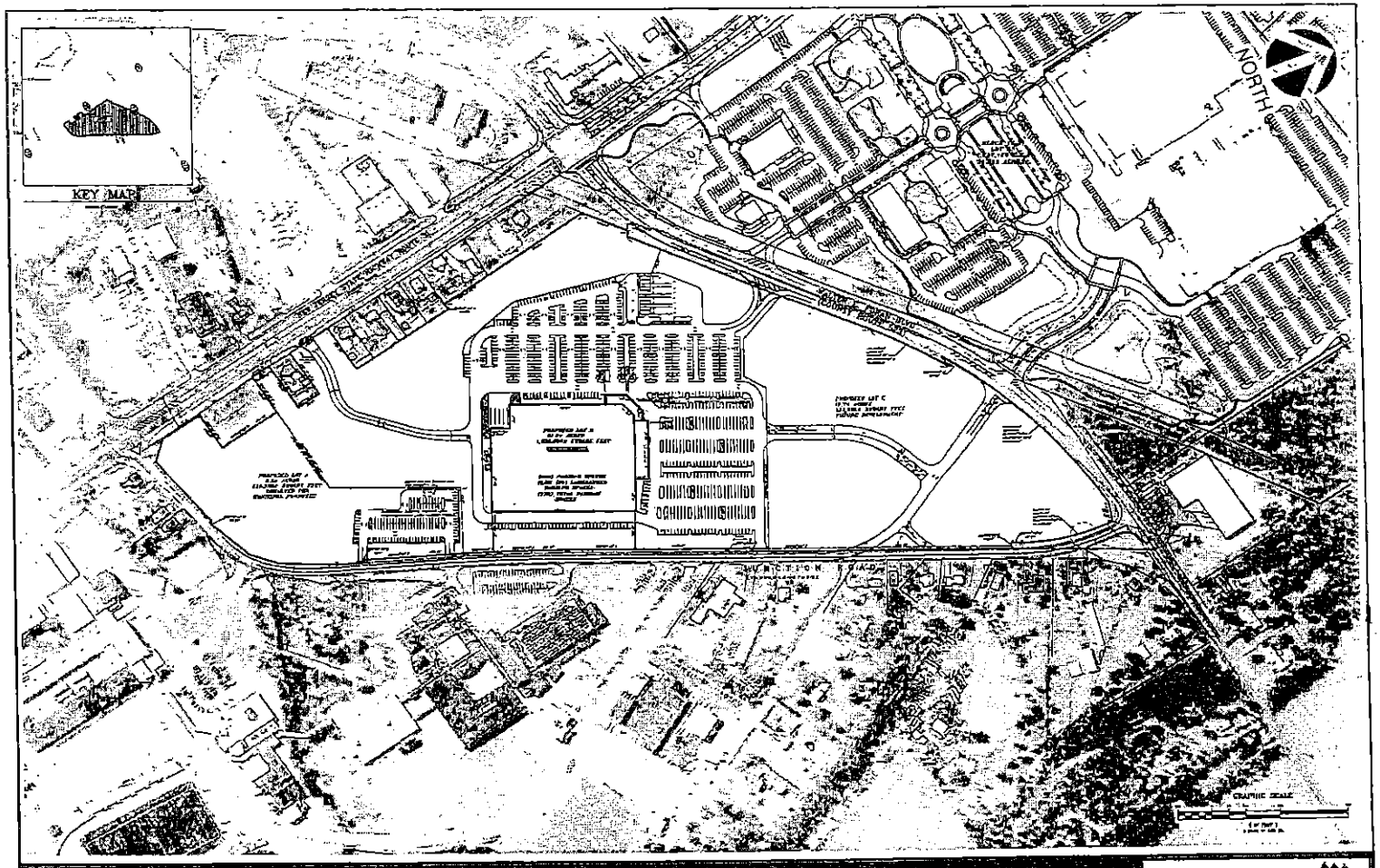
2. **Promotion Of Improved Traffic Circulation:**

a. The Township Master Plan recommends improvements to the traffic circulation within and near the subject site.

b. Therefore, the proposed Conceptual Plan endeavors to improve prevalent traffic problems in the vicinity of the site by redirecting traffic, including school buses, to a new signalized intersection at Walter E. Foran Boulevard.

c. Related to the new signalized intersection and in order to address an unsatisfactory road alignment at the existing intersection of Junction Road with Walter E. Foran Boulevard at the northern end of the site, the Conceptual Plan proposes the elimination of the existing intersection and the realignment of Junction Road to pass through the site to the new signalized intersection at Walter E. Foran Boulevard.

d. The existing portion of Junction Road beyond its realignment to the new signalized intersection will end in a cul-de-sac, thereby significantly lessening traffic volumes along that portion of the roadway, while still enabling all properties and land uses to have access to the realigned Junction Road and both Route 31 and Walter E. Foran Boulevard.



RARITAN JUNCTION

CONCEPTUAL SITE PLAN EXHIBIT

11/11/11

menlo engineering associates

3. **Provision Of Integrated Open Spaces:**
   a. In accordance with the recommendations of the Planning Board, an important aspect of the Conceptual Plan is the dedication of lands to the Township to be used for municipal purposes.
   b. The land area to be dedicated to the Township has been used by the Board of Education for informal practice fields and includes vehicle parking within an existing 125 space parking lot on the property.
   c. In addition to the fields and parking lot, the lands to be dedicated to the Township contain some environmentally sensitive areas, including freshwater wetlands and steep slopes, which will be preserved as passive open space or as conservation easements.
   d. Therefore, the dedication of the land area to the Township affords the opportunity for both active and passive public recreational uses.

SECTION 2. PROVISIONS FOR RELOCATED EXISTING RESIDENTS:

1. In response to N.J.S.A. 40A:12A-7.a.(3) of the Redevelopment Law, it is noted that the currently designated Redevelopment Area (Block 16.02/Lot 41) does not contain any residences.
2. Therefore, there will be no need to relocate any residents in order to construct the "Raritan Junction Redevelopment Plan".

SECTION 3. PROPERTY IN REDEVELOPMENT AREA TO BE ACQUIRED:

1. In response to N.J.S.A. 40A:12A-7.a.(4) of the Redevelopment Law, it is noted that the currently designated Redevelopment Area, consisting of Block 16.02/Lot 41, is under the control of Garden Commercial Properties, the developer of the proposed "Raritan Junction Redevelopment Plan".
2. No other property is necessary for acquisition by the developer for the development of the proposed "Raritan Junction Redevelopment Plan"; however, additional property along Route 31 may be acquired by the developer for ease of providing vehicular access directly to the State highway.
3. The Township shall not use the power of eminent domain in connection with the Raritan Junction Redevelopment Plan.

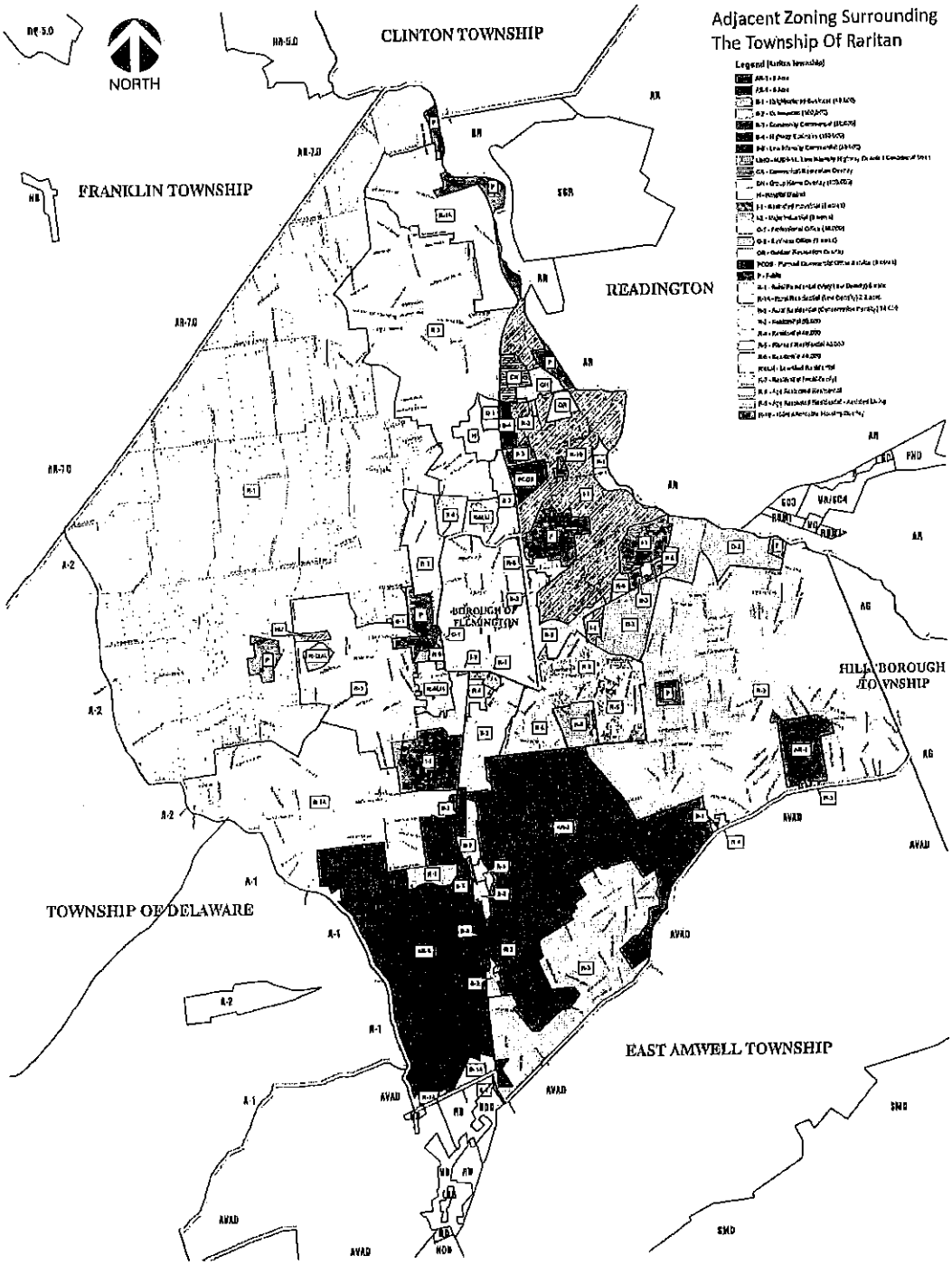
SECTION 4. RELATIONSHIP TO PLANS OF OTHER JURISDICTIONS AND TO THE MASTER PLANS OF CONTIGUOUS MUNICIPALITIES, COUNTIES AND/OR STATE:

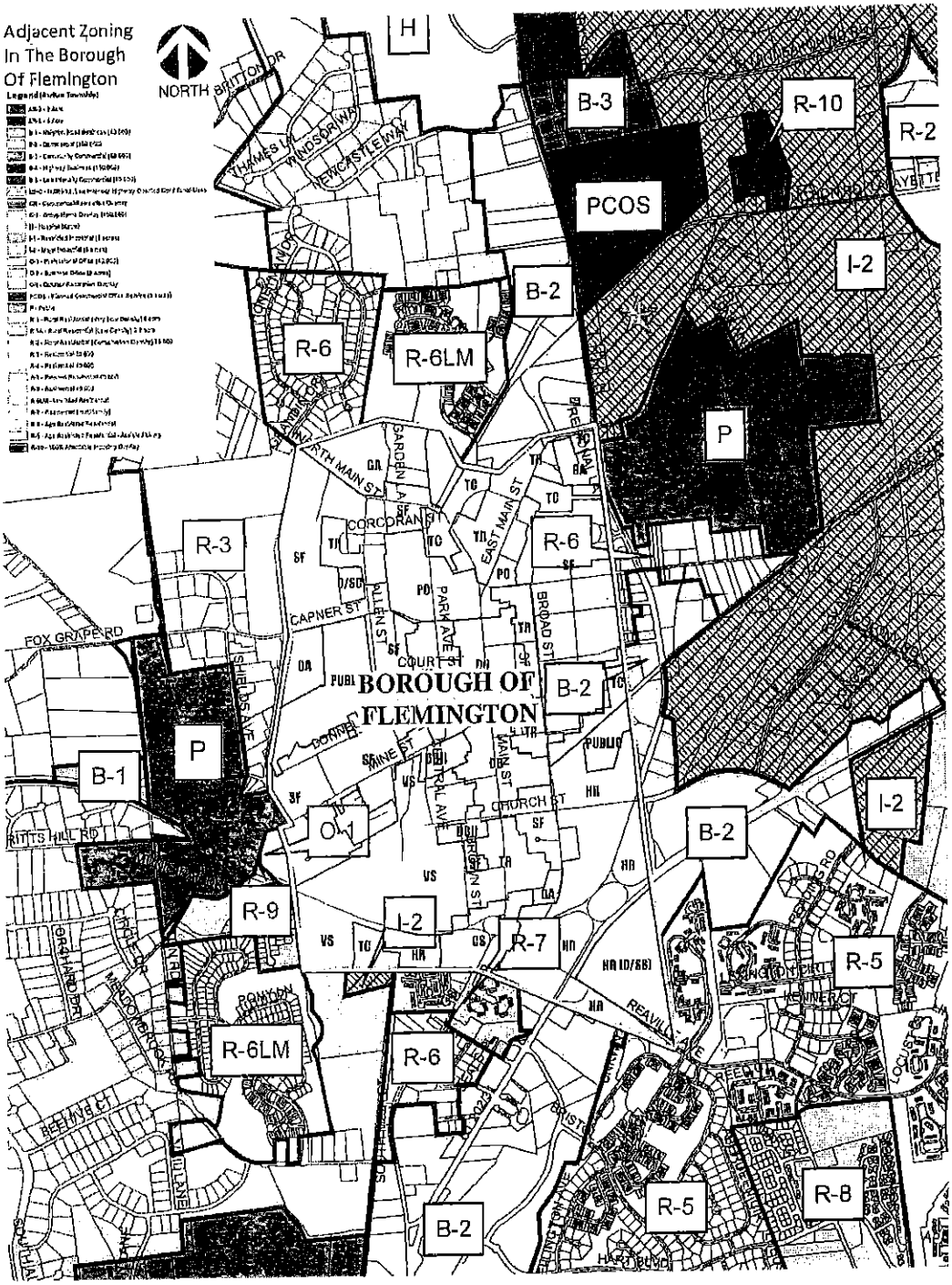
Consistent with the requirements of N.J.S.A. 40A:12A-7.a.(4) of the Redevelopment Law, this "Raritan Junction Redevelopment Plan" (the "Redevelopment Plan") includes the following to indicate any significant relationship of the proposed Redevelopment Plan to the master plans of contiguous municipalities, to the master plan of Hunterdon County, and to the "State

Development And Redevelopment Plan" adopted pursuant to the "State Planning Act", P.L.1985, c.398 (C.52:18A-196 et seq.):

1. **Adjacent Municipalities:**

The two (2) maps on the following pages of this Redevelopment Plan, respectfully entitled "Adjacent Zoning Surrounding The Township Of Raritan" and "Adjacent Zoning In The Borough Of Flemington", indicate the general location of the existing zoning districts abutting the Township within the seven (7) municipalities neighboring the Township as herein discussed.


Adjacent Zoning Surrounding
The Township Of Raritan
NORTH
CLINTON TOWNSHIP
FRANKLIN TOWNSHIP
READINGTON
BOROUGH OF FLEMINGTON
HILLSBOROUGH TOWNSHIP
TOWNSHIP OF DELAWARE
EAST AMWELL TOWNSHIP


Adjacent Zoning
In The Borough
Of Flemington
NORTH
H
B-3
R-10
R-2
PCOS
I-2
B-2
R-6
R-6LM
P
R-3
R-6
BOROUGH OF
FLEMINGTON
B-2
P
B-1
O-1
I-2
B-2
R-9
I-2
R-7
R-5
R-6LM
R-6
R-5
R-8
B-2

a. Clinton Township, Hunterdon County:

1) The northerly tip of Raritan Township is adjacent to a small area of Clinton Township; the two (2) municipalities share a boundary of roughly 6,000 linear feet.

2) The Master Plan of Clinton Township, as noted in the latest Land Use Element dated March 14, 2006, shows two (2) land use planning designations for lands abutting the Raritan Township: "RR-4" Rural Residential and "RC" Rural Conservation.

3) Because of a general lack of ground water, these land areas were recommended for very sparse development.

4) The Clinton Township Master Plan recommends a density of 0.25 du/acre for the "RR-4" lands, and a density of 0.11 du/acre for the "RC" lands.

5) The Master Plan recommendations are the adopted zoning districts on the Clinton Township Zoning Map and permit single-family detached dwellings, agricultural uses, and municipal uses and facilities.

6) Permitted conditional uses include churches, public and private schools, assisted living facilities, residential camps and conference facilities.

7) Cluster developments and lot averaging also are permitted.

8) Because the site for the proposed Redevelopment Plan in Raritan Township is approximately 5 miles south of Clinton Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Clinton Township.

b. Franklin Township, Hunterdon County:

1) Franklin Township is adjacent to the northwest boundary of Raritan Township; its boundary with the Township is approximately 5.25 miles in length.

2) The Land Use Plan Element portion of the Franklin Township 1995 Master Plan designates the entire area along the Raritan Township boundary as "AR 7.0"; the 1995 Master Plan also states that, because of a scarcity of groundwater resources, only low density development should be permitted on the "AR 7.0" lands.

3) No changes to the recommendations of the Franklin Township 1995 Master Plan were mentioned in the 1998 and 2004 amendments to the Land Use Plan Element, and no mention of any recommended change was included in the 2003 Reexamination Report.

4) Therefore, the Franklin Township 2009 Land Use Ordinance appropriately shows the same land area recommended in the 1995 Master Plan to be zoned "AR 7.0" Agricultural-Residential.

5) Single-family detached dwellings are permitted at a density of 1 du/7 acres. Other permitted uses are farms, affordable housing, home occupations, family day care centers, municipal facilities, and golf courses with a clubhouse.

6) Permitted conditional uses include public schools and churches, 2-dwelling conversions, accessory apartments, and "Elder Cottage Housing Opportunities", commonly referred to as ECHO housing.

7) Because the site of the proposed Redevelopment Plan in the Township is approximately 3.5 miles from Franklin Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Franklin Township.

8) Moreover, given the location of County Routes 617 and 612, easy access to the subject site in the Township by residents of Franklin Township is provided.

c. <u>Readington Township, Hunterdon County:</u>

1) Readington Township is located along the northeastern boundary of the Township; the boundary between the two (2) municipalities is the south branch of the Raritan River which extends for approximately 7.5 miles.

2) In the Readington Township 1990 Master Plan, one (1) land use designation, the "RR" Rural Residential, was recommended for the lands in Readington Township along the Township border, and was proposed to permit low density housing at a density of 1 du/3 acres.

3) However, in the March 9, 2009 Reexamination Report of Readington Township, two (2) land use designations were recommended, including an "AR" Agricultural Residential area and an "SRR" Special Resource Residential area with a focus on the protection of critical environmental features in order to protect critical water resources and wildlife habitat.

4) Based upon the recommendations of the 2009 Reexamination Report, the currently adopted "AR" zoning district regulations in Readington Township permit single-family detached dwellings at a density of 1 du/6 acres, as well as farms, public and private open spaces and parks. Permitted conditional uses include cemeteries, home occupations, public utilities, "Elder Cottage Housing Opportunities", commonly referred to as ECHO housing, and agricultural commercial villages.

5) Also based upon the recommendations of the 2009 Reexamination Report, the currently adopted "SRR" zoning district regulations in Readington Township permit single-family detached dwellings at a density of 1 du/5 acres, public and private open spaces and parks. Permitted conditional uses include home occupations, public utilities and ECHO housing.

6) Because Readington Township is separated from the Township by the south branch of the Raritan River and associated environmentally sensitive lands which precludes development, and because the site of the proposed Redevelopment Plan is approximately ¼ mile from Readington Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Readington Township.

7) Moreover, given the excellent vehicular access to the subject site from Readington Township via County Routes 523 and 612 in addition to State Routes 31 and 202, the subject site is readily accessible via vehicles, walking or bicycling as a primary shopping and service center for the residents of Readington Township.

d. Hillsborough Township, Somerset County:

1) Hillsborough Township in Somerset County is adjacent to the eastern section of the Township; the shared boundary line extends for a distance of approximately 2 miles.

2) An objective of the Hillsborough Township 2002 Master Plan is to protect and maintain the prevailing rural character and unique sense of place found in its agricultural areas; the plan encourages agricultural preservation throughout Hillsborough Township and the preservation of large contiguous tracts of land so as to keep agriculture a viable and permanent land use.

3) Appropriately, therefore, the 2002 Hillsborough Township Master Plan Reexamination Report designated the land area along the boundary with the Township as "AG" Agriculture, but noted that the "AG" zoning district minimum lot size of 3 acres promoted sprawl, and recommended that the zoning provisions be changed so that a density of 1 du/20 acres resulted.

4) However, a subsequent amendment to the Hillsborough Township Land Use Element changed the recommended density to 1 du/10 acres, and this recommendation carried through to the last Master Plan amendment of 2009.

5) Consistent with latest recommendations of the Hillsborough Township Master Plan, the adopted "AG" zoning provisions do limit the density of development to 0.1 du/acre for single-family detached dwellings and also permits agricultural uses, public parks, and farm based businesses. Permitted conditional uses include veterinary hospitals, churches, nursery schools, public and private schools, day care facilities, utility facilities, recreation areas, and fire and rescue squads.

6) Because the site of the proposed Redevelopment Plan in the Township is approximately 3 miles from Hillsborough Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Hillsborough Township.

e. East Amwell Township, Hunterdon County:

1) East Amwell Township is situated along the southerly boundary line with the Township for a distance of approximately 7 miles.

2) The East Amwell Township Land Use Plan Element, adopted November 30, 2005, contains the following land use designations for lands adjoining the Township:

a) The majority of land along the boundary with the Township was designated as part of the Amwell Valley Agricultural District which is intended to retain productive farmland for current and future agricultural use, enhance opportunities for farming, and promote the industry of agriculture.

b) A relatively small amount of land adjoining historic Ringoes village was designated for residential development, with an increase in minimum lot size from 40,000 square feet to 1.5 acres.

c) Another relatively small amount of land was designated as the "Ringoes Village District", acknowledging the established pattern of development of historic Ringoes Village.

d) Finally, the Master Plan also designated a relatively small land area adjoining Ringoes Village along the southbound side of Route 202 for low intensity nonresidential development.

3) The adopted zoning provisions of East Amwell Township implement the Master Plan recommendations, as follows:

a) The "Amwell Valley Agricultural District" permits single-family detached dwellings at a density of 1 du/10 acres, lot averaging at the same density with a minimum lot size of 1.5 acres, and open land subdivisions of 1.5 du/10 acres. Additionally agricultural uses, subsidized accessory apartments,

antiques shops, and golf courses are permitted. Permitted conditional uses include schools, veterinary hospitals, conversions to 2nd and 3rd dwelling units, housing for farm workers, and wireless communications structures.

b) The "Residential District" in East Amwell Township permits dwellings on 40,000 square foot lots, despite the Master Plan recommendation to increase the minimum lot size to 1.5 acres. Agricultural uses, parks, playgrounds, schools, and churches also are permitted uses. Two-family dwellings are permitted on lots of 2.5 acres, while 3-family dwellings are permitted on lots of 4 acres. Permitted conditional uses include public utilities, farm worker housing, home occupations and solar energy structures or facilities.

c) The "Village District" in East Amwell Township permits single-family dwellings on one (1) acre lots and businesses on lots of 40,000 square feet. Parks, playgrounds, fire houses, municipal facilities, churches, antique shops, and bed-and-breakfasts are permitted uses. Permitted conditional uses include public utilities, solar facilities, and auto service stations.

d) The "Highway Office District" in East Amwell Township requires a minimum lot size of 2 acres for office uses and 5 acres for other uses. Offices, financial institutions, mortuary, medical and dental offices, veterinary hospitals, indoor swimming, tennis, bowling, skating rinks, gyms, farming supplies, farm and agriculture, nursery supplies, and churches are permitted uses. Permitted conditional uses include wireless facilities and retail farm markets.

4) Because the site of the proposed Redevelopment Plan in the Township is approximately 3.5 miles from East Amwell Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of East Amwell Township.

f. Delaware Township, Hunterdon County:

1) Delaware Township is located along the westerly boundary of the Township; the municipalities share a common boundary for approximately 6.5 miles.

2) The Delaware Township 2009 Master Plan Amendment recommends that all the lands bordering the Township be designated "A-2" based upon the importance of agriculture, aquifer recharge, retention of woodlands and avoidance of potential aquifer contamination.

3) The 2009 Master Plan recommended that the maximum density for the "A-2" lands be 1 du/7 acres, with a minimum lot size of 7 acres. It also recommended that clustering be permitted at the same density with a 70% open space requirement and a 3 acre minimum lot size.

4) As recommended by the Delaware Township Master Plan, the lands adjacent to the Township are zoned "A-2" Agricultural/Residential, but the zoning permits a density of 1 du/6 acres rather than 1 du/7 acres.

5) In addition to single-family detached dwellings, agriculture and cluster development are permitted uses in the "A-2" zoning district. Permitted conditional uses include bed-and-breakfasts, conversion of accessory buildings to dwellings, caretakers and guest quarters, churches, government buildings, public utilities, ECHO housing, farm rental units, low and moderate income apartments, and public and private schools.

6) Because the site of the proposed Redevelopment Plan in the Township is approximately ¼ mile from Delaware Township, there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Delaware Township.

7) Moreover, given the excellent vehicular access to the subject site from Delaware Township via State Routes 202/31 and 12 and County Route 523 County Routes 523, the subject site is readily accessible as a primary shopping and service center for the residents of Delaware Township.

g. Flemington Borough, Hunterdon County:

1) Flemington Borough is surrounded by the Township.

2) The 2010 Flemington Borough Master Plan recommends many land use designations along its boundary with the Township; most of the recommended designations and permitted land uses in the Master Plan have been identically implemented in the zoning district regulations, except for minor adjustments in the zoning district boundaries and a decrease in the land area designated as "O/SS" Super Shopping Overlay zoning district.

3) The designated zoning districts in Flemington Borough and their descriptions are as follows:

a) **SF – Single-Family Residential District**

The stated purpose of the Single-Family Residential District "is to provide locations for detached dwellings occupied by one household generally located in the outer ring of development in the Borough."

In addition to single-family detached dwellings at the lowest required density in the Borough of one dwelling unit per 11,200 square feet, churches, "Elder Cottage Housing Opportunities", commonly referred to as ECHO housing, cemeteries, and

municipal land uses are permitted. Permitted conditional uses include accessory apartments and public and private schools.

b) **TR – Transitional Residential District**

The stated purpose of the Transition Residential District "is to provide for a medium density residential district of single family detached and two-family dwellings located between primarily commercial districts and single family zones."

The "TR" zoning district permits single-family detached dwellings on 9,000 square foot lots as well as 2-family dwellings on 15,000 square foot lots. Churches and ECHO housing also are permitted. Permitted conditional uses include the conversion of single-family dwellings to 2-family dwellings, bed-and-breakfasts, and schools.

c) **TH – Townhouse District**

The stated purpose of the Townhouse District "is to provide for townhouse dwellings at a density of six units per acre with common open space and amenities in a planned environment. Additionally, municipal and certain institutional uses are permitted."

The "TH" zoning district conforms to the recommendations of the Master Plan regarding permitted density and land uses. The only conditional uses permitted are schools.

d) **GA – Garden Apartment District**

The stated purpose of the Garden Apartment District "is to provide for multi-family housing in a garden apartment configuration at a density not to exceed 24 units per acre. Municipal use, including public recreation, is also permitted."

The "GA" zoning district conforms to the recommendations of the Master Plan regarding permitted density and land uses. No conditional uses are permitted.

e) **TC – Transition Commercial District**

The stated purpose of the Transition Commercial District "is to provide areas for more intensive commercial uses commonly with a wholesale component or outdoor storage which are developed in proximity to rail lines or highways."

The "TC" zoning district permits various intensive commercial uses as well as contractor operations and retail uses on lots a minimum of 20,000 square feet in area. No conditional uses are permitted.

f) **HR – Highway Retail District**

The stated purpose of the Highway Retail District, which includes areas along the south side of Route 12, Route 202 and Route 31, "is to encompass existing highway oriented retail development concentrated around Rt. 31 and Rt. 202."

The "HR" zoning district permits a wide variety of highway oriented retail businesses on lots at least 65,000 square feet in area. Hotels and motels, service stations and communication towers are permitted as conditional uses.

g) **O/SS – Overlay/Super Shopping District**

As noted in the Flemington Borough 2010 Master Plan, "this area was designated for redevelopment to reduce the number of small retail and business lots encouraging higher intensity land uses, improved circulation and parking (including interconnectivity of uses), and more modern stores. After years of delays by developers, the site in the northeast

segment of Reaville Avenue and Routes 202/31 finally was built with new stores in an upscale center reflecting the objectives of the Master Plan."

The "O/SS" overlay zone permits all "HR" Highway Retail uses on lots at least 15 acres in area. Hotels and motels are permitted as conditional uses.

h) **PS/P – Public Schools and Parks District**

The stated purpose of the Public Schools and Parks District is "to recognize two areas in the Borough used for public purpose." The zoning ordinance permits only public schools, government uses, and private swim clubs in this district, and no conditional uses are permitted.

i) **VS – Village Shopping District**

The stated purpose of the Village Shopping District "is to include the majority of the destination oriented retail outlet shopping in Flemington. This district is highway oriented but is designed to encourage walking from store to store once the destination has been reached. It contrasts with the more pedestrian oriented shopping in the Downtown Business District and the more highway oriented shopping in the Highway Retail zone."

A wide variety of retail uses are permitted in the "VS" zoning district, with only Bed-and-Breakfast uses permitted as conditional uses. The minimum lot size required is 65,000 square feet.

j) **CB – Community Business District**

The stated purpose of the Community Business District "is to provide a mixed use zone combining a number of different residential housing types, retail sales and services limited to the everyday needs of residents and small scale office uses. This

district is located at the southern end of the Borough around the Rt. 12 traffic circle where it functions as Flemington's southern gateway."

The "CB" zoning district permits single-family detached dwellings on 4,000 square foot lots, two-family dwellings on 2,500 square foot lots, and a variety of retail and personal service establishments on 4,000 square foot lots.

4) The zoning districts within Flemington Borough which may be the most affected by the "Raritan Junction Redevelopment Plan" are clustered in the northeast corner at or near the intersection of Junction Road and Route 31, where Junction Road becomes East Main Street in Flemington Borough.

a) The "TC" Transition Commercial District is located directly at this intersection in the southwest quadrant; an existing commercial building occupies this zoning district.

b) A "GA" Garden Apartment District, which is to the south and west of the "TC" zoning district with frontage on Route 31, is occupied by existing garden apartments.

c) A "TR" Transitional Residential District, which is to the west of the "GA" and "TC" zoning districts on both sides of East Main Street, is occupied primarily by existing single-family detached dwellings.

d) Another "TC" Transitional Residential District is located to the southwest of the "GA" zoning district along East Main Street and contains commercial development including offices, contracting operations, and other such uses.

e) A "SF" Single-Family District is south of the "GA" zoning district between Route 31 and Emery Avenue, a distance of approximately one (1) mile. However, only one (1) single-family dwelling has frontage on Route 31 in the one (1) mile distance, since Route 31 veers away from Flemington Borough as it proceeds south from the East Main Street/Junction Road intersection with Route 31.

5) The "Raritan Junction Redevelopment Plan" development will be located on the east side of Route 31 in the Township, north and east of Flemington Borough.

a) In Flemington Borough, the only zoning districts that abut Route 31 are the "TC" and "GA" districts described in preceding paragraphs "4)a)" and "4)b)", and both land areas are fully developed.

b) Because Route 31 veers away from Flemington Borough south of its intersection with South Main Street/Junction Road, the vast majority of the land area in the "SF" zoning district described in preceding paragraph "4)e)" will be quite distant from Route 31 and the Redevelopment Area.

6) Primary vehicular access to the "Raritan Junction Redevelopment Plan" development will be via State and County roads which have been planned to be used for relatively high volumes of traffic and also provide pedestrian and bicycle access to the site from the Borough.

7) Based upon an analysis of the Master Plan and zoning ordinance provisions of Flemington Borough and its existing land use pattern as well as the location and past use of the subject site in the Township and the existing and proposed traffic network which will provide access and traffic controls to the site and its surrounding vicinity, it is concluded that there will be no conflict between the Redevelopment Plan and the Master Plan and Zone Plan of Flemington Borough.

2. **Hunterdon County Master Plan:**

a. The 2007 Hunterdon County Growth Management Plan ("GMP"), indicates that the protection of Hunterdon County's land and natural resources is of primary importance to the County in order to maintain a rural or semi-rural landscape and economy; as noted on Page 1 of the GMP, "Development that does occur will be directed away from areas targeted for preservation. The design of new development will continue to be dictated first and foremost by the natural environment of the site and its surroundings..."

b. The GMP encourages the use of redevelopment to balance land use flexibility with comprehensive master planning; the "Raritan Junction Redevelopment Plan" accomplishes this goal.

c. The GMP envisions that new residential neighborhoods will integrate a variety of housing sizes, designs and affordability, with higher density neighborhoods constructed in or near existing developed areas, and with new commercial districts located along highway corridors and often including residences and community facilities; the "Raritan Junction Redevelopment Plan" is consistent with this vision.

d. Regarding transportation planning, the GMP notes that a congestion mitigation project in the Raritan-Flemington area to relieve traffic on Route 31 North is planned, focusing on a new interconnected roadway network and the elimination of the Flemington Circle; the transportation design improvements proposed as part of the "Raritan Junction Redevelopment Plan" will aid in mitigating the traffic congestion in the Raritan-Flemington area as envisioned by Hunterdon County.

e. The GMP encourages communities to consider "one-stop" shopping, and notes that communities may plan for one-stop shopping by limiting commercial developments to targeted, concentrated areas, and minimizing the effects of traffic and unsightly sprawl while addressing consumer needs; the "Raritan Junction Redevelopment Plan" focuses on a major retailer that effectively provides a sufficient variety of consumer goods (i.e., from food to clothing to furniture to gasoline for cars) to make it a "one-stop" shopping experience, and which, when combined with the

adjacent "Raritan Town Square" development and other commercial uses along the Route 31 corridor, creates a genuine "one-stop" shopping destination.

f. The proposed "Raritan Junction Redevelopment Plan" is consistent with the vision of the Hunterdon County Growth Management Plan.

3. **The State Development And Redevelopment Plan:**

a. The "New Jersey State Development And Redevelopment Plan" (SDRP), which was adopted on March 1, 2001 and is dated, allocated the land within New Jersey into "Planning Areas" and "Centers".

b. As indicated on the "Policy Map Of The New Jersey State Development And Redevelopment Plan", which replaced the prior "Resource Planning And Management Map", the New Jersey State Planning Commission has included much of Raritan Township's land area, including the "Raritan Junction Redevelopment Plan" site, within "Planning Area 3", the "Fringe Planning Area".

c. The "Fringe Planning Area" is described as predominantly rural, without prime agricultural or environmentally sensitive land, and serves as a transition between suburban and rural landscapes, with a low population density (less than 1,000 person/square mile) in scattered small communities and free-standing residential, commercial and industrial development.

d. As noted in the SDRP, the intent of the "Fringe Planning Area" is to: "accommodate growth in Centers; protect the Environs primarily as open lands; revitalize cities and towns; protect the character of existing stable communities; protect natural resources; provide a buffer between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas; and confine programmed sewers and public water services to Centers."

e. The SDRP continues to note that development in the "Fringe Planning Area" should be concentrated in or adjacent to an existing Center or in a newly planned Center. There are no designated or proposed "Centers" indicated within the Township; however, Flemington Borough, which is adjacent to the "Redevelopment Area", was labeled in the SDRP as a proposed "Regional Center".

f. The "Raritan Junction Redevelopment Plan" promotes the following policy objectives of the "Fringe Planning Area", which are identified in the SDRP:

1) "Focus development and redevelopment in appropriately located and designed Centers to accommodate growth that would otherwise occur in the Environs."

2) "Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth."

3) "Guide opportunities for economic development into Centers."

4) "Encourage appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development, to accommodate growth that would otherwise occur in the Environs."

SECTION 5. COMPATIBILITY WITH THE TOWNSHIP MASTER PLAN.

1. As indicated by the following quotation from page 22 of the "Preliminary Investigation Report" adopted by the Planning Board on December 13, 2010 and endorsed by the Township Committee on December 21, 2010, the designation of Block 16.02/Lot 41 as an area in need of redevelopment and the adoption of a Redevelopment Plan for the property's redevelopment is consistent with the Township Master Plan:

   > "Raritan Township's current 2008 Master Plan specifically identifies the study area as a candidate for redevelopment...The '2008 Master Plan' continues to discuss future development considerations for the subject land area, including traffic circulation improvements, pedestrian friendly design and possible land uses; however, such considerations for the actual redevelopment are beyond the scope of this 'Preliminary Investigation Report' and will be considered by the Township at the time a 'Redevelopment Plan' is prepared."

2. The Township Master Plan promotes a number of smart growth principles including, but not limited to, roadway, pedestrian pathway and bikeway interconnectivity among adjacent and nearby developments and areas, sustainability, the inclusion of bike racks and street furniture within the streetscapes, and the provision of open spaces; many of these smart growth principles are included on the November 11, 2011 "Conceptual Site Plan Exhibit" and additional details will be included in the site plan submissions to the Planning Board for review and approval in accordance with the requirements of this ordinance.

3. The Raritan Township Master Plan also promotes public and private partnerships and the coordination of the needs of the various governmental bodies affected by a proposed development; in this regard, the "Conceptual Site Plan Exhibit" for the Redevelopment Plan was prepared in consultation with Township officials and professional staff, from the Hunterdon Central School Board and from the professional staff of the Hunterdon County Engineering Department in order to coordinate the needs of these various governmental bodies.

SECTION 6. AMENDMENTS AND SUPPLEMENTS TO TITLE 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN:

1. Amend Section 16.22.010 of Title 16 of the Revised General Ordinances of the Township of Raritan, entitled "Establishment of Zones", by the addition of a new zoning district entitled "RJR Raritan Junction Redevelopment District", so that the entirety of Section 16.22.010 reads as follows:

"16.22.010 Establishment of Zones.

For the purpose of this title, Raritan Township is divided into the following zone districts:

	AR-5	Agricultural Residential District
	R-1	Rural Residential (very low density) District
	R-1A	Rural Residential (low density) District
	R-2	Rural Residential (conservation density) District
	R-3	Residential (low density) District
	R-4	Residential (moderate density) District
	R-5	Planned Residential Development District
	R-6	Residential (single-family attached and detached) District
	R-6LM	Low and Moderate Income Housing District
	R-7	Residential (multifamily) District
	R-8	Planned Age Restricted Adult Community Zone District
	R-9	Planned Age Restricted, Assisted Living Facility Development District
	B-1	Neighborhood Business District
	B-2	Commercial District
	B-3	Community Commercial District
	B-4	Highway Business District
	B-5	Low Intensity Highway District
	I-1	Restricted Industrial District
	I-2	Major Industrial District
	O-1	Professional Office District
	O-2	Business Office District
	P	Public And Institutional District
	H	Hospital District
	PCOS	Planned Commercial-Office Service District
	RJR	Raritan Junction Redevelopment District

2. Amend Section 16.22.20 of Title 16 of the Revised General Ordinance of the Township of Raritan, entitled "Zoning Map", by designating the entirety of the designated "Redevelopment Area", consisting of Block 16.02/Lot 41 containing approximately 44.61 acres, within a new "RJR Raritan Junction Redevelopment District", so that the entirety of Section 16.22.20 reads as follows:

"16.22.020 Zoning Map.

A. The location and boundaries of the zoning districts within Raritan Township are established on the "2011 Zoning Map" of the Township, which is made a part of Title 16 of the Revised General Ordinances of the Township of Raritan. The map, and all notations, references and designations shown thereon, shall be as much a part of the Title as if it was fully described and set forth herein.

B. A copy of the "2011 Zoning Map" shall be on file in the Planning Board office and shall bear the signature of the Township Clerk and the date of adoption on the cover sheet."

The referred to "2011 Zoning Map" appears on the following page of this Redevelopment Plan.

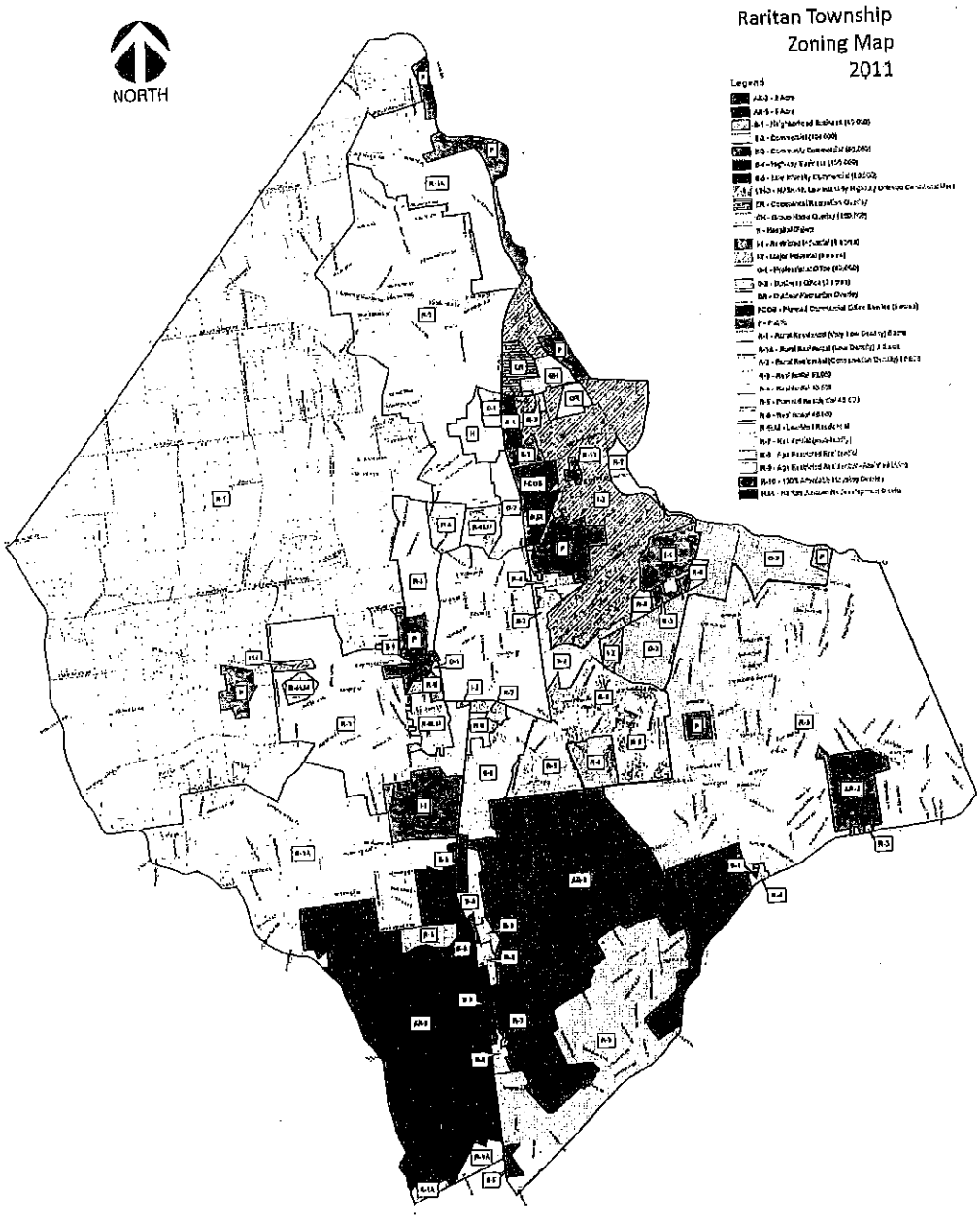
3. Add a new Chapter 16.28C to Title 16 of the Revised General Ordinances of the Township of Raritan to read in its entirety as follows in order to create ordinance provisions governing the development of the "Raritan Junction Redevelopment Plan" within the "RJR Raritan Junction Redevelopment District"; in accordance with N.J.S.A. 40A:12A-7.(a) of the Redevelopment Law, these are the provisions of the "Redevelopment Plan" which set forth the applicable "Land Use and Building Requirements" in the redevelopment project area:

Chapter 16.28C
RJR RARITAN JUNCTION REDEVELOPMENT DISTRICT

Sections:

16.28C.010 Created
16.28C.020 Purpose
16.28C.030 Principal Permitted Uses
16.28C.040 Accessory Permitted Uses
16.28C.050 Conditional Uses
16.28C.060 Floor Area & Density Requirements
16.28C.070 Open Space and Buffer Requirements
16.28C.080 Utilities
16.28C.090 Shared Facilities
16.28C.100 Parking
16.28C.110 Building Separation Requirements
16.28C.120 Design Guidelines
16.28C.130 Hours of Operation
16.28C.140 Sequence of Development

16.28C.010 Created.
There is created a "RJR Raritan Junction Redevelopment District" within the Township of Raritan in order to permit the development of a "Raritan Junction Redevelopment Plan" on the designated "Redevelopment Area" consisting of approximately 44.61 acres and identified as Block 16.02/Lot 41 on the Township Tax Map.


NORTH
Raritan Township
Zoning Map
2011
Legend

16.28C.020 Purpose.
It is the purpose of this Ordinance to govern the creation of the development of a "Raritan Junction Redevelopment Plan" including a mixture of retail uses, offices, service uses, recreational uses and other permitted uses within a designated "Redevelopment Area" of the Township which is serviced by adequate public sanitary sewer and public water facilities.

16.28C.030 Principal Permitted Uses

A. Discount Clubs & Retail Superstores;
B. Retail Sales of goods and services;
C. Offices, including all types of offices;
D. Restaurants, excluding free-standing fast food restaurants;
E. Banks;
F. Assisted Living Facilities;
G. Public Uses (including amphitheaters and other civic facilities;
H. Indoor Recreational Facilities (including movie theaters);
I. Outdoor Recreational Facilities; and
J. Child Care Centers.

16.28C.040 Permitted Accessory Uses

A. Gasoline filling facilities, car washing facilities, vehicle servicing facilities, a pharmacy, a fast food restaurant, and seasonal sales areas accessory to a Discount Clubs or Retail Superstores;
B. Outdoor seating areas associated with a permitted restaurant;
C. Off-street parking, loading and unloading;
D. Signs, lighting and fences;
E. Landscaping features including benches, gazebos and other such features customarily associated with the permitted principal uses, as the case may be; and
F. Other uses and structures customarily incidental to a principal permitted use.

16.28C.050 Conditional Uses
Essential Services (see Section 16.68.050 G. of Title 16 of the Revised General Ordinances of the Township of Raritan).

16.28C.060 Floor Area & Density Requirements

A. The maximum floor area ratio permitted for all non-residential uses is twenty-five percent (25%) calculated on that land area devoted to the subject building or buildings.

B. The maximum permitted density for any assisted living facility is 19 dwelling units per acre calculated on that land area devoted to the subject building or buildings, and floor/area calculations shall not apply, provided that, in any case, no assisted living facility shall contain more than 150 beds.

16.28C.070 Open Space & Buffer Requirements

The following open space and buffer requirements shall apply to all privately owned land areas proposed for development, but shall not apply to any land areas dedicated to the Township:

A. Open space buffers shall be provided in accordance with the following dimensions:

1. A 100 foot open space buffer area shall be provided along the rear of any existing lot with frontage on Route 31.

2. A 50 foot open space buffer shall be provided along the frontage of any County or Township road, except that along 10% of the lot's frontage along such road, the buffer can be reduced to 35 feet in order to accommodate site plan design needs and objectives if the density of screening within the buffer is increased to an equivalent degree, provided that such a reduction shall not be permitted where existing residential structures or institutional uses are located across the road.

3. A 25 foot open space buffer shall be provided between the edge of any access roadway into the property.

4. A minimum 10 foot open space buffer or open space area shall be provided between any improvements and structures on adjacent lots within the zoning district not separated by a roadway to allow for landscaping and green space as approved by the Planning Board, except that no buffer is required on or from lands dedicated to the Township of Raritan.

B. Open space buffers shall not be used for parking, loading, storage, or any activity or structure that is either part of or accessory to the proposed use, except that the open space buffers may contain utility lines, signage, lighting, vehicular access roadways or driveways, pedestrian and/or bicycle paths, benches, gazebos and street furniture as approved by the Planning Board provided that:

1. The proposed locations of such uses are necessary for their proper functioning, and such uses cross the buffer where feasible and necessary, rather than lie along the length of the buffer;
2. The total width of the buffer is maintained and existing trees are retained to the extent desirable and possible; and
3. The buffer design standard provisions of Section 16.20.040 E. of Title 16 of the Revised General Ordinances of the Township of Raritan shall apply within the buffer dimensions required in accordance with Section 16.28C.070 A. of this ordinance hereinabove and within any other additional buffer as may be required in accordance with Section 16.20.040 E.

C. A minimum of 4.5 acres of the total "RJR" zoning district area shall be set aside and dedicated to the Township for public open space and public uses.

1. The open space requirement shall include some useable land area for passive and active recreation as well as improved onsite parking with access to Junction Road.
2. The general arrangement and configuration of the open space area shall be as illustrated on the November 11, 2011 "Conceptual Site Plan Exhibit" which was prepared by Menlo Engineering Associates.

16.28C.80 Utilities

A. All uses must be serviced by sanitary sewer and public water.

B. All new public utilities must be located underground.

16.28C.090 Shared Facilities
Shared facilities are permitted to enable their most logical and efficient locations within the "RJR" zoning district, provided that cross-easement agreements are provided for review and approval by the Planning Board and the Township Attorney for shared vehicular access, pedestrian access, parking, stormwater management facilities, open spaces and any other shared facilities.

16.28C.100 Parking
Parking shall be provided in accordance with Section 16.70.040 of Title 16 of the Revised General Ordinances of the Township of Raritan.

16.28C.110 Building Separation Requirements

A. All buildings on the same lot shall be separated by a minimum distance of twenty-five feet (25'), provided that such separation is to be used solely for pedestrian circulation and/or landscaping.

B. All buildings on the same lot shall be separated by a minimum distance of thirty-five feet (35') where any part of such separation is to be used for parking or vehicular circulation; this will enable a twenty foot (20') wide travel-way and seven and one-half feet (7.5') on either side for landscaping.

16.28C.120 Design Guidelines

A. The overall architectural design of the development shall be coordinated regarding color and scale and shall be compatible with the architecture of the adjacent "Raritan Town Square" development.

B. The signs in the development (both ground and wall signs) shall be coordinated in color and design and shall be consistent with the existing signage in the adjacent "Raritan Town Square" development. Directional signs shall be provided throughout the development to assist in the flow of traffic to the most efficient entry and exit point.

C. Lighting shall be kept to a minimum and shall follow the requirements in Section 16.20.040 G. of the Revised General Ordinances of the Township of Raritan.

D. Landscaping shall follow the requirements in Section 16.20.040 D. of the Revised General Ordinances of the Township of Raritan.

E. Parking facilities shall be designed so that they are buffered from view from any public areas within the development and from the passers-by on exterior roadways.

F. Loading, unloading and other building service areas shall be buffered from view from residential uses and shall be combined, where possible.

G. Uses shall be interconnected throughout the development and to adjacent sites in order to provide vehicular and pedestrian access among the various uses.

H. A discount club use shall have tank capacities for not more than 95,000 gallons of petroleum products.

I. All other design requirements within Section 16.20.040 and Chapter 16.64 of the Revised General Ordinances of the Township of Raritan shall apply.

16.28C.130 Hours of Operation

All commercial uses shall be closed to the general public from 2:00 a.m. to 5:00 a.m. of every day which are the hours governing the adjacent "Raritan Town Square" development.

16.28C.140 Sequence of Development.

A. The "Raritan Junction Redevelopment Plan" may be planned, submitted for site plan approval and/or constructed at one time or in a series of applications over time for different portions of the overall land area.

B. In any case, the first site plan approval shall be conditioned upon a requirement that the applicant shall construct all of the improvements to Junction Road as illustrated on the November 11, 2011 "Conceptual Site Plan Exhibit" which was prepared by Menlo Engineering Associates.

IV. To Schedule I, entitled "Schedule Of Area, Yard, And Building Requirements", which constitutes part of Section 16.64.010 of Title 16 of the Revised General Ordinances of the Township of Raritan, add the "RJR" Raritan Junction Redevelopment District requirements and applicable notes, as follows:

Zone	Principal Permitted Uses	Lot Area[2] (sq. ft.)	Lot Width[3] (frontage)		Minimum Yards Principal Structures[4]				Side & Rear Setbacks for Accessory Structures[4]			Maximum Height		Maximum[2] Hard Surface Coverage Percent
			Inside Lot	Corner Lot	Front[5]	Rear	Side		Housing Animal	Other Farm Structures	Non-Farm Structures	Principal Structures	Acces sory Struct -ures	
							One	Both						
RJR	Retail, Office, Service, Assisted Living	3.0 Acres	300[25]	300[25]	100/ 50 [19 & 26]	40	50	100	N/A	N/A	40	3 stories or 50 feet[27]	30 feet	65

Added Notes:

[25] Lots with two (2) or more street frontages are required to meet the frontage requirement along only one (1) street frontage.

[26] Notwithstanding any other ordinance provision to the contrary, a canopy associated with the dispensing of gasoline may be located in front of a principal structure.

[27] Except that assisted living facilities may be 4-stories or 60 feet.

[28] Not applicable to assisted living facilities which are controlled by density requirements instead.

SECTION 7.
If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order of Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and to this end, the provisions of this ordinance are herby declared to be severable.

SECTION 8.
This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing with the Hunterdon County Planning Board.

ATTEST:

Rose Sollena, RMC/CMC
Township Clerk

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN

Oliver Elbert
Mayor

NOTICE OF PENDING ORDINANCE

Please take notice that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan at a meeting held on January 17, 2012. The same was then ordered to be published according to law, with a public hearing and final adoption scheduled for the meeting of February 7, 2012 beginning at 7:00pm at the Municipal Building, One Municipal Drive, Raritan Township, NJ at which time all interested persons will be heard.

Rose Sollena, RMC/CMC
Township Clerk