

2001 LAND USE PLAN ELEMENT

INTRODUCTION

The Land Use Plan Element of the Master Plan is prepared in accordance with N.J.S.A. 40:55D-28b:

"(2) A land use plan element (a) taking into account and stating its relationship to the statement provided for in subsection (1) hereof, and other master plan elements provided for in subsections (3) through (12) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands, (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing zone plan and any proposed zone plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport hazard areas delineated pursuant to the "Air Safety and Hazardous Zoning Act of 1983," P.L. 1983, c. 260 (C. 6:1-80 et seq.); and (d) including a statement of the standards of population density and development intensity recommended for the municipality;"

This land use plan element has been prepared to implement the objectives outlined in the succeeding section. In addition, the community facilities plan element, circulation plan element, water and sanitary sewer plan element, and recycling plan element have been prepared to respond to the land use proposals of the Master Plan. The land use proposals outlined herein will ultimately find expression in the Township's land use and zoning ordinances.

OBJECTIVES

On July 7, 1988, the Planning Board adopted the 1988 Master Plan Reexamination Report, in accordance with the Municipal Land Use law (specifically, N.J.S.A. 40:55D-89). The Reexamination Report reviewed the Township's 1979 Master Plan, and concluded with recommended revisions to the Master Plan and development regulations. The Planning Board also adopted a Reexamination Report in 1994.

As part of the reexamination process, the Planning Board adopted a series of new goals and objectives to guide development in the Township. In the course of the current planning process, the Planning Board has refined these objectives. The following objectives address the requirements of N.J.S.A. 40:55D-28b.(1):

Growth

- Regulate growth in an orderly fashion and channel new development to appropriate locations.
- Encourage commercial, agricultural business, office and light industrial development in suitable locations along Route 57.
- Provide for development opportunities that are consistent with the Township's natural resources and the capacity of these resources to support growth.

Natural Resources

- Protect the steep slopes in the Township from development that would negatively impact this resource.
- Maintain and enhance the existing groundwater and surface water quality in the Township.
- Preserve and protect prime agricultural soils for their potential agricultural use.
- Protect the Township's ridgelines and other prominent views from the impact of development.
- Identify and manage stream corridor buffer areas adequate to maintain undisturbed vegetation and to maintain and improve water quality, wildlife corridors and opportunities for passive and active recreation.

Community Type

- Retain the rural and agricultural character of the Township while diversifying the tax base with commercial and industrial expansion.
- Maintain and improve the aesthetic quality of the Township.

Land Use

Agricultural Preservation

- Preserve prime farmland in the Musconetcong and Pohatcong valleys.
- Explore the use of Transfer of Development Rights (TDR) as a preservation tool.

Residential

- Encourage a mixed housing balance by incorporating lot size averaging, clustering, large lot single family developments, farmettes, and limited multi-family housing as residential options.

Commercial

- Promote commercial development along designated portions of Route 57, and maintain village neighborhood shopping opportunities in Asbury, Broadway, and New Village.

Industrial

- Provide opportunities for office and light industrial development, particularly agriculturally-oriented businesses that would utilize locally-grown produce.

Recreation/Open Space

- Acquire centrally located land for the expansion of Township recreational facilities.
- Encourage lot size averaging and clustering of single-family developments as a means of acquiring open space and recreational areas.
- Preserve the Morris Canal in its present condition and request that developers dedicate its right-of-way when development occurs.

Historic Sites

- Preserve and protect historically significant buildings in the villages of Asbury, Broadway, and New Village.
- Establish a Township Historic Preservation Commission, as provided for in the Municipal Land Use Law, to develop a historic preservation plan and to advise the Planning Board.
- Examine opportunities for the preservation of lime kilns.

Housing

- Encourage the use of lot size averaging and clustering for single-family development.

- Provide for the Township's obligation for low- and moderate-income housing.
- Attract high quality housing for middle and upper income levels.

Circulation

- Improve the Township's road system to provide safe and efficient service.
- Explore the possibility of a new route(s) across Pohatcong Mountain.

Stormwater Management

- Design and adopt a stormwater management plan element to be incorporated into the Master Plan. Such plan should conform to the stormwater management regulations of the N. J. Department of Environmental Protection.
- Develop a stormwater management ordinance to implement the stormwater management plan.

In addition, the purposes of the Municipal Land Use Law, which provides the legal foundation for local land use planning and regulation, are incorporated as additional goals of the Master Plan.

THE LAND USE AND MANAGEMENT PLAN

The future use and management of lands in Franklin Township will respond to the land use plan districts outlined below and shown on the Land Use Plan map. The planning districts have been developed after careful consideration of the background studies and 1988, 1994 and 2000 Reexamination Reports, and include changes and refinements designed to respond to the objectives of this Master Plan.

Specifically, residential densities have been reduced throughout unsewered portions of the municipality, to respond to the objective of protecting groundwater and surface water quality, and to better accomplish the goals of rural conservation, agricultural retention, and protection of the scenic attributes of Franklin Township. Lower residential densities and the use of lot size averaging will serve to retain significant land masses for open space, farmland, woodlands, and other desirable natural and cultural features.

Non-residential districts have been more clearly targeted to the development of specific use types in district nodes, replacing the conditional uses along Route 57 with more traditional non-residential zoning districts. It is anticipated that the latter revision will provide a clearer focus for economic development opportunities in the Township, and will reduce the potential for land use conflicts resulting from the unpredictability of the

conditional use option.

Residential Land Use

The Land Use Plan includes three (3) residential districts, which provide for a range of housing opportunities within Franklin Township. The Plan also acknowledges that restrictions in residential density will create pre-existing non-conformities that should receive appropriate treatment in the implementing ordinances, to provide reasonable opportunities for the modification and/or expansion of pre-existing housing units. In addition, the plan proposes the grandfathering of vacant lots in residential zones, so that each vacant lot has a residential development opportunity.

The planning process has examined trends in existing and approved development which have committed substantial portions of the municipality to their ultimate use. The undeveloped portions of the municipality, however, which currently provide the rural/agricultural atmosphere of the community, will have a controlling effect upon the ultimate character of the community. In this regard, the Plan is designed to strike a balance between appropriate development and necessary open space, to protect and enhance the quality of life within the community.

Rural Conservation District (RC)

The RC district has been designed to address the goals of protecting groundwater quality, conserving the scenic rural character and promoting continued agricultural use opportunities. Recognizing the importance of retaining significant land areas in an undeveloped state, in furtherance of the goals of this Plan, the RC district will permit the use of lot size averaging and clustering.

Lot size averaging is a technique which permits some lots in a subdivision to be less than the standard minimum lot size, provided that other lots are larger than the minimum, and further provided that the overall density for the tract is not exceeded. This variation in lot size is intended to make maximum use of the more buildable portions of a site; to maintain critical environmental features and agricultural lands on larger lots; to provide for the retention of open spaces in private ownership; to permit a range of lot sizes within a given development; and to provide an alternative development opportunity.

The Planning Board has had some experience with conventional cluster development, where lot sizes are reduced in exchange for the dedication of open space to a public or private entity, and, while certain benefits of this approach are realized, there is some concern about the future management and maintenance of these open space areas. Therefore, in addition to the conventional subdivision or cluster subdivision, the Board desires to provide an additional option, lot size averaging, to meet the goals of this Plan.

The determination of whether cluster development or lot size averaging best meets local objectives should be made by the applicant and Planning Board at the earliest phases of the development process. The development of concept plans should include a dialogue

between the applicant and the Planning Board to identify these objectives on a site-specific basis. With either lot size averaging or clustering, a minimum lot size of 1.5 acres is permitted, based on the prevailing density standard.

The RC district, with a density standard of one (1) unit per five (5) acres, encompasses most of the Township's undeveloped land areas. These lands merit a high level of protection for a variety of reasons. All of the Township drains to either the Pohatcong Creek or Musconetcong River. Both of these watercourses are categorized as trout maintenance streams by the N.J. Department of Environmental Protection, which indicates the high quality of surface water in the Township. In addition to the trout maintenance classification for the main stem of these streams, the tributaries to both streams are classified as trout production waters, which is the highest quality classification established in the water quality standards for streams outside of public areas.

The valleys through which the Pohatcong and Musconetcong run are underlain by limestone, a carbonate rock that is prone to the formation of sinkholes, depressions, open cavern networks, and disappearing streams. Most of the limestone area in Franklin is given a severe hazard rating by the New Jersey Geological Survey, indicating that sinkholes and cavern formation are common. Low-density development is recommended for these areas so that the likelihood of experiencing catastrophic accidents is reduced.

The remainder of the Township is underlain by the Precambrian formation, which is composed of gneiss. The rugged topography and high elevations in the Township, embodied in the Pohatcong Mountain and Scott Mountain nomenclature, sharply limit the development capability of these areas without severe environmental impacts. In addition, the low groundwater capacity of this formation indicates that little groundwater is available to dilute the output of on-site wastewater disposal systems.

Beside the protection of critical environmental resources afforded by the low densities recommended for the RC district, the opportunity to retain agricultural lands is enhanced by this designation. Agriculture is the traditional economic opportunity in the Township, with approximately 80% of the land area still retained in agricultural use. Low density development, coupled with the opportunity for cluster development and lot size averaging, will serve to retain this land base while reducing the potential for conflicts between continued agricultural use and residential development. Proposed uses include single-family detached dwellings, agricultural uses, limited public utility structures, and golf courses.

All of the elements discussed above, the streams, river valleys, mountains, and agricultural lands, contribute to the rural character and scenic amenities in the Township. The planning for the RC district is designed to protect and enhance these qualities, so that future residents of the Township will have the same opportunity to enjoy these resources as do current residents.

The 2000 Reexamination Report suggested that the Township and Planning Board examine opportunities to promote and enhance agriculture and agricultural uses in the

community. As the dominant land use in the community, and one which provides much of the Township's character, every effort is needed to maintain the viability of agriculture in the future. In addition to examining financial mechanisms to support the agricultural industry and agricultural preservation, the 2000 Reexamination Report also recommended enhanced use opportunities that would support the agricultural economy and contribute to its retention. Among the additional use opportunities to consider are enterprises, or agri-tourism and agri-tainment activities, such as mazes, educational tours, restaurants, bed and breakfast establishments and markets, and ecotourism businesses, such as hiking, fishing, hunting and orienteering.

Planned Development Option District (PD)

The PD option district also was established as a result of the COAH mediation process. In this district, the provisions of the R-1.5-1 district shall apply, except that an option for a planned unit development is also permitted. The planned unit development option would allow up to 120 units of attached housing and a commercial area of up to 129,000 square feet on the 60 acre tract.

In addition to the above provision, the landowner is required to provide four low-income housing units and three moderate-income units. At least 26% of the tract will be dedicated as common or public open space. The developer is also obligated to contribute \$60,000 to the Township's Housing Rehabilitation and Assistance Fund, as well as providing partial funding for the Township's Wastewater Management Plan. Because of this site's prominence in the Township, design standards relating to the architectural style and site layout shall also be incorporated.

Village Residential (R-.75)

The Village Residential (R-.75) district includes the highest density residential neighborhoods for single-family detached dwellings in the Township. This district encompasses the predominantly developed residential portions of the villages of Asbury, Broadway, and New Village. A wider range of permitted uses, including churches, civic buildings, educational uses, home occupations and home professional uses, as well as the uses permitted in other residential districts, are allowed in this district in recognition of the villages' importance to the cultural and civic fabric of the Township. The minimum lot size in the district will be approximately 30,000 square feet.

In the 2000 Reexamination Report the Planning Board suggested a review of planning and zoning options for the Asbury area.. As an identified center in the State Development and Redevelopment Plan, and listed on the State and National Register of Historic Places, the village of Asbury has considerable potential as a true community of place, as suggested in the State Plan. Providing additional opportunities for limited commercial uses, within a strict set of use and performance standards, may provide opportunities for adaptive reuse that would enhance the character of the village.

Non-Residential Land Use

The Land Use Plan includes six (6) non-residential districts that provide for retail, office, research, warehouse/distribution, and light industrial uses. Several of these districts represent the continuation, with slight refinements, of the existing zone districts in the Township. Others represent new planning initiatives that specifically reflect the evolving character of the Township and generally reflect the changing nature of non-residential land use planning in New Jersey.

During the formulation of this Plan, the Planning Board has given careful attention to the Route 57 corridor. The existing conditional use provisions for lots fronting on Route 57 have been examined, and the Board, and other Township officials, have expressed concern with the potential land use conflicts and incompatibilities resulting from these standards.

Route 57 is the principal artery serving the Township and, carrying the largest volumes of traffic, is largely responsible for creating the image that people have of the Township. A visually harmonious, functional land use pattern along this corridor will serve the interests of the Township in a far more effective manner than will an unplanned assortment of conflicting uses. In order to promote development of the non-residential districts, it is recommended that the Township permit more than one non-residential use and more than one building on individual lots, provided the building design and uses are compatible.

Industrial District (I)

The Industrial district included in this Plan continues this long-standing designation. This district is situated on both sides of Edison Road south of the railroad. Permitted uses in this district include storage and warehousing, wholesaling, light manufacturing and assembling, office uses, and agricultural uses. The minimum lot size required in this district has been upgraded from 40,000 square feet to three (3) acres, in recognition of the types of uses permitted in this district, the surrounding residential areas, and to reduce the opportunities for piecemeal development. Existing uses in this district include Franklin Industrial Park, Elizabethtown Gas Company, Franklin Steel and Apex Victaulic.

Industrial Park District (IP)

The IP district is proposed for its prior location along Bloomsbury Road (Route 632) east of the I-78 interchange as well as a new location north of Route 57 in the eastern part of town. This district is a long-standing component of the Township's non-residential land use planning, and while little development activity has occurred in this district to date, its proximity to the Interstate interchange provides distinct locational advantages. The proposed area in the eastern part of the Township responds to the favorable location and current demand.

The uses proposed for this district include assembling, processing and light manufacturing, wholesaling and warehousing, office, research and laboratory uses, and agricultural uses. The minimum lot size for the district is five (5) acres for individual uses, or three (3) acres when included in an industrial park with a unified development scheme. In addition to the principal permitted uses listed above, this district provides for conditional uses, including truck terminals, hotels, motels, and restaurants.

Office Building District (OB)

The Office Building district is proposed for the north side of Route 57 between Halfway House Road and the Washington Township border. The OB district provides for uses that can benefit from the increasing traffic volumes and high visibility along Route 57, while limiting the traffic impact when compared to other commercial uses.

Proposed uses for this district include office buildings intended for business, executive, professional, and administrative purposes; banks and similar financial institutions; medical and dental offices and laboratories; churches; and computer and data-processing centers. This district is intended to attract uses not currently found in the Township by providing an area in which office development can focus. The proposed minimum lot area is three (3) acres, and land use regulations should encourage office park development.

Township Commercial District (C-2)

The Township Commercial (C-2) district is located on both sides of Route 57 west of White Road. Along the northern side of the highway, the district is approximately 300' deep, while along the southern side the district extends to the Pohatcong Creek. This district is intended to serve as the focus for commercial development in the Township, given its central location between Broadway and New Village. Among the uses currently existing in the district are a bank, motel, liquor store, and food establishment.

This district permits a wide range of retail shopping and service establishments. In addition, uses such as hotels and motels, banks and savings institutions, restaurants and eating places, office buildings, shopping centers, and agricultural uses are permitted. The minimum lot area is 5 acres. Gasoline service stations are permitted as a conditional use.

Highway Commercial District (HC)

The Highway Commercial district is situated along the south side of Route 57, near the Washington Township boundary. This district is designed to permit an area devoted to highway-oriented commercial uses, situated away from the Village Commercial (C-1) and Township Commercial (C-2) district locations.

Permitted uses in this district include such retail uses as department stores and sale of electronic equipment, hardware, furniture, appliance, paint, wallpaper, sporting goods, garden centers, shoes, and clothing. Also included among the HC uses are pet and hobby

sales, restaurants, taverns, banks, and auto-related uses such as car washes, auto repair, new car sales, and service stations.

The minimum lot area for the HC district is three (3) acres, and careful attention will be required to design criteria to protect the visual character of this highway frontage. Design issues to be specifically addressed in the zoning ordinance should include setback and coverage standards, facade treatments, landscaping, and buffering. Additionally, it is recommended that the Township permit more than one non-residential use per lot, provided that the uses are compatible.

Further, a limited need for broader retail commercial development, including a mix of the above HC uses and sales of convenience goods, professional offices (excluding medical offices), personal services, and similar retail uses, is suggested as a conditional use in this district, provided that suitable conditional use standards, addressing such items as site design and access, are developed which limit the proliferation of this type of development.

In addition to the conditional use for mixed use retail development, it is suggested that this district also permit another conditional use, termed low impact storage. The intent of this provision is to offer an opportunity for limited storage activities in a convenient location on Route 57. This use is not intended to include distribution or transshipment centers, where freight and materials are aggregated or broken down with many deliveries and shipments, but rather is intended to provide long-term storage with reduced levels of shipments and deliveries. Because of the proximity of this district to residential uses, it is recommended that the conditional use standards address such items as setbacks, landscaping, screening and hours of operation, in addition to standards for tract size, building height and building coverage.

Village Commercial District (C-1)

The Village Commercial (C-1) district is intended to support the villages of Broadway, New Village, and Asbury with a range of retail sales and service uses and offices designed primarily to serve neighborhood needs.

The districts in Broadway and Asbury retain their prior delineation, as outlined in the 1978 Master Plan and current zoning. These areas include lands immediately east of Broadway along Route 57, and lands surrounding or near the Bloomsbury Road/Asbury Road intersection.

This plan includes an additional Village Commercial (C-1) district at the eastern edge of New Village, in response to the character of existing uses and the need to permit expanded commercial uses to serve the residential development which is occurring to the south at the Cliffs at Edison Lakes. The location of this district surrounds the intersection of Edison Road and Route 57, making it convenient to residents of both New Village and the Cliffs subdivision.

The Village Commercial (C-1) district permits local retail activities such as grocery stores, meat markets, seafood markets, delicatessens, bakeries, drug stores, book stores, packaged liquor stores, and similar neighborhood retail uses. Local service activities permitted in the Village Commercial (C-1) district include barber and beauty shops, laundromats, tailors and dry cleaners, appliance repair shops, shoe repair shops, and similar service uses. Medical and other professional offices are permitted in this district, intended to primarily serve the local neighborhood. Single family dwellings also are permitted, in recognition of the existing character of uses in the district.

The minimum lot area requirements for this district will be 30,000 square feet if served by public sewerage, and 60,000 square feet when individual on-site septic systems are to be used.

These districts will require careful attention to design standards, to assure that future development is both respectful of the scale of existing village use, and responds to the streetscape rather than imposing incongruous building elements. Landscaping, buffering, and setback and other bulk controls should be designed to blend new uses with the existing villages, rather than imposing a suburban scale on the new developments.

The 2000 Reexamination Report suggested that the Planning Board review planning and zoning options for the village of Asbury. While this recommendation primarily concerns the Village Residential (R-.75) portion of the village, and the idea of providing additional opportunities for limited commercial uses in the residential areas, it is also recommended that the Village Commercial area be examined in concert with the residential areas so that the use opportunities and planning approach is consistent throughout the village.

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