

II. LAND USE ELEMENT

The Land Use Element is the key component of the Middletown Township Master Plan. It is intended to provide an overall guide to the existing developed pattern of the Township, as well as a plan for the future development of Middletown. Middletown Township is comprised of the full range of land uses including single and multiple family residential, commercial, industrial and recreational. Due to the size and characteristics of the Township, there exists within our borders such diverse uses as marinas, a commercial fishing fleet, major corporate headquarters, private country clubs, large estate homes, older small lot residential neighborhoods, a community college, a naval military installation, two public beaches, several historic districts and Sandy Hook National Park.

Middletown Township contains a total of 41.08 square miles or 26,291 acres. Of this total, 2.8 square miles or 1,792 acres are in Gateway National Recreation area, more commonly known as Sandy Hook. Since this land is not contiguous with the rest of the Township, and because it is under the jurisdiction of the National Park Service, the area it encompasses is not figured in to the existing land use calculations below. For the purpose of these calculations, a land area of 38.2 square miles or 24,448 acres will be assumed.

A significant characteristic of Middletown Township is its historical pattern of villages and neighborhoods. Because of its large area geographically, it was necessary for Township residents to seek certain public and private services, mainly for convenience and practicality. Therefore as each neighborhood developed, services were

provided in the neighborhood. The primary focal point of most neighborhoods has become the local Elementary School. There are 12 public elementary schools, each corresponding to and identified neighborhood, although neighborhood boundaries are more colloquial in nature as opposed to being legal borders. Some neighborhoods have also developed small Village or Hamlet scale centers of commerce, most notably Belford (Campbell's Junction), Lincroft (Lincroft Village), North Middletown, and Leonardo. Many neighborhoods also have their own post office and corresponding Zip Code. A major focus of this plan is the enhancement and re-invigoration of these areas.

Existing Land Use Categories

Residential

Residential development is by far the predominant land use in Middletown Township. In 2004, 20,676 acres or 84.6% of the total land area of the Township was zoned for single family residential development. Table L1, "Existing Single Family Zone Districts" illustrates the quantity and density of land devoted to single family use by zone district. It should be noted that currently non developable land such as park land is zoned, usually residential. This should be addressed in order to develop more precise data.

**TABLE L1
Existing Single Family Zone Districts**

District	Lot Size	Density (du/acre)	% Twp.	% Residential Districts	Total Acres
R-220	220,000	1.0 unit per 5 ac.	16.4	19.3	4,002.00
R-130	130,000	1.0 unit per 3 ac.	0.8	.9	186.39
R-110	110,000	1.0 unit per 2.5 ac.	4.8	5.6	1,160.30
R-90	90,000	1.0 unit per 2 ac.	2.3	2.7	567.55
R-45	45,000	1.0 unit per ac.	10.3	12.2	2,519.03
R-30	30,000	1.5 unit per ac.	12.4	14.6	3,019.42
R-22	21,875	2.0 units per ac.	20	23.6	4,888.58
R-15	15,000	3.0 units per ac.	2	2.3	465.68
R-10	10,000	4.0 units per ac	8.8	10.4	2,145.10
R-7	7,500	6.0 units per ac.	4.3	5.1	1,050.52
R-5	5,000	8.0 units per ac.	1.9	2.2	457.84
R-22A	8,500	5.0 units per ac.	0.3	.3	59.90
R-O	21,875	2.0 units per ac.	0.7	.7	154.33
Total:			84.6%	100%	20,676.64

R-220 Districts - The southeasterly portions of the Township including portions of Chapel Hill, Locust and the Navesink area comprise the R-220 zone. This area remains restricted from future sewer extension. Some new residential development has occurred in the area, but generally small scale developments. The area is still primarily characterized by large estates and active/inactive horse farms. Extensive county acquisition of park land has also occurred in this area. The southwesterly area of the Township encompassing, Brookdale Community College, Christian Brothers Academy and Bamm Hollow Country Club are also in the R-220 Zone.

R-130 District – A small portion of the southwesterly portion of the Township is located in the R-130 Zone. This area includes generally larger lots, with some residential development potential. There are sewer service limitations in this area, as well as a range smaller lot residential developments to the north and south.

R-110 Districts - The perimeter of the R-220 zone is generally bordered by the R-110 Zone. Much of this area remains restricted from future sewer extension and it acts as a transition area between the most rural areas and the more suburbanized areas of the Township. The area is still primarily characterized by large estates.

The R-90 Districts – The districts are located in the Lincroft and Chapel Hill sections of the Township. These low density areas possess environmental constraints and contain areas of prime farmland.

The R-45 Districts – The districts are located primarily in the Lincroft, Fairview and Chapel Hill sections of the Township. These densities have been the traditional development pattern of these areas.

The R-30, R-22, R-15 and R-10 Districts - Are located in the more developed areas of the Township and provide the potential for in-fill development in keeping with the

traditional development pattern of these areas.

The R-7 Districts - This district is located in the Bayshore area of the Township, generally north of Route 36 in North Middletown, Port Monmouth and Belford. These areas contain high density single family neighborhoods. Lot sizes in these areas are typically 5,000 – 7,500 square feet in area. Very little vacant developable land still exists in these areas. There is some potential for minimal infill development.

The R-5 District - This district is located in North Middletown. This area contains the highest single-family development densities in the Township. Historically developed as a summer resort, typified by bungalows, lot sizes range from 2,500 to 5,000 on average. Very little vacant developable land remains.

**TABLE L2
Existing Multi-Family Zone Districts**

District	Permitted (du/ac) Density		% of Multi-Family Zones	Total Acres
	Gross	Net		
AAC	4.0	NA	11.3	87
R-1	6.0	NA	20.6	159
R-2	5.0	7.0	10.1	78
RTF	7.2	NA	5.8	45
RTH	5.0	7.0	13.1	101
RTH-1	NA	3.0	3.9	30
RTH-2	5.0	NA	7.8	60
RTH-3	8.0	NA	2.2	17
RTH-4/B-3	10.0	NA	1.9	15
RTH-5	20.0	NA	.15	1.2
RTH-6	6.5	NA	1.9	15
RGA	9.25	11.25	11.4	88
RGA-1	10.0	NA	1.9	15
RGA-2	9.0	NA	1.5	12
RGA-4	26	NA	.03	.2
RHA	20	30	2.2	17
RHA-1	35	NA	1.0	7
PRH	18	NA	3.1	24
	Total:		100	771.4

3.2 % of Middletown’s total land area is zoned for multi-family housing.

R-1 and R-2 - Planned Adult Communities

These developments are largely age restricted communities. Shadow Lake Village (R-1) contains 953 units. Shady Oaks (R-2) contains 366 units. There are no more undeveloped R-1 or R-2 areas.

AAC Active Adult Community

~~An 87-acre area, generally located between Kings Highway East and Kaness Lane, along Rt. 35 is designated for the development of age-restricted housing, generally for residents 55 and over. The zone permits a residential density of up to 4.0 dwelling units per acre. The zone also allows for a mixed use component, allowing a limited amount of commercial development.~~

R-TF - Two Family Residential

As one means of providing moderate income housing to residents of Middletown, a two family residential housing district, R-TF, was created in the northwestern section of the Township bordering Holmdel along Palmer Avenue and Main Street. Additional RTF Zones exist along East Road, Elizabeth Avenue and Unity Road/Gillville Lane The R-TF district has a minimum requirement of 12,000 square feet per lot for a density of 7.2 units/acre

RTH Districts

Townhouse districts, RTH, are provided as an alternative to single family detached housing. They provide a maximum permissible density of 10 units per acre, with the exception of one that permits 20 units

per acre, but is reality a redevelopment site, and they are generally located within easy access of principal and secondary arterial roadways. There are a total of 76 units within the various zones, comprising eight separate developments. Another 79 units are presently under construction and another 24 approved for construction. There are presently 24 affordable housing units within the RTH Zones, with another 14 under construction.

RGA Districts

In order to provide for a balance of housing choices within the Township, garden apartment districts have been designated along or in proximity to principal arterial roadways in the Township. Some Developments in the RGA Zones also contain owner occupied units as well. The RGA districts provide a permissible dwelling unity density of 11.25 units per acre, except for one that permits up to 26 units per acre, but which is in reality a redevelopment site. There are 992 units within the RGA zone, comprising three separate developments. Another 110 units are under construction and another 6 units approved. There are presently 28 affordable rental units in the RGA Zones, with another 16 under construction and another 6 approved for construction.

RHA Districts

The mid-rise apartment districts, RHA were created in response to the need to provide moderately priced housing for senior citizens. This district consists of the Tomaso and Daniel Towers on Route 35 and the Luftman Towers in the Lincroft section of the Township. The Shoal Harbor Development provides attached housing for senior citizens in Port Monmouth. These units are owned and operated by the

Middletown Housing Authority, except for Luftman Towers which is owned and operated by the Lincroft Senior Citizens Housing Corporation and Lin-Mid, which developed a 60 unit expansion of Luftman Towers. There are a total of 597 senior citizen housing units in the RHA zone, comprising the four projects. The RHA zone currently permits a maximum density of 35 units per net acre. There are no more undeveloped parcels in the RHA district. There are an additional 128 units in a private development known as Kings Row, which is on Rt. 35 in the B-3 zone.

R-0 Residential Office

It is recognized that there are certain nonresidential uses which can be suitably located in the vicinity of other residences. In addition, it is also recognized that there are areas of the Township which have evolved into districts which contain a mix of residential and commercial uses, including many homes with legitimate businesses within the structure. There are currently eight areas of the Township designated as R-O. They are as follows:

1. Generally along New Monmouth, Tindall, Leonardville and Cherry Tree Farm Roads.
2. Located along the Southern-most section of Route 35 in Middletown, on both sides of the highway.
3. The north side of Leonardville Road west of East Road.
4. The area along Church Street, just north of the Middletown Train Station.
5. The easterly most portion of the south side of Kings Highway.
6. A portion of New Monmouth Road Just north of Rt. 35.
7. The intersection Nutswamp Road and Middletown-Lincroft Road.

8. Portions of Newman Springs Road in the Lincroft section.

Commercial

The Township's commercial zones primarily exist along routes 35 and 36. These highways have gradually developed over many years into major strip commercial areas providing necessary shopping opportunities for residents of Middletown and neighboring communities. The B-1 and B-1A zone is intended to provide primarily neighborhood commercial centers for very localized trade. *The B-1 and B-1A Zones are also suited to buildings that incorporate a mix of residential and commercial uses that enhance neighborhood character and sustainability.* Most of these areas are within easy walking distance of residents. The B-2 and B-3 zones provide for varying degrees of commercial uses and development intensities. In addition the Marine Commercial (MC) zone was created in 1990 adjacent to Raritan Bay and Compton's Creek. The Marine Commercial Zone was intended to create a waterfront mixed use district allowing residential, but primarily commercial uses.

Office Research/Business Park

During the 1980's a rapid growth of corporate office development was experienced within the Township, as well as the region. Land within the Township with good access to the Garden State Parkway was the primary focus of this development. Land uses within these zones generate substantial tax revenue and also provide for the majority of employment opportunity within the Township. The majority of land within these zones is developed although some of the existing developments have minimal room for expansion

Industrial

Little industrial development has occurred within the Township. The only remaining area still designated as industrial is the Kanen Lane area off of Route 35 which is mostly undeveloped except for the Township public works facility and recently constructed appliance warehouse. There are a few scattered nonconforming industrial uses throughout the Township, most of which have existed for more than 40 years. The other major area zoned Light Industrial is approximately 300+ acres, owned by the County of Monmouth. A small portion of this area is the site of the Ferry Terminal and associated parking. The remainder consists of a former landfill currently undergoing a closure process and a large wetlands area.

Public Recreation and Housing

This zone allows for a portion of public land to be developed privately for the purpose of developing a new, all affordable 180 unit senior housing development. The remainder of the land is to be used for open space and recreation purposes.

Public Parks/Open Space

A total of 3,671 acres of land comprising 15% of the total area of the Township is devoted to public parks and open space. Of this amount 2,430 acres or 66% are owned and operated by Monmouth County. 1,241 acres or 34%, comprising 69 parks, are either Township owned lands or are included on the Township's Recreation and Open Space Inventory (ROSI). The Township and County Park lands offer a wide array of recreation opportunities including fishing, tennis, baseball, softball, roller hockey, platform tennis, soccer, miniature golf, theater, and passive recreation such as hiking trails and nature

observation. It should be noted that the 1,792 acre Gateway National Recreation Area, a Federal Park, was excluded from the above parkland calculations.

Streets, Highways and Railroads

Middletown Township is traversed by numerous streets and highways, as well as two railroads, the New Jersey Transit North Coast Line and The Earle Navy Railroad. Major roadways traversing the Township include the Garden State Parkway and State Highways 35 and 36. The abandoned Central Jersey Railroad right-of-way has been acquired by the Monmouth County Parks System. The total land area located within the right-of-way of streets, highways and railroads occupied 2418 acres or 10% of the total land area of the Township. This does not include the 150 acres occupied by the Earle Navy Road or railroad which will be counted as "military land."

Farmland

Active farmland within the Township of Middletown occupies 1,927 acres or 8% of the total land area of the Township. The primary farmland activity in the Township is the raising of horses. The amount of farmland in 1980 was 1,956 acres or 8% of the total land area of the Township. This represents slight decrease since 1980.

Other Land Uses

This category consists of uses such as private golf courses, non-profit or non-public tax exempt property cemeteries, private and parochial schools. Other land uses occupy 2,076 acres or 8% of the total land area of the Township.

Military Land

The Earle Naval Base occupies 705 acres or 3% of the total land area of the Township. Naval Weapons Station Earle was developed in 1943 to serve as a depot in the New York area for supplying and loading ships with ammunition. The base itself is divided into three separate areas. The main station is located just south of Colts Neck, while the waterfront and Chapel Hill areas are located in Middletown Township. A government owned railroad and highway, Normandy Road, connect all three. Four piers project into the Sandy Hook Bay and are connected to the mainland by a 9,061 foot trestle, which is presently being rehabilitated.

Vacant/Undeveloped Land

Vacant/undeveloped land occupies 1419 acres or 6% of the total land area of the Township. However, approximately 1183 acres or 4.8% consists of tidal and freshwater wetlands which are essentially not developable. Clearly this leaves very little vacant developable land. However it is important to understand that there is still a significant amount of farmland, much of which will still have development potential. It should also be noted that while it appears that since 1993 it appears that slightly over 1000 acres of land has been developed, one must look more closely. Clearly a certain amount has been developed, however since 1993, 324 acres of new parks and open space have been added. The Township continues to pursue open space acquisition and preservation, utilizing its Open Space Trust Fund and dedicated tax revenue (See Recreation and Open Space Element). At this time the Township is in negotiations to acquire and preserve approximately 180 additional acres of land.

Table L3, "Existing Land Use," lists the acreage and the percent of all lands in the Township dedicated to each of the above

description land uses. As shown, residential development (39%) is the predominant land use followed by public parks (18%), farmland (8%) and other land uses (8%).

TABLE L3
Existing Land Use

	Area (acreage)	% of Township
Vacant/Undeveloped	1,419	6%
Residential	9,516	39%
Multi-Family Residential	563	2%
Commercial	1,561	6%
Industrial	5	0%
Farmland	1,927	8%
Military Land	705	3%
Public Parks/Open Space	3,671	15%
Public Schools	587	2%
Other Land Uses	2,076	8%
Streets, Highways & Railroads	2,418	10%
Total	24,448	100%

Proposed Land Use Plan

Residential Districts

1. The Township should pursue and implement the density recommendations contained in the McClees Creek Study, prepared by T&M Associates in November 2002 and revised in January 2003. This area of the Township contains some of the most fragile and environmentally important features of our region and heightened protection of land in this area is in the general interest of the community.

~~2. The Planning Board has considered the issue of maintaining the 1993 Master Plan recommendation for the establishment of a Planned Development district and a possible Town Center Development. The Board has concluded that although such a concept was determined to be an appropriate idea at the time of the prior Master Plan, it now no longer is. Recognizing that mixed use "Center" type development is a concept promoted by the State of New Jersey~~

~~and others and that such development techniques are laudable in some instances, the Board feels that the area proposed for such use in Middletown is no longer appropriate for such a large and intense development, given limited and complex road access issues, overall traffic issues and environmental factors, including the new State Stormwater Management regulations.~~

~~The Board therefore recommends that the zoning limiting the site to an Active Adult use, including the option for a mixed use Active Adult use is more appropriate and should be retained.~~

2. Portions of the Township generally located West of the Garden State Parkway and primarily encompassing Brookdale Community College, Thompson Park, Christian Brothers Academy, Bamm Hollow country Club and Sunnyside Recreation Area should be maintained in a lower density zone, as presently designated, limiting density to one dwelling unit per five acres.
3. The Township should consider rezoning of the following areas:
 - Area 1 Block 517, lots 3 – 8
 - Area 2 Block 532, lots 42 and 43
 - Area 3 Block 732, lots 10-13

These three areas have similar characteristics in that they are located on State Highway 36, but do not necessarily lend themselves to commercial development. The Township should consider the development of a revised zoning scheme that would either create a conditional use or an overlay zone that would allow a multi-family residential

option. Densities for Areas 2 and 3 should be limited to approximately 7-8 dwelling units per acre, while Area 1 could support a density up to 15 dwelling units per acre. In all cases mixed-use development should also be permitted as an option. In this case the residential density should be decreased with the introduction of Commercial uses. In all cases there should be an affordable housing component to these sites.

4. *The “Future Land Use Plan” map incorporates the following Land Use Plan policies and achieves consistency with the Master Plan Housing Element and Fair Share Plan adopted in December 2008:*

- *Block 1063, Lot 10 – This 68-acre tract is designated as “multifamily” and should be zoned for residential development at a density of approximately 5.5 units per acre. Phasing site development at this tract would be acceptable provided appropriate levels of infrastructure improvements are completed by the developer at defined stages of construction to ensure adequate public services are provided and traffic impacts are sufficiently mitigated. Future site development should be guided towards the limits of established built areas that contain impervious surfaces (e.g. parking areas, building footprint).*
- *Block 600, Lots 34, 35.01 & 35.02 – This 30-acre tract is designated as “multifamily” and should be rezoned for non-age restricted residential development at a density of approximately 11.5 units per acre. A commercial land use designation is no longer appropriate at this location.*
- *Block 795, Lots 23 & 24 - This 17-acre tract is designated as “multifamily” and should be rezoned for residential development at a density of 8 dwelling units per acre.*
- *Block 795, Lot 19 & 5.01 (portion) – This tract is designated as “multifamily” and should be rezoned for residential development at a density of 8 dwelling units per acre. A multifamily land use designation is appropriate only for that portion of Lot 5.01 at the southwesterly corner of the tract extending approximately 1,000’ east from Laurel Avenue to Mahoras Creek.*
- *Block 732, Lots 10, 11, 12, 13 & 21 - This 6-acre tract is designated as “multifamily” and should be zoned for residential development at a density of 8 dwelling units per acre. A commercial land use designation is no longer appropriate at this location.*
- *Block 517, Lots 3 through 8 - - This tract is designated as “multifamily” and has been zoned for residential development. A commercial land use designation is no longer appropriate at this location.*
- *Block 532, Lots 42 and 43- This tract is designated as “multifamily” and has been zoned for residential development. A commercial land use designation is no longer appropriate at this location.*
- *Block 281, Lots 14 & 15 - This 2+ acre tract is designated as “multifamily” and should be zoned for residential development at a density of 24 dwelling units per acre.*

A “multifamily” land use designation is suitable for the foregoing sites, and a

variety of housing types is encouraged. Affordable housing set-asides shall be consistent with Housing Element and Fair Share Plan policies.

Additionally, the “Future Land Use Plan” map incorporates the following Land Use Plan policies:

- ***Block 137, Lot 2.06** – This tract is designated as “multifamily” and has been zoned for residential development. The “Dunes at Shoal Harbor” residential development is situated here. A commercial land use designation is no longer appropriate at this location.*
 - ***Block 496, Lots 5 and 6.01** - - This tract is designated as “commercial” and should be zoned for commercial and/or mixed-use development. A residential land use designation is no longer appropriate at this location.*
5. The use of the mixed use development concept should be explored and encouraged for suitable areas and generally for small to mid-sized projects where the number of dwelling units should typically not exceed 20 – 25. Creative development techniques such as this should be considered in the development of ordinance amendments and design standards. For example certain allowances may need to be modified for building heights and lot coverage calculations.
 6. Emphasis should continue on enhancing the Village concept and neighborhood commercial revitalization efforts. The Township should pursue grants, particularly “Smart Growth Grants” and possible “Village/ Center” designation.

7. Zoning Amendments should be adopted to require affordable housing component in all new developments or an in lieu contribution.

8. The Township should eliminate the following areas now zoned RTF Zones as they are no longer suited for that purpose:

- The East side of East Road, north of East End Avenue.
- The Elizabeth Avenue Area.
- Lands on Unity Road.

Planned Development

A Planned Development (PD) land use district at a tract containing approximately 120 acres located on the easterly side of Highway 35 between Kings Highway East and Kanes Lane is designated. This tract has been considered in the past for planned development, for age-restricted housing and for light industrial uses, and has been the subject of site plan applications to both the Planning Board and Zoning Board. Following longstanding and repeated litigation with the Township and other interested parties, the owner of this tract has secured certain rights to develop this tract with a substantial amount of non-age-restricted housing and commercial uses.

Ultimately, it is in the best interest of the Township to establish a zoning foundation for Planned Unit Development at this tract at a reasonable residential density and commercial intensity. Planned Unit Development, when developed as a single-entity according to a plan, can result in a measurable benefit to the public by providing significant employment opportunities; by supporting the local economy; by providing public spaces for active and passive recreation; and by

providing a variety of housing types with a range of affordability.

Encouraging a sustainable mix of residential and non-residential land uses through Planned Unit Development is a concept promoted by the State Development and Redevelopment Plan (SDRP) and is consistent with established SDRP policies for the Metropolitan Planning Area (PA-1).

Residential housing types could include single-family detached units, duplex units, multifamily buildings and residential units above commercial space. Assisted living facilities would also be appropriate. Construction of required affordable housing set-asides shall be consistent with Housing Element and Fair Share Plan policies, and shall net a minimum 160 credits towards the Township's fair share housing obligation. At full build-out, residential density should not exceed 4.5 dwelling units per gross tract acre, which would result in approximately 500 total residences.

A sustainable combination of non-residential uses would include retail uses and services, restaurants, and offices, as well as cultural, entertainment, recreational and community facilities. The tract is not suitable for industrial uses such as manufacturing or distribution facilities. The gross-tract non-residential floor area ratio (FAR) should not exceed 12% (exclusive of residential floor area), which would result in approximately 620,000 square feet of non-residential floor area.

The reservation of space for the construction of an on-tract public facility to meet the Township's active recreation needs is essential. This reservation of space shall supplement required active and passive recreation and open space areas

servicing on-tract development. Any public indoor recreation facility for use by all Township residents would not be subject to non-residential FAR limitations. Provisions should be made by any future developer ensuring that any regulatory agency having jurisdiction (e.g. NJDOT, NJDEP) is fully apprised of the potential construction of a future public recreation facility, the scale of which shall be taken into account for all permit applications to said agencies.

Phasing site development over a period of years through a General Development Plan (GDP) at this tract is acceptable provided that the Township has assurances that an appropriate mix of residential and non-residential uses will ultimately be achieved at full build-out. Appropriate levels of infrastructure improvements (e.g. utilities, roadways, recreation) shall be completed by the developer at defined stages of construction to ensure adequate public services are provided and traffic impacts are sufficiently mitigated. Consistent with the Municipal Land Use Law at 40:55D-45.2, a GDP for this tract should include a general land use plan; a circulation plan; an open space plan; a utility plan; a stormwater management plan; an environmental inventory; a community facility plan; a housing plan; a local service plan; a fiscal report; a proposed timing schedule; and a developer's agreement.

Based on the foregoing, the Future Land Use Plan map eliminates the Active Adult Community (AAC) land use designation and replaces it with a Planned Development (PD) land use designation. Moreover, considering the complex road access and traffic issues associated with the site's development, the PD land use designation replaces the Industrial land

use classification for privately owned land along the northerly side of Kane's Lane. These policies achieve substantial consistency with the Master Plan Housing Element and Fair Share Plan adopted in December 2008.

Non Residential Districts

1. Consider recommendations to study ~~three~~ *seven* potential redevelopment areas *per the Local Redevelopment and Housing Law (LHRL)*:

- The Area generally located along and between Rt. 36, Church Street, Main Street and Railroad Avenue in Belford.
- The area generally encompassed by Block 599, lots 1.01, 4, 9, 37, 40 & 41. located at the northwest corner of Rt. 35 and Old Country Road.
- The location of the former GPU/JCP&L facility on Leonardville Road in Belford.
- *A section of the North Middletown neighborhood situated along Port Monmouth Road generally located between Pacific Avenue and Hudson Ave. In order to reinforce the viability of the greater residential North Middletown neighborhood, the Township should conduct an investigation to ascertain if the area meets the criteria for designation of a "rehabilitation area" per the LRHL.*
- *The location of the former Middletown Tool Rental facility and its environs located at Block 502, Lots 1, 2 & 7.*
- *The location of the former Steak & ale restaurant located at Block 615, Lot 94.*

- *The entire Port of Belford area at the eastern terminus of Port Monmouth Road.*

2. Efforts must be made to emphasize a strong commitment towards improving the visual quality of all our commercial areas. In the case of the highway commercial districts, high quality and financially capable businesses must be sought to act as anchors for smaller more specialized businesses. Existing commercial development standards and permitted uses should be reconsidered with an eye towards high quality standards to create incentives, particularly where redevelopment of under-utilized and dilapidated properties can be achieved. In Highway Commercial districts consideration should be given to encouraging vehicular and pedestrian access ways or connections from one commercial property to the next. This can be done by use of public sidewalks or private pathways with cross easements. Properly designed such access ways will promote efficiency and economy by reducing dependency on automobiles. A coordinated and cooperative effort must occur between the Township, tenants and property owners, with assistance from the Chamber of Commerce in order to make such improvements happen.

In the case of the Neighborhood Commercial Districts creative development standards and zoning regulations should be adopted to help encourage and promote reinvestment in these areas. Consideration should be given to seeking Community Development Block Grant (CDBG) Funds or funds from other sources to plan for the revitalization of these areas, and to provide seed money and funding

for physical improvements. Emphasis should be placed on encouraging pedestrian activity and access in these areas. High quality architecture and streetscapes should be sought.

One issue common to all commercial areas which must be re-emphasized is code enforcement. A strong code enforcement effort must be made in commercial areas. The emphasis of such code enforcement must be placed on the concept of eliminating activities which detract from the visual quality and economic vitality of the areas, such as the erection of illegal and nonconforming signs. Property maintenance ordinances must also be tightened and enforced. Failure to properly maintain buildings and properties in such ways as repairing broken windows in a timely manner, mowing lawns regularly, trash and litter pick-up, removal of banners and special event flags in a timely manner, etc., all contribute to visual blight and hinder efforts to make improvements to the community.

As a means of promoting a desirable visual environment, conserving open space, and preserving natural features in non residential development, floor area ratio limits should be employed as a creative development technique. Therefore, increases in floor area and building height should be considered to induce good civic design and site arrangements as well as a means of encouraging economically beneficial land uses in the Township, in appropriate locations. Some possible examples that should be considered as elements of good civic design are:

- Developments that seek to locate off-street parking within a structure or underground thereby reducing impervious coverage, allowing for more open area, preserving natural features, reducing site disturbance, and improving the public view of the development site.
- Create or provide access, through dedications, easements, or other improvements, which assure the usability of public open space within, adjacent to, or in the vicinity of a development site.
- Locate surface parking outside of the required front yard area thereby increasing visible open space.
- Develop a site below the maximum lot coverage provided that the undeveloped space which results is preserved and would not otherwise have been created as a result of design standards and also provided that the design conforms to the zone district's minimums.

Where a development substantially incorporates the above design features, the maximum floor area permitted in the relevant zone districts could be increased. The maximum height could also be increased. Specific ratio and building height bonuses should be established by ordinance following an in depth study conducted by the Planning Board as to the appropriate standards for this concept.

Residential Office District

1. The Residential Office zone is still an appropriate land use technique. More appropriate standards should be developed that will require that not only a residential look is maintained for new and remodeled buildings in the district,

but also a residential scale or Floor Area Ratio and generally in keeping with building sizes in the vicinity. In addition where there exists within an R-O district a property that is larger than typical, or where properties are combined to form larger lots, the regulations should limit the size of individual structures so that multiple residential scale structures are built, rather than a single large structure, despite the fact that it might comply with the permitted Floor Area Ratio.

2. The Residential Office zone along the southerly portion of Rt. 35 should be rezoned in order to establish standards more suited to the highway location and to the lot sizes in the area, but the main emphasis of the R-O Zone, the residential look and scale, should be retained.
3. The R-O zone located in the vicinity of the Middletown Train Station on Church Street should be eliminated.
4. The R-O Zone applicable to the former GPU/JCP&L on Leonardville Road should also be revisited in conjunction with a possible redevelopment area designation.
5. The R-O Zone located at the intersection of Middletown-Lincroft Road and Nutswamp Road and Dwight Road should be eliminated.

State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was enacted in June 1992. The Township worked closely with the County Planning Board throughout all phases of the Cross Acceptance process and up until final adoption of the Plan. The concept of the

Plan is to determine where growth and development should and should not occur, with a regional perspective. The Township and Planning Board support the State Planning Process and are satisfied with the plan adopted in 2001. The concept of directing growth to centers and minimizing continued suburban sprawl is one which this Master Plan promotes, and would hope to achieve. The Townships emphasis on revitalization of existing village centers is consistent with this policy.

The majority of the Township has been identified as Metropolitan Planning Area (PA1). The Metropolitan Planning Area includes a variety of communities that range from urban centers to post-war suburbs. This Planning Area is fully developed, or almost fully developed with little vacant land available for new development. The McClees Creek and Claypit Creek drainage basins have been identified as an Environmentally Sensitive Planning Area (PA5). This area consists of several large tracts which are developed at a density of less than 1,000 persons per square mile and is not planned for public sanitary sewer service. The area also contains coastal wetlands, freshwater wetlands, steep slopes and natural landscapes of exceptional value which justifies an environmentally sensitive designation. The areas bounded by Laurel Avenue, New York/Long Branch Railroad and Holland Road as well as the area along Sunnyside Road has been designated Suburban Planning Area (PA2). These areas currently exhibit a land use pattern which lends traditional to suburban subdivisions or office developments. However, should development occur in this area, it is likely to be done in a fashion that will be consistent with a PA-2 designation.

Establishing the Planning Areas as proposed herein will ensure continued local and

regional Land Use compatibility between the Township and adjoining communities.

Transfer of Development Rights

Transfer of Development Rights (TDR) is a technique which allows the conveyance of development rights by deed, easement or other legal instrument from one or more parcels of land to other parcels of land in order to assure the preservation of the sending parcel(s). The concept of TDR has potential to be an effective tool for preservation of open space and environmentally sensitive areas, particularly given recent changes to the law that allow noncontiguous TDR's to occur., providing far greater flexibility to users. Finding appropriate receiving areas is always difficult, particularly in substantially developed communities such as this one. Presently no such areas are recommended, but the Township should remain open to the possibility that TDR might be an option in the future.

Cluster Development

Cluster development can also be an effective tool, when utilized properly that can enable land development to occur in a manner that will have minimal environmental impact and minimal utilization of land, while preserving open spaces and natural features. Middletown presently allows cluster developments and should continue to do so. *Zoning Ordinance standards should be modified to permit clustering regardless of minimum tract size. Additional incentives such as reasonable density bonuses should be provided when cluster designs utilize best management practices for stormwater infrastructure design and when critical environmental resources are provided with enhanced protection. Lot averaging techniques should also be considered.*

Floor Area Ratios for Single Family Residential Zones

The enactment of floor area ratio controls by the Township in 1985, has had a beneficial effect by establishing a zoning standard which controls the intensity of development in commercial areas. In 2000, the Township adopted floor area ratios for certain residential zones. To date they have had some positive impact. Consideration should be given to enhancing these regulations and possible applying them in all or most residential zones. However the use of other less complex standards should be attempted before using Floor Area Ratio Limits in smaller lot zones.

Grandfather Clause

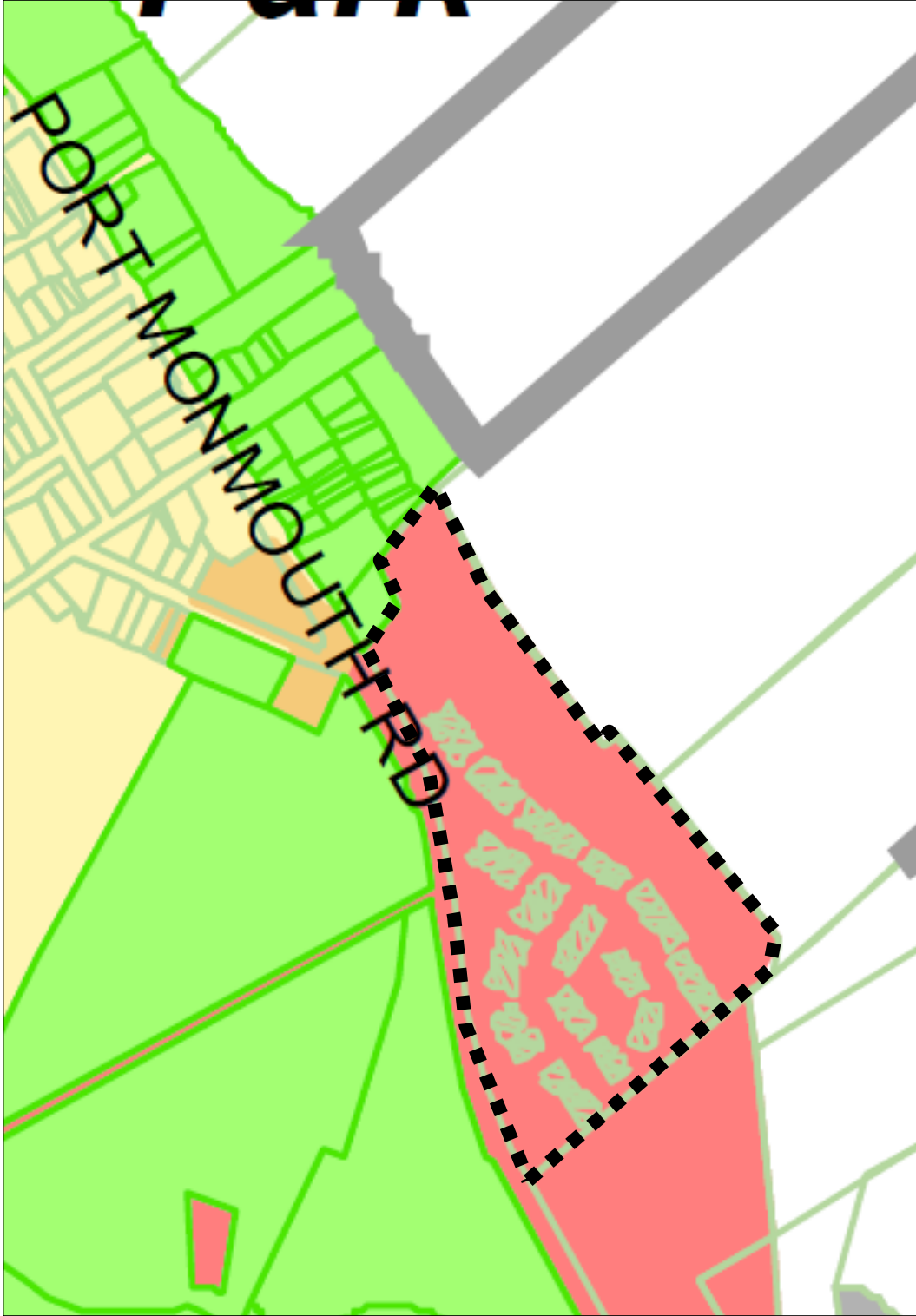
The Township Committee should adopt a zoning ordinance which would grandfather any lots in areas where the permitted density is being lowered. This will prevent currently conforming properties from becoming nonconforming merely because they are in an area being rezoned to a lower density. Without a grandfather ordinance, such properties could unfairly be forced to seek variances for even modest improvements to their properties such as additions and pools.

Critical Areas Regulations

The Township had tightened critical areas ordinances in order by effectively protecting environmentally sensitive lands. The regulations are geared towards preventing or severely limiting disturbance of critical areas. Further refinement and strengthening should be carried out pursuant to applicable legal limitations.

Other Recommendations

1. Continue support of the efforts to revitalize the ***Port of Belford*** commercial fishing port and nearby properties through redevelopment and revitalization of properties. The area in question should be developed in a manner that will enhance and support the commercial fishing industry by establishing appropriate business and industries. Use of waterborne access should be incorporated into future planning efforts in this area. ***Incorporation of the January 2009 Port of Belford Economic Feasibility Study and Conceptual Development Plan as a Master Plan background study is recommended.***
2. Continue use of Federal Land Status for EARLE and Sandy Hook.
3. While the Township does not have direct oversight or jurisdiction over Sandy Hook, this area represents a true landmark truly significant place in this region. Every effort should be made to preserve and enhance the existing character of the park. The park presently provides for a variety of recreational and educational opportunities for the public. Further expansion of the active use areas and their potential impacts on the park should be seriously considered before implementation.
4. A new “Park” Zone should be established for all public parks in the Township. This will provide for a more realistic view of the Township on maps and will result in more precise calculations of land uses and potential future build-out data.
5. ***The Planning and Development Regulations should be updated to current standards for the prevention of flood damage before September 25, 2009. Adoption of the Model Flood Damage Prevention Ordinance prepared by the NJDEP should be considered. This will permit the Township to continue participation in the National Flood Insurance Program (NFIP) as administered through the Federal Emergency Management Agency (FEMA). An updated ordinance should adopt FEMA’s updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM). The ordinance should, where appropriate, enhance FEMA’s minimum requirements. Enhancements will assist the Township in obtaining a higher rating when participating in FEMA’s Community Rating System (CRS), which could result in substantial flood insurance policy savings to property owners. FEMA’s pending map updates will have substantial impacts on property owners in the North Middletown neighborhood, the entirety of which will be located within a flood hazard area for the first time in many decades.***
6. ***Monmouth County is in the process of updating the County Wastewater Management Plan, which could substantially amend and reduce sewer service areas within the Township. The Township should continue to work closely with local, County and State representatives to ensure all land use policies remain consistent.***



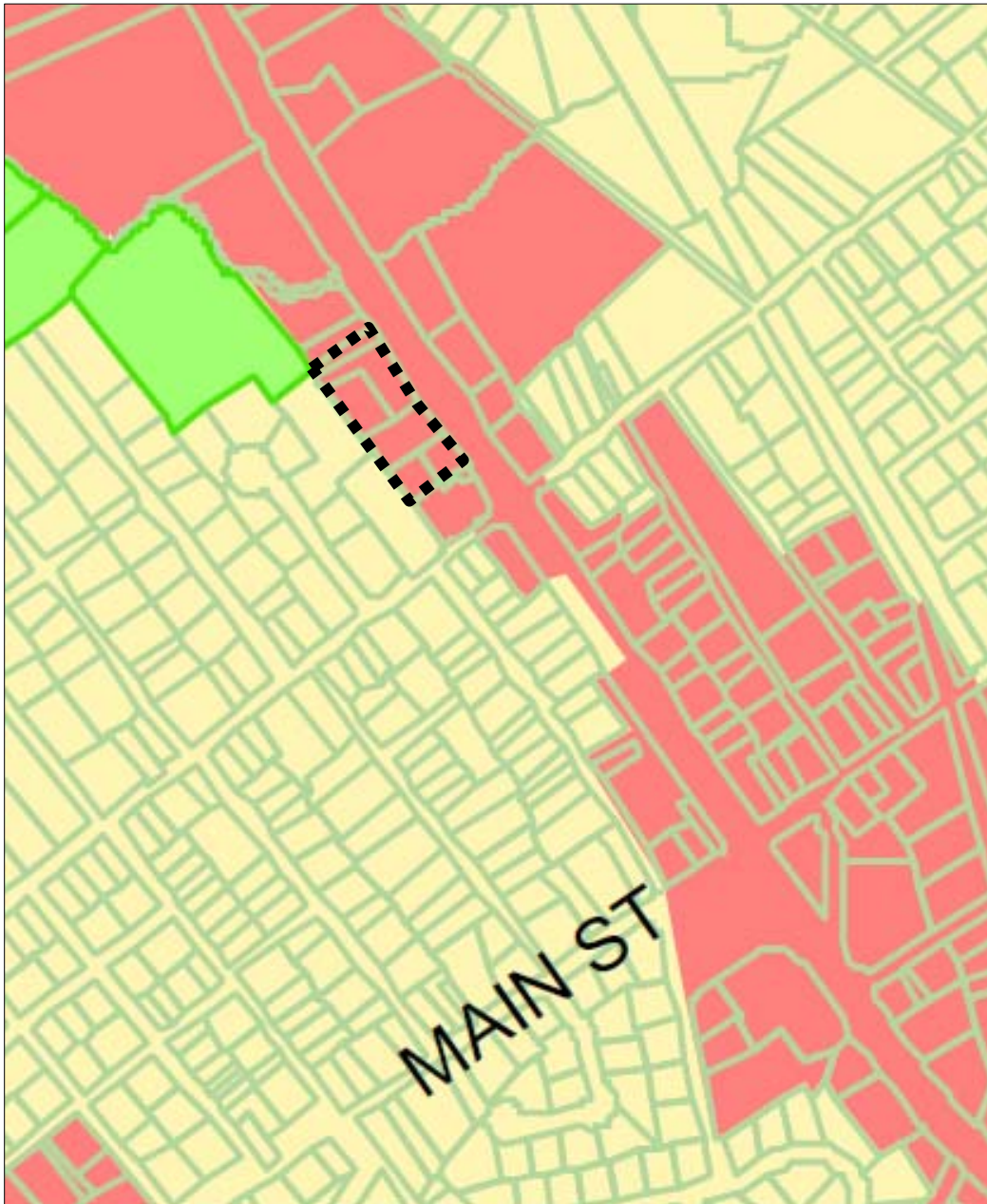
Future Land Use Plan – Block 137, Lot 2.06

Change from Commercial to Multifamily



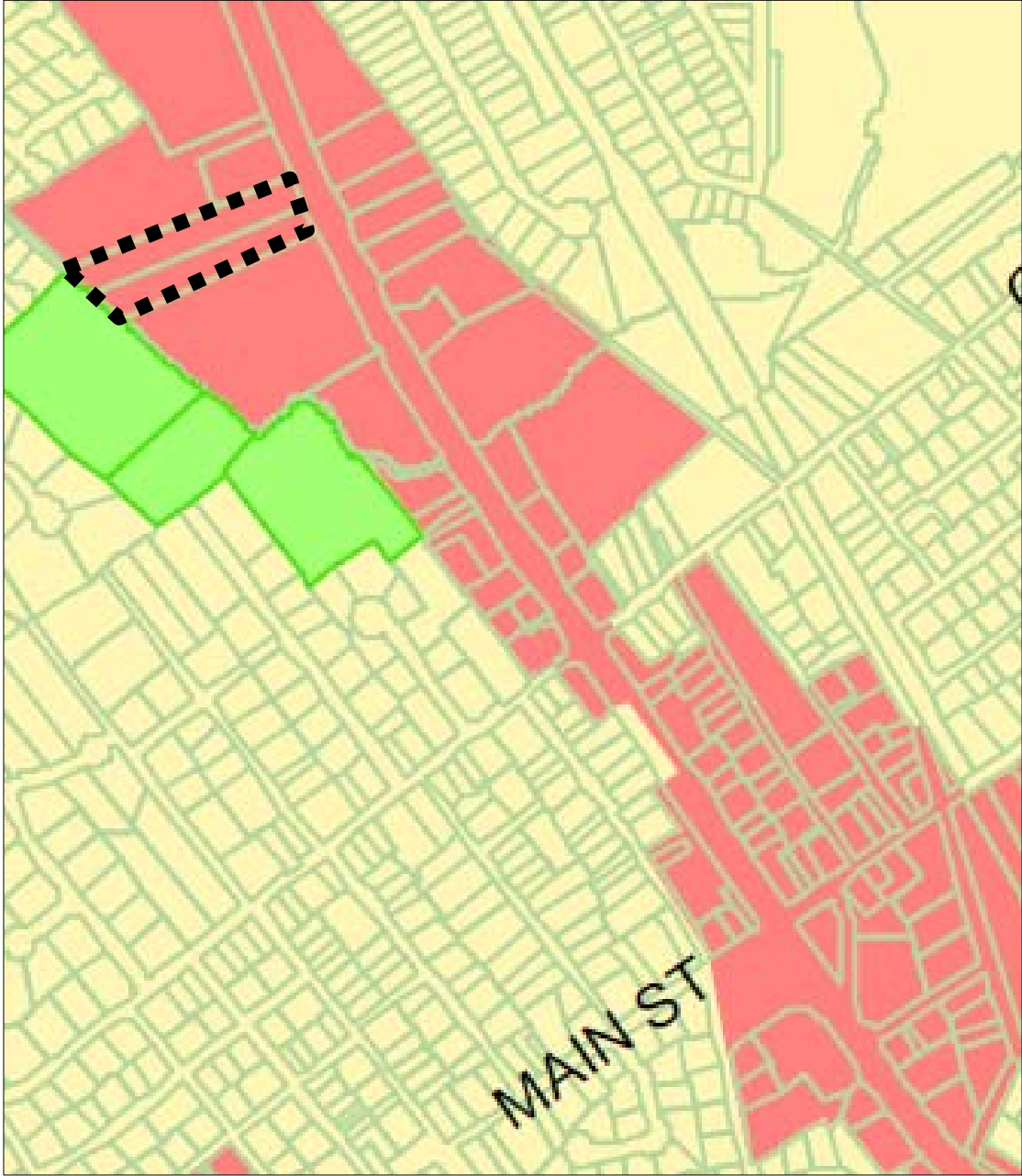
Future Land Use Plan – Block 496, Lots 5 & 6.01

■ ■ ■ ■ ■ ■ Change from Residential to Commercial



Future Land Use Plan – Block 517, Lots 3 through 8

■ ■ ■ ■ ■ ■ ■ ■ ■ ■ **Change from Commercial to Multifamily**



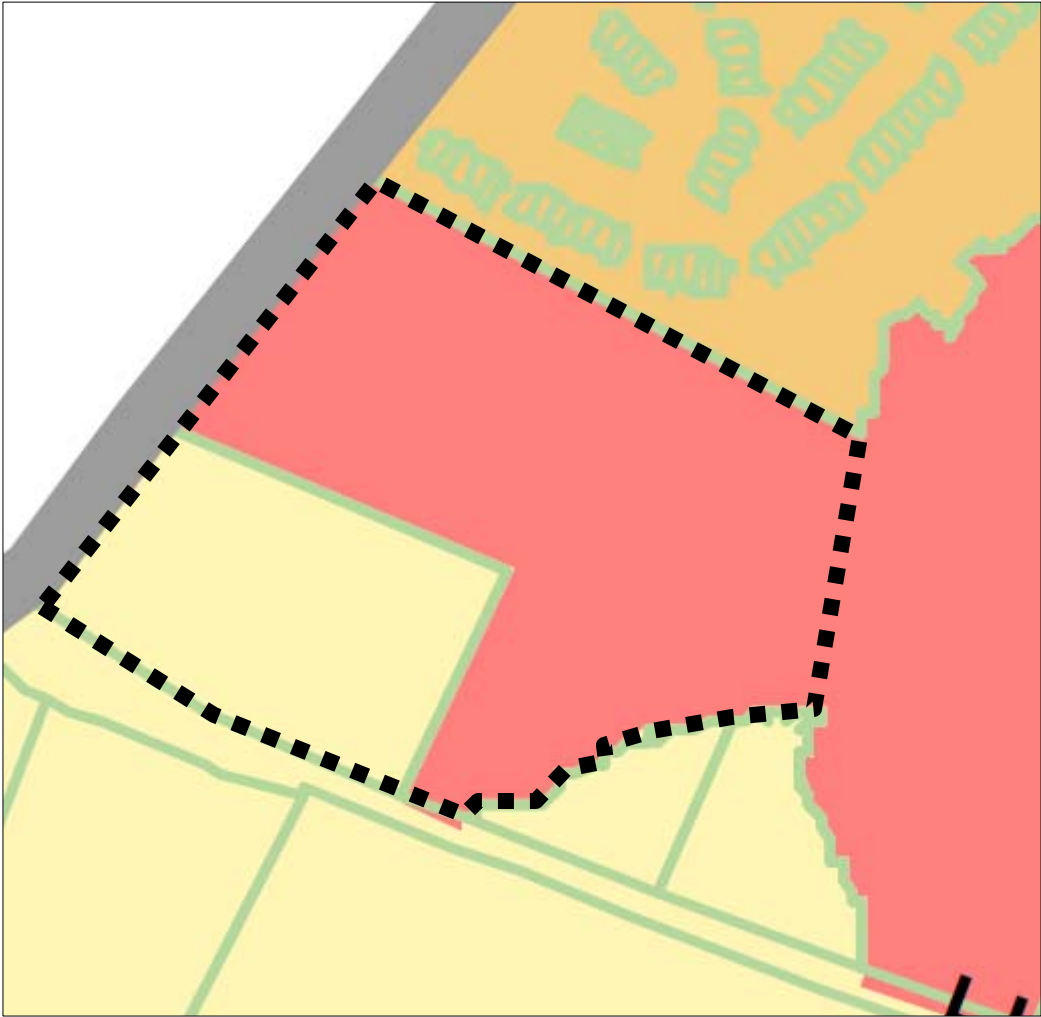
Future Land Use Plan – Block 532, Lots 42 & 43

■ ■ ■ ■ ■ ■ Change from Commercial to Multifamily

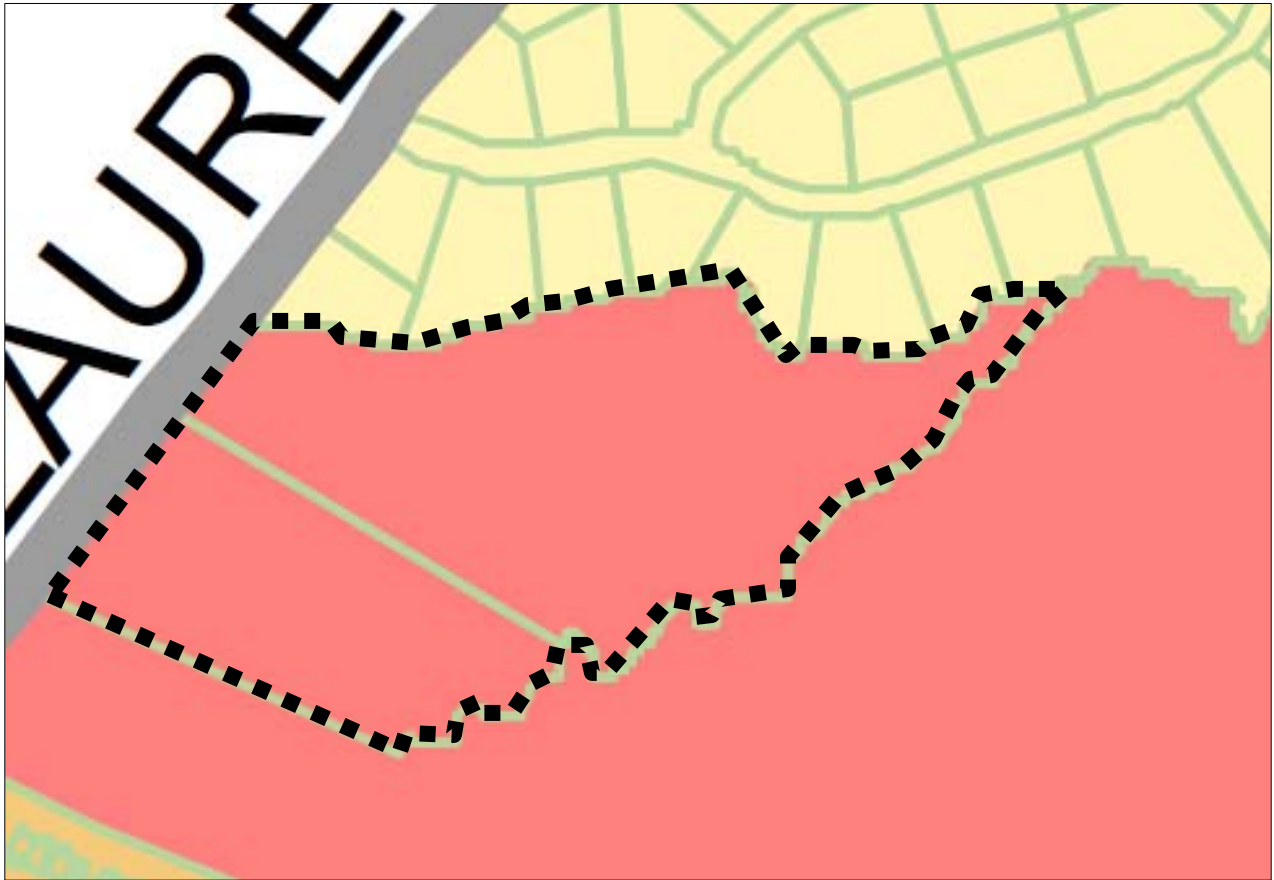


Future Land Use Plan – Block 281, Lots 14 & 15

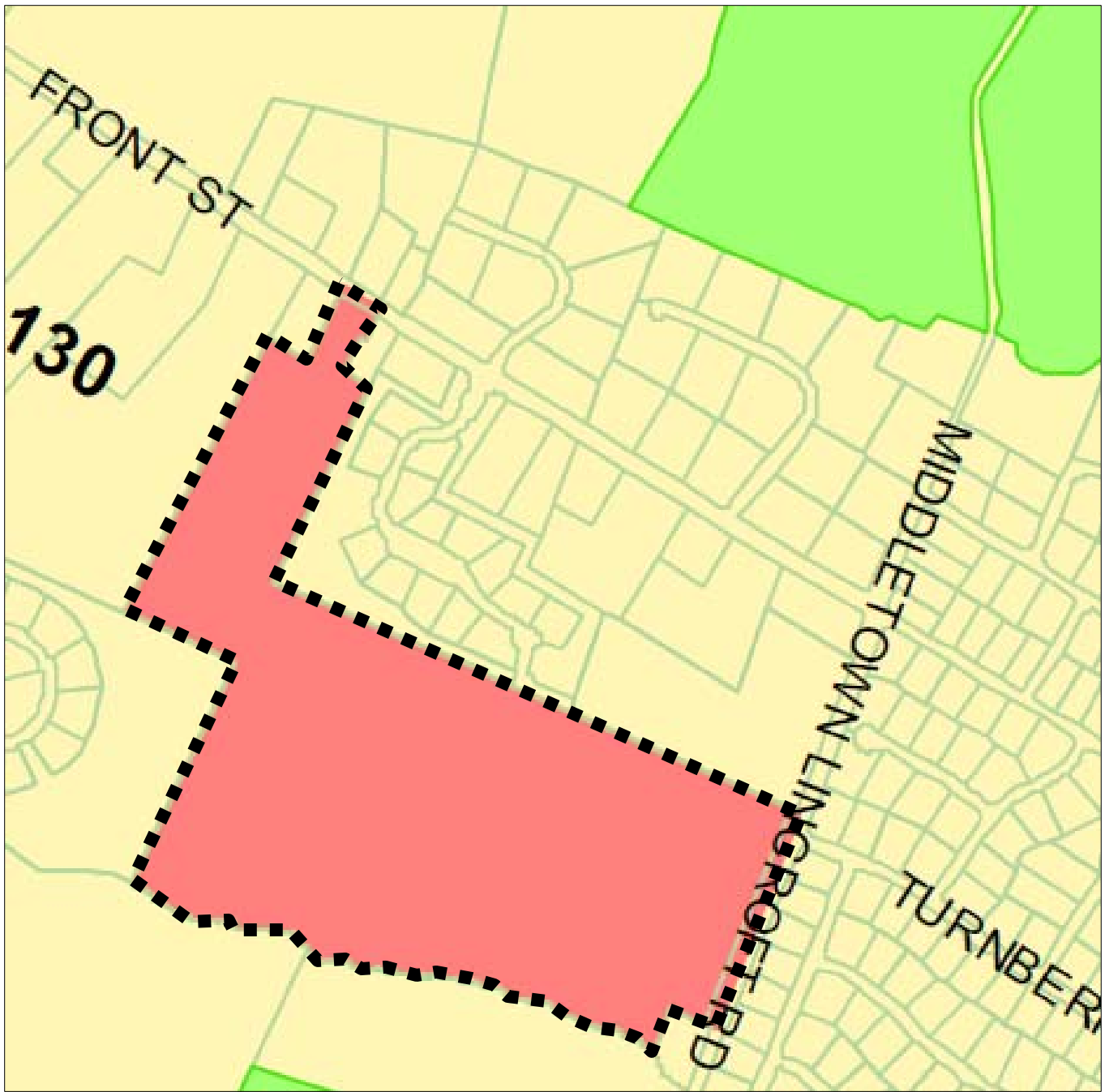
■ ■ ■ ■ ■ ■ Change from Residential to Multifamily



Future Land Use Plan – Block 795, Lots 19 & 5.01 (portion)
Change from Commercial and Residential to Multifamily

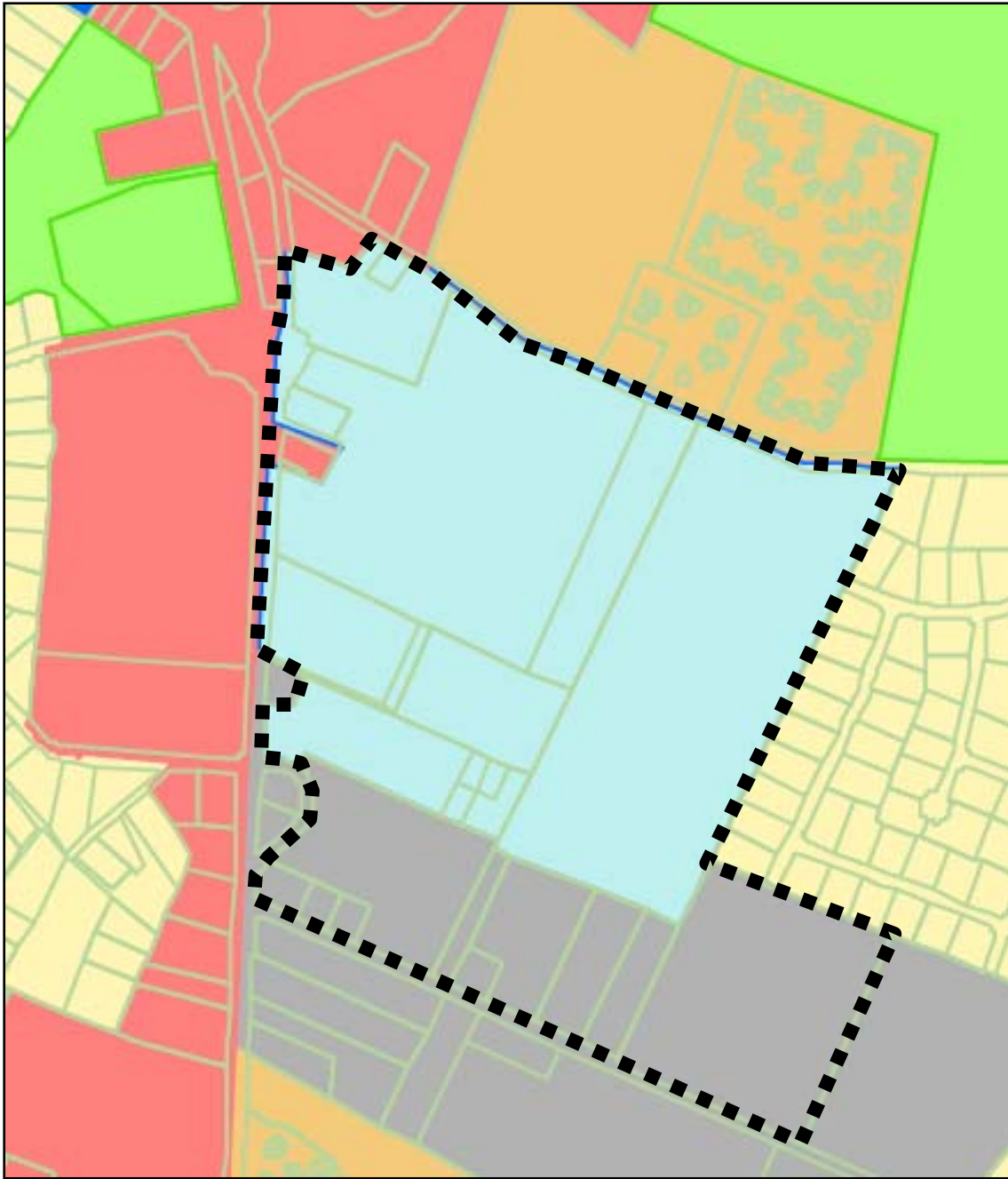


Future Land Use Plan – Block 795, Lots 23 & 24
Change from Commercial to Multifamily



Future Land Use Plan – Block 1063, Lot 10

■ ■ ■ ■ ■ **Change from Commercial to Multifamily**



Future Land Use Plan – Block 825, Lots 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81

■■■■■ Change from Active Adult Community, Commercial and Industrial to Planned Development