

North End Redevelopment Plan

Block 3, Lots 1, 2, 3, 4, 5.01 and 5.02
Block 4.01, Lots 1, 2, and 3
Block 4.02, Lots 1, 2.01, and Lots 2.03 through 2.15
Field Street and Snyder Lane

**Borough of Avon-by-the-Sea
Monmouth County, New Jersey**

Prepared for:
Borough of Avon-by-the-Sea

Prepared on:
August 4, 2020
Amended on:
March 22, 2021

Prepared by:



T&M Associates
11 Tindall Road
Middletown, NJ 07748



Stan Slachetka, PP, AICP
New Jersey Professional Planner License No.: 3508

*The original of this document was signed
and sealed in accordance with New Jersey Law.*

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Table of Contents

1.0 — Introduction..... 1

2.0 — Statutory Requirements 2

3.0 — Redevelopment Plan Area Description 3

 3.1 — Surrounding Land Uses..... 3

 3.2 — Environmental Constraints..... 3

 3.3 — Existing Zoning..... 3

4.0 — Goals and Objectives 4

5.0 — Redevelopment Standards 5

 5.1 — Existing Zoning..... 5

 5.2 — Redevelopment Plan Overlay 5

 5.2.1 — Principal Permitted Uses 5

 5.2.2 — Permitted Accessory Uses 5

 5.2.3 — Prohibited Uses 6

 5.2.4 — Bulk Standards..... 6

 5.2.5 — Design Standards..... 7

 5.2.6 — Off-Street Parking..... 7

 5.2.7 — Landscaping and Hedges 8

 5.2.8 — Signage 8

 5.2.9 — Lighting 9

 5.2.10 — Fencing 9

 5.2.11 — Stormwater..... 9

 5.2.12 — Trash and Recycling Enclosure 9

 5.2.13 — Property Maintenance 9

 5.2.14 — Development Fees..... 9

 5.2.15 — Homeowner’s Association..... 10

 5.2.16 — Affordable Housing..... 10

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

5.2.17 — Field Street Vacation 11

6.0 — Plan Relationships 12

6.1 — Municipal Zoning 12

6.2 — Avon-by-the-Sea Borough Master Plan 12

6.3 — Plans of Contiguous Municipalities 13

6.4 — Monmouth County Comprehensive Master Plan 14

6.5 — New Jersey Planning Documents 14

6.5.1 — State Development and Redevelopment Plan 14

6.5.2 — State Strategic Plan (Draft) 15

7.0 — Administrative and Procedural Requirements 16

7.1 — Acquisition 16

7.2 — Relocation 16

7.3 — Redeveloper Selection 16

7.4 — Redevelopment Entity Review 17

7.5 — Planning Board Review Process 18

7.6 — Duration of Plan 20

7.7 — Amending the Redevelopment Plan 20

7.8 — Conflict 20

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

List of Appendices

Appendix A: Resolution Designating Area in Need of Rehabilitation

Appendix B: Aerial Map of Redevelopment Plan Area

Appendix C: Tax Map Sheet 2

Appendix D: Environmental Constraints Mapping

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

1.0 — Introduction

The Borough of Avon-by-the-Sea has determined that the utilization of powers afforded by the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) is the most effective approach to promote the revitalization of and reinvestment in the area in the Borough that has been designated in need of rehabilitation by the Borough Commission, which area is generally located to the north of Norwood Avenue (Rulon Street); east of the municipal boundary with the City of Neptune, and the rights-of-way of Railroad Avenue and New Jersey Transit's North Jersey Coast railway line, to the west; south of the municipal boundary with the Borough of Bradley Beach; and, west of Main Street (New Jersey Route No.: 71).

After having received a formal recommendation from the Avon-by-the-Sea Borough Planning Board, the Avon-by-the-Sea Borough Commission, on January 14, 2019, adopted an unnumbered resolution (see: Appendix A), which designated the properties in Blocks 3, 4.01 and 4.02 along with Field Street and Snyder Lane, collectively and in their entirety, as an area in need of rehabilitation. The designated rehabilitation area includes the following:

- Block 3, Lots 1, 2, 3, 4, 5.01 and 5.02
- Block 4.01, Lots 1, 2, and 3
- Block 4.02, Lots 1, 2.01, and Lots 2.03 through 2.15
- Field Street and Snyder Lane

T&M Associates has prepared this redevelopment plan at the request of the Borough of Avon-by-the-Sea for the purpose of undertaking the redevelopment of the designated area in need of rehabilitation.

2.0 — Statutory Requirements

This Redevelopment Plan is written pursuant to Section 7 of the Local Redevelopment and Housing Law at NJSA 40A:12A-7a, which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinances of the municipal governing body”. Pursuant to the requirements of the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the Redevelopment Plan Area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.
2. Proposed land uses and building requirements in the Redevelopment Plan Area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the Redevelopment Plan Area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the Redevelopment Plan Area that the municipality envisions acquiring, in accordance with the Redevelopment Plan.
5. Any significant relationship of the Redevelopment Plan to: (a) the Master Plans of contiguous municipalities; (b) the Master Plan of the county in which the municipality is located; and (c) the State Development and Redevelopment Plan (SDRP), adopted pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C.52:18A-196 et al.).

As evidenced by the following sections of the plan, this Redevelopment Plan meets these statutory requirements.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

3.0 — Redevelopment Plan Area Description

This Redevelopment Plan has been prepared for the properties located in Blocks 3, 4.01, and 4.02, and Field Street and Snyder Lane, which contains a total combined area of approximately 3.98 acres (“Redevelopment Plan Area”).

Appendix B provides aerial mapping of the Redevelopment Plan Area and shows its location within the Borough. In addition, Appendix C provides a copy of Sheet 2 of the official tax maps of the Borough of Avon-by-the-Sea.

3.1 — Surrounding Land Uses

The Redevelopment Plan Area is surrounded by: the right-of-way of Norwood Avenue (Rulon Street) and residential uses to the south; the properties in the Borough of Bradley Beach to the north; the rights-of-way of Railroad Avenue and New Jersey Transit’s North Jersey Coast railway line to the west; and, the right-of-way of Main Street (New Jersey Route No. 71), Sylvan Lake and single-family residential properties to the east.

3.2 — Environmental Constraints

As shown in Appendix D, the Redevelopment Plan Area contains approximately 0.79 acres of mapped wetlands. There are no other mapped environmental constraints within the Redevelopment Plan Area.

Conformance with all applicable requirements of the New Jersey Department of Environmental Protection shall be required.

3.3 — Existing Zoning

The Redevelopment Plan Area is located in the GC (General Commercial) Zone District. The purpose of the GC (General Commercial) Zone District is to: upgrade the appearance of the Main Street Corridor; provide neighborhood-type retail services oriented to the needs of the residents of the Borough; provide general and professional office uses to compliment the retail uses; and, provide adequate off-street parking for all permitted uses.

Regarding the bulk regulations of the GC (General Commercial) Zone District, it is noted that the minimum lot size is 7,000 square feet, and the minimum lot width is 40 feet. The minimum required front yard setback is determined on the basis of the average front yard setback within the block, or the nearest adjacent block to the site if there are no existing buildings within the block; side yard setback is five (5) feet unless structures are attached; and, rear yard setback is 15 feet. In addition, the GC (General Commercial) Zone District permits a maximum building coverage of 50 percent and a maximum impervious coverage of 85 percent.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

4.0 — Goals and Objectives

The goals and objectives of Redevelopment Plan Area are as follows:

Abate the conditions that cause the Redevelopment Plan Area to be in need of rehabilitation;

Provide tax ratables for the Borough through revitalization and reinvestment;

Promote development of currently underutilized tax parcels;

Expand development opportunities within the Redevelopment Plan Area;

Improve the aesthetic image of the Borough;

Increase the supply and diversity of the local housing stock; and,

Promote the overall goals and objectives of the Borough's Master Plan.

5.0 — Redevelopment Standards

This Redevelopment Plan shall constitute an overlay to the existing GC (General Commercial) Zone District. The redevelopment standards provided in Subsection 5.2 of this Redevelopment Plan shall apply to the Redevelopment Plan Area when a redevelopment project is undertaken in accordance with the Redevelopment Plan Overlay.

5.1 — Existing Zoning

The underlying GC (General Commercial) Zone District and relevant bulk and yard standards shall continue to be applicable when the Redevelopment Plan Area or a portion of the Redevelopment Plan Area is developed with a use that is listed in Section 113-12A (Principal Permitted Uses) or Section 113-12B (Conditional Uses) of the Code of the Borough of Avon-by-the-Sea, except as may be described in this Redevelopment Plan.

5.2 — Redevelopment Plan Overlay

To promote increased development flexibility within the Redevelopment Plan Area, this Redevelopment Plan permits, as an optional overlay, townhouse development and supplements the underlying zoning with the following use, bulk and design requirements.

The use, bulk and, design requirements that are set forth in this Redevelopment Plan Overlay shall apply only to the Redevelopment Plan Area, and not to the GC (General Commercial) Zone District overall. Please also note that these standards shall only apply in instances when the Redevelopment Plan Area is developed with townhouse development as provided herein.

5.2.1 — Principal Permitted Uses

The following uses are permitted as principal uses:

1. Townhouse development.
2. Public and private playgrounds, parks, and other public purposes.
3. Townhouse building unit with two (2) apartment flats (affordable units only per Section 5.2.16)

5.2.2 — Permitted Accessory Uses

The following uses are permitted as accessory uses:

1. Decks, patios and porches;
2. Antennas not to exceed three (3) feet in height, and television “dish” antennas not to exceed 24 inches in any one (1) dimension. To the extent possible antennas and television “dish” antennas shall be located on a roof or rear façade that is not visible from a public right-of-way; and,
3. No more than one (1) trellis or pergola not to exceed 100 square feet in floor area.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

5.2.3 — Prohibited Uses

The following uses are prohibited as part of the Redevelopment Plan Overlay:

1. Home occupations;
2. When the Redevelopment Plan Overlay option is selected, the uses permitted in the underlying GC (General Commercial) Zone District are not permitted as part of the development; and,

All other uses not specifically identified as a permitted principal or accessory use within the Redevelopment Plan Overlay in subsections 5.2.1 or 5.2.2 (above).

5.2.4 — Bulk Standards

The following bulk standards shall apply:

3. Minimum tract area: One quarter (0.25) acre.
4. Minimum tract width: 80 feet, with 100 feet required for lots of one-half (0.5) acre or greater.
5. Minimum tract depth: 100 feet.
6. Minimum setbacks:
 - a. Front yard: 25 feet from Main Street, 10 feet from any other right-of-way within or abutting the redevelopment zone; and,
 - b. Side yard: 10 feet (applicable to end units only); and,
 - c. Distance from any property line of adjacent property not subject to a joint development plan: 10 feet
7. Minimum distance to another building within the same development project: 25 feet
8. Maximum density:
 - a. The maximum permitted density is as follows:
 - Lots from 0.25 to less than 0.50 acres: 12 units per acre;
 - Lots from 0.50 acres to less than 1.0 acre: 14 units per acre;
 - Lots from 1.0 acre to less than 1.75 acres: 15 units per acre; and,
 - Lots of 1.75 acres or greater: 16 units per acre.
 - b. Affordable housing units as required under Section 5.2.16 that are provided onsite shall not be counted towards the permitted maximum density.
 - c. If the application of this maximum density requirement results in a fractional unit, the calculated permissible number of units shall be rounded down to the nearest whole number.
9. Maximum townhouse units per building: Eight (8) units.
10. Maximum building length: 240 feet.
11. Maximum building height: 38 feet.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

12. Maximum number of stories: 2.5 stories.

13. Maximum impervious coverage: 80 percent.

5.2.5 — Design Standards

The envisioned architectural style of the Redevelopment Plan Area is “seashore colonial”, which is a historic, nautically themed style that is widely found in Jersey Shore towns. To promote the construction of buildings in the “seashore colonial” style, all principal buildings shall be designed to include gabled roofs; overhanging eaves; and, a muted or natural color palette. In addition, all buildings shall also incorporate at least two (2) of the following additional key features of the “seashore colonial” style:

1. Colonnades;
2. Cupolas;
3. Wood and clapboard shingles or modern replications in more durable materials;
4. Belt courses, cornice lines or similar architectural detailing the boundary between each story;
5. Awnings or covered walkways;
6. Corner towers;
7. Turrets;
8. Bay windows;
9. Clock towers; or,
10. Similar features.

The following additional design standards shall apply:

1. Sidewalks shall be provided along all roadway frontages.
2. Side and rear façades shall have the same architectural treatment of front façades.
3. No building may have more than two (2) townhouse units on one (1) façade without providing façade variation of no less than two (2) feet.
4. All residential development shall provide a useable rear yard depth of at least 20 feet, including the rear yard setback. Decks and similar structures shall be permitted within the useable yard area, but stormwater/drainage facilities, or any easements that would inhibit the use of the rear yard may not be included within the useable yard area.
5. HVAC and related mechanical equipment shall not be visible from a public right-of-way.

5.2.6 — Off-Street Parking

Off-street parking shall be provided for each townhouse unit pursuant to NJAC 5:21 (Residential Site Improvement Standards).

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Where parking is proposed within an individual housing unit, habitable space shall be allowed above the garage within the height confines as provided herein and adherence to the standard enumerated under 113-11 C. (7) shall not apply.

5.2.7 — Landscaping and Hedges

Landscaping and Hedges shall conform to the requirements of Section 113-18A (Landscaping) and Section 113-18B (Additional Requirements for Hedges and Vegetation) of the Code of the Borough of Avon-by-the-Sea and the following additional requirements:

1. Plants that require daily irrigation and regular soil amendment shall not be permitted.
2. Plants that are generally identified as invasive species are prohibited. Examples of such plants include but are not be limited to: *Acer Platanoides* (Norway Maple); *Berberis Thunbergii* (Japanese Barberry); *Lonicera Japonica Thunb.* (Japanese Honeysuckle); and, *Robinia Pseudoacacia L.* (Black Locust).
3. To promote safety and security, areas located away from buildings shall be kept free from low-growing shrubs. As an alternative to low-growing shrubs, high-headed trees shall be used.
4. Existing vegetation shall be retained to the maximum extent possible.

5.2.8 — Signage

Lighting shall conform to the requirements of Section 113-24 of the Code of the Borough of Avon-by-the-Sea and the following additional requirements:

1. Freestanding and directional signs are permitted to be installed within the Redevelopment Plan Area. No other types of signage are permitted to be installed within the Redevelopment Plan Area.
2. Freestanding Signs:
 - a. Freestanding signs shall identify a townhouse development within the Redevelopment Plan Area.
 - b. No freestanding sign shall be taller than ten (10) feet in height.
 - c. The maximum area of freestanding signs shall be 20 square feet.
 - d. Freestanding signs shall be set back no less than ten (10) feet from a roadway frontage.
 - e. A maximum of one (1) freestanding sign shall be permitted along each roadway frontage.
 - f. No portion of any freestanding sign shall be located within or be suspended over a public right-of-way or pedestrian walkway.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

3. Directional Signage:

- a. No single directional sign shall exceed four (4) square feet in area.
- b. Directional signs shall not be illuminated.
- c. Directional signage may not be attached to a building.

5.2.9 — Lighting

Lighting shall conform to the requirements of Section 113-19 of the Code of the Borough of Avon-by-the-Sea and the following additional requirements:

1. Decorative lighting shall be provided along all roadway frontages. Said lighting shall be subject to the review and approval of the Avon-by-the-Sea Borough Engineer and shall be in the style of the typical 3 lamp Borough fixture.
2. Wall-mounted lighting shall be provided at each point of building ingress or egress.
3. Flood lighting shall be prohibited.

5.2.10 — Fencing

Fencing shall conform to the requirements of Section 113-18C of the Code of the Borough of Avon-by-the-Sea and the following additional requirements:

1. Chain link fencing of any variety shall be prohibited.
2. Fencing shall not be located within a front yard.
3. The use of low-maintenance materials (e.g., vinyl) is recommended.
4. Stormwater basins shall be fenced with opaque fencing with a height of four (4) feet.

5.2.11 — Stormwater

Conformance with Chapter 113-46 (Drainage System) and Chapter 113-46A (Stormwater Management and Control) of the Code of the Borough of Avon-by-the-Sea is required as well as NJAC 7:8 as applicable.

5.2.12 — Trash and Recycling Enclosure

A trash and recycling enclosure must be provided. Same shall be screened from the view of adjacent properties and rights-of-way, and subject to the review and approval the Avon-by-the-Sea Borough Engineer.

5.2.13 — Property Maintenance

A customary property maintenance plan shall be implemented within the Redevelopment Plan Area. Said property maintenance plan shall be reviewed at the time of application.

5.2.14 — Development Fees

All development shall be subject to the imposition of development fees, which is regulated by Chapter 115 of the Code of the Borough of Avon-by-the-Sea.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

5.2.15 — Homeowner's Association

All areas put into common ownership for common use by all residents shall be owned by a non-profit homeowner's association in accordance with the requirements of the Department of Community Affairs and the following:

1. Deed restrictions and covenants shall be provided in accordance with the requirements and standards of the Department of Community Affairs;
2. The homeowner's association shall be responsible for the ownership and maintenance of all common space and any streets not accepted by the Borough;
3. This organization shall not be dissolved, nor shall it dispose of any common open space, by sale or otherwise, except to another organization conceived and established to own and maintain the common open space and non-dedicated streets;
4. The homeowner's association shall be established prior to any certificates of occupancy being issued. Membership of the association shall be automatic and mandatory for each owner of a dwelling unit and any succeeding owner thereto, being accomplished by the purchase of a dwelling unit in the development;
5. The association shall guarantee access to all the common areas to all persons legally residing in the development;
6. The association shall be responsible for liability insurance, taxes and the maintenance of the common areas and undedicated streets. The certificate of incorporation shall contain provisions so that adequate funds will be available for maintenance; and,
7. The documents establishing the association shall provide a plan for the maintenance of all common areas and undedicated streets.

5.2.16 — Affordable Housing

All residential townhouse development permitted pursuant to the North End Redevelopment Plan Overlay shall include an affordable housing set-aside, where 15 percent of the total units shall be reserved for low- and moderate-income households where the affordable units are to be provided as rental housing and 20 percent where the affordable units are to be for-sale units.

Affordable housing may be provided on-site or at another location as may be approved by the Borough and such units may be age-restricted affordable units as defined by applicable State regulations.

Affordable units may be developed as apartment flats within a single townhouse unit so long as the exterior façade of the townhouse unit is designed in a manner consistent with the architectural design of the other townhouse units within the development.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

All affordable units shall be governed by the requirements of applicable State regulations, including the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.

5.2.17 — Field Street Vacation

The redevelopment plan contemplates the potential vacation of Field Street by the Borough or modification of its current right-of-width to increase the tract area of potential redevelopment projects and to provide flexibility in design. Any vacation or modification of the Field Street right-of-way shall be done in a manner that ensures adequate access for the other properties located on Field Street and to the municipal public works facility and publicly owned properties located at the northern end of Railroad Avenue.

6.0 — Plan Relationships

The following subsections outline the relationships of the Redevelopment Plan to municipal zoning and the objectives that are outlined in the municipal master plan, as well as to master plans of contiguous municipalities, Monmouth County, and the State Development and Redevelopment Plan. A discussion of these relationships is required pursuant to the Local Redevelopment and Housing Law at NJSA 40A:12A-7a.

6.1 — Municipal Zoning

This Redevelopment Plan shall result in the establishment of an overlay zone for the redevelopment plan area. The overlay zone to be established, which shall be called the “North End Redevelopment Overlay Zone No. 1”, will supplement the existing GC (General Commercial) Zone within and within the redevelopment plan area.

6.2 — Avon-by-the-Sea Borough Master Plan

The Avon-by-the-Sea Borough Master Plan was originally adopted in 2004 and last reexamined in 2018. The 2004 Avon-by-the-Sea Borough Master Plan established a number of goals and objectives, which were upheld by the 2018 Master Plan Reexamination Report and would be furthered by the implementation of this Redevelopment Plan. These are described below.

General Goals and Objectives:

1. Encourage municipal action to guide the appropriate use or development of all lands in Avon-by-the-Sea in a manner which will promote the public health, safety, morals, and general welfare.
2. Secure safety from fire, flood, panic and other natural and manmade disasters.
3. Provide adequate light, air and open space.
4. Ensure that the development of individual neighborhoods does not conflict with the development and general welfare of adjacent neighborhoods.
5. Promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, and preservation of the environment.
6. Provide sufficient space in appropriate locations for a variety of land uses both public and private, according to their respective environmental requirements.
7. Promote a desirable visual environment through creative development techniques and good civic design and arrangements.
8. Promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the Borough and to prevent urban sprawl and degradation of the environment through improper use of land.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

9. Encourage affordable senior citizen housing.
10. Encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to promote the more efficient use of land.

Community Characteristics and Design:

1. Maintain the desirable existing characteristics of developed neighborhoods within the Borough.
2. Ensure that future development of the Borough incorporates the desirable aspects of existing neighborhoods, while reducing the adverse impacts of undesirable aspects.
3. Improve the appearance and function of specific areas of the Borough, including the Main Street corridor and the Avon-by-the-Sea Avenue/Beachfront area.

Land Use:

1. Ensure that land development in the Borough provides a balance of land uses which will help to maintain the quality of life within the Borough for all of its current and future residents.
2. Ensure that future development in the Borough does not conflict with existing land uses.
3. Ensure that future development occurs in an orderly manner and is consistent with other planned development in the Borough.
4. Analyze the land uses of specific areas of the Borough, including the Main Street Corridor.

In addition to the above, it is noted that the 2018 Master Plan Reexamination Report includes the recommendation that the land use element be evaluated, and notes that such an evaluation may result in the recommendation of new or modified zoning or development regulations.

6.3 — Plans of Contiguous Municipalities

Although the designated area in need of rehabilitation is adjacent to Neptune City and Bradley Beach Borough, the Redevelopment Plan Area is most closely situated to Neptune City. However, given that the Redevelopment Plan Area is not directly accessible from Neptune City, it is not anticipated that the implementation of this Redevelopment Plan will impact said municipality. Nonetheless, it is noted that implementation of this Redevelopment Plan would be consistent with the following principles of the 1999 Neptune City Master Plan, which were last reexamined and reaffirmed in 2017:

1. Encouraging residential development in locations and at densities, which are compatible with existing development patterns and consistent with Borough standards. Any new development should be properly serviced by public roads, utilities and services.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

2. Protection of natural and environmental resources, including floodplains, wetlands and areas suitable for public and quasi-public uses.
3. Encouraging a development pattern, which will protect and enhance the long-term economic, social and welfare interests of present and future residents of the Borough.

6.4 — Monmouth County Comprehensive Master Plan

Monmouth County prepared a comprehensive master plan in 2016. The implementation of this Redevelopment Plan would support the realization of the following overall goals of the 2016 Monmouth County Master Plan:

1. Promote a comprehensive approach to planning and coordinate these efforts among all levels of government and with community stakeholders.
2. Promote the protection and conservation of natural and cultural resources to help guarantee long-term sustainability.
3. Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play and stay.

While implementation of this Redevelopment Plan would support the realization of all three (3) of the overall goals that have been provided above, the Redevelopment Plan's relationship to Goal 3 (above) is most important. Indeed, the purpose of Goal 3, as stated in the 2016 Monmouth County Master Plan, is to assist municipalities in determining the best use of increasingly scarce undeveloped land resources and to help identify opportunities for the redevelopment of other areas in ways that will best meet the demands of the evolving marketplace and needs of the community.

6.5 — New Jersey Planning Documents

The following subsections demonstrate the compatibility of the Redevelopment Plan with the State Development and Redevelopment Plan and the State Strategic Plan.

6.5.1 — State Development and Redevelopment Plan

The State Planning Commission recognizes the importance of the idea of sustainable development. The State Development and Redevelopment Plan, which was adopted in 2001, is intended to serve as a guide for public and private sector investment in New Jersey's future. To facilitate this, the plan allocates New Jersey among a variety of planning areas. The Redevelopment Plan Area is located in within the Metropolitan Planning Area (Planning Area 1). The Redevelopment Plan is compatible with the State Development and Redevelopment Plan's intention for the Planning Area 1, which is to: provide for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and, protect the character of existing stable communities.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

6.5.2 — State Strategic Plan (Draft)

The State Strategic Plan is the revision to the 2001 State Development and Redevelopment Plan. The document sets forth a vision for the future of New Jersey along with strategies to achieve said vision. The State Strategic Plan was intended to be adopted by the State Planning Commission in November 2012; however, adoption was postponed indefinitely following Hurricane Sandy.

The State Strategic Plan has ten (10) “Garden State Values”. The Redevelopment Plan advances three (3) of same:

1. Prioritize Redevelopment, Infill, and Existing Infrastructure: Strengthen cities, towns and neighborhoods by prioritizing redevelopment, the reuse and remediation of existing sites and structures, and construction on infill sites that are compatible with surrounding uses. Upgrade existing infrastructure where needed, before adding new capacity. Encourage development that incorporates green design and construction principles and opportunities for clean and renewable energy and efficiency measures.
2. Create High-Quality, Livable Places: Ensure each community offers an environmentally healthy place to live, work and play. Enhance community character and design, especially in historic areas, by reusing significant buildings, reinforcing architectural styles and providing pedestrian-friendly streetscapes. Improve community plazas and parks and connections to waterfront areas.
3. Diversify Housing Opportunities: Support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels, located near jobs and transit and where services are available.

7.0 — Administrative and Procedural Requirements

Administrative and procedural requirements are discussed in the following subsections.

7.1 — Acquisition

Because the Redevelopment Plan Area is located within an area in need of rehabilitation, the use of eminent domain is not permitted. Accordingly, there shall be no public acquisition of land in the Redevelopment Plan Area.

7.2 — Relocation

NJSA 40A-12A-7.a(3) requires that redevelopment plans provide for "... the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market".

There are no residential properties in the Redevelopment Area. As such, there is no need for provisions on the relocation of residents from the Redevelopment Area.

Notwithstanding the above, it is anticipated that there is sufficient decent, safe, and sanitary space within the local market if any relocation of residents should become necessary. Moreover, if relocation is necessary, a Workable Relocation Plan shall be prepared, and the Borough shall conform to the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) and all other applicable statutes, regulations, and legal requirements governing relocation. In addition, to the extent necessary and required, the redeveloper shall be required to provide for relocation assistance pursuant to a Redevelopment Agreement between the redeveloper and the Redevelopment Entity and all applicable statutes, regulations, and legal requirements governing relocation assistance.

7.3 — Redeveloper Selection

The Borough shall enter into agreements with a designated redeveloper or redevelopers in connection with the construction of any aspect of this Redevelopment Plan, including off-site improvements. Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a designated redeveloper, which may be the property owner.

The Borough may undertake a redeveloper selection process that will yield the qualified redeveloper to implement this Redevelopment Plan in a manner that is in the best interest of the Borough.

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper for any property or properties included in the

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Redevelopment Plan Area and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

1. The redeveloper, its successors, or assignees, shall develop the specified improvements in accordance with this Redevelopment Plan.
2. The redeveloper, its successors or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
3. Until the required improvements are completed, and a certificate of completion is issued, the redeveloper covenants provided for in the Local Redevelopment and Housing Law at NJSA 40A:12A-9 and imposed in any redevelopment agreement, lease, deed, or other instruments shall remain in full force and effect.
4. The redevelopment agreement shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability, and financial guarantees of the redeveloper and any other provisions necessary to assure the successful completion of the project.

7.4 — Redevelopment Entity Review

The governing body, acting as the Redevelopment Entity, shall review all proposed projects within the Redevelopment Plan Area in order to ensure that such projects are consistent with this Redevelopment Plan and any relevant redevelopment agreement. As part of its review, the governing body may require the redeveloper to submit its proposed project to a technical review committee or subcommittee of the governing body. The technical review committee may include members of the governing body and any other members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its recommendations to the governing body.

In undertaking its review, the governing body shall determine whether the proposal is consistent with this Redevelopment Plan and any relevant redevelopment agreement. In addition, the review may address the site and building design elements of the project to ensure that the project is consistent with the goals and objectives of the Redevelopment Plan.

At its discretion, the Redevelopment Entity may waive its review and refer a proposed redevelopment project directly to the Avon-by-the-Sea Borough Planning Board.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

7.5 — Planning Board Review Process

Pursuant to the Local Redevelopment and Housing Law at NJSA 40A:12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Avon-by-the-Sea Borough Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment project within the Redevelopment Plan Area:

1. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the Redevelopment Plan Area without prior review and approval of the work by the Redevelopment Entity and the Avon-by-the-Sea Borough Planning Board.
2. Regular maintenance and minor repair shall not require Avon-by-the-Sea Borough Planning Board review and approval.
3. The Avon-by-the-Sea Borough Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to the Municipal Land Use Law (NJSA 40:55D-1 et seq.) and the Borough's planning and development regulations.
4. As part of site plan approval, the Avon-by-the-Sea Borough Planning Board may require the redeveloper to furnish performance guarantees pursuant to the Municipal Land Use Law at NJSA 40:55D-53 and as required in the Borough's regulations. The performance guarantees shall be in favor of the Borough of Avon-by-the-Sea, and the Borough Engineer shall determine the amount of same.
5. Any subdivision of lots or parcels of land within the Redevelopment Plan Area shall be in compliance with this Redevelopment Plan and reviewed by the Avon-by-the-Sea Borough Planning Board pursuant to the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) and the Municipal Land Use Law (NJSA 40A:55D-1 et seq.).
6. Once a property has been redeveloped in accordance with this Redevelopment Plan, it may not be converted to any use not expressly permitted herein. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure that does not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Avon-by-the-Sea Borough Planning Board shall determine the issue of whether or not the non-conforming use or building structure has been "destroyed".
7. Relief and Exceptions.
 - a. The Avon-by-the-Sea Borough Planning Board may grant relief from the requirements of this Redevelopment Plan where there is a hardship, and where the granting of such relief will promote the purpose of this Redevelopment Plan and would be consistent with the standards established in the Municipal Land Use Law at NJSA 40:55D-70(c).

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

- b. The Avon-by-the-Sea Borough Planning Board when acting upon applications for preliminary site plan approval in the redevelopment plan area may grant exceptions for site plan approval in a manner consistent with the provisions of NJSA 40:55D-51(b), if the literal enforcement of one or more provisions of the redevelopment plan is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.
 - c. In no event shall relief or exceptions be granted by the Avon-by-the-Sea Borough Planning Board in order to: provide a use or facility that is not permitted by this Redevelopment Plan; or, permit an intensity of development (incl., but not limited to building height) that is not specified by this Redevelopment Plan.
8. The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants or other provisions, and through agreements between the redeveloper and the Borough pursuant to the Local Redevelopment and Housing Law at NJSA 40A:12A-8 and 40A:12A-9.
9. All definitions contained within this Redevelopment Plan shall prevail. In the absence of definition within said Redevelopment Plan, the definition found within the Borough's land development or other applicable regulations shall prevail. All definitions that are determined to be inconsistent with the Local Redevelopment and Housing Law at NJSA 40A:12A-3 shall be considered invalid.
10. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough's land development regulations and New Jersey Law. Additionally, a redeveloper shall be required to pay their proportional share of the costs of any studies, plans, reports, or analysis prepared by the Borough or its designated Redevelopment Entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

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

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

7.6 — Duration of Plan

This Redevelopment Plan shall be in full force and effect upon its adoption by ordinance by the governing body and shall be in effect until the redevelopment of the Redevelopment Plan Area has been completed, which shall be evidenced by the issuance of a certificate of project completion by the Redevelopment Entity.

7.7 — Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the governing body may amend, revise, or modify this Redevelopment Plan in general, or for specific portions of the Redevelopment Plan Area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.). However, any proposed changes in permitted uses, intensity of development (incl., but not limited to building height), or design concepts detailed in this Redevelopment Plan shall require notice and public hearings in the same manner required of the adoption of the original plan.

7.8 — Conflict

If any word, phrase, clause, section or provision of this Redevelopment Plan is found by a court or other jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of this Redevelopment Plan shall remain in full force and effect.

North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Appendix A: Resolution Designating Area in Need of Rehabilitation



North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Appendix B: Aerial Map of Redevelopment Plan Area



North End Redevelopment Plan

Borough of Avon-by-the-Sea, Monmouth County, New Jersey

Appendix C: Tax Map Sheet 2



Appendix D: Environmental Constraints Mapping