

LACEY TOWNSHIP PLANNING BOARD
REEXAMINATION OF THE 1991 MASTER PLAN

The Municipal Land Use law and specifically, N.J.S.A. 40:55D-89, requires that a municipality undertake a periodic general reexamination of its Master Plan and Development Regulations every six (6) years. Pursuant to that statute, the Lacey Township Planning Board is obligated to prepare and adopt by Resolution this reexamination report and forward the same to the County Planning Board and Municipal Clerk of each adjoining municipality.

The Lacey Township Planning Board, pursuant to its obligations under that statute, began its task of reexamining the 1991 Master Plan on October 15, 1996 on a monthly basis.

The Reexamination Report is required by law to state the major problems and objectives relating to land development at the time of the adoption of the last Reexamination Report, the extent to which such problems and objectives have been reduced or increased, the extent to which significant changes in assumptions that were the basis for the Master Plan have occurred and specific changes recommended for the Master Plan and/or Development Regulations.

This report will constitute a review of the 1991 Master Plan, including its goals and objectives, underlying philosophies and the assumptions which, it is believed, were in existence at the time of its adoption.

REVIEW OF THE 1991

LACEY TOWNSHIP MASTER PLAN

The first step in the analysis of the 1991 Master Plan was a review of the Goals of that Plan as listed on Page 3. The Board makes the following comments with respect to those goals:

1. The major problems and objectives relating to Land Development in the municipality at the time of the adoption of the 1991 report have remained substantially the same. The Board finds that the problems and objectives outlined in those goals have not significantly changed, either by way of reduction or increase, since the adoption of the Plan, nor has there been a significant change in the assumptions,

policies or objectives which formed the basis for the 1991 Master Plan.

After review and consideration of these five (5) items, however, the Board felt that certain specific recommendations for the Master Plan itself were in order. First, the Master Plan should encourage not only the maintenance of the existing quality of life of Lacey Township but encourage development regulations which would actively improve the quality of life. The Board felt that several of the goals were somewhat ambiguous but that one significant goal which should be clearly stated with the Master Plan is the adoption of Development Regulations consistent with sound environmental policy and existing environmental regulations.

Finally, the Board felt that certain goals which should be considered in the adoption of any Development Regulations were absent from the 1991 Master Plan. Those were, most notably, the adoption of a Historic Preservation Plan. The Board feels that an amendment to this section of the Master Plan is in order to designate areas of the township containing structures worthy of historic designation and protection, the inclusion of incentives for cultural enrichment and the maintenance of property appropriately

suited to these ideals and incentives within the Zoning Ordinance to encourage historic preservation and cultural enrichment.

In addition, the Board felt that Goal 4, on Page 3, situating new development in locations to maintain the attractive character of Lacey Township, should be deleted as being inconsistent with the goal of improving the quality of life in Lacey Township.

The Board next examined the Land Use Objectives section of the 1991 Master Plan. This section has four (4) subsections beginning with Subsection A entitled, "Establish a coordinated and comprehensive approach to development". In its review, the Board determined that, in general, the major problems and objectives relating to Land Development in the municipality had not significantly changed since 1991, although continued increases in traffic and population have exerted more pressure on the existing infrastructure and made the need for additional infrastructure more important than it was at that time. The problems identified under "Land Use Objectives", Section A, have, in some instances, been addressed but in other areas, these problems have not been adequately addressed. In that regard, the Board felt that with respect to items 1 and 2, concerning

the consistency of documents and administrative procedures for land development, considerable effort had been expended in this area with much success in streamlining procedures.

There are, however, significant areas of the Lacey Township Land Use Regulations which require revision, including inconsistencies within Zoning Regulations and conflicts in zoning descriptions. In addition, the Board felt that additional effort was required to address problem areas with Lacey Township's substantive Development Regulations. More comment with respect to this issue will appear in Section 2 of this report concerning specific development regulations proposed for amendment and review, including areas of the town which are designated special Zoning areas (such as "OA" and "ML") for which no development regulations exist whatsoever.

In general, however, the Board did not feel specific amendment to the Master Plan, with respect to Land Use Objectives, Section A, was necessary.

The Board next examined Land Use Objectives, Section B, items 1-7. In general, it was felt that the objectives set forth in Subsection B were appropriate, however, the Board felt that items 3 and 7 were probably somewhat unrealistic

at the time of the adoption of the 1991 Master Plan. The Board felt that these objectives have clearly become impossible to meet given the passage of time and the fact that development has already exceeded a capacity of existing roadway networks. Examples of Zoning and Planning measures to improve traffic include shared parking area access and means of ingress and egress. Additional development regulations which minimize impact on the existing roadway networks, as well as encourage development of additional roadway networks to relieve congestion, are immediate concerns.

Further, the Board felt that item 7 was an unrealistic goal on a Township-wide basis, however, the Board specifically recommends the inclusion of a historic preservation element. This new Master Plan element would identify those areas of the Township containing existing historic structures and promote the adoption of development regulations which would encourage their preservation. Specific recommendations for these regulations would include positive incentives such as reduced site improvement requirements and more lenient bulk zoning regulations to promote maintenance of the structures identified as historic or worthy of preservation.

A review of item B-2, which deals with mixed use patterns on sufficiently large vacant parcels, reveals that the Township still has available to it several tracts of land which would be appropriate for the development of planned-unit developments, consistent with Goal B-2, with a potential for multi-family development, perhaps in conjunction with an approved ordinance adopted pursuant to the regulations of the Council On Affordable Housing.

The Board finds that many areas of the Township are developed to the extent that compliance with Land Use Objective B-5 would be impossible through zoning. Land Use Objective B-5 suggests provisions for mixed use patterns of development where land is of such size and configuration as to permit energy efficient alternatives without impacting the existing development pattern. The Board assumes that this is a reference to suggested amended zoning regulations prohibiting high intensity commercial uses from being located immediately adjacent to residential uses. Although full compliance with this goal and objective is probably impossible given the high percentage of developed land existing within the Township, there are still areas of Lacey Township which could benefit from amended zoning ordinances in an effort to locate compatible uses adjacent to each other. In those few remaining undeveloped areas, zoning regulations should be amended to provide buffer or

transition areas between commercial centers and traffic arteries, and residential uses. In areas where no large tracts remain for future development, increased buffer provisions of the Site Plan and Subdivision Ordinances should be adopted in order to accomplish the same goal.

Further, the Board finds that none of the problems or objectives relating to Land Development, in the context of promoting a diverse and efficient land development pattern as set forth on Page 3, item B of Land Use Objective, have significantly changed other than the adoption of new regulations by various governmental agencies having jurisdiction over environmentally-sensitive areas.

The Board next reviewed Subsection C of Land Use Objectives, items 1-6 on Page 4. The Board felt that the language contained in the section heading dealing with the implementation of statutory regulations was somewhat vague, but all six (6) goals were salutary in nature. Some action has been taken by both state and local governments in these areas, including the adoption of new environmental regulations and amended municipal zoning regulations incorporating the requirements of the Pinelands Comprehensive Management Plan.

The Board next examined Goal D, on Page 4, concerning the establishment and promotion of an active open space system for recreation and enjoyment. The Board found that this was an appropriate goal at the time of the adoption of the Master Plan and should remain an important part of the Lacey Township Master Plan. The Board further found that significant steps had been taken in furtherance of this goal over the past six years, including the expansions at several existing parks, together with the construction of the new Gille Park. The Board felt that efforts in this area should continue and that specific zoning ordinance amendments should be considered which would encourage the creation of private recreational facilities and cultural facilities, including space for more passive recreation and facilities to promote cultural enrichment such as concerts and the arts.

The Board next reviewed that section of the Goals and Objectives of the 1991 Master Plan entitled, "Capital Facilities Planning Objectives".

The Board looked at Subsection A and felt that the prioritization of Capital Facilities and Services, compatible with development, was an appropriate goal, but the expenditures involved in the development and adoption of

a Six Year Capital Improvement Program, as set forth in Section A-1, were not warranted. In lieu thereof, the Board recommends an amendment to this section of the Master Plan which would refer any Capital Improvement projects to the Planning Board for review and determination of consistency with the Master Plan on an individual basis.

Goals 2 and 3 dealing with the review of existing policies and regulations were found to be appropriate objectives. The Board also found that the underlying assumptions have remained essentially unchanged in terms of Capital Facilities planning objectives. The Board also finds it appropriate to make certain recommendations for Capital Improvements to the Township Committee including pedestrian walkways as addressed later in this report.

The Board feels that no amendment of the Master Plan is necessary with respect to objective B as these were appropriate objectives, and there has been no change in the major problems and objectives or assumptions upon which these are based. However, the Board did feel that additional land use regulation is in order to require contributions of developers for their fair share of required costs of off-tract improvements in all areas permissible by law.

The Board next reviewed "Economic Development Objectives" set forth in the 1991 Master Plan. The Board felt that both A and B were appropriate objectives and that much had been done in furtherance of both. Although no professional Economic Development office had been created as suggested by the 1991 Master Plan, an Economic Development Committee has been created which has been active in the community. The Township has also taken steps to involve the Chamber of Commerce in consideration of development regulations, specifically with respect to the Sign Ordinance. The major goals and objectives have not changed, and efforts in furtherance of both Sections A and B of the Economic Development section should continue. Significant steps have been taken by the Township in encouraging energy efficiency and resource recycling programs as set forth in Objective B-3. Our recycling program has been recognized officially as a successful effort.

The Board next reviewed the Housing Objectives which were listed in the 1991 Master Plan as eleven (11) specific items on Page 5. The housing element is a required aspect of the Master Plan. As required by statute, the Board spent considerable efforts concerning the issue of whether the Township Committee should, at this time, consider expending

the sums necessary to adopt COAH and come into compliance with the requirements of the Council On Affordable Housing. In terms of the obligations imposed by the statute, the Board felt that the major problems and objectives related to land development, as well as the basic assumptions underlying the 1991 Master Plan, have remained the same. With respect to the eleven (11) listed items, efforts have been made in many of the areas, although it appears that the primary objective of a significant number of these items, as well as the housing element, is the consideration of the COAH regulations. Specifically, Sections 2, 4, 7, 10 and 11 all refer to the Township taking action to meet its adjusted Mount Laurel fair share in providing for appropriate low-to-moderate income housing. All of these refer to the adoption of a COAH, and no action has been taken in furtherance of that goal. Other objectives such as streamlining the permitting process, establishing and maintaining a vigorous code enforcement program and planning for improved housing design, have been substantially accomplished by the amendment of Municipal regulations and the hiring of additional personnel. Although a controversial issue, serious consideration should be given by the Township Committee to the adoption of a qualifying COAH Ordinance and the inclusion of multi-family

low-to-moderate income housing as a part of the development regulations of the Township.

Specific recommendations would include the inclusion of funds in the municipal budget to fund an examination of whether all available credits to the Council On Affordable Housing's fair share determination have been made including credits for existing structures occupied by low-to-moderate income families, also known as credits without controls. Further, the possibility of zoning open spaces for cluster development under a qualifying COAH Ordinance should be considered. The Planning Board strongly encourages the adoption of Land Development Regulations promoting cluster development, regardless of the adoption of a COAH Ordinance.

Goals 6 and 8 dealing with improved housing design strategies in coordinating housing were viewed combined but the Board did not recommend deletion of these objectives and an amended Master Plan. In the event of the adoption of a fair share plan by the Township Committee, an appropriate amendment to the municipal Master Plan would be needed taking the COAH Ordinance into consideration.

The Board next reviewed "Transportation Objectives" as set forth on Page 5, items 1-6. It was felt that the major problems and objectives, as well as the assumptions upon which the 1991 Master Plan were based, had not significantly

changed although increased development and traffic have made these objectives more imperative.

The Board finds that it is necessary to encourage expanded public transportation, as opposed to maintenance of the same levels of public transportation as called for in the 1991 Master Plan. The Board felt that an amendment to the Master Plan in this area was needed. The amended Master Plan should include a formal "official map" which would identify and locate future major collector streets and encourage appropriate buffering and land use regulation in areas adjacent thereto. The expenditure of funds at this time, together with the inclusion of specific recommendations as outlined on the proposed mapping to be commissioned both through volunteer efforts of Planning Board and other appropriate members, as well as professional expenditures, would assist in the identification of areas appropriate for construction of future roadways and pedestrian walkways. The Master Plan should specifically identify those areas available for the installation of future collectors, including consideration for the railroad right-of-way, and suggest the expenditure of funds for a study to determine the feasibility of the construction of a

bypass road which, through appropriate planning and construction techniques, would not unreasonably interfere with the existing land uses adjacent to this property in both Residential and Commercial Zones.

The Board finds this to be needed since, in certain specific areas, many of the Transportation Objectives have changed, particularly by the inclusion of a four-way interchange for the Garden State Parkway and Lacey Road.

With respect to Transportation Objective, item 5, the Board felt that specific recommendations concerning parking, should be included in the amendment to the Master Plan as follows:

- A. Limitation of commercial vehicles in Residential Zones;
- B. Encourage shared parking facilities in Commercial Zones with cross-access agreements;
- C. Consider public parking facilities in Historic Preservation areas;
- D. Address parking needs for public recreational areas.

This concluded the Board's review of the Goals and Objectives as set forth as the underlying foundation of the 1991 Master Plan.

With respect to the specific elements of the Master Plan, the Planning Board felt that those objectives and assumptions for which the underlying factual basis had changed, were sufficiently outlined in the previous review. With respect to specific suggestions for modifications to the Master Plan, however, the Board makes the following findings concerning the specific elements included within the 1991 Master Plan and the need for amendment:

A) Land Use Plan. N.J.S.A. 40:55D-28 governs the requirements for the Master Plan. Pursuant to that statute, the Master Plan is required to have a specific Land Use Plan element (N.J.S.A. 40:55D-28b(2)). No Land Use Plan element appears in the Master Plan and, thus, the Master Plan is deficient statutorily and requires an amendment to include a Land Use Plan element.

B. The Board finds that the housing element should be updated in light of existing housing demands, including information "from current development records" concerning the availability of additional land for development in both in-fill and large-scale development. An amended housing element would address the feasibility of designating planned unit developments for larger tracts. In addition, as set forth earlier in this Plan, additional amendments would be

required to the housing element to bring it in compliance with the statute in the event that the municipality decides to fund the adoption of an approved COAH Ordinance.

C. Circulation. The circulation element was found to be lacking by virtue of the absence of specific designated areas for future collector streets as outlined on an official map. This Reexamination Report specifically recommends that the governing body expend the funds necessary to develop an official map designating areas for future collector street construction to help alleviate existing traffic congestion as well as future traffic problems. The map and the amended plan should also address the problems associated with the development of residential uses along collector streets, such as Lake Barnegat Drive. The majority of the items called for as specific construction projects in the circulation element have been completed, other than the construction of a Route 9 service road, and input is requested from appropriate outside agencies, including the Lacey Township Police Department, concerning dangerous intersections. In addition, the circulation element should be amended to include areas identified for the future construction of pedestrian ways and bike ways throughout the Township.

D. Utilities. Significant expenditures of public funds have resulted in the construction of extensive public water and sewer facilities which should be identified on maps obtained from the Lacey Municipal Utilities Authority and incorporated into an amended Master Plan.

E. Community Facilities. An amendment to the Master Plan should be considered to update the Community Facilities list to include the new library, a new school currently under construction and satellite offices of Southern Ocean County Hospital and Community Medical Center. In addition, areas designated for future community facilities, if any, should be incorporated.

F. Recreational Facilities. The Planning Board suggests that in light of the significant additional construction of recreational facilities since the 1991 Master Plan, the amended Master Plan incorporate mapping of all existing recreational facilities within the Township. In addition, although mentioned earlier under the "Circulation Element", the proposed areas for construction of bike paths and pedestrian ways should be incorporated either on the same mapping law on additional mapping in an amended section.

G. Conservation Plan Element. It is recommended that the Conservation Plan element be amended to be updated in light of the significant efforts which have occurred in the past six (6) years, specifically by way of recycling and environmental regulation. Further, this element should include the natural resources inventory mapping which has been completed as well as comments from the Lacey Township Environmental Commission.

H. Townscape. That section of the Master Plan entitled "Townscape" was difficult to allocate into a required element of the Master Plan pursuant to the statute, however, earlier many aspects of the Townscape Plan included in the 1991 Master Plan should be considered in the adoption of more stringent buffer and screening requirements which is a recommendation which the Board will include in the next section of this Report dealing with suggested amendments to Land Development Regulations within the Township.

I. Economic Development Element. The Economic Development element should refer to the Industrial Park and uses therein. An amendment to the Economic Development section should be considered which would incorporate comments from the Economic Development Commission as well as suggestions to be incorporated within Part II of this report

to encourage appropriate economic development through Zoning Ordinance amendments, particularly, in the Historic Preservation District.

As a part of this Master Plan Reexamination Report, the following entities and organizations were asked for input which will be forwarded to the Township Committee along with this recommendation for the adoption of an amended municipal Master Plan during calendar year 1998:

1. Lacey Township Police Department;
2. Environmental Commission;
3. Economic Development Committee;
4. Lacey Township Chamber of Commerce;
5. Lacey Historical Society;
6. Ocean County Historical Society;
7. Forked River and Lanoka Harbor Fire Departments;
8. Forked River Mountain Coalition;

In addition to the suggestions for modifications to the Master Plan and comments concerning Zoning Ordinance amendments contained herein, the Board also recommends that the Township Committee authorize the Board to undertake a

general review of its development regulations during 1998. Many of these regulations are in need of updating, and in lieu of a revision as a part of this report, a thorough examination is in order.