

TOWNSHIP OF VERNON

ORDINANCE #24-05

AN ORDINANCE OF THE TOWNSHIP OF VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE TOWNSHIP IDENTIFIED AS BLOCK 525, LOTS 18 AND 19 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (151-161 NJSH ROUTE 94)

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, on July 18, 2005, the Council (the “**Township Council**”) of the Township of Vernon, in the County of Sussex, New Jersey (the “**Township**”), authorized and directed the Land Use Board of the Township of Vernon (the “**Land Use Board**”) to examine whether all or a portion of the McAfee Village area (the “**Initial Study Area**”), meet the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Initial Study Area should be designated as an area in need of redevelopment; and

WHEREAS, on May 31, 2006, the Land Use Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Initial Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Initial Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on June 12, 2006, in accordance with the provisions of the Redevelopment Law, the Township Council adopted Resolution #06-106 that designated a portion of the Initial Study Area as an area in need of redevelopment (the “**Initial Redevelopment Area**”) which included Block 525, Lot 18 (the “**Parcel**”); and

WHEREAS, on March 13, 2008, the Township Council adopted Ordinance #08-04 adopting a redevelopment plan for the Initial Redevelopment Area (the “**Initial Redevelopment Plan**”); and

WHEREAS, on April 9, 2018, the Township Council adopted Resolution #18-127 ratifying and reaffirming Resolution #06-106 designating the Initial Redevelopment Area; and

WHEREAS, on June 13, 2022, the Township Council adopted Resolution #22-159 authorizing the Land Use Board to undertake a preliminary investigation of property located at 161 NJSH Route 94 and known as Block 525, Lot 19 (the “**Study Area**”) to determine whether that parcel constitutes a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on August 24, 2022, the Land Use Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on October 13, 2022, in accordance with the provisions of the Redevelopment Law, the Township Council of the Township adopted Resolution #22-241 which designated the Study Area as an area in need of redevelopment (together with the Parcel, the “**Redevelopment Area**”) and authorized Jessica Caldwell, PP, AICP of J. Caldwell & Associates, LLC (the “**Planning Consultant**”) to draft a redevelopment plan for the Redevelopment Area; and

WHEREAS, the Planning Consultant prepared a redevelopment plan entitled, “151-161 NJSH Route 94 Redevelopment Plan” for Block 525, Lots 18 and 19 (the “**Redevelopment Plan**”); and

WHEREAS, the Township Council desires to have the Land Use Board review and make recommendations concerning the Redevelopment Plan in accordance with Section 7(e) of the Redevelopment Law; and

WHEREAS, subject to receipt of the Land Use Board’s recommendations concerning the Redevelopment Plan, the Township Council believes that the adoption of the Redevelopment Plan is in the best interests of the Township and the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Vernon, in the County of Sussex, New Jersey, as follows:

Section 1. The aforementioned recitals hereof are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan, on file with the Township Clerk, is incorporated herein by reference and, contingent upon the receipt of the Planning Board’s recommendations, is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7.

Section 3. The zoning ordinances and maps of the Township are hereby amended to be consistent with the Redevelopment Plan and the provisions therein.

Section 4. This Redevelopment Plan supersedes the Initial Redevelopment Plan in its entirety with regard to the Redevelopment Area.

Section 5. The Township Council shall serve as “redevelopment entity” for purposes of implementing the Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.


Section 6. In case any one or more of the provisions of this ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or

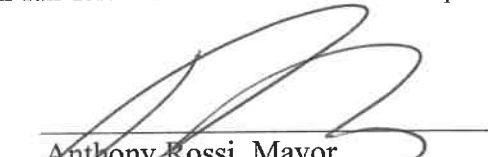
invalidity shall not affect any other provision of this ordinance or the Redevelopment Plan and this ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 7. This ordinance shall take effect as provided by law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on March 11, 2024, and the same came up for final passage and was adopted at the Meeting of the Township Council held on April 8, 2024 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.


 Marcy Gianattasio, Clerk
 Township of Vernon


 Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: March 11, 2024

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.		X	X			
DeBenedetto, J.	X		X			
Higgins, W.			X			
Sparta, B.			X			
Rizzuto, P.			X			

ADOPTED: April 8, 2024


NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.	X		X			
DeBenedetto, J.			X			
Higgins, W.		X	X			
Sparta, B.			X			
Rizzuto, P.			X			

151-161 NJSH Route 94 Redevelopment Plan

Township of Vernon Sussex County, New Jersey

Block 525, Lots 18 & 19
151-161 NJSH Route 94

February 23, 2024



Jessica Caldwell, P.P., A.I.C.P., Township Planner, P.P. #5944

The original of this document was signed and sealed in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.



**J Caldwell
& Associates, LLC**
Community Planning Consultants

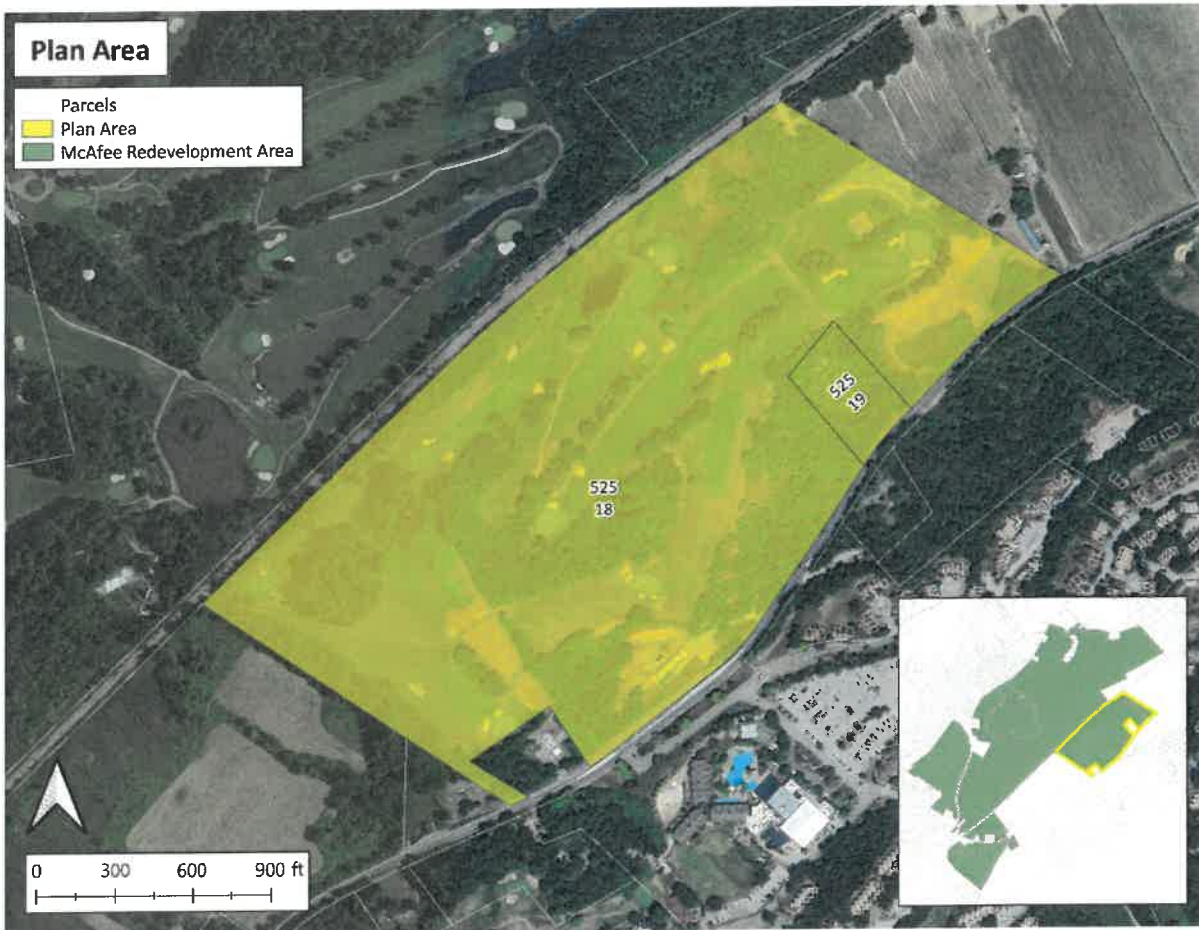
145 Spring Street, Suite E
Newton, New Jersey 07860

Contents

Contents	2
Introduction	3
Plan Context	4
Purpose	5
Plan Consistency Review	5
Township Master Plan Consistency	5
Local, Regional, and State Plan Consistency	6
Golf Course Village Zone - Application of Regulations	6
Golf Course Village Zone (GCVZ)	7
Golf Course Village Zone - Permitted Uses	8
Golf Course Village Zone Area and Bulk Requirements	10
Parking Standards	10
Screening Requirements	11
Landscaping Requirements	11
Street Trees	12
Mobility Regulations	12
Building Design Standards	12
Noise	13
Lighting	13
Signage	13
Site Plan Design Standards	13
Affordable Housing	13
Submittal Requirements	14
Projects Governed by a Redevelopment Agreement	14
Legal Provisions	14
The Validity of the Plan	14
Zoning Map Revisions	14
Amendment to the 151-161 NJSH Route 94 Redevelopment Plan	14
Variations in Site Plan Design	15
Acquisition Plan	15
Relocation Plan	15

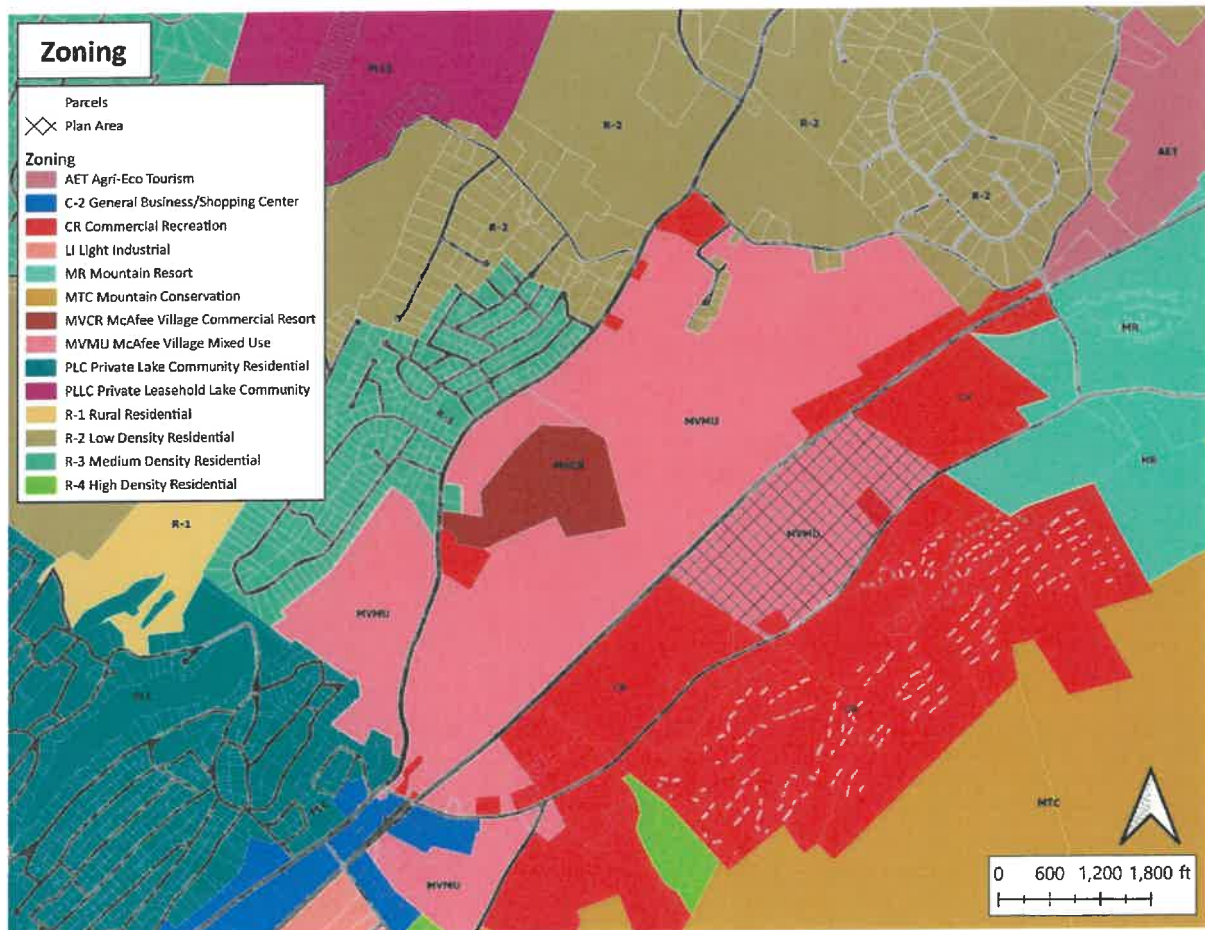
Introduction

The 151-161 NJSH Route 94 Redevelopment Plan (the “Plan”) governs two (2) parcels including Block 525, Lots 18 and 19 (the “Plan Area”). Block 525, Lot 18, is within the McAfee Redevelopment Area which was designated as an Area in Need of Redevelopment by a resolution adopted by the Township Council of the Township of Vernon (the “Council”) on April 25th, 2006, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”). Block 525, Lot 19, was designated as an Area in Need of Redevelopment by a resolution adopted by the Council on October 13, 2022. A redevelopment Plan, Ordinance 08-04, was adopted by the Township Council on May 8, 2008. This Plan will supersede Ordinance 08-04 for the Plan Area shown below.



Plan Context

The Plan Area occupies approximately 90.41 acres in Vernon Township, Sussex County. Lot 18 is 87.61 acres and Lot 19 is 2.80 acres. A large portion of the Plan Area is located in the McAfee Redevelopment Area, specifically in the McAfee Village Mixed Use Zone as illustrated in the Zoning Map below. The remainder is in the Commercial Recreation Zone. The Plan Area is bound by: the New York, Susquehanna, and Western Railway to the northwest; Block 525, Lot 17 to the northeast; Block 634, Lots 1 and 3 to the southwest; and Block 525, Lot 20, and New Jersey State Route 94/McAfee Vernon Road to the southeast. Lot 18 currently contains seven (7) holes that are a part of the Great Gorge Golf Club, which consists of 27 holes and three (3) courses in total. In addition to the golf uses, Lot 18 also contains Legends Riding Stables, which is accessed from Route 94. Lot 19 is entirely undeveloped, forested land. The primary goal of this Redevelopment Plan is to increase the quantity and variety of housing opportunities within the Plan Area while retaining the mountain resort atmosphere that the Township desires. This could include adaptive reuse of the Horse Stables for commercial opportunities.



Purpose

This Plan is designed to serve as the zoning for the Plan Area, provide guidelines for new construction, and establish permitted land uses and building requirements for the Plan Area. The Plan permits single-family detached residences, townhouses, stacked condo units and a variety of neighborhood commercial and resort-oriented uses. All development is required to follow the design standards of the Town Center and Resort Areas to promote the Township's desired mountain resort atmosphere. Furthermore, the Plan is designed to encourage the integration of enhanced building designs, parking, landscape, and signage elements in order to improve the appearance of the streetscape along NJSH Route 94 (McAfee Vernon Road) and to support the specific goals and policy statements set forth in the Township Master Plan.

Plan Consistency Review

Township Master Plan Consistency

The Redevelopment Law requires that this Plan define its relationship to local master plan goals and objectives such as appropriate land uses, population densities, improvements to traffic, public utilities, recreational and community facilities, and other improvements. The Redevelopment Law also requires that this Plan be substantially consistent with the municipal master plan or designed to effectuate the master plan.

The Township's Master Plan was adopted by the Vernon Township Land Use Board on December 27, 1995, and a Master Plan amendment was adopted in November 2003. The 1995 Master Plan was then updated in July 2010 with a new Land Use Element, Historic Element and Recycling Plan. Most recently, the Township completed a Reexamination Report in February 2022. The following Master Plan goals and objectives relate to the Redevelopment Plan and further enhance the Land Use Goals of the Township of Vernon's Master Plan.

1. To ensure adequate infrastructure to accommodate the projected level of intensity and development;
2. To direct the majority of future growth in the Township to the Vernon Center, Redevelopment Areas, and appropriate existing resort areas of the Township; and
3. To create land use and development plans, policies, and ordinances that are predominantly consistent with the goals and policies of the State Development and Redevelopment Plan.

The 2022 Reexamination Report also affirmed that the Township's housing policies supporting a variety of housing opportunities are appropriate given 2020 Census data. Additionally, the Reexamination Report recommended that the Township continue to promote redevelopment and infill as well as increase housing. This Plan is consistent with these goals and objectives of the Township's Master Plan.

Local, Regional, and State Plan Consistency

The relationship of this Plan with surrounding communities' master plans is also reviewed to determine whether any significant relationship exists. Its relationship to the State Development and Redevelopment Plan must also be reviewed. The Plan Area is located in the southwestern portion of the Township but is not bordered by another municipality and does not create any significant issues with surrounding municipalities or their respective Master Plans.

The Sussex County Strategic Growth Plan (SGP) divides the County into six (6) "landscapes," and this Plan's parcel is classified as "Rural/Agricultural," where there is a combined sense of openness and human presence. These areas are characterized by large tracts of land with low-density residential development, active and fallow farmlands and small commercial service groups, natural resource development, golf courses, and ski areas. This Plan is consistent with the Sussex County Strategic Growth Plan because the Plan calls for low-density housing and agricultural uses as permitted uses.

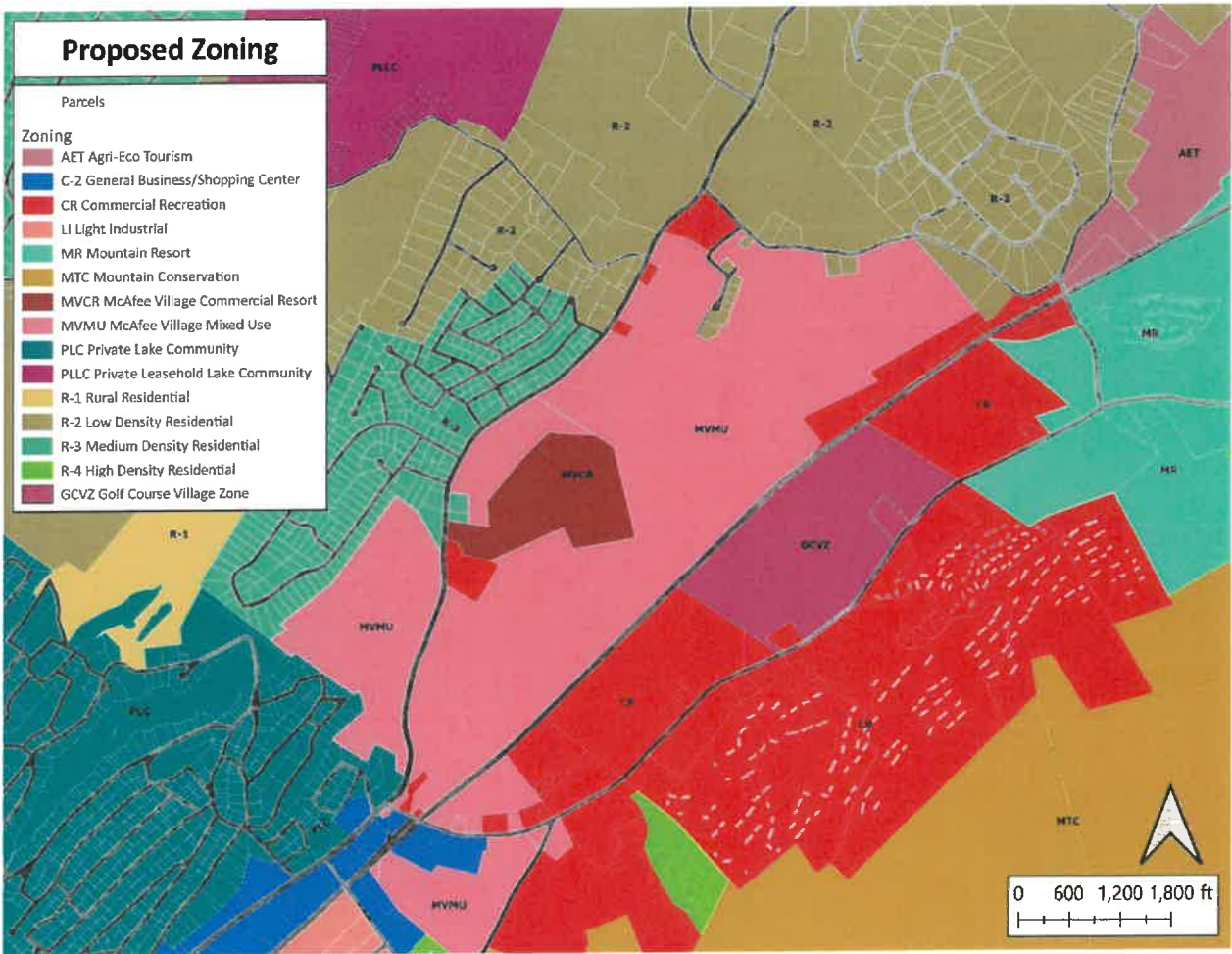
The Plan Area is located in the State Development and Redevelopment Plan designated Vernon Town Center. The Town Center designation acknowledges that the development proposed within this area is generally consistent with the State Plan. The Township, overall, falls within three (3) planning areas, according to the State Plan. These areas include the Rural Planning Area (PA4), Rural/Environmentally Sensitive Planning Area (PA4b), and the Environmentally Sensitive Planning Area (PA5). The Plan Area is in two (2) of the three (3) planning areas, which includes the Rural Planning Area (PA5) and Environmentally Sensitive Plan Area (PA4), which enables areas for limited growth. Given the constraints of the Planning Areas in the Township overall, the Town Center is the primary area where the State Plan encourages growth in the Township and has access to water and sewer utilities. As a result, this Plan is consistent with the State Development and Redevelopment Plan.

Vernon Township falls mostly in the Highlands Preservation Area (approximately two-thirds of the land area) with a smaller area in the Highlands Planning Area (approximately one-third of the land area). The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council in 2008. The Township has conformed to the Highlands Regional Master Plan in the Preservation Area of the Township. The Plan Area is located in the Planning Area of the Highlands Region, and is therefore an area that is appropriate for redevelopment. The Redevelopment Plan is consistent with the Highlands Regional Master Plan.

Golf Course Village Zone - Application of Regulations

Vernon Township will seek a Redeveloper, or Redevelopers, for all or portions of the Plan Area based on developer interest and ability to assemble parcels. The Redeveloper will acquire, or work with the Township to acquire, all or portions of the Plan Area in order to redevelop it according to the following land use regulations. This Plan shall serve as the zoning for the Redevelopment Area. Where conflicts exist between this Plan and the Township's Land Development Ordinance, this plan shall supersede. Where a standard is not addressed by this Plan, the Land Development Ordinance shall supersede.

Golf Course Village Zone (GCVZ)



Golf Course Village Zone - Permitted Uses

The following uses are permitted in the Golf Course Village Zone (GCVZ). Uses not identified below are prohibited. Multiple principal uses and structures, along with multiple accessory uses and structures are permitted subject to the regulations below.

A. Principal permitted uses.

1. Dwellings, single-family, detached;
2. Townhouses and stacked condo units;
3. Farmer's Market/Farm Related-Retail Sales;
4. Resort lodging;
5. Bakeries;
6. Banks and financial institutions, including ATMs, either with a banking facility or as a standalone machine;
7. Barber and beauty shops;
8. Bars, Brewpubs, craft breweries or distilleries;
9. Bookstore/newsstand/card shops;
10. Childcare facilities;
11. Conference centers and support services, including stationery and supplies sales kiosks or small shops not exceeding 1,000 square feet;
12. Delicatessens/coffee shops;
13. Drug stores and pharmacies;
14. Galleries;
15. Golf courses;
16. Grocery and convenience stores;
17. Health clubs;
18. Hospitals, having a 24-hour emergency room facility and/or other medical facilities including medical education facilities (colleges);
19. Indoor and outdoor recreation facilities, including but not limited to, indoor tennis, basketball, soccer and youth sports (gymnastics, softball, etc.) activities. This may include a limited number of mechanized rides and attractions (e.g., amusements, roller coasters, arcades, miniature golf parks);
20. Learning centers;
21. Liquor stores;
22. Indoor and outdoor ice skating, water park and related recreation facilities;
23. Nightclubs/dance clubs;
24. Offices, including medical offices and/or urgent medical care facility;
25. Outdoor festivals and art shows, commercial retail, food and beverage;
26. Restaurants;
27. Resort support services (e.g., aerial transportation system, water park resort sales and operation centers, skier information services, transit center, lift ticket offices, event areas);
28. Spas and personal services;
29. Indoor and outdoor theaters and amphitheaters;
30. Clothing and other merchandise sales;
31. Temporary uses which are customary and incidental to a resort, including but not limited to festivals, concerts, events, picnics, shows, games and other temporary gatherings or events provided that such temporary uses shall be limited by a Redevelopment Agreement;
32. Other commercial, retail, and service uses of similar character normally associated with a resort;
33. Wineries/breweries and associated services; and
34. Above- and below-grade parking decks.

B. Accessory uses and structures.

1. Recreational facilities including but not limited to clubhouses, lobbies, fitness facilities, outdoor barbecues, fire pits, gazebos, club rooms, lounges, libraries, game rooms, pool rooms, community gardens, recreation rooms, children's play rooms, private theater rooms, community bath houses and locker rooms.
2. Tenant amenities including but not limited to leasing and management offices, business centers, mail rooms, package storage areas, general storage areas and/or enclosure areas, kitchens for tenant use and related mechanical equipment, shared work space and similar interior tenant amenities.
3. Sports facilities, including but not limited to sports fields, courts, putting greens and swimming pools.
4. Park facilities including but not limited to playground facilities, picnic areas; walking paths, dog parks and dog runs.
5. Home Occupations complying with Section 165-95J.
6. Generators.
7. Sheds on commercial lots (not on residential lots)
8. Interior and/or exterior waste and recycling receptacles.
9. Signs.
10. Fences.
11. Parking.
12. Retaining walls.
13. Decks and patios.
14. Temporary model homes and units.
15. Temporary sales and construction offices and trailers.
16. Above and/or below ground detention basins, retention basins, and/or stormwater management uses and/or structures including green infrastructure.
17. Utilities.
18. Any use customary and incidental to a permitted principal use.

Golf Course Village Zone Area and Bulk Requirements

The following regulatory controls apply to properties located within the Plan Area:

Bulk Regulations	Townhouses/Condos	Residential	Non-Residential Uses
Minimum Lot Area	N/A	6,000 SF	N/A
Minimum Lot Width	20 feet	50 feet	500 feet
Minimum Lot Depth	75 feet	100 feet	700 feet
Front Yard Setback	15 feet	15 feet	80 feet
Side Yard Setback			
One Side	5 feet	5 feet	100 feet
Both Sides	15 feet	15 feet	
Rear Yard Setback	15 feet	15 feet	100 feet
Maximum Building Height	35 feet / 2 ½ stories	35 feet/ 2 ½ stories	45 feet / 3 stories
Maximum Building Coverage	N/A	50%	35%
Maximum Lot Coverage	65%	65%	50%
Maximum Number of Units	100	150	N/A
Affordable Housing Set-Aside	20%*	20%*	N/A

*Affordable set-aside is based on total unit count which may be satisfied by any permitted unit type.

Accessory uses and structures shall be permitted in side and rear yards and five (5) feet shall be the minimum side or rear yard setback for accessory structures and uses.

Parking Standards

Residential parking shall comply with Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq., (RSIS) as listed below, except where the Land Use Board grants de minimis exceptions as permitted by RSIS. The number of parking spaces required per use in the Plan Area are as displayed on the table below:

Use	Required Parking Spaces
	<i>Per N.J.A.C. 5.21-4.14 Table 4.4, unless otherwise noted</i>
Market-rate single-family detached dwelling	2.0 spaces per 3 BR dwelling unit 2.5 spaces per 4 BR dwelling unit
1-bedroom stacked condo	1.8 spaces per dwelling unit
2-bedroom stacked condo	2.1 spaces per dwelling unit
3-bedroom stacked condo	2.3 spaces per dwelling unit
3-bedroom townhouse	2.4 spaces per dwelling unit
Other Residential	Per N.J.A.C. 5.21-4.14 Table 4.4
Non-Residential Uses	Refer to § 330 Land Development of Vernon Township Code, Attachment 8, Schedule D: Minimum Parking Requirements

1. Parking Layout shall follow the Land Development Ordinance for Commercial uses and RSIS for residential uses including the following:
 - a. Parking space sizes shall be 9 feet by 18 feet.
 - b. Parking lots shall meet New Jersey ADA requirements for handicapped parking.
 - c. Electric Vehicle Supply/Service Equipment (EVSE) and/or Make-Ready Spaces shall be provided pursuant to P.L. 2021, c. 171 signed into law on July 9, 2021.

Screening Requirements

1. Wherever possible, natural screening shall be used to achieve privacy. However, where a privacy fence appears to offer a better alternative than the absence of such fence or natural screening due to circumstances involving the characteristics of the affected properties, fences conforming to § 330-178.C shall be required by the Land Use Board.
2. Fences and screen walls shall be limited to a maximum height of four (4) feet in front yards except they must be six (6) feet in height when used as a buffer for refuse area enclosures. Fences and screen walls in rear and side yards may be up to six (6) feet in height. The Land Use Board may increase height up to eight (8) feet where it deems necessary for screening purposes.

Landscaping Requirements

Landscaping shall be provided in all non-developed graded areas to promote a desirable and cohesive natural environment for residents, commercial/resort patrons, employees, and the public. Landscaping shall enhance the particular identity and character of the site. Landscaping must also be utilized to screen parking and loading areas, provide windbreaks for winter winds and summer cooling for building, streets, and parking, according to the following standards:

1. Landscaping plans shall be submitted as part of the site plan review process in both map and written form and shall indicate the types of trees and shrubs to be used.
2. Ornamental trees should be provided throughout the Plan Area, particularly at key locations such as site entrances and along existing roadway frontages along the property lines.
3. Hedges, shrubs, and ground cover must be used to define space and provide privacy along the perimeter of the property.
4. All landscaping must have a two-year maintenance guarantee. If any planting material dies within two years of planting, it must be replaced by the following planting season.
5. Within the overall Landscape Plan, a Hardscape and Streetscape Plan shall be required. The Hardscape and Streetscape Plan shall be submitted to the Vernon Township Land Use Board for its review and approval in conjunction with the project site Plan application and implemented contemporaneously with the construction of the redevelopment project. The Streetscape Plan shall include sidewalks on all street frontages.

Street Trees

Street trees should have a minimum of a three (3) inch caliper at the time of planting. The bottom branches shall be trimmed to a minimum of seven (7) feet from the group to allow pedestrian passage. Tree spacing shall be generally fifty (50) feet apart with variation for driveways, lighting, and other streetscape impediments.

Mobility Regulations

Thoroughfares are an important aspect of public space. Streets and their surrounding development form our primary sense of place. The design of the Plan Area plays a key role in forming this sense of place for the neighborhood. Streets and circulation shall comply with RSIS and the following:

1. Streets and circulation:
 - a. Appropriate traffic control signs must be installed to ensure the safe flow of traffic into and through the redeveloped area.
 - b. Street configurations shall be designed to meet projected vehicular traffic and circulation needs.
 - c. Bicycle racks are encouraged.
2. Pedestrian circulation:
 - a. The streetscape shall include sidewalk, brick paver or landscaped area, street trees, and street lights.
 - b. Sidewalk areas shall be minimum width of four (4) feet wide; grass strips or paver areas shall be a minimum of two (2) feet wide.

Building Design Standards

Building design should meet, to the maximum extent practicable, the requirements of Section 330-204.A-B (Architecture) of the Township Code.

1. Buildings in the Plan Area shall be designed to evoke the architectural attributes of mountain village architecture, alpine architecture, or the colonial architectural elements of historic Vernon buildings. Building materials shall contain mountain resort architectural elements such as timber framing, cedar shake shingles and field stone, or traditional architectural elements such as clapboard siding, gable roofs and window shutters.

Noise

- Noise levels at any property shall meet NJDEP standards.

Lighting

Lighting standards for the Redevelopment Plan are regulated by § 330-80 of the Township Code. In the Plan Area, residential uses shall adhere to levels stated for the R-1 zone and farmstand/produce uses should adhere to the levels stated for the CR zone.

Signage

The following standards shall apply to signage in the Plan Area.

Sign Type	Required
<i>Freestanding or Ground Sign</i>	
Maximum Number of Signs	Two (2) per business occupancy. One (1) per entrance for residential development
Maximum Area of Sign	100 square feet
Maximum Height	20 feet
Minimum Setback to Property Line or Right-of-Way Line, whichever is closer	5 feet
<i>Wall Signs</i>	
Maximum Area of Signs (Lesser of 10% of Wall Area or 40 Square Feet per sign)	Building: 40 Square Feet Canopy: 2 Square Feet
Maximum Sign Extension Beyond Wall	12 Inches

All signs may be internally illuminated. Additional signs not regulated by this Section are regulated by Section 330-180 of the Township Code.

Site Plan Design Standards

Site Plan Design Standards not addressed by this Plan shall be governed by Article VII Design and Development Principles and Standards of the Township’s Land Development Ordinance.

Affordable Housing

The Township of Vernon is in the Highlands Region with two-thirds of the municipality located in the Preservation Area, and one-third in the Planning Area. With most of the land in the Preservation Area, developing affordable housing in the Township is challenging and the bulk of new development will occur within the Town Center Area and sewer service area. As a result, an affordable housing set-aside within this Redevelopment Plan, will provide for a mix of housing choices consistent with the Township’s goals to provide for a variety of housing types including affordable housing. Any housing proposed within this Plan Area shall provide a 20 percent set-aside for affordable housing. Those units shall meet N.J.A.C. 5:80-26.1 et seq., Uniform Housing Affordability Controls as well as N.J.A.C. 5:93 Council on Affordable Housing Regulations. Affordable units may be satisfied using any permitted unit type.

Submittal Requirements

The Redeveloper(s) will submit a site plan, and subdivision application if applicable, for all, or a portion of, the Plan Area. The site plan approval process will occur as per the Land Use Board's site plan review requirements.

Projects Governed by a Redevelopment Agreement

For developments within the Plan Area that are governed by a redevelopment agreement between the developer and the Township (each, a "Redevelopment Agreement"), such Redevelopment Agreement must be fully executed prior to submission of a development application to the Township Land Use Board. The Township Land Use Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not yet entered into such Redevelopment Agreement with the Borough. After entering into a Redevelopment Agreement with the Township, a redeveloper shall submit to the Township Land Use Board a development application for all, or a portion of, the Plan Area. The development application must be consistent with this Redevelopment Plan and the Redevelopment Agreement. The approval process for the development application will proceed in accordance with the Township's Land Use Board's rules and requirements.

Legal Provisions

The Validity of the Plan

If any section, subsection, paragraph, division, subdivision, clause or provision of this Plan is deemed by a court of competent jurisdiction to be invalid, such adjunction will only apply to the particular section, subsection, paragraph, division, subdivision, clause, or provision in question, and the balance of the Plan will be adjudged valid and effective.

Zoning Map Revisions

Upon final adoption of this Redevelopment Plan by the Township Council, the Zoning Map of the Township of Vernon is hereby amended and must be revised to show the boundaries of the 151-161 NJSH Route 94 Redevelopment Area and identify the district as the "Multi-family Residential Redevelopment Zone." All provisions of this Plan apply, and upon final adoption of this Redevelopment Plan by the Borough Council, this Redevelopment Plan will supersede all provisions of the Mount Arlington Zoning Ordinance for the Plan Area. Any zoning-related issue that is not addressed herein will refer to the Mount Arlington Zoning Ordinance for guidance. No variance from the requirements herein will be cognizable by the Land Use Board. The Land Use Board alone will have the authority to grant deviations from the requirements of this Plan, as provided herein.

Amendment to the 151-161 NJSH Route 94 Redevelopment Plan

This Plan may be amended from time to time in compliance with the requirements of the Redevelopment Law.

As development occurs within the Plan Area, development priorities and market demands may change. This Plan should have the adaptability to meet the changing needs of market demand, the Township of Vernon and its citizens. Amendments may be required in order to accommodate these changes.

Variations in Site Plan Design

Modifications from standards that are expressly stated to be “mandatory” under the Land Use Regulations of this Plan, may be approved by the Land Use Board only by formal grant of a deviation as provided.

The Land Use Board may grant deviations from the regulations contained within the Plan, where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structure, or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk, or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property. The Land Use Board may also grant a deviation from the regulations within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this plan, and the benefits of granting the deviation would outweigh any detriments. The Land Use Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review, and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good, and will not substantially impair the intent and purpose of this Plan.

De minimis exceptions from RSIS may be granted by the Land use Board as permitted by N.J.A.C. 5:21-3.1 et seq.

An application requesting deviation from the requirements of this Plan must provide a public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12.a. & b.

No deviations may be granted which will result in permitting:

1. A use or principal structure not permitted in this Plan;
2. An expansion of a nonconforming use; and
3. An increase in height of a principal structure which exceeds by ten (10) feet or ten (10%) percent the maximum height permitted in this Plan.

Any party seeking a deviation from this Plan which cannot be granted by the Land Use Board as set forth above may apply to the Governing Body to request an amendment to this Plan.

Acquisition Plan

There is no property acquisition by the Township anticipated by this Plan.

Relocation Plan

Because there is no property acquisition by the Township anticipated by this Plan, no Relocation Plan is necessary.