

**TOWNSHIP OF WATERFORD**

**ORDINANCE NO. 2022-20**

**ORDINANCE OF THE TOWNSHIP OF WATERFORD ADOPTING AMENDMENT #2 OF THE REDEVELOPMENT PLAN FOR THE HAINES BOULEVARD REDEVELOPMENT AREA**

**WHEREAS**, the Township Committee (the “**Committee**”) of the Township of Waterford, in the County of Camden, New Jersey (the “**Township**”), by resolution duly adopted pursuant to the Local Redevelopment and Housing Law *N.J.S.A.* 40A:12A-1 et seq. (the “**Redevelopment Law**”), authorized and directed the Planning Board of the Township (the “**Planning Board**”) to undertake a preliminary investigation to determine if a specific area located in the Township, identified on the Tax Maps of the Township as **BLOCK 202, LOTS 1, 2, 3, 4, 5, 6 and 7; BLOCK 203, LOTS 1, 2, 3, 4, 5, 6, 7 and 8; AND BLOCK 204, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10** (the “**Study Area**”), constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law; and

**WHEREAS**, in 2001, after reviewing the recommendations of the Planning Board, the Committee adopted a resolution designating the Haines Boulevard Redevelopment Area as an area in need of redevelopment under the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, pursuant to the Redevelopment Law, the Township adopted by ordinance a redevelopment plan (the “**Redevelopment Plan**”) that was recommended by the Planning Board on October 16, 2001; and

**WHEREAS**, the Committee adopted by ordinance a new redevelopment plan, prepared by Heyer, Gruel & Associates, entitled the Haines Boulevard Redevelopment Plan, dated April 26, 2016; and

**WHEREAS**, the Committee amended the Haines Boulevard Redevelopment Plan in October of 2016 (“**Amendment #1**”); and

**WHEREAS**, there has been very little development activity within the Redevelopment Area in more than 20 years since it was designated in 2001, with only two projects having recently received approval for pending development; and

**WHEREAS**, on October 12, 2022 the Township Committee determined that it is in the public interest to amend the Haines Boulevard Redevelopment Plan by introducing this Ordinance to permit alternative industrial development on Block 204, Lots 1 and 2, among the largest parcels within the Redevelopment Area.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey, as follows:

**Section 1** The recitals in the Preamble above are incorporated herein as if set forth at length.

**Section 2.** The Haines Boulevard Redevelopment Plan, as amended (See Amendment #2 attached hereto as Exhibit A), shall govern the redevelopment of Block 204, Lots 1 and 2 of the Redevelopment Area and is hereby adopted.

**Section 3.** The standards of Amendment #2 shall be applicable only to Block 204, Lots 1 and 2 within the Redevelopment Area and shall be considered as a supplement to the Redevelopment Plan and Amendment #1. The standards of the Redevelopment Plan and Amendment #1 shall continue to apply to the entirety of the Redevelopment Area.

**Section 4.** In that Amendment #2 is to permit a non-residential use (industrial) in the RD Zone of the Redevelopment Area, Pineland Development Credits (PDC's) shall be required to be redeemed by any industrial user in accordance with N.J.A.C. 5.28(a)5ii(2) all as set forth on Exhibit "A". Exemption for PDC requirements for residential developments with 100% affordable housing units is hereby amended to provide said PDC exemption for affordable units only for inclusionary projects and the exemption can only apply up to 20% of the total residential units of a project. This new PDC exemption requirement for affordable housing units shall not apply to the Township's approved Third Round Obligation which was excluded from the purchase of PDCs in the present Redevelopment Plan.

**Section 5.** All Ordinances or parts of Ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.


**Section 6.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

**Section 7.** If the New Jersey Pinelands Commission finds any deficiency with this Ordinance as relates to Pinelands Comprehensive Management Plan (CMP) as to the zoning in the Redevelopment Plan, any remaining portion of this Ordinance shall remain valid and in effect upon adoption, as may be applicable.

**Section 8.** Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the Township Planning Board, the Pinelands Commission and any other agencies as required by law.

**Section 9.** This Ordinance shall only take effect after final adoption and publication as required by law

  
Dawn Liedtka, RMC / CMR Clerk

  
Andrew Wade, Mayor

Intro: \_\_\_ October 12, 2022  
 Public Hearing: \_\_ October 26, 2022  
 Adopted: October 26, 2022

UPON INTRODUCTION ON October 12, 2022					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					
UPON ADOPTION ON October 26, 2022					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES		X	X	X	X
ABSTAIN					
NO					
ABSENT	X				

**CERTIFICATION**

I, Dawn Liedtka, Clerk of the Township of Waterford, Camden County, New Jersey, do hereby certify the foregoing to be true and exact copy of the Ordinance which was finally adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on the 26 day of October, 2022.

  
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 Dawn Liedtka, RMC / CMR, Clerk

## EXHIBIT A

### **PLANNED INDUSTRIAL STANDARDS FOR BLOCK 204, LOTS 1 AND 2:**

For purposes of these industrial standards specific to Lots 1 and 2 within the Haines Boulevard Redevelopment Area, two or more buildings of any permitted use in Subsection A below that are planned on a tract with one or more parcels totaling 10 acres or more shall be considered a "Planned Development".

#### **A. Principal uses:**

- (1) Uses and bulk standards pursuant to the Haines Boulevard Redevelopment Plan, as amended.
- (2) Office buildings and research facilities.
- (3) Warehousing, including shipping and receiving of goods and supplies and cold storage.
- (4) Light manufacturing, fabrication and assembly.
- (5) Online commerce businesses which may have both order fulfillment and e-commerce sales operations, which may include areas for storage, package preparation, customer pick-ups and staging for deliveries.
- (6) Mini warehousing and self-storage, defined as a building containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.
- (7) Indoor commercial health/recreational facility.
- (8) Flex space, defined as any combination of any permitted uses housed in an enclosed building or buildings, utilizing such common facilities as parking, shared truck courts and circulation, utilities and sanitary facilities, having a combined minimum floor area of 100,000 square feet.
- (9) Any combination of principal permitted uses within a building or tract.

#### **B. Area and bulk requirements:**

- (1) Minimum tract for planned development: 10 acres.
  - (a) Minimum tract perimeter setbacks:
    - [1] County or state right-of-way: 100 feet.
    - [2] Other: 60 feet
  - (c) Minimum road frontage (exterior): 100 feet.
  - (d) Minimum mean lot width: 100 feet.
  - (e) Maximum building coverage: 50%.
  - (f) Maximum lot coverage: 80%.
  - (g) Maximum tract coverage: 75%.
- (2) Individual site development.
  - (a) Minimum lot area: two acres.
  - (b) Minimum setbacks:
    - [1] Front yard:
      - [a] County or state right-of-way: 100 feet.
      - [b] Other: 60 feet.
    - [2] Side yard: 40 feet (except 100 feet when abutting residential zone or residential use).

[3] Rear yard: 60 feet (except 100 feet when abutting residential zone or residential use).

- (c) Minimum road frontage: 150 feet.
- (d) Minimum mean lot width: 150 feet.
- (e) Maximum building coverage: 50%.
- (f) Maximum lot coverage: 75%.

**C. General exceptions and modifications:**

- (1) Height limitations.
  - (a) No structure, including radio and television transmission and other communication facilities which are not accessory to an otherwise permitted use, shall exceed a height of 55 feet.
  - (b) The height limitation in Subsection C(1)(a) above shall not apply to any of the following structures, provided that such structures are compatible with uses in the immediate vicinity: silos, barns and other agricultural structures; church spires; cupolas; domes; monuments; water towers; fire observation towers; electric transmission facilities and supporting structures; windmills; chimneys; smokestacks; derricks; conveyors; flag poles; masts; aerials; solar energy facilities; and similar structures required to be placed above the roof level and not intended for human occupancy; provided, however, that the height of any tower or similar structure shall not exceed the distance from the nearest property line to the base of the tower or structure.
  - (c) The height limitation in Subsection C (1) (a) above shall not apply to the antenna and any supporting structure of a local communication facility of greater than 35 feet, provided that the standards set forth in N.J.A.C. 7:50-5.4(c) are met.
  - (d) The height limitation in Subsection C (1) (a) above shall not apply to parapets, stair towers, solar panels and mechanical equipment.
  - (e) All buildings of 100,000 square feet or more shall be designed and constructed to support rooftop solar installation in accordance with P.L.2021, c.290.
- (2) Outdoor storage.
  - (a) Outdoor storage of containers required for the operation of uses involving warehousing, shipping and distribution of goods and supplies shall be permitted, subject to site plan approval by the Planning Board.
- (3) Interior Lot Lines
  - (a) No setback shall be required from any interior lot boundary lying between two contiguous lots within a tract planned and intended as a Planned Development as described herein.
- (4) Location of Off-street Loading Areas
  - (a) The restriction against the location of off-street loading areas within the required front yard pursuant to Section 176-79.B(2) shall not apply to a Planned Development under these overlay standards, subject to sufficient vegetative or architectural screening as approved by the Planning Board.
- (5) Location of Stormwater Management Basins and Buffers
  - (a) Per Section B(2)(b) above, a 100-foot residential setback should be required for any portion of the parcel abutting a residential zone or abutting a property with an existing residential use. Development permitted within the residential setback must be limited to a buffer with a

combination of adequate landscaping and screening to minimize visual and noise impacts on abutting residential zones and abutting properties with an existing residential use. Off-street parking, stormwater management facilities, outdoor storage areas, and accessory structures are prohibited within any required residential setback buffer. However, green infrastructure stormwater management features that include planted areas, such as raingardens, bioswales or bioretention areas may be incorporated into a residential setback buffer planting design, provided the overall landscaping and screening is adequate to minimize visual and noise impacts on abutting residential zones and abutting properties with an existing residential use.

- (b) For purposes of these overlay standards, any yard fronting on an interior or exterior road shall be a front yard. Stormwater management basins may be located in any yard area, inclusive of the required front yard, but shall not be located within the required landscaped portion of any buffer area pursuant to Section 176-52.B(1), with the exception of any green infrastructure stormwater management features that include planted areas, such as raingardens, bioswales or bioretention areas.
  - (c) For purposes of these overlay standards, a required buffer may be counted as part of a required front, side or rear yard area, provided that there is no deviation as to the required type, size or width of the buffer.
- (6) Parking and Loading Requirements
- (a) Parking requirements for all permitted uses shall be in accordance with Section 176-79.E which shall be supplemented as follows:
    - i. Online commerce businesses: 1 parking space per 1,600 square feet of gross floor area.
    - ii. Mini-warehousing and self-storage: 1 parking space per 10,000 square feet of gross floor area.
    - iii. Indoor commercial health/recreational facility: 1 parking space per 1,000 square feet of gross floor area.
    - iv. Flex space: 1 parking space per 1,000 square feet of gross floor area.
- (7) Technical Subdivision
- (a) A project to be developed pursuant to this Amendment may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required subject to the following:
    - i. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
    - ii. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
    - iii. A technical subdivision must not reduce, limit or modify parking or access to parking.
    - iv. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.

**D. Compliance with Pinelands Comprehensive Management Plan (CMP):**

Waterford Township is a certified Pinelands municipality. Local development approvals are subject to review to ensure that such development will be consistent with the CMP. Submission requirements for applications for development within the Haines Boulevard Redevelopment Area, inclusive of those developed under the Planned Industrial Standards herein, shall follow § 176-14D of the Waterford Township Code as well as the following:

- (1) The development of any principal, non-residential use under the Planned Industrial Standards of this ordinance shall require the acquisition and redemption of one quarter (1/4) Pinelands Development Credit (PDC) for every 17,000 square feet of gross floor area within principal use buildings.
- (2) If the proposed gross floor area of the development is not evenly divisible by 17,000, then the PDC requirement shall be rounded up to the nearest quarter (1/4) PDC.
- (3) If the proposed gross floor area of the development is less than 17,000 square feet, then one quarter PDC shall be required.