

City of Linwood
Atlantic County, New Jersey

Master Plan Reexamination Report



Prepared For:
City of Linwood Planning Board
Linwood City Hall - 400 Poplar Avenue
Linwood, New Jersey 08221

February 2018

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Several previously adopted planning documents were utilized in the preparation of this Master Plan. These documents are listed as an inventory of master plan documents and are included for references as indicated below:

- 2002 Master Plan by Heyer, Gruel & Associates
- 2007 Land Development Ordinance by Heyer, Gruel & Associates
- 2008 Reexamination Report

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Master Plan Reexamination Report

Introduction:

The statutory requirements for the Master Plan are established in NJSA 40:55D-28 (Municipal Land Use Law). At a minimum, in order for the City to establish valid zoning and land development standards, the Master Plan must contain the following:

- 1) *A statement of the objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based.*
- 2) *A land use plan element (a) taking into account and stating its relationship to the statement provided for in paragraph (1) hereof, and other master plan elements provided for in paragraphs (3) through (13) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands; (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport safety zones delineated pursuant to the "Air Safety and Zoning Act of 1983," P.L. 1983, c. 260 (C. 6:1-80 et seq.); and (d) including a statement of the standards of population density and development intensity recommended for the municipality;*
- 3) *A housing plan element pursuant to section 10 of P.L. 1985, c. 222 (C. 52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing.*

The Master Plan must also contain a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," sections 1 through 12 of P.L. 1985, c. 398 (C. 52:18A-196 et seq.) and (4) the district solid waste management plan required pursuant to the provisions of the "Solid Waste Management Act," P.L. 1970, c. 39 (C. 13:1E-1 et seq.) of the county where the municipality is located. Various other elements including the circulation element, utility service plan element, community facilities plan element, recreation plan element, conservation plan element, economic plan element, historic preservation plan element, recycling plan element, and farmland preservation plan element are optional components of a municipality's Master Plan.

The Master Plan provides a vision for the municipality. The Master Plan provides direction and guidance for the growth, preservation, and land use decisions. A good comprehensive plan recognizes the needs of the municipality; the municipality's relationship to neighboring communities, the County, State and other regional agencies; and existing constraints and opportunities such as circulation

patterns, environmental conditions, and development patterns; and includes projections and anticipated development trends. The Master Plan is a document that is adopted by the municipal Planning Board. After the plan is adopted, implementation of the plan is achieved by means of three (3) interrelated actions: legislative action by the governing body, capital improvement planning and continuing planning efforts.

In Accordance with section N.J.S.A. 40:55D-89 of the Municipal Land Use Law (MLUL),

The governing body shall, at least every ten (10) years, provide for a general reexamination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality.

The statutory requirements mandate a Reexamination report in 2018 as the last report was adopted in 2008. There have been significant changes in the regional Atlantic County economy since 2008 and a significant change in residential property values in the City which must be addressed in the on-going planning within the City.

The statute requires that the report address five (5) specific areas. These requirements are set forth herein and are followed by the appropriate response statements.

Required Provisions of Periodic Reexamination Reports

Part I - Major Problems and Objectives

The first provision stated in N.J.S.A 40:55D-89a of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*

The last Reexamination Report was adopted by the Linwood Planning Board in 2008. The 2008 report restated the following problems and objectives from the 2002 Master Plan.

Land Use

- a. Maintain, preserve and enhance the existing established residential character of Linwood.
- b. Develop strategies to limit the potential for incompatible subdivision of land in infill areas.
- c. Comprehensively review municipal land use ordinances, regulations and procedures.
- d. Limit residential development in Planned Commercial districts.
- e. Avoid strip commercial development on New Road and other major streets.
- f. Avoid the intrusion of business uses into residential zoning districts.
- g. Ensure that commercial development fits in well with the character and scale of Linwood.
- h. Address redevelopment of the former Prudential site and other underutilized commercial sites.

Circulation

- a. Take necessary measures to mitigate the effects of increased regional traffic.
- b. Employ traffic calming measures to retain the character of the City.
- c. Ensure that the needs of bicyclists and pedestrians are met.

Community Facilities

- a. Maintain and enhance the existing high level of community facilities consistent with the character and development of Linwood.
- b. Identify uses for municipally owned facilities, particularly the Poplar Avenue school site.
- c. Expand school facilities in a way that keeps pace with enrollment while respecting community character.

Parks and Recreation

- a. Maintain and expand the City's parks and recreation system to meet the recreation needs of Linwood residents.
- b. Expand the bike trail to serve residential developments west of New Road.
- c. Develop active and passive recreation facilities on newly acquired sites.

Conservation

- a. Use all available tools to protect the City of Linwood's natural resources as the community

continues to mature.

- b. Complete a natural resources inventory for the City.
- c. Enhance the protection of the meadowland in its current state.
- d. Protect and enhance environmental features in the developed areas of the City.
- e. Identify additional open space sites for acquisition.
- f. Identify funding sources to acquire additional open space.

Historic Preservation

- a. Encourage awareness and protection of Linwood's cultural, social and historic heritage.
- b. Respect the Linwood Historic District when making land use policy decisions.
- c. Consider additional historic properties for protection under the National and State Registers of Historic Places.

Part II - Status of Major Problems and Objectives

The second provision stated in N.J.S.A 40:55D-89b of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*

The current status of specific recommendations, problems and objectives identified in the Master Plan and restated in the 2008 Reexamination Report is as follows:

Land Use

- a. Maintain, preserve and enhance the existing established residential character of Linwood. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. Develop strategies to limit the potential for incompatible subdivision of land in infill areas. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- c. Comprehensively review municipal land use ordinances, regulations and procedures. *This problem has increased since 2008 as a result of various inconsistencies discovered between the narrative of the zoning ordinance and the information contained within the tables that provide for various bulk criteria. The City should review the ordinances, regulations and procedures in order to ensure consistency within the City Code and provide zoning which allows for realistic zoning within the City.*
- d. Limit residential development in Planned Commercial districts. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- e. Avoid strip commercial development on New Road and other major streets. *The City should review whether this objective should continue to be included in this Reexamination Report. The problems within the regional economy and need to encourage commercial development in the City may result in the City allowing additional commercial development opportunities within the City. Well planned commercial development can be provided on New Road and other streets so long as it fits in with the overall character of the City.*
- f. Avoid the intrusion of business uses into residential zoning districts. *This objective should be reviewed in order to determine whether some limited professional home offices or other similar uses should be permitted in certain zoning districts. The City should consider limiting the overall size of the home professional office in order to limit the impact on residential districts.*
- g. Ensure that commercial development fits in well with the character and scale of Linwood. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- h. Address redevelopment of the former Prudential site and other underutilized commercial sites. *This problem has increased since 2008 as the City needs to continue the efforts towards the redevelopment of the former Prudential site (Block 1, Lot 49) and the former Bloom tract (Block 1, Lots 26.01 and 26.02). The City has worked for many years to get the redevelopment of these sites underway with limited success. The City should explore ways to spur redevelopment of these sites or any other underutilized commercial sites as additional ratables are a key component of trying to stabilize the tax rate in the City.*

Circulation

- a. Take necessary measures to mitigate the effects of increased regional traffic. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. Employ traffic calming measures to retain the character of the City. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- c. Ensure that the needs of bicyclists and pedestrians are met. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*

Community Facilities

- a. Maintain and enhance the existing high level of community facilities consistent with the character and development of Linwood. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. Identify uses for municipally owned facilities, particularly the Poplar Avenue school site. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008. The City continues to work on redevelopment of the Poplar Avenue site for active / passive recreation, open space uses and other possible commercial uses. The City should explore the best use of other municipal facilities as well.*
- c. Expand school facilities in a way that keeps pace with enrollment while respecting community character. *This objective has been reduced since 2008 due to decreases in enrollment in the local schools. Expansion of school facilities should not be necessary until enrollment begins to increase again.*

Parks and Recreation

- a. Maintain and expand the City's parks and recreation system to meet the recreation needs of Linwood residents. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. Expand the bike trail to serve residential developments west of New Road. *This problem / objective has been reduced as Phase 1 of the bike path along New Road by the intersection of Monroe Avenue has been completed. The City continues to explore funding for Phase 2 of this path and other areas where connections to the bike path can be completed.*
- c. Develop active and passive recreation facilities on newly acquired sites. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008. The City continues to explore uses for the Poplar Avenue site.*

Conservation

- a. Use all available tools to protect the City of Linwood's natural resources as the community continues to mature. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. Complete a natural resources inventory for the City. *This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- c. Enhance the protection of the meadowland in its current state. *This problem / objective remains valid and has been increased subsequent to 2008. Changes to the City Code*

inadvertently eliminated uses for the Conservation Area. The City should focus on enhancing the protection of the meadowland in its current state, including the recognition and acknowledgment of currently existing legal piers and docks, particularly within meadowlands bordering the Patcong Creek, in order that they not be considered prohibited by the City. The City should also acknowledge that the New Jersey Department of Environmental Protection has lawful power and authority to allow repairs or modifications to existing ones and to allow others looking forward, and any regulation of the City should not be more restrictive than that which would be permitted and allowed by the State and New Jersey Department of Environmental Protection.

- d. *Protect and enhance environmental features in the developed areas of the City. This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- e. *Identify additional open space sites for acquisition. This objective has been reduced since 2008. The City has purchased approximately 17 acres behind the former Prudential building to be used for open space, and the City should explore ways to utilize it for open space and light recreation such as picnic tables, extension of the bike path, and public access to Patcong Creek.*
- f. *Identify funding sources to acquire additional open space. This objective has been reduced since 2008 as there is no need for additional funding until the City moves forward with identifying potential sites for open space.*

Historic Preservation

- a. *Encourage awareness and protection of Linwood's cultural, social and historic heritage. This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- b. *Respect the Linwood Historic District when making land use policy decisions. This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*
- c. *Consider additional historic properties for protection under the National and State Registers of Historic Places. This problem / objective remains valid and has not been reduced or increased subsequent to 2008.*

As part of the Master Plan reexamination, the problems, goals and objectives identified as being valid shall remain and objectives identified as addressed shall be removed as detailed above. This section serves as an update to the problems, goals and objectives identified in the 2008 Reexamination Report.

Part III - Changes in Assumptions, Policies and Objectives

The third provision of a reexamination is contained in 40:55 D-89c of the MLUL and requires that a reexamination report address: *The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation, collection, disposition, and recycling of designated recyclable materials and changes in State, County, and Municipal policies and objectives.*

There have been significant changes in the assumptions, policies and objectives forming the basis for the master plan since the last Reexamination in 2008.

The most significant change affecting the City of Linwood is the decline in the regional economy that began during the recession of 2008 and continues today. The recession of 2008 which impacted the nation was the trigger for a downward trend for all of Atlantic County from which the County has not yet fully recovered.

Atlantic County experienced unprecedented growth for many years as a result of the advent of casino gaming in Atlantic City in 1976. Significant growth in jobs, commercial development and residential development was experienced in the County. The City of Linwood developed into a primarily residential community which provided housing for many of the direct and indirect employees who relied on the jobs created as a result of Atlantic City being the only gaming market on the east coast.

The national recession in 2008 coupled with gaming competition proliferating on the east coast resulted in a dramatic change of events for the City of Linwood. After many years of growth and increased real estate prices, the slow down in the regional economy created significant job losses and declines in real estate values.

The City must adjust to the problems caused by unemployment, reductions in incomes / real estate values, and foreclosures now experienced in the City. Changes in the underlying planning for the City to allow for additional diversity in commercial development, permit businesses to be competitive with businesses in adjacent municipalities and relax some restrictions to revive a sluggish residential real estate market must all be examined. The City has worked for many years to get the redevelopment of vacant sites underway with limited success. The City should explore ways to spur redevelopment of all vacant sites or any other underutilized commercial sites as additional ratables are a key component of trying to stabilize the tax rate in the City.

The following details some of the changes the City since the Reexamination Report of 2008.

Density and Distribution of Population and Land Uses

After many decades of population growth in the City, the last decade saw a drop in population for the City of Linwood which has continued through 2015. The figure below demonstrates that population increases in the City since 1940 along with the decrease in population since 2000.

	Population	Population Change	Percentage Change
1940	1,479		
1950	1,925	446	30.2%
1960	3,847	1,922	99.8%
1970	6,159	2,312	37.5%
1980	6,144	-15	0%
1990	6,866	722	11.8%
2000	7,172	306	4.5%
2010	7,092	-80	-1.1%

Source: New Jersey State Data Center

As indicated in the census information at the state data center located at http://lwd.dol.state.nj.us/labor/lpa/content/njsdc_index.html, the 2015 estimate of population for the City of Linwood has declined further to a total population of 6,973. The City must deal with the effects the decrease in population has on school enrollment and vacancies in structures now more prevalent throughout the City.

The density of Linwood is above the overall density for Atlantic County. The City has been zoned for primarily single family detached dwellings on lots ranging from 10,000 square feet to 20,000 square feet in size. The figure below shows the population densities for municipalities within Atlantic County.

	Land Area (sq. mi.)	Total Population		Persons Per Square Mile	
		2000	2010	2000	2010
New Jersey	7,354.2	8,414,378	8,791,894	1,144.2	1,195.5
Atlantic County	555.7	252,547	274,549	454.4	494.1
Absecon	5.4	7,638	8,411	1,415.5	1,558.8
Atlantic City	10.7	40,517	39,558	3,770.1	3,680.8
Brigantine	6.4	12,594	9,450	1,971.7	1,479.5
Buena Borough	7.6	3,873	4,603	511.1	607.4
Buena Vista	41.1	7,432	7,570	181.0	184.4
Corbin City	7.7	468	492	61.1	64.2
Egg Harbor Township	66.6	30,726	43,323	461.4	650.5
Egg Harbor City	10.9	4,545	4,243	415.7	388.1
Estell Manor	53.3	1,588	1,735	29.8	32.5
Folsom Borough	8.2	1,972	1,885	240.4	229.8
Galloway Township	89.1	31,209	37,349	350.4	419.3
Hamilton Township	111.1	20,499	26,503	184.5	238.5
Hammonton	40.9	12,603	14,791	308.2	361.8
Linwood City	3.9	7,172	7,092	1,855.6	1,834.9
Longport Borough	0.4	1,054	895	2,736.5	2,323.7
Margate City	1.4	8,193	6,354	5,789.9	4,490.3
Mullica	56.4	5,912	6,147	104.8	108.9
Northfield	3.4	7,725	8,624	2,269.6	2,533.7

Pleasantville	5.7	19,012	20,249	3,339.2	3,556.5
Port Republic	7.5	1,037	1,115	138.6	149.0
Somers Point	4.0	11,614	10,795	2,882.0	2,678.8
Ventnor City	2.0	12,910	10,650	6,615.5	5,457.4
Weymouth	12.1	2,254	2,715	186.4	224.6

Source: New Jersey Department of Labor

As shown, the total and density of population has recently begun a decline which the City has not experienced since growth began in the 1940's. The City must plan appropriately in order to stabilize the City's population trends.

Housing Conditions

The City's housing conditions have remained largely unchanged with the exception of the increase in vacant structures. The City provides zoning primarily for single family detached residential dwellings and this has not changed since the Reexamination in 2008.

The following illustrates the building permits issued within the City of Linwood from 2005 – 2015:

	New Building	Addition	Alteration	Demo	C/O Issued	Units Gained	Units Lost	Change
2005	30	37	318	0	63	31	2	29%
2006	13	38	319	2	52	13	2	11%
2007	10	22	335	2	45	11	2	9%
2008	4	23	316	3	46	4	3	1%
2009	4	24	293	0	27	4	0	4%
2010	1	17	262	1	21	1	1	0
2011	3	15	244	0	25	3	0	3%
2012	4	12	384	0	20	4	0	4%
2013	6	11	274	3	3	6	3	3%
2014	5	9	257	1	7	5	1	4%
2015	4	10	254	1	4	4	1	3%

Source: City of Linwood Building Department

Circulation

The roadway network for vehicles in the City remains unchanged. The roadway network has been established for many years with State Highway Route 9 and Atlantic County Route 585 (Shore Road) being the primary north – south roadways in the City. Many of the local roadways intersect with these higher volume collector roadways.

The City has made a concerted effort towards enhancing circulation patterns for bicyclists and pedestrians throughout the City. Phase 1 of the bike path which would connect the existing bike path along Wabash Avenue with the commercial areas along Route 9 has been completed and the City continues to explore funding opportunities for the extension of this path and other possible connections to facilitate transportation for bicycles and pedestrians.

Conservation

The City of Linwood has significant natural assets with Patcong Creek along its western border and Issacs Creek, Mulberry Thorofare, Sculls Bay and Sculls Thorofare along its eastern border. The City remains committed to protecting and conserving its natural assets in these areas. The City also commits to recognizing all lawful pre-existing docks and piers within these areas and deferring to the state on any new structures. The City recognizes that the access and use of the waterfront areas are crucial for the overall development of the City.

Collection, Disposition and Recycling of Designated Recyclable Materials

There have been no changes in the collection, disposition and recycling that would affect the Reexamination Report.

Changes in State, County and Municipal Policies and Objectives

Reexamination of State Development and Redevelopment Plan (State Plan)

On January 2, 1986, the New Jersey Legislature enacted the New Jersey State Planning Act. As part of this Act, the New Jersey State Planning Commission was created and directed to prepare and adopt a statewide plan for growth and redevelopment in New Jersey. The premise of this plan was to develop a plan for the New Jersey that reflects agreement between all levels of government – municipalities, counties and the State – and provides a blueprint for "smart growth" throughout the State.

In 1992, the Commission released the *State Development and Redevelopment Plan* (State Plan). Incorporated into the State Plan is a Resource Planning and Management Structure. This structure identified five (5) basic "planning areas", outside of the Pinelands areas, based on physical size, population densities, availability of infrastructure, and pattern of existing land uses. These planning areas are mapped on the Resource Planning and Management Map (RPMM). The Pinelands areas remained unchanged with the introduction of this plan.

As required by law, all governmental agencies are required to reexamine their planning documents every ten (10) years. In 1997 the State Planning Commission began a reexamination of the State Plan. On March 31, 1999, the State Planning Commission approved the *New Jersey State Development and Redevelopment Plan: Interim Plan*. A new State Plan was approved in 2001.

This reexamination of the State Plan has provided municipalities, county agencies, and citizens with the opportunity to provide comments on the previously adopted State Plan and make suggestions and recommendations. Municipal and county agencies are also offered an additional chance to request changes in policy and / or request modifications to the RPMM.

Implementation of State Plan by State Agencies

When the State Plan was adopted in 1997, the plan was to serve as an advisory document providing recommendations that would result in "smart growth" or a pattern of "preferred growth" throughout the State. In her 1998 State of the Union address, Governor Whitman clearly stated that one of her goals is that all State agencies use the State Plan as a basis for their policy and decision making process. Decisions regarding funding, priority of improvements / maintenance, and implementation of new projections or extensions of existing systems should now be required to be based on the principals and concepts contained in the State Plan.

The State agencies that have integrated the State Plan into their policies and decision-making processes include the Department of Community Affairs (NJDCA), Department of Environmental Protection (NJDEP), and Council on Affordable Housing (COAH). All of these agencies potentially impact the City.

Affordable Housing Regulations:

The Fair Housing Act of 1985, P.L. 1985, c.222 (N.J.S.A. 52:27D-301 et seq.) established the initial affordable housing regulations for all municipalities in the state. The intent was to ensure that municipalities did not use their zoning code to exclude the possibility of development of homes available to moderate and low income households. The Fair Housing Act established the Council of Affordable Housing (COAH) within the Executive Branch for the purpose of establishing the regulations and oversight of affordable housing obligations in the state.

Subsequent to the adoption of the Fair Housing Act, a number of legislative changes and judicial decisions followed.

On December 20, 2004, COAH's third round (1999-2014) substantive and procedural rules became effective in accordance with N.J.A.C. 5:94 and Procedural Rules can be found at N.J.A.C. 5:95. These rules use a new methodology, known as growth share, to calculate a municipality's new construction affordable housing obligation. Under growth share, a municipality's affordable housing obligation is based on actual growth taking place in the municipality over time, and the affordable housing obligation is assigned as a proportion of that growth.

Three components of the affordable housing obligations were established as a result of the third round rules. A prior round obligation (for the period from 1987 – 1999), a rehabilitation component, and a growth share component (for the period from January 1, 2004 to December 31, 2018) were established. These new rules were met with a series of legal challenges.

In the summer of 2008, the legislature attempted to address the challenges by adopting legislation to reform affordable housing regulations and provide a framework for municipalities to address affordable housing needs. Additional legal actions followed the adoption of the legislation.

In 2011, the entire COAH department was eliminated ostensibly as a cost saving measure and the duties were transferred to the Department of Community Affairs (DCA). More legal challenges followed.

Ultimately, the Supreme Court directed that the court system would take over the responsibilities for establishment of affordable housing obligations and implementation of affordable housing plans due to the elimination of COAH and perceived inaction by the Executive Branch. As affordable housing obligations have been transferred to the jurisdiction of the Court system, municipalities await a final decision on the third round obligations prior to finalizing affordable housing plans.

Atlantic County:

The Atlantic County Master Plan was adopted in October 2000. There have been no changes to the Master Plan that would affect the assumptions, goals and objectives identified in this reexamination report.

Municipal Policies and Objectives:

There have been numerous changes in municipal policies and objectives that should be addressed in the context of the Reexamination Report. These policies and objectives that have changed since 2008 are as indicated below:

- a) *The City of Linwood has recognized various inconsistencies and discrepancies between the Narrative portion of the Linwood Zoning Ordinance (Chapter 277 of the Linwood Code) and the Schedules A and B thereto, which comprise a part thereof that many of the inconsistencies and discrepancies are the result of typographical errors or editing mistakes that should be corrected in the public interest to avoid confusion and ambiguity in the Ordinance.*
- b) *Significant technological changes for signage have been made since the last Master Plan was adopted. The City should review the various changes in technology and provide an ordinance that addresses these changes.*
- c) *Changes in alternative energy systems have occurred since the last Master Plan was adopted. The City should review these changes and provide an ordinance to permit residents to utilize some forms of alternative energy.*
- d) *The impacts from Superstorm Sandy were significant in the City of Linwood and surrounding municipalities. The City should review the impacts and provide for zoning and regulations that provide for protection from impacts from storms such as Sandy and a more resilient community.*
- e) *The City should review all aspects of the ordinance and development regulations in*

order to eliminate provisions that would impede common sense development within the City.

- f) The Route 9 corridor has seen an increase in traffic and various improvements over the last 8 years. The City should review the zoning along this corridor to ensure the best use of land along the state roadway and ensure compatibility with adjacent land uses.*
- g) The City has been approached with requests for home offices in residential areas of the City. The City should explore the possibility of permitting home offices where appropriate.*
- h) The City should add uses for the conservation zone that recognizes existing docks and piers within the zone and the possibility of repairs, modifications or new structures in the future.*

Part IV - Recommended Changes for Master Plan or Development Regulations:

The fourth provision of a reexamination is contained in N.J.A.C. 40:55 D-89(d) of the MLUL and requires that a reexamination report address: *The specific changes recommended for master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

Various changes are recommended to respond to the changes in the regional economy, the need for Linwood to try to spur development of vacant sites and the redevelopment of other underutilized commercial sites.

The recommended changes are as indicated below:

- 1) A new comprehensive zoning ordinance (Section 277-25 through Section 277-40) should be adopted in order to eliminate inconsistencies, duplication and allow for residential / commercial development that maintains the character of the City.
- 2) Section 277-10 should be eliminated and all conditional uses should be shown in the zones where they are permitted along with all applicable conditions.
- 3) The Schedule A-1 in the Zoning Code should be eliminated so that all zoning requirements are only detailed in the narrative portion of the ordinance.
- 4) The City should review the zoning provisions within the Business Zone in order to promote additional commercial development along New Road.
- 5) The City should change the Dwelling R-20 Zone to a Dwelling R-15 Zone.
- 6) The City should permit professional home offices in the Dwelling R-15 and R-10 Zones.
- 7) The City should review whether residential development is appropriate within the Dwelling R-SR Zone and at a minimum permit some limited professional offices along the Shore Road corridor.
- 8) The City should include enumerated principal permitted and accessory uses in the Conservation Zone.
- 9) The City should establish separate area, width, setback, and lot coverage standards for all development in the Recreation Open Space Zone.
- 10) A new comprehensive general design standards (Section 41-49 through 41-51) should be adopted to clean up inconsistencies, duplication and address technological changes that have occurred over time.
- 11) The City should adopt regulations governing renewable energy systems including solar and wind power.

- 12) The City should review impacts from storm events including Superstorm Sandy and sea level rise in order to develop measures that will enhance resiliency for new construction within the City.
- 13) The definitions in Section 277-3 should be amended as follows:

AVERAGE GRADE – The average vertical elevation of the ground around the first floor of a particular structure.

IMPERVIOUS COVERAGE - Any material which generally reduces or prevents absorption of stormwater into the ground, including but not limited to buildings and other structures, parking areas, driveways, sidewalks, paving, patios, pools and spas. For the purposes of calculating impervious coverage, paver systems shall be considered 50% impervious.

MUNICIPAL PERMITS – a document approving the installation of municipal improvements, or the sales of items, or the use of items in support of a construction or clean-up project within the City of Linwood issued by the Construction, Code Enforcement or Zoning Officer. Municipal Permits are required prior to the start of work, including but are not limited to; street opening permits (also includes sidewalks, driveways and curbs), sewer installations and connections, dumpsters, trailers, PODs, Port-O-Potty, Yard Sale, Tag Sale, Garage Sale, Flea Markets, Auctions, etc.

ZONING PERMITS – a document approving the start of any work within the City of Linwood issued upon review and approval by the Zoning Officer of the City of Linwood. Zoning Permits are only issued after review by the Zoning Officer of documents supporting any work or installation of materials or a structure within the City of Linwood; these documents include but are not limited to land surveys, site plans, blueprints, concept drawings, DEP CAFRA applications/approvals, Cape Atlantic Soil Conservation documents, elevation certificates, etc.

AIRBNB – A hospitality service, enabling people to lease or rent short-term lodging including vacation rentals, apartment rentals, homestays, hostel beds, or hotel rooms.

BOARDING HOMES – any residential or mixed use with residential, renting a room or rooms for a period of one day or more than one year as a place of habitation for a person or persons sharing a single family residence.

FARM ANIMAL(S) – domesticated animals (not including dogs and cats) including but not limited to; horses, cows, chickens, pigs, goats, sheep, rabbits, etc.

ITINERANT VENDORS – any person, whether principal or agent, who engages in a temporary or transient business selling goods, wares and merchandise and who, for the purpose of carrying on such business, hires, leases or occupies any land, building or structure for the exhibition and sale of such goods, wares and merchandise.

ITINERANT VENDORS VEHICLE - a motor vehicle used in the operation of the business of an itinerant vendor to carry the goods, wares or other merchandise offered

for sale to the general public and from which sales are made to customers invited to the vehicle and solicited for such purpose through the ringing of a bell or the use of any other device or means designed to attract attention to the vehicle.

- 14) Regulations prohibiting boarding homes, rental of rooms, Airbnb, and other short term renting of rooms or homes should be adopted.
- 15) The City should explore realignment of the intersections and traffic patterns around Morris Avenue, Oak Avenue and Belhaven Avenue in order to improve safety around the Belhaven School.
- 16) The City should explore installing sidewalk along the south side of Central Avenue from Oak Avenue to Cedarbrook Lane along with crosswalks to the recreation areas on the north side of Central Avenue.
- 17) The section detailing the calculation of sewer connection fees should be updated to follow state guidelines.
- 18) The City should review the regulations for accessory structures including sheds, tree houses, patios, and pools and modify the standards where appropriate.
- 19) Regulations governing the management of itinerant vendors should be adopted.
- 20) Regulations governing political signage should be adopted.
- 21) Regulations governing parking of boats and trailers in municipal roadways should be adopted.
- 22) The City should undertake an analysis of the zoning around Route 9, Oak Avenue and Poplar Avenue in order to explore whether some limited commercial uses are appropriate for the City owned properties in that area.

Part V - Recommended Redevelopment Plans:

The fifth provision of a reexamination is contained in N.J.A.C. 40:55 D-89(e) of the MLUL and requires that a reexamination report address: *The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C 40 A: 12 A-1 et seq.) into the Land Use Element of the municipal Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

The City has redevelopment plans in place for the former Prudential site (Block 1, Lot 49) and the former Bloom tract (Block 1, Lots 26.01 and 26.02). Both sites are located on New Road within the City's Business District. The City has established an Area in Need of Rehabilitation along New Road between these sites designated for redevelopment.

It is recommended that the City work with property owners within the Area in Need of Rehabilitation to develop redevelopment plans for individual parcels.

It is also recommended that the City review all areas zoned for non-residential development in the City to determine whether additional Areas in Need of Redevelopment or Areas in Need of Rehabilitation should be established.

Reexamination Report Adoption

This report shall serve as a Periodic Reexamination Report. The absence of the adoption of a reexamination report by the planning board shall constitute a rebuttable presumption that the municipal development regulations are no longer reasonable.

This report was adopted after a public hearing by the City of Linwood Planning Board on February 26, 2018.

The original of this document has been signed and sealed in accordance with N.J.A.C. 13:41-13.b.