



# REDEVELOPMENT IN THE PINELANDS

Pinelands Commission  
Policy & Implementation Committee

2/26/2021

# Presentation outline

- Overview of the redevelopment process in New Jersey
- Summary of redevelopment in the Pinelands Area and the role of the Pinelands Commission
- Four examples of certified redevelopment plans

# What is redevelopment?

A process to rebuild or restore an area in a measurable state of decline, disinvestment, or abandonment.

Redevelopment may be publicly or privately initiated, but [in New Jersey] it is commonly recognized as the process governed by the Local Redevelopment and Housing Law and undertaken in accordance with a redevelopment plan adopted by a municipality.

*The Redevelopment Handbook – A Guide to Rebuilding New Jersey's Communities, Slachetka and Roberts, 2011*

# Local Redevelopment and Housing Law (LRHL)

(N.J.S.A. 40A:12A-1 et seq.)

- Adopted in 1992, and since amended, this law consolidated and updated New Jersey's prior urban renewal statutes from the 1950s
  - Enables municipalities to undertake redevelopment (including use of eminent domain powers)
  - Provides enhanced planning, zoning, contracting and financial powers as well as greater control over project design and development than otherwise provided by the MLUL
- The law and its various applications are complex; details provided here are tailored to the type of municipally-led redevelopment common in the Pinelands

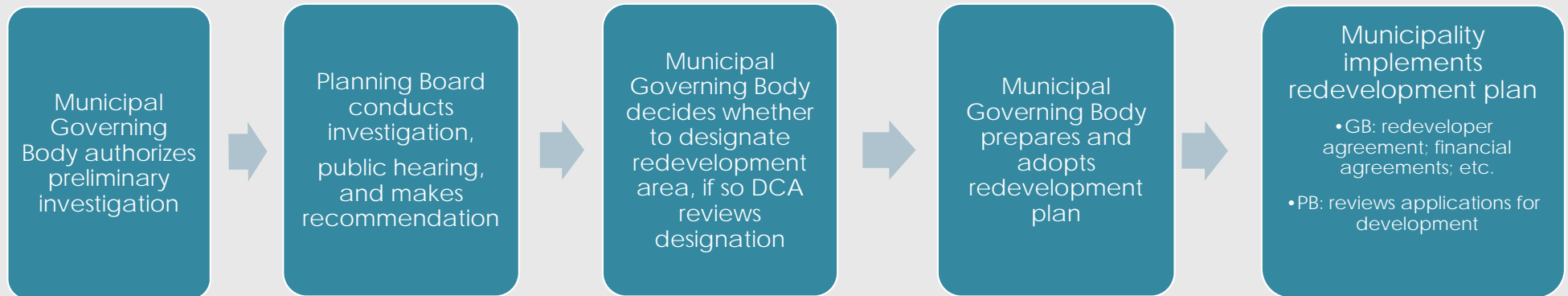
# Local Redevelopment and Housing Law (LRHL)

(N.J.S.A. 40A:12A-1 et seq.)

Relevant contents of the law:

- Defines the roles and responsibilities of the governing body, planning board, and redevelopment entity
- Defines the criteria and procedures for designating: (1) areas in need of redevelopment and (2) areas in need of rehabilitation
- Describes the contents required of a redevelopment plan
- Establishes the powers of the redevelopment entity to implement the redevelopment plan and administer redevelopment projects

# Typical redevelopment process



## Pinelands Commission role

Commission may be consulted at any time prior to adoption of the redevelopment plan

DCA notifies Commission of designations in Pinelands Area\*

Commission reviews adopted redevelopment plans in Pinelands Area

Commission reviews applications for development within redevelopment area

*\*DCA review requirement only since 2003*

# Criteria for determining an area in need of redevelopment

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

(N.J.S.A. 40A:12A-5)

# Criteria for determining an area in need of redevelopment

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

(N.J.S.A. 40A:12A-5)



# Criteria for determining an area in need of redevelopment

g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment....

h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

(N.J.S.A. 40A:12A-5)

# Criteria for determining an area in need of rehabilitation

- (1) a significant portion of structures therein are in a deteriorated or substandard condition;
- (2) more than half of the housing stock in the delineated area is at least 50 years old;
- (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area;
- (4) there is a persistent arrearage of property tax payments on properties in the area;
- (5) environmental contamination is discouraging improvements and investment in properties in the area; or
- (6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

(N.J.S.A. 40A:12A-14)

# Required provisions of the redevelopment plan

- Relationship to local planning objectives
- **Proposed land uses and building requirements in the project area**
- Identification of property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan
- **Any significant relationship of the redevelopment plan to any master plan of a contiguous municipality, county plan, or the State Development and Redevelopment Plan**
- Relationship to the Municipal Land Use Law

(N.J.S.A. 40A:12A-7)

# Financial tools to incentivize private investment in redevelopment

There are two primary statutes related to property tax exemptions and redevelopment

- **Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.)**
  - Exemption can only be granted to an “urban renewal entity” – (profit limits, special incorporation requirements)
    - Its purposes can only for the effectuation of redevelopment pursuant to an adopted redevelopment plan
  - May last up to 30 years from beginning of exemption or 35 years from execution of financial agreement
  - Exemption applies only to the value of the new improvements constructed as part of the redevelopment project
  - Establishes formulas for calculating annual service charge a.k.a. payment in-lieu-of taxes (PILOT)
    - % of Annual Gross Revenue or Up to 2% of Total Project Costs
    - Phase out options
    - the amount of a PILOT is established as part of a written agreement between the municipality and urban renewal entity
- **Five-Year Exemption and Abatement Law (N.J.S.A. 40A:21-1 et seq.)**
  - Municipality must adopt ordinance enabling 5-year exemption/abatement program
  - Property owners within designated areas may apply for five-year abatement/exemption
  - Exemptions may be granted from property taxes on all or a portion of the added assessed value from improvements
  - Abatements may be granted from property taxes on existing assessed value of property (residential uses only)

# Area in need of redevelopment vs. area in need of rehabilitation

## **Different statutory criteria for designation**

- Easier burden to prove that an area meets the criteria for being in need of rehabilitation vs. in need of redevelopment

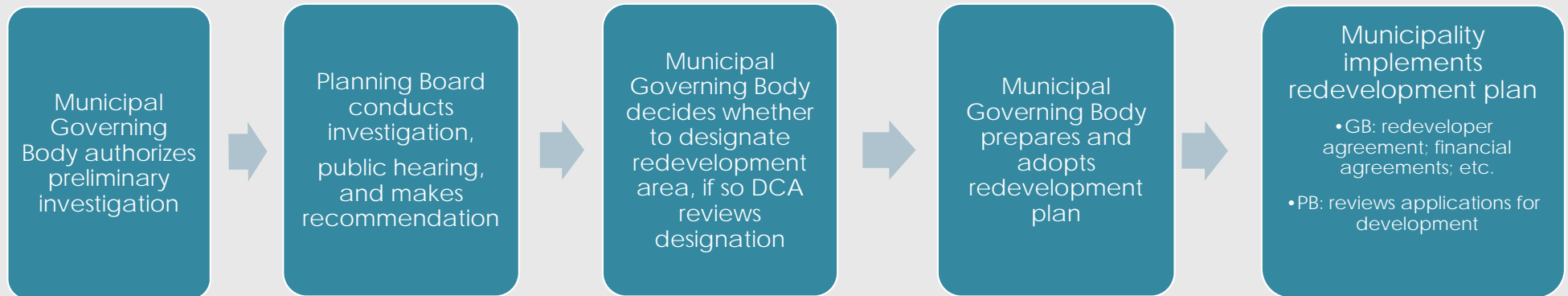
## **Different procedural requirements for designation**

- Area in need of rehabilitation does not require a preliminary investigation from the Planning Board only a non-binding review and recommendation

## **Different redevelopment tools available to municipality**

- Condemnation redevelopment (eminent domain) may only be undertaken as part of an area in need of redevelopment
- Long-term tax exemption may only be granted for projects within an area in need of redevelopment
- Redevelopment plan can be adopted for rehabilitation area

# Typical redevelopment process



## Pinelands Commission role

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# Pinelands Commission certification of redevelopment plans

## Commission review process of redevelopment plans

- Same as the review of any other amendment to a municipality's land use ordinances (N.J.A.C. 7:50-3.39)
  - Must meet CMP standards for land uses and intensities (subchapter 5)
  - Must meet CMP minimum environmental standards (subchapter 6)

## Certified redevelopment plans by Pinelands management area

	PAD	SAPA	FA	APA	RDA	PV	PT	RGA	Township-Wide	Total
<b>Total</b>	<b>1*</b>	-	-	-	<b>3</b>	<b>5</b>	<b>17</b>	<b>28</b>	<b>3**</b>	<b>56***</b>

\*Whiting Landfill Redevelopment Plan

\*\*Galloway, Hamilton, and Maurice River Townships

\*\*\* Rowan College Burlington County Redevelopment Plan included land within both RGA and RDA

# Examples of redevelopment plans in RGAs and Pinelands Towns



# Pinelands regional growth areas

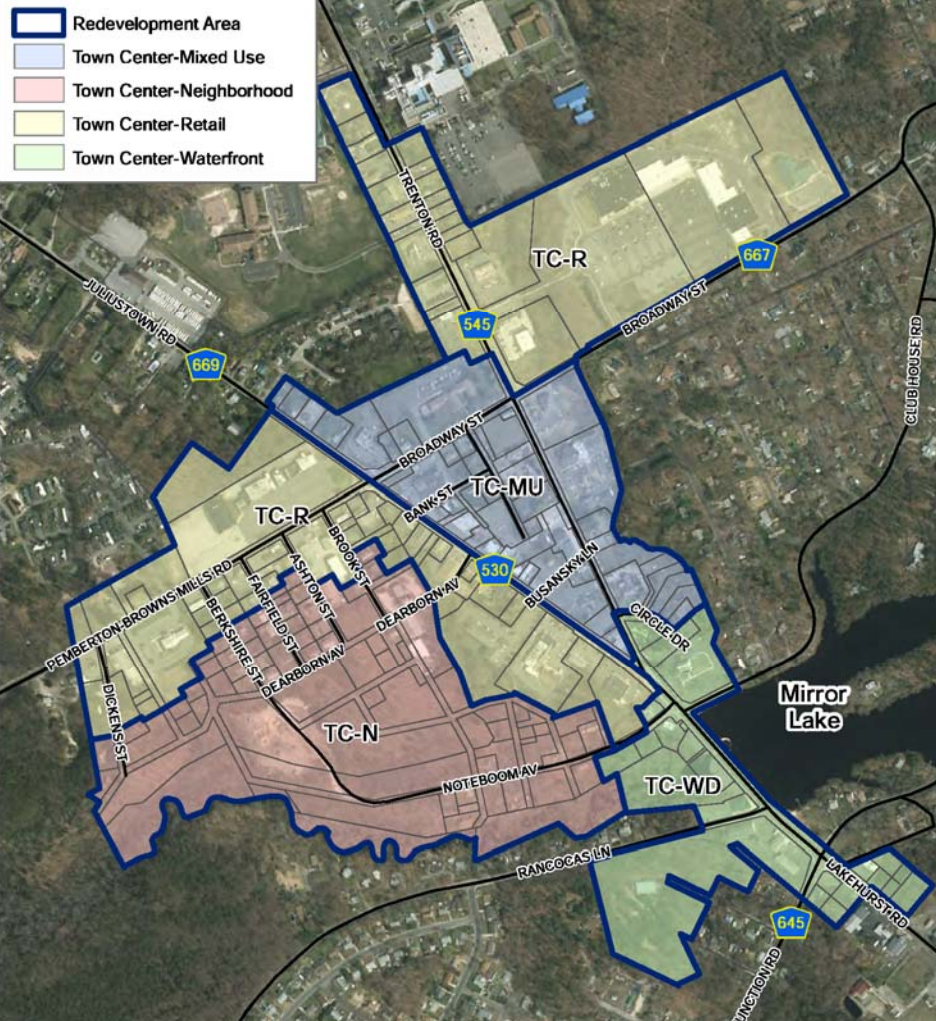
- Areas of existing development and adjacent lands that have the infrastructure (sewers, roads and other utilities) necessary to accommodate new development
- Future growth is targeted to and encouraged in the RGAs as a way of preventing scattered and piecemeal development and relieving development pressure in other more sensitive portions of the Pinelands Area
- CMP permits municipalities to zone for any use not otherwise limited by subchapter 6
- Pinelands Development Credit (PDC) receiving area
- About 8% of the land within the Pinelands Area

# Pinelands regional growth areas

- CMP prescribes minimum “base” density that municipalities must accommodate through zoning
  - 1.0 - 3.5 units per upland acre, spread throughout the entire RGA
- CMP requires that municipalities also accommodate “bonus” density through the use of PDCs
  - Minimum of 50% above the base density
- CMP allows municipalities to zone for increased residential zoning capacity and provide additional density bonuses if:
  - Lands being “upzoned” are appropriate for higher intensity development
  - Sufficient PDC opportunities are provided
  - Sufficient infrastructure exists or can be provided to support the new development

Pemberton Township  
Browns Mills Town Center  
Redevelopment Plan

### New Districts in the Browns Mills Redevelopment Area

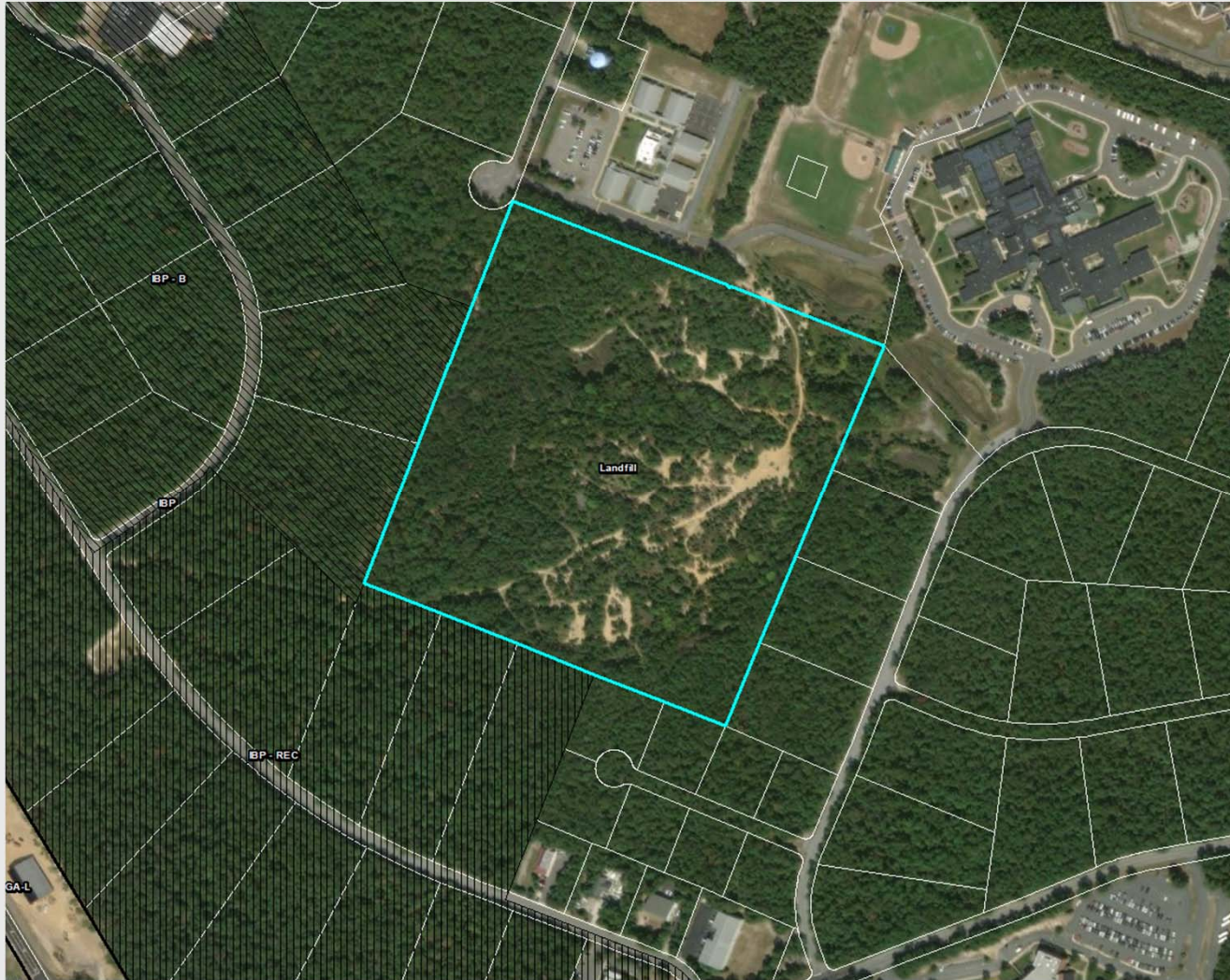


# Pemberton Township Browns Mills Town Center Redevelopment Plan

- Designated as an area in need of redevelopment 1995
- Initial Redevelopment Plan adopted 1995; last amended in 2018 (Ord. 13-2018) certified by the Commission (10/12/2018)
- Contains extensive areas of existing development and variety of uses
- 2018 amendment maintained existing redevelopment area boundary but adopted a new simplified zoning plan and architectural standards

# Hamilton Township Landfill Redevelopment Plan





# Hamilton Township Landfill Redevelopment Plan

- Designated as an area in need of redevelopment 5/7/2007
- Redevelopment plan adopted 12/6/2010 (Ord. 1680-2010)
- Executive Director determined that the Ord. 1680-2010 raised no substantial issues with respect to the CMP (12/29/2010)
  
- Area is a single lot in the Township's Industrial Business Park (IBP) zone
- Redevelopment plan goal is to effectuate the closure of the landfill
- Incorporates existing permitted uses of the IBP zone with the addition of principal use solar energy facilities



# Pinelands town management area

- CMP permits municipalities to zone for any use not otherwise limited by subchapter 6, provided that
  - Public service infrastructure necessary to support the use is available
  - Compatibility with existing structures and uses
- No minimum or maximum prescribed residential density
- PDC program does not apply
- About 2% of the land within the Pinelands Area

Borough of Wrightstown  
Redevelopment Plan –  
2020 Amendment



Exhibit B. Illustrative Architectural Examples with Architectural Materials consistent with Section IV(G) illustrating various combinations of vinyl siding, brick/stone veneer, stucco, glass



Townhomes, 39'-7.5" grade to peak



Hotel, 44'-0" grade to top



Mixed Use, residential over retail, 49'-5" grade to peak



Single Family

Apartment Elevation



# Borough of Wrightstown Redevelopment Plan – 2020 Amendment

- Designated as an area in need of redevelopment 6/9/1999
- Redevelopment plan adopted 9/8/1999 (Ord. 1995-05),
  - last amended 11/24/2020 (Ord. 2020-08)
- Executive Director determined that Ord. 2020-08 raised no substantial issues with respect to the CMP (12/18/2020)
  
- Redevelopment area contains 39 acres made up of numerous contiguous lots
- Goal of the plan is to facilitate a new traditional neighborhood development
- Permits up to 440 residential units (Single family, townhomes and apts.); Maximum of 20,000 square feet of commercial uses, including a hotel and mixed-use buildings with residential on top of commercial

Manchester Township  
2121 Lake Road Redevelopment Plan





Map 1: Redevelopment Area Map

# Manchester Township 2121 Lake Road Redevelopment Plan

- Designated as an area in need of redevelopment on 1/27/2020
- Redevelopment plan adopted 9/14/2020 (Ord. 20-031)
- Executive Director determined that Ord. 20-031 raised no substantial issues with respect to the CMP (9/18/2020)
- Area is a single lot, 6.23 acres, in the Township's Whiting Town-Office Professional (WT-OP) Zone
- Goal of the plan is to effectuate the improvement of the area, which has remained vacant and undesirable to developers for more than 10 years
- Incorporates existing permitted uses of the WT-OP zone with the addition of mini-warehouses and self-storage units
  - CF issued for construction of 45,000 sqft commercial self-storage facility (12/2/2020)





Questions?