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BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY
MASTER PLAN REEXAMINATION
ADOPTED
MARCH 30, 2005

Prepared By:

A handwritten signature in black ink, appearing to read 'Joseph J. Layton', written over a horizontal line.

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MC Project No. 03-0741G

The original of this report was signed and sealed in accordance with N.J.S.A.45:14A-12



INTRODUCTION

The New Jersey Municipal Land use Law, NJSA 40:55 D-1 et seq. stipulates that each municipality in the State of New Jersey reexamine its Master Plan and development regulations at least every six years. Specifically, NJSA 40:55D-89 states:

“The governing body shall, at least every six 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 shall be sent to the County Planning Board and the municipal clerk of each adjoining municipality.”

This reexamination of the Borough of Oceanport Master Plan conforms with the requirements of the Municipal Land Use Law and addresses the requirements of NJSA 40:55D-89 by including the following:

- a. The major problems and objectives relating to land development in the municipality at the time of the Master Plan adoption, or last revision or reexamination, if any.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for such plan or regulations as last revised, with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives.



- d. The specific changes recommended for the master plan or development regulations if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.
- e. 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.40A:12A-1 seq.) into the land use plan 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.

This reexamination report represents the reexamination of the Master Plan Reexamination which was adopted on May 28, 1997.



A. Major Problems and Objectives relating to Land Development in the Borough of Oceanport in 1997, the year the Current Master Plan was last Reexamined.

The major problems and objectives related to land development in the Borough of Oceanport in 1997 were discussed in the 1997 Reexamination Report first in terms of three fundamental conclusions that were reached through a "visionary process" undertaken in 1996. These conclusions, which also serve as objectives, were as follows:

- Economic growth must take place, for several reasons: the business community must grow to increase its share of the tax burden and, therefore, to reduce the taxes of the residents; shopping must continue to serve the needs of the residents as well as the region.
- The wonderful, comfortable, walkable, historic character must be preserved and improved as the new development and growth takes place.
- Quality of life throughout the community must be maintained: the town must retain its personal intimacy where neighbors and shop-keepers know each other, the neighborhoods must remain safe for everyone – especially the children, the location on the beautiful river must be seen and understood throughout the town, the cultural and entertainment life that makes Oceanport much more than a small hometown must thrive and grow, and it must remain a place where civility in both public and private life is the rule and not the exception.

Further discussion regarding specific land areas was then presented in the 1997 Reexamination Report. This discussion was presented primarily in the form of recommendations or objectives and not in the context of problems. The land areas of concern and a summary of the recommendations for each as expressed in the 1997 Reexamination Report follows:

a. Gooseneck Point

The recommendation in 1997 was to leave the zoning unchanged.

b. The area of Fairfield, Springfield and Summerfield Avenues

At the time of the 1997 Reexamination Report this area was zoned B-2 (Commercial) although it was essentially a residential area. As a result there were too many applications before the Zoning Board of Adjustment for use variances. The recommendation of the Planning Board in 1996 was to create an entirely new zoning district to be called R-7.5 with its own set of use, height, area and bulk requirements.

c. Proposed Village Center Zone

A new zone was proposed on each side of Main Street generally from Port-Au-Peck Avenue to Bridgewaters Drive and on the north side of East Main Street between Oceanport Creek and Oceanport Avenue. The intent was to establish



retail, convenience and professional uses in this area and create a central identity and focal point of the community.

d. RMO Zone

The establishment of an RMO (multi-family) Zone adjacent to Kimberly Woods was recommended. This expanded RMO Zone would be close to and complement the proposed Village Center Zone. It was noted that the new RMO Zone would be ideal for assisted living facilities or senior housing. There was a further recommendation that there be a definition for senior or elderly housing as well as standards and consideration of architectural standards.

e. Recreational

A change in the list of permitted principal uses was recommended for the B-2 (commercial) Zone so that Wolf Hill Farm which is in this zone district could be a conforming use as either a recreational or public purpose use.

f. COAH Plan

Various options for addressing affordable housing were considered in an addendum to the 1997 Reexamination Report. However, no specific recommendations were made as part of the Reexamination Report.

g. Additional N.J. Sports and Exposition Authority Property

Lands owned by the New Jersey Sports and Exposition Authority north of Port-Au-Peck Avenue and generally between East Main Street, the railroad and Bridgewater Drive, which was primarily in the industrial zone was recommended for re-zoning to B-1. This includes an area currently used for soccer fields. It was also recommended that the B-1 Zone include more permitted uses of a recreational nature as well as elderly housing.

h. Myrtle Avenue

The area fronting on the east side of Myrtle Avenue from Port-Au-Peck Avenue to Asbury Avenue was zoned Professional Office (B-3) and the recommendation of the 1997 Reexamination Report was to rezone this area to R-1.

i. Riverside Avenue

A small area south of Riverside Avenue bordered by Oceanport Creek was recommended in the 1997 Reexamination Report to be rezoned from RM to R-3.



B. The Extent To Which Such Problems And Objectives Have Been Reduced Or Have Increased Since 1997.

The basic objectives of the 1997 Master Plan Reexamination regarding economic growth, preservation of the Borough's character and maintenance of the quality of life in the community remain valid in 2004. The base Master Plan of 1974 still continues to be operable with no major changes necessary relating to overall land development objectives.

The problems and/or objectives related to the specific land areas that were discussed in the 1997 Reexamination Report have been reduced or increased as follows:

a. Gooseneck Point

The recommendation in 1997 to leave the zoning intact is still valid.

b. The area of Fairfield, Springfield and Summerfield Avenues

The problem of too many use variance applications in this area of the Borough has been addressed through a rezoning of the area to R-7.5 with its own set of area and bulk requirements as recommended in the 1997 Reexamination Report.

c. Proposed Village Center Zone

The recommendation of the 1997 Reexamination Report to create a proposed Village Center Zone has been accomplished. The new zone has been designated VC and extends to a depth of 350 feet on either side of East Main Street from Port-Au-Peck Avenue to Bridgewaters Drive. The VC Zone designation continues primarily on the north side of East Main Street between Oceanport Creek and Oceanport Avenue as recommended in the 1997 Reexamination Report. Permitted uses in the VC Zone on the first floor include retail stores and service establishments; banks; real estate and insurance offices; museums, galleries and studios for dance, art, music, photography; fully enclosed restaurants and drinking establishments; a maximum of 25% professional and/or medical dental offices and grocery stores not to exceed 5,000 square feet. Uses permitted on the second floor include general business and professional offices, medical/dental offices and studios or one and two bedroom apartments. Studios and one bedroom apartments are permitted on the third floor, the area of which cannot exceed 25% of the building footprint. The variety of uses permitted will fulfill the intent of the 1997 Reexamination Report to create a focal point for the community.



d. RMO Zone

The establishment of an RMO (multi-family) zone adjacent to Kimberly Woods has also been accomplished as per the 1997 Reexamination Report. The expanded RMO Zone is immediately adjacent to and complements the VC Village Center Zone as intended in the 1997 Reexamination Report. Permitted uses include elderly housing and assisted living facilities as per the 1997 recommendations. The recommendation to establish a definition for senior or elderly housing was accomplished and the zoning ordinance now contains a definition of Dwelling, Elderly Housing which defines it as a building intended for occupancy for up to 50 households with no more than two persons in each living quarter and intended for occupancy by at least one person aged 62 or over.

e. Recreational

The 1996 recommended change in the list of permitted uses to allow recreational uses in the B-2 Zone was made unnecessary by the purchase of Wolf Hill Farm by Monmouth County as a County Park.

f. COAH Plan

An addendum to the 1997 Reexamination Report contained a detailed discussion of means to address affordable housing. No action was taken in 1997 with respect to seeking substantive certification from COAH.

g. Additional N.J. Sports and Exposition Authority Property

The N.J. Sports and Exposition Authority property north of Port-Au-Peck Avenue has been rezoned B-1 as per the recommendations of the 1997 Reexamination Report. Permitted uses of a recreational nature including both passive and active recreation as well as elderly housing are now permitted uses also as recommended in 1997.

h. Myrtle Avenue

As per the 1997 Reexamination Report the area fronting on the east side of Myrtle Avenue from Port-Au-Peck Avenue to Asbury Avenue was rezoned from B-3 to R-1.



i. Riverside Avenue

Also as per the 1997 Reexamination Report, a small area south of Riverside Avenue bordered by Oceanport Creek was rezoned from RM to R-3.

In summary, all of the specific land use recommendations and suggested zoning changes contained in the 1997 Reexamination Report have been implemented with the exception of architectural standards for elderly housing.

Since 1997 other concerns have come to the forefront. A constant concern relates to potential changes of the ultimate use of the two major land parcels in the Borough; Fort Monmouth and Monmouth Park. These land parcels are discussed in the next section of this report relating to changes in the assumptions forming the basis for this Reexamination Report.

Other concerns of lesser importance include the lack of any standards for flag lots which have drawn interest as the Borough has become increasingly developed. Knockdowns of dwellings in order to construct larger, more expensive dwellings is also a concern, although to date the number of occurrences is small. Of more significance in terms of numbers is the number of variance applications for decks and additions that come before the Zoning Board of Adjustment. Over the last five years there have been 18 variance applications for decks and 75 variance applications for dwelling additions. In contrast there have been only five use variance applications over the five year period 1999-2003.

The Planning Board also has concerns related to maximum impervious coverage in residential zones, whether or not the definitions in the zoning ordinance are current (there has been particular concern over the definition of a "story") and whether the flood ordinance provisions can be incorporated into the zoning ordinance.

In the area of opportunities the Planning Board endorses an extension of a streetscape along Oceanport Avenue from the bridge over Oceanport Creek through the VC Zone and continuing south of Port-Au-Peck Avenue all the way to the railroad right-of-way. The streetscape would include street trees and perhaps a median. An excellent opportunity would be to develop the streetscape in association with the Breeders Cup should Monmouth Park be selected for this prestigious event.



C. The Extent To Which There Have Been Significant Changes In The Assumptions Policies And Objectives Forming The Basis For The 1997 Reexamination Report.

Since the Oceanport Borough Master Plan was last examined in 1997, there have been no significant changes in the municipal policies and objectives forming the basis for the Master Plan. Changes in population density and land use changes in Oceanport have not been major and in general the objectives of the 1974 Master Plan as further expressed in subsequent Reexamination Reports remain valid. U.S. census data show a slight decrease in Oceanport's population from 6,146 in 1990 to 5,807 in 2000. In 2003 the Monmouth County Planning Board estimated the population at 5,849.

Events of a national and state scale have influenced some of the assumptions forming the basis for the 1997 Reexamination Report. These include the overall continued strong growth in real estate values in New Jersey, including Oceanport, which in turn has led to the practice of knockdowns of older homes to be replaced with larger more expensive dwellings. Real estate valuations and a generally strong economy have also led to the construction of additions to dwellings and other amenities. In many cases the additions and amenities such as decks and pools require setback variances and cause impervious coverage concerns.

On a national and global scale the events of September 11, 2001 may have an impact on the eventual use of Fort Monmouth. In 1997 it appeared reasonable that Fort Monmouth would be the subject of a base closure. Since September 11, 2001 it is now not as likely, although an eventual base closure should be taken into account in any long range Borough land use decision making.



D. Recommended Revisions to the Borough Master Plan and Development Regulations

Although there have been no significant changes in the assumptions, policies and objectives forming the basis for the 1997 Master Plan Reexamination Report there are several areas of concern that should be addressed through revisions to the Master Plan and/or Development Regulations. These revisions will strengthen the single family character and residential ambiance of the Borough and its neighborhoods.

The revisions recommended are as follows:

1. Create an overlay zone in the R-3 Zoning District along Comanche Drive between Nicholson Place and Pocono Avenue establishing a minimum 250 foot lot depth consistent with existing lot configurations so as to discourage the creation of flag lots and other lots that do not extend the entire expanse between Comanche Drive and the Shrewsbury River.
2. Modify the uses permitted in the R-5 Zoning District so as to eliminate two family homes as a permitted use with the exception of already existing two family homes. The R-5 Zone District is primarily a single family district and multifamily housing is adequately addressed in the RM, RMO and VC Zone Districts for a municipality of the size of Oceanport.
3. It is recommended that standards be established so that driveways in residential zones are required to be set back five (5) feet from the property line.
4. Add a footnote to Schedule II Bulk and Coverage Controls for maximum height in the V-C Village Center Zone District. The footnote should read as follows:
 - (6.) A third floor is permitted so long as the third floor does not occupy more than 25 percent of the building footprint.
5. The potential impacts of night racing at Monmouth Park should be investigated especially in terms of noise, traffic and lighting impacts. The feasibility of limiting hours of operation for racetracks should also be explored.
6. In place of the maximum lot coverage standards for principal buildings and accessory buildings in Schedule II, Bulk and Coverage Controls; maximum impervious lot coverage standards should be established in all zone districts. The following percent coverages are recommended:



MAXIMUM IMPERVIOUS LOT COVERAGE RECOMMENDATIONS

<u>ZONE DISTRICT</u>	<u>MAXIMUM IMPERVIOUS LOT COVERAGE (PERCENT)</u>
R-1	20%
R-2	32%
R-3	35%
R-4	40%
R-5	40%
R-7.5	45%
RM	45%
RMO	45%
VC	80%
B-1	60%
B-2	60%
I	60%



E. Recommendations Concerning Incorporation of Redevelopment Plans

There are no recommendations concerning the incorporation of redevelopment plans at this time.