

Rockaway's Borough Center Sanborn Map from 1904

LAND USE

Goals

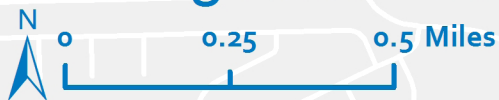
1. Ensure new and in-fill development is compatible with the existing character of the Borough.
2. Preserve and enhance the historic nature of the community.
3. Encourage and enhance public access to the Rockaway River.
4. Minimize negative impacts between land uses.
5. Protect existing stable communities and promote growth in the Borough's Center.
6. Ensure the Borough's Land Use Plan is compatible with adjacent municipalities, the county, the state, and special planning areas.
7. Recognize existing environmental constraints and implement sound planning policies to ensure adequate protection of natural resources.
8. Preserve open space to protect critical environmental resources.

History of Development

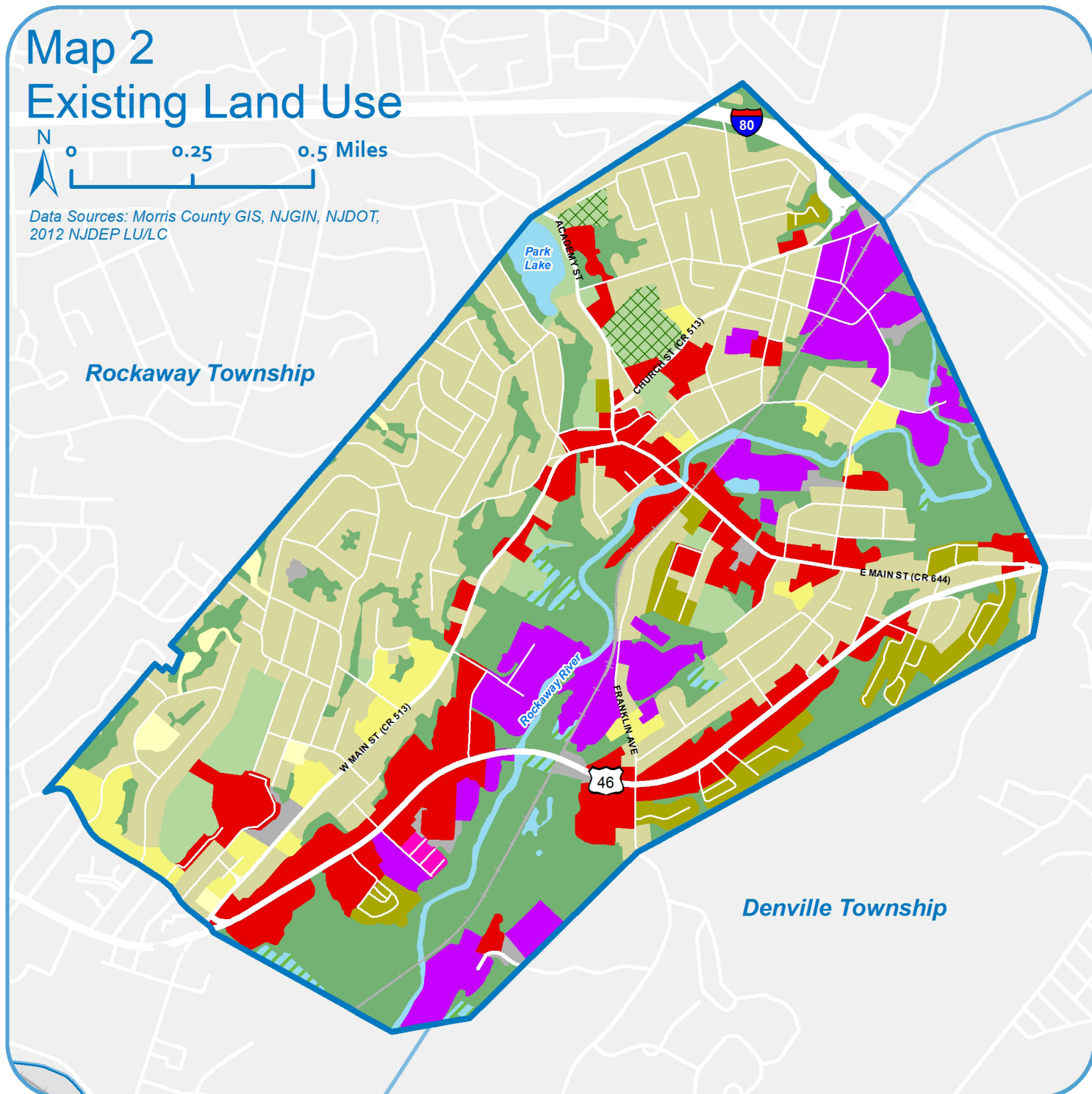
The Land Use Element is vital to the future planning of Rockaway Borough. It provides an analysis of land uses and identifies opportunities for preservation of the past and development of the future. A variety of land use options will support economic activity, opportunity, and the protection of human health and the natural environment.

In the MLUL, N.J.S.A. 40:55D-62, states the zoning ordinance or any amendment or revision of the ordinance shall be substantially consistent with the Land Use Plan Element and Housing Element of the Master Plan. Therefore, the recommendations found within this Land Use Element and the Housing Plan Element serves as the basis for future Zoning Ordinance amendments and revisions.

Map 2 Existing Land Use



Data Sources: Morris County GIS, NJGIN, NJDOT,
2012 NJDEP LU/LC



Land Use Classifications

- | | |
|--|------------------------------------|
| RESIDENTIAL, RURAL, SINGLE UNIT | RECREATIONAL LAND; ATHLETIC FIELDS |
| RESIDENTIAL, SINGLE UNIT, LOW DENSITY | CEMETERY |
| RESIDENTIAL, SINGLE UNIT, MEDIUM DENSITY | NATURAL LANDS |
| RESIDENTIAL, HIGH DENSITY OR MULTIPLE DWELLING | WATER |
| COMMERCIAL/SERVICES | WETLANDS |
| INDUSTRIAL AND COMMERCIAL COMPLEXES | |
| INDUSTRIAL | |

Existing Development Pattern

The Borough of Rockaway is physically constrained by the Rockaway River, flood plains, wetlands, steep slopes, and wooded areas. Nearly 27% of the Borough is classified as open space and wetlands/water (Table 1 and Map 2). These natural elements play a role in future development and redevelopment in the Borough. The “carrying capacity” of the Borough, or the amount of people and development the Borough can support without environmental degradation to its natural resources is a key important principle for Rockaway residents.

**Table 1:
Land Use Analysis**

<i>2012 Land Use</i>	<i>% of Acres</i>
Residential	9.21%
Commercial	6.55%
Industrial	3.82%
Other Urban	3.57%
Open Space	17.09%
Wetlands/Water	9.76%

Source: 2012 Land Use/Land Cover dataset, NJDEP

Residential Land Uses in Rockaway



Single-Family



Duplex



Garden Apartment

New Development

In-Fill Development and Redevelopment Opportunities

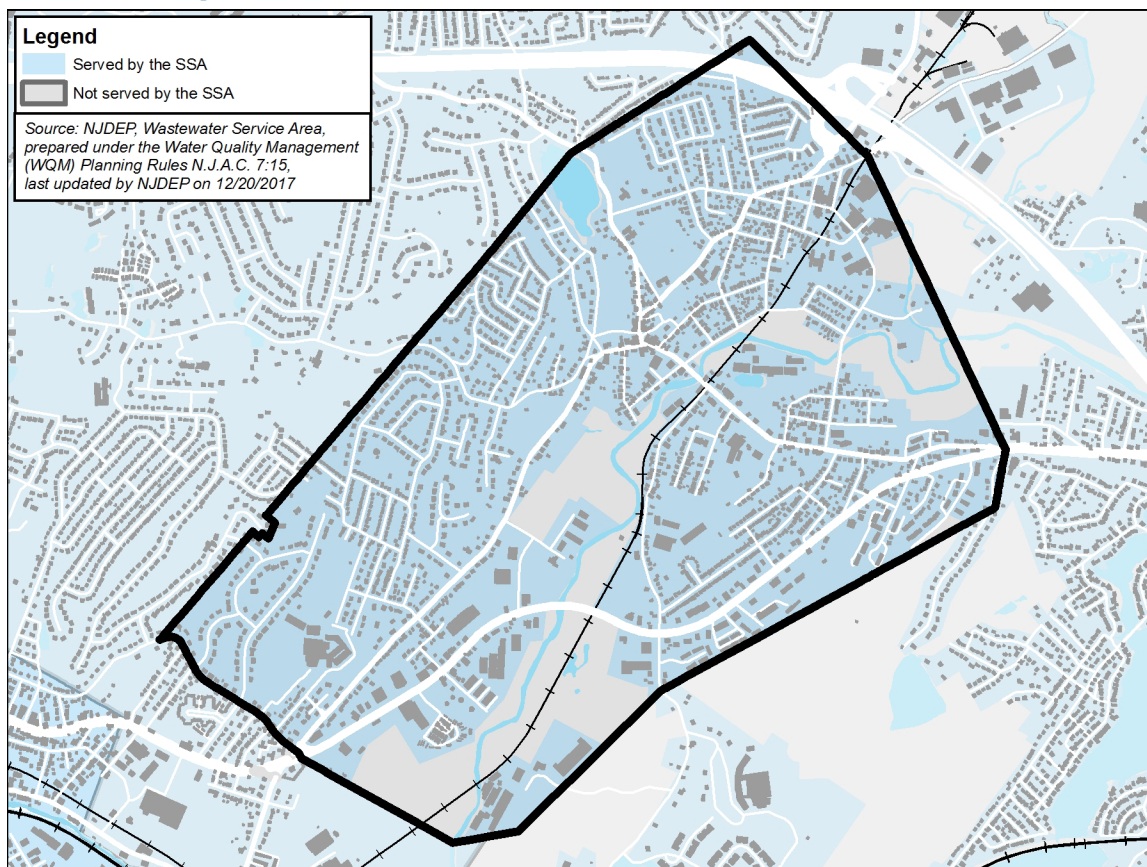
The Borough of Rockaway does not have a lot of vacant, available land for new development. The majority of the Borough is built-out with few remaining vacant parcels.

One restriction for development is the Sewer Service Area (SSA). The Sewer Service Area are Borough lands not currently served but planned to be served by a local wastewater utility (Rockaway Valley Regional Sewerage Authority (RVRSA)). Most of the vacant land along the Rockaway River is out of the SSA, meaning these lands are not equipped with wastewater and major development would be difficult to construct here. To develop the land (using more than 2,000 gallons per day (gpd)), a site-specific amendment would need to be made to the New Jersey Department of Environmental Protection (NJDEP) with coordination through Morris County's Water Management Plan (WMP).

Many of these areas are already environmentally constrained by the special flood hazard area, wetlands, located outside the Sewer Service Area, and within the Rockaway River Corridor Overlay Zone. It is unlikely these areas of the Borough will be developed, due to the cost of valuable resources (i.e. time and money).

There is only one vacant property, currently not served by the Sewer Service Area, that is being looked at for new development. The McWilliams Forge property (Block 85, Lot 5.01) was approved for subdivision in 2018 with the intent of developing the newly subdivided vacant lot with a mid-rise residential apartment building. Since the land is located near to the Rockaway River and is environmentally constrained by the Special Flood Hazard Area, wetlands, and a 150-foot wetlands transition area buffer, only a portion of the 17-acre site is developable. With these constraints to development, Rockaway intends to incentivize development at this location through Redevelopment (currently known as the Franklin Avenue Redevelopment Study Area, reference page 29) and anticipates an application for development in the coming years.

Rockaway's Sewer Service Area



Historically, the Borough has aimed to protect these environmentally constrained areas from development since they are environmentally constrained, and close to the Rockaway River, a natural resource Rockaway intends to protect and preserve. Rockaway should continue to protect, preserve and enhance the Rockaway River and the lands adjacent to the Rockaway River.

With limited vacant land for development, properties already developed and currently vacant or underutilized are now being looked at for improvement and re-use. The former American Legion building (76 Franklin Avenue) was approved for office-residential. An application to adaptively re-use the vacant Sacred Heart School and historic Stephen Jackson House and Outbuilding (40 East Main Street) is also pending for residential apartments.



Rockaway River at Jackson Avenue Park



Historic photo of intersection of Wall Street and Main Street (Rockaway Hotel)



Pub. by Strait Bros. Co.

ROCKAWAY HOTEL, ROCKAWAY, N. J. 7937

Today - intersection of Wall Street and Main Street (Rockaway Hotel)



Redevelopment and Rehabilitation Initiatives

Redevelopment is 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 is commonly recognized as the process governed by the Local Redevelopment and Housing Law and undertaken in accordance with a redevelopment plan adopted by the municipality. If used correctly, it can transform an underutilized or distressed area into an economically viable and productive part of the community.⁸

Rehabilitation is an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of the area.⁹

“Redevelopment Planning” is a term used to describe both redevelopment and rehabilitation activities and is a regulatory land use tool used to benefit the general public by addressing environmental, economic, social, and physical conditions of communities in need of revitalization. It contains certain tax incentives and other tools that may spur new life into an area.

The Borough of Rockaway does not currently have any designated redevelopment or rehabilitation areas pursuant with the with the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1, et seq. However, this planning tool would be quite beneficial to several areas within the Borough, discussed in the follow paragraphs. When asked “What development strategies should the Borough most focus on encouraging” in the Master Plan Survey, most participants said that Rockaway should focus on the redevelopment of existing buildings and areas and focus on the rehabilitation of existing residential homes.

Redevelopment Planning Process

1. Rockaway Borough Council authorizes the Planning Board to conduct an Area in Need of Redevelopment and/or Rehabilitation Study of specific properties, explicitly stating whether eminent domain is used or not.
2. The Redevelopment and/or Rehabilitation Investigation Report, authored by the municipal or consultant planner, identifies those properties that meet the requirements per the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1, et seq. The findings are presented at a public hearing to the Planning Board. The Planning Board recommends to the Borough Council that all, some, or none of the properties be designated for Redevelopment/Rehabilitation. The Borough Council adopts all, some, or none of the properties as an Area in Need of Redevelopment/Rehabilitation.
3. A Redevelopment Plan, authored by the municipal or consultant planner, is prepared for the designated area. The Redevelopment Plan identifies appropriate land uses and building requirements and other public improvements. The Redevelopment Plan is adopted by Ordinance at a public hearing of the Borough Council and either supersedes or overlays existing zoning.

Recommended Areas in Need of Redevelopment or Rehabilitation

Franklin Avenue Redevelopment

A Redevelopment Study is already underway for Block 84, Lot 5.01, the wooded vacant site behind Aldi, which is being looked at for inclusionary mid-rise residential development. The Redevelopment of this site would benefit the general public by (1) addressing the site's environmental constraints, (2) turn a vacant underutilized site into a productive part of the community, (3) provide for a new quality housing type not currently present in Rockaway Borough, and (4) address the community's obligation to meet affordable housing requirements per law. These purposes should be identified within the Redevelopment Plan.



Franklin Avenue Redevelopment Study Area

Borough Center Redevelopment & Rehabilitation

When asked where people would like to see new development or redevelopment, the number one response was Borough Center. Rockaway should conduct an Area in Need of Redevelopment and Rehabilitation Study in the Borough Center.

The Borough Center has high retail vacancies and high turnover. Even staple retailers within the center are struggling and there is a fear that these long-lasting institutions will close. Historic facades are also in need of rehabilitation and there is a need to plan comprehensively for the area. Properties that meet the requirements of the Local Redevelopment and Housing Law will be included with the Redevelopment Plan, which should supersede existing zoning and should also include design standards, streetscape standards, sign standards specific to the area, and a façade improvement program. Revitalizing Rockaway's Borough Center will help transform this distressed area into an economically viable part of the community and will attract residents, businesses, and visitors to the Borough.



Underutilized areas of Borough Center should be studied for Redevelopment/Rehabilitation

Zoning & Land Use

The following section discusses current zoning and land use trends in the Borough of Rockaway. Existing trends have been compared to current zoning regulations. The recommendations identified are categorized as they relate to residential, commercial/business, or industrial zone districts.

Residential

Residential districts preserve neighborhood character and guide residential development at the appropriate location and density. There are six (6) regular residential zoning districts, ranging from low density single-family residential (R-1A) to garden apartment/townhouse (R-5). Of the six (6) residential districts, four (4) permit one-family dwellings alone but vary in their bulk regulations, of which minimum lot area varies the most (R-1A, R-1, R-2, and R-3). Rockaway's current zoning code indicates there is a preference towards one-family dwellings at varying densities.

Residential Zoning Change Recommendations:

1. The residential zones in the Zoning Code currently use a semi-cumulative or pyramid approach of use. For Rockaway, the R-4 and R-5 zones build on what is already permitted in the R-3 zone. This use structure does not help to preserve neighborhood character in some instances. The Zoning Code should be updated to remove single-family dwellings from the Garden Apartment/Townhouse (R-5) zone. Single-family dwellings should also be removed from the R-4 zone, which currently permits one-, two-, and three-family dwellings as well as garden apartments and conditionally permits townhomes.
2. 'Home occupations' (also referred to as 'home professional offices') are defined in the Borough Zoning Code as *"any occupation customarily conducted within a dwelling and carried on by the inhabitants thereof and not more than two nonresident employees, which use is secondary to the use of the dwelling for residential purposes, which does not change the character thereof and which does no utilize more than 25% of the total floor area of the entire dwelling and which shall be located on the ground floor of such dwelling."* Home occupations are currently permitted in all residence districts except for the R-5 zone district per the Borough Code (§172-50(D)). Rockaway should consider permitting these types of uses in the R-1, R-2, R-3 and O-B zones alone.

Commercial/Business

There are four (4) commercial/business zoning districts in the Borough of Rockaway. The Borough's Center, or downtown, is located at the intersection of West Main Street, East Main Street, and Wall Street, located in the Borough Center Commercial Zone (BC). Other commercial corridor zones are located along East Main Street and West Main Street in the General Business (G-B) and Office Business (O-B) Districts and Route 46 located in the General Business (G-B) and Highway Commercial (H-C) Districts.

Borough Center Commercial Zone

According to the purpose of the Zone at §172-57 at the time of this Master Plan, *"The B-C District and its regulations are intended to promote single use small-scale businesses and services in a downtown commercial district which serves the daily needs of the Borough and surrounding local areas. The district regulations are intended to recognize and preserve the historic character of the Borough's central core, to discourage land uses which are not compatible with pedestrian traffic and to encourage the implementation of new municipal shopper parking areas and better utilization of existing lots."*



Borough Center on Wall Street

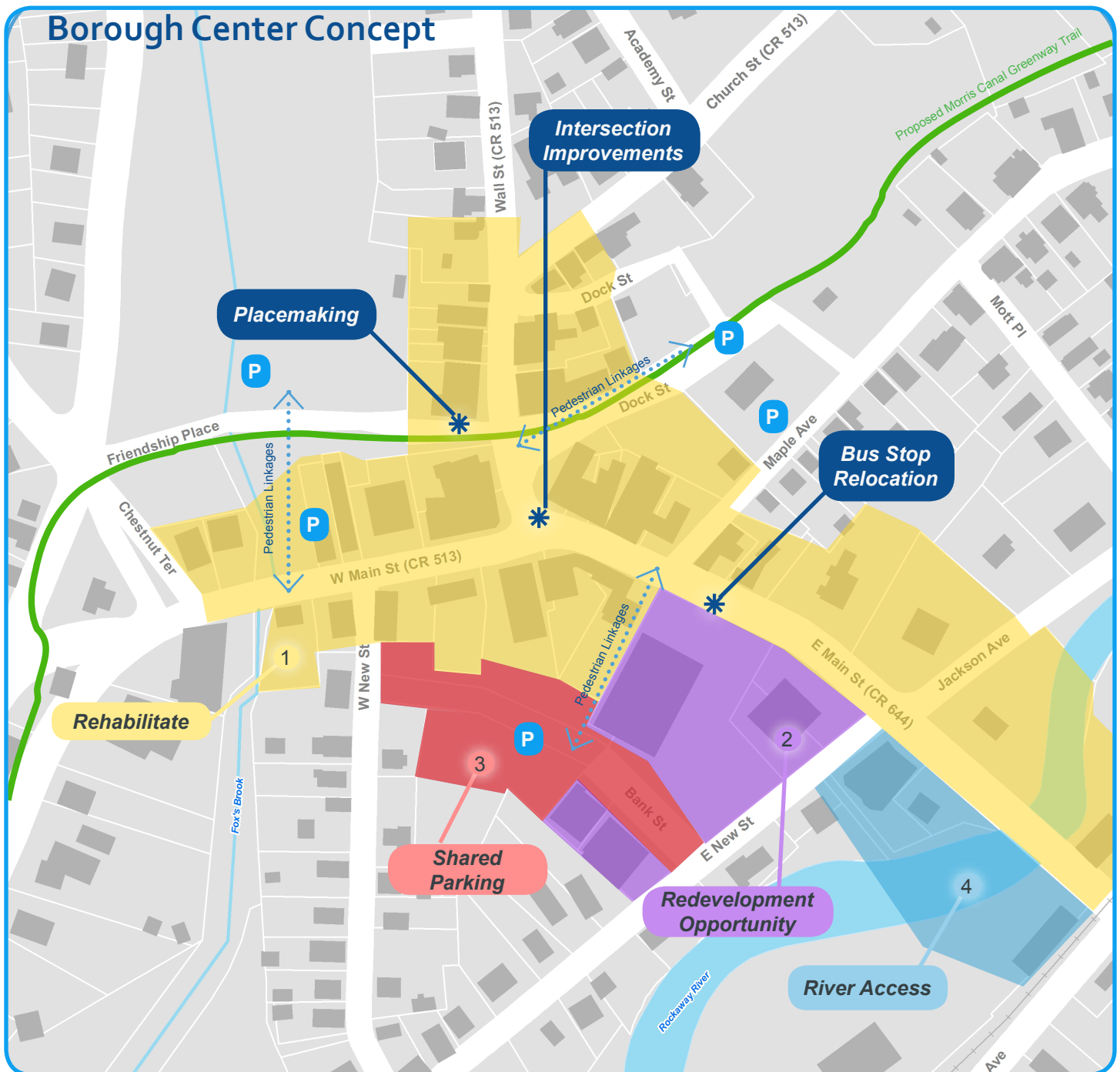
Much of this purpose statement remains relevant today and is well-matched with today's trends, but the regulations have not yet succeeded in creating the Borough Center to be what the zone's purpose describes.

At the time of this Master Plan, Rockaway's Borough Center is underutilized with multiple vacancies and with establishments that do not generate a lot of pedestrian traffic. Shopper parking in the Borough Center is also hard to find and navigate to. Respondents of the Master Plan Survey thought the empty storefronts and high turnover in Borough Center as well as a lack of walkability in the downtown area were reasons why new business or development would not want to locate in Rockaway. When asked where people would like to see new development or redevelopment, the number one response was Borough Center.



Old Borough Hall, the "Flat Iron" building in Borough Center

Borough Center Concept

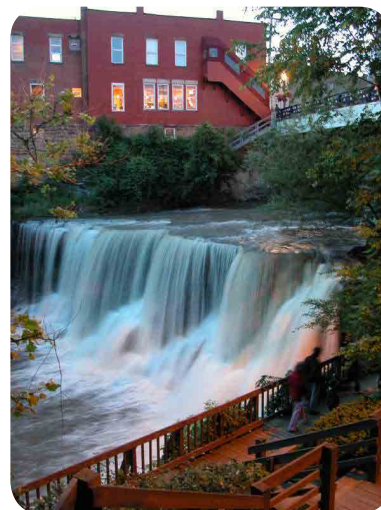


There are four (4) major strategies that could create the type of destination Borough residents would be proud of:

1. **Rehabilitation** of existing buildings to preserve the area's historic character through tools such as façade improvements program and to modernize interior spaces to meet today's needs.
2. **Redevelopment** of underutilized and deteriorating properties in Borough Center that would contribute to the Borough's need for newer retail and residential spaces.
3. **Shared parking** for shoppers south of Main Street, in conjunction with improved wayfinding (i.e. parking directional signs) and pedestrian linkages to existing public parking lots.
4. **River access** - create a place in downtown to publicly access one of the Borough's most valuable resources, the Rockaway River.

Several other strategies could improve Borough Center, including:

- Intersection improvements at West Main Street and Wall Street to reduce traffic congestion.
- ‘Placemaking’ along the wide one-way drive into Friendship Field with outdoor seating, a mural or a downtown information kiosk, for example, as this location is along the proposed Morris Canal Greenway Trail and near to the main parking area (Municipal Lot No. 1).
- Relocate the bus stop from in front of the former PNC bank building (East Main Street/Wall Street) and in the middle of the West Main Street/Wall Street intersection to further up East Main Street where there is a wider sidewalk for a bus stop or possible bus pull-off location.
- Permit additional principal uses such as institutional uses, theaters, and hotels.
- Permit temporary uses in existing vacant storefronts, in which a temporary use shall be allowed once per year for each tenant space. These temporary uses would not be subject to parking requirements.
- Amend the zoning district regulations to permit professional, business and real estate offices on second and third floors only, and only in cases in which access to those floors is from a separate front door entrance and not a rear door entrance.
- Amend the zoning district regulations to permit “*business establishments devoted primarily to the retail sales of goods and personal services on the premises*” instead of “*individual retail shops, boutiques, and specialty stores.*” The new language will apply to a wider array of business owners, thereby reducing regulatory barriers to businesses, as compared to the older, more specific language used.
- Amend the zoning district regulations to permit breweries or distilleries and to permit rooftop terraces.
- Prohibit additional uses that are not compatible with pedestrian traffic such as funeral service uses, public/private schools, and gas stations.
- Prohibit residential uses of any kind other than those residential uses permitted on second and third floors above permitted commercial uses.
- Construct wider sidewalks and relocate crosswalks for pedestrian traffic.
- Improve the pedestrian realm with street trees and sidewalk furniture where space is available.
- Although the district regulations reference standards and design criteria for canopies, no such standards or design criteria exist. Add canopy regulations within the Borough Zoning Code.
- Create linkages to the area’s parks, Park Lake, and Rockaway River.



Example of excellent downtown river access, Chagrin Falls, OH

General Business Zone

According to the G-B Zone District regulations at §172-66 at the time of this Master Plan, *"The G-B General Business District is intended to provide for a broad range of commercial uses for local needs. Large highway-type commercial uses are prohibited due to the small size of the properties within the district boundaries and the scale and intensity of these uses relative to their need for parking, access, and storage. Larger more intense commercial uses of this type are intended to be located within the H-C Highway Commercial District."* While the above-stated intent of the G-B Zone is logical in nature and is of sound planning, the G-B zone district includes portions of the Route 46 corridor, where the entire length of the Route 46 corridor should be considered for highway uses.

Additionally, allowing for similar uses in the G-B zone district will dilute businesses throughout the Borough Center (B-C) zone district. Instead, the Borough should permit those uses well-suited towards a downtown environment within the Borough Center District alone, which would help eliminate vacancies in otherwise underutilized parts of Rockaway. Several other strategies could improve this zone, including:

- Rename the district as the Neighborhood Commercial Zone District (N-C) as it is geared towards servicing local commercial needs of the immediate surrounding neighborhoods.
- Remove G-B zones from the U.S. Route 46 corridor.
- Permit personal service establishments.
- Where parking may be required, it shall be located in the rear of the building.
- Include a new Neighborhood Commercial (N-C) zone boundary within the area of Union Street and south of Garden Avenue, to reflect existing commercial uses already located in the area.

Office Business Zone

The Office Business (O-B) Zone District does not provide a purpose or intent in the Borough's Code as does the B-C and G-B zones. However, it permits only professional office uses and permits single-family structures if these residences meet the requirements of the R-2 zone district regulations. Conditional uses include places of worship, public and private schools, public libraries, public utility facilities, community residences and shelters, and garden apartments. This zone district's intent based on permitted and conditional uses, seems to be geared towards housing and local community needs.

Strategies that could improve this zone include:

- Permit medical related professional offices (i.e. dentist, physician) as conditional uses only, and increase the minimum lot size to accommodate the parking demand commonly associated with these types of uses.
- Include a new Office Business Zone on Hibernia Avenue and ensure that filling stations and other auto-related uses are prohibited.



Hibernia Avenue as possible Office Business Zone

Highway Commercial Zone

The Highway Commercial (H-C) Zone District does not provide a purpose or intent in the Borough's Code, although the intent of the G-B zone district of the Borough Code states at §172-66 at the time of this Master Plan that "*Larger more intense commercial uses of this type* [relative to their need for parking, access, and storage, as well as larger lot size] *are intended to be located within the H-C Highway Commercial District.*" The current Highway Commercial zone district regulations perpetuate this description. However, the Borough should rename all existing H-C zones to HC-2 with no changes to the current district regulations.

The Borough should additionally create a new zone district called HC-1. This HC-1 zone shall adopt the boundary of all G-B zone boundaries that are located on the U.S. Route 46 corridor. The intent or purpose of the HC-1 zone would be to provide for a broad range of commercial uses, not for local needs, but for less intense highway-type commercial uses. These highway commercial uses will be limited to single-use structures due to the small size of the properties within the district boundaries. This zone would prohibit shopping centers and strip malls. Some of the regulations for the new HC-1 zone would:

- Permit the following principal uses:
 - » Stores and shops for retail business
 - » Banks and financial institutions
 - » Offices for business, executive, professional and administrative purposes
 - » Restaurants, cafes, taverns, and other food and beverage establishments, including those establishments commonly known as "fast-food" establishments
 - » Vocational schools and studios for

instruction in the arts, dancing, music, languages, photography and similar uses

- » Nursery schools and child care centers per N.J.S.A. 40:55D-66.6

- Conditionally permit the following uses:

- » Shopping centers and strip malls on parcels at least 55,000 square feet in size. This is the approximate size of existing strips malls on U.S. 46 in the Highway Commercial Zone (i.e. strip mall where Harmons (399 US-46) is located, and strip mall where Bagels in the Borough (176 US-46) is located).

Commercial Zoning Change Recommendations

1. §172-71(B) states unclear side yard language for the G-B zone district by stating that there can either be no side yard setback or at least ten-foot side yard setback. The language should be modified to state a minimum requirement of ten feet.
2. The Borough should consider adding landscaping requirements for parking lots in business and commercial districts. Only public garages, gasoline service and filling stations require a landscaped buffer strip along all lot lines. Landscaping between sidewalks and parking areas should also be considered. The Highway Commercial district would also benefit from landscaped front yards with parking in rear. Regular routine maintenance shall be required.
3. There should be more stringent parking requirements for medical offices. Consider revising the parking requirements to reflect this type of use.

Route 46 in the existing G-B zone / proposed HC-1 zone.



Industrial

There are two (2) industrial regular zoning districts in the Borough of Rockaway: General Light Industrial District (GLI) and the High-Tech/Light Industrial District (HT/LI). Both district boundaries generally follow the freight-only Dover and Rockaway Railroad line and the Rockaway River. With the negative impact of truck traffic on local roads including noise and pavement conditions, the Borough Council is considering an ordinance that excludes trucks over a 5-ton weight from certain streets, excluding specific purposes such as picking up and delivering materials or providing services to the Borough, its businesses, or its residences.



Example of existing industrial building in the GLI zone

There are differences between the two industrial zones (see Table 2). For instance, the GLI zone permits more uses than the HT/LI zone, prohibits certain activities and states that no building or structure shall be constructed within 100 feet of any residential zone district boundary. Underlined text in **Table 2** calls out the differences between the two zone district regulations.

Market demands are shifting away from single-purpose development and headed towards a mixed-use preference, which does not apply only to downtowns and other residential and commercial developments, but also applies to industrial zones. Re-evaluating and expanding an industrial district's permitted uses is one approach. One strategy that could improve the HT/LI zone would be to:

- Conditionally permit a wider range of non-industrial uses such as indoor recreational

facilities, pet care establishments, breweries/distilleries, and artisan industrial spaces/artists' studios. Conditions for these uses should be targeted around parking and distance from heavier industrial use activities.

Industrial Zoning Change Recommendations

1. Accessory uses in Industrial zone districts GLI and HT/LI should be amended for clarity. §172-77 in the regulations for the GLI zone district state that the accessory uses permitted are those stated in §172-57. §172-57, however, is the Purposes section for the Borough Center (BC) zone district. §172-82 in the regulations for the HT/LI zone district state that the accessory uses permitted are those stated in Article X, GLI. Again, GLI accessory uses references the Borough Center Purposes section. Accessory uses for these zone districts should be clearly stated, removing any reference to different sections of the Borough Code. Accessory uses for these industrial zones should include Signs as regulated under Article IV and parking and parking facilities conforming to Chapters 170 and 171.
2. The High-Tech / Light Industrial (HT/LI) Zone currently does not permit commercial indoor recreational uses, although the Highway Commercial (H-C) zone district does. Several applications have come before the Planning Board requiring variances for indoor commercial recreational uses in this industrial zone, especially in flexible building spaces. Indoor recreational uses are also not currently defined



Example of existing flex light industrial park in the HT/LI zone

Table 2: Comparison of GLI and HT/LI Zone Districts

	<i>General Light Industrial (GLI)</i>	<i>High-Tech/Light Industrial (HT/LI)</i>
<i>Permitted Uses</i>	<ul style="list-style-type: none"> a. Light manufacturing, assembly and packaging <u>and offices incidental thereto.</u> b. Scientific, technological or research facilities devoted to research, testing, design <u>and/or experimentation and processing and fabricating incidental thereto.</u> c. <u>Office buildings for business, professional, executive and administrative purposes.</u> d. Data processing and storage facilities. e. <u>Warehouses and wholesale distribution centers.</u> f. Municipal government buildings and uses, including planned open space and conservation areas. 	<ul style="list-style-type: none"> a. Light manufacturing, assembly and packaging. b. Scientific, technological or research facilities devoted to research, testing, design and/or experimentation. c. Data processing and storage facilities. d. Municipal government buildings and uses, including planned open space and conservation areas.
<i>Prohibited Uses</i>	<ul style="list-style-type: none"> a. Overnight parking of trucks not associated with the principal use of the property. b. The overnight storage of containers containing trash, garbage, waste materials, hazardous materials or the like not associated with the principal use of the lot, property or location where such activity is conducted. c. The overnight parking of trucks containing garbage, waste materials, hazardous materials, including vehicles used in connection with any trash transfer station, but excluding gasoline, motor and fuel oil vehicles. 	N/A
<i>Performance Standards</i>	<ul style="list-style-type: none"> a. Fire and explosion hazards. b. Radioactivity and radio emissions. c. Smoke, fumes, dust, gases, odors, fly ash. d. Liquid or solid wastes. e. Vibration. f. Noise. 	<ul style="list-style-type: none"> a. Fire and explosion hazards. b. Radioactivity and radio emissions. c. Smoke, fumes, dust, gases, odors, fly ash. d. Liquid or solid wastes. e. Vibration. f. Noise.

in the Borough Code. These uses should be conditionally permitted in the HT/LI Zone. Again, conditions should be centered around parking and a minimum distance from heavier industrial use activities.

3. Flex-space can be defined as an interior of a building with the flexibility to house warehouse, manufacturing, or office uses depending on market conditions. The Borough is home to several flex-space industrial parks containing a wide array of uses. It has been the Borough's informal practice to consider a flex-space property's "worst case scenario" for parking when such an application is before the Planning Board. A "worst case scenario" for parking at a flex-space property would be if the entire property were converted to office uses. Office uses have a higher parking ratio than industrial uses per the Borough Code. The Borough's practice has been to limit any flex-space property to a maximum of 10% office square footage. The parking ordinance of the Zoning Code should be revised to ensure adequate parking for office uses that go beyond the 10% cap. If the ordinance is not revised to adjust the parking standards for flex-spaces, any applicable applications before the Planning Board should take the 10% cap into consideration and the

allocation should be written into the approving resolution or deed.

4. Performance standards for both the GLI and HT/LI districts are located in §172-84 of Article XI: HT/LI High-Tech/Light Industrial District. However, the zoning regulations in Article X: GLI General Light Industrial District does not specifically point the reader in the direction of §172-84 for the applicable performance standards. Add a reference to §172-84 Performance Standards in Article X: GLI General Light Industrial District.
5. While the GLI zone requires a 100-foot buffer between any structure or building and residential zone district boundaries, the HT/LI district has no such buffer requirement. Additionally, neither industrial zones have landscaping requirements. The ordinance should be revised to integrate flexible landscaping requirements for industrial uses, such as requiring landscaping along parking lot perimeters and buffer areas, while avoiding any operational or visibility conflicts of the site. Regular routine maintenance shall be required.

Overlay Zones

Rockaway River Corridor

The Rockaway River Corridor Overlay Zone (RRC) provides supplemental developmental regulations to permanently protect the Rockaway River and its tributary streams and subsurface aquifers from contamination. Its boundaries are defined as the 100-year floodplain. The Federal Emergency Management Agency (FEMA) released revised preliminary Flood Insurance Rate Maps (FIRMs) and Flood Insurance Studies (FIS) for municipalities in Morris County in August 2017. The final FIRMs are on-track to become Effective in 2019. These Effective FIRMs will update the boundaries of the 100-year floodplain and therefore will affect New Jersey's standards for floodplain delineation and the boundary for the RRC Overlay Zone.

A 2016/2017 Zone Interpretation of the overlay zone by the Planning Board resulted in the finding that only those development activities occurring within the 100-year floodplain shall conform to the supplemental overlay requirements. A parcel that is partially within the 100-year floodplain but with proposed development activity occurring outside of the floodplain need not comply. This is consistent with sound planning principles.

Few residential properties lie within the overlay zone, while the majority of the overlay contains industrial uses.

Recommendations

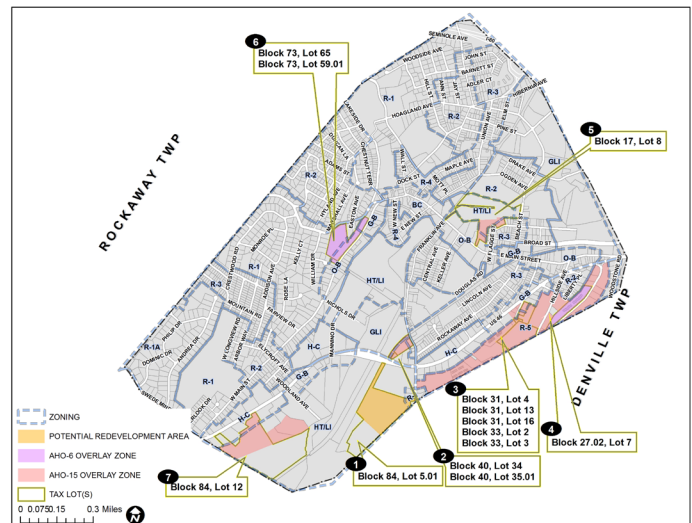
1. The ordinance should clarify that the standards set by the State of New Jersey delineate the 100-year floodplain boundary.
2. While the clear purpose of the overlay zone is to protect the Rockaway River and its tributaries, the ordinance should also integrate a purpose to minimize on-site flooding and downstream flooding.



View of Rockaway River from Main Street

Affordable Housing

There are two (2) Affordable Housing Overlay (AHO) districts located in the Borough of Rockaway, the AHO-6 and AHO-15 zone districts. These affordable housing overlay zones were adopted by the Borough in 2018 in accordance with the Borough's draft Housing Element and Fair Share Plan and court-mandated obligation to provide opportunities for the construction of affordable housing.



Affordable Housing Overlay Zones

Historic

There are no local historic overlay districts located in the Borough of Rockaway. However, the Morris Canal (located on the State and National Registers) and the Old Main Delaware, Lackawanna, and Western Railroad Historic District (National Register eligible) are located in the Borough. The Borough should acknowledge the districts as historically significant by adopting them as local historic districts.

Parks

In addition to the previously discussed zoning changes, it is recommended Rockaway create a new zone district called Park (P). This zone would encompass all the existing Borough parks in Rockaway to protect them from potential development. The zone could be strategically used to protect vacant land from development and ensure future use as a park.

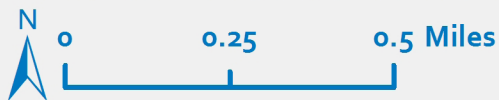
Future Land Use Plan

A land use plan sets forth a vision for future zoning changes and land use policy. A detailed existing zoning and existing land use comparative analysis of the Borough indicated the following final land use vision.

Table 3: Existing and Proposed Borough Zone Districts

<i>Land Use</i>	<i>Existing</i>	<i>Proposed</i>
Residential	Single-Family Residence (R-1A) Single-Family Residence (R-1) Single-Family Residence (R-2) Single-Family Residence (R-3) Multiple-Family Residence (R-4) Garden Apartment/Townhouse Residence (R-5)	Single-Family Residence (R-1A) Single-Family Residence (R-1) Single-Family Residence (R-2) Single-Family Residence (R-3) Multiple-Family Residence (R-4) Garden Apartment/Townhouse Residence (R-5)
Commercial/ Business	Borough Center Commercial (B-C) Office Business (O-B) General Business (G-B) Highway Commercial (H-C)	Borough Center Commercial (B-C) Office Business (O-B) Neighborhood Commercial (N-C) Highway Commercial (HC-1) Highway Commercial (HC-2)
Industrial	General Light Industrial (GLI) High-Tech/Light Industrial (HT/LI)	General Light Industrial (GLI) High-Tech/Light Industrial (HT/LI)
Other	N/A	Redevelopment (REDEV) Park (P)
Overlay	Rockaway River Corridor Overlay (RRC)	Rockaway River Corridor Overlay (RRC) AHO-6 AHO-15

Map 3 Future Land Use Plan



Data Sources: Morris County GIS, NJGIN, NJDOT,
2012 NJDEP LU/LC

Rockaway Township

Denville Township

Future Land Use Classifications

P	Parks	R-5	Garden Apartment/Townhouse Residence	GLI	General Light Industrial
R-1A	Single-Family Residence	BC	Borough Center Commercial	HT/LI	High-Tech/Light Industrial
R-1	Single-Family Residence	N-C	Neighborhood Commercial		
R-2	Single-Family Residence	O-B	Office Business		Zone boundaries that are proposed to change from the existing Zoning Map (all P, N-C, HC-1, and HC-2 zones)
R-3	Single-Family Residence	HC-1	Highway Commercial		
R-4	Multiple-Family Residence	HC-2	Highway Commercial		

Recommendations for the Zoning Ordinance

In the past three years (**Appendix B**), other development applications brought before the Planning Board have revealed weaknesses and opportunities in the Borough Code. Specific recommendations to the code are discussed below.

1. There is a central location for definitions relating to Chapters 169, 170, 171, and 172 in the Borough Code, located at §169-4. However, no reference is provided within Chapters 170, 171, and 172 to point the reader in the direction of §169-4 for applicable definitions. The Zoning Code should reference §169-4 Definitions in Chapters 170, 171, and 172.
2. The *Schedule of Zoning Requirements* needs to be updated to better reflect the permitted uses in each zone. §172-50(C) states Garden Apartments are permitted in the R-4 and R-5 zone districts but the *Schedule of Zoning Requirements* does not state a Garden Apartment is a permitted Primary Principal Use for the R-4 zone district. Additionally, §172-62 which regulates the O-B zone, permits single family structures and any use regulated in the R-2 zone if all R-2 conditions are met. Although One-Family Dwellings is listed as a permitted Primary Principal Use in the *Schedule of Zoning Requirements*, the R-2 condition is not mentioned. The *Schedule of Zoning Requirements* table should be amended to better reflect what is written in the Borough Code.
3. Development Regulations for Conditional Uses are inconsistent throughout the Code. For instance, §172-52(E) defines Townhomes as a conditional use in the R-4 and R-5 districts. In §172-55 Townhouses, however, townhomes are considered to be conditional uses in the R-4 and R-5 zones and additionally in the O-B and H-C zones. The section that regulates the O-B zone does not mention Townhomes explicitly in its conditional use section and the section of the code that regulates the H-C zone makes no mention or reference to Townhomes.
4. The Borough has approximately 50 lots that are located in more than one zone. It is general practice that zoning district lines follow lot lines, streets, railroad tracks, streams, or similar features so areas are clearly delineated for consistency with the Land Use Element and Housing Element of the Master Plan. These 'split-lots', however, do not follow such physical boundaries and can create considerable legal development issues. Split-lots open the door for use variance requests. Granting use variances on these lots may be appropriate for the use proposed. However, in granting the variance, the Planning Board may not anticipate undesirable future uses that may someday occupy the property and claim the benefit of the prior variance. The Borough should conform Zone boundaries to property lines to prevent complicated variance requests and possible approvals that will "run with the land". Refer to **Appendix C** for recommended split-lot zone changes. In instances where the split-zoning is to remain, the Borough should add a provision in its Borough Code that states, "*In the event that a zone boundary line divides one or more lots, then the portion of development in one zone should adhere to the requirements of that zone, and any portion of development in another zone should adhere to the requirements of that zone.*"
5. The Borough Code only permits Garden Apartments and Townhouses, and does not permit other apartment types, by omission. Although the definition for an "Apartment Unit" exists in the Borough Code, the term is used only in the context of Garden Apartments. Garden Apartments are defined as "*a building or group of buildings situated on one lot and containing individual dwelling units for no less than 12 families*". The Board should update the zoning code to include other apartment types, such as clarified definitions for Townhouse, Stacked Townhouse, and Multi-Family. Townhouses, in addition to Stacked

Conditional Use permissions as they relate to townhomes need to be amended for consistency, stating that they be conditionally permitted in R-4 and R-5 zones alone.

Townhouses, should remain conditionally permitted in the R-4 and R-5 zones alone. Multi-Family should be conditionally permitted in R-5 at no more than 40 feet tall.

6. Article VI Signs need clarification and additions.

- a. Sign regulations should state wherever there is a change in occupancy of a building or premises, including any vacancy, the sign which identifies any such individual, business, or service, product, or other item that is no longer present on the premises shall be removed. Any new signs for the premises should be required to obtain a sign permit.
- b. Signs within residential zones are not strictly prohibited in the Borough Code. §172-51 permits signs in a residential zone as an accessory use subject to the requirements of "Article IV, Signs". However, §172-40 regulates façade signs in B-C, O-B, G-B, H-C, GLI, and HT/LI Zones only with no mention of regulations for signs in residential zones. Signs should be strictly prohibited or regulations within residential zones should be added to the Borough Code. Specific sign regulations for home occupations should also be added to the Borough Code.
- c. Ordinance §172-39(D) makes reference to a "Schedule of Sign Regulations", however this schedule does not currently exist in the Borough Code. The Rockaway Borough Planning Board should consider whether a Schedule of Sign Regulations is missing or needs to be created.

d. Additionally, a Monument Sign is referenced in §172-40(F) Façade Signs, but it is not listed in the definition of a Sign in §169-4{108}. Monument Signs need to be further clarified in the Borough Code (i.e. is it a ground sign? What are the regulations for a ground sign?)

e. Route 46 businesses would benefit from separate sign regulations for highway commercial zones, allowing for larger freestanding pylon signs for strip malls and shopping centers, for instance.

f. Sign regulations generally should be looked at to ensure that they are not regulatory barriers to businesses in Rockaway.

7. §172-55 regulates Townhouse requirements through a Bulk and Dimensional Requirements Table. The ordinance should be revised to adapt the table to the language format used for Garden Apartments in §172-54, for consistency. Regulations pertaining to storage and laundry facilities, as well as minimum unit size, should be added to the Townhome requirements.

8. §172-56 regulates Site Design and Performance Standards for residential districts. §172-56(F), off-street parking should be revised to meet modern day development practices. The first sentence should be replaced with "*Parking shall be provided in accordance with Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.*" Shared parking arrangements should also be permitted, allowing for a reduction of the parking requirement under consideration by the Planning Board.

Storm Resiliency, Smart Growth, Environmental Sustainability

The requirements of the Land Use Element of the Master Plan (MLUL, N.J.S.A. 40:55D-28(b) (2)) was recently amended to include "a statement of strategy concerning:

- i. Smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations,
- ii. storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and
- iii. environmental sustainability."

In the past five years, New Jersey municipalities have been impacted by severe weather. Rockaway and other New Jersey municipalities need to understand the potential impacts of floods, hurricanes, tropical storms, and climate disruption on their localities to be more resilient and protect against these natural hazards before they hit. Two recent storm events that affected Rockaway and almost every other municipality in the state of New Jersey, Hurricane Irene and Superstorm Sandy, provide valuable lessons learned. By analyzing the local impacts from these storm events and incorporating potential solutions for future storm events into this Master Plan, Rockaway will be better prepared for what may come.

Hurricane Irene, which occurred on August 28, 2011, severely impacted the Borough and its residents. The Rockaway River flooded, requiring the Borough to evacuate 70 of its residents from their homes. Heavy flooding occurred in the areas of Beach Street, Franklin Avenue, Ogden Avenue, and Drake Avenue. Approximately one year later on October 29, 2012, Rockaway was affected by Superstorm Sandy with power outages occurring at Borough Hall, Police headquarters, fire stations, gas stations, and homes of residents. However, less than 25 building permits were issued for repairs as a result of flooding from both Hurricane Irene and Superstorm Sandy.

Outside these hazard events, flooding often occurs in the Borough along the Rockaway River, located on portions of Franklin Avenue between East Main Street and Rockaway Avenue, the eastern end of Nichols Drive, and the along the entire lengths of Beaver and Fox Brooks. Stream bank stabilization along the Rockaway River between Ogden Avenue and Drake Avenue to Beach Street and Jackson Avenue has been completed.

The Hazard Mitigation Plan Update for Morris County (Plan Update) analyzed the Borough's community resiliency, publishing the findings in July 2015. According to the Plan Update, the Fox Lake Dam should be reconstructed with a new spillway, low flow outlet, seepage protection and armoring of side slopes. The Fox Lake Dam work is expected to begin in 2019. Other critical facilities in the Borough require sufficient back-up power (generator). The Borough has two portable generators, one

"Resilience
is the ability to
prepare and plan for,
absorb, recover from, and
more successfully adapt to
adverse events." Source:
National Academies
of Sciences



located Borough Hall and one for the West Main Street pumping station and well numbers one and six. Police headquarters has its own generator. According to the Plan Update, no progress has been made on elevating utilities out of twelve flood prone properties along Ogden Avenue.

The Borough of Rockaway will need to address resiliency as these storm events may become more frequent. Increased development in the Borough and increased impervious surfaces could be contributing to flooding in the Rockaway River, for instance.

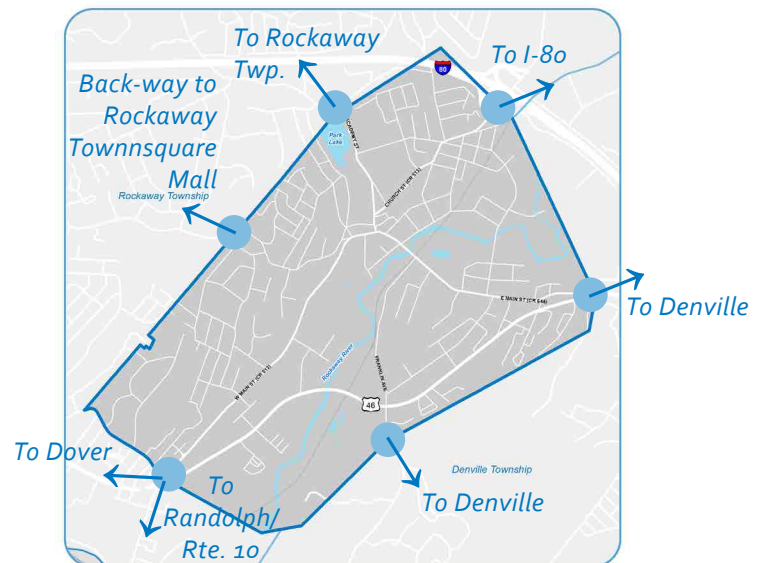
One strategy to combat against the effects of natural hazards is Smart Growth. Smart growth plans for development that attempts to curb sprawl and curb worsening environmental conditions. Rockaway's historical land use pattern and environmental constraints has prevented sprawl from occurring. However, the Borough can take additional steps to ensure sprawl does not continue in the future and can take proactive steps to better environmental conditions. One such environmental consideration may be to identify electric vehicle charging stations in the Borough, to prepare for the new wave of alternative fuels. Local charging stations are already located in Montville and Denville. With easy access to Route 46 and Route 80, Rockaway has an opportunity to encourage electric vehicle drivers to make a pit-stop and explore what Rockaway has to offer by foot. The "Alternative Fuel Vehicle Readiness: A Guidebook for Municipalities", published by the NJTPA in December 2017 is a useful resource.

Other environmental sustainable strategies are available from Sustainable New Jersey, a non-profit organization that can provide municipalities with tools, training, and financial incentives as they pursue sustainability programs. The Borough of Rockaway does not currently participate in Sustainable New Jersey's program, but should look into its program and benefits.

Improving Gateways

Gateways announce entrances into a community, creating a first and last impression for its residents and visitors. As a result, these areas require particular attention. The Borough should enhance and maintain existing gateway areas into the Borough, such as both entrances into the Borough on Route 46 and Parks Lake on Mt. Hope Road/Academy Street. Other high-traffic entrances into the Borough should be enhanced as gateway areas. One example would be Green Pond Road/Hibernia Avenue, where vehicles enter the Borough from Route 80. All gateway areas should be well landscaped and signed, welcoming those entering the Borough, and establishing a community identity.

These gateway areas also require particular attention to the allowable land uses and quality of buildings. As the Borough Zoning Code gets updated, gateway areas should be considered.



Land Use Funding Sources

While land use and zoning activities are typically funded through the Borough's Operating Budget, other funding sources (i.e. grants, programs) are available.

State Resources

New Jersey Department of Community Affairs (NJDCA) Local Planning Services (LPS)

The NJDCA provides planning services such as master plans, land use and mapping, economic development plans, and other special municipal projects to municipalities who qualify. Eligibility requirements for LPS assistance include municipalities who qualify for Urban Aid or Transitional Aid or NJRA Financing, municipalities designated in an Urban Enterprise Zone, Brownfield Development Program, or Main Street New Jersey Program, or the municipalities impacted by Superstorm Sandy or temporarily fiscally distressed due to unexpected circumstances.

New Jersey American Planning Association (APA-NJ) Community Planning Assistance Program (CPAP)

The New Jersey Chapter of the American Planning Association hosts a Community Planning Assistance Program aimed at providing volunteer support to municipalities. The program has completed 20 projects in the past three years. Email your municipality's unique planning issues to the CPAP Coordinator (currently Tom Schulze) for more information.

Highlands Council Initial Grant Assessment

Rockaway Borough is entirely within the delineation of the Planning Area of the Highlands Region. Conformance with the Highlands Council's Regional Master Plan is voluntary for Planning Area communities. An Initial Grant Assessment would allow the Borough of Rockaway to assess the requirements and benefits of Plan Conformance with the Regional Master Plan.

NJDEP Green Acres

The Green Acres program funds the acquisition of open space for recreation and conservation purposes, and the development of outdoor recreational facilities. Applications are considered on an annual basis, typically with a deadline in the first quarter of the year. To be qualified to participate for many of the funding programs, the Borough must have an open space trust fund and a Green Acres approved Open Space and Recreation Plan (OSRP).

Morris County Open Space Trust Fund

The Morris County Trust Fund is funded through the Morris County Open Space, Farmland, Floodplain Protection and Historic Preservation Trust Fund and funds the acquisition of land for recreation and conservation.

Land Use Element Strategy Plan

Directions

“Check off” a completed Strategy and mark the year of completion as a way to measure progress.

Priority 1: complete in 1-2 years; **Priority 2:** complete in 3-5 years; **Priority 3:** complete in 10+ years.

Land Use Element Strategy Plan					
Strategy		Implementing Party	Priority Level	Completed	Year Completed
General					
1	Continue to protect, preserve and enhance the Rockaway River and the lands adjacent to the Rockaway River.	Planning Board, Borough Council	Priority 1		
2	Cultivate gateways in important entrances into Rockaway Borough to reinforce the unique character of the community.	Planning Board, Borough Council	Priority 1		
3	Ensure the Borough’s Code is compliant with the Municipal Land Use Law (MLUL).	Planning Board, Borough Council	Priority 1		
General Zoning Changes					
4	Update the <i>Schedule of Zoning Requirements</i> to correctly reflect permitted uses in each zone.	Planning Board, Borough Council	Priority 1		
5	Update conditional use regulations throughout the Borough Code for consistency.	Planning Board, Borough Council	Priority 1		
6	Reduce or completely eliminate ‘split-zone’ properties by ensuring zone district boundaries follow stream, street, and property lines (See Appendix C).	Planning Board, Borough Council	Priority 1		
7	Develop clear definitions for apartment types in addition to garden apartments and permit these uses in applicable zone districts.	Planning Board, Borough Council	Priority 1		
8	Amend several portions of Article VI: Signs of the Borough Code.	Planning Board, Borough Council	Priority 1		
9	Ensure the Residential Site Improvement Standards (RSIS) are correctly and appropriately cited in the Borough Code.	Planning Board, Borough Council	Priority 1		
10	Consider locally designating historic districts to protect the historic character of Borough neighborhoods.	Planning Board, Borough Council, Historic Preservation Council	Priority 2		
Residential Zoning Changes					
11	Eliminate the cumulative or “nesting” of use permissions in the zoning code and state only what is permitted in each zone.	Planning Board, Borough Council	Priority 1		
12	Limit ‘home occupations’ or ‘home professional’ offices to the R-1, R-2, R-3 and O-B districts alone.	Planning Board, Borough Council	Priority 1		

Land Use Element Strategy Plan

	<i>Strategy</i>	<i>Implementing Party</i>	<i>Priority Level</i>	<i>Completed</i>	<i>Year Completed</i>
Commercial Zoning Changes					
13	Create a new zone district called the Highway Commercial 1 zone district (HC-1).	Planning Board, Borough Council	Priority 1		
14	Rename the Highway Commercial (H-C) zone the Highway Commercial 2 zone (HC-2).	Planning Board, Borough Council	Priority 1		
15	Rename the General Business (G-B) zone district to the Neighborhood Commercial (N-C) zone district.	Planning Board, Borough Council	Priority 1		
16	Clarify the side yard set-back as a minimum of 10 feet for the (former General Business (G-B) zone district) Neighborhood Commercial (N-C) zone district.	Planning Board, Borough Council	Priority 1		
17	Amend permitted and prohibited uses in the Borough Center Commercial (BC) zone district to encourage pedestrian traffic.	Planning Board, Borough Council	Priority 1		
18	Revise the Borough Center Zone District to prohibit filling stations, garages and other auto-related uses.	Planning Board, Borough Council	Priority 1		
19	Promote shared parking arrangements in Borough Center where feasible.	Planning Board, Borough Council	Priority 1		
20	Add design guidelines to the Design Criteria regulations for Borough Center (Section 172-61).	Planning Board, Borough Council	Priority 1		
21	Revise parking requirements for medical professional office uses.	Planning Board, Borough Council	Priority 2		
22	Add landscaping requirements for parking lots in business and commercial districts as well as residential districts that permit multi-family structures.	Planning Board, Borough Council	Priority 2		
Industrial Zoning Changes					
23	Review and amend the HT/LI zone district regulations to conditionally permit a wider range of non-industrial uses.	Planning Board, Borough Council	Priority 1		
24	Revise the accessory use regulations in the General Light Industrial (GLI) and High-Tech/Light Industrial (HT/LI) zone districts.	Planning Board, Borough Council	Priority 1		
25	Revise parking standards for flex-space buildings that provide more than 10% office space.	Planning Board, Borough Council	Priority 1		
26	Reference the requirement to adhere to Performance Standards (Section 172-84) within the regulations for the General Light Industrial (GLI) zone district.	Planning Board, Borough Council	Priority 1		
27	Add a 100-foot buffer requirement between any structure or building and a residential zone district boundary for the High-Tech/Light Industrial (HT/LI) zone district.	Planning Board, Borough Council	Priority 1		

Land Use Element Strategy Plan

	<i>Strategy</i>	<i>Implementing Party</i>	<i>Priority Level</i>	<i>Completed</i>	<i>Year Completed</i>
28	Integrate landscaping requirements for industrial uses such as landscaping along parking lot perimeters.	Planning Board, Borough Council	Priority 1		
Overlay Zoning Changes					
29	Clarify that the Rockaway River Corridor Overlay Zone (RRC) boundaries shall be determined by the most up-to-date standards set by the State.	Planning Board, Borough Council	Priority 1		
30	Add an additional purpose to the Rockaway River Corridor Overlay Zone that concentrates on minimizing on-site and down-stream flooding.	Planning Board, Borough Council	Priority 1		
Redevelopment Areas					
31	Conduct an Area in Need of Redevelopment and Rehabilitation Study in the Borough Center.	Planning Board, Borough Council	Priority 1		
32	Create a Façade Improvement Program as part of the Redevelopment Plan for buildings located in the Borough Center Zone District.	Planning Board, Borough Council	Priority 2		
33	Continue with the Redevelopment process for the Franklin Avenue Redevelopment Study Area, according to the LRHL.	Planning Board, Borough Council	Priority 1		
34	Periodically review redevelopment plans to determine the suitability and validity of zoning or redevelopment designation.	Planning Board, Borough Council	Priority 1		
Smart Growth, Storm Resiliency, Environmental Sustainability					
35	Prepare a 3-year Capital Improvement Plan that considers capital investments that will contribute to building community resiliency.	Borough Council	Priority 1		
36	Consider participating in the certification program offered by Sustainable New Jersey.	Borough Council	Priority 2		