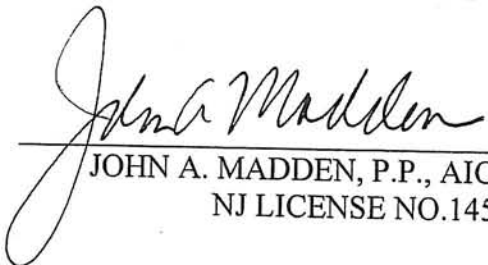


REDEVELOPMENT PLAN
LOTS 1 AND 1.01, BLOCK 101
TOWNSHIP OF LOPATCONG, WARREN COUNTY, NJ

MAY 2, 2007

PREPARED BY:


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NJ LICENSE NO.1452

PROPOSED DEVELOPMENT PLAN TEXT REVISIONS

The Development Plan text description on Page 5 should be amended by deleting from the third paragraph, second sentence the phrase "the PD Planned Development district with". In the fourth paragraph, first sentence, delete "industrial" and substitute "civic".

On Page 7, delete the first full paragraph beginning with the phrase "the proposed use" and ending with "Master Plan" and substitute the sentence: "The proposed use of the Redevelopment Area for the purpose of constructing a mixed use development with commercial, recreation, municipal and other civic features designed with a sense of place is substantially consistent with the planning goals and objectives of the Township's Master Plan and Zoning and Land Use Ordinance."

The Development Plan text description on Page 3 shall be deleted and replaced with the following amended text:

THE DEVELOPMENT PLAN

The Plan for redevelopment of the Lopatcong Township Redevelopment Area calls for the creation of a mixed use project with retail and office as well as civic, open space and affordable residential uses. A key component of the Plan is construction of the proposed Connector Road. On April 5, 2006, the Town of Phillipsburg and Lopatcong Township entered into an Interlocal Services Agreement to help facilitate the development of the Connector Road, which will benefit both municipalities by providing vehicular access to Route 22.

After coordination with the Town of Phillipsburg on the Connector Road alignment through the Redevelopment Area in Lopatcong Township and the assignment of the pro rata cost share for the Connector Road improvements, implementation of the Connector Road in the Lopatcong Redevelopment Area may proceed in advance of definitive circulation and land use planning decisions in the Town of Phillipsburg.

It is the intent of the Planning Board that redevelopment of the Area occurs as a comprehensively planned single unified development. To that end, the redeveloper for the Area shall be encouraged to follow the guiding principles and design standards herein set forth in Section 2 of the Redevelopment Plan.

The permitted uses may include affordable residential development. The amount of affordable housing that a redeveloper would be responsible to implement would be limited to the number of dwelling units needed to satisfy the fair share obligation generated by non-residential development's growth share as defined by the Council on Affordable Housing (COAH) consistent with Court decisions on this regulation. The construction of affordable housing on-site may be in the form of apartments above retail or office uses or in free standing residential buildings. Residential development would proceed on-site only if consistent with enforceable deed restrictions on the subject property and State and Federal law regarding the disposition of brownfield properties. If

it is determined that affordable residential development is not permitted in the Area, the redeveloper will be responsible for providing to Lopatcong Township payment equivalent to the cost of constructing affordable housing on-site.

During the interim period when COAH is amending its Third Round regulations in response to Court directives and in the interests of expediting the Redevelopment Area project, the redeveloper can assume that the number of affordable dwelling units he is responsible to create would be based on the Third Round non-residential growth share regulations in effect prior to the Appellate Court decision of January 2007. If the ultimate Supreme Court decision and/or adopted Third Round COAH regulations subsequently reject or reduce the growth share obligation for non-residential uses, Lopatcong Township will reimburse the redeveloper accordingly or credit the amount of funds provided toward the financial obligation the redeveloper has for the implementation of the Connector Road.

Section 2 of the Redevelopment Plan, pages 11 through 16, shall be deleted and replaced with the following text:

2. Proposed land uses and building requirements in the Project Area

The Redevelopment Area shall be planned and developed in the form of mixed use project, which includes retail, office, civic, public open space and recreation uses designed to serve both as a regional commercial center and a community employment and service area and social and civic meeting place.

An illustrative concept plan accompanying the Redevelopment Plan shows how the required and permitted uses in a mixed-use development may be accommodated consistent with the Redevelopment Plan guidelines and standards.

1. Required Uses in the Redevelopment Area

- a. A minimum of twenty-five (25%) percent of the total floor area for the retail stores in the mixed use redevelopment project shall be in a village commercial format consisting of specialty or life style retail stores and stores of a neighborhood commercial character. Specialty or lifestyle retail stores, also known as theme or fashion retail goods and services, consist mostly of small shops under 25,000 square feet offering distinctive, sometimes one-of-a-kind merchandise along with sit down restaurants. Neighborhood commercial retail stores generally offer goods and services for a market within a five to ten minute drive from a center.
- b. A minimum of one (1) acre of developable land shall be created for use of a green or square within the village commercial section of the project designed to serve as a public gathering place and community focal point.

A green is a medium-sized public space available for unstructured recreation, circumscribed by building facades, its landscape consisting of grassy areas and trees, naturalistically disposed and requiring only limited maintenance.

A square is a public place, seldom larger than a block, at the intersection of important internal streets or drives. A square is circumscribed spatially by frontages; its streetscape consists of paved walks, lawns, trees, and civic buildings all formally disposed and requiring substantial maintenance.

- c. A minimum of 5,000 square feet of nonresidential floor area for a civic use building shall be part of any mixed use development. A civic use building could include a senior citizen center, community recreation facility or other public or quasi-public facility.
- d. A major supermarket with a minimum of 100,000 square feet of floor area or greater shall be part of any mixed use development of the Redevelopment Area.
- e. Consistent with the applicable COAH regulations regarding non-residential growth shares a minimum number of affordable housing units in the form of apartments above stores and offices or in free standing residential structures shall be part of the mixed use project. If residential use is prohibited from being constructed in the Redevelopment Area due to an enforceable deed restriction, or State or Federal statutory or administrative regulations, the redeveloper would be required to pay the equivalent cost of constructing the required affordable housing floor space to the Township of Lopatcong to be reserved for eligible off-tract affordable housing activities.

2. Permitted Uses in the Redevelopment Area

- Retail and professional service establishments
- Offices for professionals and executives
- Medical facilities (services and care)
- Indoor and outdoor commercial recreation facilities
- Computer and data processing centers
- Day care facilities
- Banks
- Restaurants
- Hotels and conference centers
- Public transportation stations and shelters
- Telecommunication facilities
- All required uses set forth in Section 2, Subsection 1

3. Design Guidelines and Development Standards

The following requirements shall apply to all development within the Redevelopment Area:

3.1 Permitted Building Coverage, Lot Coverage and Floor Area Ratio

- a) Building Coverage: 20 percent
- b) Lot Coverage: 65 percent
- c) Floor Area Ratio: 22 percent

3.2 Connector Road. The establishment of a Connector Road that links the Phillipsburg and Lopatcong Redevelopment Areas to Route 22 in Lopatcong as planned for by the Town of Phillipsburg in its Redevelopment Plan for the adjoining Phillipsburg Redevelopment Area is a crucial element of each municipality's Redevelopment Plan. Lopatcong Township and Phillipsburg have jointly executed an Interlocal Services Agreement that binds each municipality to cooperate in the planning, development and implementation of the Connector Road Project (Project). The following regulations and standards shall apply to the development of the project through Lopatcong Township:

- a. Notwithstanding delays that may arise due to financing of the Project or municipal or outside agency approvals, the developer of the Lopatcong Redevelopment Area shall not be issued a Certificate of Occupancy for any building or structure within the Area until the tee intersection and traffic signal where the Connector Road intersects with Route 22, is complete, approved by the NJDOT, and placed into operation.
- b. The Connector Road ROW, its intersection with Route 22, and all other street improvements shall be designed and constructed in accordance with the final design and specifications for the Project consistent with the Interlocal Services Agreement made by Lopatcong Township and the Town of Phillipsburg.
- c. The proportional costs associated with the design and construction of the Connector Road Project shall be recovered from the developer of the Lopatcong Redevelopment Area with revenue received by the Township pursuant to a special assessment as referred to in the April 5, 2006 Interlocal Services Agreement made by Lopatcong Township and the Town of Phillipsburg.

- 3.3 Vehicular access and circulation. The northern section of Lock Street shall be realigned so as to eliminate its intersection with Route 22 and provide an intersection with the Connector Road. Access to any development in the Area to and from Route 22 shall be restricted to a maximum of two locations: one right-turn-in and right-turn-out only. The location of the driveways that connect to Route 22 shall further be restricted to locations that are north of the Connector Road/Route 22 intersection. Notwithstanding the aforementioned Route 22 access, all other vehicular access to and from lots within the Area shall be limited to the Connector Road and the realigned portion of Lock Street.
- 3.4 Building and Lot Coverage Exceptions. To encourage the building of COAH units and parking structures within the Redevelopment Area, residential units that are planned and constructed on-site to meet the COAH requirements for growth share and covered parking structures and liner buildings of 400 square feet or less in floor area shall not be included in the calculation of building and lot coverage for the tract.
- A liner building is a small building, shallow in depth, conceived to mask a parking lot or a parking structure from the frontage of a street or drive. A liner building forms both a screen or street wall of retail activity, lining a pedestrian way.
- Further, the Township desires to encourage the developer of non-contiguous lots within the Redevelopment Area to set aside lands for public use and enjoyment. Therefore, the acreage of lands set aside for public use will be credited to the developer for purposes of calculating permitted lot coverage under the Redevelopment Plan or governing ordinance.
- 3.5 Pedestrian and bicycle linkage. Linkage to the open space and recreation areas identified in the Phillipsburg Redevelopment Plan for Redevelopment Areas 7 and 7A and to the County open space in the abutting community shall be incorporated in the plan for development of the Lopatcong Redevelopment Area. Said linkage shall consist of paths designed for use by pedestrians and bicyclists. This shall be in addition to the links required pursuant to § 243-77.3E (12) (c).
- 3.6 Public transit. Fostering the use of public transit addresses some of the transportation and circulation problems associated with suburban development and it is a principle of smart growth. To encourage the use of public transit by use of employees and customers of the permitted commercial and industrial uses that may be located within the Area, a developer shall investigate the need and feasibility of a public transportation node consisting of the site design elements and facilities necessary for safe and convenient passenger drop-off and pick-up activities. Such design and facilities shall be subject to review and approval by the Board and its professional consultants.

- 3.7 Open space. All development in the Redevelopment Area shall provide usable open space as per § 243-77.3E (12) , Site development requirements for a Planned Development, in addition to a one acre required green or square.
- 3.8 Stream corridor protection. The environmentally-sensitive lands adjoining the Lopatcong Creek on either side that are restricted from development may be offered for fee simple dedication or an easement to the Township or to another government or non-profit entity acceptable to the Township for public use. The acreage that comprises the dedicated lands will be credited to the developer for purposes of calculating permitted lot coverage and floor area ratio under the Redevelopment Plan or governing ordinance. If the developer chooses not to dedicate said lands, a conservation easement shall be placed upon the restricted lands for protection from development in a form acceptable to the Township Attorney.
- 3.9 Land Use. Within the Redevelopment Area Tract, the developer may have more than one freestanding principal building on a lot, more than one principal permitted use on a lot and more than one principal permitted use in a building, provided that the sum area of all contiguous and/or non-contiguous lots is at least 50 acres.
- 3.10 Mixed Use. The requirement to provide a minimum of three (3) uses including those required uses set forth in Section 2, Subsection 1.
- 3.11 Building and Site Design Standards for the Redevelopment Area.
- A. Purpose. The purpose of this subsection is to:
1. Provide the redeveloper with the design expectations for a mixed use/commercial project in addition to streamlining the review process, resulting in a quality building and site design.
 2. Assure consistent application of overall design objectives.
 3. Protect the Township by encouraging high quality development.
 4. Enhance the local sense of community.
 5. Advance accessible developments.
 6. Minimize heat islands by incorporating large shade trees into site design and larger interior landscape areas within parking lots.

7. Promote individual site design accents such as water features, art areas, landscape, public spaces and plazas.

B. Applicability. The standards in this subsection shall be used in the design of structures and site layout in the Redevelopment Area. These standards that shall be used by the redeveloper in preparing development plans and by the Board in reviewing the same. In reviewing a development plan, the Board shall determine whether or not, and to what degree, an application for development meets such standards. The Board may approve, conditionally approve, modify, or deny an application of development based upon its review of the redevelopment plan.

C. Use of design standards. These standards identify the minimum standards for the design of development area. While waiver of strict application of these standards may be appropriate to achieve design objectives, each for application development shall incorporate these guidelines to the fullest extent possible.

D. Site layout and building orientation

1. The orientation of a building strongly influences a site's focus of activity. A building oriented at least in part to an adjoining drive aisle which functions as a public street can create a strong presence in the public realm, defining the edge of the built environment. On the other hand, street frontage interrupted by long stretches of parking lot asphalt or other "empty spaces" can detract from a positive visual image. These standards encourage the creation of a continuous, defined street edge, whether comprised of buildings including liner buildings, walls, or vegetation.
2. Particular attention shall be paid to building orientation in relation to surrounding uses, including screening of loading. Signage, lighting and landscape materials shall be incorporated to minimize unattractive views from off-tract streets and highways.

E. Building Placement

1. Buildings shall be located as close as possible to the intersections of internal streets or drives. Structures located close to intersections provide a strong visual and pedestrian relationship to the street while taking into account the queuing requirements for any drive through services. Parking and store entrances along with associated services may be located behind the structures.
2. Drive through lanes, service functions and accessory structures shall be located away from intersections.

3. In a development incorporating multiple buildings, the site shall be organized so that the site layout encourages functional pedestrian spaces and connections between and in front of the buildings.
4. Weather and sun protection for outdoor areas, such as overhangs, awnings, canopies or landscaped shade areas shall be provided to mitigate climate effects.

F. Site Layout and Building Orientation at Internal Street/Drive Intersections. Major intersections of commercial activity need special attention so that all four corners are linked and function as a whole, and so that a unique sense of place and "arrival" is maintained or created. A development located at the intersections of two internal streets or drives shall comply with the following site layout and building orientation standards:

1. Parking areas and drive-through facilities shall not be located within a 150 foot radius measured from the intersection of the centerlines of the two internal streets or drives.
2. Development located within a 150 foot radius from the intersection of the centerlines of the two internal streets or drives shall include two or more of the following focal point features, which shall be visible from the intersection:
 - a. A distinctive design that does not represent standard franchise architecture;
 - b. A vertical architectural feature or appendage that is a minimum of 45 feet tall (e.g., a clock tower, spire, or interesting roof form);
 - c. Exceptional landscape feature.

G. Orientation of Entry Facades. Entry facades shall orient towards the primary street or the active pedestrian zone within the site to create an inviting image, and a clear front and street edge definition.

H. Multiple-Building Development/Pad Sites

1. Intent. The siting and design of smaller retail stores, or "pads," can create an inviting appearance in a larger, multiple-building development by reducing a project's scale and expanding the range of activities and businesses found within a single development. Adding pad sites to a commercial center can help to improve the development's visual interest by framing entries and placing storefront spaces closer to the street to create a more active street scene. The siting and orientation of these smaller stores shall create spaces that relate to both the primary buildings and the street

frontage and shall be architecturally compatible with the primary or anchor buildings of the development.

2. Design Guidelines and Standards

- a. General Guideline. The number, location, and design of independent pad sites shall reinforce, rather than obscure, the identity and function of this development.
- b. Clustering of Pad Sites. To the maximum extent practicable, pad sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings. Dispersal of pad sites in a widely-spaced pattern within the development, even if along street or drive edges, is discouraged.
- c. Spaces Between Adjacent Pad Sites. To the maximum extent practicable, spaces between adjacent pad site buildings shall be improved to provide small pockets (preferably heavily landscaped) of customer parking, pedestrian connections, small-scale project amenities, or focal points. Examples include:
 - 1) Landscaped pedestrian ways linking customer entrances between two or more pad site buildings;
 - 2) Public seating or outdoor eating areas;
 - 3) Areas landscaped with living materials emphasizing four-season colors, textures, and varieties;
 - 4) Sculptures and fountains.
- d. Pad Site Building Design
 - 1) Pad site buildings shall incorporate the same materials and colors as those on the primary commercial buildings(s) in the development.
 - 2) Significant departures from "off-the-shelf" standardized franchise building design may be required to meet this standard.
 - 3) Pad site entrances are appropriate locations to express individual building character or identity. Customer entrances shall be emphasized through incorporation of building recesses, projections, canopies, or similar design.
 - 4) The design of any pad site shall comply with the requirements of this subsection.

I. Pedestrian circulation

1. On-site concrete or brick sidewalks shall be provided to create a continuous pedestrian network within the Redevelopment Area.
2. Where pedestrians and vehicle paths cross, that area shall be designated by changing pavement materials, signals, signage, pavement texture or painted stripes.
3. Secure and convenient pedestrian walkway access shall be provided from parking lots, sidewalks and primary entrances to the building. Sidewalks shall be a minimum of 12 feet in front of all buildings.

J. Pedestrian Amenities and Hardscape.

1. Design shall be convenient to pedestrian and bicycle access to and throughout the development and include bike racks where appropriate.
2. Design shall minimize pedestrian and vehicular convergence. Where pedestrian circulation paths cross vehicular routes, a change in paving materials, textures or colors to emphasize where they intersect shall be provided. These areas shall be identified by use of decorative bollards to increase visibility to improve aesthetic appeal.
3. Pedestrian focal points shall have enhanced pedestrian paving such as decorative scored concrete, stained concrete, exposed aggregate or other decorative walking surfaces.
4. Accessible parking spaces shall be convenient to building entries.
5. Direct pedestrian and bike access to connect future and existing developments shall be provided.
6. Where appropriate, pedestrian amenities shall allow for use and enjoyment of outdoor areas as a development focal point or centralized amenity. These shall include a mix of pedestrian scaled lighting, tables, drinking fountains, benches, seating walls, shade trees, raised landscape planters, berms, clock towers, water features, specimen trees, potted plants, information kiosks, botanical exhibits and art exhibits or features.
7. Sites shall accommodate bus stops where transit service is or may become available.

8. Convenient bicycle parking in locations that do not interfere with pedestrian circulation shall be provided. Bicycle parking racks or areas shall be provided in several locations within a development.
9. Pedestrian access shall be continued from developments to adjacent planned and existing open space.
10. Outdoor amenities to enliven plazas and open space areas shall be provided. Outdoor dining and pedestrian amenities shall be separated from residential zones and vehicular traffic.

K. Loading Areas and Utility Equipment.

1. Trash enclosure areas shall incorporate decorative masonry walls and metal gates that compliment the design of the development. Gates shall not allow for view of the contents of the enclosure.
2. Lighting for parking areas and drive aisles shall be located in landscaped areas. Light fixtures shall be of a traditional style.
3. Service electrical systems shall be screened from pedestrian and vehicular view with masonry walls and/or landscaping.
4. Ground mounted utility cabinets shall be located away from prominent site views and screened with landscaping or masonry fence walls. Cabinets shall be painted to match predominant colors within the development and any masonry shall match other masonry within the development.
5. Site plans shall include locations for outdoor displays, sales, vending amusements and seasonal sale. These areas shall not be within designated parking or pedestrian areas.

L. Signs

1. The comprehensive design must have an overall program covering all signage as a part of the Redevelopment project's architectural concept.

M. Landscape and Grading

1. Project landscape theme shall be designed to complement and enhance project architecture.
2. Landscaped islands between the head ends of parking spaces shall be provided in alternating aisles.

3. Canopy shade trees, shall be incorporated near colonnades, storefronts and pedestrian walkways.
4. Foundation plantings shall be provided to screen unattractive buildings elements.
5. Low-profile plantings shall be provided at the base of free standing signs.
6. Native plantings, drought resistant, shall be used near pedestrian areas and entrance ways.
7. If retaining walls are used for grade changes or detention areas they shall be terraced and landscaped to reduce their scale, and faced with fieldstone or other decorative treatment.
8. Highly visible stormwater management basins shall be contoured using berms and curvilinear design forms.
9. A combination of evergreen and deciduous trees shall be used.
10. Landscaping plans shall be coordinated with both above and below ground utility locations.
11. Restaurant menu boards shall be screened from adjacent public rights-of-way and off-site uses.

N. Illumination

- a. Pedestrian scale lighting fixtures shall be provided in areas designed for pedestrian activity such as plazas, courtyards, pathways and seating. Select lighting fixtures that complement the general architecture of the development style.
- b. The highlighting of architectural, landscape, and public spaces with artwork shall be considered.
- c. Decorative wall mounted fixtures shall be used for building lighting for elevations not visible from adjacent residential zones.

O. Building Design

1. Intent. Building design that creates or adds to the visual interest of a streetscape and a pedestrian scale is an essential element of the design objectives. Building height, scale, and massing can be used to emphasize important corners, designate points of entry, and create a visible roofline

silhouette. The primary mass of structures shall include secondary projections that reduce the apparent scale, create visual interest, and promote compatibility with adjacent uses. Building design shall be compatible with adjacent development.

2. Design guidelines and standards

2.1 Building Facade Treatment. Building walls shall have architectural interest and variety to avoid the effect of a single, long or massive wall with no relation to human scale. Building design shall be consistent with the following standards:

a. Minimum Wall Articulation. There shall be no blank unarticulated building walls exceeding 30 feet in length. All building walls shall be designed to meet all the following standards:

- (1) All building walls shall consist of a building bay or structural building system that is a maximum of 30 feet in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, changes in wall planes, changes in texture or materials, and fenestration pattern no less than 12 inches in width.
- (2) All building walls shall include materials and design characteristics consistent with those on the front.
- (3) Any wall exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least 3% of the entire length of the façade and extending at least 20% of the entire length of the façade.
- (4) The above standards may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

2.2 Building Walls Facing Public Areas. In addition to the above, walls that face public streets, connecting walkways, or adjacent development shall meet the following standards:

(1) Facades shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail that defines human scale, along no less than 60% of the façade. A minimum of 10% of the entire such façade area shall be composed of transparent materials, unless the Board finds that such transparency would be inconsistent with the operational requirements of the building. At least one-half of this amount shall be provided so that the lowest edge of the transparent material is no higher than 4 feet above the finished floor elevation.

(2) Multi-Story Buildings – Base and Top Treatments. The following standards shall apply to buildings greater than two stories:

(a) The composition of a building shall present a clearly recognizable base, middle, and top, or a clearly defined alternative building composition.

(b) A recognizable "base" may consist of, but is not limited to:

- (1) Thicker walls, ledges, or sills;
- (2) Integrally textured materials such as stone or other masonry;
- (3) Integrally colored and patterned materials such as smooth-finished stone or tile;
- (4) Lighter or darker colored materials, mullions, or panels; or
- (5) Planters.

(c) A recognizable "top" may consist of, but is not limited to:

- (1) Cornice treatments, other than just colored "stripes" or "bands", with integrally textured materials such as stone or other masonry or differently colored materials;
- (2) Sloping roof with overhands and brackets; or
- (3) Stepped parapets.

2.3 Architectural Detail: Facades, Entrances, Roofs, Awnings.

1. Intent. Doors, storefront windows, and awnings are examples of building features that add to the character of the streetscape and contribute to pedestrian-oriented character of places. These elements shall be used to both improve the visual interest of infill/redevelopment projects and add to a visually unified appearance.

(b) Design Guidelines and Standards.

- 1) Customer Entrances. Building facades facing a primary access street shall have clearly defined, highly visible customer entrances that feature no less than three of the following:
 - (a) Canopies or porticos;
 - (b) Overhangs, recesses/projections;
 - (c) Arcades;
 - (d) Raised corniced parapets over the door;
 - (e) Distinctive roof forms;
 - (f) Arches, outdoor patios;
 - (g) Display windows;
 - (h) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- 2) Roofs. To the maximum extent practicable, where buildings are adjacent to residential zones, rooflines shall be of a similar height or stepped down to a similar height to enhance the compatibility with nearby residential areas. In addition, roofs shall have no less than two of the following features:

- (a) Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view are appropriate. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment and shall be the primary means of screening roof top equipment;
 - (b) Overhanging eaves, extending no less than three (3) feet past the supporting walls;
 - (c) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run; or
 - (d) Three (3) or more roof slope planes.
- 3) Downspouts. All downspouts shall be concealed from view. No exposed downspouts shall be used. The view through scuppers shall be screened.
- 4) Awnings.
- (a) Awnings shall be no longer than a single storefront.
 - (b) Fabric awnings are encouraged; canvas

awnings with a matte finish are preferred. Awnings with high gloss finish are discouraged. Illuminated, plastic awnings are prohibited.

- (c) Rigid frame awnings are allowed, but shall stop at the top section and shall not be included in the valence.
- (d) Awning colors shall be compatible with the overall color scheme of the facade from which it projects. Solid colors or subtle striped patterns are preferred.
- (e) Awnings for rectangular openings shall be simple, shed shapes. Semicircular shapes shall not be used for arches.

2.4 Building Materials and Colors.

- a. Intent. The exterior materials and colors used in a building's design create impression of not only the individual building, but of the image of the Township. The intent of these paragraphs is to ensure the use of high-quality materials and colors to ensure compatibility with residential area and to emulate an historic architectural character.

b. Design Guidelines and Standards.

- 1) Submittal Requirement. A color palette and building materials board shall be submitted as part of a development application.

2) Building Materials.

- (a) All buildings, including parking garages, shall be constructed or clad with materials that are durable, economically maintained, and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone, brick, stucco or glass.
- (b) The front and two side elevations of all buildings and/or structures shall be constructed of brick, architectural block or architectural precast concrete. Painted or natural utility

concrete panels or masonry units may be used on rear elevations and in loading dock areas not facing public streets or drive aisles.

- (c) Roof design shall be as aesthetically pleasing as possible (e.g. color, material, grouping) to minimize visual impact to adjacent uses and particularly residences.
- (d) Glass windows or some similar architectural treatment shall occupy at least 15 percent of the front elevation of a retail building or store over 25,000 sf. Buildings under 25,000 square feet shall have 75% transparency facing internal streets or drives.
- (e) Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
- (f) Exterior building materials shall not include the following:
 - (1) Split shakes, rough-swan or board and batten wood;
 - (2) Smooth-faced gray or stained concrete block, painted concrete block, tilt-up concrete panels;
 - (3) Field-painted or pre-finished standard corrugated metal siding;
 - (4) Standard single or double tee concrete systems; or
 - (5) Barrier-type EIFS.
- (g) Exterior building material shall be continued down to within 9 inches of finished grade on any elevation. Exterior masonry materials shall be continued to the top of grade.
- (h) In selecting exterior building materials, consideration shall be given to the appropriateness of the materials to the scale of building proposed.

3. Building Color.

- a) A color palette and building materials board should be submitted as part of a development application.
- b) Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development together, and shall be used to enhance the architectural form of buildings.
- c) All building projections, including but not limited to, chimneys, flues, vents, gutters, and downspouts, shall match or complement in color the permanent color of the surface from which they project.
- d) Facade colors must be low reflecting, subtle, and neutral. Intense, bright, black, or fluorescent colors shall be prohibited. Permitted sign areas shall be excluded from this standard.

2.5 Massing.

- a. Building mass shall be broken into smaller elements, consistent with the proportions of the architectural style and surrounding uses.
- b. In large developments, especially with multiple buildings, there shall be a variety of size, massing and height of the buildings in relation to each other.
- c. The visual mass of a building can be reduced by incorporating varied architectural features into the building design. The architectural features shall present a pedestrian scale. The following are suggested ways to achieve a more human scale:
 - 1) Variation in the roof designs
 - 2) Use of ground level arcades and covered areas.
 - 3) Use of protected and recessed entryways to shops or interior walkways.
 - 4) Use of offsets in exterior building walls.
 - 5) May include windows on elevations facing streets and pedestrian walkways.

2.6 Design.

- a. Facades shall be articulated to provide a visual effect that is consistent with the project's character and scale.
- b. All facades, including back and side elevations of a building generally visible from public view or adjacent to residential zones, shall be architecturally treated and relate to but not overwhelm the neighborhood. All elevations generally visible to the public shall reflect the overall design and colors of the facade.
- c. Multi-tenant buildings shall include consistent design elements throughout the development.
- d. Building elevations shall incorporate design features that produce a pedestrian scale.
- e. Drive-through operations shall be screened with architectural or landscape features and canopies with design features that produce a pedestrian scale.
- f. Vacuum systems shall be located underground whenever possible.
- g. Roof mounted equipment shall be screened from view.
- h. Roof drainage systems shall be concealed within columns and convey storm water to ponds or storage facilities. Water shall not be discharged in pedestrian walkways or public spaces.
- i. Building Articulation. In order to provide interest in design and human scale to the facade of a building, a variety of building techniques shall be noted and provided at the site plan review stage of the development process. The visual impact of a building depends not only on its size but also on the relationship between its length, width and height. Also, such features as prominent entries, windows, color and materials are factors in the visual impression of a building.
- 1) Horizontal Articulation – For a building facade extending a distance greater than three times its average height, a perpendicular offset of at least 15 percent of such height is suggested. This offset shall extend laterally for a distance equal to at least 25 percent of the maximum length of either adjacent wall.

- ii. Alternative Building Articulation. So that some flexibility in creating building articulation can be accomplished, as an alternative, an applicant may elect to have offsets, set back heights and roofs with regular width or varied surfaces. Compliance achieved through this method is subject to the approval of the Board.
- iii. For all buildings at least two of these elements shall repeat horizontally. Buildings with facades greater than 100 feet in length shall include several of the elements listed below, repeated at appropriate intervals, either horizontally or vertically.
 - 1. Color change, recognizable but not a strong contrast;
 - 2. Textural change;
 - 3. Material change;
 - 4. Architectural variety and interest with offsets, archways or other appurtenances.

- (4) Accessory Buildings. Freestanding accessory buildings shall be enclosed with structures that are designed with forms, colors textures and materials used in the overall development. Accessory buildings may include parking structures, trash enclosures and utility service areas.

2.7 Submittal Requirements

Colored renderings of the proposed structures shall be submitted for review. Renderings shall depict all building elevations, including a roof plan, and shall be drawn at a scale of 1/4 inch equals one foot, or as appropriate to adequately and accurately convey the details and overall appearance of the proposed structure(s). Rendering colors shall represent the true color of the proposed building materials and, where appropriate or requested, actual building material samples shall be submitted to clearly show the colors and textures of the proposed materials of construction.

P. Landscaping and Screening.

1. Plant Materials.

- a. Intent. Landscaping is a visible indicator of quality development and must be an integral part of every development, and not merely located in leftover portions of the site. Landscaping is intended to visually tie the entire development together, define major entryways and

circulation (both vehicular and pedestrian) and parking patterns, and, where appropriate, help buffer less intensive adjacent land uses.

b. Design Guidelines and Standards.

- 1) Site landscaping shall include plants similar in form and scale to existing vegetation in the neighborhood or area.
- 2) Each area required to be landscaped shall be covered in live material. Live material includes trees, shrubs, ground cover, and sod. Areas not covered in live material shall not exceed 20% and may be covered by woody mulch, other organic or inorganic mulch, or other natural materials other than exposed gravel and aggregate rock.

2. Site Perimeter Landscaping Abutting Street Edges.

- a. Intent. The consistent use of plantings along street edges provides a visual cohesion along streets and helps buffer automobile traffic. The intent of these standards is to provide an attractive, shaded environment along street edges that gives visual relief from continuous hard street edges, focuses views for both pedestrians and motorists, and increases the sense of neighborhood scale and character.
- b. Design Guidelines and Standards, Street or Drive Edge Landscaping. Subject to approval of the Board, along public streets, one street tree shall be planted every 40 linear feet within the tree lawn between the sidewalk and street edge.

3. Parking Lot Landscaping.

- a. Intent. Parking lot landscaping shall be used to minimize the expansive appearance of parking lots, provide shaded parking areas, and mitigate negative acoustic and visual impact of motor vehicles.
- b. Design Guidelines and Standards
 - 1) All parking lots containing 10 or more spaces shall be landscaped to provide interior parking lot landscaping at the rate of 1 landscaped parking space for every 35 paved parking spaces.
 - 2) Landscaped islands shall be planted with a minimum of one tree and shrubs, live ground cover, or sod.

- 3) Lighting for parking lots may be contained within interior parking lot landscaped areas provided the trees selected for these areas shall have a mature height that will not conflict with the light fixture.
4. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within any front yard or within 50 feet of any public street, public sidewalk, or internal pedestrian walkway.
5. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials shall be the same as, or of equal quality to, the materials used for the primary.
6. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with landscaping, walls and/or fences. Materials, colors, and design of screening walls and/or fences, and of any covering for such area, shall be compatible with those used as predominant materials and colors on the primary building(s).
7. Mechanical/Utility Equipment Screening.
 - a. Intent. Mechanical and utility equipment detracts from the character of an area. Steps shall be taken to mitigate the negative visual and acoustic impacts of mechanical and utility equipment systems on surrounding development.
 - b. Design Guidelines and Standards.
 - 1) Mechanical/utility screening shall be an integral part of the building structure and architecture and not give the appearance of being "tacked on" to the exterior surfaces.
 - 2) All mechanical equipment and utilities shall be screened.

3.12 Site Plan and Subdivision Review

- a) Any development application in the Redevelopment Area shall be submitted initially as a planned development, in the nature of a preliminary site plan or general development plan application, for the entire Redevelopment Area. Such application shall describe any phasing of the proposal, together with any on-site and off-tract improvements needed to support such phases. The application for preliminary site plan approval may also include a request for final approvals with respect to such phase or phases. The redeveloper is encouraged to submit a concept plan prior to a preliminary site plan application to settle general building placement, circulation, screening, open space, and stormwater management design issues.
- b) Any subdivision of lands within the Redevelopment Area for the purpose of leasing shall be in accordance with the approved site plan or GDP.
- c) Prior to construction on individual lots, site plans shall be submitted for review and approval by the Planning Board, in accordance with the requirements of this Redevelopment Plan, or the approved GDP, and the Land Use Ordinance of the Township.

3.13 Adverse Influence. No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic, or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust, or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety, or general welfare.

3.14 Non-Discrimination Provisions. No covenant, lease, conveyance or other instrument shall be affected or executed by the Council of the Township of Lopatcong or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Council of the Township of Lopatcong or the developer, upon the basis of race, creed, color, or national origin in the sale, lease use or occupancy therefore. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restriction of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color or national origin.

- 3.15 Duration of Plan. The provisions of this plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this plan by the Council of the Township of Lopatcong.
- 3.16 Deviation Requests. The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan pursuant to N.J.S.A. 40:55D-70c. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of the Redevelopment Plan shall be provide public notice as set forth in N.J.S.A. 40:55D-12.a and b.

This Redevelopment Plan shall supercede all provisions of the Land Use Ordinances of Lopatcong Township that are specifically addressed herein. For issues not specifically addressed in this Plan, the Township's Land Use Ordinances shall remain in effect. No variance request from the requirements herein shall be heard by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan, as provided therein. Final adoption of this Plan by the Council of the Township of Lopatcong shall be considered an amendment to the Township of Lopatcong Land Use Ordinances.

- 3.17 Plan Amendment. This Redevelopment Plan may be amended from time to time upon compliance with the requirements of the law. A fee of \$2,500.00 shall be paid by the party requesting such amendment, unless the request is from an agency of the Township. The Planning Board, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner, licensed in the State of New Jersey.
- 3.18 Ordinance Validity. If any section, paragraph, division, subdivision, clause or provision of this Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Plan shall be deemed valid and effective.