

**TOWNSHIP OF HOPEWELL,  
MERCER COUNTY, NEW JERSEY**

**ORDINANCE NO. 17-1666**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE  
WOODMONT AREA IN NEED OF REDEVELOPMENT IN  
ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER  
XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-  
GENERAL PROVISIONS," SECTION 17-138.b, "ZONING DISTRICTS"  
TO ADD SUB-PARAGRAPH 20 TO THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

**WHEREAS**, the Township Committee of the Township of Hopewell, County of Mercer, directed the Planning Board to undertake a preliminary investigation as to whether certain areas within the municipality met the statutory criteria for declaring the lands an area in need of redevelopment on May 8, 2017 as memorialized in Resolution No. 17-172; and

**WHEREAS**, the Planning Board of the Township of Hopewell, County of Mercer conducted the preliminary investigation to determine if Block 78.09, Lot 21, the "Woodmont Site" met one or more of the criteria for such designation pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Planning Board, after the conclusion of a public hearing held on July 27, 2017, adopted Resolution No. 17-013 finding and concluding that the Woodmont Site satisfies the criteria for redevelopment area designation set forth in N.J.S.A. 40A: 12A-5c, 5d, 5e and 5h and recommending to the Township Committee that the study area was an area in need of redevelopment; and

**WHEREAS**, the Township Committee favorably received the recommendation of the Planning Board and by the adoption of Resolution No. 17-013, dated July 27, 2017, established the Woodmont Redevelopment Area, among others; and

**WHEREAS**, Resolution No. 17-013 also authorized the preparation of a redevelopment plan for any portion or the entirety of the area in need of redevelopment; and

**WHEREAS**, the Township Committee finds that the redevelopment plan adopted herein is designed to implement a comprehensive redevelopment strategy to overcome blighting conditions in the Woodmont Site and is intended to improve the quality of life of the residents, landowners, business owners and visitors thereto to the Township of Hopewell through new investment for business and job creation; and

**WHEREAS**, the Township Committee desires to adopt the Woodmont Redevelopment Plan, dated October 2, 2017, attached hereto for the Woodmont Redevelopment Area designated as Block 78.09, Lot 21 on the tax assessment maps of the municipality, constituting the Woodmont Site.

**NOW, THEREFORE BE IT ORDAINED**, that the Township Committee of the Township of Hopewell adopts the following provisions:

**Section 1. Adoption of the Woodmont Redevelopment Plan.** The Township Committee hereby adopts the Woodmont Redevelopment Plan, dated October 2, 2017, prepared by Francis J. Banisch AICP/PP, and hereby adopted by reference and incorporated into this ordinance as if sent forth at length.

**Section 2. Establishment of the Redevelopment Ordinance Title.** This ordinance may be known and cited as, “The Woodmont Redevelopment Ordinance of the Township of Hopewell, Mercer County, New Jersey”.

**Section 3. Purpose and Intent.** The purpose and intent of this ordinance is to further the following goals and objectives.

- A. To return the property to productive use through the efforts of private capital and ownership.
- B. To provide appropriate development standards to guide and facilitate the redevelopment of the Woodmont property in a manner consistent with the overall redevelopment goal;
- C. To encourage high quality architectural design and construction of new buildings within the redevelopment area;
- D. To utilize “green” building techniques and sustainable design features in both the site design and commercial building design consistent with the goals and objectives of the Hopewell Township Master Plan

**Section 4. Redevelopment Authority.** The Township Committee shall act as the “Redevelopment Authority” pursuant to N.J.S.A. 40A-12A-4.c for purposes of implementing the Woodmont Redevelopment Plan and carrying out redevelopment projects. In doing so, the Township Committee shall have all of the powers set forth in N.J.S.A. 40A:12A-8 to effectuate its duties and responsibilities in the execution and implementation of the redevelopment plan.

**Section 5. Annual Reports.** Pursuant to the requirements of N.J.S.A. 40A:12A-43, the municipality shall submit an annual report to the Commissioner of the Department of Community Affairs of the State of New Jersey indicating the name, location and size of all projects undertaken in the redevelopment area.

**Section 6.** Section 17-138.b of the Land Use and Development Ordinance of the Revised General Ordinances of the Township of Hopewell shall be amended to add paragraph 20, as follows:

- 20. The official zoning map of the Township of Hopewell was amended on October 23, 2017 [such date being the date of the final passage of this ordinance] to designate Block 78.09 Lot 21 as the Woodmont Redevelopment Area pursuant to N.J.S.A. 40A:12A-7.c.

**Section 7. Continuation.** In all other respects, the Code of the Township of Hopewell shall remain unchanged.

**Section 8. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 9. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Hopewell, then the restriction which imposes the greater limitation shall be enforced.

**Section 10.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 11.** Enactment. This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

Date Introduced: October 2, 2017  
Date Advertised: October 6, 2017  
Date Adopted: October 23, 2017



Kevin D. Kuchinski  
Mayor

Attest:



Laurie E. Gompf  
Municipal Clerk

# Redevelopment Plan

for

**Block 78.09, Lot 21**

Hopewell Township  
Mercer County

establishing the

***Inclusionary Multi-Family – 1 Zone  
(IMF-1)***

**October 2, 2017**

Prepared by:  
Hopewell Township Committee  
With Assistance from:  
Banisch Associates, Inc.

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# 1. INTRODUCTION

## 1.1 BASIS FOR THE PLAN

This Redevelopment Plan has been prepared pursuant to New Jersey's Local Redevelopment and Housing Law (LRHL) for Lot 21 in Block 78.09 ("Redevelopment Area"), located at Federal City Road, adjoining I-95 in southern Hopewell (see Figure 1 – Aerial Photo of Redevelopment Area).

The property consists of approximately 22 acres. With the exception of a small triangular area along Federal City Road that lies in Lawrence Township, the property is located in the southeastern corner of Hopewell Township.<sup>1</sup> The property is zoned for single-family detached homes, but its location - adjoining an access ramp to Interstate 95 - makes it a less attractive location for single-family detached homes.

The site has been included as a compliance site in a settlement agreement with Fair Share Housing Center (FSHC) and is an integral part of the Township's plan to address its 1999 – 2025 housing obligation. A settlement agreement with Woodmont Properties, L.L.C (Woodmont) provides for the development of this property with a neighborhood of 300 rental units, of which at least 48 (16%) will be affordable to very low, low and moderate income households.

Hopewell Township Committee Resolution No. 17-172, directed the Hopewell Township Planning Board to determine if the subject property qualified as a non-condemnation area in need of redevelopment. The Planning Board recommended that the site be determined an area in need of redevelopment, pursuant to a July 2017 Preliminary Investigation Report. This Redevelopment Plan has been prepared at the direction of the Hopewell Township Committee.

## 1.2 REDEVELOPMENT PLANNING PROCESS

The LRHL details the process that a municipality must follow to utilize the State's redevelopment powers. The adoption of a redevelopment plan is a precondition for the use of these powers, which permit municipalities to plan and zone in a manner that can remedy the blighting effects of underperforming, outdated or obsolete land uses and structures.

After adoption of a redevelopment plan, the municipality may:

- Negotiate and collect revenues from a redeveloper to defray the costs of the redevelopment entity

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<sup>1</sup> For purposes of this Plan, the term "property" shall refer to the portion within Hopewell Township only.

- Clear any area owned or acquired and install, construct or reconstruct public infrastructure essential to the preparation of sites for use in accordance with the redevelopment plan.
- Contract for professional services.
- Contract with public agencies or redevelopers for the undertaking of any project or redevelopment work.
- Lease or convey property or improvements to any party without public bidding.

According to the Local Redevelopment and Housing Law (NJSA 40A: 12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives, including appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
4. Identification of properties to be acquired, if any;
5. Any significant relationship of the Redevelopment Plan to the Master Plans of contiguous municipalities, the County and the State Development and Redevelopment Plan;
6. Enumeration of deed-restricted affordable units in the redevelopment area and their disposition.

**Redevelopment  
Planning  
Process  
In New Jersey**  
NJ.S.A. 40A:12A-1 et seq.

**4. Planning Board** completes the public hearing and recommends to governing body whether to designate all or part of study area as an area in need of redevelopment

**1. Governing Body** by resolution directs the Planning Board to undertake a preliminary investigation of whether an area meets redevelopment criteria and to conduct a public hearing

**5. Governing Body**, if in agreement with Planning Board recommendation, adopts a binding resolution designating all or part of a proposed area as a redevelopment area

**2. Planning Board** examines the study area and maps the boundaries of proposed redevelopment area(s) along with the basis for the investigation

**6. Governing Body** authorizes preparation of a redevelopment plan

**3. Planning Board** sets a date for a public hearing and gives public notice describing the boundaries of the area, and where the map is available for public inspection

**7. Planning Board** reviews the redevelopment plan for consistency with Master Plan

**8. Governing Body** holds a public hearing and adopts the Redevelopment Plan by Ordinance

### 1.3 OVERVIEW OF REDEVELOPMENT AREA

Hopewell Township occupies the northwest corner of Mercer County, and is afforded advantageous regional highway access via I-95, which straddles the Township's southern boundary. Figure 2 illustrates the land use character on and immediately adjoining the Redevelopment Area in Hopewell Township, which includes a mixture of religious and educational uses, as well as the residential and commercial/office uses across Federal City

Road in Lawrence Township. Major transportation infrastructure, in the form of I-95, which borders the parcel on the north, provides direct regional access to the Interstate highway network. While State data misclassifies the church to the south of the site on Figure 2, Figure 3 – Property Tax Class – clarifies that it is indeed a church.

The 22-acre subject property is occupied by one single-family dwelling and several accessory buildings. The accessory buildings include several storage buildings and a discontinued garden center and farm market. While the property is mostly developable upland, NJDEP mapping indicates the presence of wetlands along the westerly edge of the property, as seen on Figure 2.

A portion of the site is used by a landscaping business for storage of mulch, landscape materials and equipment. A cellular tower is also located on the site adjacent to I-95. The accessory buildings are in marginal to poor condition, except for the 4-bay garage behind the former garden center, which is in good condition.

The property's location adjacent to I-95 and resulting highway noise make it less desirable for single family residential development, as currently permitted, but access to I-95 makes it an attractive rental location.

#### *1.4 OVERVIEW OF REDEVELOPMENT PLAN*

This Redevelopment Plan, which creates an inclusionary multi-family residential zone, advances local community planning objectives related to the provision of affordable housing as part of a balanced housing plan. The inclusionary development serves as a transitional use that will blend well in the community context, and will create high quality rental housing opportunities that are in short supply in Hopewell Township. The redevelopment area's advantageous location will provide the residents with regional access advantages.

## **2. CONTEXT, VISION AND GOALS**

#### *2.1 CONTEXT*

The 2009 Hopewell Township Land Use Plan, which echoes the goals, objectives and policies of the 2002 Hopewell Township Master Plan, includes the property within the R-100 Zone. When public water and sewer are available, the R-100 permits single-family homes on lot sizes as small as 20,000 square feet<sup>2</sup>. At the time of adoption of the 2002 Master Plan and the 2009 Land Use Plan, Hopewell Township had no reliable guidance regarding its post 1999 affordable housing obligation. Nonetheless, Hopewell Township's continuing efforts to address its post 1999 constitutional fair share obligation resulted in 149 post-1999 affordable units and credits.

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<sup>2</sup> The ordinance permits a cluster provision on 7,000 square foot lots.

The Township has recently received Court approval to address a 1999–2025 affordable housing obligation of 1,141 low- and moderate-income housing units and, after substantial deliberation, has determined that the subject property is an appropriate site to permit higher-density inclusionary development.

The property is well-situated to provide for inclusionary residential development, having sufficient developable land to accommodate the development, all necessary infrastructure and advantageous regional highway access. The site is also well situated to create an education-focused community, with two (2) institutions of higher learning (The College of New Jersey and Rider University) within a 1.5 mile radius and with ready pedestrian and bicycle access to the adjoining Mercer County Technical School. Improved connectivity will be provided in the form of sidewalks along Federal City Road and walking paths within the new neighborhood.

This Plan establishes the vision for redevelopment of the property and identifies opportunities and constraints specific to the site. It also identifies the intended future uses, their arrangement and design and method of implementation of the plan.

## *2.2 GOALS & OBJECTIVES*

This Redevelopment Plan is a key component of Hopewell Township’s comprehensive strategy to address its affordable housing obligation. This Plan aims to:

- Aid Hopewell Township in addressing its affordable housing obligation (1999-2025) through creation of a planned neighborhood of higher-density inclusionary housing at the site (IMF-1)
- Advance Hopewell’s long-standing goal to provide a wider variety of housing types within the Township
- Guide redevelopment on the property to ensure that the new housing opportunities created will be desirable and marketable
- Present development standards that will protect the character of surrounding areas of Hopewell Township
- Encourage aesthetically pleasing architectural design, layout and finishes
- Lay out a vision for redevelopment that incorporates strategies to create a “sense of place” at the property
- Examine planning documents from surrounding municipalities, Mercer County and NJ SDRP for consistency

## *2.3 VISION*

The “bookend generations” – Baby-boomers and Millennials – are increasingly demanding alternatives to single family dwellings on individual lots. Taking advantage of direct access to I-95 and surrounding regional employment, shopping and recreational opportunities, the IMF-

1 zone will provide multiple family housing that appeals to households of varying sizes, ages, and income levels.

This new neighborhood of aesthetically pleasing, low-maintenance, apartments and townhouses will promote an active lifestyle and will address the housing needs of millennials, aging baby boomers, high-level professionals and young families looking to make Hopewell Township their home. Amenities will include recreation facilities, including clubhouse, tot lot, walkways and bike paths. These units will also bring residents who come to the Township looking for its many attributes and later choose to buy a home here.

The units will be arranged to maximize connectivity and echo a traditional neighborhood design, with a central green that is well-defined by use of “street walls.” Amenities including recreational buildings, clubhouses, tot lots, barbeque patios and other common areas will be connected with pathways to promote walking and bicycling on site.

Adaptive reuse should be explored for the Hunt/Fitzpatrick House, one of only 41 properties in the Township listed on or eligible for listing on the National Register of Historic Places. The Historic Preservation Plan cites that the home’s eligibility for listing on the National Register according to the State Historic Preservation Office (SHPO opinion 6/23/1982). The Historic Preservation Plan seeks to safeguard our heritage and foster civic pride in the history and architecture of Hopewell Township, in part by “managing change to historic landmarks and historic districts by *encouraging sensitive alteration and/or new construction*”. Redeveloper shall make the Hunt House available for relocation to any preservation group approved by the Township. The timing of the relocation shall be at Redeveloper’s direction so as to not delay development and the cost of relocation shall be borne by the group moving the structure.”

With a focus on design that promotes the health, happiness and wellbeing of residents, the IMF-1 zone puts a special emphasis on human-scale streetscape elements (such as benches and streetlights) and landscaping that incorporates native plants, trees and shrubs.

#### **2.4 REDEVELOPMENT PLAN’S RELATIONSHIP TO HOPEWELL TOWNSHIP MASTER PLAN**

Hopewell Township has spent the past several years examining opportunities for affordable housing to address its constitutional fair share obligation. Primary among the Township’s objectives has been the identification of realistic opportunities for the creation of affordable housing. Block 78.09, Lot 21 has been found to provide such opportunity through inclusionary residential development.

This Redevelopment Plan is consistent with the following basic principles of the 2002 Master Plan and its goals and objectives:

- a. A variety of housing and a balance of opportunities to live, work and play in safe and attractive surroundings should be provided in part by identifying locations and developing criteria for mixed use development.

Rationale: The rezoning of this site will expand and diversify the local housing stock and will assist low and moderate-income households in finding decent, safe, affordable housing. It will diversify the municipal housing stock and also assist young people and older households looking to live in a high-quality rental community with upscale amenities.

- b. An efficient circulation system that promotes important circulation linkages, retains the character of the rural road network and provides for safe vehicular, pedestrian, equestrian and bicycle movements should be maintained.

Rationale: The subject property is located adjacent to an interchange to I-95, which permits access to and from Route 95 northbound. Therefore, the redevelopment of the subject property is an efficient use of the existing highway system and will allow people to travel to and from the north without impacting local rural roads. In addition, train service to Philadelphia is a six to seven minute ride from the site. A network of pedestrian and bicycle pathways will be incorporated into the neighborhood design.

- c. Farmland and open lands should be retained and the impacts of development should be limited throughout the valley and mountain areas in part by allowing the use of techniques to encourage development to designated villages and hamlets.

Rationale: The subject property is not actively farmed and is not in the valley and mountain areas where preservation is a priority for the Township. Compact development in locations like this helps limit development impacts in the mountain and valley areas.

- d. To protect the rural character and unique sense of place of the Township.

Rationale: The subject property has been developed with a single family dwelling, a former nursery and a large cell tower installation and is adjacent to I-95. The decision to direct higher-density housing development to the site may alleviate some development pressure in other areas of the Township that are more rural in character.

- e. To promote the goals and objectives of Hopewell Township through the incorporation of local policies and strategies that respond to the basic premises, intent and purposes of the State Development and Redevelopment Plan and the Mercer County Master Plan.

Rationale: Pursuant to the settlement agreement between Hopewell Township and FSHC, the subject property will be an integral part of the Township's response to its affordable housing obligation. The State Planning Commission has placed the site in Planning Area 2, an area in which the State Development and Redevelopment Plan (SDRP) encourages growth and the production of inclusionary development. The Mercer County Master Plan supports the goals and objectives of the SDRP. More information about how this Redevelopment Plan

relates to the SDRP and Mercer County's Master Plan can be found in section 6, Plan Consistency Review.

- f. To continue and expand upon land use policies that promote controlled development at suitable locations and appropriate intensities by directing and limiting the more intense development to areas where sanitary sewer service and public water supplies exist or are planned, and by discouraging the extension of growth-inducing infrastructure into rural areas.

Rationale: The SDRP locates the site in Planning Area 2, a location where infrastructure is planned and growth is encouraged. The site is particularly appropriate for higher density housing due to:

- its immediate access to Interstate 95
  - the ability to provide public water and sewer to the site (located within ELSA sewer service area)
- g. To provide for a variety of housing types which respond to the needs of households of varying size, age and income, persons with disabilities and emerging demographic characteristics.

Rationale: Over the past 40 years, household sizes have been steadily decreasing, while there has been an increase in the percentage of older households. The demographic trends indicate that virtually all of New Jersey's growth over the next 20 years will be in smaller households that are under 35 and over 55. These are households that tend to rent, and demographers that study changes in household formation on housing demand project a strong increase in demand for rental housing.

Regarding the younger households, the Joint Center for Housing Studies at Harvard University concludes:

Meanwhile, the aging of the millennial generation over the coming decade will lift the number of households in their 30s by 2.4–3.0 million, depending on immigration trends. But these numbers vastly understate the impact of this group on housing demand since they will account for most newly formed households in the coming decade. Indeed, the millennials will make up fully 24 million new households between 2015 and 2025, *thus driving up demand for rentals and starter homes.*<sup>3</sup> (emphasis provided)

In addition, the Joint Center for Housing Studies at Harvard University notes the following national trend regarding rentals:

Two broad trends will drive future growth in renters: the imminent surge in the number of older households and the increasing racial/ethnic diversity of younger age groups. Over the coming decade, the number of renters aged 65 and older is projected to rise by about 2.2 million and

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<sup>3</sup> State of the Nation's Housing, 2014, page 16.

account for roughly half of all renter growth. *The aging of the population also means that the share of renters that are single persons or married couples without children will soar.*

The redevelopment at the subject property thus responds not only to a wide range of incomes, but also to the varying household size and age characteristics, and emerging demographic trends that will continue to impact the Township and the region.

- h. To promote and support the development and redevelopment of affordable housing intended to address the Township's fair share of the region's lower income housing, particularly in areas served by public transportation which connect to areas of employment.

Rationale: The redevelopment of the subject property is an integral part of a settlement to address the Township's 1999 – 2025 fair share. It is located adjacent to Interstate 95; this direct connection to a major highway will connect residents to regional employment opportunities. A short drive (6-7 minutes) allows residents access to direct train service to Philadelphia, New York and throughout the Northeast Corridor.

- i. To provide a range of housing opportunities within the Township, with densities and lot sizes that respond to the capabilities and limitations of natural systems and available infrastructure.

Rationale: The IMF-1 zone provides an opportunity to expand the range and diversity of Hopewell's housing supply. The subject property lies within the ELSA sewer service area.

- j. To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths.

Rationale: The subject property is consistent with this goal in that the housing has a direct access to employment and commercial opportunities through its location at Interstate 95's interchange. Pedestrian and bicycle circulation systems will be incorporated in the design to connect open space and common areas.

- k. To control development in rural areas so that traffic will not exceed the capacity of the existing rural road network and historic bridges to provide safe, efficient and convenient traffic movements based on rural road service standards designed to minimize the character of the community.

Rationale: The use of the subject property as a higher density affordable housing site will limit traffic on rural roads because of its direct access to Interstate 95.

The spirit of Hopewell Township's Master Plan goals and objectives has served to guide this Redevelopment Plan, ensuring it promotes the Township's long-standing goals and objectives, and that the resulting redevelopment will harmonize with established nearby neighborhoods and preserve the high quality of life in Hopewell.

### 3. LAND USE AND BUILDING REQUIREMENTS

This Redevelopment Plan shall supersede Hopewell's Land Use and Management Ordinance (Chapter 17) in the event of conflict. The general standards set forth in the Hopewell Township Land Use Ordinance shall continue to apply except when inconsistent with the standards set forth in this Redevelopment Plan.

This Redevelopment Plan provides for the development of a multi-family residential inclusionary neighborhood on at least 20 acres that will include 300 non-age restricted rentals, including 16% non-age restricted rentals affordable to very low, low and moderate income households. An appropriate integrated architectural theme shall be utilized throughout the development including principal and accessory buildings and structures and all signage.

#### 3.1 PERMITTED USES

Principal permitted uses include a variety of multi-family dwelling types, including:

- garden apartments,
- townhouses,
- dwelling, plex, and
- stacked flats (multi-family dwelling containing three or more dwelling units vertically and/or horizontally).

Accessory uses include utility structures and facilities, off-street parking facilities, solid waste facilities and structures designed for recreation or community use, private garages and carports, a swimming pool with outdoor dining area, dog runs, tot lots and pedestrian and bicycle paths. There shall be a community clubhouse with fitness room and club room, as well as a furnished model, management and leasing offices and maintenance facilities.

Monument signs, which may be located at the entrance to the development, shall not be internally illuminated and shall be constructed of stone or brick, not to exceed 100 square feet in area and eight (8) feet in height.

#### 3.2 BULK AND AREA REQUIREMENTS

|                              |          |
|------------------------------|----------|
| A. Minimum Lot Area          | 20 acres |
| B. Minimum Lot Frontage      | 150 feet |
| C. Minimum Building Set-back |          |
| 1. Front yard                | 100 feet |

|   |   |
|---|---|
| 2. Side/Rear yard   | 35 feet   |
| 3. Building to Building   | 20 feet   |
| D. Maximum Impervious Coverage  | 40%   |
| E. Maximum Density  | The lesser of 300 units or 15 units/acre  |
| F. Maximum Building Height  | 4 stories and 75 feet, provided that four (4) story buildings shall be set-back 300 feet. |
| G. Parking  |   |
| 1. Spaces per unit  | 1.5   |
| 2. Set-back from property line  | 20 feet   |
| 3. Distance from building   | 10 feet   |
| H. Minimum landscaped buffer adjacent to existing public streets and property lines | 20 feet   |
| H. Minimum set aside of very, low and Moderate-income units                         | 16%   |

### 3.3 *VERY LOW, LOW AND MODERATE INCOME HOUSING REQUIREMENTS*

- A. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for the split between very low, low and moderate income housing. A minimum of 13% of the affordable units shall be very low income units, affordable to households earning 30% of the median income; and 37% of the affordable units shall be low income units. The balance of units (50 percent) shall be moderate income units.
1. Affordable housing units shall be affordable family rentals and shall not be age-restricted.
  2. The affordable housing units shall be located in not less than two buildings
  3. The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.

### 3.4 *OTHER REQUIREMENTS*

- A. Building Design. The design of the buildings shall be residential and not institutional and shall conform to the following:
1. Architectural elevations and floor plans shall be provided for each type of building.
  2. Maximum length of buildings shall not exceed 225 feet.

3. Variations in setback, materials, colors and design including breaks in the building façade shall be encouraged to reduce and separate the building mass.
4. Rooflines shall be pitched. If flat roofs are provided, they shall incorporate design techniques to shield any roof mounted equipment.
5. All HVAC and mechanical equipment shall be adequately screened from view.
6. All multiple family dwelling buildings and all accessory buildings and structures, including signs, shall be designed in a unified architectural style.
7. Building design shall include spare electrical conduit to permit future installation of rooftop mounted solar.

B. Circulation.

1. A boulevard street entry shall be provided.
2. Pedestrian and/or bicycle circulation systems shall be designed to extend through and connect with open space and common areas.

C. Open Space.

1. A minimum of 30 percent of the tract shall be specifically set aside for conservation, recreation and/or other open space.
2. No more than one-half of the minimum 30 percent of land area may be wetlands, wetlands buffer, 100-year flood plains or lands with a topographic slope of 15 percent or greater.
3. The site landscape design shall include a component to assist the township in meeting Tree City qualifications.

D. Utilities/Services. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.

E. Stormwater. Stormwater designs shall be in a form as naturalized as possible and shall promote water quality, minimize maintenance and provide for groundwater recharge.

### 3.5 *VARIANCES AND INAPPLICABLE ORDINANCES*

- A. The Planning Board is authorized to grant (C) variances from the redevelopment standards and other zoning standards that are not superseded by the redevelopment plan. The Planning Board is also authorized to grant waivers from design standards.

- B. In order to achieve the number of affordable units and related market rate units provided for in the settlement agreement, the site design may require deviation from strict application of certain municipal design standards. In all cases, NJDEP Flood Hazard Area rules, wetland rules including wetland buffers shall be complied with. Should deviations from stream corridor standards be necessary, stream corridor averaging shall be used to minimize the total area of stream corridor that is lost because of the deviation.
- C. The developer of a redevelopment project proposing the construction of affordable housing shall be entitled to request relief from asserted cost generative features in the Township's land use ordinances as authorized by N.J.A.C. 5:93-10.1, *et seq.*

### 3.6 MUNICIPAL COOPERATION WITH UTILITIES

- A. The Township shall confirm in writing its support of submission and applications for all utilities (specifically water and sewer) and all necessary government agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the developer. Specifically, the Township shall assist the developer in discussions with ELSA, Mercer County, NJDOT, NJDEP, the DRCC and any other public or private entity with which the developer must deal in order to develop the subject property, including any effort the developer may make to decrease the fees charged by ELSA. The Township shall assist in acquiring rights-of-way or easements if necessary. The township will support the use of other redevelopment tools prescribed by law .

## 4. REDEVELOPMENT ACTIONS

### 4.1 OUTLINE OF PROPOSED ACTIONS

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. The redeveloper will be required to enter into a Redeveloper's Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing shall be governed as permitted therein.

### 4.2 PROPERTIES TO BE ACQUIRED

This Redevelopment Plan will not require Hopewell to acquire any privately-owned property within the Redevelopment Area.

#### 4.3 *RELOCATION*

This Redevelopment Plan will not displace or relocate any residents or businesses within the Plan Area.

#### 4.4 *ADMINISTRATIVE PROVISIONS*

Redevelopment activities within the Redevelopment Area shall comply with all requirements in any executed redevelopment agreement between a designated redeveloper and the Township of Hopewell.

### 5. **PLAN CONSISTENCY REVIEW**

#### 5.1 *RELATIONSHIP TO LAWRENCE TOWNSHIP MASTER PLAN*

The property is adjacent to Hopewell's border with Lawrence Township., where the zoning to the north is R-1 and to the east is professional office. The redevelopment of the subject property will not have a substantial impact on the Lawrence Township Master Plan, as:

- the area of Lawrence abutting the subject property is virtually fully developed;
- the proposed land use is consistent with other land uses in the area; and
- I- 95 will accommodate much of the proposed community's traffic.

Route 95 will separate the subject properties from all development to the north in Lawrenceville. The land to the east of Federal City Road has been developed as professional offices, single-family housing and a multi-family age restricted community (Traditions Way).

#### 5.2 *RELATIONSHIP TO THE MERCER COUNTY MASTER PLAN*

The Mercer County Master Plan (amended in 2016) supports the basic goals, objectives and strategies of the State Development Redevelopment Plan. It focuses on combatting urban sprawl and capitalizing on available transportation infrastructure. The use of the subject property for inclusionary development is consistent with the following housing and transportation goals (MCMP pages 30 and 32):

1. Focus on housing needs of the work force.
2. Address the housing needs of both lower-income and moderate-income households
3. Through planning efforts, continue to make efficient use of existing road infrastructure including the implementation of access management concepts to maximize the efficiency of the existing roadway system.

#### 5.3 *RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN*

The site lies in Planning Area 2 (PA2). The SDRP envisions itself as a growth management plan and PA2 is one of the areas in which the SDRP promotes growth, including higher density inclusionary development. PA2 is a preferred location for inclusionary development. The SDRP's goals for PA-2 include:

- a. Guiding development in more compact forms,
- b. Encouraging densities that promote transit,
- c. Providing for a full range of housing choices, and
- d. Encouraging redevelopment.

The SDRP is designed to use land and transportation infrastructure efficiently and minimize commuting times. The subject property is located at an interchange to Interstate 95 and is a short drive from rail service. It is a convenient location for households looking for a well situated base from which to commute to work or travel to regional shopping and recreational facilities.

The adopted housing policies of the State Development and Redevelopment Plan (SDRP) are specifically advanced by this redevelopment plan, as seen in the highlighted excerpt below:

***#6. Housing – Preserve and expand the supply of safe, decent and reasonably priced housing while meeting the constitutional mandate with respect to affordable housing through improved planning, regulatory reform, supportive infrastructure investments, housing subsidies, tax and discounted fee incentives and municipal property tax relief in ways that are consistent with the vision and goals of the State Plan.***

## 6. GENERAL PROVISIONS

### 6.1 AMENDMENT TO ZONING MAP AND LAND DEVELOPMENT ORDINANCE

The Zoning Map of the Township of Hopewell is hereby amended to indicate the location of the Inclusionary Multifamily Development - 1 Zone and reference this Redevelopment Plan.

### 6.2 DEFINITIONS

The "Definitions" section of the Township's Land Development Ordinance shall govern unless a word is otherwise defined herein.

### 6.3 VARIANCE REQUESTS

Hopewell Township's Master Plan goals and policies have been designed to permit managed growth in appropriate locations and to protect the many valuable environmental and cultural features of the natural and man-made landscape. These primary objectives continue to govern this redevelopment plan.

Within this context, the Hopewell Township Planning Board may grant variances from the regulations within this Redevelopment Plan, where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Hopewell 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 without substantial impairment of the intent and purpose of the Redevelopment Plan.

An application for site plan approval shall provide public notice of such application and shall further identify all requested variances from the regulations contained herein.

Notwithstanding the above, no variances shall be granted that would permit a use or principal structure not permitted by the Redevelopment Plan or an increase in the maximum permitted floor area ratio or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less, which can only be modified by a duly adopted amendment to this Redevelopment Plan.

#### *6.4 REQUESTS FOR DESIGN EXCEPTIONS*

The Hopewell Planning Board may grant exceptions from the “should” regulations contained within this Redevelopment Plan as may be reasonable and within the general purpose and intent of this Redevelopment Plan or if the literal enforcement of one or more provisions is impractical or will exact undue hardship because of peculiar conditions related to the property in question.

#### *6.5 SITE PLAN AND SUBDIVISION REVIEW*

Within the Redevelopment Area, subdivisions and/or site plans providing for the demolition of existing improvements and construction of new buildings and other improvements shall be prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and shall be submitted by the redeveloper for review and approval by the Township of Hopewell Planning Board.

To assure the comprehensive and coordinated development of the Redevelopment Area, any site plan presented to the Hopewell Planning Board shall be consistent with the terms of this Redevelopment Plan and shall include at least the following elements:

- An overall development plan (bubble diagram) for the Redevelopment Area identifying land use types, building heights, floor areas of each building and the number of residential units.
- Architectural elevations, renderings and floor plans.
- A streetscape plan, indicating the overall design, locations and materials to be used, including pavements, trees and other plantings and any street furniture.
- Parking, loading and vehicular access plan. A traffic circulation analysis shall analyze traffic conditions in the project vicinity and identify existing traffic problem areas as well as the cumulative effect of traffic from the redevelopment area on adjacent and affected roadways. Shared parking arrangements are permissible, subject to a showing of parking sufficiency.
- Landscape plan.
- Utility plan.
- Stormwater management plan.
- Lighting plan
- Phasing plan.

No permits shall be issued for construction of buildings within the Redevelopment Area until the Hopewell Planning Board has granted final site plan approval for such improvements.

The criteria for the consideration and approval of the site plan shall be in conformance with the requirements of this Redevelopment Plan, the site plan provisions of the Township of Hopewell Land Use Ordinance and the executed Redevelopment Agreement between the redeveloper and the Township of Hopewell.

#### *6.6 AFFORDABLE HOUSING*

Any redeveloper shall be required to build and set aside at least 16% of the total number of units as affordable housing, in any redevelopment agreement between the redeveloper and the Township of Hopewell.

#### *6.7 ADVERSE INFLUENCES*

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.

#### *6.8 NON-DISCRIMINATION PROVISIONS*

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by any redeveloper or any of his successors or assignees, whereby the sale, lease, use or occupancy of land within the Redevelopment Area is restricted on the basis of race, creed, color, sexual orientation or national origin. Appropriate covenants, running with the land in perpetuity, shall prohibit any such restrictions and shall be included in the disposition instruments.

#### *6.9 DURATION OF THE 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 30 years from the date of approval of this plan by the Township Committee.

## **7. OTHER PROVISIONS**

#### *7.1 STATEMENT ABOUT REDEVELOPMENT*

In accordance with N.J.S.A. 40A:12A-1 et seq., known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the Plan objectives.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan does not envision a need to acquire privately-owned properties or to relocate any residents or businesses.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Township of Hopewell. The Plan is also complies with the goals and objectives of the New Jersey State Development and Redevelopment.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Land Development Regulations of the Township of Hopewell regulating development in the area addressed by this Redevelopment Plan, except where stated otherwise within the text of this Plan. Final adoption of this Plan by the Township Committee shall be considered an amendment of the Township of Hopewell Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment 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 Redevelopment Plan shall be deemed valid and effective.

## *7.2 PROCEDURE FOR AMENDING THE APPROVED PLAN*

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee shall be paid pursuant to site plan fee schedule found in Section 126-35 "Fees" by the party requesting such amendment, unless the request is issued from any agency of Hopewell Township. The Township Committee, at its 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.

# **APPENDIX A**

## **Zoning Amendment Creating the IMF-1 Zone**

Amend the Land Use and Management Ordinance and Zoning Map to establish a new Inclusionary Multi-Family– 1 (IMF-1) District subject to the following requirements:

### **Inclusionary Multi-Family–1 (IMF-1) District**

This IMF-1 Zone provides for a multi-family residential inclusionary neighborhood that will include up to 300 non-age restricted rental units, including at least 48 (16%) non-age restricted rentals affordable to very low, low and moderate income housing units.

### **Permitted Uses**

- A. Multi-family dwellings consisting of:
  - 1. Garden apartments.
  - 2. Townhouses.
  - 3. Dwelling, plex
  - 4. Stacked flats, in a multi-family dwelling building, which may contain three or more dwelling units vertically with each unit having its own private entrance.
- B. Accessory Uses
  - 1. Structures designed for recreation or community use as a part of the multi-family dwelling development.
  - 2. Private garages and carports.
  - 3. Swimming pools with outdoor dining area, outdoor barbeque and party deck.
  - 4. Dog runs.
  - 5. Tot lots.
  - 6. Walking paths
  - 7. Barbeque patios.
  - 8. Off-street parking facilities.
  - 9. Community clubhouse with fitness room, club room, business center and furnished model.
  - 10. Management and leasing offices.
  - 11. Maintenance office/garage building not to exceed one (1) story in height and 1,500 square feet in floor area. The façade design shall match the residential structures.
  - 12. Solid waste and recycling facilities.
  - 13. Monument signs located at entrance to be constructed of stone or brick, not to exceed 100 square feet in area and eight (8) feet in height.
  - 14. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water, sewerage and cable television.

**C. Bulk and Area Requirements**

|   |   |
|---|---|
| A. Minimum Lot Area   | 20 acres  |
| B. Minimum Lot Frontage   | 150 feet  |
| C. Minimum Building Set-back  |   |
| 1. Front yard   | 100 feet  |
| 2. Side/Rear yard   | 35 feet   |
| 3. Building to Building   | 20 feet   |
| D. Maximum Impervious Coverage  | 40%   |
| E. Maximum Density  | The lesser of 300 units or 15 units/acre  |
| F. Maximum Height of Building and/or Rooftop Equipment                              | 4 stories and 75 feet, provided that any four (4) story buildings shall be set-back 300 feet. |
| G. Parking  |   |
| 1. Spaces per unit  | 1.5   |
| 2. Set-back from property line  | 20 feet   |
| 3. Distance from building   | 10 feet   |
| H. Minimum landscaped buffer adjacent to existing public streets and property lines | 20 feet   |
| I. Minimum set aside of very, low and moderate income units                         | 16%   |

**D. Very Low, Low and Moderate Income Housing Requirements**

Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for the split between very low, low and moderate income housing. A minimum of 13% of the affordable units shall be very low income units, affordable to households earning 30% of the median income; and 37% of the affordable units shall be low income units. The balance of units (50 percent) shall be moderate income units.

1. Affordable housing units shall be affordable family rentals and shall not be age-restricted.
2. The affordable housing units shall be located in one or more buildings.
3. The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.

## **E. Other Requirements**

### **1. Site Design**

Any application for development or redevelopment shall include at least the following elements:

- A. An overall development plan for the Redevelopment Area identifying land use types, building heights, floor areas of each building and the number of residential units.
- B. Architectural elevations, renderings and floor plans.
- C. A circulation and streetscape plan, indicating the overall design with a boulevard street entry, and locations and types of materials to be used, including pavements, trees and other plantings and any street furniture. Pedestrian and/or bicycle circulation systems shall be designed to extend throughout the development and connect with open space and common areas.
- D. Parking, loading and vehicular access plan. A traffic circulation analysis shall analyze traffic conditions in the project vicinity and identify existing traffic problem areas as well as the cumulative effect of traffic from the redevelopment area on adjacent and affected roadways. Shared parking arrangements are permissible, subject to a showing of parking sufficiency.
- E. Landscape plan.
- F. Open Space Plan
  - 1. A minimum of 30 percent of the tract shall be specifically set aside for conservation, recreation and/or other open space.
  - 2. No more than one-half of the minimum 30 percent of land area may be wetlands, wetlands buffer, 100-year flood plains or lands with a topographic slope of 15 percent or greater.
  - 3. The site landscape design shall include a component to assist the township in meeting Tree City qualifications.
- G. Utility plan. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
- H. Stormwater management plan - Stormwater designs shall be in a form as naturalized as possible and shall promote water quality, minimize maintenance and provide for groundwater recharge.
- I. Lighting plan
- J. Phasing plan

**F. Variances and Inapplicable Ordinances**

1. The Planning Board is authorized to grant (C) variances from the redevelopment standards and other zoning standards that are not superseded by the redevelopment plan. The Planning Board is also authorized to grant waivers from design standards.
2. In order to achieve the number of affordable units and related market rate units provided for in the settlement agreement, the site design may require deviation from strict application of certain municipal design standards. In all cases, NJDEP Flood Hazard Area rules, wetland rules including wetland buffers shall be complied with. Should deviations from stream corridor standards be necessary, stream corridor averaging shall be used to minimize the total area of stream corridor that is lost because of the deviation.
3. The developer of a redevelopment project proposing the construction of affordable housing shall be entitled to request relief from asserted cost generative features in the Township's land use ordinances as authorized by N.J.A.C. 5:93-10.1, *et seq.*

**G. Municipal Cooperation with Utilities**

1. The Township shall confirm in writing its support of submission and applications for all utilities (specifically water and sewer) and all necessary government agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the developer. Specifically, the Township shall assist the developer in discussions with ELSA, Mercer County, NJDOT, NJDEP, the DRCC and any other public or private entity with which the developer must deal in order to develop the subject property, including any effort the developer may make to decrease the fees charged by ELSA. The Township shall make available redevelopment tools for the subject property as fully as permitted by law.

**H. Redeveloper's Agreement**

The Redeveloper shall enter into an agreement with the municipality pursuant to the provisions of N.J.S.A. 40:55D-39 within 90 days of a memorialized Board resolution of final site plan approval setting forth variations from ordinary standards for preliminary and final approval to provide increased flexibility and promote mutual agreement between the applicant and the municipality at the time of conceptual master site plan approval. The substance of the Redeveloper's Agreement shall be consistent with the laws of the State of New Jersey, the Hopewell Land Use Code and the conditions and standards applicable to development in the zone. The Redeveloper's Agreement shall be in a form satisfactory to the Township Attorney, and may include, but is not limited to, provisions relating to the following:

- Building layout and use.
- Signage: Criteria to ensure a harmonious signage design for the entire development, which shall include lettering style, lighting standard types, sign material and sign lighting.
- Architecture: Architectural design standards to ensure that the development will result in an aesthetically-harmonious design which may include external building materials, fenestration, color, mechanical penthouse screening and roof appearance where visible from adjoining buildings of higher elevation. Upon application by the developer and upon approval of the Planning Board, architectural criteria may be revised from time to time.
- Lighting plan: to ensure a uniform lighting plan to provide safe and attractive lighting for exterior roads, interior roads and driveways, parking lots, walkways and landscape display lighting.
- Landscaping: to ensure retention of natural vegetation, landscaping of parking areas, landscaping of building sites and the screening of trash collection and removal areas, buffering and wind shielding, pedestrian and bike linkages between buildings and the entire tract to encourage free passage while discouraging conflict with vehicular traffic.
- Recreation: Active and passive recreational facilities, such as jogging and fitness trails, passive sitting areas, and other athletic facilities shall be provided for the benefit of building occupants.
- Maintenance: Developer's obligation to maintain: provisions for maintenance and repair by the developer, or his successors, of building exteriors, trash removal and maintenance of internal roadways, landscaping, buffered areas and open spaces.
- Payment In Lieu Of Taxes Agreement

## **I. Plan Amendment**

Amendments to the Redevelopment Plan may be adopted in order to meet changing circumstances within and affecting the Redevelopment Area and the Township, but any site plan must be consistent with the adopted or amended Redevelopment Plan and conform to the design requirements of the ordinance.