

**EAST BLACKWELL - RUTAN  
REDEVELOPMENT PLAN**

**BLOCK 2317, LOTS 1, 2, & 3  
333, 337, & 341 EAST BLACKWELL STREET**

**Prepared for:**

**TOWN OF DOVER  
MORRIS COUNTY, NEW JERSEY**



**September 2, 2024**

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

**Prepared by:**

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TOWN OF DOVER  
MORRIS COUNTY, NEW JERSEY**

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**September 2, 2024**

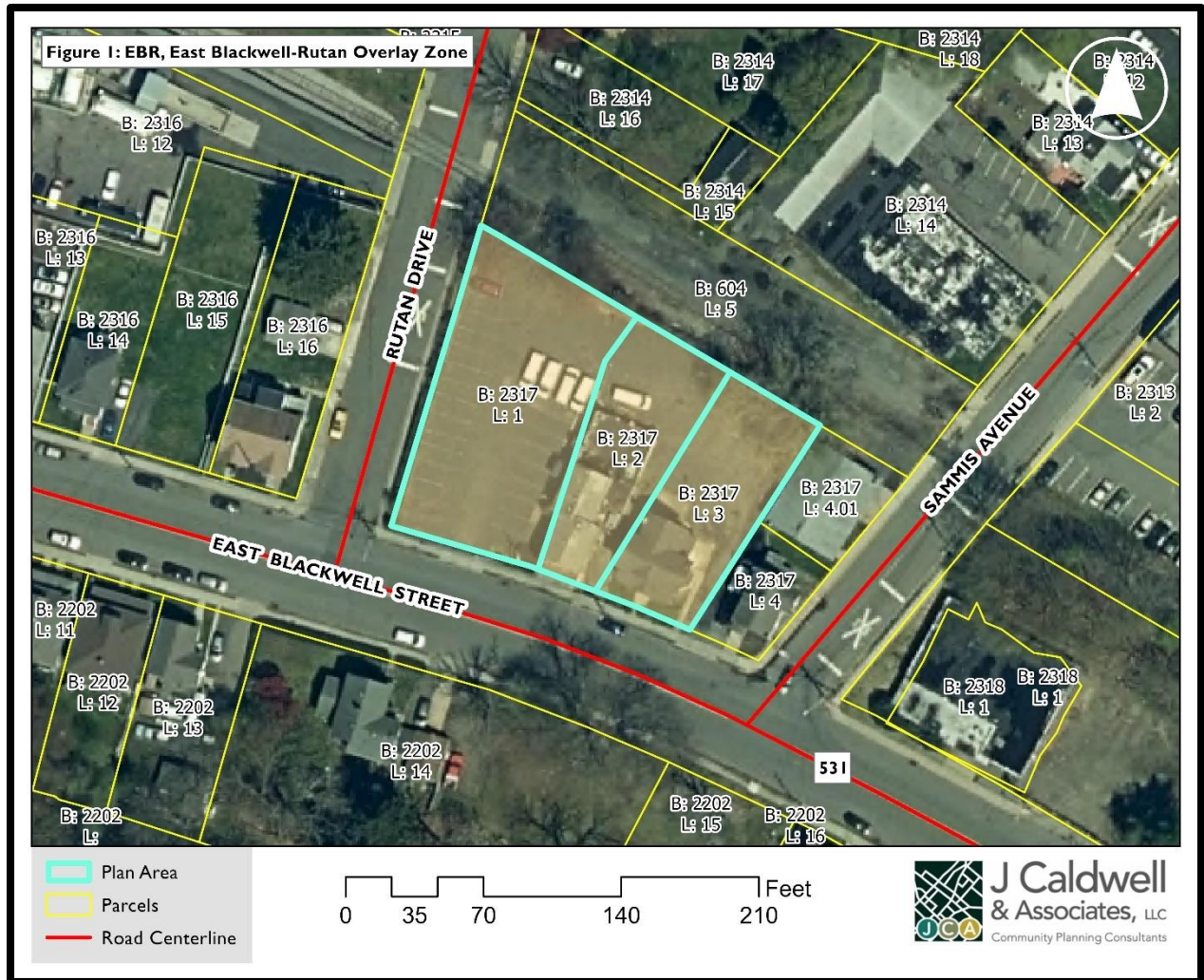
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# INTRODUCTION

The East Blackwell - Rutan Redevelopment Plan (“the Plan”) governs the Non-Condensation Area (Block 2317, Lots 1, 2, and 3) in Need of Redevelopment (“the Plan Area”) designated by a resolution attached hereto as **Exhibit A**, adopted by the Council of the Town of Dover on August 13, 2024, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:A:12A-1 et seq. (“the Redevelopment Law”). This Plan is proposed to effectuate the redevelopment of the Plan Area.



## PLAN CONTEXT

The Plan Area includes three (3) tax lots (Block 2317, Lots 1, 2, and 3) located at 333, 337, and 341 East Blackwell Street<sup>1</sup> and is comprised of approximately 0.503 acres or 21,910.68 square feet collectively<sup>2</sup>. The Plan Area is bounded by East Blackwell Street to the south and Rutan Drive to the west, resulting in a corner lot that is rectangular in shape. An inactive railroad track is directly to the north of the Plan Area. The Plan Area is in the eastern portion of the Town near the municipal borders of Rockaway Township and Randolph Township and lies within the IND, Industrial District. The Plan Area is developed with an off-street parking lot, and two (2) two-and-one-half (2½) story residential buildings.

The primary goal of this Redevelopment Plan is to promote vibrancy along East Blackwell Street and Rutan Drive, which is surrounded primarily by residential land uses with light industrial land uses situated further west along East Blackwell Street. This Redevelopment Plan is designed to improve the overall visual appearance of the Plan Area in keeping with design standards for Dover’s Downtown Area.

## PURPOSE

The purpose of this Redevelopment Plan is to supersede the existing IND, Industrial District on the site. Any planning or zoning criteria not specifically set forth in this Plan shall be governed by the criteria set forth in the Town Zoning Ordinance/Code and land use regulations. The East Blackwell-Rutan (“EBR”) Zone will provide high quality residential housing in the Plan Area. The EBR Zone is designed to provide additional density to an improved streetscape, and interaction with East Blackwell Street and Rutan Drive.

Development along East Blackwell Street should include an inviting streetscape, wide sidewalks, lighting fixtures, street furniture, landscaping, and attractive buildings to create an engaging public realm. The Plan encourages the integration of building, parking, landscape, and signage elements in order to improve the appearance of the streetscape in the Plan Area and to support the specific goals and policy statements set forth in the Town Master Plan. The majority of parking for the site shall be located in a surface off-street parking area along the Rutan Drive Street frontage with minimal parking in the front yard along Rutan Drive and East Blackwell Street.

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<sup>1</sup> Also known as County Route 531.

<sup>2</sup> Block 2317, Lot 1 is 0.22 acre (9,583.2 SF); Lot 2 is 0.126 acre (5,488.56 SF); and Lot 3 is 0.157 acre (6,838.92 SF).

# PLAN CONSISTENCY REVIEW

## Consistency with The Municipal Master Plan

The Town of Dover adopted a new Master Plan in January 2007, however, there were two (2) prior Master Plan reexaminations of the original Master Plan, which were conducted on November 22, 1993 and October 27, 1999. The Town's Master Plan incorporates the general purposes of the Municipal Land Use Law ("MLUL") as set forth in §40-55D-2 and enumerates a number of specific goals and objectives which form the basis for the plan's land use recommendations. Those objectives that are pertinent to the Redevelopment Area are as follows:

1. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
2. To secure safety from fire, flood, panic and other natural and man-made disasters;
3. To provide adequate light, air, and open space;
4. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities;
5. To promote the establishment of appropriate population densities and concentrations that will contribute to well-being of persons, neighborhoods, communities and regions and preservation of the environment.
6. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
7. To promote the desirable visual environment through creative development techniques and good civic design and arrangement;
8. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular use; and
9. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

The Redevelopment Law requires that the Redevelopment Plan define the relationship of the Plan to the local Master Plan goals and objectives such as appropriate land use, population densities, improvements to traffic, public utilities, recreational and community facilities, and other improvements. This Redevelopment Plan is consistent with these goals and objectives of the Town's Master Plan. The 2007 Master Plan specifically states a goal in the housing section that discusses the importance of maintaining and encouraging "diversity in the type and character of available housing" types, densities, and affordability.

### Local, Regional, and State Plan Consistency

The relationship of the Redevelopment Plan with surrounding communities' Master Plans is also reviewed to determine if any significant relationship exists. The relationship of the Morris County Master Plan and the New Jersey State Development and Redevelopment Plan must also be reviewed for consistency.

### Township of Rockaway Master Plan Reexamination

This Redevelopment Plan is consistent with the following land use goals of the Township of Rockaway Master Plan Reexamination adopted November 18, 2019:

- Goal 1: To maintain and enhance the existing areas of stability in the community and to encourage a property distribution of land uses by designated areas which have their own uniform development characteristics;
- Goal 3: To concentrate development in the southerly portion of the Township;
- Goal 6: To encourage the design of open space features in cluster developments to abut the open space elements of adjacent properties;
- Goal 7: To provide a variety of housing types, densities, and a balanced housing supply, in appropriate locations, to serve the Township;
- Goal 10: To encourage new development, and redevelopment, to take into account the aesthetic character of the community, in an effort to enhance the visual and aesthetic appearance of the municipality;
- Goal 15: To support the overall philosophy of the Highlands Water Protection and Planning Act; and
- Goal 16: To support the overall philosophy of the New Jersey State Development and Redevelopment Plan ("SDRP") as a means of providing growth management on a state-wide basis while retaining the principals of home-rule.

### Township of Randolph Master Plan

The 2006 Township of Randolph Master Plan establishes a series of goals that are consistent with this Redevelopment Plan as follows:

- Goal 2.1-3: Permit development in a manner so as to protect environmentally sensitive areas and features;
- Goal 2.2-1: Provide sufficient flexibility in development regulations to permit variety of housing types serving a broad range of income levels and age groups;
- Goal 2.2-3: The density of housing development should be related to the carrying capacity of the land, roads and utility infrastructure;
- Goal 2.2-4: Cluster development should be encouraged to minimize environmental disturbance and preserve open space;
- Goal 3.0-2: Encourage creative planning and development to produce visual harmony and identity, preserve special physiographic features and protect natural resources; and
- Goal 3.0-5 Refine and illustrate building, signage, landscape and streetscape design standards to ensure the development of a desirable physical environment in Township activity centers.

## Morris County Master Plan

The Plan is consistent with the goals and objectives of the Morris County Master Plan Land Use Element prepared in December 2020 as follows:

### Goals:

- Goal 1: The creation of balanced and diverse economic and housing opportunities;  
*Encourage the creation of balanced and diverse economic and housing opportunities suitable to meet the economic, employment and housing needs of Morris County, consistent with the local determination of appropriate land use and community character, coordinated with infrastructure capability and the protection of environmental resources.*
- Goal 2: The efficient use of land and resources;  
*Encourage the focus of housing and economic growth in areas with existing or planned infrastructure (sewer, water, transportation) and in existing or planned population and employment centers consistent with environmental protection limitations and environmental protection goals. Encourage less intense growth, and focus major land conservation and preservation activities in areas that do not contain existing or planned infrastructure.*
- Goal 4: Development that proceeds only after careful analysis of environmental conditions; and  
*Support desired development that proceeds only after careful analysis of environmental conditions and within the limitations imposed by such analysis, with emphasis on the mitigation of associated environmental impacts and potential hazards to life and property.*
- Goal 6: The achievement of community planning goals and objectives and increased cooperation between municipalities in their respective land use decisions.  
*Support local efforts to achieve planning goals and objectives and encourage cooperation between municipalities in their respective land use decisions. Recognize and support local land use planning initiatives and activities where consistent with County goals and objectives and sound planning principles. Encourage inter-municipal cooperation and coordination for projects generating multi-jurisdictional impacts.*

### Objectives:

- Objective 1: **Promote the continued revitalization and redevelopment** of the County's established downtown centers and commercial corridors;
- Objective 2: **Encourage compact development patterns**, cluster development, and infill development, consistent with local goals, to reduce sprawl, mitigate environmental impacts, and to make improved utility and transportation infrastructure feasible and economical;
- Objective 4: **Promote the revitalization of suburban town centers** as multi-modal, mixed-use centers of diverse commercial and housing opportunities;
- Objective 6: **Support the creation of diverse housing types** that meet the needs of all age groups, income levels and lifestyles;
- Objective 7: **Encourage higher density and mixed-use developments in downtown areas**, near public transit, consistent with infrastructure availability and community goals;

- Objective 8: **Promote careful environmental analysis and the avoidance of environmental resources** in all development proposals. Advance development in a manner than avoids these resources and mitigates potential environmental impacts;
- Objective 13: **Encourage municipalities to invest in robust comprehensive planning, review of zoning and land development ordinances** to ensure timely consideration of changing land use conditions, emerging land use/market trends, evolving techniques and development standards; and
- Objective 14: **Encourage municipal governments to coordinate the planning and redevelopment of commercial corridors**, particularly as concerns inter-municipal traffic impacts and to **consider the compatibility of adjacent land uses along municipal boundaries in their land use planning**. Facilitate inter-municipal communication, coordination and partnerships concerning significant land use issues and associated inter-municipal impacts, including, but not limited to traffic, stormwater, and incompatible land uses;

### **New Jersey Highlands Regional Master Plan**

The 2008 New Jersey Highlands Regional Master Plan (“RMP”) guides the implementation of the Highlands Water Protection and Planning Act of 2004. The Town of Dover is situated within the Highlands Planning Area of the Highlands Region. The Highlands Planning Area is the portion of the Highlands Region that is not included in the Highlands Preservation Area. While the Act does not establish any new standards for the Highlands Planning Area, the RMP provides a course for enhanced standards such as the transfer of development rights (“TDR”) and smart growth in this portion of the Highlands Region. Dover has not submitted a petition for Plan Conformance; however, this Redevelopment Plan is consistent with the following future land use goals and objectives of the RMP.

- Goal 6E: The incorporation of regional development patterns and related environmentally sensitive areas within existing community zones;
- Goal 6F: Support of compact development, mixed use development and redevelopment and maximization of water, wastewater and transit infrastructure investments for future use of land and development within the existing community;
- Goal 6H: Guide development away from environmentally sensitive and agricultural lands and promote development and redevelopment in or adjacent to existing developed lands;
- Goal 6J: Accommodation of regional growth and development needs through the reuse and redevelopment of previously developed areas, including brownfields, grayfields and underutilized sites;
- Goal 6K: Concentrate residential, commercial and industrial development, redevelopment, and economic growth in existing developed areas in locations with limited environmental constraints, access to existing utility, and transportation infrastructure;
- Goal 6N: Use of smart growth principals, including low impact development, to guide development and redevelopment in the Highlands Region;
- Goal 6O: Market-rate and affordable housing sufficient to meet the needs of the Highlands Region within the context of economic, social, and environmental considerations and constraints;

## **New Jersey State Development and Redevelopment Plan**

The SDRP adopted March 1, 2001, designates the Town of Dover as a P1 Metropolitan Planning Area. Under this designation, Dover and other similarly designated areas are charged with the goal of providing for much of the State's future development and redevelopment. Furthermore, Dover was designated a Regional Center<sup>3</sup> in 1994 by the New Jersey State Planning Commission. Although the SDRP is meant to be used as a guide, the consideration of these designations is taken into account specifically in terms of development when State agency approval is necessary. The Plan adheres to many of the 2025 SDRP goals as follows:

- Goal 1: Reverse the concentration of adverse environmental and public health impacts in overburdened communities and redress inequities resulting from past planning actions;
- Goal 2: Effectively address the adverse impacts of global climate change;
- Goal 3: Protect, maintain, and restore the State's natural and water resources and ecosystems;
- Goal 4: Protect the environment; Prevent and clean up pollution;
- Goal 5: Revitalize and recenter the State's underutilized developed areas;
- Goal 7: Provide an adequate supply of housing for residents of all ages and incomes, in location-efficient places with ready access to the full range of supportive goods and services.
- Goal 8: Provide affordable and effective public facilities and services; and
- Goal 10: Ensure sound and integration planning and implementation at all levels statewide.

## **EAST BLACKWELL-RUTAN (EBR) ZONE**

This Redevelopment Plan provides for uses in the Redevelopment Area. The Plan identifies a zone which focuses on multi-family residential apartments and requires an affordable housing set-aside for low- and moderate-income households. This creates a realistic opportunity for the construction of low- and moderate-income housing in Dover on land that has become available for redevelopment, thereby addressing the Town's fair share housing obligation under the New Jersey Fair Housing Act and constitutional obligations to provide affordable housing.

The purpose of the EBR Zone is to accomplish the following objectives relevant to the improvement of the conditions on the Redevelopment Plan:

1. To encourage the redevelopment of Block 2317, Lots 1, 2, and 3 pursuant to, and consistent with the recommendations of this Redevelopment Plan;
2. To facilitate adaptive re-use and new construction on the site with a unified design and approach to the location and relationship of building, access to the surrounding roadway network, vehicular and pedestrian circulation and on-site parking, architectural design elements, recreation amenities and positive open space areas, and consideration of environmental features; and
3. To create a gateway development to the community that encourages multi-family development to support the historic downtown section of Dover and encourage a cohesive economic, civic, and cultural center that encourages the expansion of existing or new businesses, increases

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<sup>3</sup> A Regional Center is a compact mix of residential, commercial and public uses, serving a large surrounding area and developed at an intensity that makes public transportation feasible.

employment and services in the area, and improves the local economy and vitality the Town of Dover.

With the close proximity of the downtown retail area and the Dover train station along East Blackwell Street and highway commercial uses along U.S. Route 46, the area is well-poised to provide a valuable residential use to support compatible commercial uses. The Plan Area is an important gateway to the Town and the Redevelopment Plan promotes redevelopment of the site to elevate and beautify the area. Additionally, with the close proximity to Dover's C-1, Retail Commercial Zone; C-2, General Commercial Zone; D2, Blackwell Street Historic Zone; and D3, East Blackwell Business Zone, residential uses could increase potential customers to existing businesses in the surrounding area. This Redevelopment Plan encourages quality design that is compatible with the surrounding public realm, while improving the area and providing an attractive gateway into the community. Design elements from surrounding buildings should be incorporated into any proposed design to maintain the character of the area.

This Plan does not require nor authorize the Town to acquire the property in question by the power of eminent domain. Any parcels that are not owned by the municipality within the Redevelopment Area are eligible for acquisition through good faith negotiations only, not condemnation.

## **APPLICATION OF REGULATIONS**

The Town will seek a Redeveloper for all or portions of the Plan Area based on developer interest and specialization. The Redeveloper will acquire the property in the Plan Area in order to redevelop the Area according to the following land use regulations. The following are standards for the EBR, East Blackwell-Rutan Zone:

### **Principal Permitted Uses**

The following uses are permitted in the Plan Area. Uses not identified below are prohibited.

1. Multi-family residential units (Apartments);
2. Townhouses; and
3. Parks and playgrounds.

### **Permitted Accessory Uses**

1. Accessory storage, within an enclosed permanent structure, of materials, goods and supplies intended for use on the premises;
2. Fences and walls as provided in §236-33;
3. Swimming pools as provided in §236-39;
4. Signs as provided in §236-38;
5. Parking as provided in §236-43 (with exceptions noted herein);
6. Other accessory buildings such as tool sheds as provided in §236-22;
7. Other uses that are customarily accessory to the principal permitted use, provided that they are subordinate to the principal use, do not change the character of the principal permitted use, and serve only the principal use, including but not limited to:
  - A. Management office and model rental unit;
  - B. Laundry facilities and dry-cleaning drop-off/pick-up;

- C. Storage facilities and mail/package rooms;
- D. Bicycle parking facilities;
- E. Pet wash facilities;
- F. Outdoor amenity space including picnic area, tables and benches;
- G. Indoor amenity space including but not limited to a fitness center, recreation or community room, lounge or game room and business center; and
- H. Electric vehicle charging stations as required by State Law.<sup>4</sup>

### Permitted Conditional Uses

1. Public utility buildings, structures or facilities as provided in §236-40C;
2. Rest homes and convalescent homes as provided in §236-40F;
3. Hospitals, churches, libraries and museums as provided in §236-40G;
4. Fraternal organizations as provided in §236-40K;
5. Community buildings or centers as provided in §230-40O; and
6. Community residences for the developmentally disabled, community shelters for victims of domestic violence and community residences for persons with head injuries for more than six (6) persons, excluding resident staff as provided in §236-40Q.

### Area and Bulk Requirements

EBR, East Blackwell-Rutan Overlay Zone	
Minimum Lot Area	0.45 Acres
	20,000 SF
Minimum Lot Width	150 FT
Minimum Front Yard Setback	5 FT
Minimum Side Yard Setback (single)	5 FT
Minimum Side Yard Setback (combined)	10 FT
Minimum Rear Yard Setback	N/A
Maximum Building Height	3 Stories
	45 FT
Maximum Impervious Coverage	85%
Affordable Housing Set-Aside	15%/20%

### Affordable Housing Requirements

Residential development within the Plan Area must provide an affordable housing set-aside that provides for a 15% affordable unit set-aside for rental units and a 20% affordable unit set-aside for for-sale units. The affordable units are subject to Chapter 99 of the Town of Dover Code and the New Jersey Uniform Housing Affordability Controls (UHAC) regulations.

### Parking Standards

The following parking standards apply for the uses listed below. Uses not listed shall comply with Table I pursuant to §236-43. Except as noted below, development within the Plan Area shall generally comply with the Residential Site Improvement Standards (“RSIS”), including but limited to the utilities, layout,

<sup>4</sup> Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready Parking Space Legislation per [P.L. 1975, C. 171](#).

circulation, the size of parking spaces, and drive aisles and/or parking aisle width, and any other parking and circulation requirements. Loading shall be as per Table II pursuant to §236-43. Any standards not addressed shall adhere to §236-43 of the Town Code.

Plan Area Parking Standards Table	
Use	Minimum Space Requirement
Residential	1.5 Spaces / Unit

1. Size of Parking Spaces (compact spaces):
  - A. Each full-sized off-street parking must measure at least nine (9) feet in width by 18 feet.
  - B. If the parking space is less than eight and one-half (8.5) feet in width, it must be labeled a “compact” space.
  - C. Compact parking spaces shall not constitute more than 30% of the parking provided on any one (1) site.
2. Electric Vehicle Supply/Service Equipment (EVSE) in accordance with [P.L. 1975, C. 171](#):
  - A. At least 15% of the required off-street parking spaces must be EVSE or Make-Ready spaces. EVSE must be installed in at least one-third (1/3) of the total number of required EVSE spaces, the remainder can be Make-Ready spaces.
  - B. At least 5% of EVSE and Make-Ready spaces must be ADA accessible.
3. Bicycle Parking
  - A. A minimum of 0.5 bicycle spaces per dwelling unit is required.
  - B. A bicycle space shall have a minimum width of two (2) feet and a minimum length of six (6) feet, and a minimum overhead clearance of seven (7) feet.
  - C. A minimum of ninety percent (90%) of the required number of bicycle parking spaces shall be provided in conveniently accessible indoor locations and/or storage rooms. Parking spaces that are against a wall shall be permitted to have a wall hanger for storing bicycles. Provisions for sidewalk bicycle racks in clear view of entryways is encouraged, provided same does not impede pedestrian circulation.
4. Pedestrian Circulation within Parking Lots:
  - A. Pedestrian circulation within parking lots must be taken into consideration. Pedestrian crossings and amenities must be installed where deemed necessary by the Planning Board and the Planning Board Engineer and Planner.
  - B. The circulation system should be designed so as to provide direct access to the building without requiring pedestrians to pass between parked cars.
5. Parking Lot Landscaping and Screening:

- A. Outdoor parking lots with 10 or more spaces, not less than 10% of the parking area shall be suitably landscaped to minimize noise, glare, and other nuisance characteristics, as well as to enhance the aesthetics, environment and ecology of the site and surrounding area.
  - B. Parking lots visible from East Blackwell Street and Rutan Drive shall be screened by a minimum three-and-one-half (3.5) foot decorative wall with additional hardy, low-maintenance shrub plantings with a minimum of three (3) feet in height or landscaping hedge with a minimum of four (4) feet in height at planting. However, if sight distances are impacted, the three-and-one-half (3.5) foot decorative wall is not required and landscaping shall be used to sufficiently screen the parking lot without impacting sight distances.
  - C. One (1) shade tree shall be planted for every 10 parking spaces within the surrounding the parking area.
  - D. Parking lots shall meet New Jersey ADA requirements for handicapped parking.
6. Buffer and Screening Requirements
- A. The Redeveloper shall buffer or screen property lines adjacent to existing residential properties to include a combination of solid fencing and/or landscaping. If landscaping is provided, the buffer shall be planted with a mix of evergreen and deciduous trees and shrubs to provide a year-round natural looking screen.
  - B. Fences and walls shall not exceed six (6) feet in height above ground level.
  - C. The finished side of a fence must face adjoining properties. Fence posts that are unfinished and any other structural component of the fence must be installed facing the subject property rather than the adjoining property.
  - D. Trash and recycling areas located in parking areas must be fully screened from view with a screening fence or wall from both the parking area and adjoining properties.

### Landscaping Requirements

Landscaping must be provided to promote a desirable and cohesive natural environment for residents, downtown patrons and employees, and passing motorists and recreators. Landscaping must be utilized to screen parking and loading areas, provide windbreaks for winter winds and summer cooling for buildings, streets, and parking according to the following standards:

1. Ornamental trees should be provided throughout the Plan Area, particularly at key locations such as site entrances and along existing roadway frontages.
2. Hedges, shrubs, and ground cover must be used to define space and provide privacy. Foundation plantings should include evergreen and deciduous shrubs, ornamental grasses and perennial flowering plants.
3. All landscaping must have a two-year maintenance guarantee. If any planting material dies within two (2) years of plantings, it must be replaced the following planting season.
4. Use of native plant species is encouraged. Invasive species are prohibited.

## Street Trees

1. Street trees shall be planted along streets spaced at a maximum of 35 feet center at center and shall be three inches to four inches in caliper which shall be measured six inches from the ground level after planting.
2. All trees shall be in accordance with standards established by the American Association of Nurserymen. Trees shall be nursery-grown, free of disease, substantially uniform in size and shape, and have straight trunks. The minimum branch height at planting shall be six (6) feet, except where planting is on a sight triangle in which case no branches shall be below eight (8) feet.
3. Generally, shade trees shall be located within the right-of-way between the sidewalk and curb line. However, alternate locations may be permitted subject to review by the Dover planning and engineering staff.
4. Where an applicant demonstrates specific hardship related to factors beyond their control, a contribution in lieu of tree planting shall be made to the municipal Shade Tree Fund in the amount of \$2,000 per tree.
5. No tree listed on the NJDEP Invasive Plant List or USDA Invasive Plants Field and Reference Guide may be planted.

## Mobility Regulations

Thoroughfares are an important aspect of public space. Streets and their surrounding development form our primary sense of place. The design of the Plan Area plays a key role in forming this sense of place for the neighborhood and the nearby downtown section of the Town of Dover.

1. Access and automobile circulation:
  - A. Access configurations shall be designed to meet projected vehicular traffic and circulation needs of the area.
2. Pedestrian and bicycle access and circulation:
  - A. Sidewalks must be provided along all streets and must be a minimum of four (4) feet wide to provide safe and convenient movement for pedestrians.
  - B. Pedestrian-only walkways must be at least four (4) feet wide.
  - C. All building entrances must provide pedestrian access to adjacent streets and parking areas.

## Building Design Standards

1. Architectural Attributes:
  - A. Buildings in the Plan Area shall be designed to evoke the architectural attributes of existing historic and architecturally significant buildings in the area.
  - B. The building mass, footprint and architecture shall be designed to create an attractive visual presence at a pedestrian scale.
  - C. All occupiable spaces, units, and common areas shall have central air conditioning.
2. Building Materials and Colors:
  - A. All building materials and colors used on the exterior of a building shall be compatible with its overall design. Textured vinyl, cement fiber materials, brick, wood clapboard, or manufactured equivalent, natural wood or cedar shake siding is permitted. Vinyl siding (non-textured), aluminum siding, non-decorative concrete block and other similar materials are prohibited. Stucco or Stucco-like products such as E.I.F.S. may be used only as an accent material and not encompass more than 40% of the wall surface.
  - B. Building colors shall utilize historic paint color palettes or other creative color palettes that reflect the character of the area. The building colors shall include a base color, complementary trim colors, and accent colors for doors and shutters.
  - C. Buildings with multiple spaces or units shall be unified through the use of architecturally compatible styles, materials, colors, details, awnings, signage and lighting fixtures on all façades.
  - D. Changes in building material should occur at a logical place such as a change in building mass, roof or an inside corner.
3. Building Walls:
  - A. Blank windowless walls are prohibited. The façade shall be broken up into sections or bays to provide variety and interest. These bays or sections shall be a minimum of 20 feet wide and a maximum of 36 feet wide. Columns, recesses, variations in the rooflines shall be used to break up the wall of the building into smaller sections. Variations in buildings, materials, patterns and colors shall also be used to differentiate the building wall. Landscaping can also be used to break up a blank wall area.
  - B. Building façades shall provide unified design with a defined building entrance. Recessed entrances are encouraged similar to those on older commercial buildings. Columns, awnings, canopies and pilasters can be used to define the entryway. Doors and window trim shall be used to highlight these features.
  - C. The architectural treatment of the front façade shall continue around all visible exposed sides of the building. Each façade of a building shall be consistent in style, materials, colors and details. Buildings shall have a defined base and cap. The base may align with the windowsill level of the first floor, the foundation edge, or the ground with foundation plantings. The cap of the building includes the building cornice, parapet or eaves at the top of the building wall.
4. Roofs and Roof Material:

- A. Roofs shall feature an articulated roof design in the form of cornices, dormers, flared eaves, and/or other appropriate design features.
- B. Roofs shall be designed to hide the rooftop service equipment.

5. Service Equipment:

- A. All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be screened from public review by using walls, roof elements or other such screening devices, designed to be architecturally compatible with the building's style, materials, colors and details.
- B. Fire escapes shall not be permitted. In buildings requiring a second means of egress pursuant to the Uniform Construction Code, internal stairs or other routes of egress are preferred.

### Lighting

- 1. A lighting plan providing a minimum of 0.5 footcandle for streets, sidewalks and parking areas shall be provided and consistent with the Town Lighting Standards in §236-43H and §236-54C.
- 2. Lighting shall be shielded to prevent glare and off-site light pollution.
- 3. The use of creative lighting schemes to highlight building facades and related areas of a site is encouraged subject to §236-38.2 of the Town Code.

### Signage

- 1. The area surrounding ground signs shall be landscaped.
- 2. Directional signs having less than three (3) square feet are exempt from area and location regulations but shall be shown on an approved site plan and further providing they do not constitute a hazard to the traveling public.
- 3. All signs shall be kept in good repair which shall include replacement or repair of broken structural elements, casings, or faces, maintenance of legibility and all lighting elements working.
- 4. No sign or any part of a sign, except publicly owned or authorized signs, shall be placed in or extend into or over the public right-of-way if same impedes traffic or obscures the ability of persons traversing the public streets and sidewalks.
- 5. No sign shall be affixed to any roof, tree, fence, utility pole or other similar structure nor placed upon motor vehicles which are continually or repeatedly parked in a conspicuous location to serve as a sign. Signs painted on pavement surfaces shall be restricted to traffic control markings only.
- 6. Any signs not regulated by this Plan shall be regulated by §236-38 of the Town Code.

### Design Standards for Site Plans

Features of the site design not addressed by the Redevelopment Plan shall be regulated by Article V, Land Subdivision and Site Plan, of Chapter 236 of the Dover Land Use and Development Ordinance. Where conflicts between the Plan and the Town Ordinance exist, the Plan shall supersede Town Ordinances.

### Submittal Requirements

A redeveloper designated by the Town to develop the Plan Area in accordance with this Plan shall enter into a redevelopment agreement with the Town to effectuate the goals and requirements of this Plan (the "Redevelopment Agreement"). The Redevelopment Agreement will stipulate the precise nature and extent of the improvements to be made and their timing and phasing. The Redevelopment Agreement will also contain the terms, conditions, specifications, and description of required performance guarantees pertaining to the redeveloper's obligation to provide the necessary infrastructure and improvements. A Redevelopment Agreement must be fully executed prior a development application to the Dover Planning

Board bring deemed complete. The Planning Board shall deem any application for redevelopment subject to this Plan incomplete if the applicant has not been designated as the redevelopers of the Plan Area and entered into a Redevelopment Agreement with the Town.

After entering a Redevelopment Agreement with the Town, a redeveloper shall submit to the Planning Board a development application for the Plan Area. The development application shall be consistent with this Redevelopment Plan and the Redevelopment Agreement. The approval process shall include a consistency review by Administration before being considered by the Planning Board. The approval process for the development application shall proceed in accordance with the Town of Dover Planning Board's rules and requirements.

## **LEGAL PROVISIONS**

### **Validity of the Plan**

If any section, subsection, paragraph, division, clause, or provision of this Plan is deemed by a court of competent jurisdiction to be invalid, such adjudication will only apply to the particular section, subsection, division, subdivision, clause, or provision in question, and the balance of the Plan will be adjudged valid and effective.

### **Zoning Map Revisions**

Upon final adoption of this Redevelopment Plan by the Town Council, the Zoning Map of the Town of Dover is hereby amended and must be revised to show the boundaries of the "East Blackwell Street Redevelopment Area." All provisions of this Plan apply, and upon final adoption of this Redevelopment Plan by the Town Council, this Plan will supersede all provisions of the Dover Land Use and Development Ordinance for the Plan Area. Any zoning-related issue that is not addressed herein will refer to the Dover Land Use and Development Ordinance for guidance. No variance from the requirements herein will be cognizable by the Zoning Board of Adjustment. The Planning Board alone will have the authority to grant deviations from the requirements of this Plan, as provided herein.

### **Amendment to the East Blackwell – Rutan Redevelopment Plan**

The East Blackwell - Rutan Redevelopment Plan may be amended from time to time in compliance with the requirements of the Local Redevelopment and Housing Law.

As development occurs within the Plan Area, development priorities and market demands may change. This Plan should have the adaptability to meet the changing needs of market demand, the Town of Dover, and its citizens. Amendments may be required in order to accommodate these changes.

### **Variations in Site Plan Design**

Modifications from standards that are expressly stated in this Plan, may be approved by the Planning Board only by formal grant of a deviation as provided. No variances that would be considered "d" variances pursuant to N.J.S.A. 40:55D-70d(1)-(6) are permitted. The Planning Board will have the authority to grant deviations from the requirements of this Plan that cognizable as variances pursuant to N.J.S.A. 40:55D-701c(1) and (2) as outlined below or that would be considered a design standard waiver or exception to N.J.S.A. 40:55D-51.

The Planning Board may grant deviations from the regulations contained within this Plan, where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or by reason of

exceptional topographic conditions, pre-existing structures, or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk, or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property. The Planning Board may also grant a deviation from the regulations contained within this Plan related to a specific piece of property where the purposes of this Plan, and the benefits of granting the deviation would outweigh any detriments. The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan.

Any application requesting a deviation from the requirements of this Plan must provide public notice of such application in accordance with the public notice requirements set for in N.J.S.A. 40:55D-12a & b.

Any party seeking deviation from this Plan which cannot be granted by the Planning Board as set forth above may apply to the Governing Body to request an amendment to this Plan.

## **ACQUISITION PLAN**

There is no property acquisition by the Town of Dover anticipated by this Plan.

## **RELOCATION PLAN**

There is no property acquisition by the Town of Dover anticipated by this Plan and no residential or occupied uses on the site, so a Relocation Plan is not necessary.