

**BOROUGH OF AUDUBON**  
**Camden County, New Jersey**



**2020 Master Plan Reexamination**

Adopted by the Borough of Audubon Planning Board  
after a public hearing on March 10, 2021  
in accordance with Resolution 2021-14

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The original of this document was signed and  
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**Borough of Audubon, Camden County**

## **I. Introduction and Planning Background**

### **Master Plan Reexamination**

This Master Plan Reexamination is being prepared in accordance with N.J.S.A. 40:55D-89 (Municipal Land Use Law). The Borough Council must provide for the reexamination of the Borough's Master Plan and development regulations by the Planning Board at least once every ten years. The Borough last adopted a Master Plan Reexamination on April 14, 2010. In accordance with N.J.S.A. 40:44D-89, a reexamination of the Master Plan is now due.

A Master Plan is intended to guide the use of lands within the Borough in a manner that protects public health and safety, promotes the general welfare, and advances the Borough's goals and objectives. While a Master Plan is required as a prerequisite to the adoption of zoning ordinances, it is also an opportunity for the Borough to proactively plan for and shape its future. Land use policy is integral to many local issues and decisions, and the Master Plan provides the backbone for land use strategies and policies. The Master Plan serves to bring together otherwise divergent

plans and programs and to communicate the Borough's goals and objectives to the public, landowners, and other levels of government. The facts, analysis, rationale, priorities, and recommendations in the Master Plan may provide support for the Borough's policy decisions and can unify interests and ideas that often seem to compete with one another. The Master Plan should be used as a structured, but flexible tool built around the Borough's planning philosophy, and utilized to support and promote the Borough's goals and objectives related to the physical, economic and social development of the Borough.

The purpose of a Master Plan Reexamination is to assess how the assumptions, policies and objectives that form the basis for the Master Plan and development regulations have changed since the last Plan or Reexamination and to determine whether any specific changes to the Master Plan or development regulations are recommended, including underlying objectives, policies and standards. This Master Plan Reexamination is being undertaken as a general reexamination of the Master Plan, to consider changing conditions and specific concerns that have arisen, and to address them in the context of a comprehensive land use strategy.

The Master Plan is a policy guide that should be as specific as possible with regard to the Borough's overall goals and the steps needed to implement the Borough's overall vision, while also maintaining an awareness that the social, economic and policy environments are dynamic and may change over the ten year planning horizon. The Master Plan lays the foundation to support land use decisions and upon which the recommendations and plans can be incrementally implemented to realize the Borough's goals and objectives. An up-to-date Master Plan presents a clear explanation of the Borough's land use intentions and planning proposals. The plan can communicate the reasoning for the Borough's expectations and requirements, thereby adding efficiency to the planning and permitting processes.

The Borough of Audubon is, and has for many years, been working to balance its interests in protecting and enhancing existing residential neighborhoods, facilitating opportunities for revitalization and redevelopment, allowing for locally appropriate infill development, encouraging meaningful economic development, retaining existing retail and service uses, prioritizing and facilitating preservation of environmentally valuable and recreationally desirable open spaces, and promoting sustainability and good design. Attaining this balance is a challenge in the best of times and is made more difficult by the stagnating national economy. Despite the many ongoing difficulties brought by the recent economic recession, the upside for municipalities is that the slow-down in development activity presents the opportunity to look at the big picture, assess the current conditions and plan proactively for the future.

For reference, the following is a listing of the relevant statutory requirements:

**40:55D-89 Periodic examination.**

The governing body shall, at least every ten years, provide for a general reexamination of its Master Plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board. A notice that the report and resolution have been prepared shall be sent to the municipal clerk of each adjoining municipality, who may, on behalf of the governing body of the municipality, request a copy of the report and resolution. A reexamination shall be completed at least once every ten years from the previous reexamination.

The reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the Master Plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law, "P.L.1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan , and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

**40:55D-89.1. Reexamination report; absence of adoption.**

The absence of the adoption by the planning board of a reexamination report pursuant to section 76 of P.L. 1975, c. 291 (C. 40:55D-89) shall constitute a rebuttable presumption that the municipal development regulations are no longer reasonable.

### **Audubon Planning History**

The Planning Board and the Board of Commissioners have undertaken several planning efforts over the years since the first comprehensive Master Plan in 1964 to participate in regional planning efforts and to ensure that the Borough's plans are kept current. In addition to the Master Plan and Reexamination reports the Borough prepared several Redevelopment Plans for specific areas to facilitate and stimulate interest, investment and redevelopment in areas that had been exhibiting signs of blight and decline. Also, a number of studies and plans, coordinated by the Camden County Improvement Authority, have honed in on the stretch of the Black Horse Pike corridor from Camden to Mount Ephraim. The studies consider the problems that have been created and exacerbated along this important transportation corridor, and aim to view the corridor as a whole, rather than only through the lenses of individual municipalities. The studies and plans focus on the potential to reinvent the corridor by coordinating planning and improving how the Black Horse Pike looks and functions. The plans elevate the importance of good urban design in shaping the character and perceptions of the corridor.

The following planning reports and documents have been prepared by the Borough or its partner agencies over the last several decades:

- **1964** Borough of Audubon Master Plan was prepared (unavailable).
- **1989** (November 9, 1989) Borough of Audubon Comprehensive Master Plan, prepared by Pennoni Associates.
- **1999** Redevelopment Plan for Black Horse Shopping Center, prepared by Key Engineers.
- **1999** Redevelopment Plan for West Merchant Street Commercial District (White Horse Pike to Beloit Avenue), prepared by Key Engineers
- **2000** (June 12, 2000) Borough of Audubon Master Plan Reexamination, prepared by Key Associates.
- **2003** (October) First Generation Suburbs: Putting Principle into Practice, prepared by the Delaware Valley Regional Planning Commission.
- **2006** (March) Redevelopment Plan for White Horse Pike Study Area (Merchant Street to Nicholson Road) and West Merchant Street Commercial District Redevelopment Plan - Amendment prepared by Remington & Vernick Engineers.
- **2006** (March) Redevelopment Plan for Block 153, Lots 1 and 3, prepared by Remington & Vernick Engineers.
- **2006** (August) Black Horse Pike Market Analysis and Feasibility Study, prepared by Urban Partners for the Camden County Improvement Authority
- **2006** (October) The Black Horse Pike Plan, prepared by the Camden County Improvement Authority in cooperation with the Black Horse Pike municipalities
- **2006** (October) Black Horse Pike - Making it Work, prepared by the Delaware Valley Regional Planning Commission.
- **2009** (September) Black Horse Pike Regional Comprehensive Economic Development Strategy, prepared by Brown & Keener, ERM, Natalie Harrington, IBI Group, and Urban Partners in cooperation with the Camden County Improvement Authority and Black Horse Pike municipalities
- **2009** (January) Taming Traffic: Context-Sensitive Solutions in the DVRPC Region, prepared by the Delaware Valley Regional Planning Commission.
- **2010** (April) Borough of Audubon Master Plan Reexamination, prepared by Bach Associates.
- **2013** (September) America's Rails-with-Trails, prepared by the Rails-to-Trails Conservancy

- **2014** (June) Camden County Bikeways Inventory, prepared by the Transportation Management Association
- **2015** (January) Camden County Bicycling & Multi-Use Trails Plan, prepared by the Delaware Valley Regional Planning Commission.
- **2016** (January) Newton Trail Feasibility Study, Prepared by Delaware Valley Regional Planning Commission
- **2016** (May) Audubon/Haddon Heights/Oaklyn TCDI Planning Grant Project: East/West Atlantic Avenue Corridor Multi-Use Improvement Study (May 2016)

## II. Borough of Audubon Overview

The Borough of Audubon is a 1.5 square mile (960 acres) municipality in northwestern Camden County, southeast of the City of Camden. The Borough shares a boundary with Audubon Park Borough to the northwest, Oaklyn Borough to the north, Haddon Township to the east and west, Haddonfield Borough to the east, Haddon Heights Borough to the south and Mount Ephraim Borough to the southwest. The development patterns and character of Audubon and the surrounding municipalities can be characterized as “first generation suburbs” consisting of compact development patterns with mixed uses and significant concentrations of commercial development along major roadways and relatively dense residential development consisting primarily of single family homes on small lots.

Audubon Borough is located approximately 6 miles southeast of Philadelphia and, like several of the other surrounding communities, experienced some difficult changes as the suburban population became more decentralized beginning in the 1970s and accelerating in the 1980s and 1990s. At the time of the 2010 census, the Borough’s population was 8,819 people within 3,600 occupied housing units (out of a total 3,779 housing units). According to the US Census 2019 Vintage Population Estimates, the 2019 estimated population of the Borough is 8,637.

The US Census Bureau data indicates that the Borough’s population peaked in 1970, and has slowly declined in population since then with the largest decrease between 1970 and 1980 when the Borough’s population decreased by 11%. The DVRPC estimates that the Borough’s population will decline to 8,568 people by 2045.

According to the United States Census Bureau’s 2018 American Community Survey Five Year Estimates, the average household in Audubon consisted of 2.48 people. Of the 3,489 occupied housing units, 72% were owner occupied and 28% were renter occupied.

<b>Borough of Audubon Population 1930-2019</b>										
<b>Year</b>	1930	1940	1950	1960	1970	1980	1990	2000	2010	2019
<b>Population</b>	8,904	8,906	9,531	10,440	10,802	9,533	9,205	9,182	8,819	8,637*

\*US Census Population Estimates



The Borough is named for John James Audubon, who resided in the area and completed ornithological research near the area where Haddon Lake now exists. Audubon was first recognized as a Borough on March 13, 1905 and was created from a portion of Haddon Township. Audubon included the entire area of Audubon Park Borough which was developed in 1941 to provide housing for the employees of the New York Shipbuilding company in Camden. Audubon Park became its own Borough in 1947. Audubon was one of the first municipalities to be developed outside of the urban center of Camden City. The borough experienced a moderate rate of population growth during the 1940's and 1950's consistent with the suburban population boom following the end of World War II. The majority of the development in the Borough is residential consisting of mostly single family detached units, with some higher density residential areas with attached and multifamily dwelling units. The majority of the commercial development in the Borough is located along the White Horse Pike Route 30, and the Black Horse Pike Route 168, with neighborhood scale commercial areas along Nicholson Road Merchant Street, Kings Highway and Atlantic Avenue.

“First generation suburbs” were the earliest group of municipalities to develop outside the urban core (Camden and Philadelphia). Each “first generation suburb” has its own unique history, but there are commonalities among their evolution from thriving developing places through the 1960s to drained, declining communities in the 1980s and 1990s. The decline occurred as rapidly growing suburbs, further from the core, attracted people and businesses. As people and businesses moved further into the suburban fringe, the tax base in the first generation suburbs was reduced and the ability to finance local services (schools, infrastructure, etc) has been challenged. This decentralized growth pattern perpetuated itself, with housing developments and shopping centers replacing farms and woodlands. Although this type of development may be viewed as a response to market demand, many of the inefficiencies are clear. Why encourage development that eats up valuable farmland, requires infrastructure extension, increases commute times, and increases the cost of services to further-flung locations? Swift intervention by local officials and the vision and logic of smart growth advocates began to stem the tide of decline to encourage development that makes use of existing resources in well established municipalities such as Audubon. Regional entities have also taken a lead in planning efforts to encourage regional cooperation to continue smart growth initiatives that will preserve the character of the inner ring suburbs while making them more attractive to businesses and residents over the long term. One of Audubon's goals expressed in this Reexamination is to ensure that the goals and objectives of the smart growth plans are transferred to the local land use processes and regulations, to ensure consistency, which will further enhance opportunities for community improvement.

Audubon Borough is completely “built-out” so practically all new development comes in the form of redevelopment, adaptive reuse, or infill development.

### **III. Reexamination of the Master Plan**

The Borough is undertaking this Master Plan Reexamination in accordance with N.J.S.A. 40:55D-89 to review the Borough's planning policies, to ensure that the Borough's planning documents reinforce one another, to set the stage for consistency between the Master Plan and the zoning ordinances and to provide the underlying basis for future Borough planning efforts. The Master Plan Reexamination outlines the considerations required by Municipal Land Use Law (Section 40:55D-89) and provides the responses as appropriate. The first three sections (A, B, and C) require a look back at the Borough's earlier Master Plans, and include observations and an assessment of

current conditions, as well as consideration of changes since the last Master Plan was prepared. The last two sections (D and E) include recommendations for actions to guide land use and related policies into the future.

**A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.  
(N.J.S.A. 40:55D-89a)**

According to the 1989 Master Plan, the original 1964 Master Plan is unavailable. However the 1989 Master Plan sets forth a list of goals and objectives, which were reviewed and determined to have remained generally valid in the 2000 Master Plan Reexamination Report. The 2010 reexamination report reviewed the 2000 Master Plan and acknowledged that many recommendations had been addressed and that while the overarching goals of the Borough have not changed, circumstantial changes have occurred and made recommendations accordingly.

The 1989 Master Plan specified that the Borough's biggest challenges related to preservation and redevelopment. The Plan emphasized the importance of sensitive infill development, the establishment of design guidelines to steer the character of redevelopment, maintenance of existing structures, and maintenance and upgrading of infrastructure. The 1989 Plan provided a complete list of goals and policies to guide present and future land use based on the changes in assumptions and the physical, social and economic changes that had taken place in the 25 years between the adoption of the 1964 Master Plan and 1989.

Between the 1989 Master Plan and the 2000 Reexamination, few changes in the assumptions and policies forming the basis of the Master Plan. In 2000, the assumptions and guidelines were reaffirmed, and the goals and objectives were reevaluated and established to guide the Borough. The 2000 Reexamination also included a Housing Plan Element and Fair Share Plan which addressed the Second Round COAH rules, which were effective at the time. The Borough received Second Round COAH Certification on December 4, 2002. (COAH) Third Round regulations were initially adopted in 2004, and substantially invalidated in an Appellate Division decision in January of 2007. COAH then released new Third Round regulations that became effective on June 2, 2008, and amendments were immediately proposed and became effective on October, 2008. The rules were again challenged on many fronts and after two years, on October 8, 2010 the Appellate Division invalidated the "growth share" methodology for establishing affordable housing obligations. Some aspects of affordable housing rules and regulations remain in effect. On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (COAH) has failed to act, and as a result, the Courts assumed jurisdiction over the Fair Housing Act. At the time of the 2010 Master Plan Reexamination Report, the Borough decided to continue to monitor these developments, and when the situation stabilizes, determine whether an updated Housing Element and Fair Share compliance plan should be prepared and submitted. Currently, the Borough has a present need (rehabilitation) of thirty-seven (37) units, a prior round need of zero (0) units and a prospective need of two hundred twenty-two (222) units. Due to continued lack of development pressures, the Borough opted not to participate in the Court administered Round three process.

The Master Plan Reexamination process provides the Planning Board an opportunity to review the principles and objectives from the earlier Master Plans and Reexaminations, listed below, and consider whether they have been achieved, whether they are still relevant and appropriate, or whether changing circumstances require that the objectives be revised.

The specific goals and objectives are listed in the 2010 Master Plan Reexamination are provided below. Recommendations and any proposed amendments will follow in Section D.

## **2010 Goals and Objectives**

The goals and objectives taken from the 2010 Master Plan Reexamination are as follows:

### **1. Goals and Objectives.**

Recently several nearby inner-ring suburbs such as Collingswood, Haddonfield, and Haddon Heights have undergone planning renaissances. While many factors must converge to realize such success, one thing is certain - the results are not a fortunate accident. Deliberate steps must be taken to plan and open the door for investment, while also demanding high quality consistent with the desired community character. Investments beget other investments and when guided by strong planning can enhance the cultural, historical, and artistic qualities of the Borough.

The Borough of Audubon is uniquely situated close to public transportation, major roadways, and major job centers such as the cities of Camden and Philadelphia. The Borough has also made significant strides in retaining and attracting business and redevelopment. The sense of helplessness about the decline of downtown business districts in the 1980s has given way to optimism about the potential to capitalize on unique assets and defining character.

Add the following goals to the Master Plan.

Goal: Build upon the success of the revival of the West Merchant Street area and facilitate the projection of the unique characteristics of the Borough's center to other areas of the Borough, such as the White Horse Pike Redevelopment Area and other non-residential areas where appropriate.

Goal: Enhance areas designated for commercial, retail, and professional office opportunities along major roadways and at key intersections by incorporating design driven zoning that permits a flexible array of uses. Appendix A includes excerpts from the DVRPC's "Black Horse Pike – Making it Work" report, which recommends design guidelines to enhance the corridor and improve the environment for pedestrian, cyclists and motorists alike.

Goal: Provide opportunities for mixed use redevelopment and adaptive reuse that incorporate a complementary balance of residential (market rate and affordable) development, commercial development, and open space to enhance the vitality of the Borough.

Goal: Consider the economics of redevelopment and adaptive reuse as part of an overall planning strategy to ensure that desired redevelopment in various areas of the Borough is realistically achievable and will be financially feasible.

**2. Revise, Amend, Consolidate and Simplify the Business Zoning Regulations.**

The current zoning regulations include “cumulative” zoning. “Cumulative” zoning was first utilized when zoning powers were granted to municipalities in the 1940s, when the primary purpose of zoning was to minimize nuisances. The ordinance would protect residents from having an industrial facility constructed next to their house, but it still allowed for the construction of a house next to the industrial facility if the resident so desired. While flexibility within zoning ordinances is beneficial, it must be tailored to meet the Borough’s goals. The non residential zoning standards should be revised to eliminate the “cumulative” zoning and include a “hybrid” zoning. Hybrid zoning blends the traditional zoning, regulating the use and three dimensional building envelope, with form-based zoning, which concentrates on design to address context, scale and character, to regulate the appearance of buildings and the semi-public realm. This will allow the Borough to guide design with a unifying theme and purpose, while also controlling use.

Implementing this type of zoning in the non-residential zones will allow the Borough to provide flexibility within a defined realm of permitted uses, while ensuring coordinated design and scale. Hybrid zoning can build upon and include some of the unique qualities that the West Merchant Street area already has. The zoning code revisions should incorporate the Design regulations of the Special Improvement District (Appendix A).

The business districts should include provisions for the conversion of residential uses to professional offices or mixed professional office/ residential uses within the district. The ordinance should include strict architectural and sign design guidelines.

**2. Zoning for Business.**

Consider including additional properties in the business districts. These properties at the intersection of Chestnut Street and West Atlantic Avenue currently contain a photography studio, a hardware store, an organ repair shop and several residences. Adding them to the business districts will acknowledge the current conditions and encourage the future viability of the properties.

Chestnut Street	
Block	Lots
73	7
74	7, 7.03, 7.04, 7.05, 7.06

**3. Revise and Amend the Residential Zoning Districts.**

The residential zoning district standards should be amended to include the purpose, permitted uses, and specific additional criteria or standards. The bulk and area standards for all of the residential zoning districts should be included in a single consolidated zoning chart that shows the bulk and area standards for all of the zoning districts. The R-1 zone should be amended to prohibit commercial and industrial uses which it currently allows. A draft of the Zoning chart is included as Appendix C.

#### **4. Add Institutional and Recreational Zoning Districts.**

Currently the Borough does not have a zoning district for institutional, public, recreational and utility uses. A new zone for these uses would add clarity to those viewing the zoning map. Any future development of structures and parking on these sites should utilize development guidelines consistent with the surrounding area and the setbacks in the zoning chart.

#### **5. Identify the Environmentally Sensitive Stream and Waterway Corridors.**

A stream corridor buffer overlay ordinance should be adopted for the Peter Creek/ Newton Lake corridor and the Haddon/Audubon Lake corridor. This would add a layer of protection for the waterways and reinforce the Borough's intent to maintain the environmental integrity of the corridors.

#### **6. Solid Waste**

Add the requirements that commercial entities in the Borough must arrange for the collection of trash and recyclable materials on a schedule commensurate with the amount of trash and recyclables generated by the facility. One of the goals of the 1989 Master Plan was to require that "a plan for the collection, disposition and recycling of recyclable materials be included within any proposal for the construction of 50 or more units of multi-family residential housing, and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land". It is recommended that a provision be included for small scale commercial development, such as small office buildings, that would allow for curbside collection if the facility would not generate any more trash and recyclables than an average household. The applicant would apply through the recycling coordinator for a waiver to permit curbside collection. The requirements for commercial trash and recyclable collection should be included in an update of Chapter 266, Solid Waste (the NJDEP's model solid waste and recycling ordinance that may be tailored to the local needs is included as Appendix D).

#### **7. Renewable Energy and Sustainability.**

Sustainable planning incorporates all the plan elements and topics that have traditionally been included in Master Plans, but takes a more balanced approach that recognizes the interconnectivity of community, land use, the environment, transportation, and the economy. Sustainability requires that human activities be adapted to the constraints and opportunities of the natural systems that are needed to support life.

On a specific level, interest in reducing greenhouse gases and increasing energy independence has been on the rise. Currently the Borough's planning regulations do not provide guidance for the installation of small wind turbines or solar energy systems. Though the prospects for wind energy in a fully developed municipality may seem remote, it is recommended that the Borough adopt standards for renewable energy technologies such as small wind and solar /photovoltaic energy systems. The adoption of such standards will reduce uncertainty about what is and is not permitted, the permitting and local approval process, and will ensure that clean renewable energy resources may be used effectively by residents and business owners in the Borough. The provision of renewable energy promotes the public health, safety and general welfare by contributing to a reduction in air pollution, creating green jobs, reducing energy costs over time and improving the environment. The local provision of energy also supports security and safety. The adoption of standards for renewable energy systems will ensure that solar electric systems may be permitted in the

Borough with appropriate regulations and design standards. The recommendation for Audubon is to permit the production of energy primarily for use on site, with excess power going back to the electric grid. It is also recommended that the Borough consider whether standards should be developed for solar and wind energy commercial operations where the solar and/or wind facilities are a principal use that produce electricity for commercial sale. A recent State law has amended the Municipal Planning Law to define wind, solar or photovoltaic energy facilities or structures as inherently beneficial uses.

## **8. Affordable Housing.**

The affordable housing laws of the State are currently in a state of flux. While the “Round Three” COAH rules adopted in 2008 remain in effect, there is a great deal of uncertainty about the future of affordable housing laws. The COAH rules have been challenged in the Courts, there is pending legislation that would change the administrative structure set up to oversee compliance with the *Mount Laurel* doctrine, and the Governor’s Housing Taskforce recently released a report with recommendations to make the provision of affordable housing more efficient and effective. The future of affordable housing law is uncertain at this time. In view of this uncertainty, and in view of the Borough’s desire to provide opportunities for a variety and choice in housing, the Borough should monitor the evolution of the housing laws and regulations and aim to comply. The Borough already has a variety of housing types and is already home to residents with a variety of incomes and will continue to support opportunities for affordable housing when they make sense in the context of the Borough’s overall plans. The Borough should continue to create opportunities for affordable housing to ensure that the Borough will be in compliance with current or new legislation that may pass.

## **9. Signs and Design Standards.**

Signage is an important mechanism for businesses and other organizations to identify their location and communicate with the public. The sign code (208-96) should be reviewed and revised with consideration for design standards to regulate area, placement, and height and to encourage effective and aesthetically pleasing signage. Certain sign styles and methods of illumination may be encouraged and the amount of copy may be restricted to one main message in order to provide for a unified design scheme and to minimize visual clutter along the roadways. A comprehensive sign regulation system, applied fairly and consistently throughout the Borough will provide clarity for property owners or tenants wishing to install signs, will make it easier for the Borough to regulate signs and will enhance the architectural and planned character of each district. The purpose of the sign regulations is to provide a legal framework for a comprehensive and balanced system of signage that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and the built environment, protect the scenic qualities of the Borough, and avoid visual clutter that is potentially harmful to the character of the community, the aesthetics of the Borough, and potentially unsafe for motorists and pedestrians.

## **10. Water and Sewer Infrastructure.**

The Borough's infrastructure system is aging and the sewer lines in particular are in need of attention and replacement in some areas. The ability to remedy problems with the sewer system is limited by the funds available to undertake the necessary repairs. Upgrading the sewer system will be expensive, but improvement projects will be needed over time to ensure that there is ample capacity to serve existing development and redevelopment projects. The New Jersey Environmental Infrastructure Trust is an independent agency that provides low-cost financing for the construction of environmental infrastructure projects that enhance and protect ground and surface water resources, ensure the safety of drinking water supplies, and make possible responsible and sustainable economic development. Additionally developers will be able to make improvements to serve their projects, which will also benefit the community overall.

## **11. Reuse of Property.**

It is recommended that the future reuse of the Church of the Holy Maternity site at 431 West Nicholson Road (Block 152, Lot 2) be considered, as the Church is being closed as part of the Roman Catholic Diocese of Camden's consolidation plan. Holy Maternity is proposed to merge with Sacred Heart in Mount Ephraim. While the Camden Diocese may retain the +/- 5 acre property, the uses may change or the property may become available for non-church uses, or it may be put up for sale. It is recommended that the Borough work with the Diocese of Camden's real estate department to consider future uses of the site.

## **12. Redevelopment Plans**

It is recommended that the Redevelopment Plan for block 153, lots 1 and 3 be revised to guide development consistent with the Borough's vision for the area as part of a mixed use planned district that will complement redevelopment along the Black Horse Pike as well as nearby multi-family residential developments. It is also recommended that consideration be given to amending the Redevelopment Plan for the West Merchant Street Area be amended for Block 64 lots 9, 10, 11, and 12 which contains the vacant Tommy G's restaurant and a portion of the parking area to ensure that there is sufficient guidance and incentive to redevelop the site. Further, the Borough should monitor the status of Block 50 Lots 1, 1.01, 2, 2.01, 3, 3.01, and 22, containing the vacant pharmacy store and consider whether redevelopment area designation would be helpful to facilitate revival of the property. Additional details are provided in Section E below.

**B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.  
(N.J.S.A. 40:55D-89b)**

Many of the goals and objectives set forth by the Planning Board in the 2010 Master Plan Reexamination remain salient today. However, over the course of ten years some problems have been reduced, other challenges have remained, and evolving conditions have brought different problems and potential solutions to the forefront.

Steps toward meeting many of the land use objectives identified in the 2010 Master Plan Reexamination were made by amending the zoning code and by proactively pursuing grants for transportation and community improvements. In some cases the objectives have been met, while other situations have been more difficult. Below is a review of the Goals and Objectives of the Master Plan Reexamination and a brief explanation of changes or issues that have occurred since 2010.

**1. Goals and Objectives.**

Recently several nearby inner-ring suburbs such as Collingswood, Haddonfield, and Haddon Heights have undergone planning renaissances. While many factors must converge to realize such success, one thing is certain - the results are not a fortunate accident. Deliberate steps must be taken to plan and open the door for investment, while also demanding high quality consistent with the desired community character. Investments beget other investments and when guided by strong planning can enhance the cultural, historical, and artistic qualities of the Borough.

The Borough of Audubon is uniquely situated close to public transportation, major roadways, and major job centers such as the cities of Camden and Philadelphia. The Borough has also made significant strides in retaining and attracting business and redevelopment. The sense of helplessness about the decline of downtown business districts in the 1980s has given way to optimism about the potential to capitalize on unique assets and defining character.

Add the following goals to the Master Plan.

Goal: Build upon the success of the revival of the West Merchant Street area and facilitate the projection of the unique characteristics of the Borough's center to other areas of the Borough, such as the White Horse Pike Redevelopment Area and other non-residential areas where appropriate.

Goal: Enhance areas designated for commercial, retail, and professional office opportunities along major roadways and at key intersections by incorporating design driven zoning that permits a flexible array of uses. Appendix B includes excerpts from the DVRPC's "Black Horse Pike – Making it Work" report, which recommends design guidelines to enhance the corridor and improve the environment for pedestrian, cyclists and motorists alike.

Goal: Provide opportunities for mixed use redevelopment and adaptive reuse that incorporate a complementary balance of residential (market rate and affordable) development, commercial development, and open space to enhance the vitality of the Borough.



Goal: Consider the economics of redevelopment and adaptive reuse as part of an overall planning strategy to ensure that desired redevelopment in various areas of the Borough is realistically achievable and will be financially feasible.

*Response: These goals and objectives remain valid, with the exception of the third Goal, which should remove the market rate/affordable housing component because the Borough is not participating in the affordable housing process as there is a lack of development pressure throughout the Borough.*

## **2. Revise, Amend, Consolidate and Simplify the Business Zoning Regulations.**

The current zoning regulations include “cumulative” zoning. “Cumulative” zoning was first utilized when zoning powers were granted to municipalities in the 1940s, when the primary purpose of zoning was to minimize nuisances. The ordinance would protect residents from having an industrial facility constructed next to their house, but it still allowed for the construction of a house next to the industrial facility if the resident so desired. While flexibility within zoning ordinances is beneficial, it must be tailored to meet the Borough’s goals. The non residential zoning standards should be revised to eliminate the “cumulative” zoning and include a “hybrid” zoning. Hybrid zoning blends the traditional zoning, regulating the use and three dimensional building envelope, with form-based zoning, which concentrates on design to address context, scale and character, to regulate the appearance of buildings and the semi-public realm. This will allow the Borough to guide design with a unifying theme and purpose, while also controlling use.

Implementing this type of zoning in the non-residential zones will allow the Borough to provide flexibility within a defined realm of permitted uses, while ensuring coordinated design and scale. Hybrid zoning can build upon and include some of the unique qualities that the West Merchant Street area already has. The zoning code revisions should incorporate the Design regulations of the Special Improvement District (Appendix A).

The business districts should include provisions for the conversion of residential uses to professional offices or mixed professional office/ residential uses within the district. The ordinance should include strict architectural and sign design guidelines.

*Response: While the goal of removing cumulative zoning remains, the SID was dissolved in 2011. Hybrid zoning and design guidelines being incorporated into the code are no longer valid.*

**3. Zoning for Business.**

Consider including additional properties in the business districts. These properties at the intersection of Chestnut Street and West Atlantic Avenue currently contain a photography studio, a hardware store, an organ repair shop and several residences. Adding them to the business districts will acknowledge the current conditions and encourage the future viability of the properties.

Chestnut Street	
Block	Lots
73	7
74	7, 7.03, 7.04, 7.05, 7.06

*Response: No longer valid.*

**4. Revise and Amend the Residential Zoning Districts.**

The residential zoning district standards should be amended to include the purpose, permitted uses, and specific additional criteria or standards. The bulk and area standards for all of the residential zoning districts should be included in a single consolidated zoning chart that shows the bulk and area standards for all of the zoning districts. The R-1 zone should be amended to prohibit commercial and industrial uses which it currently allows. A draft of the Zoning chart is included as Appendix C.

*Response: A zoning chart is not recommended and therefor no longer valid. Bulk standards should be located under each zone within the ordinance. The other zoning recommendations within Residential zoning districts remain valid.*

**5. Add Institutional and Recreational Zoning Districts.**

Currently the Borough does not have a zoning district for institutional, public, recreational and utility uses. A new zone for these uses would add clarity to those viewing the zoning map. Any future development of structures and parking on these sites should utilize development guidelines consistent with the surrounding area and the setbacks in the zoning chart.

*Response: Remains Valid.*

**6. Identify the Environmentally Sensitive Stream and Waterway Corridors.**

A stream corridor buffer overlay ordinance should be adopted for the Peter Creek/ Newton Lake corridor and the Haddon/Audubon Lake corridor. This would add a layer of protection for the waterways and reinforce the Borough's intent to maintain the environmental integrity of the corridors.

*Response: No longer valid as NJDEP has jurisdiction over waterways and sensitive lands throughout the State.*

## 7. Solid Waste.

Add the requirements that commercial entities in the Borough must arrange for the collection of trash and recyclable materials on a schedule commensurate with the amount of trash and recyclables generated by the facility. One of the goals of the 1989 Master Plan was to require that “a plan for the collection, disposition and recycling of recyclable materials be included within any proposal for the construction of 50 or more units of multi-family residential housing, and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land”. It is recommended that a provision be included for small scale commercial development, such as small office buildings, that would allow for curbside collection if the facility would not generate any more trash and recyclables than an average household. The applicant would apply through the recycling coordinator for a waiver to permit curbside collection. The requirements for commercial trash and recyclable collection should be included in an update of Chapter 266, Solid Waste (the NJDEP’s model solid waste and recycling ordinance that may be tailored to the local needs is included as Appendix D).

*Response: No longer valid, Section 50-131 includes language about recycling plan. The Borough’s Solid Waste Ordinance has been updated.*

## 8. Renewable Energy and Sustainability.

Sustainable planning incorporates all the plan elements and topics that have traditionally been included in Master Plans, but takes a more balanced approach that recognizes the interconnectivity of community, land use, the environment, transportation, and the economy. Sustainability requires that human activities be adapted to the constraints and opportunities of the natural systems that are needed to support life.

On a specific level, interest in reducing greenhouse gases and increasing energy independence has been on the rise. Currently the Borough’s planning regulations do not provide guidance for the installation of small wind turbines or solar energy systems. Though the prospects for wind energy in a fully developed municipality may seem remote, it is recommended that the Borough adopt standards for renewable energy technologies such as small wind and solar /photovoltaic energy systems. The adoption of such standards will reduce uncertainty about what is and is not permitted, the permitting and local approval process, and will ensure that clean renewable energy resources may be used effectively by residents and business owners in the Borough. The provision of renewable energy promotes the public health, safety and general welfare by contributing to a reduction in air pollution, creating green jobs, reducing energy costs over time and improving the environment. The local provision of energy also supports security and safety. The adoption of standards for renewable energy systems will ensure that solar electric systems may be permitted in the Borough with appropriate regulations and design standards. The recommendation for Audubon is to permit the production of energy primarily for use on site, with excess power going back to the electric grid. It is also recommended that the Borough consider whether standards should be developed for solar and wind energy commercial operations where the solar and/or wind facilities are a principal use that produce electricity for commercial sale. A recent State law has amended the Municipal Planning Law to define wind, solar or photovoltaic energy facilities or structures as inherently beneficial uses.

*Response: Remains Valid.*

## 9. Affordable Housing.

The affordable housing laws of the State are currently in a state of flux. While the “Round Three” COAH rules adopted in 2008 remain in effect, there is a great deal of uncertainty about the future of affordable housing laws. The COAH rules have been challenged in the Courts, there is pending legislation that would change the administrative structure set up to oversee compliance with the *Mount Laurel* doctrine, and the Governor’s Housing Taskforce recently released a report with recommendations to make the provision of affordable housing more efficient and effective. The future of affordable housing law is uncertain at this time. In view of this uncertainty, and in view of the Borough’s desire to provide opportunities for a variety and choice in housing, the Borough should monitor the evolution of the housing laws and regulations and aim to comply. The Borough already has a variety of housing types and is already home to residents with a variety of incomes and will continue to support opportunities for affordable housing when they make sense in the context of the Borough’s overall plans. The Borough should continue to create opportunities for affordable housing to ensure that the Borough will be in compliance with current or new legislation that may pass.

*Response: On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (COAH) failed to act, and as a result, the Courts assumed jurisdiction over the Fair Housing Act. Currently, the Borough has a present need (rehabilitation) of thirty-seven (37) units, a prior round need of zero (0) units and a prospective need of two hundred twenty-two (222) units. Due to continued lack of development pressures, the Borough opted not to participate in the current round three Court administered process.*

## 10. Signs and Design Standards.

Signage is an important mechanism for businesses and other organizations to identify their location and communicate with the public. The sign code (208-96) should be reviewed and revised with consideration for design standards to regulate area, placement, and height and to encourage effective and aesthetically pleasing signage. Certain sign styles and methods of illumination may be encouraged and the amount of copy may be restricted to one main message in order to provide for a unified design scheme and to minimize visual clutter along the roadways. A comprehensive sign regulation system, applied fairly and consistently throughout the Borough will provide clarity for property owners or tenants wishing to install signs, will make it easier for the Borough to regulate signs and will enhance the architectural and planned character of each district. The purpose of the sign regulations is to provide a legal framework for a comprehensive and balanced system of signage that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and the built environment, protect the scenic qualities of the Borough, and avoid visual clutter that is potentially harmful to the character of the community, the aesthetics of the Borough, and potentially unsafe for motorists and pedestrians.

*Response: Remains Valid.*

## 11. Water and Sewer Infrastructure.

The Borough's infrastructure system is aging and the sewer lines in particular are in need of attention and replacement in some areas. The ability to remedy problems with the sewer system is limited by the funds available to undertake the necessary repairs. Upgrading the sewer system will be expensive, but improvement projects will be needed over time to ensure that there is ample capacity to serve existing development and redevelopment projects. The New Jersey Environmental Infrastructure Trust is an independent agency that provides low-cost financing for the construction of environmental infrastructure projects that enhance and protect ground and surface water resources, ensure the safety of drinking water supplies, and make possible responsible and sustainable economic development. Additionally developers will be able to make improvements to serve their projects, which will also benefit the community overall.

*Response: Remains Valid for sanitary sewer. Water infrastructure throughout the Borough is owned and operated by New Jersey American Water.*

## 12. Reuse of Property.

It is recommended that the future reuse of the Church of the Holy Maternity site at 431 West Nicholson Road (Block 152, Lot 2) be considered, as the Church is being closed as part of the Roman Catholic Diocese of Camden's consolidation plan. Holy Maternity is proposed to merge with Sacred Heart in Mount Ephraim. While the Camden Diocese may retain the +/- 5 acre property, the uses may change or the property may become available for non-church uses, or it may be put up for sale. It is recommended that the Borough work with the Diocese of Camden's real estate department to consider future uses of the site.

*Response: No longer valid, the church is now owned by Primera Iglesia Pentecostal Hipana (purchased 2012) and used as a church.*

## 13. Redevelopment Plans.

It is recommended that the Redevelopment Plan for block 153, lots 1 and 3 be revised to guide development consistent with the Borough's vision for the area as part of a mixed use planned district that will complement redevelopment along the Black Horse Pike as well as nearby multi-family residential developments. It is also recommended that consideration be given to amending the Redevelopment Plan for the West Merchant Street Area be amended for Block 64 lots 9, 10, 11, and 12 which contains the vacant Tommy G's restaurant and a portion of the parking area to ensure that there is sufficient guidance and incentive to redevelop the site. Further, the Borough should monitor the status of Block 50 Lots 1, 1.01, 2, 2.01, 3, 3.01, and 22, containing the vacant pharmacy store and consider whether redevelopment area designation would be helpful to facilitate revival of the property. Additional details are provided in Section E below.

*Response: No longer valid.*

- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.  
(N.J.S.A. 40:55D-89c)**

**1. Borough of Audubon Policies, Goals, Objectives, Concerns**

While the Borough has not seen a fundamental shift in the assumptions, goals and objectives that formed the basis for the 2010 Master Plan Reexamination; there have been some circumstantial changes in and around the Borough, some changes to statewide policies and regulations that impact the Borough, and some new perspectives on how to respond to economic and social changes. Many small to medium sized developed suburbs, such as Audubon, face common problems that can be solved more efficiently and effectively with coordination and cooperation. Such cooperation can also provide a shared voice to advocate for the concerns of similarly situated municipalities.

While many of the Borough's goals and objectives have remained steady over the years since the 2010 master plan was adopted, the means to achieve them have evolved over time. Experience has informed the Borough's planning strategy. As the Borough has gained some experience with revitalization planning and in dealing with the challenges of redevelopment and service delivery faced by mature suburban communities, the opportunities for alternative means of reaching goals and objectives have been considered.

The changes in development patterns since the 2010 reexamination (and most recently due to the current pandemic) may require changes in the way zoning and planning for commercial and retail should be practiced moving forward. E-commerce, office and warehouses may be reviewed as additional uses to focus on with the changing commercial climate that is focused more on on-line ordering as opposed to in-person shopping and dining. The economic recession has set back efforts to achieve a stable commercial occupancy rate. From a planning perspective the slow-down due to the pandemic provides an opportunity to prepare for the economic rebound and changes in commerce by laying the foundations for a diverse and sustainable economy. The recession has resulted in higher unemployment, decreased in-person consumer spending, increase in vacancies in the retail, dining and commercial real estate sectors, and increased demand for existing housing stock and multifamily housing. These impacts have been felt across the State and the nation and have affected all sectors of the economy and people of all income levels. The economy will take additional time to fully rebound. The recent economic conditions have altered some of the assumptions upon which land use decisions had been made over the prior real estate booms.

While economic recovery from the pandemic is continuing, the changes to the way of doing business that have taken place may have longer lasting impacts on society's preferences, priorities, and housing choices, directing more interest toward redevelopment and "smart growth" in the long run. These newer uses could be added to the existing zoning with appropriate buffers that would complement additional uses. The housing market is moving out of cities and a market for lots in compact neighborhoods with an established sense of community and sense of place, with smaller homes that are more energy efficient and closer to places of work may be increasing as it is around New York and Philadelphia suburbs. Working from home trend may continue and have lasting impacts, as well as the change in consumer preference will be to the benefit of Audubon.

In order to seize on opportunities to encourage the foundations of a vibrant community over the long term, Audubon will need to: encourage the maintenance and modernization of the existing housing stock so that it remains relevant and desirable in the real estate market, encourage the emergence of a unified design scheme in the commercial areas, enhance pedestrian amenities, and reinforce a sense of place that separates sought-after communities from those that are more nondescript.

Some creative planning and redevelopment opportunities may provide for logistics parking for delivery vehicles which support e-commerce and zoning for warehousing and allowing additional housing opportunities in the Borough's commercial districts and redevelopment areas to address the vacancy of retail and office spaces that may no longer be viable. At the same time, the Borough is mindful of the financial constraints faced by homeowners and business owners, and wishes to retain its residents and businesses without placing undue financial strains upon them. The Master Plan Reexamination seeks to set the stage for the necessary balance.

**Specific Land Use and Development issues that have arisen since the last Master Plan Reexamination in 2010 are outlined below. The observations and issues lead to recommendations for policy changes and/or implementation of regulatory changes in Section D.**

- a. **Commercial Vacancy.** The changes in development patterns since the 2010 reexamination (and most recently due to the current pandemic) may require changes in the way zoning and planning for commercial and retail should be practiced moving forward.
- b. **Redevelopment and rehabilitation opportunities.** The Borough should look at existing and potential Redevelopment and Rehabilitation areas that could incentivize private redevelopment throughout the Borough.
- c. **Zoning Regulation of "New" Uses.** There are some contemporary uses that were likely not intentionally omitted from the permitted uses within the Borough's zoning code. The Borough Council may wish to amend the zoning code to account for these uses.
- d. **Merchant Street / East Atlantic Avenue Parking.** As the Merchant Street and East Atlantic Avenue commercial areas continue to be successful, consideration should be given to adding additional on street parking where practical.

## e. Renewable Energy

The State Legislature has enacted several pieces of new legislation over the last year that affect renewable energy facilities (solar, wind and biomass). The various laws converge to generally encourage the production of alternative and renewable energy, yet without local efforts to link the state laws to local ordinances, there is some confusion about what is and is not permitted, and a lack of clarity about municipal land use intentions.

Below is a summary of the laws enacted by the New Jersey State Legislature.

- **P.L. 2009 C 213** (January 16, 2010) relates to the installation of solar, wind and biomass energy generation facilities on preserved farms and commercial (unpreserved) farms and also modifies the Right to Farm Act and farmland assessment as they relate to renewable energy facilities.
- **P.L. 2009 C 146** amends Municipal Land Use Law N.J.S.A. 40:55D-4 and 7 to include definitions for “Inherently Beneficial Use” and “Wind, solar or photovoltaic energy facility or structure”.
  - **Inherently Beneficial Use** - “a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare. Such a use includes, but is not limited to, a hospital, school, child care center, group home, or a wind, solar or photovoltaic energy facility or structure.”
  - **Wind, Solar or photovoltaic energy facility or structure** – “a facility or structure for the purpose of supplying electrical energy produced from wind, solar, or photovoltaic technologies, whether such facility or structure is a principal use, a part of the principal use, or an accessory use or structure.”
- **P.L. 2009 C 35** (March 31, 2009) adds a section to Municipal Land Use Law N.J.S.A. 40:55D-66.11 which provides that a renewable energy facility is a permitted use within every industrial zone as long as the parcel consists of at least 20 contiguous acres owned by the same entity.
- **P.L. 2009 C 244** (January 16, 2010) creates new sections within Municipal Land Use Law N.J.S.A. 40:55D-66.12 to 40:55D-66.15, to provide guidance for wind energy systems, and provides that ordinances adopted by municipalities to regulate the installation and operation of small wind energy systems shall not unreasonably limit such installations or unreasonably hinder the performance of such installations. The law defines the unreasonable hindrances and requires that within 10 months of enactment of adoption of the law (January 2010), the Director of the Division of Codes and Standards in the DCA , in consultation with the DEP will issue a technical bulletin including a model municipal ordinance for the construction of small wind energy systems.
- **N.J.S.A. 52:27D-141.1 (March 31, 2009)** provides that developers of 25 or more single family residential dwelling units shall offer the installation of solar energy systems as an option to homeowners.



- **P.L. 2010 C 4** (April 22, 2010) provides that solar panels are not to be included as impervious surface for impervious cover calculations or for storm water management planning, only the foundation may be considered impervious.
- **P.L. 2017 C 275** amends Municipal Land Use Law N.J.S.A. 40:55D-28 to include (f) a statement of strategy concerning:
  - (i) smart growth, in part, shall consider potential locations for the installation of electric vehicle charging stations,
  - (ii) storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure,
  - (iii) environmental sustainability.

## 2. State Policy

**a. State Plan.** The New Jersey State Development and Redevelopment Plan was adopted in March of 2001. The Draft of the updated State Plan was released in 2009, but has not yet been adopted so the 2001 Plan remains the plan in effect at this time. The State Plan designates Audubon as part of the Metropolitan Planning Area (PA-1). PA-1 is a smart growth area, which is a generally developed area where investment in infrastructure and redevelopment are encouraged. Within Planning Area 1, the State Plan's intention is to:

- provide for much of the state's future redevelopment;
- revitalize cities and towns;
- promote growth in compact forms;
- stabilize older suburbs;
- re-design areas of sprawl; and
- protect the character of existing stable communities.

These goals are to be met by strategies to upgrade or replace aging infrastructure; retain and expand employment opportunities; upgrade and expand housing to attract a balanced residential population; restore or stabilize a threatened environmental base through brownfields redevelopment and greenway enhancement; and managing traffic effectively.

As part of the Metropolitan Planning Area, redevelopment and revitalization in Audubon is encouraged and supported by the State Plan.

**b. The New Jersey Residential Site Improvement Standards** (N.J.A.C. 5:21) supersede municipal zoning regulations when there are conflicts.

c. **The New Jersey Council on Affordable Housing's** (COAH) Third Round regulations were initially adopted in 2004, and substantially invalidated in an Appellate Division decision in January of 2007. COAH then released new Third Round regulations that became effective on June 2, 2008, and amendments were immediately proposed and became effective on October, 2008. The rules were again challenged on many fronts and after two years, on October 8, 2010 the Appellate Division invalidated the "growth share" methodology for establishing affordable housing obligations. Some aspects of affordable housing rules and regulations remain in effect. On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (COAH) has failed to act, and as a result, the Courts assumed jurisdiction over the Fair Housing Act. At the time of the 2010 Master Plan Reexamination Report, the Borough decided to continue to monitor these developments, and when the situation stabilizes, determine whether an updated Housing Element and Fair Share compliance plan should be prepared and submitted. Currently, the Borough has a present need (rehabilitation) of thirty-seven (37) units, a prior round need of zero (0) units and a prospective need of two hundred twenty-two (222) units. Due to continued lack of development pressures, the Borough opted not to participate in the current round three Court administered process.

d. **Stormwater:**

**Municipal Storm Water Regulations** were adopted (N.J.A.C. 7:8) in 2004 requiring that all municipalities adopt a Stormwater Plan. The Borough has filed its stormwater permit and is in compliance with the regulations.

**Water Quality Management rules** (N.J.A.C. 7:15) were adopted by the NJ DEP and became effective on July 7, 2008. These Rules assigned primary wastewater management planning responsibility to the 21 counties. The Borough is in compliance.

**Stormwater Management rules** will be amended and adopted by the NJDEP, effective March 2, 2021. The Borough should review these rules and amend the Borough Ordinances as required.

The Borough should regularly review all stormwater regulations as promulgated by NJDEP and make any revisions to Borough codes and ordinances as applicable.

**D. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.  
(N.J.S.A. 40:55D-89d)**

A new comprehensive Master Plan is not needed at this time, as the planning foundations set forth in the 2010 Master Plan Reexamination remain relevant today. This section outlines the recommended changes and additions to the Master Plan. Together the Borough's 1989 Master Plan along with the 2010 Master Plan Reexamination will form the whole of the Borough's Master Plan.

The specific Master Plan Amendments and Recommendations are listed below and will serve to ensure that the Borough's planning policies and regulations support the goals and objectives as the Borough strives to implement effective regulations and efficient processes.

## **1. Goals and Objectives.**

The following goals remain valid.

Goal: Build upon the success of the revival of the West Merchant Street area and facilitate the projection of the unique characteristics of the Borough's center to other areas of the Borough, such as the White Horse Pike Redevelopment Area and other non-residential areas where appropriate.

Goal: Enhance areas designated for commercial, retail, and professional office opportunities along major roadways and at key intersections by incorporating design driven zoning that permits a flexible array of uses. Appendix A includes excerpts from the DVRPC's "Black Horse Pike – Making it Work" report, which recommends design guidelines to enhance the corridor and improve the environment for pedestrian, cyclists and motorists alike.

Goal: Provide opportunities for mixed use redevelopment and adaptive reuse that incorporate a complementary balance of residential development, commercial development, and open space to enhance the vitality of the Borough.

Goal: Consider the economics of redevelopment and adaptive reuse as part of an overall planning strategy to ensure that desired redevelopment in various areas of the Borough is realistically achievable and will be financially feasible.

## **2. Revise, Amend, Consolidate and Simplify the Business Zoning Regulations.**

The current zoning regulations include "cumulative" zoning. "Cumulative" zoning was first utilized when zoning powers were granted to municipalities in the 1940s, when the primary purpose of zoning was to minimize nuisances. The ordinance would protect residents from having an industrial facility constructed next to their house, but it still allowed for the construction of a house next to the industrial facility if the resident so desired. While flexibility within zoning ordinances is beneficial, it must be tailored to meet the Borough's goals. The zoning standards should be revised to eliminate the "cumulative" zoning.

## **3. Revise and Amend the Residential Zoning Districts.**

The residential zoning district standards should be amended to include the purpose, permitted uses, and specific additional criteria or standards. The bulk and area standards for all of the residential zoning districts should be included within each district section of the ordinance.

## **4. Add Institutional and Recreational Zoning Districts.**

Currently the Borough does not have a zoning district for institutional, public, recreational and utility uses. A new zone for these uses would add clarity to those viewing the zoning map. Any future development of structures and parking on these sites should utilize development guidelines consistent with the surrounding area and the setbacks in their zoning district.

## **5. Renewable Energy and Sustainability.**

Sustainable planning incorporates all the plan elements and topics that have traditionally been included in Master Plans, but takes a more balanced approach that recognizes the interconnectivity of community, land use, the environment, transportation, and the economy. Sustainability requires that human activities be adapted to the constraints and opportunities of the natural systems that are needed to support life.

On a specific level, interest in reducing greenhouse gases and increasing energy independence has been on the rise. Currently the Borough's planning regulations do not provide guidance for the installation of small wind turbines or solar energy systems. Though the prospects for wind energy in a fully developed municipality may seem remote, it is recommended that the Borough adopt standards for renewable energy technologies such as small wind and solar /photovoltaic energy systems. The adoption of such standards will reduce uncertainty about what is and is not permitted, the permitting and local approval process, and will ensure that clean renewable energy resources may be used effectively by residents and business owners in the Borough. The provision of renewable energy promotes the public health, safety and general welfare by contributing to a reduction in air pollution, creating green jobs, reducing energy costs over time and improving the environment. The local provision of energy also supports security and safety. The adoption of standards for renewable energy systems will ensure that solar electric systems may be permitted in the Borough with appropriate regulations and design standards. The recommendation for Audubon is to permit the production of energy primarily for use on site, with excess power going back to the electric grid. It is also recommended that the Borough consider whether standards should be developed for solar and wind energy commercial operations where the solar and/or wind facilities are a principal use that produce electricity for commercial sale. A recent State law has amended the Municipal Planning Law to define wind, solar or photovoltaic energy facilities or structures as inherently beneficial uses.

## **6. Affordable Housing.**

On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (COAH) failed to act, and as a result, the Courts assumed jurisdiction over the Fair Housing Act. Currently, the Borough has a present need (rehabilitation) of thirty-seven (37) units, a prior round need of zero (0) units and a prospective need of two hundred twenty-two (222) units. Due to continued lack of development pressures, the Borough opted not to participate in the current round three Court administered process.

In view of the Borough's continuing desire to maintain opportunities for a variety and choice in housing, the Borough will monitor the evolution of the housing laws and regulations.

## **7. Signs and Design Standards.**

Signage is an important mechanism for businesses and other organizations to identify their location and communicate with the public. The sign code (208-96) should be reviewed and revised with consideration for design standards to regulate area, placement, and height and to encourage effective and aesthetically pleasing signage. Certain sign styles and methods of illumination may be encouraged and the amount of copy may be restricted to one main message in order to provide for a unified design scheme and to minimize visual clutter along the roadways. A comprehensive sign regulation system,

applied fairly and consistently throughout the Borough will provide clarity for property owners or tenants wishing to install signs, will make it easier for the Borough to regulate signs and will enhance the architectural and planned character of each district. The purpose of the sign regulations is to provide a legal framework for a comprehensive and balanced system of signage that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and the built environment, protect the scenic qualities of the Borough, and avoid visual clutter that is potentially harmful to the character of the community, the aesthetics of the Borough, and potentially unsafe for motorists and pedestrians.

## **8. Sewer Infrastructure.**

The Borough's infrastructure system is aging and the sanitary sewer lines in particular are in need of attention and replacement in some areas. The ability to remedy problems with the sewer system is limited by the funds available to undertake the necessary repairs. Upgrading the sewer system will be expensive, but improvement projects will be needed over time to ensure that there is ample capacity to serve existing development and redevelopment projects. The New Jersey Environmental Infrastructure Trust is an independent agency that provides low-cost financing for the construction of environmental infrastructure projects that enhance and protect ground and surface water resources, ensure the safety of drinking water supplies, and make possible responsible and sustainable economic development. Additionally developers will be able to make improvements to serve their projects, which will also benefit the community overall.

## **9. Commercial Vacancy.**

The changes in development patterns since the 2010 reexamination (and most recently due to the current pandemic) may require changes in the way zoning and planning for commercial and retail should be practiced moving forward. Some creative planning and redevelopment opportunities may provide zoning for e-commerce, logistics parking for delivery vehicles which support e-commerce, warehousing, and allowing for additional housing opportunities in the Borough's commercial districts and redevelopment areas.

## **10. Redevelopment and rehabilitation opportunities.**

The Borough should be open to utilizing the redevelopment process throughout qualified areas in the Borough. In addition, there is potential for the Borough to initiate revitalization by declaring the entire Borough as an Area in Need of Rehabilitation.

## **11. Zoning Regulation of "New" Uses.**

There are some contemporary uses that were likely not intentionally omitted from the permitted uses within the Borough's zoning code. These uses include warehouses, e-commerce businesses, gyms and health clubs, internet cafes, micro and craft breweries and distilleries, coffee roasters, solar energy facilities, telecommunications towers, and electric car charging stations. The Borough Council may wish to amend the zoning code to account for these uses.

## **12. Green Buildings.**

Looking toward the future, it is recommended that private property owners, developers and builders, as well as public institutions incorporate green building technologies and techniques into development and redevelopment projects in Audubon. Developers may refer to the Leadership in Energy and Environmental Design (LEED) system developed by the United States Green Building Council for guidance in choosing sustainable design elements and building materials. The Planning Board does not recommend that specific compliance with LEED or other green rating systems be required at this time, as there are more ways than one to meet “green” objectives, the technologies are still evolving, and green building requirements may make construction more expensive in the short term. Given current economic conditions the Borough does not propose to make the requirements mandatory. However, it is the Borough’s intent to encourage energy efficiency and green building technologies, and to provide reasonable flexibility to enable redevelopment and construction that makes efficient use of energy, water, space, and solar gain and that improve both indoor and outdoor air quality.

## **13. Renewable Energy and Sustainability.**

Sustainable land use planning incorporates all the plan elements and topics that have traditionally been included in Master Plans, but takes a more balanced approach that recognizes the interconnectivity of community, land use, the environment, transportation, and the economy. Sustainability requires that human activities be adapted to the constraints and opportunities of the natural systems that are needed to support life.

Interest in reducing greenhouse gases and increasing energy independence has been on the rise. Currently the Borough’s land use regulations do not provide guidance for the installation of small wind turbines, geothermal systems, or solar energy systems. Though the prospects for wind energy in a fully developed municipality may seem remote, it is recommended that the Borough adopt standards for renewable energy technologies such as solar /photovoltaic energy systems in order to reduce uncertainty about requirements and the local approval process. Additionally the installation of geothermal systems is encouraged for municipal properties, as an energy efficient means to provide clean and cost effective heating and cooling.

The provision of renewable energy promotes the public health, safety and general welfare by contributing to a reduction in air pollution, creating green jobs, reducing energy costs over time, and improving the environment. The local provision of energy also supports security and safety. The adoption of standards for renewable energy systems will ensure that solar electric systems are permitted in the Borough with appropriate regulations and design standards to ensure safe installation and to protect adjacent land owners. It is anticipated that renewable energy facilities in the Borough will mainly be accessory to residential or commercial uses, where energy produced is primarily for use on site, with excess power going back to the electric grid. Solar production on large commercial rooftops, is specifically encouraged. It is also recommended that the Borough consider whether standards should be developed for solar and wind energy commercial operations where the solar and/or wind facilities are a principal use that produce electricity for commercial sale. As State law has amended the Municipal Planning Law to define wind, solar or photovoltaic energy facilities or structures as inherently beneficial uses. By adopting regulations the Borough may direct the renewable energy facilities to locations the Borough deems most appropriate.

#### **14. The New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).**

The New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21) supersede municipal zoning regulations when there are conflicts. The zoning ordinance shall reference this and remove and conflicts if they exist.

#### **15. Stormwater Management Rules**

Stormwater management rules will be amended and adopted by the NJDEP, effective March 2, 2021. The Borough should review these rules and amend the Borough Ordinances as required. The Borough should regularly review all stormwater regulations as promulgated by NJDEP and make any revisions to Borough codes and ordinances as applicable.

#### **16. Merchant Street / East Atlantic Avenue Parking.** As the Merchant Street and East Atlantic Avenue commercial areas continue to be successful, consideration should be given to adding additional on street parking where practical.

#### **E. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality. (N.J.S.A. 40:55D-89e)**

It is the Borough's intent to maintain the option to utilize all available planning tools to work toward realization of the Borough's vision for a healthy, vibrant, and attractive business environment, to improve the quality of life for current and future residents, and to maintain and enhance opportunities for smart growth and economic development. As the Borough continues to monitor and assess conditions in the nonresidential areas in the context of the overall land use picture, specific properties or areas may emerge as candidates for redevelopment. Where redevelopment or rehabilitation area designation has the potential to advance the Borough's goals and objectives, to incentivize redevelopment of properties vital to anchoring the local economy, to create community value, and to have positive ripple effects throughout the Borough, then those areas may be recommended for study in accordance with Local Redevelopment and Housing Law.

Audubon's designated Redevelopment Areas are shown on MAP 4. The Redevelopment Areas are listed below.

##### **1. Redevelopment Plan for Black Horse Shopping Center**

Block 151, Lots 1, 1.01, 2, and 3

The purpose of this plan was to encourage development and redevelopment of retail and office space, and prevent further deterioration, and to minimize the enormous parking area. The plan aimed to increase employment opportunities, expand the business community, increase the tax base and add of senior housing, while diminishing the conditions of underutilization that had been looming for 20 years.

### **3. Redevelopment Plan for West Merchant Street Commercial District (White Horse Pike to Beloit Avenue)**

The purpose of the Redevelopment Plan is to support and encourage redevelopment and adaptive reuse of the existing retail businesses in the area and restore the commercial district to the thriving business community it once was in the 1950s and 1960s. The plan anticipated that the revitalization would lead to increased employment opportunities, reduced vacancies, increased tax revenues and the establishment of a strong business community. The plan expanded the uses permitted, adding flexibility and aimed to provide convenient and safe parking and to improve the streetscape, which benefits all property owners and the community as a whole.

### **3. Redevelopment Plan for White Horse Pike Study Area (Merchant to Nicholson)**

This redevelopment area was designated to encourage the reversal of physical and economic deterioration within the study area and to promote utilization and revitalization of vacant and poorly maintained properties.

### **4. March 2006 Redevelopment Plan for Block 153, Lots 1 and 3**

The purpose of this plan is to promote a fully productive condition of land, and to reverse the trend toward physical and economic deterioration; and to provide enhanced opportunities for the development of age restricted housing. The study area permits the uses currently permitted in the underlying C Business zoning district and also permits age-restricted housing at a density of 20 units per acre and a maximum height of 65 feet (5 stories). At the time the Redevelopment Plan was adopted, the "initial" Round Three COAH regulations were in effect, and the plan aimed to ensure that a developer would be responsible to for any affordable housing obligation generated by the development.

The Borough should consider revisiting each of the above Redevelopment Plans for potential revisions to address current conditions.

The Borough should also consider the adoption of a Borough-wide Rehabilitation Area. The state statute setting forth the guidelines for areas in need of rehabilitation specifically permits a finding of need for rehabilitation that extends to the entire area of a municipality. A delineated area may be determined to be in need of rehabilitation if the municipality finds that a program of rehabilitation is expected to prevent further deterioration and to promote overall development and if one of the following six (6) conditions exist: (1) a significant portion of structures therein are in a deteriorated or substandard condition; (2) more than half of the housing stock in the delineated area is at least 50 years old; (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area; (4) there is a persistent arrearage of property tax payments on properties in the area; (5) environmental contamination is discouraging improvements and investment in properties in the area; or (6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.



The benefits of Rehabilitation include:

- All powers and rights of a redevelopment designation except for the power of eminent domain and the ability to confer long-term PILOTs.
- Tax exemptions or abatements for up to 5 years.
- Eligibility for tax exemptions or abatements can be customized by a municipality based on structure and/or types of improvements.
- Eligibility for tax exemptions or abatements can differentiate among the various neighborhoods, zones, areas or portions of the area in need of rehabilitation with respect to eligibility.

## **IV. Conclusion**

The recommendations in sections D and E above will assist the Borough in advancing its goals, which include supporting existing businesses, attracting new employers, encouraging in-fill development and redevelopment, incorporating inviting and vibrant public spaces, and improving architectural character and design. Despite the challenges faced by the Borough of Audubon, the Borough has much strength, and is well positioned to capitalize on its assets to enhance the sense of community, convenience, and character that make the Borough desirable to residents and businesses.

# **APPENDIX A**

Excerpts from “Black Horse Pike-Making it Work”, Design Standards

# DESIGN STANDARDS

*that every development project should follow*

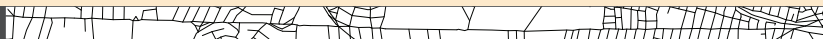


**Monument Signs.** The graphic above shows a prototypical monument sign for Mt. Ephraim Ave / Black Horse Pike. Note that the sign includes the street address but not other elements that add clutter or pose a safety hazard, like business hours, telephone numbers or emails. The pictures below are additional examples of monument signs.



# FREE-STANDING SIGNS

<b>TYPE</b>	<b>Monument Sign.</b> Pole-mounted signs are not permitted.
<b>QUANTITY</b>	<ul style="list-style-type: none"> <li>▶ Maximum number of free-standing signs per property = 1</li> <li>▶ Corner properties can have 2 free-standing signs, one for each entrance, provided the entrances are located on different streets.</li> </ul>
<b>PLACEMENT</b>	<ul style="list-style-type: none"> <li>▶ Minimum distance of sign edge from curb of roadway = 20 ft.</li> <li>▶ Minimum distance of sign edge from sidewalk edge = 2 ft.</li> </ul>
<b>DIMENSIONS</b>	<ul style="list-style-type: none"> <li>▶ Maximum height = 10 ft.</li> <li>▶ Maximum width = 8 ft.</li> <li>▶ Maximum area of sign face = 80 s.f.</li> <li>▶ At least 75% of the base of the sign must be within 12 in. of the ground.</li> </ul>
<b>INFORMATION</b>	<ul style="list-style-type: none"> <li>▶ Amount of information on sign must not be more than that which is necessary to provide reasonable identification of the business.</li> <li>▶ Sign must indicate street number of the property</li> </ul>
<b>MATERIALS</b>	<ul style="list-style-type: none"> <li>▶ Sign and sign supports must be constructed of wood, metal, stone, stucco, brick, or synthetic substance that mimics these materials.</li> <li>▶ Plastic boxes cannot be used.</li> </ul>
<b>LETTERS</b>	<ul style="list-style-type: none"> <li>▶ Letters can be either be painted/printed directly on the sign surface or can consist of individually-mounted letter forms that are affixed to the sign surface.</li> </ul>
<b>LIGHTING</b>	<ul style="list-style-type: none"> <li>▶ Lighting for the sign face can only come from an external source mounted on the sign or in the ground.</li> <li>▶ Internal illumination and backlighting is only allowed within individually-mounted letter forms.</li> </ul>
<b>LANDSCAPING</b>	<ul style="list-style-type: none"> <li>▶ The area around monument signs should be landscaped with grasses, shrubs and/or flowers. Signs should not be surrounded by asphalt.</li> </ul>
<b>MAINTENANCE</b>	<ul style="list-style-type: none"> <li>▶ Signs must be maintained periodically (e.g., painted, washed, etc.) so as to minimize signs of vandalism, wear, and accidental damage.</li> <li>▶ Any sign that identifies a business that is no longer in existence or operation must be removed within 60 days of ceasing operations on the premises.</li> </ul>



# DESIGN STANDARDS

*that every development project should follow*

1



**Flat Panel Sign.** A single panel attached flush to the building. Some of the most interesting and unique signs are painted or carved by hand.

2



**Individual Letter Forms (Internally-Illuminated).** Rexy's Bar has a nice sign with individual letter forms, and a logo, that are internally-illuminated.

3



**Individual Letter Forms (Externally-Illuminated).** The Stone Grille in Gloucester Township uses individual letter forms that are externally lit.

4

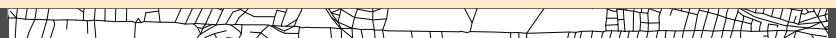


**Painted Sign.** Some of the most eye-catching and attractive signs are painted directly onto the building surface by hand.

5



**Projecting Sign.** These signs are attached to a building at an angle.





# BUILDING-MOUNTED SIGNS

<b>TYPE</b>	<b>1) Flat Panel Sign</b> <b>2) Individual Letter Forms (Internally-Illuminated)</b> <b>3) Individual Letter Forms (Externally-Illuminated)</b> <b>4) Painted Sign</b> <b>5) Projecting Sign</b>	
<b>QUANTITY</b>	<ul style="list-style-type: none"> <li>▶ Maximum number of building-mounted signs per single-tenant property = 1</li> <li>▶ Single-tenant corner properties can have 2 building-mounted signs</li> <li>▶ For multi-tenant properties, each individual business can have one building-mounted sign attached to the portion of the building that houses that particular business.</li> </ul>	
<b>PLACEMENT</b>	<ul style="list-style-type: none"> <li>▶ Building-mounted signs cannot be placed above the roof-line, nor can any part of the sign be higher than the top surface of the building.</li> </ul>	
<b>DIMENSIONS</b>	<i>If building is set back from edge of sidewalk between 0-25 ft., then:</i>	<i>If building is set back from edge of sidewalk more than 25 ft., then:</i>
	<ul style="list-style-type: none"> <li>▶ Maximum height = 4 ft.</li> <li>▶ Maximum width = 8 ft.</li> <li>▶ Maximum area of sign face = 32 s.f.</li> <li>▶ Maximum projection of sign = 24 in.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Maximum height = 7 ft.</li> <li>▶ Maximum width = 14 ft.</li> <li>▶ Maximum area of sign face = 128 s.f.</li> <li>▶ Maximum projection of sign = 12 in.</li> </ul>
<b>INFORMATION</b>	<ul style="list-style-type: none"> <li>▶ Amount of information on sign must not be more than that which is necessary to provide reasonable identification of the business.</li> </ul>	
<b>MATERIALS</b>	<ul style="list-style-type: none"> <li>▶ Signs should be constructed of wood, stone, stucco, metal, brick, or synthetic substance that mimics these materials. Plastic should not be used, except for individual letter forms</li> <li>▶ Do not use plastic boxes.</li> </ul>	
<b>LETTERS</b>	<ul style="list-style-type: none"> <li>▶ Letters can be either be painted, printed, or carved directly on the sign surface or can consist of individually-mounted letter forms that are affixed to the sign surface.</li> </ul>	
<b>LIGHTING</b>	<ul style="list-style-type: none"> <li>▶ Lighting for the sign face can only come from an external source mounted on the sign, the building, or in the ground.</li> <li>▶ Internal illumination is only allowed within individually-mounted letter forms.</li> </ul>	
<b>MAINTENANCE</b>	<ul style="list-style-type: none"> <li>▶ Signs must be maintained periodically (e.g., painted, washed, etc.) so as to minimize signs of vandalism, wear, and accidental damage.</li> <li>▶ Any sign that identifies a business that is no longer in existence or operation must be removed within 60 days of ceasing operations on the premises.</li> </ul>	



# DESIGN STANDARDS

*that every development project should follow*

1



**Ceiling-Mounted Fixtures.** Gas station canopies are notorious for throwing off excessive light glare. However, this SuperWawa designed its canopy to minimize glare by shielding the light fixtures and directing the light downward.

2



**Pole-Mounted Fixtures (Full Cutoff).** This lot uses full cutoff pole-mounted fixtures, in which the bulb is completely encased so that only the bottom surface is visible. This reduces light glare and concentrates the light downward.

3

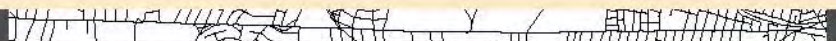


**Pole-Mounted Fixtures (Decorative).** Parking lot lights don't always have to look generic and boring. This picture shows decorative "post-top" style lighting installed in a parking lot. While not considered a full cutoff fixture, this style of area lighting looks good and can complement local historic architecture.

4



**Wall-Mounted Fixtures (Full Cutoff).** Wall-mounted entry lights and security lights can look good and provide excellent lighting. The fixtures shown in this picture are full cutoff. The metal "tent" shields the sides of the bulb, which reduces light glare and focuses the light downward.



# AREA & SECURITY LIGHTING

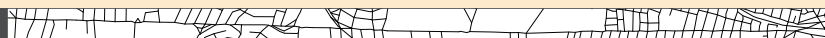
<p><b>TYPE</b></p>	<p><b>1) Ceiling-Mounted Fixtures</b>  <b>2) Pole-Mounted Fixtures (Full Cutoff)</b>  <b>3) Pole-Mounted Fixtures (Decorative)</b>  <b>4) Wall-Mounted Fixtures (Full Cutoff)</b></p>
<p><b>QUANTITY</b></p>	<p>▶ The number of fixtures installed should be enough to provide adequate and uniform lighting levels throughout the area intended to be illuminated so that people feel secure.</p>
<p><b>HEIGHT</b></p>	<p>▶ Maximum mounting height for pole-mounted fixtures = 25 ft.          ▶ No part of a wall-mounted fixture can be higher than the top surface of the building.</p>
<p><b>FIXTURES</b></p>	<p>▶ Light fixtures must be designed with adequate shielding to prevent glare from normal viewing angles. Full cut-off fixtures meet this requirement. The only exception is in the case of decorative post-top (i.e., "Main Street" style) light fixtures.          ▶ Light fixtures must be positioned so that they direct light downward and away from adjacent properties.</p>
<p><b>BULB</b></p>	<p>▶ Maximum intensity of illumination = 4.0 horizontal footcandles.          ▶ Minimum intensity of illumination = 2.0 horizontal footcandles.          ▶ The color of the light emitted from bulbs must appear white (i.e., in the blue and green color spectrum). Metal halide bulbs typically meet this requirement.</p>
<p><b>MAINTENANCE</b></p>	<p>▶ Light poles and fixtures must be maintained periodically (e.g., cleaned, bulbs replaced, washed, etc.) so as to minimize signs of vandalism, wear, and accidental damage.</p>



*Full Cutoff Fixture*



*Semi Cutoff Fixture*





# **APPENDIX B**

Draft Energy Ordinance

**WHEREAS**, it is the purpose of this ordinance to promote the safe, effective and efficient use of small solar energy systems to reduce the on- site consumption of utility-supplied electricity; and

**WHEREAS**, the Borough of Audubon finds that:

1. Solar energy is an abundant, renewable, and nonpolluting energy resource;
2. Converting solar energy to electricity will reduce our dependence on nonrenewable energy resources, and decrease the air and water pollution that results from the use of conventional energy sources;
3. Distributed solar energy systems will also enhance the reliability and power quality of the power grid, reduce peak power demands, and help diversify the State's energy supply portfolio; and
4. Small solar energy systems make the electricity supply market more competitive by promoting customer choice.

**WHEREAS**, New Jersey's Renewable Portfolio Standards (RPS) require each supplier/ provider, as defined at NJAC 14:8-1.2, that sells electricity to retail customers in New Jersey to provide a percentage of their retail electricity sales from renewable energy sources, beginning at 3.5 percent in 2004 and increasing to 22.5 percent by 2021;and

**WHEREAS**, existing local zoning regulations do not address solar power, which while not intended to discourage the installation of solar panels, can substantially increase the time and costs required to obtain necessary local land-use permits; and

**WHEREAS**, the Council of the Borough of Audubon find that it is necessary to standardize and streamline the requirements for small solar energy systems so that this clean, renewable energy resource can be utilized in a cost-effective and timely manner in our municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Audubon that:

Section 1. Title

This ordinance may be referred to as Section \_\_\_\_ Small Solar Energy System Ordinance.

Section 2. Authority

This ordinance is adopted pursuant to Borough of Audubon.

Section 3 Purpose.

- A. The primary purpose of a small solar energy system will be to provide power to the principal use of the property whereon said system is to be located, and the primary purpose of a small solar energy system shall not be for the generation of power for sale,

although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time from a solar energy system designed to meet the energy needs of the principal use. For the purposes of this section, the sale of excess power shall be limited so that in no event an energy system is generating more energy for sale than what is otherwise necessary to power the principal use(s) on the property.

#### **Section 4. Definitions:**

"Administrator" means the Borough of Audubon Zoning Officer.

"Board" means the Borough of Audubon or other Authority Having Jurisdiction.

"Owner" shall mean the individual or entity that intends to own and operate the small energy system in accordance with this ordinance.

"Generator" means equipment that converts energy from the solar into electricity. This term includes all associated mechanical and electrical conversion components necessary to generate, store and/or transfer energy.

"Solar energy system" means a solar generator and all associated equipment, including any base, foundation, structural support, wire, batteries or other components necessary to fully utilize the solar generator.

#### **Section 5. Standards**

- A. Solar energy systems shall only be permitted as an accessory use on the same lot or tract of land as the principal use. All energy systems require approval from the Zoning Officer and construction office prior to installation. Applications for an energy system shall include information demonstrating compliance with the provisions of this section. In the event that the Zoning Officer or Construction Officer does not believe that the provisions of this section will be satisfied, an applicant may apply to the Land Use Board for a variance.
- B. All ground-mounted solar systems with a gross area of 600 square feet or greater shall require minor site plan approval prior to obtaining a zoning permit.
  - (1) The applications shall include the location of proposed and existing overhead utility lines.
  - (2) The location of any proposed or existing substation, inverter or transformer.
  - (3) A description of how the energy generated by the facility will be transmitted to the larger electrical distribution system.
  - (4) Applicants are encouraged to enter into solar access easements with neighboring property owners in order to ensure continuing access to sunlight for a solar or photovoltaic system if the proximity to the neighboring property necessitates such

assurances.

C. Solar energy systems are permitted on preserved and unpreserved farms in accordance with P.L. 2009, Chapter 213, <sup>[1]</sup> which permits solar and wind generation facilities, structures and equipment on the farm or within the exception area on a preserved farm, for the purpose of generating power or heat. Prior to installing or constructing renewable energy facilities, the owner of a farm must apply to Audubon Borough for a zoning permit and must apply to the New Jersey Department of Agriculture as required by § 5 of P.L. 2009 c. 213. <sup>[2]</sup>

(1) For preserved farms the following standards apply:

- (a) The solar energy systems may not interfere significantly with the use of the land for agricultural or horticultural production.
- (b) The solar energy systems must be owned by the landowner or will be owned by the landowner upon the conclusion of a term of agreement with the installer of the renewable energy system.
- (c) The solar energy systems must be used to power or heat the farm, and to reduce energy costs on the farm.
- (d) The energy generation capacity must be limited to the previous calendar year's energy demand plus 10% or may be limited to occupy no more than 1% of the area of the entire farm (including the preserved and unpreserved areas). This does not include roof-mounted equipment that was already in place at the time of the adoption of this section.
- (e) Energy produced may only be sold through net metering.
- (f) The landowner must seek and obtain approval of the State Agriculture Development Committee before constructing, installing or operating the solar energy generation facilities, structures and equipment. The landowner must provide Audubon Borough with a copy of the SADC approval.
- (g) The solar energy generation systems must comply with the setbacks required in Subsection **D** below.

(2) For unpreserved commercial farms the following standards apply:

- (a) In addition to other activities protected by the right to farm, a commercial farm that conforms to generally accepted agricultural management practices may engage in the generation of power or heat from biomass, solar energy consistent with applicable laws and the agricultural management practices adopted by the SADC.
- (b) The land used for the renewable energy system may be eligible for farmland assessment if:

- [1] The property is part of an operating farm.
  - [2] In the prior tax year the land used for the renewable energy system was valued, assessed and taxed as agricultural or horticultural land.
  - [3] The power or heat generated is used to provide power or heat to the farm or agricultural or horticultural operation supporting the viability of the farm, though not necessarily exclusively.
  - [4] The property owner has filed a conservation plan with the soil conservation district to account for the aesthetic, impervious coverage and environmental impacts of the renewable energy facilities and the conservation plan has been approved by the district.
  - [5] Where ground-mounted solar panels are installed, the property under the solar panels is used to the greatest extent practicable for the farming of shade crops or for pasture grazing. The amount of acreage devoted to the structures needed for the renewable energy facility does not exceed a ratio of one to five for land devoted to renewable energy facilities and land devoted to agricultural operations.
  - [6] The renewable energy facilities are constructed or installed on no more than 10 acres of the farmland for which the owner is applying for valuation, assessment and taxation and no more than two megawatts are generated on the 10 acres or less.
  - [7] Income received for energy generated may not be considered income for farmland assessment eligibility.
- (c) The solar energy generation systems must comply with the setbacks required in Subsection D below.

D. Solar energy systems.

- (1) Solar panels shall be permitted as a rooftop installation in any zoning district. The solar panels shall not exceed a height of eight inches from the rooftop. In no event shall the placement of the solar panels result in a total height including building and panels than what is permitted in the zoning district which they are located for the principal building.
- (2) Rooftop solar panels are prohibited from the roof fronting any public street for all buildings located within the Historic District.
- (3) Solar panels shall be permitted as ground arrays in accordance with the following:
  - (a) All ground arrays shall be set back a minimum distance of 20 feet from all property lines in a residential zoning district or in conformance with the bulk

standards for accessory structures in commercial districts as provided herein. Ground arrays shall not be permitted within any required buffer area.

- (b) Ground arrays shall not be permitted in a front yard.
  - (c) Ground arrays shall be located so that any glare is directed away from an adjoining property.
  - (d) Ground arrays shall not exceed a height of 15 feet.
- (4) Ground arrays shall be situated on a property so as to minimize the need to cut mature trees. No trees may be removed from required buffer areas in order to provide solar access.
- E. Solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from a property line.
  - F. The design of solar energy systems shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
  - G. The installation of a solar energy system shall conform to the National Electric Code as adopted by the New Jersey Department of Community Affairs.
  - H. The installation of a solar energy system is subject to all Atlantic City Electric Company requirements for interconnection.
  - I. The height limitations as set forth in the Audubon Borough Zoning Ordinance Schedule of District Regulations and in specified supplementary sections shall not apply to solar energy systems.
  - J. Abandonment.
    - (1) A small solar energy system that is out of service for a continuous twelve-month period will be deemed to have been abandoned.
    - (2) The Zoning Officer may issue a notice of abandonment to the owner. The notice shall be sent via regular and certified mail, return receipt requested, to the owner of record.
    - (3) The landowner shall have 30 days to respond. If information is provided demonstrating that the system has not been abandoned, then the Zoning Officer shall withdraw the notice.
    - (4) Any abandoned system shall be removed at the owner's sole expense within six months after the owner receives the notice of abandonment from the municipality. If the system is not removed within six months of receipt of notice from the Borough

notifying the owner of such abandonment, the Borough may remove the system as set forth below.

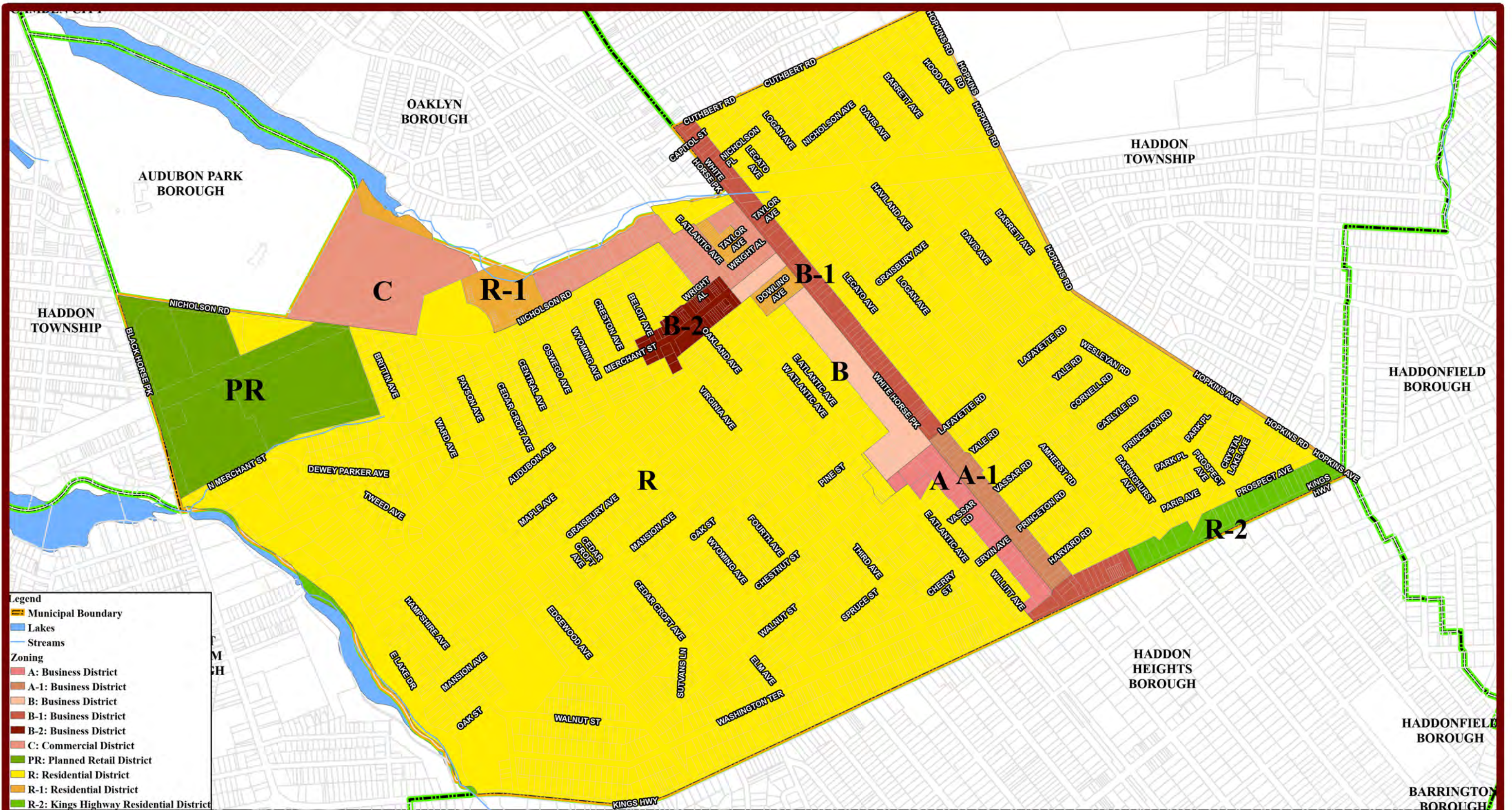
- (5) When an owner of a solar energy system has been notified to remove same and has not done so six months after receiving said notice, then the Borough may remove such system and place a lien upon the property for the cost of the removal. If removed by the owner, a demolition permit shall be obtained and the facility shall be removed. Upon removal, the site shall be cleaned, restored and revegetated to blend with the existing surrounding vegetation at the time of abandonment.

DRAFT

# MAP 1

Existing Zoning





- Legend**
- Municipal Boundary
  - Lakes
  - Streams
- Zoning**
- A: Business District
  - A-1: Business District
  - B: Business District
  - B-1: Business District
  - B-2: Business District
  - C: Commercial District
  - PR: Planned Retail District
  - R: Residential District
  - R-1: Residential District
  - R-2: Kings Highway Residential District

**Borough of Audubon  
Camden County, NJ**

\*This map was developed using NJGIN/NJDEP Geographic Information System digital data, but this is a secondary product which has not been verified by NJGIN/NJDE and is not state authorized

**Map Data & Source:**

Data Source: Camden County Planning Department	
Scale: 1" = 850'	Proj: AB2019-4
Date: November 11, 2020	
Drafted by: Chloe Bach	
Prepared by: Candace Kanaplu, PP, AICP	

**BOROUGH OF AUDUBON  
Existing Zoning Map**



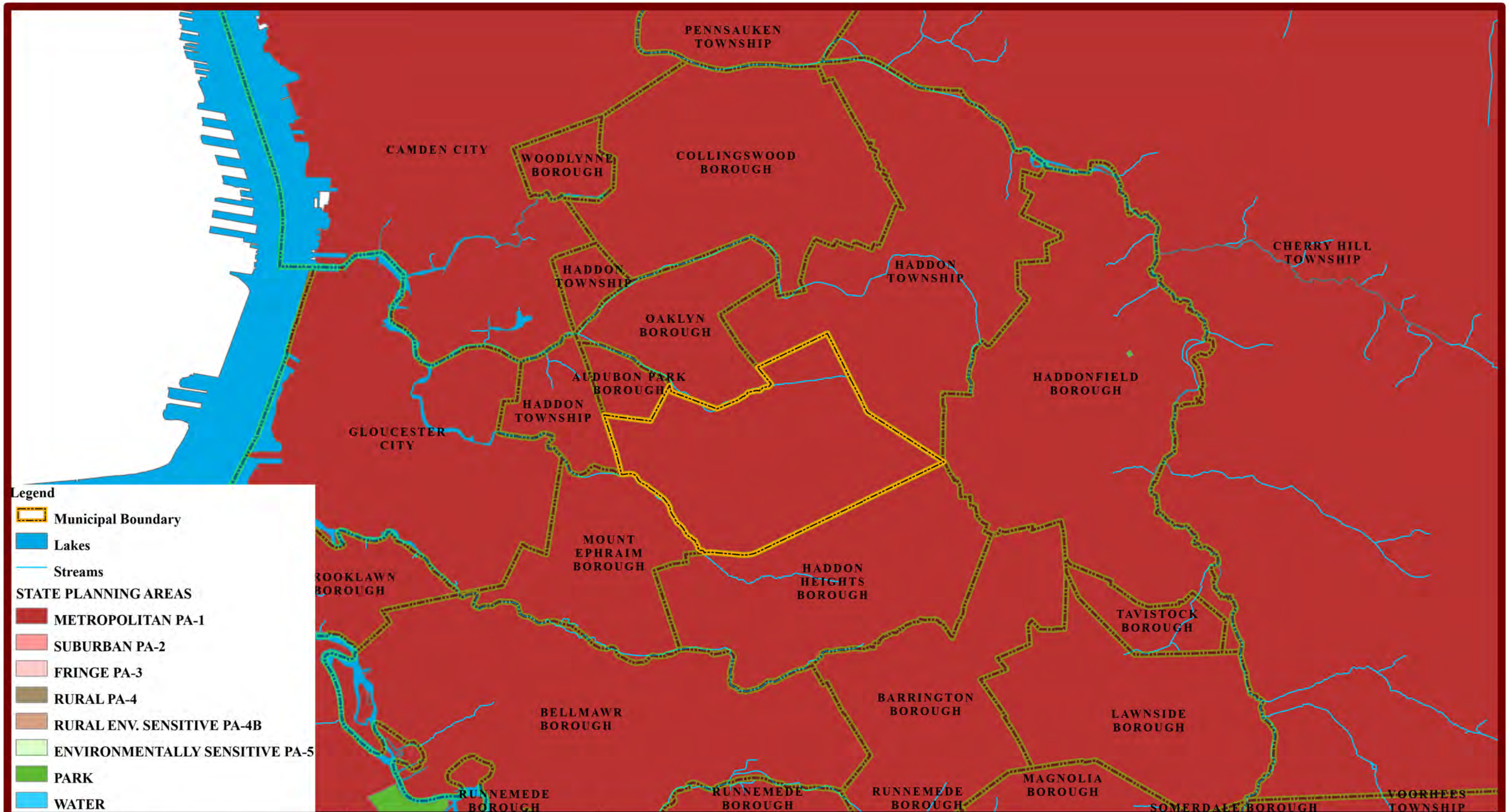
**BACH Associates, PC**  
ENGINEERS • ARCHITECTS • PLANNERS

304 White Horse Pike  
Haddon Heights, New Jersey 08035  
Tel: 856-546-8611  
Fax: 856-546-8612  
www.BachDesignGroup.com



# **MAP 2**

2001 State Plan Policy



**Legend**

- Municipal Boundary
- Lakes
- Streams

**STATE PLANNING AREAS**

- METROPOLITAN PA-1
- SUBURBAN PA-2
- FRINGE PA-3
- RURAL PA-4
- RURAL ENV. SENSITIVE PA-4B
- ENVIRONMENTALLY SENSITIVE PA-5
- PARK
- WATER

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**Borough of Audubon  
Camden County, NJ**

\*This map was developed using NJGIN/NJDEP Geographic Information System digital data, but this is a secondary product which has not been verified by NJGIN/NJDE and is not state authorized

Map Data & Source:	
Data Source: Camden County Planning Department	
Scale: 1" = 4000'	Proj: AB2019-4
Date: November 11, 2020	
Drafted by: Chloe Bach	
Prepared by: Candace Kanaplue, PP, AICP	

**BOROUGH OF AUDUBON**  
**State Plan Policy Map**

# MAP 3

Parks, Public Properties, and Institutions





**Legend**

- Municipal Boundary
- Streams
- Lakes

**Layer2**

- Audubon Volunteer Fire Company
- Board of Education
- Borough of Audubon
- Camden County Park Commission
- Church, Non-profit, etc.

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**Map Data & Source:**

Data Source: Camden County Planning Department	
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Date: November 11, 2020	
Drafted by: Chloe Bach	
Prepared by: Candace Kanaplupe, PP, AICP	

**BOROUGH OF AUDUBON**  
**Parks, Public Properties  
and Institutions**



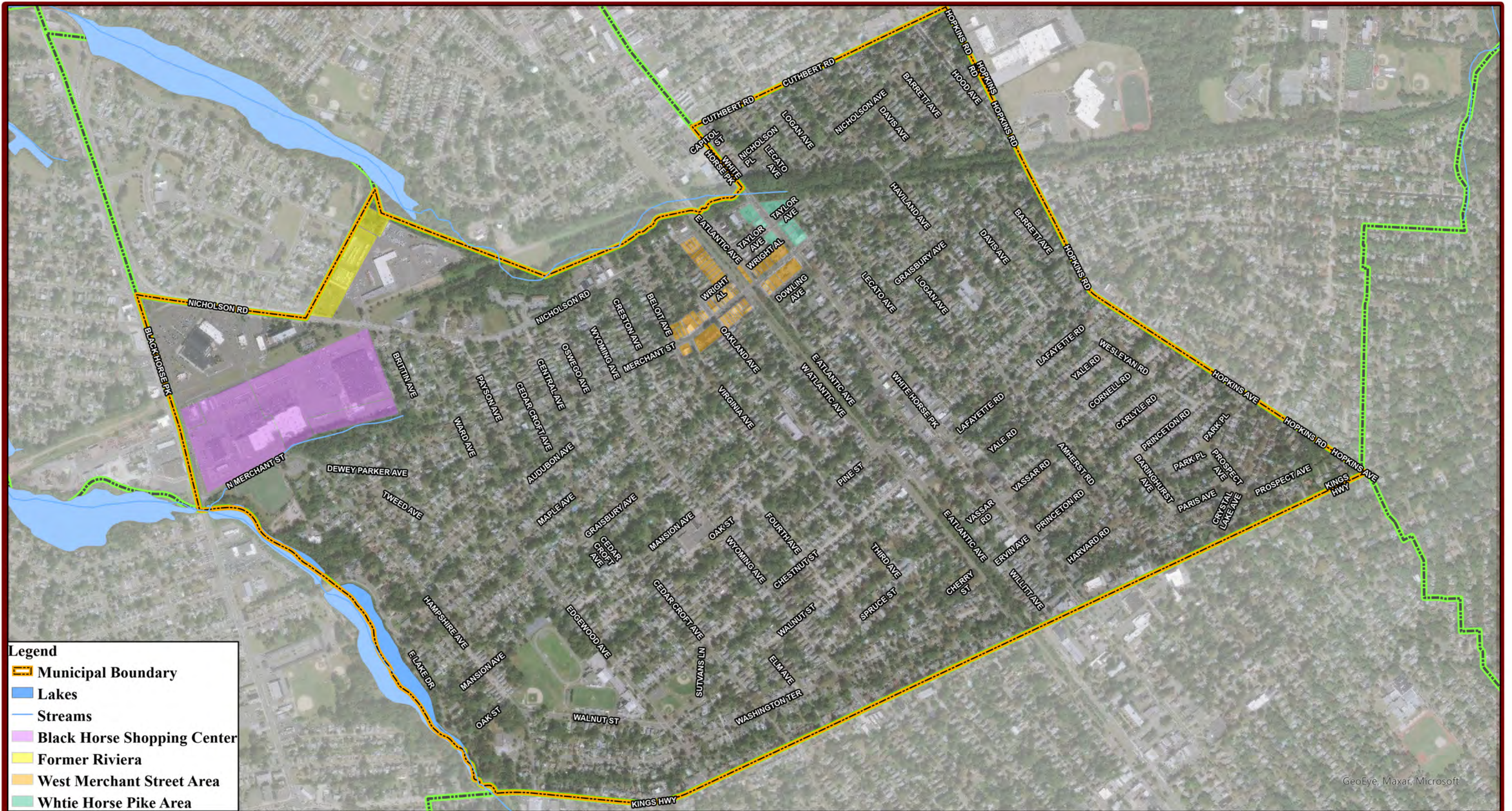
GeoEye, Maxar, Microsoft



# MAP 4

Redevelopment Areas





**Legend**

- Municipal Boundary
- Lakes
- Streams
- Black Horse Shopping Center
- Former Riviera
- West Merchant Street Area
- White Horse Pike Area

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**BOROUGH OF AUDUBON  
Redevelopment Areas Map**

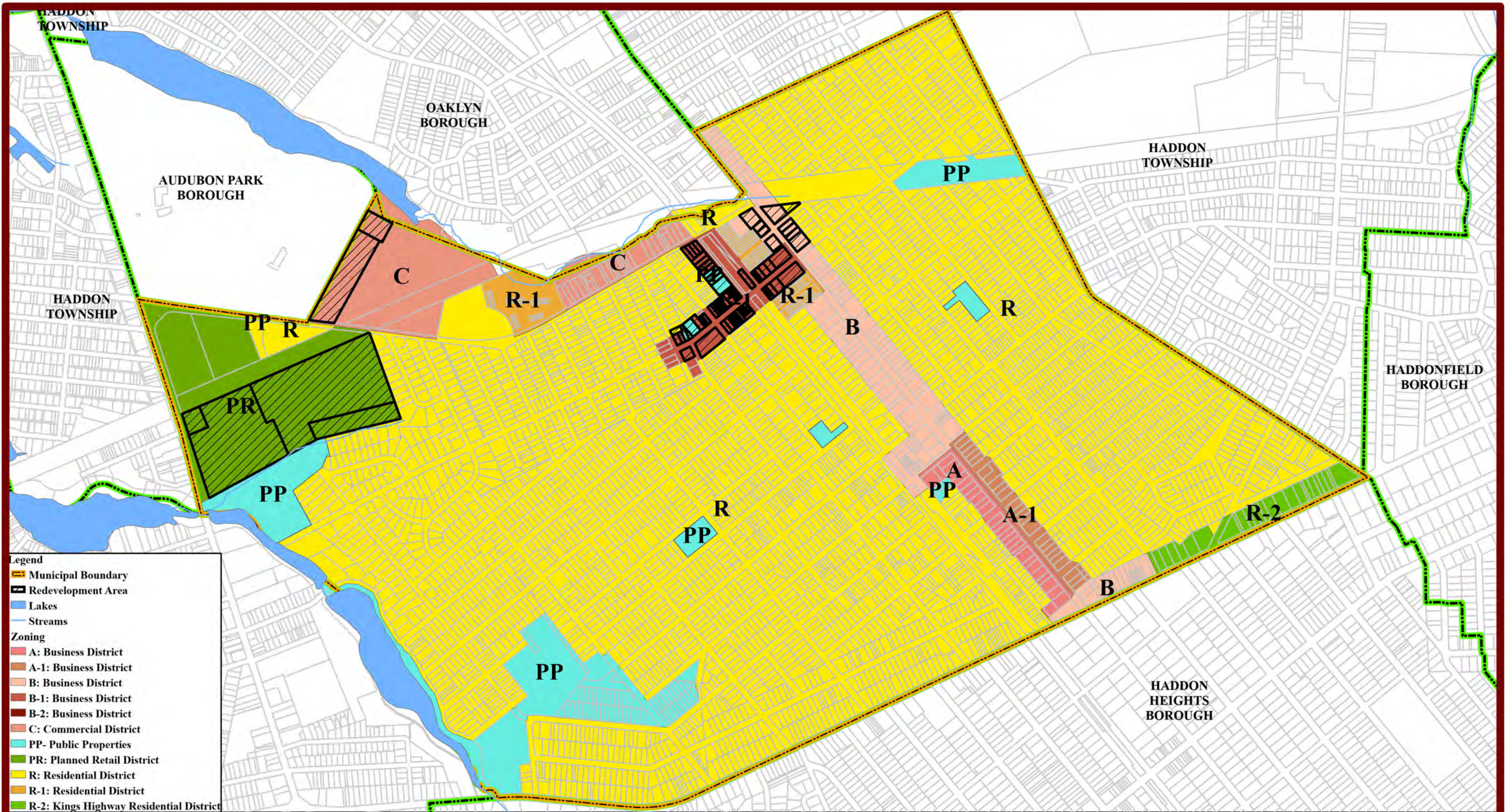
GeoEye, Maxar, Microsoft



# **MAP 5**

Proposed Zoning





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**Map Data & Source:**

Data Source: Camden County Planning Department  
Scale: 1" = 850'  
Date: November 11, 2022  
Drafted by: Chloe Bach  
Prepared by: Candace Kanaplu, PP, AICP

Proj: AB2019-4

**BOROUGH OF AUDUBON  
Proposed Zoning Map**

