

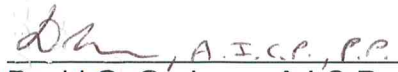
REEXAMINATION OF THE MASTER PLAN

TOWNSHIP OF SOUTHAMPTON, BURLINGTON COUNTY

Prepared pursuant to N.J.S.A. 40:55D-89
New Jersey Municipal Land Use Law

Adopted by the
Township of Southampton Planning Board
July 9, 2019

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I. INTRODUCTION

This report constitutes a Master Plan Reexamination Report for the Township of Southampton as defined by the New Jersey Municipal Land Use Law ("MLUL") in section N.J.S.A. 40:55D-89. The purpose of the Reexamination Report is to review and evaluate the municipal Master Plan and development regulations on a periodic basis in order to determine the need for update and revisions. The Township adopted a Master Plan in 1988 and last adopted a Master Plan Reexamination Report in August of 2003, with a prior Master Plan Reexamination having been prepared and adopted in 1996. The Township additionally prepared a Master Plan Reexamination Report in 2007; however, this document was never adopted.¹

Since the 2007 Report, the following Master Plan-related plans, studies and reports have been prepared and, where appropriate, adopted:

- 1983 Vincentown Historic Preservation Study;
- 2007 Conservation, Open Space and Recreation Plan Element;
- 2006 Groundwater Quality Studies for Southampton Township;
- 2009 Southampton Township Resource Inventory;
- 2009 Southampton 2030 Vision Statement;
- 2010 Municipal Conservation Farmland Preservation Plan; and
- 2011 and 2018 Land Use Plan Elements

Section III of this report identifies the goals and objectives established in the 2003 Master Plan Update and the 2007 Master Plan Reexamination Report. Sections IV and V describe what changes have occurred in the Township, the County and the State since the adoption of the 2003 Master Plan Reexamination Report. Finally, Section VI discusses recommended changes for the future and Section VII review the status of redevelopment planning in the Township.

II. PERIODIC REEXAMINATION

The Master Plan serves as the guiding document in the development and redevelopment of municipalities in that it presents the Planning Board's vision for the community. Through the setting forth of assumptions, policies, goals, and objectives, the Master Plan becomes the framework against which development activity is reviewed for conformance, thereby providing guidance to boards having land use jurisdiction.

¹ Southampton, additionally, in August 2011 adopted a Master Plan Land Use Plan Amendment which reexamined and reviewed the following planning documents: 1982 Master Plan; 1988 Master Plan Update; 1996 Master Plan Update; 2003 Master Plan Reexamination Report; and, the draft 2007 Master Plan Reexamination Report.

The significance of the Master Plan is also derived from the fact that it forms the legal foundation for the zoning ordinance and zoning map which, in turn, must be substantially consistent with the municipality's land use policies. The New Jersey MLUL requires that:

The governing body shall, at least every 10 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 Office of Planning Advocacy and the county planning board. A notice that the report and resolution have been prepared shall be sent to any military facility commander who has registered with the municipality pursuant to section 1 of P.L.2005, c. 41 (C.40:55D-12.4) and to the municipal clerk of each adjoining municipality, who may request a copy of the report and resolution on behalf of the military facility or municipality.

N.J.S.A. 40:55D-89.

The Reexamination Report is required to address the following:

- 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.

N.J.S.A. 40:55D-89(a) – (e).

The Municipal Land Use Law requires consideration of these five areas of concern within the statutory reexamination report. Those areas are identified below along with response statements.

III. MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT AT THE TIME OF THE ADOPTION OF THE LAST REEXAMINATION REPORT

N.J.S.A. 40:55D-89(a) of the MLUL provides that the reexamination report shall review:

The major problems and objectives relating to land development in the municipality at the time of the last reexamination report.

At the time of the development of the 1988 Master Plan, and the 1996 and 2003 reexaminations, the Township identified the following goals specific to the quality of life in Southampton. These include:

Agricultural Preservation and Environmental Protection

- Encourage the preservation of agricultural land uses and safeguard the environmental quality of the Township's natural resources.

Commercial Land Uses

- Provide appropriate design standards and guidelines to enhance the aesthetic qualities of commercial development.

Infrastructure Improvements

- Explore the advantages and disadvantages of an extension of municipal infrastructure.

Recreation and Open Space

- Examine the needs for recreation and open space and explore methods for financing their acquisition.

Historic Preservation

- Encourage rejuvenation and maintenance of the historic character of the Village of Vincentown.

Land Development Objectives

Strategic objectives incorporated into the framework of the 1988, 1996 and 2007 planning documents included:

Agricultural Preservation and Environmental Protection

- Provide for the clustering of residential development in both Pinelands and non-Pinelands areas of the Township.
- Require developers to submit Environmental Impact Statements as a condition of preliminary subdivision and site plan approval.
- Encourage participation in agricultural preservation programs.
- Consider protection of the headwaters of the Rancocas Creek - Delaware Estuary by properly buffering the stream corridors.

As highlighted in the Master Plan Reexaminations, the following general measures were provided in the 2007 Open Space and Recreation Plan Element to accomplish natural resource protection:

- Encourage development to locate in a pattern of compact nodes within the Township.
- Ensure that the investment in infrastructure supports a sustainable pattern of land use that builds upon past public investment in roads, schools, utilities and public open spaces.
- Provide a balance between growth and conservation as recommended in the 2001 State Development and Redevelopment Plan.
- Assure that the density and intensity of development is in keeping with the inherent capabilities and limitation of the physical characteristics of the land.

Commercial Land Uses

- Provide improved design standards and guidelines for future highway development.
- Create guidelines for home occupation uses.
- Revise the area and bulk requirements applicable to used-car dealerships.

Infrastructure Improvements

- Determine future needs for infrastructure improvements.
- Consider limiting the extension of the Village of Vincentown's public sewerage system by means of authorizing any such extension only in the case of proposed development of affordable housing within the RR-I zone.

Recreation & Open Space

- Determine the Township's recreation needs for expansion of existing facilities and/or development of new facilities.
- Identify sources of funding to provide for the Township's recreational needs, such as the establishment of a Recreation Trust Fund and Pro-Rata Share for developers.
- Preserve existing scenic corridors along NJ Route 70 from the Red Lion Circle at US Route 206 to the Four Mile Circle at NJ Route 72.

Historic Preservation

- Identify specific needs for municipal improvements to enhance the historic character of the Village of Vincentown.
- Identify appropriate funding sources to implement municipal improvement projects.

IV. EXTENT TO WHICH PROBLEMS AND OBJECTIVES HAVE BEEN INCREASED OR REDUCED

The general reexamination report is required to review the goals and objectives identified in a municipality's Master Plan and subsequent Reexamination reports. For Southampton, this includes the 1988 Master Plan and the 1996 and 2007 Reexamination Reports. Southampton additionally has participated in the following Burlington County plans which contain regional growth and infrastructure management policies affecting the Township: 2008 Comprehensive Farmland Preservation Plan (2009 – 2018); 2013 Wastewater Management Plan; 2014 Northern Burlington County Growth and Preservation Plan and 2014 Bicycle Master Plan. The purpose of this review is to determine the currency and relevancy of those goals and objectives, identify improvements to existing problematic conditions, and address those conditions that have worsened over time. Given this charge, this report notes:

Status of Major Land Development Problems

The problems identified in the 1988, 1996 and 2007 planning documents remain current today. Comment is provided in those instances where a change in status has occurred or in those instances where a change of status is anticipated given ongoing Township action.

- In 2018 the Township adopted a new Land Use Plan Element that identified the following land use goals:
 - Preserve farmland and woodland areas, wetland and stream corridors, and open spaces; develop additional recreational areas.
 - Encourage balanced residential development throughout the Township while discouraging suburban sprawl and low-density development.
 - Promote and support commercial development along the established commercial and transportation nodes of U.S. Route 206 as it intersects (a) NJ Route 38 and County Route 530 and (b) NJ Route 70.
 - Retain existing non-residential uses compatible with the Township's rural character.
 - Evaluate the need for development of new non-residential uses, and to the extent new uses are deemed necessary, site such uses near significant transportation routes and nodes.

- Review the Scenic Corridor Vision Statement and Plan, found in the Community Design Plan Element dated February 28, 2006 and the Scenic Corridor Overlay Zoning District Map dated March 7, 2008 to determine if it meets current Township needs. Consider designating portions of NJ Route 70, also known as the John D. Rockefeller Memorial Highway as part of expanded Scenic Corridor.

Within these goals are numerous action steps that serve to address the Township's major long-standing land development problems. Actions include:

- Review existing zoning districts for conformity with environmental constraints in both Pineland and non-Pineland portions of the Township as well as for other zoning issues such as split lot zoning.
 - For those Industrial and Commercial zoning districts not within the jurisdiction of the New Jersey Pinelands Commission, consider revising the nitrate dilution ordinance to require, where applicable, the less stringent NJDEP requirements. On its website, the NJDEP provides, in addition to general information on nitrate dilution, various forms of model ordinances for review.
<https://www.nj.gov/dep/wqmp/guidance.html>
 - Continue to utilize State and County opportunities to preserve farmland and open space.
 - Update the Township's Conservation, Open Space, and Recreation Plan.
 - Adopt/revise land use ordinances to incorporate "smart growth" planning and development standards.
 - Promote housing diversity & support aging in place.
 - Encourage pedestrian activity & evaluate transportation needs
 - Maintain and grow the historic character of Vincentown.
 - Evaluate the needs of existing businesses and industries and identify new uses that would be compatible with Township goals.
 - Support clustering of residential and businesses structures and discouraging sprawl.
 - Explore opportunities for redevelopment/rehabilitation.
 - Consider adopting an Infill Development Ordinance for the Village of Vincentown.
 - Adopt a Complete Streets Policy for municipal streets and roads.
- The 2007 Conservation, Open Space and Recreation Plan Element was prepared to set a plan of action in motion that addressed the preservation and protection of the Township's natural resources. It identified natural resource preservation and conservation as a principal goal, which focused on inter-related resources such as soils protection and conservation, groundwater and

surface-water protection, natural wildlife communities and habitat protection, vegetation and forest protection, and air quality protection. The preparation and approval of a water quality ordinance was identified as a plan of action under this element.

- The Highway Commercial (HC) and Industrial (I) zoning districts were revised to include development criteria with the goal of permitting appropriate commercial development consistent with the natural and rural character of the Township while discouraging development that might degrade the environment. Conditions were placed on commercial development that focused on increasing buffers between residential and commercial development, requiring additional areas of landscaping, specifically focusing on parking lots, improving the quality and size of permitted signs and ensuring compatible facades.
- The area surrounding the Route 206, Route 38 and County Road 530 corridor recently has been upgraded with additional traffic lanes and signalization, with Route 530 widened to include a fifth center turning lane. Such improvements, coupled with possible future sewer service expansion, could result in opening the north side of the highway to significant development.
- New guidelines were adopted that permit home occupations with regulations that ensure the continuation of the existing residential character of the neighborhood. The current Township Planner in reviewing the Southampton Township Code of Ordinances has noted however that while “home occupation/home business” is defined as an “accessory use” in the definitional section of the Land Development Chapter (Section 12-2.3), it is treated “differently” through-out the Chapter. For example, in Section 12-3.9(b)(13) addressing the Rural Residential (RR) District, a home occupation is considered a permitted use, whereas in Section 12-3.10(c)(2) addressing the Rural Residential/Affordable Housing District (RR1) a home occupation is considered a conditional use. The Code of Ordinances should be reviewed to determine whether such inconsistency is intentional and addresses a land use need particular to specific districts or is the unintentional consequence of multiple amendments over the years.
- New and used automobile dealerships were adopted as conditional uses in the Highway Commercial (HC) zoning district with the goal of providing requirements that would increase buffering, reduce light intrusion, protect nearby surface-water bodies, and improve signage standards.
- The concerns of the 1996 Master Plan regarding the issue of planning for future infrastructure needs, remains valid in 2018.
- The Township does not currently have a Circulation Plan Element or Capital Improvement Plan in place and performs road and drainage improvements on an as-needed basis. As problems arise throughout the year, funding is allocated, as required.

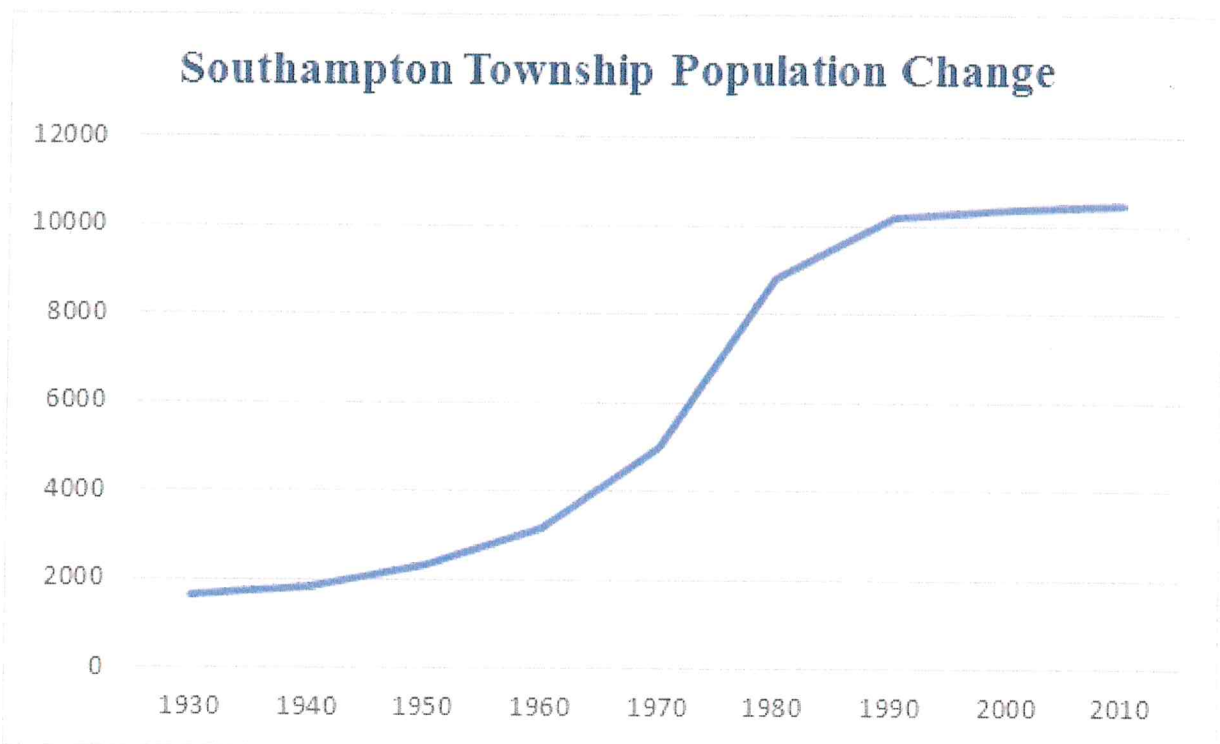
- In 2008, the New Jersey Department of Environmental Protection (NJDEP) adopted major amendments to the Water Quality Management Planning rules, N.J.A.C. 7:15-1 et seq. The amended rules gave each county board of chosen freeholders the responsibility to prepare wastewater management plans (WMPs) for all its municipalities. On July 11, 2012, the Burlington County Board of Chosen Freeholders approved a Future Wastewater Service Area map and submitted a second Water Quality Management Plan amendment in Sept. 2013. In November 2016 NJDEP revised and readopted water quality management rules and Burlington County's WMP is currently under review by NJDEP. In 2017, Burlington County authorized submission of the Burlington County WMP to DEP for adoption into the Tri-county Water Quality Management Plan which is still under DEP review. When adopted, the County's WMP will be valid for a period of eleven (11) years and will supersede any and all local WMP that the Township may be operating under.
- The Township awaits action by the State of New Jersey and County of Burlington to amend planning area designations and the wastewater management plan. If such actions were to occur, the Township would see a more viable opportunity to effectively participate in an agreement to provide affordable housing. The Township would need to revisit its Housing Plan Element and Fair Share Plan if conditions changed warranting these evaluations and initiatives. Until then, the planning and preparation for developments that are not feasible under current conditions remains a poor use of the Township's limited resources.
- The existing Land Development Ordinance for the non-Pinelands Area portion of the Township provides regulations that require certain recreational facilities for major subdivisions that create ten or more units. The Planning Board has the ability to accept funding in-lieu-of providing the recreational facilities, if the project proposed warrants such action. The requirements for recreational facilities were added to the ordinance to help plan for the recreational needs of future residents.
- The Planning Board identified measures to be implemented that will ensure the continuation of the general visual characteristics of the scenic highway including alleviating problems caused by road litter by encouraging the use of recyclable and/or biodegradable containers for fast food establishments, convenience stores, and similar businesses.
- The Township provided several improvements within the Village of Vincentown over the past decade, including new light poles and luminaries, street furniture and seasonal displays of ornamental planting.

V. SIGNIFICANT CHANGES TO THE UNDERLYING BASIS OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS

DEMOGRAPHIC CHARACTERISTICS AND CHANGES

At the time of the 2010 U.S. Census, Southampton Township had a total population of 10,464 residents. The Township's population accounted for 2.33% of Burlington County's total population. (See Figure 8 and Figure 9.) From 1960 to 2010, the Township experienced tremendous growth, increasing its population by over 230%, while the County grew by a comparatively lower 99.9% growth rate. Southampton saw its population increase the most between 1960-1990, when the Leisuretowne and Hampton Lakes retirement communities were built. There was a significant slowing in population growth during the 1990-2010 period, adding just 264 people (2.6%). (See Figure 8.) By comparison, Burlington County's population has also slowed since the 90's, but not nearly as much as Southampton, increasing by 13.2%. (See Figure 9.) The Township's growth rate, however, appears to be waning. Population forecasts predict a continued population increase for Southampton to 12,167 persons in 2045, an increase of 1,945 persons (18.6%) over 2010 numbers – about 0.5% growth per year. (Source: Delaware Valley Regional Planning Commission.)

FIGURE 8: POPULATION TRENDS 1950 – 2010 SOUTHAMPTON TOWNSHIP



Source: U.S. Census

FIGURE 9: POPULATION TRENDS 1950 – 2010 TOWNSHIP OF SOUTHAMPTON & BURLINGTON COUNTY

Year	Southampton Township			Burlington County		
	<i>Total</i>	<i>Increase</i>		<i>Total</i>	<i>Increase</i>	
1960	3,166	(x)	(x)	224,449	(x)	(x)
1970	4,982	1,816	57.4%	323,132	98,683	44.0%
1980	8,808	3,826	76.8%	362,542	39,410	12.2%
1990	10,202	1,394	15.8%	395,066	32,524	9.0%
2000	10,388	186	1.8%	423,394	28,328	7.2%
2010	10,464	76	0.7%	448,734	25,340	6.0%
Percentage Growth 1950-2010			230.5%			99.9%

Source: U.S. Census

In 2010, the Township had a total of 4,810 households, an increase of 236 households. This was a 5.2% rise from the Township's 4,574 total households in 2000. The Township's average household size, following the national trend, decreased from 2.26 persons per household in 2000 to 2.18 in 2010. Of these 2010 households, 62.8% (3,020) were family households, with the majority (54.1%) married couple households. Just 17% of family households contained children under the age of 18. (Source: U.S. Census 2010 American Community Survey DP1 Table, ACS Table B11003.)

As indicated in Figure 10, in 2010 the Township's median age was 53.9 years, with a higher median age for females (56.0) than males (53.9). This is considerably older than the County, at a median age of 40.4 years. Township residents aged 75 years and older (1,732 persons, 16.6%) constituted the largest segment of the Township's population, followed by: the 55 to 64-year age group (1,709 persons, 16.3%); the 65 to 74-year age group (1,615 persons, 15.4%); and 45 to 54 year age group (1,511 persons, 14.4%). In contrast, in 2000, the 35 to 44 age group (1,302 persons, 18.36%) constituted the largest portion of residents within the Township. This change indicates an aging of the current population. (Source: 2000, 2010 U.S. Census).

FIGURE 10: SOUTHAMPTON TOWNSHIP POPULATION BY SEX AND AGE COHORT, 2010

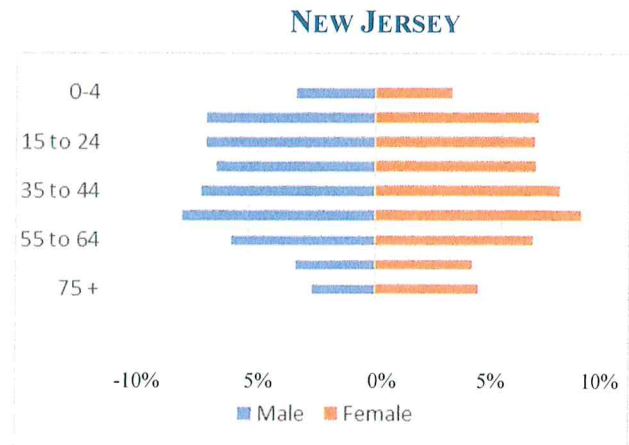
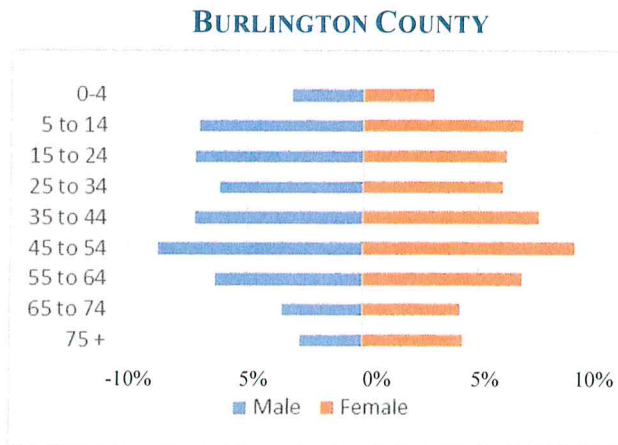
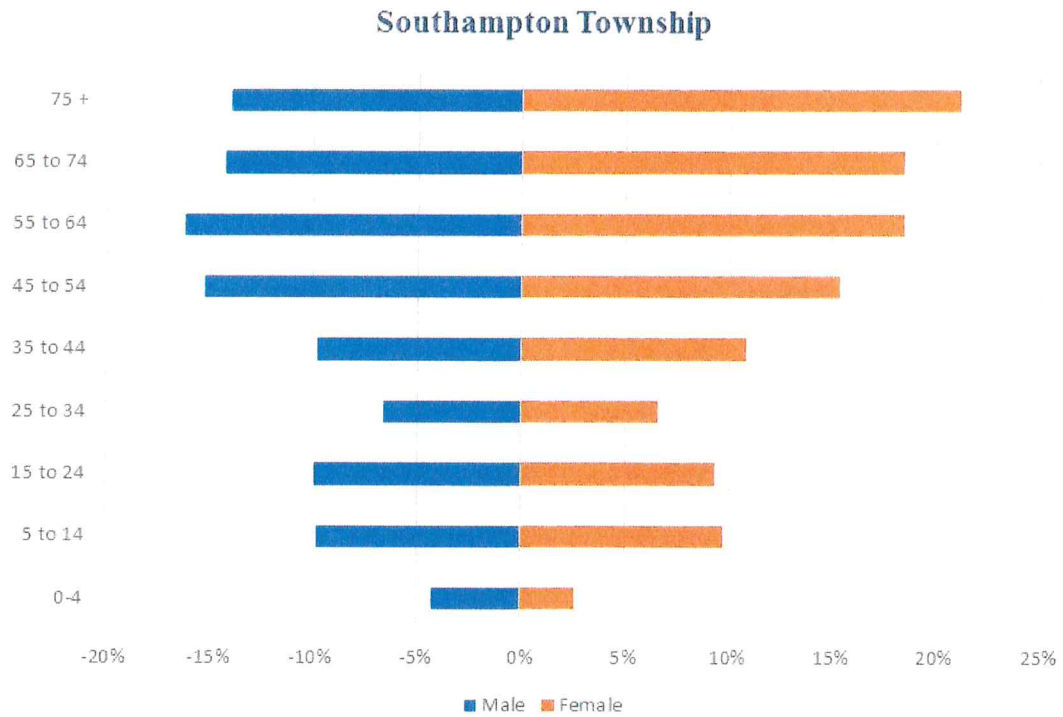
Age	Total		Male		Female	
	Total	Percent	Total	Percent	Total	Percent
Under 5	357	3.4%	209	4.2%	148	2.7%
5 - 14	932	8.9%	480	9.7%	480	9.7%
15 - 24	948	9.1%	488	9.9%	460	9.3%
25 - 34	647	6.2%	323	6.6%	324	6.6%
35 - 44	1,013	9.7%	479	9.7%	534	10.8%
45 - 54	1,511	14.4%	753	15.3%	758	15.4%
55 - 64	1,709	16.3%	800	16.2%	909	18.5%
65 - 74	1,615	15.4%	704	14.3%	911	18.5%
75 +	1,732	16.6%	689	14.0%	1,043	21.2%
Total:	10,464		4,925		5,567	

Source: 2010 U.S. Census Table QT-P1

In 2010, the Township's population primarily identified as white (9,888 residents, 94.5%) with 231 (2.2%) residents identifying as Black or African American. The Township contained an additional 142 residents who identified as being of two or more races, 51 as "some other" race, 139 as Asian, and 13 that were American Indian/Alaskan Native or Native Hawaiian or Other Pacific Islander. Only 2.2% (225 residents) identified as Hispanic or Latino. (Source: 2010 U.S. Census).

The 2010 age-sex distribution of the Township's population, as well as of Burlington County and New Jersey is shown in the population pyramids in Figure 11. The Township's population profile differs significantly from the County profile, with a significantly larger proportion of people over age 55 years. The Township's male population was smaller in number than the female population, which is consistent with the County's ratio of female to male population. See Fig. 11.

FIGURE 11: AGE BY SEX (2010)



In 2015, the Township had a median-household income of \$55,432 which was \$23,189 lower than the County's median income of \$78,621. This significant difference may be due to the Townships' higher percentage of retirement-aged residents. (See Figure 12.) Of the 4,646 Township households, 1,039 (22.4%) earned between \$50,000 and \$74,999; 602 (13.0%) earned between \$25,000 and \$34,999; 581 (12.5%) earned between \$35,000 and \$49,999; and 527 (11.3%) earned between \$75,000 and \$99,999. Examining per-capita income, there is a similar pattern in the middle incomes (earnings between \$25,000 - \$74,999), however in the upper-incomes, nearly 1/3 of individuals with earnings are making \$75,000/year or more. (See Figure 13). This pattern is comparable to, although slightly lower than, the County and State, where 34% of per-capita incomes made \$75,000 or more.

FIGURE 12: HOUSEHOLD INCOME IN 2015

Income Bracket (Households)	Southampton Township		Burlington County		New Jersey	
	Percent	Total HH	Percent	Total HH	Percent	Total HH
Less than \$10,000	5.7%	265	3.5%	5,812	5.5%	175,687
\$10,000 to \$14,999	3.0%	140	2.4%	3,975	3.8%	120,837
\$15,000 to \$24,999	10.1%	470	6.5%	10,715	8.1%	259,935
\$25,000 to \$34,999	13.0%	602	7.3%	12,082	7.8%	247,533
\$35,000 to \$49,999	12.5%	581	10.9%	17,958	10.5%	336,106
\$50,000 to \$74,999	22.4%	1,039	16.9%	27,909	15.8%	504,991
\$75,000 to \$99,999	11.3%	527	14.8%	24,309	12.5%	399,593
\$100,000 to \$149,999	9.0%	418	19.4%	31,872	17.2%	547,517
\$150,000 to \$199,999	7.9%	366	9.5%	15,664	8.7%	276,465
\$200,000 or more	5.1%	238	8.7%	14,363	10.1%	320,822
Total Households		4,646		164,659		3,189,486
Median Household Income (Dollars)		\$55,432		\$78,621		\$72,093
Mean Household Income (Dollars)		\$76,879		\$99,207		\$99,026

Source: 2015 U.S. Census Table DP03

FIGURE 13: PER CAPITA INCOME IN 2015

Income Bracket	Southampton Township		Burlington County		New Jersey	
	Percent	Total	Percent	Total	Percent	Total
\$1 to \$9,999 or less	2.1%	56	1.2%	1,909	1.3%	39,410
\$10,000 to \$14,999	3.4%	91	1.8%	2,864	2.8%	84,882
\$15,000 to \$24,999	10.5%	281	8.2%	13,045	10.4%	315,278
\$25,000 to \$34,999	12.5%	335	11.3%	17,977	12.1%	366,813
\$35,000 to \$49,999	18.1%	485	18.0%	28,636	16.5%	500,200
\$50,000 to \$64,999	13.6%	364	16.9%	26,886	15.6%	472,916
\$65,000 to \$74,999	6.6%	177	8.4%	13,363	7.2%	218,269
\$75,000 to \$99,999	12.9%	345	14.8%	23,545	13.0%	394,097
\$100,000 or more	20.3%	543	19.3%	30,704	21.0%	636,618
		2,677		159,088		3,031,515

Source: 2015 U.S Census Table S2001

In conclusion, population growth in Southampton Township appears to be waning with household size decreasing. The Township's population is considerably older than the County's and, reflective of recent census data, appears to be aging. Southampton Township residents are not, on average, as wealthy as those in either the County or the State. As a result of this lack of affluence and advanced age, dramatic increases in local employment and economic development opportunities are not expected in the Township. The U.S. Census indicates that demographic and economic characteristics of the Township have not changed significantly since the last Master Plan reexamination. Southampton Township remains a small, middle-class, relatively homogenous community.

Other Changes

Changes in Policy

- In 1999 and 2001, the Planning Board prepared a detailed build-out analysis. The 1999 analysis and study was completed to comply with the State Planning Commission's direction in their evaluation of the Township's Center Designation petition for the Village of Vincentown. The 2001 analysis and study was performed for the completion of the Conservation, Open Space and Recreation Plan Element, which focused on the Township's future needs of open space and recreation facilities. Results of the build-out analyses indicated that Southampton Township had the zoning capacity to accommodate 2,334 additional dwelling units and approximately 1.7 million square feet of commercial and/or industrial space if sewer service were extended to the Township's non-Pinelands area. The figures presented are based on the zoning in existence in 1999 and 2001 and environmental constraints such as wetlands and floodplains. However, one constraining factor that was not included in the build-out analysis is soil suitability.
- Because the majority of the Township relies on on-site septic systems for treatment of wastewater, soil suitability becomes a major limiting factor regarding the overall density of development. The build-out densities for the Rural Residential (RR) and Agricultural Residential (AR) zoning districts in the non-Pinelands area portion of the Township were 495 and 113 dwelling units, respectively. Subsequent to the review of the build-out analysis, the Planning Board was concerned with the potential for the amount of potential development within the RR and AR districts. The Planning Board recognized the importance of the lands in the RR and AR districts for agricultural activities and requested further study into achieving the Township's overall rural development goals and objectives.
- According to the Natural Resource Inventory prepared by Lord Anderson Worrell & Barnett Inc. in 1995, the RR and AR districts provide significant land areas that are comprised of soils that contribute to farmlands of statewide importance and categorized as unique and/or prime farmland. The conclusion of the Planning Board was that the potential for development in the RR and AR districts could pose a significant negative impact to farmland and the ultimate land use goals for these districts.

- The Planning Board completed a re-zoning of the RR and AR districts and implemented amendments to the zoning ordinance to ensure that farmland and open space conservation were realized by utilizing clustering provisions and minimum open space requirements.
- The Planning Board recognized the need to provide more multi-family housing opportunities within the Township, where adequate wastewater infrastructure is available or planned to be. The Planning Board recommended implementing a new multi-use zoning district, known as the Town Center-I (TC-I) zoning district, which is located adjacent to the existing town center (Vincentown). Apartment units, assisted-living care facilities and a mix of residential units and commercial uses are permitted in the TC-I zoning district.
- The Township is actively participating in the Burlington County Community Development Department's Home Improvement Loan Program to provide additional programs to local low-and moderate-income homeowners whose homes require rehabilitation work. Southampton Township will continue to rely on Burlington County's housing rehabilitation program to address the identified need.

Village Commercial (VC) Zone:

- The area within the VC Zone is bounded by Pemberton Road (County Route 616) to the south, North Main Street (County Route 681) to the west, and US Route 206 to the east, and is bordered by the Town Center 1 (TC1), Highway Commercial (HC), Rural Residential (RR) and Agricultural Production (AP) zoning districts. Located entirely within the Scenic Corridor overlay district, the VC zone's existing land use is almost entirely agricultural, with uses including farming, residences, a roadside produce stand, and the Pinelands Preservation Alliance's Pinelands Visitor Center at 17 Pemberton Road.

The VC zone was created to encourage the development of unified, attractive, pedestrian-oriented shopping areas designed to complement the existing architectural ambiance of the Town Center (TC) district, and to discourage strip commercial. The Township, however, is concerned that the existing zoning regulations have not resulted in the intended development, and that a review of the existing zoning should be undertaken to determine if this is feasible and if so, how best to further the implementation, as well as make the transition to the US Route 206 Scenic Corridor.

"Concepts" for the zone include having it: serve as a "gateway" to the Township; address senior housing needs; remain as open space; or, provide a commercial use that relates to Village needs. The Township also must decide whether it wishes to amend its WMP to service this area to facilitate development of some of these "concepts".

- US Route 206 will continue to be the main thoroughfare in Southampton Township because it accommodates local and regional, private and commercial traffic. Through traffic volumes undoubtedly will increase, which may necessitate major roadway and intersection improvements.

VI. RECOMMENDED SPECIFIC CHANGES TO THE MASTER PLAN AND DEVELOPMENT REGULATIONS

Recommended Master Plan Changes to the various Master Plan Elements:

Housing Plan Element

- The Township has attempted to comply with State-mandated affordable housing obligations, but efforts have been hampered by regulations beyond the Township's control as well as environmental constraints significantly raising development costs. In addition, lack of sewer service has prevented development and site suitability for affordable housing. As noted, approximately 75% of the Township lies within the Pinelands Preservation Area making it impossible to construct a residential development which would allow for the densities necessary for a housing developer to financially afford the construction of affordable units. Outside of the Pinelands area, the Township granted land use approvals to a developer which included significant affordable housing units. Despite the Township's efforts to assist the developer, it could not obtain a change from the State to expand the sewer service area. Again, the densities needed could not survive on a plan forced to use septic fields in lieu of public sewer. As such, after years of diligent efforts and considerable costs, the developer abandoned the project. Finally, the Township sought the construction of a municipally sponsored affordable housing project at the edge of the Vincentown Village that would have access to public water and sewer. The Township worked with a well-known and reputable affordable housing not-for-profit organization which would have managed the project. Due diligence revealed environmental constraints which grossly inflated the cost of the project and prevented its reality.
- To date, the Township Committee has used best efforts to achieve compliance with the State mandated affordable housing obligation. If conditions change at the State and County levels, to expand the sewer service area or the less likely possibility that development will be permitted in the Pinelands preservation areas, the Township will need to revise its Housing Plan Element and Fair Share Plan at the direction of the Court.

Land Use Plan Element

- Although the Land Use Plan Element was updated earlier this year, it is recommended that this Element be amended to be consistent with the findings and recommendations of this reexamination.
- Several frontage areas along US Route 206, NJ Route 70, NJ Route 38, County Route 530 are inappropriately zoned Agricultural Residential (AR) or Rural Residential (RR) in the non-Pinelands area of the Township. All of these are recommended to be rezoned to Highway Commercial (HC) to spur additional economic activity.
- In order to be consistent with the existing Township Right to Farm ordinance, agriculture should be included as a permitted or conditional use in all zoning districts within the non-Pinelands area of the Township of Southampton.

There is land inappropriately zoned Highway Commercial (HC) in the southwestern portion of the township that is almost completely precluded for development by environmental constraints (wetlands/floodplain). This land should be rezoned to Agricultural Residential (AR) or Rural Development (RD), or another more appropriate zone that reflects the sensitive nature of this area. See attached map outlining the proposed revisions.

The New Jersey Legislature has been considering a variety of bills to decriminalize and legalize marijuana possession in permitting the personal use of small amounts for persons aged twenty-one and over. Introduced in the 2018 Legislative Session, these bills additionally have land use implications for municipalities. As presently proposed, in order to prohibit marijuana facilities within its border, a municipality must pass an ordinance within one year of the effective date of the ordinance. Failure to do so will result in automatic permission for such facilities to operate within the municipality for five years. Should a municipality choose to permit marijuana facilities, it may enact ordinances or regulations to govern the time, place, manner and number of such establishments; issue, revoke and suspend licenses; set fees, and establish penalties for violation of the ordinance. Accordingly, Southampton should monitor the progress of this legislation and begin to assess the interest of its residents in either prohibiting or permitting marijuana facilities within its borders. Should Southampton decide to permit such facilities, consideration will need to be given to those areas of the municipality best suited taking into consideration the usual concerns of land use planning including available space, surrounding uses, circulation and traffic.

Conservation, Open Space, and Recreation Element

- Review the future action section to analyze the need to revise and/or provide additional actions to meet the overall goals set forth in the Element.

Utilities Plan Element

- Replace or upgrade public and/or private below-grade infrastructure, as necessary, at the time of street reconstruction.

New Master Plan Elements

Historic Preservation Plan Element

- In December 1983, the Vincentown Historic Preservation Study was conducted with the Village of Vincentown receiving state and federal designation as an historic district in 1987 and 1988 respectively. Since the 1983 effort Southampton has had an additional site, the Bishop-Irick House (1992), listed on both the state and federal registers and the NJ State Historic Preservation Office has issued Opinions for an additional six (6) sites: Burr Mansion (2003), Hilliards Road Bridge (1990), Leeds-Irick House (1996), Locust Hill Farm (1996), and the John Davison Rockefeller Memorial Highway Historic District (2003). In addition, there are other sites that may warrant historic/cultural designation that are outside of the Village of Vincentown but still within the Township. A comprehensive historic resource inventory, evaluation, analysis and plan should be prepared to document the historic importance of the Township's resources. The Township should coordinate this work with the NJ Pinelands Commission to ensure consistency with the regulations of NJ the Pinelands Comprehensive Management Plan's that seek to protect and preserve the historic, archeological and cultural resources for that portion of the Township within in the Pinelands Area. Additionally, the Southampton Township Code provisions (Section 2-13) pertaining to the Historic District/Commission should be reviewed and revised where necessary (for example, District Boundaries as set forth in Section 2-13.4².)

Circulation Plan Element

- Several concerns regarding traffic and safety have surfaced over the years. It is recommended that a comprehensive circulation plan element be undertaken to understand how people and goods move through, into, and about the community; list the goals for the future movement of people and goods; and develop recommendations for traffic improvements in concert with the Township's Master Plan goals and objectives. This element will require the support and participation of the County and State, which own most of the road mileage in the Township.

² Section 2-13.4: "a. The Historic Preservation District shall consist of all the lands and premises with the Village designated as "Vincentown" west of U.S. Route 206 in Southampton Township. b. Included within the jurisdiction of the commission is the following designated historic landmark: 1. The Iron Bridge on Hilliards Bridge Road."

- In the interim, the Township should focus on the US Route 206 corridor. The US Route 206 corridor land uses and existing zoning districts should be studied, and potentially revised. The rural and natural character of the US Route 206 corridor should be protected and enhanced. Open space and farmlands should be preserved. Buffering options for residential and commercial development utilizing native plant material and other appropriate screening should be considered.

Economic Plan Element

- Three major business nodes are located within the Township: Main Street Vincentown (County Routes 616 and 642), US Route 206 at Pemberton Road, and US Route 206 at Route 70 (Red Lion Circle). The Village of Vincentown includes opportunities for commercial development. The ability to better manage and create opportunities for economic growth to offset an anticipated rising tax burden is realized through comprehensive planning. An economic plan element can identify how the Township can improve its capacity to grow and develop businesses and jobs, while retaining and enhancing the goals and objectives of the Master Plan. This is especially important with the advancing age and relative lack of disposable income of the municipal residents, in comparison to the State and County. Improved signage can be an important element of an economic plan (to visually enhance and improve access to Township economic assets. The Planning Board should consider reviewing and updating signage regulations in the Township Code.

Community Design Plan Element

One major goal identified in the existing Land Use Plan Element is the ability to maintain and enhance the existing rural character of the community. However, many questions arise when a development proposal includes a building design that may or may not meet this goal. A Community Design Plan Element can provide a visual analysis of the community character, which can be used as a basis for recommendations to achieve better building and site designs. The architectural review that is required for all zoning districts under Southampton Code Section 12-5.1 should be reviewed for conformance with the New Jersey Municipal Land Use Law. If not in conformance, it should be deleted and replaced with permissible landscape and site design guidelines.

A Scenic Corridor Vision Statement and Plan/Community Design Plan Element for the Master Plan was last prepared in 2006 by the Southampton Township Planning Board and Environmental Commission. This plan should be reexamined to determine whether its recommendations are still appropriate, especially given setback requirements in light of current land uses.

VII. REDEVELOPMENT PLANNING

The Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“**LRHL**”) provides municipalities with the opportunity to redevelop or rehabilitate an “area in need”. The LRHL broadly defines “**redevelopment**” as:

clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

“**Rehabilitation**” is defined as:

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

N.J.S.A. 40A:12A-3.

A municipality may request that the planning board recommend, and the governing body designate, specific areas as being in need of redevelopment or rehabilitation in accordance with the LRHL and make recommendations for the redevelopment or rehabilitation of such areas in a redevelopment plan. As such, the municipality may “do all things necessary or convenient to carry out its powers.”

N.J.S.A. 40A:12A-8.

Upon the adoption of a redevelopment plan, the LRHL permits a municipality to “proceed with the clearance, replanning, development and redevelopment of the area designated in that plan”. And, in so doing, a municipality is granted the following very broad powers, which generally stated, include the right to: undertake redevelopment projects, issue bonds; acquire property; acquire, by condemnation, any land or building which is necessary for the redevelopment project; contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; as well as make, consistent with the redevelopment plan: (1) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and (2) plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and require the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

In accordance with the LRHL, the Southampton Township Committee has the powers to cause a preliminary investigation to be made as to whether an area is in need of redevelopment or rehabilitation and based upon the investigation, to make a formal determination, and, upon such determination, to adopt a redevelopment plan.

Under the LRHL, it would be the Southampton Planning Board, upon authorization of the Township Committee that would conduct the preliminary investigation, hold the required public hearing, and make its recommendations to the Township Committee regarding whether an area should be designated. The Planning Board would then prepare the redevelopment plan in accordance with the statute. Southampton Township could directly implement the redevelopment plan itself and carry out the redevelopment project or do so through a municipal redevelopment agency or municipal housing authority. N.J.S.A. 40A:12A-4.

Areas in Need of Redevelopment

In order to declare a portion of Southampton Township an "area in need of redevelopment," the Planning Board and Township Committee would need to find that at least one of the following conditions (as stated in the LRHL) applied:

- a) "The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions";
- b) "The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable";
- c) "Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital";
- d) "Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community";
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land

potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general”;

- f) “Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated”;
- g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. [Note that subsection “g” is not applicable in Southampton Township]
- h) “The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.”

N.J.S.A. 40A:12A-5. It is not necessary for every single property within an area be found to be “in need of redevelopment” as long as the area as a whole is found to be in need. Under the LRHL “a redevelopment area” as defined in N.J.S.A. 40A:12A-3 “may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.”

Areas in Need of Rehabilitation

Redevelopment may not be necessary in an area where the acquisition and assembling of land or the incentives of tax exemptions are not realistic, practical or necessary. In such instances, a Township may opt for designating an “area in need of rehabilitation” which provides the municipality with options similar to redevelopment powers, minus eminent domain and long-term tax exemptions; instead authorizing short term tax incentives. Recent legislative amendments, moreover, now permit a municipality to

undertake “Non-Condernation Redevelopment,” where at the beginning of the process, the decision is made to forgo condemnation; a convenient step is condemnation is problematic.

In order to declare a portion of Southampton Township an “area in need of rehabilitation,” the Planning Board and Township Committee would need to find that at least one of the following conditions (as set forth in the LRHL) applied:

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.
- N.J.S.A. 40A:12A-14.

Possible Areas for Redevelopment

The Township has expressed interest in considering the possibility of redevelopment/rehabilitation in the following areas:

Route 206/NJ Route 38/County Road 530 Corridor (“Corridor”):

The area largely surrounding the Corridor was recently upgraded with additional traffic lanes and signalization and the County Route 530 section will also be widened to include a fifth center turning lane. The area contains several commercial facilities and is within a regionally-significant transportation corridor. The area could represent an important commercial node for the Township. It is not clear at this time whether the Corridor would qualify as an “area in need” as required under the local Redevelopment and Housing Law. Further study is necessary should the Township consider moving in this direction.

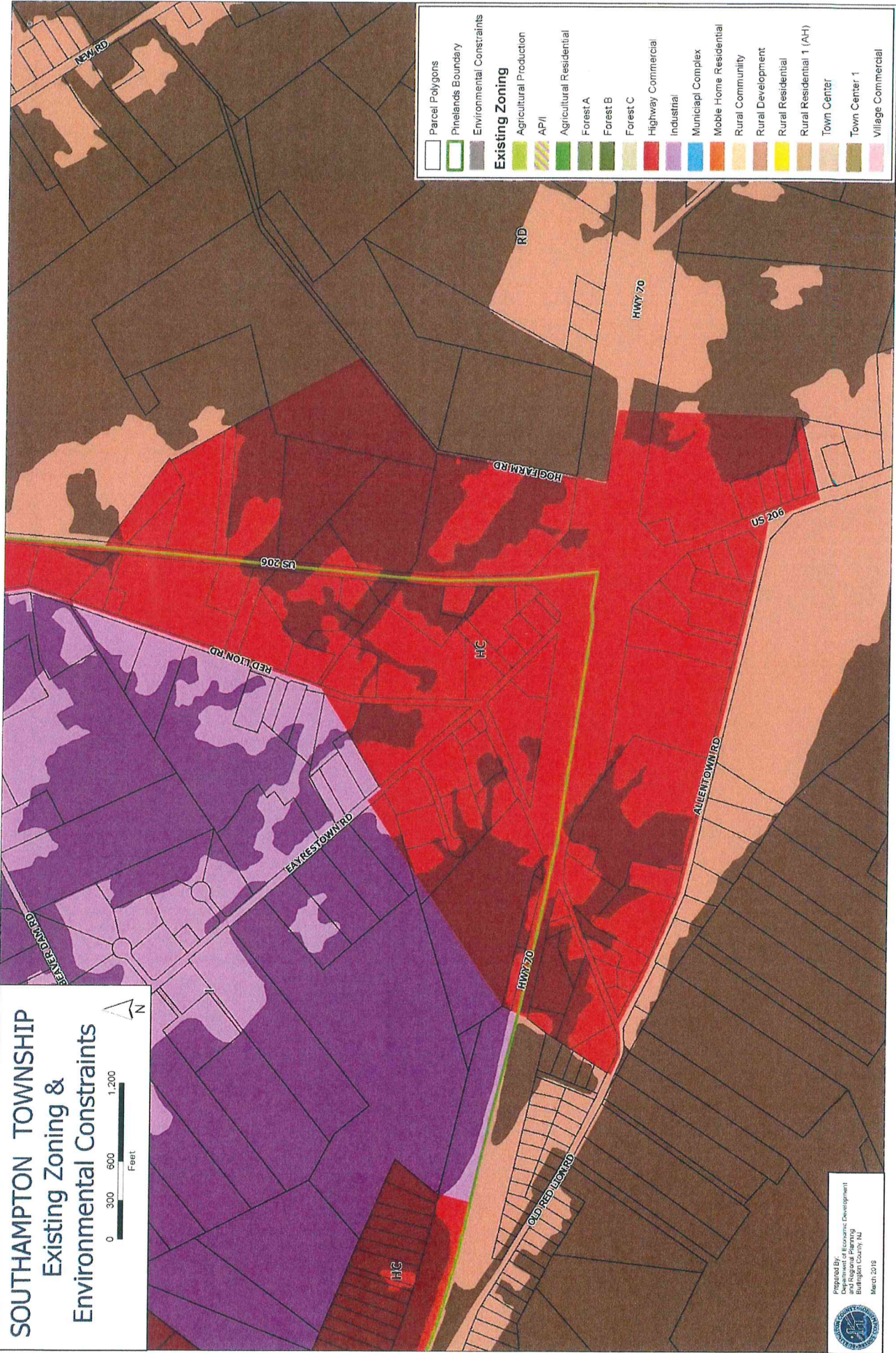
APPENDIX

Existing Zoning and Environmental Constraints Map

Proposed Zoning Changes Map

Proposed Zoning and Environmental Constraints Map

SOUTHAMPTON TOWNSHIP Existing Zoning & Environmental Constraints

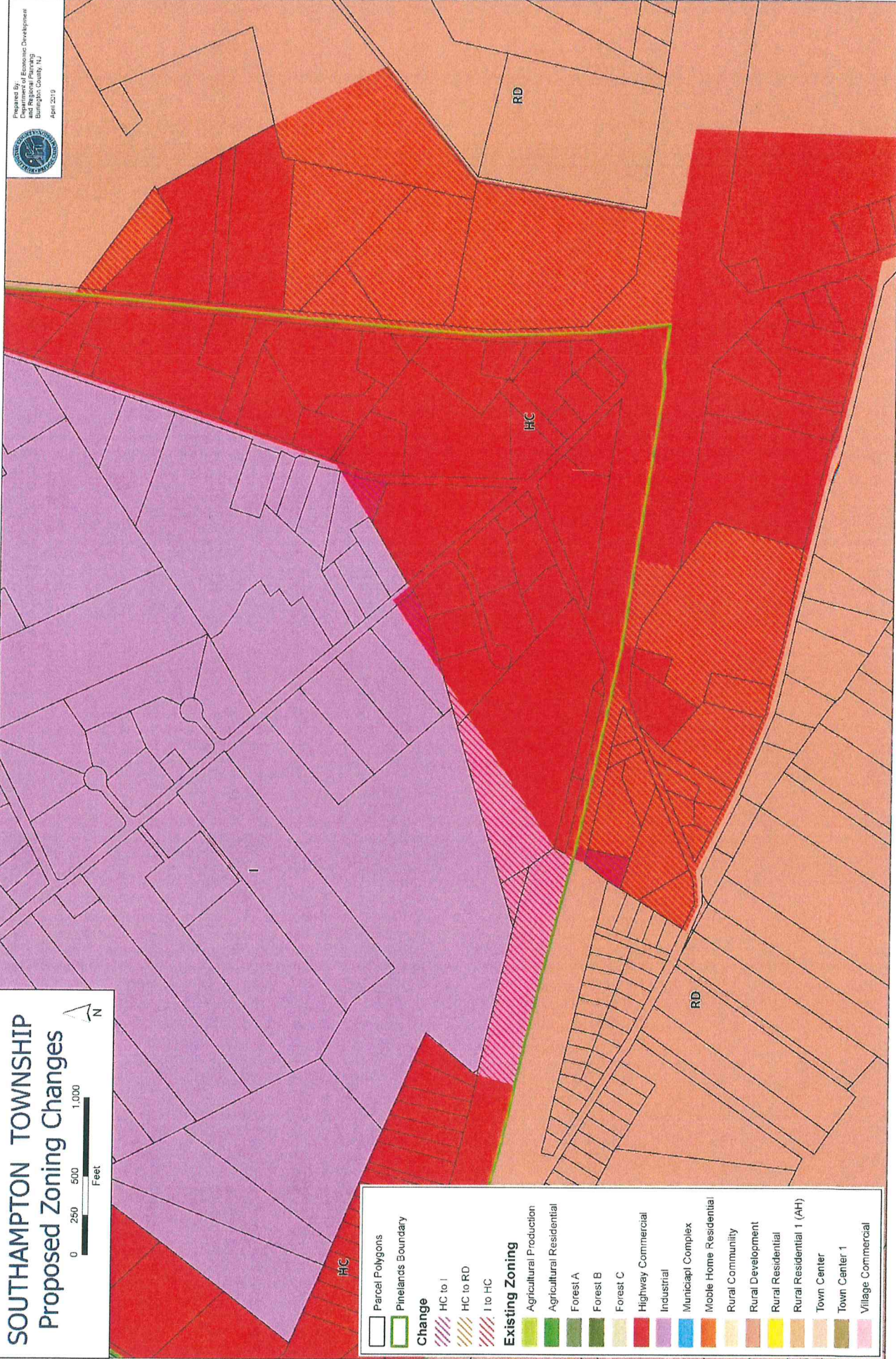


- | Existing Zoning | |
|--------------------------|---------------------------|
| Parcel Polygons | Environmental Constraints |
| Pinelands Boundary | Agricultural Production |
| AP/I | Agricultural Residential |
| Forest A | Forest B |
| Forest C | Highway Commercial |
| Industrial | Municipal Complex |
| Mobile Home Residential | Rural Community |
| Rural Development | Rural Residential |
| Rural Residential 1 (AH) | Town Center |
| Town Center 1 | Village Commercial |

SOUTHAMPTON TOWNSHIP **Proposed Zoning Changes**



Prepared By:
 Department of Economic Development
 and Regional Planning
 Washington County, NJ
 April 2019



- | | |
|------------------------|--------------------------|
| | Parcel Polygons |
| | Pinelands Boundary |
| Change | |
| | HC to I |
| | HC to RD |
| | I to HC |
| Existing Zoning | |
| | Agricultural Production |
| | Agricultural Residential |
| | Forest A |
| | Forest B |
| | Forest C |
| | Highway Commercial |
| | Industrial |
| | Municipal Complex |
| | Mobile Home Residential |
| | Rural Community |
| | Rural Development |
| | Rural Residential |
| | Rural Residential 1 (AH) |
| | Town Center |
| | Town Center 1 |
| | Village Commercial |

SOUTHAMPTON TOWNSHIP Proposed Zoning & Environmental Constraints



- Parcel Polygons
- Pinelands Boundary
- Environmental Constraints
- Proposed Zoning**
 - Agricultural Production
 - API
 - Agricultural Residential
 - Forest A
 - Forest B
 - Forest C
 - Highway Commercial
 - Industrial
 - Municipal Complex
 - Mobile Home Residential
 - Rural Community
 - Rural Development
 - Rural Residential
 - Rural Residential 1 (AH)
 - Town Center
 - Town Center 1
 - Village Commercial

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