

Township of Galloway
Atlantic County, New Jersey

Master Plan Reexamination Report



Prepared For:
Galloway Township Planning Board
300 E. Jimmie Leeds Road
Galloway, New Jersey 08205

September 2020

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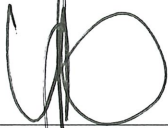
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Mr. John Ridgway.....	Board Solicitor
Mr. Vincent J. Polistina, PE, PP	Board Engineer / Planner

Several previously adopted planning documents were utilized in the preparation of this Master Plan. These documents are listed as an inventory of master plan documents and are included for references as indicated below:

2001 Master Plan

2007 Master Plan Reexamination Report and Master Plan Update

2012 Master Plan Reexamination Report and Update

2018 Housing Element & Fair Share Plan

Table of Contents

Planning Board Members, Staff & Professionals.....	Page 1
Table of Contents.....	Page 2
Introduction.....	Page 3
Provisions of Periodic Reexamination Reports	
Part I – Major Problems and Objectives.....	Page 5
Part II – Status of Identified Problems and Objectives.....	Page 11
Part III – Changes in Assumptions, Policies and Objectives.....	Page 12
Part IV – Recommended Changes.....	Page 19
Part V – Redevelopment Plans.....	Page 20
Reexamination Report Adoption.....	Page 21

Master Plan Reexamination Report

Introduction:

The statutory requirements for the Master Plan are established in NJSA 40:55D-28 (Municipal Land Use Law). At a minimum, in order for the Township to establish valid zoning and land development standards, the Master Plan must contain the following:

- 1) *A statement of the objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based.*
- 2) *A land use plan element (a) taking into account and stating its relationship to the statement provided for in paragraph (1) hereof, and other master plan elements provided for in paragraphs (3) through (13) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands; (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport safety zones delineated pursuant to the "Air Safety and Zoning Act of 1983," P.L. 1983, c. 260 (C. 6:1-80 et seq.); and (d) including a statement of the standards of population density and development intensity recommended for the municipality;*
- 3) *A housing plan element pursuant to section 10 of P.L. 1985, c. 222 (C. 52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing.*

The Master Plan must also contain a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," sections 1 through 12 of P.L. 1985, c. 398 (C. 52:18A-196 et seq.) and (4) the district solid waste management plan required pursuant to the provisions of the "Solid Waste Management Act," P.L. 1970, c. 39 (C. 13:1E-1 et seq.) of the county where the municipality is located. Various other elements including the circulation element, utility service plan element, community facilities plan element, recreation plan element, conservation plan element, economic plan element, historic preservation plan element, recycling plan element, and farmland preservation plan element are optional components of a municipality's Master Plan.

The Master Plan provides a vision for the municipality. The Master Plan provides direction and guidance for the growth, preservation, and land use decisions. A good comprehensive plan recognizes the needs of the municipality; the municipality's relationship to neighboring communities, the County, State and other regional agencies; and existing constraints and opportunities such as circulation

patterns, environmental conditions, and development patterns; and includes projections and anticipated development trends. The Master Plan is a document that is adopted by the municipal Planning Board. After the plan is adopted, implementation of the plan is achieved by means of three (3) interrelated actions: legislative action by the governing body, capital improvement planning and continuing planning efforts.

In Accordance with section N.J.S.A. 40:55D-89 of the Municipal Land Use Law (MLUL),

The governing body shall, at least every ten (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 county planning board and the municipal clerk of each adjoining municipality.

The statutory requirements mandate a Reexamination report in 2022 as the last report was adopted in 2012. There have been significant changes in the regional Atlantic County economy since 2012 and a significant change in residential property values in the Township which must be addressed in the on-going planning within the Township.

The statute requires that the report address five (5) specific areas. These requirements are set forth herein and are followed by the appropriate response statements.

Required Provisions of Periodic Reexamination Reports

Part I - Major Problems and Objectives

The first provision stated in N.J.S.A 40:55D-89a of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*

The last Reexamination Report was adopted by the Galloway Township Planning Board in 2012. The 2012 report restated the following problems and objectives from the 2001 Master Plan and the 2007 Master Plan Reexamination Report and Master Plan Update.

The primary goals for Galloway Township and this Master Plan Update are to continue development patterns that reduce trip generation, create livable communities and to enhance the overall quality of life for the residents of Galloway Township. This Master Plan also endeavors to correct the lack of necessary commercial facilities by creating nodes to serve the residents of existing neighborhoods.

Land Use:

Conservation/Preservation - Conservation/preservation areas include the Conservation, Preservation and Forest Area zoning districts.

- A. Target and identify environmentally sensitive areas.
- B. Promote the preservation of valuable or environmentally sensitive areas wherever possible.
- C. Protect groundwater and surface water quality.
- D. Preserve groundwater supply by implementing water quality management techniques.
- E. Minimize the impacts by limiting the types and intensity of development.

Agriculture

- A. Preserve farmland and maintain agricultural uses as viable industries.
- B. Protect scenic vistas and preserve natural resources.
- C. Minimize visual and environmental impacts of new development.
- D. Promote buffers between existing and proposed residential development to reduce potential conflicts between the two uses.
- E. Increase awareness of the Preservation of Development Rights (PDR) and Transfer of Development Rights (TDR) programs and funding available to residents.

Residential

- A. Promote residential infill and new development in appropriate locations and at appropriate densities.
- B. Promote off-street parking and design standards that eliminate parking between the front of the house and the street.

Mixed-Use

- A. Promote infill and redevelopment in appropriate locations and at appropriate densities.
- B. Ensure compatibility wherever possible between existing and proposed land uses.

- C. Promote design standards that require adequate on-site off-street parking wherever feasible to reduce vehicular conflicts with residential uses.
- D. Promote the conservation of residential properties along major transportation corridors to professional offices to provide adequate office space within the Township and reduce the need for excess traffic on streets that serve residential neighborhoods.
- E. Promote the use of buffers between existing residential and proposed commercial uses to protect residents from impacts of light and noise.
- F. In the designated villages and towns, encourage development patterns that reflect the characteristics and development patterns of the surrounding village.

Commercial

- A. Establish a strong non-residential ratable tax base without negatively impacting the quality of life for residents.
- B. Encourage the development or relocation of small or incubator businesses that will enhance the diversity of products or markets offered to the residents of the Township and region.
- C. Capitalize on proximity to or location of major transportation corridors such as the White Horse Pike, U.S. Route 9, and the Garden State Parkway.
- D. Encourage the consolidation of smaller lots to encourage adequate minimum lot sizes for new development wherever possible.

Industrial

- A. Establish zoning categories and intensities which reflect the availability of infrastructure and recognizes different environmental conditions.
- B. Encourage site design standards that will minimize impacts on properties in surrounding zoning districts.
- C. Create performance standards that will help to mitigate potential conflicts for proposed development.
- D. Promote non-residential development in appropriate locations.

Governmental

- A. Accommodate existing facilities and allow for appropriate planned expansions.
- B. Encourage improvements to major transportation corridors within the Township and region that will promote safe access to existing facilities.

Community Design

- A. Develop design standards to ensure good visual quality and design for all land uses.
- B. Ensure that new development is visually compatible with the physical character of the Township, especially in the identified villages, centers, and Town Center.
- C. Improve the visual and physical appearances of nonresidential areas while protecting residential neighborhoods from encroachment by incompatible uses.
- D. Establish design standards that preserve the rural corridors and streetscapes in the villages, enhance non- residential development that is served by or directly accessible to primary

transportation corridors, and foster a sense of identity in the Town Center.

Housing

- A. Implement appropriate Council on Affordable Housing policies in the Township to encourage the provision of housing to all income levels.
- B. Encourage and enforce property maintenance to improve appearances of residential neighborhoods.

Circulation

- A. Promote the safe and efficient movement of goods and vehicles along Township roads.
- B. Improve traffic safety along the White Horse Pike (US Route 30), Jimmie Leeds Road, and Route 9 by encouraging improvements to remedy deficient intersections, separating pedestrian/bicycle access and increasing pedestrian opportunities.
- C. Continue coordination with Atlantic County and New Jersey Department of Transportation regarding proposed improvements to the major transportation corridors within the Township.
- D. Provide a network of pedestrian paths which link residential neighborhoods with community facilities and commercial areas.
- E. Ensure adequate parking facilities for both residential and non-residential uses throughout the Township, especially in the Towns Center.
- F. Encourage ridership of mass transit and construction of a train stop for the New Jersey Transit commuter rail line within the Township.
- G. Encourage the expansion of neighborhood commercial services in appropriate areas in the Township to reduce the number of vehicle trips.
- H. Explore all options with the FAATC and the Atlantic City International Airport for increasing opportunities for transportation of people and goods throughout the region and eastern seaboard.

Utility Services

- A. Encourage new development to locate all utilities underground.
- B. Minimize increased stormwater runoff from any new land development where such runoff will increase flood damage.
- C. Maintain adequacy of existing and proposed culverts and bridges, dams, and other structures.
- D. Promote groundwater recharge where favorable geological conditions exist.
- E. Decrease non-point source pollution, to the greatest extent feasible.
- F. Maintain the integrity of stream channels for their natural functions, including drainage and ecological purposes.
- G. Reduce soil loss and stream channel erosion resulting from impacts of development or construction projects.
- H. Reduce the levels of runoff pollution due to land development, which would degrade the quality of water and may render it both unfit for human consumption and detrimental to biological life.
- I. Preserve and protect water supply facilities and water resources by means of controlling

flood discharges, stream erosion, and pollution.

- J. Work with the residents, County, and State to re-mediate areas of the Township where existing septic systems have failed.
- K. Encourage the expansion of existing private water supply wherever permitted by law.

Community Facilities

- A. Review Township facilities for compliance with the requirements of the American with Disabilities Act (ADA).
- B. Plan community facilities to accommodate anticipated future population growth.
- C. Maintain appropriate emergency services for Township residents.
- D. Identify and target areas appropriate for future community facilities such as new schools.
- E. Require new development to pay its fair share of any off- tract improvements for community facilities to the extent permitted by law.

Parks, Open Space and Recreation

- A. Provide a full range of recreational facilities to meet the needs of the current and future Township residents.
- B. Acquire additional land through dedication, purchase or other means to provide parks for new neighborhoods.
- C. Create linkages between existing parks and open space areas that create greenway connections.
- D. Create open space opportunities throughout the Township and around the community facilities such as schools.
- E. Enhance and continue to develop a pathway system that connects residential neighborhoods with parks and schools.
- F. Coordinate with County and State to capitalize funding opportunities within the Township.
- G. Require new development to pay its fair share of any off- tract improvements for recreational amenities to the extent permitted by law.
- H. Encourage and create opportunities for waterfront access in appropriate locations.
- I. Improve and maintain existing facilities.

Conservation

- A. Minimize the impacts of development on environmentally sensitive areas including wetlands, stream corridors and aquifer recharge areas by limiting development in these areas.
- B. Protect wooded areas for both recreational and hunting.
- C. Create new and enhance passive recreational opportunities in appropriate portions of the Township.
- D. Protect groundwater and surface water quality and preserve groundwater supply by implementing water quality management techniques.
- E. Preserve and protect open space areas having scenic views and/or important historical, cultural or agricultural significance.

- F. Maintain continuous networks of open spaces along streams, scenic areas and critical environmental areas.
- G. Encourage lot averaging or cluster development techniques, which preserve natural amenities, farms, woodlands, scenic views and open space.
- H. Coordinate with County, State, and private/not-for-profit agencies to maximize available funding for eligible preservation projects.

Economic Development

- A. Promote non-residential development that is consistent with the natural capacity of the land and the availability of water and infrastructure to ensure the economic well-being of the Township.
- B. Direct retail and service commercial development to appropriate locations in the villages, Town Center, and along the major transportation corridors such as the White Horse Pike (U.S. Route 30).
- C. Continue Conditional Commercial uses along U.S. Route 9 while maintaining a scenic highway effect by using architectural controls that promote a “quaint and historic” atmosphere and simultaneously integrate services for residents and visitors.
- D. Promote the Township as a premier business location because of the close proximity to the casino industry in Atlantic City and the William J. Hughes FAATC, Atlantic City International Airport, and the New Jersey Commuter rail service.
- E. Create pockets or “nodes” of community commercial services in strategic locations that are designed to meet the needs of the local residents, reduce vehicle trips, and create/define neighborhoods.

Historic Preservation

- A. Protect and preserve identified and/or designated historic sites.
- B. Protect the integrity of the Township historic structures and the cultural setting in which they exist.
- C. Identify and target new historic sites as they become available for preservation and/or public purchase.
- D. Work with the State, Federal and not-for-profit agencies to maximize available funding for eligible preservation projects.

Agriculture

- A. Promote agricultural resources and industry within the Township.
- B. Develop and market niche and specialty farming as viable component within the Township.
- C. Work with the County and State to target viable farms for preservation programs.
- D. Capitalize on County, State and Federal funding available for farmland preservation programs for eligible farms.
- E. Promote scenic and aesthetic values of farmland in the Township.

In addition, in the 2012 Master Plan Reexamination Report and Update, the following Development and Economic Issues were identified:

Despite the recommendations in the 2007 Reexamination Report and Master Plan Update to improve site development standards relative to parking, signage and other similar items, the local ordinances were not updated. This report recommends that these items be reviewed and updated to address the need for appropriate parking and signage controls throughout the Township.

In past reports, the Township has recognized a need to permit home occupational uses with appropriate restrictions. This has not been accomplished. In light of current economic trends and technology, the ordinance should be amended to permit limited impact home occupational uses. With more residents working from home, the ordinance should include a definition of a home occupation and address impacts that may result from increased traffic or employees. The intent of permitting home occupations would relate to those types of uses that do not generate additional traffic in the way of clients or visitors and where there are no employees at the residential property.

Part II - Status of Major Problems and Objectives

The second provision stated in N.J.S.A 40:55D-89b of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*

The current status of specific recommendations, problems and objectives identified in the Master Plan and restated in the 2012 Reexamination Report is as follows:

Despite the recommendations in the 2007 Reexamination Report and Master Plan Update to improve site development standards relative to parking, signage and other similar items, the local ordinances were not updated. This report recommends that these items be reviewed and updated to address the need for appropriate parking and signage controls throughout the Township.

In past reports, the Township has recognized a need to permit home occupational uses with appropriate restrictions. This has not been accomplished. In light of current economic trends and technology, the ordinance should be amended to permit limited impact home occupational uses. With more residents working from home, the ordinance should include a definition of a home occupation and address impacts that may result from increased traffic or employees. The intent of permitting home occupations would relate to those types of uses that do not generate additional traffic in the way of clients or visitors and where there are no employees at the residential property.

The Township adopted Ordinance No. 1971-2017 addressing the signage controls throughout the Township. The Township now permits electronic message center signage in some commercial districts to further encourage commercial development and economic growth in the Township.

The Township adopted Ordinance No. 1873-2013 allowing home professional office as a permitted accessory use in the Township. The ordinance allows home occupations which do not generate additional traffic in the way of clients or visitors and where there are no employees at the residential property.

The remaining problems, goals and objectives identified in the 2007 Reexamination Report and Update and 2012 Reexamination Report and Update shall continue to remain valid.

As part of the Master Plan reexamination, the problems, goals and objectives identified as being valid shall remain and objectives identified as addressed shall be removed as detailed above. This section serves as an update to the problems, goals and objectives identified in the 2012 Reexamination Report.

Part III - Changes in Assumptions, Policies and Objectives

The third provision of a reexamination is contained in 40:55 D-89c of the MLUL and requires that a reexamination report address: *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, collection, disposition, and recycling of designated recyclable materials and changes in State, County, and Municipal policies and objectives.*

There have been significant changes in the assumptions, policies and objectives forming the basis for the master plan since the last Reexamination in 2012.

The most significant change affecting the Township of Galloway is the decline in the regional economy that began during the recession of 2008 and continues today. The recession of 2008 which impacted the nation was the trigger for a downward trend for all of Atlantic County from which the County has not yet fully recovered.

Atlantic County experienced unprecedented growth for many years as a result of the advent of casino gaming in Atlantic City in 1976. Significant growth in jobs, commercial development and residential development was experienced in the County. The Township of Galloway developed into a primarily residential community which provided housing for many of the direct and indirect employees who relied on the jobs created as a result of Atlantic City being the only gaming market on the east coast.

The national recession in 2008 coupled with gaming competition proliferating on the east coast resulted in a dramatic change of events for the Township of Galloway. After many years of growth and increased real estate prices, the slow down in the regional economy created significant job losses and declines in real estate values.

The Township must adjust to the problems caused by unemployment, reductions in incomes / real estate values, and foreclosures now experienced in the Township. Changes in the underlying planning for the Township to allow for additional diversity in commercial development, permit businesses to be competitive with businesses in adjacent municipalities and relax some restrictions to revive a sluggish residential real estate market must all be examined. The Township has worked for many years to get the redevelopment of vacant sites underway with some success. The Township should continue to explore ways to spur redevelopment of all vacant sites or any other underutilized commercial sites as additional ratables are a key component of trying to stabilize the tax rate in the Township.

The following details some of the changes the Township since the Reexamination Report of 2012.

Density and Distribution of Population and Land Uses

At the time this report was prepared, the 2020 Census data was still being collected by the United States Census Bureau. The Bureau estimated the 2019 population in Galloway Township to be 35,618. This is a slight decline (-4.6%) since 2010 when the Township population was 37,349.

After many decades of population growth in the Township, the last decade saw a drop in population for the Township of Galloway which has continued through 2019. The figure below demonstrates that population increases in the Township since 1940 along with the decrease in population since 2010.

	Population	Population Change	Percentage Change
1940	3,457		
1950	4,140	683	19.8%
1960	5,634	1,494	36.1%
1970	8,276	2,642	46.9%
1980	12,176	3,900	47.1%
1990	23,330	11,154	91.6%
2000	31,209	7,879	33.8%
2010	37,349	6,140	19.7%
2019	35,618	-1,731	-4.6

Source: New Jersey State Data Center

As indicated in the census information the 2019 estimate of population for the Township of Galloway has declined further to a total population of 35,618. The Township must deal with the effects the decrease in population has on school enrollment and vacancies in structures now more prevalent throughout the Township.

The density of Galloway Township is above the overall density for Atlantic County. The Township has been zoned for single family detached dwellings on lots ranging from 5,000 square feet to 20 acres in size. The figure below shows the population densities for municipalities within Atlantic County.

	Land Area (sq. mi.)	Total Population		Persons Per Square Mile	
		2010	2019	2010	2019
New Jersey	7,354.2	8,791,894	8,882,190	1,195.5	1,207.8
Atlantic County	555.7	274,549	263,670	494.1	474.5
Absecon	5.4	8,411	8,818	1,558.8	1,632.9
Atlantic City	10.7	39,558	37,743	3,680.8	3,527.4
Brigantine	6.4	9,450	8,650	1,479.5	1,351.6
Buena Borough	7.6	4,603	4,284	607.4	563.7
Buena Vista	41.1	7,570	7,215	184.4	175.5
Corbin City	7.7	492	491	64.2	63.8
Egg Harbor Township	66.6	43,323	42,323	650.5	635.5
Egg Harbor City	10.9	4,243	4,052	388.1	371.7
Estell Manor	53.3	1,735	1,729	32.5	32.4
Folsom Borough	8.2	1,885	1,775	229.8	216.5
Galloway Township	89.1	37,349	35,618	419.3	399.8
Hamilton Township	111.1	26,503	25,746	238.5	231.7
Hammonton	40.9	14,791	13,934	361.8	340.7

Linwood City	3.9	7,092	6,658	1,834.9	1,707.2
Longport Borough	0.4	895	851	2,323.7	2,127.5
Margate City	1.4	6,354	5,865	4,490.3	4,191.4
Mullica	56.4	6,147	5,856	108.9	103.8
Northfield	3.4	8,624	8,031	2,533.7	2,362.1
Pleasantville	5.7	20,249	20,149	3,556.5	3,534.9
Port Republic	7.5	1,115	1,052	149.0	140.3
Somers Point	4.0	10,795	10,174	2,678.8	2,543.5
Ventnor City	2.0	10,650	9,895	5,457.4	4,947.5
Weymouth	12.1	2,715	2,835	224.6	234.3

Source: New Jersey Department of Labor

As shown, the total and density of population has recently begun a decline in every municipality throughout Atlantic County. The Township must plan appropriately in order to stabilize the Township's population trends.

Housing Conditions

The Township's housing conditions have remained largely unchanged with the exception of the increase in vacant structures. The Township provides primarily residential zoning for single family detached residential dwellings and this has not changed since the Reexamination in 2012.

The following illustrates the building permits issued within the Township of Galloway from 2010 to July 2020:

	New Building	Addition	Alteration	Demo	C/O Issued	Units Gained	Units Lost	Change
2010	52	97	877	29	56	43	3	29%
2011	39	66	860	27	65	34	7	11%
2012	62	53	898	19	52	36	9	9%
2013	72	35	1,039	27	60	36	11	1%
2014	60	35	1,028	18	53	36	9	4%
2015	58	39	1,288	36	49	132	14	0
2016	67	36	1,389	30	58	31	10	3%
2017	54	38	1,412	19	55	35	8	4%
2018	63	27	1,200	23	44	43	14	3%
2019	74	25	1,201	23	65	25	6	4%
2020	33	13	534	11	19	11	2	3%

Source: Galloway Township Building Department

Circulation

The roadway network for vehicles in the Township remains unchanged. The roadway network has been established for many years with the Garden State Parkway running north to south, Route 9 running north to south in the eastern portion of the Township, Route 30 (White Horse

Pike) running east to west and Jimmie Leeds Road (Atlantic County Route 561) connecting the western portion of the Township to the Township's town center area. A majority of the major roadways in Galloway Township are State- or County-owned roads. Atlantic County has completed roadway widening improvements along Jimmie Leeds Road to accommodate the increased volumes of traffic in the area. No changes are proposed to the roadway network in Galloway Township.

The Township continues to seek grant funding for the bikeway projects to connect commercial centers to densely populated residential centers.

Conservation

The Township of Galloway has significant natural assets with the Edwin B. Forsythe National Wildlife Refuge located in the eastern portion of the Township and the Mullica River and tributaries located along the northern border. The Township adopted its Environmental Resources Inventory in 2018. There have been no changes in the conservation of the Township's natural resources or Environmental Inventory that would affect the Reexamination Report. The Township remains committed to protecting and conserving its natural assets throughout the Township.

Collection, Disposition and Recycling of Designated Recyclable Materials

There have been no changes in the collection, disposition and recycling that would affect the Reexamination Report.

Changes in State, County and Municipal Policies and Objectives

Reexamination of State Development and Redevelopment Plan (State Plan)

On January 2, 1986, the New Jersey Legislature enacted the New Jersey State Planning Act. As part of this Act, the New Jersey State Planning Commission was created and directed to prepare and adopt a statewide plan for growth and redevelopment in New Jersey. The premise of this plan was to develop a plan for the New Jersey that reflects agreement between all levels of government – municipalities, counties and the State – and provides a blueprint for "smart growth" throughout the State.

In 1992, the Commission released the *State Development and Redevelopment Plan* (State Plan). Incorporated into the State Plan is a Resource Planning and Management Structure. This structure identified five (5) basic "planning areas", outside of the Pinelands areas, based on physical size, population densities, availability of infrastructure, and pattern of existing land uses. These planning areas are mapped on the Resource Planning and Management Map (RPM). The Pinelands areas remained unchanged with the introduction of this plan.

As required by law, all governmental agencies are required to reexamine their planning documents every ten (10) years. In 1997 the State Planning Commission began a reexamination of the State Plan. On March 31, 1999, the State Planning Commission approved the *New Jersey State Development and Redevelopment Plan: Interim Plan*. A new State Plan was approved in 2001.

This reexamination of the State Plan has provided municipalities, county agencies, and citizens with the opportunity to provide comments on the previously adopted State Plan and make suggestions and recommendations. Municipal and county agencies are also offered an additional chance to request changes in policy and / or request modifications to the RPMM.

Implementation of State Plan by State Agencies

When the State Plan was adopted in 1997, the plan was to serve as an advisory document providing recommendations that would result in "smart growth" or a pattern of "preferred growth" throughout the State. In her 1998 State of the Union address, Governor Whitman clearly stated that one of her goals is that all State agencies use the State Plan as a basis for their policy and decision making process. Decisions regarding funding, priority of improvements / maintenance, and implementation of new projections or extensions of existing systems should now be required to be based on the principals and concepts contained in the State Plan.

The State agencies that have integrated the State Plan into their policies and decision-making processes include the Department of Community Affairs (NJDCA), Department of Environmental Protection (NJDEP), and Council on Affordable Housing (COAH). All of these agencies potentially impact the City.

Affordable Housing Regulations:

The Fair Housing Act of 1985, P.L. 1985, c.222 (N.J.S.A. 52:27D-301 et seq.) established the initial affordable housing regulations for all municipalities in the state. The intent was to ensure that municipalities did not use their zoning code to exclude the possibility of development of homes available to moderate and low income households. The Fair Housing Act established the Council of Affordable Housing (COAH) within the Executive Branch for the purpose of establishing the regulations and oversight of affordable housing obligations in the state.

Subsequent to the adoption of the Fair Housing Act, a number of legislative changes and judicial decisions followed.

On December 20, 2004, COAH's third round (1999-2014) substantive and procedural rules became effective in accordance with N.J.A.C. 5:94 and Procedural Rules can be found at N.J.A.C. 5:95. These rules use a new methodology, known as growth share, to calculate a municipality's new construction affordable housing obligation. Under growth share, a municipality's affordable housing obligation is based on actual growth taking place in the municipality over time, and the affordable housing obligation is assigned as a proportion of that growth.

Three components of the affordable housing obligations were established as a result of the third round rules. A prior round obligation (for the period from 1987 – 1999), a rehabilitation component, and a growth share component (for the period from January 1, 2004 to December 31, 2018) were established. These new rules were met with a series of legal challenges.

In the summer of 2008, the legislature attempted to address the challenges by adopting legislation to reform affordable housing regulations and provide a framework for municipalities to address affordable housing needs. Additional legal actions followed the adoption of the legislation.

In 2011, the entire COAH department was eliminated ostensibly as a cost saving measure and the duties were transferred to the Department of Community Affairs (DCA). More legal challenges followed.

Ultimately, the Supreme Court directed that the court system would take over the responsibilities for establishment of affordable housing obligations and implementation of affordable housing plans due to the elimination of COAH and perceived inaction by the Executive Branch. As affordable housing obligations have been transferred to the jurisdiction of the Court system, municipalities await a final decision on the third round obligations prior to finalizing affordable housing plans.

Atlantic County:

The Atlantic County Master Plan was adopted in May 2018. There have been no changes to the Master Plan that would affect the assumptions, goals and objectives identified in this reexamination report.

Municipal Policies and Objectives:

There have been numerous changes in municipal policies and objectives that should be addressed in the context of the Reexamination Report. These policies and objectives that have changed since 2012 are as indicated below:

- a) *The Township's Planned Neighborhood Residential District has been developed with residential development and continues to be developed with permitted residential uses. A detailed review of the ordinance has brought to light a permitted use which is no longer appropriate for the zoning district. It is recommended that the "quarries, subject to site plan review of the proposed restoration of below-grade quarries" should be eliminated as a permitted use in the Planned Neighborhood Residential District. The other permitted uses in the zone are compatible with the residential uses. In addition, it is important for the Township to continue to preserve and protect its natural resources.*
- b) *The Township adopted a new signage ordinance in 2017 to include signage which utilizes the most up-to-date current technology targeted specifically for commercial uses. The ordinance currently prohibits internally illuminated signage along Route 9, Jimmie Leeds Road and Pitney Road. These three corridors are commercially zoned and signage is critical to the success of commercial and businesses uses in the Township. It is recommended that the ordinance be revised to allow internally illuminated signage along Route 9, Jimmie Leeds Road and Pitney Road.*

Part IV - Recommended Changes for Master Plan or Development Regulations:

The fourth provision of a reexamination is contained in N.J.A.C. 40:55 D-89(d) of the MLUL and requires that a reexamination report address: *The specific changes recommended for master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

Various changes are recommended to respond to the changes in the regional economy, the need for Galloway Township to try to spur development of vacant sites and the redevelopment of other underutilized commercial sites, while protecting the Township's environmentally sensitive resources and the interests of the Township's residents.

The recommended changes are as indicated below:

- 1) The zoning ordinance should be updated to eliminate "quarries, subject to site plan review of the proposed restoration of below-grade quarries" as a permitted use in the Planned Neighborhood Residential District (NR).
- 2) The restrictions on signage illumination should be eliminated and internal illumination on signage should be permitted. Specifically, the restriction prohibiting internal illumination on signage located along Route 9, Jimmie Leeds Road or Pitney Road should be removed from the ordinance.
- 3) Changes should be implemented with the land use regulations to provide clarity in the review and enforcement of zoning regulations.

Part V - Recommended Redevelopment Plans:

The fifth provision of a reexamination is contained in N.J.A.C. 40:55 D-89(e) of the MLUL and requires that a reexamination report address: *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 40 A: 12 A-1 et seq.) into the Land Use 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.*

Since the last Master Plan Reexamination Report in 2012, the Township has adopted numerous redevelopment plans and continues to designate areas in need of redevelopment in the Township to create opportunities for property owners to utilize the tools and incentives provided by the Township.

It is recommended that the Township work with property owners within the Area in Need of Redevelopment to develop redevelopment plans for individual parcels.

The Township is continuing its efforts to complete redevelopment plans and these efforts are ongoing and will be addressed in future Master Plan Reexamination Reports or Updates.

Reexamination Report Adoption

This report shall serve as a Periodic Reexamination Report. The absence of the adoption of a reexamination report by the planning board shall constitute a rebuttable presumption that the municipal development regulations are no longer reasonable.

This report was adopted after a public hearing by the Galloway Township Planning Board on October 15, 2020

The original of this document has been signed and sealed in accordance with N.J.A.C. 13:41-13.b.