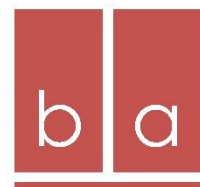


Reexamination Report of the Master Plan

Draft Version 1.0 (09/12/19)

Township of Rockaway | Morris County, New Jersey



BURGIS
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LAND DEVELOPMENT AND DESIGN
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Reexamination Report of the Master Plan (DRAFT)

Township of Rockaway
Morris County, New Jersey

Prepared for the Township of Rockaway
Planning Board

BA# 3436.02

The original document was appropriately signed and sealed on _____ in accordance with
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Section 1: Introduction

The following section provides an introduction to the 2019 Township of Rockaway Reexamination Report of the Master Plan.

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1.1: Overview of the 2019 Reexamination Report

The Township of Rockaway has a deep and rich history of community planning.

This history can be traced back to 1956, when the Township adopted its first master plan. Over the next six decades, the Township's master plan would be updated and reexamined on a regular basis to address Rockaway's ever-evolving development patterns, changing socioeconomic trends, and the overarching needs and desires of its community. These efforts have all been designed to guide the Township with sound planning practices.

The 2019 Township of Rockaway Reexamination Report of the Master Plan is the latest example of the community's comprehensive planning tradition. This Reexamination Report is representative of the Township's ongoing efforts to ensure that its planning policies and land use goals remain effective, practical, and up-to-date with today's evolving landscape. While it does not radically depart from the policies and land use goals set forth in previous studies, this Report nevertheless acknowledges various issues which have impacted the community. As such, it offers several recommendations for the Township's master plan and zoning regulations.

Accordingly, the following Reexamination Report is divided into the following sections:

- ❖ Section 1: Introduction

The remainder of this introductory section provides an overview of the legal requirements for a master plan and a reexamination report.

- ❖ Section 2: Major Problems and Objectives, and Changes to Them

The next section identifies the major problems and objectives which relate to land development which were identified in the Township's last reexamination reports. Updates on these problems and objectives are also provided

- ❖ Section 3: Significant Changes

This section identifies the significant changes which have occurred on the local, regional, and state-wide levels which have the potential to impact Rockaway Township.

- ❖ Section 4: Specific Changes

The fourth section offers specific changes recommended for the Township's master plan and land use regulations.

- ❖ Section 5: Incorporation of Redevelopment

Finally, the last section discusses recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element.

1.2: The Legal Requirements for a Master Plan

New Jersey's Municipal Land Use Law (MLUL) defines a master plan as:

"...a composite of one or more written or graphic proposals for the development of the municipality." (NJSA 40:55D-5)

In other words, a master plan is a comprehensive, long-term plan which is intended to guide the growth and development of a community. It is a roadmap which identifies where a municipality presently is and where it wishes to be in the future. A master plan develops the general parameters around which development is to occur and, specifically, where different types of development should occur. By doing so, a land use plan element ultimately links a municipality's goals and policy statements to its existing and proposed zoning regulations. Therefore, master plans ultimately provide municipalities with the legal basis to control development through the adoption of development ordinances which are designed to implement its goals, policies, and recommendations.

As established by NJSA 40:55D-28, the Planning Board is the designated entity responsible for the preparation and adoption of a master plan, which may be subsequently amended by the Board. A master plan must be adopted at a public hearing after proper public notice. The MLUL further identifies the mandatory contents of a master plan, which include:

1. A statement of 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 that takes into account physical features, identifying the existing and proposed location, extent, and intensity of development for residential and nonresidential purposes, and states the relationship of the plan to any proposed zone plan and zoning ordinance, and;
3. A recycling plan by the municipality.

In addition, the MLUL outlines several other elements which may be incorporated into a comprehensive master plan document. These optional elements are identified below. Please note that while the MLUL identifies a housing plan as an option element, it is nevertheless effectively an obligatory plan element. Pursuant to NJSA 40:55D-62.a, a municipality must have an adopted housing plan element in order to enact its zoning ordinance. From a public policy perspective, a housing plan is therefore an essential community document.

Economic development	Circulation	Open space
Recreation	Community facilities	Historic preservation
Downtown development	Farmland preservation	

1.3: The Legal Requirements for a Reexamination Report

Municipalities are required by the MLUL to periodically reexamine their master plans and development regulations at least once every ten (10) years. Such a reexamination is essential in ensuring that a community's master plan and development regulations are up-to-date, effective, and consistent with evolving development patterns and the applicable provisions of the MLUL. Reexamination reports also help ensure that a municipality's local zoning regulations are substantially consistent with a regularly revised and updated land use element, as mandated by the MLUL.

Accordingly, the adoption of a reexamination report helps guide governing bodies, planning board, and zoning boards in making land use and policy decisions to enhance and protect the character of the community. In order to efficiently do so, the MLUL requires that a reexamination report must include five (5) key elements which identify the following:

1. [NJSA 40:55D-89.a:](#) The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;
2. [NJSA 40:55D-89.b:](#) The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
3. [NJSA 40:55D-89.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 use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;
4. [NJSA 40:55D-89.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 regulation should be prepared;
5. [NJSA 40:55D-89.e:](#) The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," 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.



Section 2: Major Problems and Objectives, and Changes to Them

The following section identifies the major problems and objectives relating to the Township's land use development at the time of its prior master planning documents, and how those problems and objectives have changed in the ensuing years.



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

NJSA 40:55D-89.a

The extent to which such problems and objectives have been reduced or have increased subsequent to such date;

NJSA 40:55D-89.b

As part of the overall reexamination analysis, the Municipal Land Use Law (MLUL) requires an identification of the major land use problems and objectives that were outlined in the most recently adopted master plan or reexamination report.

In addition to identifying those major problems and objectives, the MLUL also requires municipalities to track the extent to which those problems have been reduced or increased.

Accordingly, the following section outlines the goals and objectives of the 2006 Reexamination Report and Land Use Plan and provides updates regarding them. Furthermore, this section discusses the Township's 2013 Highlands Reexamination Report.

2.1: 2006 Land Use Plan Goals and Policy Statements

The goals and associated policy statements identified below were established by the Township's 2006 Land Use Plan Element. Comments on these how these goals and policy statements have changed have also been provided.

Goal 1: To maintain and enhance the existing areas of stability in the community; to encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the levels, and locations, prescribed herein.

Policy Statement: The Township recognizes that one of its most significant attributes is its residential neighborhoods, with limited intrusions of non-residential development in residential neighborhoods. The Plan's land use recommendations are designed to protect and reinforce the prevailing residential development patterns (except as provided in Goal 2 below), permit attached residential development only in those areas specified in the plan and preclude them from other areas, prohibit incompatible land use arrangements, and reinforce the intensities of use recommended in this plan.

2019 Comment: This remains a relevant goal and policy of the Township. Furthermore, as detailed in Section 4.2 of this Report, several residential properties along the West Dewey Avenue corridor are presently located in the I Industrial District, which does not accurately reflect the existing development pattern in that area. In addition, the Township is in the process determining its affordable housing obligation. This is discussed in greater detail in Section 3.6.

Goal 2: To enhance the development pattern and land use arrangement in White Meadow Lake and reinforce the minimum 0.3-acre lot area requirement for this portion of the municipality.

Policy Statement: The White Meadow Lake area is typified by a varied terrain and a modest lot size arrangement, which is often served by narrow winding streets with a poor road alignment. These characteristics necessitate a planning response that will ensure that infill development does not adversely impact the environmental character of the area, or physical features, or circulation, and does not add to the physical congestion of this neighborhood. In an effort to implement Goal 2, the Planning Board formally rejects the notion

that the mere consistency of a proposed lot's size with the surrounding area in and of itself represents a suitable basis for variance relief, concluding that such consistency does not represent a "public benefit", nor does it address issues relating to the negative criteria that mandate a showing that there is no substantial detriment to the public good. In particular, that issue must revolve around, amongst other things, the problems associated with any additional traffic generating potential that impacts traffic movement on narrow, winding, and poorly aligned roadways.

2019
Comment: While the number of subdivisions in the White Meadow Lake Area has decreased substantially since 2006, this nevertheless remains an applicable goal and policy of the Township.

Goal 3: To concentrate development in the southerly portion of the Township.

Policy
Statement: The Township seeks to direct development to the southerly end of the community where it is most economical to serve existing and future population with full utilities and services. This also serves to complement the Highlands Act, which discourages development in the northerly half of the community.

2019
Comment: This remains a relevant goal and policy of the Township. Following the adoption of the 2006 Reexamination Report and Land Use Plan, the Township adopted an ordinance to petition the Highlands Council for plan conformance for the Planning Area, and additionally adopted the Highlands referral ordinance. As detailed later in this section, the Township also adopted a Highlands Reexamination Report.

Goal 4: To include all of Rockaway Township that is not within the Highlands Preservation Area in the sewer service area, while ensuring that public sewers and water supply be initially provided in those areas serving the greatest number of residences at a minimum cost to taxpayers.

Policy
Statement: It is Rockaway's policy to coordinate the location of public sewers and water supply with the activities shaping land development to ensure service to the greatest number of existing and future residents of the Township, and to lessen the cost of such development on the citizenry.

2019
Comment: This remains a relevant goal and policy of the Township. Since the 2006 Reexamination Report, the Township has studied the feasibility of extending sewers along portions of Richard Mine Road as well as Mount Hope Ave and Mount Hope Road. However, no formal action has occurred. In addition, the Pondview development in the southwesterly portion of the Township has been provided water and sewer through RVRSA.

Goal 5:	To ensure that any prospective development is responsive to the Township's environmental features and can be accommodated while preserving these physical characteristics.
Policy Statement:	<p>The Township seeks to limit development to that which is sensitive to the community's particular physical characteristics and preserve the Township's sensitive environmental elements. In particular, the Township seeks to limit development to that which preserves steeply sloped area (defined to include any slope of minimally fifteen percent grade), wetlands, and flood plains, and retains existing vegetation (particularly trees of a caliper of eight inches or more and clusters of trees which may be of lesser caliper if determined appropriate).</p> <p>Furthermore, the Township seeks to discourage development in the Highlands Preservation Area. It is specifically noted with respect to steep slopes that the slope zoning regulations set forth in the Township land development ordinance are to be applied to each individual building lot in a development application. Additionally, the Township takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate its fully zoned development potential.</p>
2019 Comment:	<p>This remains a relevant goal of the Township and is addressed through the Township's subdivision and site plan review process. The 2006 Land Use Plan offered several ordinance amendments regarding steep slopes, tree protection, stream corridors, wetlands, and solar energy. However, these ordinances have not been adopted.</p> <hr style="width: 50%; margin-left: 0;"/>
Goal 6:	To encourage the design of open space features in cluster developments to abut the open space of open space elements of adjacent properties.
Policy Statement:	The Township recognizes that one of the significant attributes of the area is its rural, wooded open space character. This can best be reinforced by the linkage of open space features throughout the community. Consequently, it is the policy of the Township to seek the placement of open space features so that they abut open space features on adjoining properties, thereby establishing a series of greenbelts throughout the community.
2019 Comment:	While this remains an applicable goal of the Township, it is noted that the number of large-scale residential subdivisions has decreased dramatically due to the regulatory and septic limitations associated with the Highlands.

Goal 7:	To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Township.
Policy Statement:	<p>The Township contains a broad and varied housing stock consisting of detached dwellings, townhouses, and multi-family units. Consequently, the Township policy is designed to acknowledge this existing and established array of housing, but not to allow any more multi-family housing and townhouses beyond that which is prescribed for in this plan.</p> <p>This policy is expressed in recognition of the broad range of housing in the community, and the fact that Rockaway has affirmatively addressed its low and moderate income housing obligation, as defined by the New Jersey Council on Affordable Housing, through the preparation and adoption of a Housing Element and Fair Share Housing Plan, which received certification from COAH in 1996. The Township has also submitted a housing plan to COAH in December of 2005 to address its low and moderate income housing obligation through 2014.</p>
2019 Comment:	<p>This generally remains a relevant goal for the Township. As detailed in Section 3.6 of this report, COAH was ultimately declared to be dysfunctional by the New Jersey Supreme Court in March of 2015. Consequently, the Supreme Court returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision. Consequently, the Township is presently in the process of determining its affordable housing obligation.</p> <hr style="width: 50%; margin-left: 0;"/>
Goal 8:	To encourage and provide buffer zones to separate incompatible land uses.
Policy Statement:	<p>The Township recognizes the need to reinforce the delineation of boundaries separating residential and non-residential uses. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential and other properties. This should be accomplished primarily within the framework of appropriate open space buffer widths containing suitable planting elements (incorporating such elements as multiple rows of staggered plant material, planting clusters, etc. as a means to provide suitable buffer protection), with supplemental fencing when appropriate.</p>
2019 Comment:	<p>This remains a relevant goal and policy of the Township and is also addressed through the Township subdivision and site plan review process.</p>

Goal 9: To discourage the creation of flag lots in the Township.

Policy Statement: The Township maintains that flag lots represent an improper land use arrangement which results in over utilization of property and represents a development pattern which hinders emergency service access to such lots.

2019 Comment: This remains a relevant goal and policy of the Township and is also addressed through the its subdivision and site plan review process.

Goal 10: To encourage new development, and redevelopment, to take into account the aesthetic character of the community, in an effort to enhance the visual and aesthetic appearance of the municipality.

Policy Statement: The Township recognizes that the visual and aesthetic character of a community includes the type and design of landscape elements that comprise development sites. The Township’s site plan review process shall actively encourage developments, and redevelopments, which incorporate the highest quality of aesthetic elements to enhance the visual character of the community. Landscaped areas are encouraged on the street frontages of commercial properties located along roadway corridors, as are landscaped features within parking lots, foundation plantings, and perimeter plantings

2019 Comment: This remains a relevant goal and policy of the Township and is addressed through the its subdivision and site plan review process.

Goal 11: To preserve and enhance the Township’s retail commercial areas by defining their functional role in the community.

Policy Statement: Rockaway is characterized by a variety of retail commercial districts that are clearly distinguished from each other. The community contains a regional shopping center, small neighborhood facilities serving the daily needs of the residents, and some highway commercial development. It is the policy of the community to acknowledge the regional mall and its environs as a regional center pursuant to the State Plan. It is also the Township policy to encourage the consolidation of development along the Route 46 corridor to facilitate a comprehensive approach to a unified and integrated development that serves to limit the number of curb cuts and conflicting turning movements on this roadway. The community’s local neighborhood commercial areas should be acknowledged to be able to accommodate limited commercial uses and levels of development, while protecting adjoining residences.

Within this framework, the Plan encourages the continued improvement of the community's commercial areas for retail and service commercial uses. This should be achieved within a manner that protects and promotes the physical and aesthetic character of the community's commercial areas. Consideration should be given to design features that enhance the physical character of the community, and encourage the integration of building, parking, landscaping and signage elements into a comprehensive and unified framework.

2019
Comment: This remains a relevant goal and policy of the Township and is addressed through its subdivision and site plan review process. Furthermore, Section 4.2 of this Report offers several recommendations to expand the potential economic opportunities of the Township's nonresidential zoning districts.

Goal 12: To establish conservation easements around abandoned mine shafts and primary aquifer areas.

Policy
Statement: The Township recognizes the need to establish conservation easements around mine shafts and primary aquifer areas as a means to protect these physical features and protect future development. Consequently, the Township policy shall be to establish a minimum 150-foot conservation easement around these features as a means to protect the public health and safety, and to impose a reduced intensity over primary aquifer areas.

2019
Comment: The Township has not adopted conservation easements around mine shafts. Every new development requiring subdivision or site plan approval located within 500 feet of a mine shaft, as well as every construction or reconstruction of buildings and/or pools within 150 feet of a mine shaft, must conduct a preliminary investigation and assessment to determine whether remediation of the mine or mine feature is necessary.

Furthermore, the Township has not adopted easements for primary aquifer areas.

Goal 13: To promote a sidewalk master plan in selected areas of the community.

Policy
Statement: The Township recognizes the need to provide sidewalks in certain heavily traveled areas of town to improve pedestrian safety. Consequently, it is the policy of the Township to identify those corridors that are appropriate for sidewalk construction. In addition, the Township is encouraged to establish a sidewalk fund, which will allow developers to contribute to the fund in lieu of building sidewalks in their developments, thereby directing funds to where they are needed most.

2019
Comment: The Township has not yet prepared or adopted a sidewalk master plan, not has a sidewalk fund been developed. As such, this remains a relevant goal and policy of the Township.

Goal 14: To promote the conservation of energy and the use of renewable energy sources whenever possible as the Township develops.

Policy
Statement: The Township recognizes the need to encourage the use of alternative energy sources as a means to conserve non-renewable resources. As such, the Township policy shall be to establish an ordinance to protect the potential use of solar energy for homeowners and renters in Rockaway. This will be accomplished by permitting solar energy collectors as an accessory use in all of the Township's zone districts.

2019
Comment: This remains a relevant goal of the Township.

An ordinance has yet to be adopted which specifically identifies solar energy collectors as an accessory use in all of the Township's zone districts. However, the MLUL and the Right to Farm Act were both amended to modify the regulations regarding wind, solar, and photovoltaic facilities. See Section 3.6 of this Report for more information on this matter.

Goal 15: To support Picatinny Arsenal's retention as an armament research, development and engineering center, and participate in its efforts to establish a development plan to utilize its underdeveloped and underutilized assets to create a public/private partnership to provide development within the Arsenal, provided that such development complements and reinforces the Township's overall approach to land use, environmental, traffic, and related planning issues.

Policy Statement: The Township recognizes that Picatinny Arsenal represents a substantial economic/employment attribute that provides a variety of benefits to the region, and consequently supports the Arsenal's efforts to reinforce its position as a necessary component of the Department of Defense. However, it is also recognized that the Arsenal's plan to use the site's underdeveloped and underutilized assets to create revenue as a means to maintain and enhance Picatinny's aging infrastructure, resulting in increased development within the Arsenal for armament-technology based uses, has significant land use implications for Rockaway Township. Picatinny's site constraints include substantial wetland and steep slope areas, endangered species, and 175 superfund sites, as well as areas set aside for unexploded ordnance and explosive safety zones.

Development impacts associated with these environmental issues, overall intensities-of-use, traffic and circulation planning, as well as the impact of potentially lost ratables as prospective technologically-based uses occupy land within Picatinny instead of locating to the Township's corporate office parks need to be explored with Picatinny representatives.

2019 Comment: This remains a relevant goal and policy for the Township.

Goal 16: To support the overall philosophy of the Highlands Water Protection and Planning Act.

Policy Statement: The Township supports the designation of the municipality as a planning area wherein future growth is encouraged in proximity to existing infrastructure and facilities to the extent and intensity as provided for herein. Future growth in the community is encouraged to be sensitive to environmental constraints, and existing uses that adversely affect the environment are encouraged for elimination.

2019 Comment: This remains a relevant goal and policy of the Township. Following the adoption of the 2006 Reexamination Report and Land Use Plan, the Township adopted an ordinance to petition the Highlands Council for plan conformance for the Planning Area, and also adopted the Highlands referral ordinance. As detailed later in this section, the Township also adopted a Highlands Reexamination Report.

Goal 17: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a state-wide basis while retaining the principles of home-rule.

Policy Statement: The Township maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific planning area designations for Rockaway Township (except where inconsistent with the Township plan), represents a reasonable approach to growth management.

2019 Comment: This remains a relevant goal and policy of the Township. In October of 2011, the Draft State Strategic Plan (SSP) was developed as an update to the SDRP. The Draft Final Plan was approved by the State Planning commission on November 14, 2011 by Resolution No. 2011-08. The SSP is discussed in greater detail in Section 3.6.

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2.2: 2006 Land Use Plan Recommendations

In addition to the above, the 2006 Reexamination Report and Land Use Element offered the following recommendations for the Township’s master plan and land use regulations.

2006 Recommendation: A number of properties are recommended for rezoning in order to implement the recommendations set forth in the land use plan. These zoning amendments are illustrated...in the table below.

2019 Update: The following table provides an update for each site which was recommended to be rezoned in the 2006 Land Use Plan. As shown, none of the sites identified in that previous plan have been rezoned.

Table 1: 2006 Land Use Plan Sites Recommended for Rezoning Update

Block	Lot	2019 Status Update
10001	1	The 2006 Land Use Plan recommended rezoning this site from the R-40 District to the R-5 Acre District. This site has not been rezoned pursuant to this recommendation. It presently contains Mount Hope Fire Company #2.
10001	2	The 2006 Land Use Plan recommended rezoning this site from the R-40 District to the R-5 Acre District. Subsequently, this site was subdivided into Lots 2.01, 2.02, and 2.03. Lot 2.01 was purchased by the Township, Lot 2.02 was purchased by Morris County and Lot 2.03 is qualified farmland. These properties have not been rezoned.
10001	2.01	See the comment above.
11403	40 (partial)	The 2006 Land Use Plan recommended rezoning this site from the R-40 District to the R-5 Acre District. The site has not been rezoned pursuant to this recommendation.
20001	5.02	The 2006 Land Use Plan recommended rezoning this site from the R-40 District to the R-5 Acre District. This site has not been rezoned pursuant to this recommendation. It is presently qualified as farmland.
20001	5.03	The 2006 Land Use Plan recommended rezoning this site from the R-40 District to the R-5 Acre District. It has not been rezoned pursuant to this recommendation. The site is presently owned by the Township and contains the Ford Faesch House. As such, it is unclear whether this site requires a rezoning.
10001	3	The 2006 Land Use Plan recommended rezoning this site from the R-20 Acre District to the R-5 Acre District. It has not been

Block	Lot	2019 Status Update
		rezoned pursuant to this recommendation. This site is owned by the Morris County Parks Association. As such, there is no need to rezone this property at this time.
20001	3	The 2006 Land Use Plan recommended rezoning the portion of this site located in the B-1 District to the R-5 Acre District. It has not been rezoned pursuant to this recommendation. The site is presently owned by the State of New Jersey and is part of the Wildcat Ridge Wildlife Management Area. As such, the Township should rezone the B-1 portion of this site to the R-5 Acre District to maintain consistency with its preserved status.
20001	5.01	The 2006 Land Use Plan recommended rezoning this site from the M District to the R-5 District. It has not been rezoned pursuant to this recommendation. The site is presently owned by Tilcon and is utilized for mining operations. As such, the zoning of this lot should remain in the M District.
20001	5.05 (partial)	The 2006 Land Use Plan recommended rezoning this site from the M District to the R-5 District. It has not been rezoned pursuant to this recommendation. The site is presently owned by Tilcon and is utilized for mining operations. As such, the zoning of this lot should remain in the M District.
20001	5.06	This specific block and lot no longer exists.
22104	11	The 2006 Land Use Plan recommended rezoning this site from the PED District to the I District. This specific block and lot no longer exists.
22401	1.01	The 2006 Land Use Plan recommended rezoning this site from the PED District to a proposed AR-AH2 District. It has not been rezoned pursuant to this recommendation. This site is presently under construction with the Lennar development. Please see Section 3.4 for additional information on this matter.
22401	3.06	The 2006 Land Use Plan recommended rezoning this site from the PED District to a proposed AR-AH2 District. It has not been rezoned pursuant to this recommendation. This site, as well as adjoining Lot 3.07, was rezoned to the RMF-8A Multi-Family Residential District. Please see Section 3.4 for additional information on this matter.
22401	1.02	The 2006 Land Use plan recommended rezoning this site from the PED to the R-P District. It has not been rezoned pursuant to this recommendation.
30001	13	The 2006 Land Use plan recommended rezoning this site from the PED to the R-P District. It has not been rezoned pursuant to

Block	Lot	2019 Status Update
		this recommendation. The site is now developed with an office development. As such, the 2006 rezoning recommendation is no longer relevant.
30001	14 (partial)	The 2006 Land Use plan recommended rezoning the entirety of this site into the R-5 Acre District.
30001	22	The 2006 Land Use plan recommended rezoning this site from the R-88 District to the R-5 Acre District. It has not been rezoned pursuant to this recommendation. This site is presently owned by the State of New Jersey and is a part of the Wildcat Ridge Wildlife Management Area. As such, there is no need to rezone this property at this time.
70001	1	The 2006 Land Use plan recommended rezoning this site from the R-20 Acre and R-5 Acre Districts to a proposed GR District. It has not been rezoned pursuant to this recommendation. This property is owned by the federal government and contains Picatinny Arsenal. As such, this rezoning recommendation remains valid.
70001	2	The 2006 Land Use plan recommended rezoning this site from the R-20 Acre District to a proposed GR District. It has not been rezoned pursuant to this recommendation. This property is owned by the federal government and contains Picatinny Arsenal. As such, this rezoning recommendation remains valid.
70001	3	The 2006 Land Use plan recommended rezoning this site from the R-20 Acre District to a proposed GR District. It has not been rezoned pursuant to this recommendation. This property is owned by the federal government and contains Picatinny Arsenal. As such, this rezoning recommendation remains valid.
70001	4	The 2006 Land Use plan recommended rezoning this site from the R-20 Acre District to a proposed GR District. It has not been rezoned pursuant to this recommendation. This property is owned by the federal government and contains Picatinny Arsenal. As such, this rezoning recommendation remains valid.

2006
Recommendation: A number of ordinance amendments are proposed to protect the Township's environmentally sensitive features. The Township's current ordinances should be revised to include these recommended amendments, which are as follows:

1. Proposed steep slope ordinance;
2. Proposed tree protection ordinance;
3. Proposed stream corridor ordinance;
4. Proposed wetlands ordinance;
5. Proposed solar energy ordinance

2019 Update: These ordinances have not yet been adopted.

DRAFT

2.3: 2013 Highlands Reexamination Report Problems and Objectives

As part of its voluntary Plan Conformance process, the Township adopted its Highlands Reexamination Report on September 16, 2013. This 2013 Highlands Reexamination Report addressed the task of achieving conformance with the provisions of the New Jersey Highlands Water Protection and Planning Act (N.J.S.A 13:20-1 et seq.) as well as the Highlands Regional Master Plan.

The 2013 Highlands Reexamination Report predominantly focused the problems and objectives of affordable housing.

2013 Issue: The majority of the problems and objectives identified in its prior 2006 Reexamination Report had not changed as a result of the adoption of the Highlands Regional Master Plan and the decision of the Governing Body to conform its planning documents to the Regional Master Plan, as the Township was already in support of its designation within the Highlands Preservation and Planning Areas.

However, one aspect of the Master Plan that has changed, specifically, as a result of the adoption of the Regional Master Plan, and the decision of the Governing Body to conform its planning documents to the Regional Master Plan, concerns the Township's third round Housing Plan. As discussed therein, the Township received substantive certification of its second round fair share plan in 1996 and had filed its third round housing plan with COAH in December 2005. At the time of the adoption of the last Master Plan, the Township was awaiting COAH's response to the plan.

2019 Comment: As detailed in Section 3.6 of this report, COAH was ultimately declared to be dysfunctional by the New Jersey Supreme Court in March of 2015. Consequently, the Supreme Court returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision. Consequently, the Township is presently in the process of determining its affordable housing obligation.

2.4: 2013 Highlands Reexamination Report Recommended Changes

The 2013 Highlands Reexamination Report offered the following specific changes to the Master Plan:

"The Planning Board recommends that specific changes to the Township of Rockaway Master Plan be adopted, including modifications to the underlying objectives, policies and standards, all as outlined in detail, in the "Draft Township of Rockaway Highlands Master Plan Element" approved by the Highlands Council as part of the Township's Petition for Plan Conformance..."

Likewise, the following specific changes to the Township's development regulations were noted:

"The Planning Board recommends that the specific changes, as detailed in the document titled "Draft Township of Rockaway Highlands Area Land Use Ordinance," approved by the Highlands Council as part of the Township's Petition for Plan Conformance...be adopted by the Governing Body to implement the objectives, policies and standards as outlined in the Draft Highlands Element of the Master Plan. In addition, the Board recommends interim changes to the Township's Development Application checklist ordinance, effective until such time as the Highlands Area Land Use Ordinance is adopted and put into effect by the Governing Body. These changes would require that evidence of consistency with the Highlands Regional Master Plan be submitted with Development Applications as a requirement of Application completeness..."

The Township has not yet acted on these proposed changes.

Section 3: Significant Changes

The following section identifies important changes on the local, regional, and statewide level which may influence the Township's land use decisions.

DRAFT



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 use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;

NJSA 40:55D-89.c

Change matters. Understanding change is essential for planning. Without fully comprehending the trends which have shaped the past, it is impossible to adequately plan for the future.

As such, the Municipal Land Use Law (MLUL) requires that municipalities acknowledge change. One of the required components of a reexamination report is to "identify the extent to which there have been significant changes in the assumptions, policies, and objectives which form the basis of their master plans and development regulations."

Since the Township last adopted its 2006 Reexamination Report and Land Use Plan as well as its 2013 Reexamination Report, there have been significant changes across the local, county, and state levels. These changes all have the potential to shape the landscape of Rockaway Township.

Information Regarding Data Sources

The information contained in Section 3.1 entitled "Demographic Changes," Section 3.2 entitled "Housing Changes," and Section 3.3 entitled "Economic Profile" was obtained from a variety of publicly available data sources. These are summarized below:

1. United States Decennial Census

The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation's people and economy. Please note that all incomes reported in the Census are adjusted for inflation.

2. American Community Survey (ACS)

The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.

3. New Jersey Department of Health

The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.

4. New Jersey Department of Community Affairs (DCA)

The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.

5. New Jersey Department of Labor and Workforce Development

The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

3.1: Demographic Changes

The study of demographic change is the centerpiece of any master plan or reexamination report. Such a study can shed light on a municipality's past trends and history as well as its anticipated growth in years to come. The following section provides details on the population, age, racial, and ethnic characteristics of the Township.

Population Changes

The population of Rockaway has predominantly been growing steadily since 1950, when the total number of residents totaled less than 4,500 people. Throughout the 1950s and 1960s, the Township's population increased approximately 329.04%, from 4,418 people in 1950 to 18,955 in 1970. While the Township's population decreased slightly during the 1980s, it quickly recovered and increased 17.16% between 1990 and 2000.

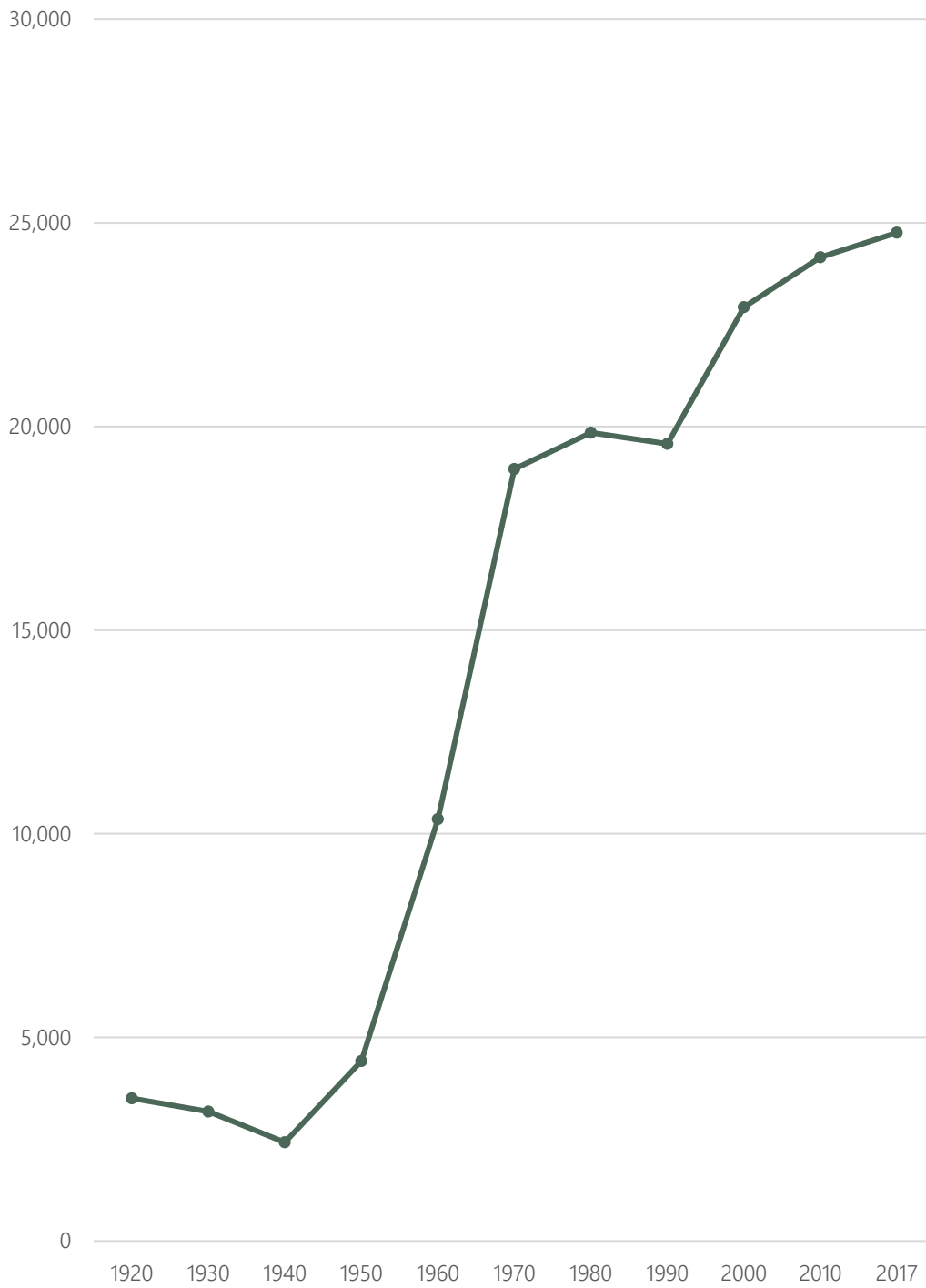
Since that time, the Township's growth rate has decreased slightly. The American Community Survey indicates that Rockaway's estimated growth rate decreased to approximately 7.97% between 2000 and 2017. Nevertheless, due to the ongoing construction of both Pondview and the Hills at Lennar as well as the approval of Morris Commons, the Township's population growth rate is expected to increase. Section 3.4 provides additional information regarding these multifamily developments.

Table 2: Population Growth, 1920-2017

Year	Population	Population Change	Percent Change
1920	3,505	--	--
1930	3,178	-327	-9.33%
1940	2,423	-755	-23.76%
1950	4,418	1,995	82.34%
1960	10,356	5,938	134.40%
1970	18,955	8,599	83.03%
1980	19,850	895	4.72%
1990	19,572	-278	-1.40%
2000	22,930	3,358	17.16%
2010	24,156	1,226	5.35%
2017	24,758	602	2.49%

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Figure 1: Population Growth, 1920-2017



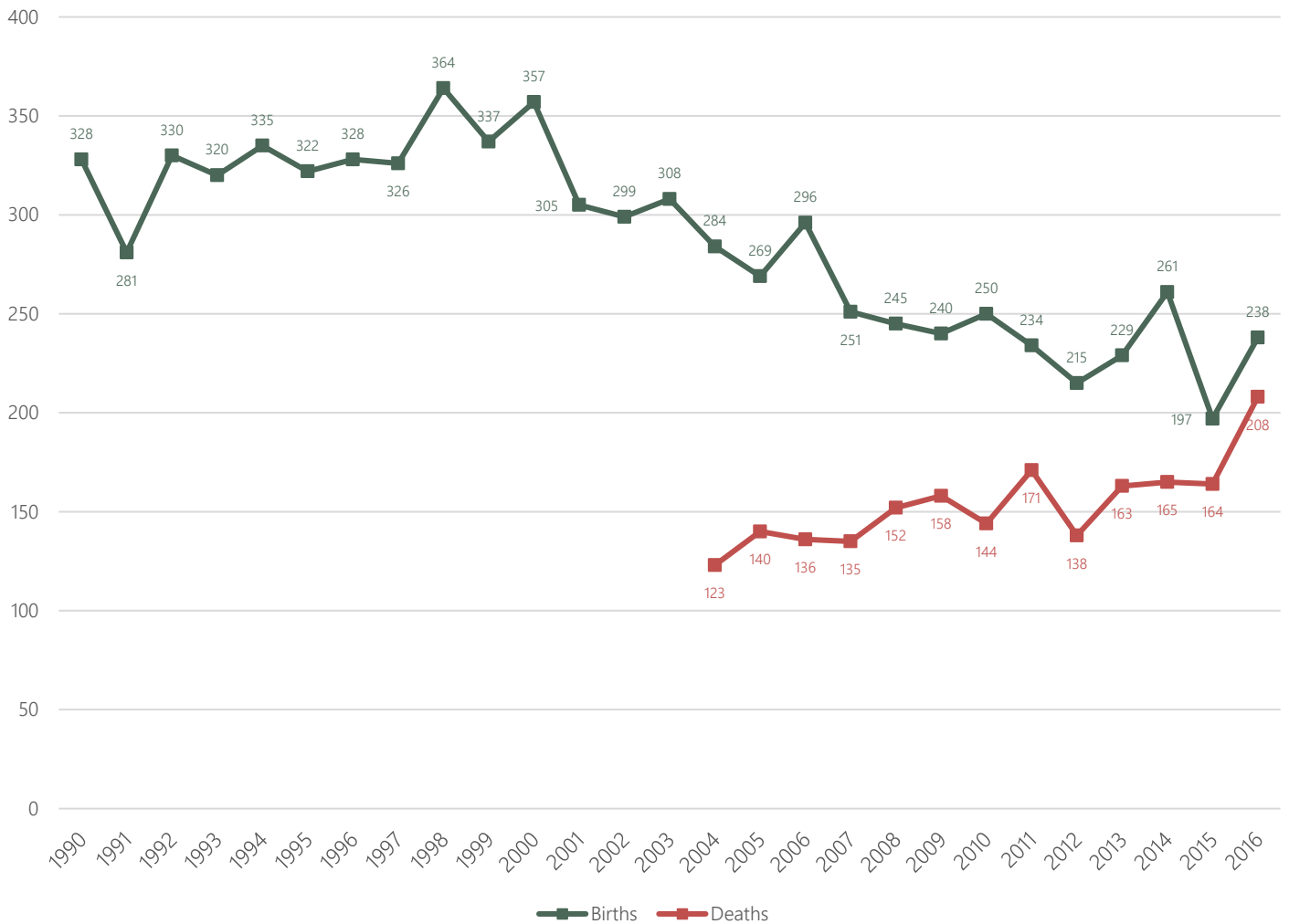
Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

Births and Deaths

Information regarding the number of births and deaths within a community not only provides valuable insights into demographic trends, but also helps municipalities assess their future needs for community facilities and services – particularly with respect to school systems and recreational facilities.

The following figure provides an overview of the births and deaths occurring in the Township since 1990. Please note that death counts are not available prior to 2004. As shown, the number of births has historically exceeded the number of deaths. However, the number of births in the community has consistently dropped over the past few decades; between 1998 and 2016, the number of births decreased from a high of 364 to 238. The number of deaths, on the other hand, have generally increased since 2004.

Figure 2: Births and Deaths, 1990-2017



Source: State of New Jersey Department of Health, Center for Health Statistics and Informatics

Age Characteristics

The Township's population is estimated to have aged during the past several decades.

Overall, the Township's median age increased from 34.1 years in 1990 to 44.0 years in 2017. During this time period, the percentage of those residents under the age of 19 decreased from 26.57% of the total population to 23.04%. However, the total number of residents in this age cohort remained relatively stable, having fluctuated between 3,998 residents in 1990 to an estimated 4,249 residents in 2017.

Meanwhile, the percentage of those over the age of 65 increased from 8.36% of the total population to an estimated 16.74%. The total number of residents aged 65 and over increased by over 150% during this time period, from 1,637 residents in 1990 to 4,145 in 2017.

Table 3: Age Distribution, 1990-2017

Age Group	1990		2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under 5	1,462	7.47%	1,771	7.72%	1,335	5.53%	1,343	5.42%
5-9	1,327	6.78%	1,825	7.96%	1,517	6.28%	1,429	5.77%
10-14	1,209	6.18%	1,719	7.50%	1,738	7.19%	1,477	5.97%
15-19	1,203	6.15%	1,289	5.62%	1,627	6.74%	1,456	5.88%
20-24	1,301	6.65%	868	3.79%	1,076	4.45%	1,501	6.06%
25-29	1,673	8.55%	1,182	5.15%	1,106	4.58%	1,356	5.48%
30-34	1,928	9.85%	1,906	8.31%	1,302	5.39%	1,198	4.84%
35-39	1,815	9.27%	2,294	10.00%	1,582	6.55%	1,665	6.73%
40-44	1,758	8.98%	2,156	9.40%	2,001	8.28%	1,419	5.73%
45-49	1,453	7.42%	1,913	8.35%	2,213	9.16%	2,000	8.08%
50-54	1,052	5.38%	1,693	7.38%	2,076	8.59%	2,089	8.44%
55-59	967	4.94%	1,267	5.53%	1,717	7.11%	2,003	8.09%
60-64	787	4.02%	885	3.86%	1,450	6.00%	1,677	6.77%
65-69	582	2.97%	732	3.19%	1,006	4.16%	1,379	5.57%
70-74	447	2.28%	597	2.60%	827	3.42%	900	3.64%
75-79	287	1.47%	405	1.77%	702	2.91%	798	3.22%
80-84	211	1.08%	266	1.16%	530	2.19%	528	2.13%
85 & older	110	0.56%	162	0.71%	351	1.45%	540	2.18%
Median Age		34.1		37.0		42.1		44.0

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Race and Ethnicity

The Township's racial and ethnic diversity has increased slightly since 2000. As shown on Table 4, the percentage of the Township's residents identifying as White Alone decreased from 88.86% of the total population in 2000 to 84.47% in 2017. During that same time period, those identifying as Black/African American increased from 2.46% of the total population to 3.97%, while those identifying as Asian increased from 5.65% to 6.43%.

The percentage of the Township's population identifying as Hispanic also increased over the past several decades, from 6.28% of the population in 1990 to 11.95% in 2017. Historically, those identifying as "other Hispanic or Latino" have comprised the largest cohort identifying as Hispanic since 2000, with those identifying as Puerto Rican as the second largest.

Table 4: Race, 2000-2017

Race	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
White Alone	20,375	88.86%	20,878	86.43%	21,140	85.39%
Black/African American	565	2.46%	616	2.55%	983	3.97%
American Indian/Alaskan Native	23	0.10%	28	0.11%	10	0.04%
Asian	1,295	5.65%	1,611	6.67%	1,593	6.43%
Native Hawaiian/Pacific Islander	4	0.02%	4	0.02%	0	0.00%
Other Race	367	1.60%	541	2.24%	439	1.77%
Two or More Races	301	1.31%	478	1.98%	593	2.40%
Total	22,930	100.00%	24,156	100.00%	24,758	100.00%

Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

Table 5: Hispanic Origin, 2000-2017

Ethnicity	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Mexican	127	8.82%	185	6.84%	274	9.26%
Puerto Rican	455	31.60%	711	26.28%	669	22.61%
Cuban	109	7.57%	155	5.73%	71	2.40%
Other Hispanic or Latino	749	52.01%	1,654	61.15%	1,945	65.73%
Total	1,440	100.00%	2,705	100.00%	2,959	100.00%

Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

Mobility of Population

The following tables provide insights into the mobility and stability patterns of the Township's population. Table 6 offers information regarding the place of birth of the Township's residents. Historically, slightly less than two-thirds of the Township's population has been born in New Jersey. As of 2017, an estimated 62.07% of the population was born in New Jersey, while 21.95% was born in a different state and 1.35% was born outside of the United States but within a US Territory. The Township's foreign-born population has fluctuated between 13.25% in 2000 and 14.63% in 2017.

Table 6: Place of Birth by Nativity

		2000		2010		2017	
		Number	Percent	Number	Percent	Number	Percent
Native Born	Born in New Jersey	14,148	61.70%	14,666	61.06%	15,366	62.07%
	Born in Different State	5,566	24.27%	5,247	21.84%	5,434	21.95%
	Born Outside of US	178	0.78%	442	1.84%	335	1.35%
Foreign Born		3,038	13.25%	3,665	15.26%	3,687	14.63%
Total		22,930	100.00%	24,020	100.00%	24,758	100.00%

Source: US Census Bureau; 2000 and 2017 American Community Survey 5-Year Estimates.

Table 7 offers additional information as to how frequently the Township's residents move. As shown, the stability of the Township's population has increased greatly over the past several decades. In 1995, slightly less than two-thirds of the Township's population had resided in the same house as the previous year. Approximately 17.80% of residents had resided in a different town in Morris County, while 10.60% had resided somewhere outside of Morris County.

By 2017, the percentage of those residents who resided in the same house as the previous year increased to an estimated 93.61%. The majority of those who resided in a different house the previous year, nearly one-half (48.94%) lived elsewhere in Morris County.

Table 7: Place of Residence the Previous Year

Residence 1 Year Ago	1995		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Same House	13,720	64.73%	22,150	92.90%	22,920	93.61%
Different House:	7,475	35.27%	1,694	7.10%	1,565	6.39%
Same Town	0	0.00%	0	0.00%	116	0.47%
Different Town, Same County	3,773	17.80%	798	3.34%	766	3.13%
Different County, Same State	2,246	10.60%	472	1.98%	351	1.43%
Different State	1,029	4.86%	148	0.62%	251	1.03%
Different Country	427	2.01%	276	1.16%	81	0.33%
Total	21,195	100.00%	23,844	100.00%	24,485	100.00%

Source: US Census Bureau; 2000 and 2017 American Community Survey 5-Year Estimates.

3.2: Local Housing Changes

Housing data can provide valuable insights into where and how Township residents live. As such, the following section outlines the housing changes experienced by the Township of Rockaway.

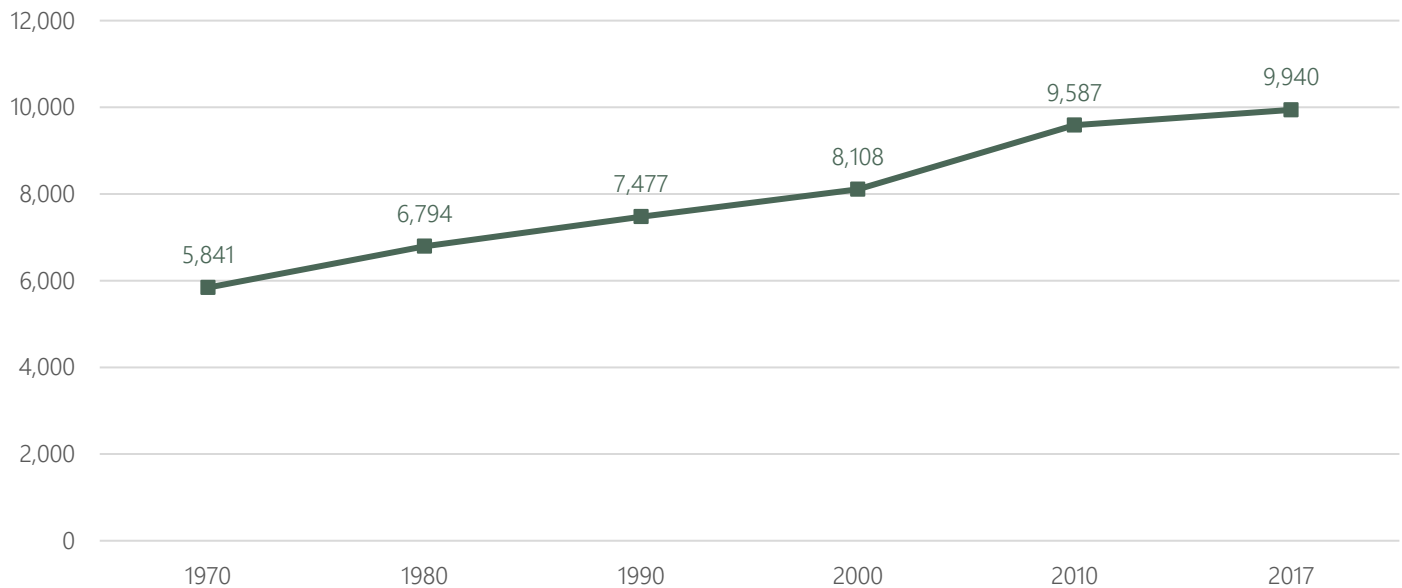
Number of Dwelling Units

Between 1970 and 2017, the number of dwelling units in the Township is estimated to have increased approximately 70.18%, from 5,841 units in 1970 to 9,940 units in 2017. The largest percentage increase took place between 2000 and 2010, wherein the number of units increased by approximately 18.24%.

The 2017 ACS estimates that this growth rate has decreased slightly since that time. However, this growth rate is expected to increase over the next few years as the construction of Pondview and the Hills at Lennar continues. When fully constructed, these two multifamily developments will comprise of 1,050 and 142 units, respectively. A third multifamily development known as Morris Commons was also approved by the Planning Board in 2018. This development will consist of 345 units.

See Section 3.4 for additional information regarding these developments.

Figure 3: Dwelling Units, 1970-2017



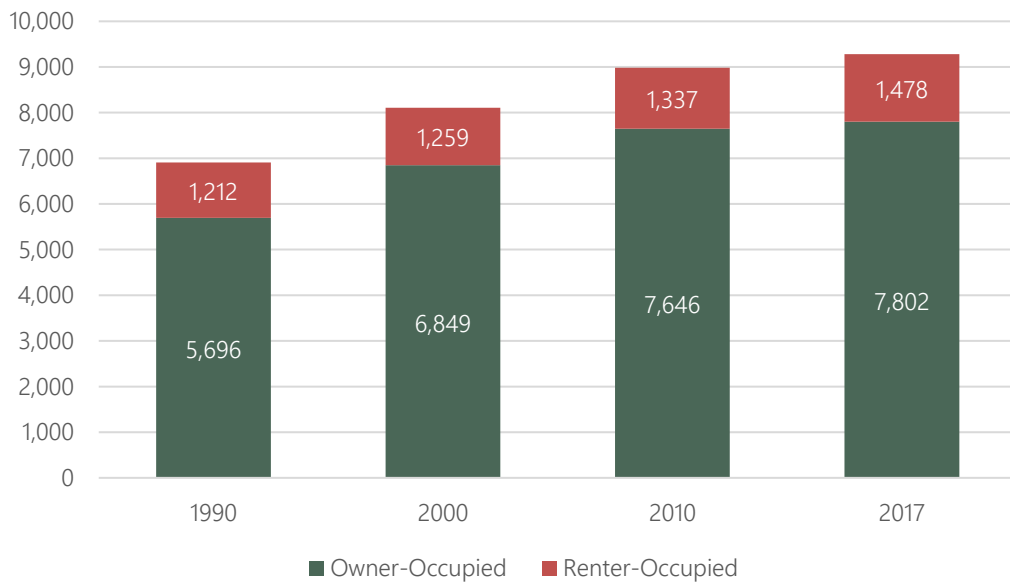
Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Housing Tenure and Occupancy

Over the past several decades, both the number of owner-occupied and renter-occupied units have increased. Between 1990 and 2017, the number of owner-occupied units increased by approximately 36.97%, while the number of rental units increased by approximately 21.94%. As of 2017, approximately 84.07% of the Township's housing units were owner-occupied, while the remaining 15.93% were renter-occupied.

The number of renter-occupied units is expected to increase over the next few years due to the ongoing construction of Pondview and the Hills at Lennar, as well as the Planning Board's approval of Morris Commons. See Section 3.4 for more information regarding these multifamily projects.

Figure 4: Owner-Occupied and Renter-Occupied Units, 1990-2017



Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

Occupancy Status

Between 1990 and 2000, the percentage of vacant units in the Township decreased from 7.61% to 4.68%. Since that time, however, the number of vacant units increased 65.85%, from 398 units to 660 units in 2017. Today, an estimated 6.64% of the Township’s housing units are vacant.

Table 8: Occupied and Vacant Units, 1990-2017

Characteristic	1990		2000		2010		2016	
	Units	Percent	Units	Percent	Units	Percent	Units	Percent
Occupied	6,908	92.39%	8,108	95.32%	8,983	93.70%	9,280	93.36%
Vacant	569	7.61%	398	4.68%	604	6.30%	660	6.64%
Total	7,477	100.00%	8,506	100.00%	9,587	100.00%	9,940	100.00%

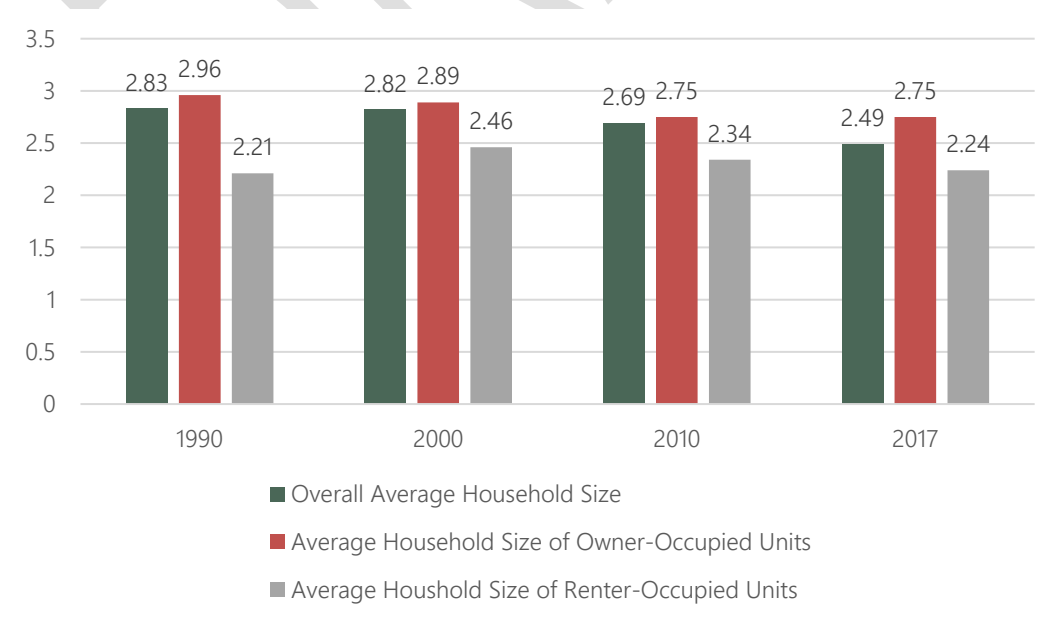
Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

Household Size

The average household sizes throughout the Township have generally decreased over the past few decades. In 1990, the average household size was 2.83 persons per unit, which decreased throughout the 2000s and 2010s. The ACS estimates that the average household size in Rockaway was 2.49 persons in 2017.

Similarly, the average household size of owner-occupied units decreased consistently over this same time period, between 2.96 persons in 1990 and 2.75 persons in 2017. While the estimated average household size for renter-occupied units is slightly higher in 2017 than in 1990, it represents a lower average than both 2000 and 2010.

Figure 5: Household Sizes, 1990-2017



Units in Structure

Information regarding the number of dwelling units in housing structures can provide insights into the types of housing which exists throughout the Township. The following table offers insights into the unit-composition of the Township's structures since 2000.

While the number of single-family dwellings has increased nearly nine percent (9%) between 2000 and 2017, the overall percentage of dwelling units which are single-family households is estimated to have decreased from 80.36% in 2000 to 74.90% in 2017. Structures containing 20 or more units increased 128.22% over that same time period. This is largely due to the on-going construction of the Township's multifamily projects, which is discussed in greater detail in Section 3.4.

Table 9: Units in Structure, 2000-2017

Units in Structure	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Single Family, Detached	6,835	80.36%	6,804	73.57%	7,445	74.90%
Single Family, Attached	503	5.91%	672	7.27%	628	6.32%
2 Units	113	1.33%	167	1.81%	175	1.76%
3 to 4 Units	302	3.55%	163	1.76%	290	2.92%
5 to 9 Units	215	2.53%	332	3.59%	260	2.61%
10 to 19 Units	212	2.49%	214	2.31%	369	3.71%
20 to 49 Units	241	2.83%	842	9.10%	445	4.48%
50 or More	85	1.00%	55	0.59%	299	3.01%
Other	0	0.00%	0	0.00%	29	0.29%
Total	8,506	100.00%	9,249	100.00%	9,940	100.00%

Source: US Census Bureau; 2010 and 2017 American Community Survey 5-Year Estimates.

Purchase and Rental Value of Housing Units

The following two tables identify purchase values and rental values for the specified owner-occupied and renter-occupied units in Rockaway.

As shown in Table 10, the overall median value of the Township's owner-occupied housing increased substantially between 2000 and 2010, from \$206,200 to \$402,600. Since that time, however, the ACS estimates that the median value for owner-occupied housing has decreased approximately 13.71% to approximately \$347,400 in 2017. This decrease is reflective of similar trends for Morris County and for New Jersey as a whole, for which median values decreased approximately 10.66% and 10.08%, respectively.

Table 10: Value of Owner-Occupied Units, 2000-2017

Value Range	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	0	0.00%	19	0.24%	115	1.47%
\$50,000 to \$99,999	132	2.05%	98	1.27%	29	0.37%
\$100,000 to \$149,999	658	10.24%	28	0.36%	195	2.50%
\$150,000 to \$199,999	2,186	34.00%	108	1.40%	267	3.42%
\$200,000 to \$299,999	2,541	39.52%	956	12.35%	1,886	24.17%
\$300,000 to \$499,999	686	10.67%	4,391	56.75%	3,815	48.90%
\$500,000 to \$999,999	219	3.41%	1,925	24.88%	1,439	18.45%
\$1,000,000 or More	7	0.11%	213	2.75%	56	0.72%
Total	6,429	100.00%	7,738	100.00%	7,802	100.00%
Township Median Value		\$206,200		\$402,600		\$347,400
Mercer County Median Value		\$257,400		\$490,400		\$438,100
New Jersey Median Value		\$170,800		\$357,000		\$321,100

Source: US Census Bureau; 2010 and 2017 American Community Survey 5-Year Estimates.

Conversely, Table 11 shows that the Township's median gross monthly rents increased an estimated 5.81% between 2010 and 2017, from \$1,409 per month to \$1,491 per month. Historically, the Township's median gross monthly rents have been higher than the County's and the State's as a whole. As of 2017, an estimated 43.64% of units had a monthly rent of \$1,500 or higher.

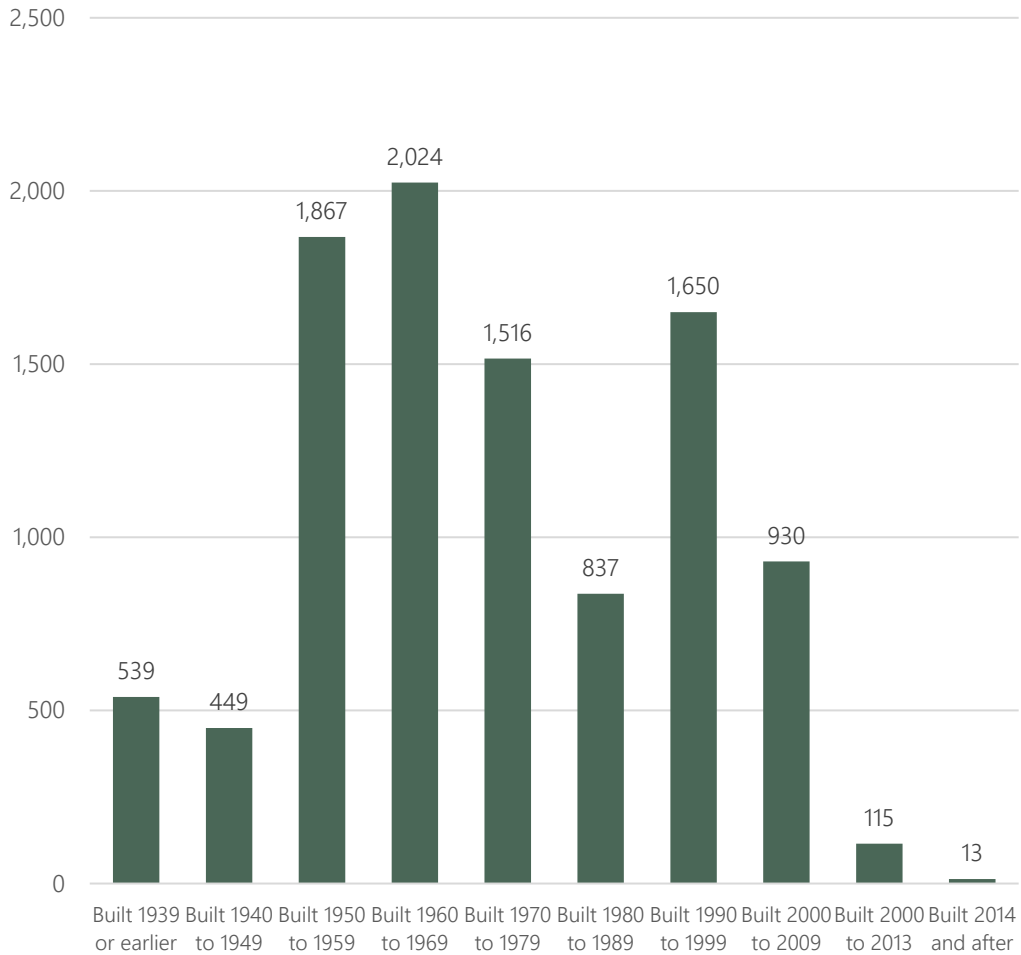
Table 11: Specified Renter Occupied Housing Units by Rent, 2000-2017

Rent Range	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Less than \$200	20	1.63%	18	1.52%	0	0.00%
\$200 to \$299	20	1.62%	12	1.02%	28	1.89%
\$300 to \$499	49	3.98%	16	1.35%	30	2.03%
\$500 to \$749	106	8.61%	39	3.31%	34	2.30%
\$750 to \$999	495	40.21%	46	3.90%	25	1.69%
\$1,000 to \$1,499	320	26.00%	549	46.53%	553	37.42%
\$1,500 to \$1,999	108	8.77%	213	18.05%	345	23.34%
\$2,000 or more	5	0.41%	197	16.69%	300	20.30%
No Cash Rent	108	8.77%	90	7.63%	163	11.03%
Total	1,231	100.00%	1,180	100.00%	1,478	100.00%
Median Gross Rent		\$948		\$1,409		\$1,491
Mercer County		\$883		\$1,221		\$1,420
New Jersey		\$751		\$1,092		\$1,249

Source: US Census Bureau; 2010 and 2017 American Community Survey 5-Year Estimates.

Decade Structure Built

The following figure identifies the years in which the Township's structures were built. As shown, the Township has a somewhat older housing stock, with nearly an estimated two-thirds (64.34%) of all structures being built before 1980. Slightly more than one-quarter (27.24%) of the Township's structures have been constructed after 1990.



Source: 2017 American Community Survey 5-Year Estimates.

Recent Residential Development Activity

Another way of examining the stability of a community's housing stock is by outlining the number of housing units certified and demolished every year. As shown on the accompanying table, the Township has consistently issued more certificates of occupation (CO's) than demolition permits, which is consistent with the housing growth data shown in Figure 3. Since 2015, nearly all (97.09%) of CO's issued by the Township have been for multifamily dwellings. This is largely due to the on-going construction of the Township's multifamily projects, which is discussed in greater detail in Section 3.4

Table 12: Certificates of Occupancy and Demolition Permits, 2000-2017

Year	Housing Certificates				Demos	Net
	1 & 2 Family	Multifamily	Mixed Use	Total		
2000*	--	--	--	44	7	37
2001*	--	--	--	374	5	369
2002*	--	--	--	55	10	45
2003*	--	--	--	201	6	195
2004	35	1	1	37	13	24
2005	35	0	0	35	9	26
2006	34	90	0	124	10	114
2007	24	0	0	24	9	15
2008	10	39	0	49	7	42
2009	10	0	0	10	7	3
2010	6	0	0	6	12	-6
2011	10	45	0	55	1	54
2012	2	0	0	2	2	0
2013	5	39	0	44	10	34
2014	9	0	0	9	0	9
2015	4	39	0	43	2	41
2016	5	391	0	396	0	396
2017	9	171	0	180	0	180
Total	198	815	1	1688	110	1578

Source: Department of Community Affairs

* Data not broken down by category

3.3: Economic Changes

The following subsection examines the economic profile of the community. It offers valuable information on both the employment opportunities in the Township, the incomes of its residents, and the character of the local market.

Income Level

Household incomes have generally continued to increase throughout the Township since 2000. This is particularly evident in upper-tier incomes. In 2000, an estimated 13.68% of the Township's total households reported an income of \$150,000 or more. By 2017, this percentage increased to approximately 29.80% of all households.

Overall, the Township's median income has increased approximately 31.26% over the past few decades, from \$81,206 in 2000 to \$106,599 in 2017. This represents a lower percentage increase than the County's (38.50%) and the State's (38.67%) percentage increases over that same time period.

Pursuant to the ACS, an estimated 3.2% of the Township's residents reported an income below the federal poverty in 2017. This is below both the County's estimated rate (4.6%) and the State's estimated rate (10.7%).

Table 13: Household Income, 2000-2017

Income Level	2000		2010		2017	
	Households	Percent	Households	Percent	Households	Percent
Less than \$10,000	172	2.12%	153	1.73%	207	2.23%
\$10,000 to \$14,999	186	2.30%	172	1.94%	214	2.30%
\$15,000 to \$24,999	366	4.51%	334	3.78%	316	3.41%
\$25,000 to \$34,999	438	5.40%	391	4.42%	486	5.24%
\$35,000 to \$49,999	818	10.09%	845	9.55%	716	7.71%
\$50,000 to \$74,999	1,685	20.78%	1,450	16.39%	1,068	11.51%
\$75,000 to \$99,999	1,488	18.35%	1,306	14.76%	1,283	13.83%
\$100,000 to \$149,999	1,846	22.77%	2,029	22.93%	2,224	23.97%
\$150,000 to \$199,999	1,109	13.68%	1,159	13.10%	1,252	13.49%
\$200,000 or more	--	--	1,009	11.40%	1,514	16.31%
Total	8,108	100.00%	8,848	100.00%	9,280	100.00%
Median Income		\$81,206		\$95,530		\$106,599
Morris County		\$77,236		\$96,747		\$107,034
New Jersey		\$55,146		\$69,811		\$76,475

Source: US Census Bureau; 2010 and 2017 American Community Survey 5-Year Estimates.

Employment Status

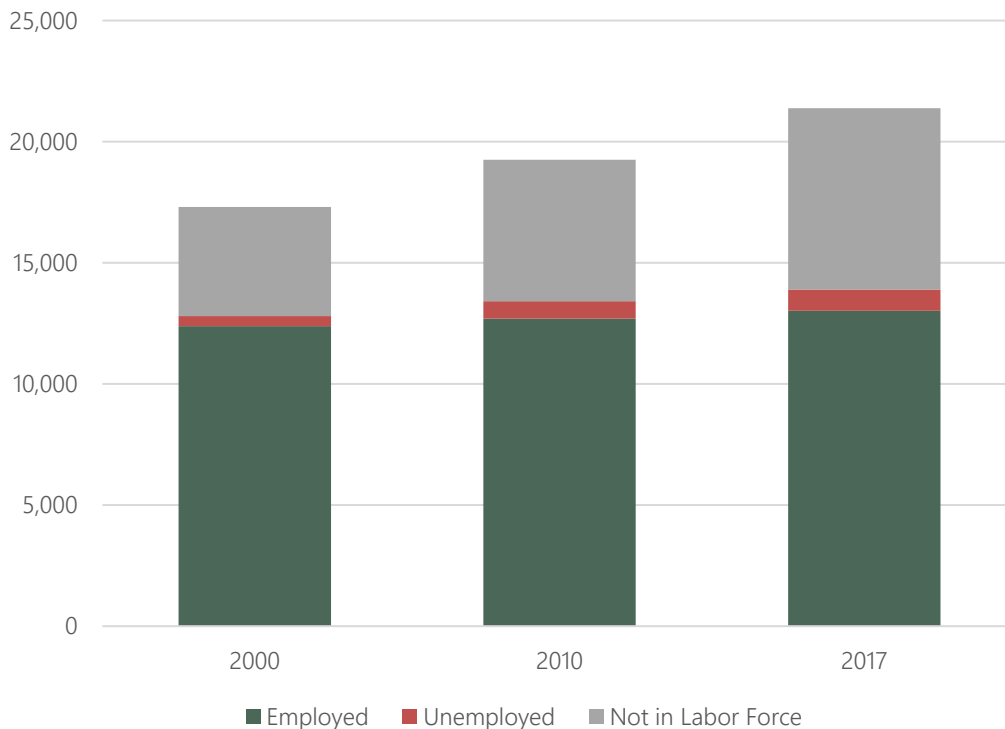
The following table provides an overview of the Township’s employment characteristics for residents aged 16 and over. While the number of those aged 16 and over in the labor force increased approximately 8.55% between 2000 and 2017, the overall percentage of those in the labor force decreased slightly from 73.98% to 65.01%. Conversely, the percentage of those not in the labor force increased from 26.02% to 34.99% during that same time period. This may be attributed to the Township’s aging population and the percentage of those entering retirement age, which is largely reflective of general trends throughout New Jersey.

Table 14: Employment Status for Population Age 16 and Over, 2000-2017

Employment Status	Number	2000	Number	2010	Number	2017
		Percent		Percent		Percent
In labor force	12,804	73.98%	13,414	69.67%	13,899	65.01%
Civilian labor force	12,706	73.42%	13,328	69.22%	13,899	65.01%
Employed	12,287	70.99%	12,612	65.50%	13,018	60.89%
Unemployed	419	2.42%	716	3.72%	881	4.12%
Armed Forces	98	0.57%	86	0.45%	0	0.00%
Not in labor force	4,503	26.02%	5,840	30.33%	7,480	34.99%
Total Population 16 and Over	17,307	100.00%	19,254	100.00%	21,379	100.00%

Source: US Census Bureau; 2010 American Community Survey 5-Year Estimates; 2017 American Community Survey 1-Year Estimate

Figure 6: Employment Status for Population Aged 16 and Over, 2000-2017



Source: US Census Bureau; 2010 American Community Survey 5-Year Estimates; 2017 American Community Survey 1-Year Estimate

Employment Trends

The following two tables detail information on the employment and income characteristics of the Township's employed residents. Table 15 details occupation characteristics, while Table 16 details industry characteristics.

The industry categories utilized by the US Census Bureau and the American Community Survey are derived from the North American Industry Classification System (NAICS), which is published by the Executive Office of the President, Office of Management and Budget. The NAICS was developed to increase comparability in industry definitions between the United States, Mexico, and Canada. It provides industry classifications that group establishments into industries based on the activities in which they are primarily engaged.

The NAICS provides the following descriptions of the above-mentioned industries:

Industry	Description
Agriculture, Forestry, Fishing and Hunting	Activities of this sector are growing crops, raising animals, harvesting timber, and harvesting fish and other animals from farms, ranches, or the animals' natural habitats.
Mining, Quarrying, and Oil and Gas Extraction	Activities of this sector are extracting naturally occurring mineral solids, such as coal and ore; liquid minerals, such as crude petroleum; and gases, such as natural gas; and beneficiating (e.g., crushing, screening, washing, and flotation) and other preparation at the mine site, or as part of mining activity.
Utilities	Activities of this sector are generating, transmitting, and/or distributing electricity, gas, steam, and water and removing sewage through a permanent infrastructure of lines, mains, and pipe.
Construction	Activities of this sector are erecting buildings and other structures (including additions); heavy construction other than buildings; and alterations, reconstruction, installation, and maintenance and repairs.
Manufacturing	Activities of this sector are the mechanical, physical, or chemical transformation of materials, substances, or components into new products.
Wholesale Trade	Activities of this sector are selling or arranging for the purchase or sale of goods for resale; capital or durable non-consumer goods; and raw and intermediate materials and supplies used in production and providing services incidental to the sale of the merchandise.
Retail Trade	Activities of this sector are retailing merchandise generally in small quantities to the general public and providing services incidental to the sale of the merchandise.
Transportation and Warehousing	Activities of this sector are providing transportation of passengers and cargo, warehousing and storing goods, scenic and sightseeing transportation, and supporting these activities.
Information	Activities of this sector are distributing information and cultural products, providing the means to transmit or distribute these products as data or communications, and processing data.

Industry	Description
Finance and Insurance	Activities of this sector involve the creation, liquidation, or change in ownership of financial assets (financial transactions) and/or facilitating financial transactions.
Real Estate and Rental Leasing	Activities of this sector are renting, leasing, or otherwise allowing the use of tangible or intangible assets (except copyrighted works) and providing related services.
Professional, Scientific, and Technical Services	Activities of this sector are performing professional, scientific, and technical services for the operations of other organizations.
Management of Companies and Enterprises	Activities of this sector are the holding of securities of companies and enterprises, for the purpose of owning controlling interest or influencing their management decisions, or administering, overseeing, and managing other establishments of the same company or enterprise and normally undertaking the strategic or organizational planning and decision-making role of the company or enterprise.
Administrative and Support and Waste Management and Remediation Services	Activities of this sector are performing routine support activities for the day-to-day operations of other organizations.
Education Services	Activities of this sector are providing instruction and training in a wide variety of subjects.
Health Care and Social Assistance	Activities of this sector are providing health care and social assistance for individuals.
Arts, Entertainment, and Recreation	Activities of this sector are operating or providing services to meet varied cultural, entertainment, and recreational interests of their patrons.
Accommodation and Food Services	Activities of this sector are providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption.
Other Services	Activities of this sector are providing services not elsewhere specified, including repairs, religious activities, grantmaking, advocacy, laundry, personal care, death care, and other personal services.
Public Administration	Activities of this sector are administration, management, and oversight of public programs by Federal, State, and local governments.

As shown on Table 15, the largest percentage of the Township’s residents have typically been employed in management, professional, and related occupations. An estimated 47.55% of the Township’s residents were employed in this occupation in 2000; by 2017, this percentage increased to 50.41%. Sales and office occupations have generally comprised the second largest occupation, although the number of residents employed in this industry has decreased approximately 9.77% since 2000.

Table 15: Employment Status by Occupation, 2000-2017

Occupation	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Management, professional, and related occupations	5,842	47.55%	5,971	47.16%	6,751	50.41%
Service occupations	1,209	9.84%	1,424	11.25%	1,619	12.09%
Sales and office occupations	3,469	28.23%	3,515	27.76%	3,130	23.37%
Natural resources, construction, and maintenance occupations*	763	6.21%	829	6.55%	779	5.81%
Production, transportation, and material moving occupations	1,004	8.17%	922	7.28%	1,114	8.32%
Total	12,287	100.00%	12,661	100.00%	13,393	100.00%

Source: 2000 US Census Bureau; 2010 and 2017 5-Year American Community Survey

* Formerly called "Construction, extraction, and maintenance occupations"

Table 16 provides additional information regarding the industry of employment for the Township’s residents. Historically, the largest percentage of residents have been employed in the educational services, and health care and social assistance industry. The number of residents employed in this industry has increased approximately 47.87% over the past seventeen years, from 2,183 residents in 2000 to 3,228 in 2017.

In 2000, the manufacturing industry represented the second highest percentage. However, the number of residents employed in that industry has decreased 22.60% since 2000. As of 2017, an estimated 11.16% of residents were employed in manufacturing. The professional, scientific, and management, and administrative and waste management industry has replaced manufacturing as the second largest industry amongst Township residents.

Table 16: Employment Status by Industry, 2000-2017

Industry	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	9	0.07%	13	0.10%	8	0.06%
Construction	657	5.35%	818	6.46%	584	4.36%
Manufacturing	1,876	15.27%	1,598	12.62%	1,494	11.16%
Wholesale trade	650	5.29%	442	3.49%	541	4.04%
Retail trade	1,290	10.50%	1,428	11.28%	1,230	9.18%
Transportation and warehousing, and utilities	549	4.47%	713	5.63%	515	3.85%
Information	673	5.48%	317	2.50%	606	4.52%
Finance and insurance, and real estate and rental leasing	1,200	9.77%	1,108	8.75%	1,228	9.17%
Professional, scientific, and management, and administrative and waste management services	1,712	13.93%	2,167	17.12%	2,071	15.46%
Educational services, and health care and social assistance	2,183	17.77%	2,527	19.96%	3,228	24.10%
Arts, entertainment, and recreation, and accommodation and food services	583	4.74%	686	5.42%	841	6.28%
Other services, except public administration	417	3.39%	306	2.42%	469	3.50%
Public administration	488	3.97%	538	4.25%	578	4.32%
Total	12,287	100.00%	12,661	100.00%	13,393	100.00%

Source: 2000 US Census Bureau; 2010 and 2017 5-Year American Community Survey

Means of Transportation

Historically, the majority of the Township's residents have driven to work alone. Nevertheless, the percentage of residents who travel alone in a private automobile decreased slightly from 85.12% in 2000 to 83.87% in 2017. Those who carpool and work from home currently represent the second and third-largest categories, respectively. Between 2000 and 2017, the number of those working from home increased an estimated 131.05%.

Table 17: Means of Transportation to Work, 2000-2017

Transportation Method	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Drove Alone: Car, Truck, or Van	10,415	85.12%	10,546	86.01%	10,934	83.87%
Carpooled: Car, Truck, or Van	1,137	9.29%	796	6.49%	833	6.39%
Public Transportation	248	2.03%	444	3.62%	415	3.18%
Walked	93	0.76%	77	0.63%	87	0.67%
Other Means*	36	0.29%	102	0.83%	61	0.47%
Worked From Home	306	2.50%	296	2.41%	707	5.42%
Total	12,235	100.00%	12,261	100.00%	13,037	100.00%

Source: 2000 US Census Bureau; 2010 and 2017 5-Year American Community Survey

Educational Attainment

The following table provides an overview of the educational attainment of the Township's population aged 24 years and over. Overall, the Township's population has become more well-educated since 2000. By 2017, over one-half (57.64%) of the Township's population had at least an associate's degree or higher, as opposed to 48.74% in 2000. Only 4.59% of the population did not have a high school diploma, which represents a decrease from 7.04% in 2000.

Educational Attainment	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Less than 9th grade	348	2.25%	416	2.49%	323	1.84%
9th to 12th grade, no diploma	742	4.79%	523	3.13%	482	2.75%
High school graduate	3,917	25.29%	4,361	26.11%	3,921	22.34%
Some college, no degree	2,973	19.20%	2,809	16.82%	2,708	15.43%
Associate's degree	1,100	7.10%	1,185	7.09%	1,398	7.96%
Bachelor's degree	4,484	28.95%	4,964	29.71%	5,604	31.93%
Graduate/Professional degree	1,924	12.42%	2,448	14.65%	3,116	17.75%
Total	15,488	100.00%	16,706	100.00%	17,552	100.00%

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Covered Employment

Figure 7 and Figure 8 provide data on the Township's covered employment trends between 2004 and 2017, as reported by the New Jersey Department of Labor and Workforce Development. "Covered employment" refers to any employment covered under the Unemployment and Temporary Disability Benefits Law. Generally, nearly all employment in the state is considered to be "covered employment."

Figure 7 depicts the number of reported "employment units" within the Township. An "employment unit" is defined as an individual or organization which employs one or more workers. As shown, the Township gained 75 employment units between 2006 and 2007, which represents an increase of 20.95%. This trend reversed slightly between 2007 and 2010, in which the Township lost approximately forty-four (44) employment units, which represents a decrease of 10.16%. This loss could likely be attributed to the effects of the Great Recession. However, the Township recovered its losses by 2011 in which it gained 76 employment units, which represents an increase of 19.54%.

Nevertheless, the Township has continually lost covered employment units since that time. Between 2010 and 2017, the number of covered employment units decreased by 119 units, which represents a decrease of 25.59%. During that same time period, Morris County experienced a slight decrease of 5.26%.

Figure 8, which depicts the average number of covered employees by year within the Township, generally reflects those trends described above from Figure 13. Between 2004 and 2007, the Township's covered employment increased by 22.39%, before decreasing 10.69% the following year. Similar to the total number of employment units, the Township's covered employment largely recovered its losses between 2008 and 2012, and by 2012 the Township had an estimated covered employment of 13,392.

However, the Township has continually experienced a decrease of covered employment since that time. Between 2012 and 2017, the Township's covered employment decreased by 17.25%. This contrasts with Morris County, which experienced an increase of approximately 6.24% during that same time period.

Figure 7: Covered Employment Units, 2004 to 2017

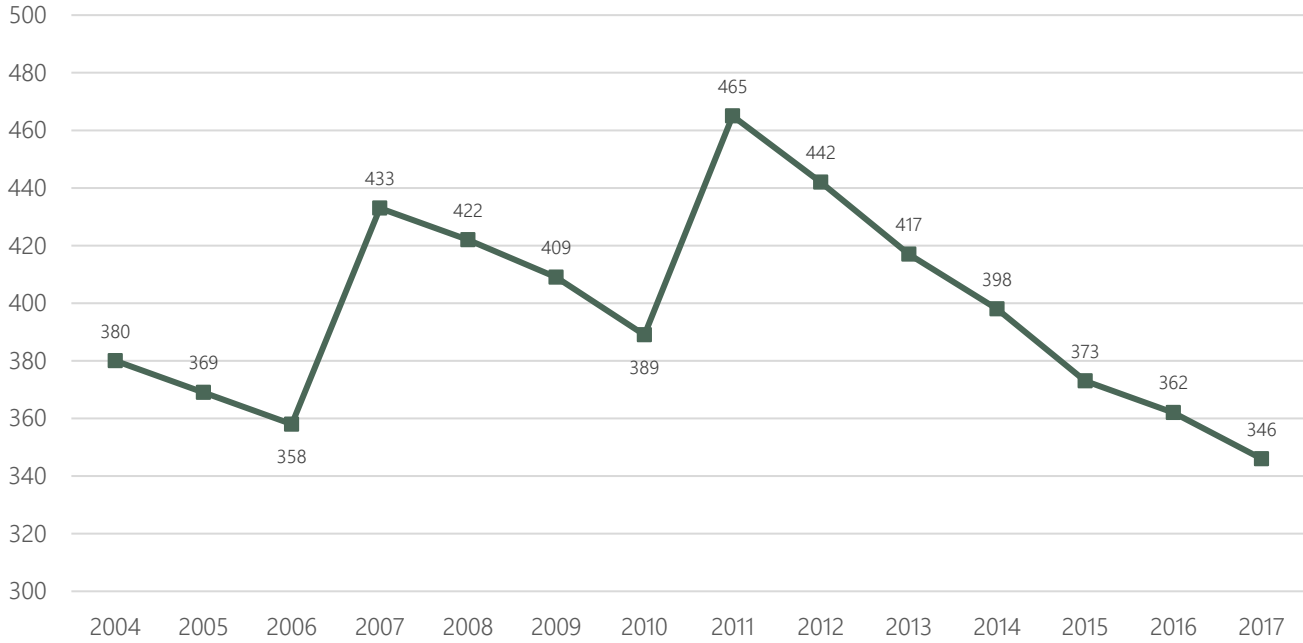


Figure 8: Average Covered Employment, 2004 to 2017



Source: Department of Labor and Workforce Development

Total Wages

In addition to the above data, the Department of Labor and Workforce Development also tracks the total wages provided by covered employment within a municipality. This is summarized in the figure below.

As shown, the amount of total wages paid throughout the Township has fluctuated over the years. Between 2004 and 2013, the Township's total wages experienced a general and steady increase. However, this trend versed between 2013 and 2015, during which time the Township experienced a loss of approximately 20.68% of its total wages. Since that time, total wages have stabilized.

Figure 9: Total Wages (Hundred of Millions), 2004-2017



3.4: Changes with Multifamily Development at the Local Level

Since Rockaway’s last reexamination report, there have been several changes regarding the Township’s various multifamily developments. These developments, which are summarized in greater detail throughout this section, include the following sites:

1. Pondview Estates
2. The Hills at Rockaway
3. Morris Commons
4. Fox View

Pondview Estates

Pondview Estates is located in the southwestern corner of the Township, along the northerly side of Route 80 and the southerly side of Union Turnpike. It is identified by municipal tax records as Block 11501 Lots 41, 45, and 47, and Block 11502 Lot 2.

The history of Pondview Estates spans across three decades. The site was first granted preliminary site plan approval by the Planning Board on November 13, 1989 for the construction of 1,600 residential units. Thirteen years later, amended major subdivision and major site plan approval was granted by the Planning Board. Under this amended approval, the total number of units was reduced to 1,050 units, of which one hundred (100) units were to be reserved as affordable units.

The following table provides for a breakdown of these units by bedroom distribution.

Table 18: Pondview Unit Type and Bedroom Distribution

Unit Type	Market Rate Manor Home	Affordable Manor Home	Town Home	Total
One Bedroom	173	10	0	183
Two Bedroom	426	70	252	748
Three Bedroom	72	20	27	119
Total	671	100	279	1,050

Several notable changes to this development have occurred since that time. In 2014, Pondview Estates, Inc. received amended site plan approval pursuant to a judicial remand by a court order dated April 15, 2013 (MRS-L-3271-07). The approval was to connect to the Township’s water supply, realign two roadways, and install additional improvements. In the following year, the development received an additional amended site plan approval to connect to the Borough of Wharton’s water system.

Additional amended site plan approval was granted in 2017 to reconfigure the size of its previously approved commercial and nonresidential buildings. The following table summarizes these changes.

Table 19: Pondview Nonresidential Square Footage Changes

	Retail SF	Office SF	Maintenance SF	Fire Station SF
Approved Plan	77,000	18,000	0	3,000
Proposed Plan	40,849	1,200	8,420	3,310
Change	-36,151	-16,800	8,420	310
Total				-44,221

This development is currently under construction, and several buildings have already been occupied.

The Hills at Rockaway

The Hills at Rockaway is located the southeasterly portion of the Township, near the intersection of Green Pond Road and Sanders Road. It is identified by municipal tax records as Block 22401 Lot 1.01.

Over the past several decades, the Hills at Rockaway has received several different approvals from the Township. Originally, it was approved as an age-restricted residential development consisting of one hundred and eight-eight (188) units. Subsequently, after the passage of NJSA 45:22A-46.3 by the New Jersey legislature, the property was approved to be converted to a non-age restricted development.

Later, the site received amended site plan approval to consist of 140 units, including twenty-eight (28) affordable units. The entirety of these affordable units was to be located in an apartment building, while the market rate units were to consist of townhouse and stacked townhouse units.

In 2016, the site received additional variance relief for several site improvements. Most significantly, the applicant replaced the previously approved apartment building for two (2) stacked townhouse buildings which are to contain thirty (30) affordable units. As a result, the total number of units increased to one hundred and forty-two (142). The following table offers an overview of the bedroom distribution of the Hills at Rockaway.

Table 20: The Hills at Rockaway Unit Distribution

Unit Type	Market Rate Units	Affordable Units	Total
One Bedroom	0	6	6
Two Bedroom	12	18	30
Three Bedroom	100	6	106
Total	112	30	142

This development is currently under construction, and several buildings have already been occupied.

Morris Commons

Morris Commons is located in the southeasterly portion of the Township, at the terminus of Commons Way. It is identified by municipal tax records as Block 22401 Lots 3.06 and 3.07.

The development of Morris Commons can be traced back to 2005. At the request of the site's property owner, the Township's 2005 Housing Element and Fair Share Plan (HE&FSP) initially identified a portion of the Morris Commons tract (Lot 3.06) as a potential site to address the Township's affordable housing growth share obligation. In March 2007, the applicant followed up on its rezoning request and was notified by the Township that the rezoning had been delayed due to pending changes to COAH's regulations.

In June 2007, the applicant altered its original request and subsequently requested that the Township consider rezoning both Lots 3.06 and 3.07 for multi-family use with an affordable housing set-aside. In a letter dated August 24, 2007, the Township attorney advised the applicant that the rezoning would not be introduced immediately due to the Township's concerns regarding changes to COAH's regulations, as well as ongoing litigation regarding the Pondview Estates development.

Subsequently, in November 2007, after COAH dismissed Rockaway's petition for substantive certification, the applicant filed a builder's remedy lawsuit against the Township. A special master was appointed by the Court at the request of Morris Commons, LLC.

During and independent of this builder's remedy litigation, the applicant filed a bifurcated use variance application to construct three hundred and sixty-two (362) units, of which twenty percent (20%) were to be affordable. The application was modified during the course of the proceedings, and the number of units was reduced to three hundred (300). The application was originally denied by the Zoning Board of Adjustment on October 16, 2012. However, this decision was reversed by Judge Thomas L. Weisenbeck, who ordered a remand of the matter to the Board of Adjustment for the purpose of granting the requested relief and the imposition of conditions of approval. Three hundred (300) units were ultimately approved, of which twenty percent (20%) or sixty (60) units were to be reserved as affordable housing units.

Subsequently, citing economic and financial impracticalities, Morris Commons, LLC requested that the Township consider rezoning the property to permit for an amended site plan design. Following several months of mediation, the Township and the applicant reached an agreement regarding the proposed rezoning request which consisted of three hundred and forty-five (345) units, including forty (40) affordable units. This was formalized in a settlement agreement, which was adopted by resolution R-17-186 by the Rockaway Township Council at their regular meeting held on September 12, 2017.

A draft ordinance (O-18-05) effectuating the rezoning as specified in the Settlement Agreement was introduced by the Rockaway Township Council at their regularly meeting held on January 11, 2018. It was subsequently referred to the Planning Board for its review pursuant to NJSA 40:55D-26. The Planning Board reviewed the draft ordinance at its regularly scheduled hearing held on February 2, 2018 and reported no issues. The ordinance was then subsequently adopted by the Rockaway Township Council at their regularly scheduled meeting held on March 13, 2018.

Subsequently, Morris Commons submitted a site plan application to the Planning Board which was approved on July 16, 2018. The following table offers an overview of the bedroom distribution at Morris Commons.

Table 21: Morris Commons Bedroom Distribution

Unit Type	Market Rate Units	Affordable Units	Total
One Bedroom	125	8	133
Two Bedroom	173	24	197
Three Bedroom	7	8	15
Total	305	30	345

Following this Planning Board approval, the Fair Share Housing Center (FSHC) objected to the proposed set-aside of the development. Following mediation, the Township, Morris Commons, and FSHC ultimately agreed upon marketing ten (10) of the development’s forty (40) affordable units as non-age restricted “alternative living arrangements” to be made available to supportive-needs tenants.

This development is not yet under construction.

Fox View

Fox View is located in the southerly portion of the Township, to the north of Route 80. It is identified by municipal tax records as Block 11301 Lot 10.01.

The site previously received approval in 2003 for the construction of an eighty-four (84) unit age-restricted development known as “Leben Care.” Two (2) three-story buildings were approved, which were to be a part of the adjacent Fox Hills at Rockaway development. However, the project was only partially completed.

Subsequently, an application for preliminary and final site plan was filed in 2013 to build upon the partially completed improvement and construct an assisted living and skilled nursing facility. Once again, two (2) buildings were proposed.

1. Building 1 was to be converted into an assisted living facility with a total floor area of 71,748 square feet. A total of ninety (90) beds were proposed, as well as a community room, beauty parlor, rehabilitation gyms, wellness centers, staff and administrative space, kitchens, and laundry facilities.

2. Building 2 was proposed to serve as a skilled nursing facility. This building was placed in approximately the same location as the previously approved independent living building, albeit with a different configuration. The skilled nursing building was to consist of three (3) floors with a total of 90,184 square feet. It was to contain one hundred and thirteen (113) beds, as well as common areas for residents, support services for family, outpatient/adult day care services, a physical therapy facility, salon, and staff and administrative space.

While this application was approved by the Township, it was never constructed.

In 2019, the site received additional preliminary and final site plan approval to complete the partially constructed existing building and install related site improvements. Altogether, a total of forty-one (41) units are to be located in the existing building.

DRAFT

3.5: Changes at the County Level

The following section summarizes significant planning changes which occurred in Morris County. The most recent Land Use Plan for the County was prepared in 1975 and is therefore slightly outdated. Nevertheless, the County did adopt a new Comprehensive Farmland Preservation Plan in 2008 and a new Circulation Element in 2018. Both of these documents are discussed below.

Comprehensive Farmland Preservation Plan

The County's Comprehensive Farmland Preservation Plan was adopted on July 17, 2008. The purpose of the plan is to guide the County's efforts in preserving its remaining agricultural lands. It recognizes that agriculture is a major component of Morris County's economy, and that farmland is an irreplaceable natural resource. As such, the plan identifies long-term goals and provides the framework necessary to implement Morris County's farmland preservation program over the next decade.

The County's Plan includes three major project areas: the Central Project Area; the North East Project Area, and the West Project Area. The North East Project Area includes a large portion of Rockaway. Within this area, the Plan identifies one pending farmland preservation project and one targeted preservation project:

1. Oakeside Farm (11 Charlottesville Road) was identified as a pending farmland preservation project. This site was subsequently permanently preserved on July 2, 2008.
2. Koehler Farm (301-315 Split Rock Road) was identified as a targeted farmland preservation project. This site was subsequently permanently preserved in 2017.

No other goals or objectives are identified which pertain specifically to Rockaway.

Circulation Element

In addition to the above, the County adopted a new Circulation Element on October 18, 2018. The element notes:

The last Circulation Element of the Morris County Master Plan was adopted in 1992. Since then, Morris County has gained approximately 80,000 residents reaching a total population of about 500,000 persons. Over the last quarter century, major transportation, land use, demographic, and regulatory changes have occurred, accompanied by shifting traffic patterns, increased traffic volumes, congestion, and demand for transportation services.

Therefore, the purpose of the new Circulation Element is to provide for a comprehensive review of current conditions and transportation trends, and to present strategies to respond to those issues.

The Element contains a number of strategies which pertain specifically to the Township. These are identified below.

Strategy 11: Maintain and improve the three County-owned freight railroads

Morris County owns three freight railroads that run through Mount Olive, Roxbury, Rockaway Borough, and Rockaway Township. The businesses served by these railroads are important contributors to the County's economy and they rely on an efficient rail system for their operations. Use of rail freight reduces the number of trucks on the road and can be more cost effective for businesses than the use of trucks. A well-maintained rail network provides opportunities for use by businesses currently relying on truck transport and can help attract new businesses to the area who would benefit from rail access. Morris County will continue to make improvements to ensure that these railroads remain in a state of good repair.

Strategy 11: Advance the realignment of the Dover & Rockaway Railroad and the creation of the Rockaway River Greenway

The Dover & Rockaway (D&R) Railroad is one of three freight railroads owned by Morris County. The D&R runs from its junction with NJ TRANSIT in Wharton, east through Dover and Rockaway Borough, ending in Rockaway Township. The rail line generally follows NJ 15 south to the center of Dover and then heads east paralleling Blackwell Street until it turns north towards Rockaway Borough east of Dover Rockaway Road. The D&R has thirteen at-grade rail crossings in Dover at locations that are active with traffic and pedestrians.

A realignment of this rail segment would provide several benefits to Dover and businesses served on the D&R line, which are clustered near the eastern end of the line in Rockaway Borough and Rockaway Township. It would improve safety by eliminating eleven railroad crossings in Dover and

two at the Howmet Castings property located east of the town center. Depending on the alignment of the new connection of the D&R with the Morristown Line, the project could also eliminate the need for a bridge over the Rockaway River.

Several issues will require attention if the D&R is relocated. These include, managing the movement of freight and passenger trains on the Morristown Line east of Dover, mitigating the environmental impact of railroad construction through wetlands, and ensuring safety and mobility of any new crossings. The County will advance this study for conceptual development and capital programming through the NJTPA's Pilot Freight Concept Development Program in 2017.

The Element further elaborates upon the potential construction of the Rockaway River Greenway and its implications on the Dover & Rockaway (D&R) Railroad:

The potential construction of the Rockaway River Greenway in Dover will require the relocation of the Dover & Rockaway (D&R) Railroad, one of three freight railroads owned by Morris County. The D&R runs from its junction with NJ TRANSIT in Wharton, east through Dover and Rockaway Borough, ending in Rockaway Township. The rail line generally follows NJ 15 south to the center of Dover and then heads east paralleling Blackwell Street until it turns north towards Rockaway Borough east of Dover Rockaway Road. The D&R has thirteen at-grade rail crossings in Dover at locations that are active with traffic and pedestrians. The relocation of the D&R was advanced to concept development and capital programming through the NJTPA's

3.6: Changes at the State Level

There have been several significant changes at the state level which have the potential to affect land use and development policies in the Township. These changes are summarized below.

Council on Affordable Housing

In May 2008, COAH adopted revised Third Round (Growth Share) regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2008 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. A 2010 Appellate Division case, which was affirmed by the New Jersey Supreme Court in 2013, invalidated the third iteration of the Third Round regulations and sustained the invalidation of Growth Share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt its newly revised Third Round regulations in October 2014. The Fair Share Housing Center (FSHC), who was a party in the 2008, 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015 and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision.

Subsequently, the New Jersey Supreme Court issued an additional decision on January 17, 2017 regarding the "gap period." Commonly referred to as the Mt. Laurel V decision, the Supreme Court found that the "gap period," defined as 1999-2015, generated an affordable housing obligation which must be addressed under the Present Need obligation.

Accordingly, the municipal affordable housing obligation is now functionally comprised of four (4) parts, which include:

1. Present Need (rehabilitation)
2. Prior Round (1987-1999)
3. Gap Present Need (1999-2015)
4. Prospective Round (2015-2025)

Initially, two (2) sets of numbers were promulgated and widely discussed. These included numbers prepared by Econsult Solutions on behalf of a consortium of municipalities known as the Municipal Consortium, and numbers prepared by David Kinsey on behalf of the Fair Share Housing Center (FSHC).

A third set of numbers was prepared by Special Master Richard Reading pursuant to the Ninth Revised Case Management Order regarding the declaratory judgment actions filed by municipalities in the Ocean County affordable housing matter. More recently, on March 8, 2018, Judge Mary C. Jacobson issued a decision in the Matter of Princeton and West Windsor Township (herein referred to as the Mercer County Trial). Ultimately, the Court found a statewide aggregate affordable housing need of 154,581 affordable housing units, thus promulgating a fourth set of numbers. These numbers are summarized below:

Table 22: Statewide Affordable Housing Obligations

	Approximate # of Additional Affordable Housing Units Required
Econsult	91,225
FSHC	309,691
Reading	120,415
Mercer County Trial	154,581

As of the date of this Reexamination Report, the Township is still in the process of preparing its updated Housing Element and Fair Share Plan (HE&FSP).

Local Redevelopment and Housing Law (LRHL)

The Local Redevelopment and Housing Law (LRHL) provides the basis for the redevelopment and rehabilitation process throughout New Jersey. Specifically, it provides the statutory authority for municipalities to designate an “area in need of redevelopment,” prepare and adopt redevelopment plans, and implement redevelopment projects.

In 2013, an amendment to the LRHL Law was approved by the State Legislature which permits the option of designating a redevelopment area with or without condemnation powers. Specifically, the amendment notes the following (amended section is underlined):

“The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality. The resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condemnation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”).

The LRHL amendment also establishes additional notice requirements when designating an area in need of redevelopment, provides guidelines regarding challenges to condemnation redevelopment designations, and allows for additional options for designating an area in need of rehabilitation.

Moreover, the LRHL was amended again in 2019 to specify that a municipality may determine an area to be in need of redevelopment if the area contains buildings that are used as, or were previously used as, a shopping mall, shopping plaza, or a professional office park. Certain buildings with significant vacancies for a period of at least two (2) consecutive years were also included.

Specifically, Criterion "b" was amended to read as follows:

"The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable."

A new Criterion "i" was also added, which reads as follows:

"Areas with buildings used, or previously used, as a shopping mall, shopping plaza, or professional office park, which buildings have been vacant or partially vacant with less than 50% occupancy, for a period of at least two years."

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State Strategic Plan

In October of 2011, the Draft State Strategic Plan (SSP) was developed as an update to the current State Development and Redevelopment Plan (SDRP). The intent of the SSP is to increase focus on polices aimed to foster job growth, support effective regional planning, and preserve the State's critical resources. The four overarching goals that serve as the blueprint of the Plan are summarized as follows:

Goal 1:

Targeted Economic Growth.

Enhance opportunities for attraction and growth of industries of statewide and regional importance;

Goal 2:

Effective Planning for Vibrant Regions.

Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region;

Goal 3:

Preservation and Enhancement of Critical State Resources.

Ensure that strategies for growth include preservation of the State's critical natural, agricultural, scenic, recreation, and historic resources.

Goal 4:

Tactical Alignment of Government.

Enable effective resource allocation, coordination, cooperation, and communication amongst governmental agencies on local, regional, and state levels.

Unlike the existing SDRP, the SSP did not contain any mapping. Thus far in its draft form, the SSP appears to have a greater emphasis on the State's overall economic framework and provide information and goals for New Jersey's various industry clusters.

The Draft Final Plan was approved by the State Planning commission on November 14, 2011 by Resolution No. 2011-08. When and if the SSP is formally adopted, the Township should examine how its Master Plan is consistent with the SSP.

Municipal Land Use Law (MLUL)

The following substantive changes have been made to the Municipal Land Use Law (MLUL).

1. **Green Elements and Environmental Plan Element (Green Plan).** In 2008, the MLUL was amended to identify the Green Buildings and Environmental Sustainability Plan Element (Green Plan Element) as a potential component of a master plan. This element is designed to: encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site, and; optimize climatic conditions through site orientation and design.
2. **Renewable Energy Facilities.** Several amendments have been made to the MLUL to encourage the continued utilization of renewable energy facilities, including wind and solar facilities. Most notably, the MLUL was amended in 2009 (S1303/A3062) to classify “wind, solar, or photovoltaic” facilities as inherently beneficial uses, which are defined as uses which are “universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare.” In that same year, the MLUL was also amended (A2550/S1299) to permit renewable energy facilities in industrial zones as a use by right on “parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity.”

Legislation (S1538/A2859) was also adopted in 2009 that extended the protections of the Right to Farm Act to the generation of solar energy on commercial farms within certain standards. Specifically, this legislation provides protection against local ordinances and regulations for those commercial farms seeking to generate solar energy. Farms seeking to utilize this legislation must be reviewed by the State Agriculture Development Committee (SADC), and must also be in compliance with Agricultural Management Practices.

Finally, the MLUL was amended in 2014 (S921/A2289) to specify that an ordinance requiring approval by the planning board of either subdivision, site plans, or both, shall not include solar panels in any calculation of impervious surface or impervious cover.

3. **Statement of Strategy.** Legislation (S2873/A4185) was adopted on January 8, 2018 which requires any new land use element to incorporate a statement of strategy concerning the following issues:
 - a. Smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations;
 - b. Storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and;
 - c. Environmental sustainability.

4. **Performance and Maintenance Guarantees.** An amendment to the MLUL was adopted on January 16, 2018 pertaining to performance and maintenance guarantees. Prior to the adoption of this amendment, municipalities were permitted to require developers to post performance guarantees to ensure that certain types of improvements were included; these improvements were not restricted to those being dedicated to a public entity. Under the amendment, a municipality is only able to require developers to post performance guarantees that cover those improvements being dedicated to a public entity. One exception is that a municipality may require a performance guarantee for privately owned perimeter buffer landscaping.

In addition to the above, the amendment eliminates several types of improvements that were previously subject to performance guarantees, including: culverts, storm sewers, erosion control and sedimentation control devices, other on-site improvements, and landscaping.

The MLUL now authorizes municipalities to require two (2) additional types of guarantees: temporary certificate of occupancy guarantees, and safety and stabilization guarantees. The former authorizes municipalities to require developers to furnish a guarantee in favor of the municipality in an amount equal to 120% of the cost of installation of improvements which are required to be completed prior to the issuance of a permanent certificate of occupancy. The latter provides the municipality a source of funding to return property to a safe and stable condition or to implement measures to protect the public from access to an unsafe or unstable condition

5. **Time of Decision Rule.** Perhaps the most significant change in the MLUL since the time of the 2006 Land Use Plan and Reexamination Report was the abolishment of the “time of decision” rule in 2010. This previously established rule had favored municipalities during the hearing process by allowing them to make zoning ordinance amendments up until the final moment of a land use approval. The new rule, which went into effect in 2011, establishes that the zoning in place at the time of the filing of a development application will govern the review and approval of said application. Any ordinance amendments adopted subsequent to the date of submission of the application will not be applicable to that application.



Section 4: Specific Changes

The following sections offers specific changes recommended for the Township's master plan and land use regulations.

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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

NJSA 40:55D-89.D

The previous sections of this Reexamination Report identified the major planning issues which were discussed in the Township's prior planning documents, as well as those significant changes which took place on the local, county, and state levels. Utilizing those sections as a foundation, the following section offers recommendations and changes to the Township's master plan and development regulations.

As shown, this Reexamination Report largely reiterates the goals and policies of its prior planning documents. It also makes specific recommendations to the West Dewey Avenue Corridor as well as recommendations regarding the land use categories of certain multifamily developments and the permitted uses in the Township's nonresidential districts.

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4.1: Land Use Goals and Policy Statements

The following land use goals and policy statements are outlined for the Township of Rockaway.

Goal 1: To maintain and enhance the existing areas of stability in the community; to encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the levels, and locations, prescribed herein.

Policy Statement: The Township recognizes that one of its most significant attributes is its residential neighborhoods, with limited intrusions of non-residential development in residential neighborhoods. The Plan's land use recommendations are designed to protect and reinforce the prevailing residential development patterns (except as provided in Goal 2), permit attached residential development only in those areas specified in the plan and preclude them from other areas, prohibit incompatible land use arrangements, and reinforce the intensities of use recommended in this Plan.

Goal 2: To enhance the development pattern and land use arrangement in White Meadow Lake and reinforce the minimum 0.3-acre lot area requirement for this portion of the municipality.

Policy Statement: The White Meadow Lake area is typified by a varied terrain and a modest lot size arrangement, which is often served by narrow winding streets with a poor road alignment. These characteristics necessitate a planning response that will ensure that infill development does not adversely impact the environmental character of the area, or physical features, or circulation, and does not add to the physical congestion of this neighborhood. In an effort to implement Goal 2, the Planning Board formally rejects the notion that the mere consistency of a proposed lot's size with the surrounding area in and of itself represents a suitable basis for variance relief, concluding that such consistency does not represent a "public benefit", nor does it address issues relating to the negative criteria that mandate a showing that there is no substantial detriment to the public good. In particular, that issue must revolve around, amongst other things, the problems associated with any additional traffic generating potential that impacts traffic movement on narrow, winding, and poorly aligned roadways.

Goal 3: To concentrate development in the southerly portion of the Township.

Policy Statement: The Township seeks to direct development to the southerly end of the community where it is most economical to serve existing and future population with full utilities and services. This also serves to complement the Highlands Act, which discourages development in the northerly half of the community.

Goal 4: To include all of Rockaway Township that is not within the Highlands Preservation Area in the sewer service area, while ensuring that public sewers and water supply be initially provided in those areas serving the greatest number of residences at a minimum cost to taxpayers.

Policy Statement: It is Rockaway's policy to coordinate the location of public sewers and water supply with the activities shaping land development to ensure service to the greatest number of existing and future residents of the Township, and to lessen the cost of such development on the citizenry.

Goal 5: To ensure that any prospective development is responsive to the Township's environmental features and can be accommodated while preserving these physical characteristics.

Policy Statement: The Township seeks to limit development to that which is sensitive to the community's particular physical characteristics and preserve the Township's sensitive environmental elements. In particular, the Township seeks to limit development to that which preserves steeply sloped area (defined to include any slope of minimally fifteen percent grade), wetlands, and flood plains, and retains existing vegetation (particularly trees of a caliper of eight inches or more and clusters of trees which may be of lesser caliper if determined appropriate).

Furthermore, the Township seeks to discourage development in the Highlands Preservation Area. It is specifically noted with respect to steep slopes that the slope zoning regulations set forth in the Township land development ordinance are to be applied to each individual building lot in a development application. Additionally, the Township takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate its fully zoned development potential.

Goal 6: To encourage the design of open space features in cluster developments to abut the open space of open space elements of adjacent properties.

Policy Statement: The Township recognizes that one of the significant attributes of the area is its rural, wooded open space character. This can best be reinforced by the linkage of open space features throughout the community. Consequently, it is the policy of the Township to seek the placement of open space features so that they abut open space features on adjoining properties, thereby establishing a series of greenbelts throughout the community.

Goal 7: To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Township.

Policy Statement: The Township presently contains a broad and varied housing stock consisting of detached dwellings, townhouses, and multifamily developments. As prescribed in its land use plan and its housing elements, it is the policy of the Township to encourage the development of affordable housing to the locations identified in those plans in order to ensure that the Township continues to remain an inclusive community

Goal 8: To encourage and provide buffer zones to separate incompatible land uses.

Policy Statement: The Township recognizes the need to reinforce the delineation of boundaries separating residential and non-residential uses. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential and other properties. This should be accomplished primarily within the framework of appropriate open space buffer widths containing suitable planting elements (incorporating such elements as multiple rows of staggered plant material, planting clusters, etc. as a means to provide suitable buffer protection), with supplemental fencing when appropriate.

Goal 9: To discourage the creation of flag lots in the Township.

Policy Statement: The Township maintains that flag lots represent an improper land use arrangement which results in over utilization of property and represents a development pattern which hinders emergency service access to such lots.

Goal 10: To encourage new development, and redevelopment, to take into account the aesthetic character of the community, in an effort to enhance the visual and aesthetic appearance of the municipality.

Policy Statement: The Township recognizes that the visual and aesthetic character of a community includes the type and design of landscape elements that comprise development sites. The Township's site plan review process shall actively encourage developments, and redevelopments, which incorporate the highest quality of aesthetic elements to enhance the visual character of the community. Landscaped areas are encouraged on the street frontages of commercial properties located along roadway corridors, as are landscaped features within parking lots, foundation plantings, and perimeter plantings

Goal 11: To preserve and enhance the Township's retail commercial areas by defining their functional role in the community.

Policy Statement: Rockaway is characterized by a variety of retail commercial districts that are clearly distinguished from each other. The community contains a regional shopping center, small neighborhood facilities serving the daily needs of the residents, and some highway commercial development. It is the policy of the community to acknowledge the regional mall and its environs as a regional center pursuant to the State Plan. It is also the Township policy to encourage the consolidation of development along the Route 46 corridor to facilitate a comprehensive approach to a unified and integrated development that serves to limit the number of curb cuts and conflicting turning movements on this roadway. The community's local neighborhood commercial areas should be acknowledged to be able to accommodate limited commercial uses and levels of development, while protecting adjoining residences.

Within this framework, the Plan encourages the continued improvement of the community's commercial areas for retail and service commercial uses. This should be achieved within a manner that protects and promotes the physical and aesthetic character of the community's commercial areas as well as any abutting residential neighborhoods. Consideration should be given to design features that enhance the physical character of the community, and encourage the integration of building, parking, landscaping and signage elements into a comprehensive and unified framework.

Goal 12: To promote a sidewalk master plan in selected areas of the community.

Policy Statement: The Township recognizes the need to provide sidewalks in certain heavily traveled areas of town to improve pedestrian safety. Consequently, it is the policy of the Township to identify those corridors that are appropriate for sidewalk construction. In addition, the Township is encouraged to establish a sidewalk fund, which will allow developers to contribute to the fund in lieu of building sidewalks in their developments, thereby directing funds to where they are needed most.

Goal 13: To promote the conservation of energy and the use of renewable energy sources whenever possible as the Township develops.

Policy Statement: The Township recognizes the need to encourage the use of alternative energy sources as a means to conserve non-renewable resources. As required by NJSA 40:55D-28.b.(2) of the MLUL, it is recommended that the Township update its Land Use Plan to include a statement of strategy concerning: smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations; storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and environmental sustainability.

Goal 14: To support Picatinny Arsenal's retention as an armament research, development and engineering center, and participate in its efforts to establish a development plan to utilize its underdeveloped and underutilized assets to create a public/private partnership to provide development within the Arsenal, provided that such development complements and reinforces the Township's overall approach to land use, environmental, traffic, and related planning issues.

Policy Statement: The Township recognizes that Picatinny Arsenal represents a substantial economic/employment attribute that provides a variety of benefits to the region, and consequently supports the Arsenal's efforts to reinforce its position as a necessary component of the Department of Defense. However, it is also recognized that the Arsenal's plan to use the site's underdeveloped and underutilized assets to create revenue as a means to maintain and enhance Picatinny's aging infrastructure, resulting in increased development within the Arsenal for armament-technology based uses, has significant land use implications for Rockaway Township. Picatinny's site constraints include substantial wetland and steep slope areas, endangered species, and 175 superfund sites, as well as areas set aside for unexploded ordnance and explosive safety zones.

Development impacts associated with these environmental issues, overall intensities-of-use, traffic and circulation planning, as well as the impact of potentially lost ratables as prospective technologically-based uses occupy land within Picatinny instead of locating to the Township's corporate office parks need to be explored with Picatinny representatives.

Goal 15: To support the overall philosophy of the Highlands Water Protection and Planning Act.

Policy Statement: The Township supports the designation of the municipality as a planning area wherein future growth is encouraged in proximity to existing infrastructure and facilities to the extent and intensity as provided for herein. Future growth in the community is encouraged to be sensitive to environmental constraints, and existing uses that adversely affect the environment are encouraged for elimination.

Goal 16: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a state-wide basis while retaining the principles of home-rule.

Policy Statement: The Township maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific planning area designations for Rockaway Township (except where inconsistent with the Township plan), represents a reasonable approach to growth management.

4.2: Specific Recommendations

In addition to the goals and policies listed in Section 4.1, the following recommendations are offered for the Township’s master plan and development regulations.

West Dewey Avenue Corridor

The West Dewey Ave Corridor is located in the southwesterly-most corner of Rockaway, between the Township’s shared municipal borders with the Township of Jefferson and the Borough of Wharton.

Presently, there are six (6) residential properties located along this corridor, as well as an additional three (3) residential properties located along Lewis Street. An additional vacant lot owned by Morris County is also located along Lewis Street. These properties are identified in the following table.

Surrounding land uses include a storage yard owned by Morris County which is located to the south of these properties, as well as a JCP&L substation which is located to the north. Please see the accompanying aerial for an overview of the West Dewey Avenue Corridor Area.

Table 23: West Dewey Avenue Corridor

Block	Lot	Address	Lot Size (ac)	Year Built	Classification	Tax
11505	8	304 West Dewey Ave	.34	1947		2
11505	7	300 West Dewey Ave	.29	1949		2
11505	6	296 West Dewey Ave	.22	1941		2
11505	5	292 West Dewey Ave	.34	1900		2
15105	4	288 West Dewey Ave	.17	1900		2
11505	3	4 Lewis St	.17	1946		2
11505	2	2 Lewis St	.17	1959		2
11506	2	284 West Dewey Ave	0.37	1934		2
11506	4	Lewis St	0.11	n/a		15C
11506	5	1 Lewis St	0.23	1987		2

Note: Information taken from Mod IV Tax Data.

Tax Classification 2 = Residential; Tax Classification 15C = Public Property

These properties are presently located in both the I Industrial land use category as per the Township's 2006 Land Use Plan as well as the corresponding I Industrial District. As noted by the Land Use Plan, this district is designed for limited manufacturing and industrial operations, as well as office buildings, banks, and restaurants. Residential dwellings are not permitted, and residential construction and conversions are specifically prohibited.

Consequently, the established residential character of this corridor does not match with the Township's Land Use Plan. Due to the relatively small size of these properties as well as their narrow depths, it is unlikely that they could be developed with industrial uses. Further, the current industrial zoning of this corridor has the potential of discouraging improvements to these dwellings, as any addition or increase in floor area would require a "d(3)" variance from the zoning Board of Adjustment for an expansion of a nonconforming use.

In consideration of the above, it is recommended that the Township reconsider changing the zoning of these aforementioned residential properties from the I Industrial District to either an existing and new zoning district.

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Additional Uses in Nonresidential Zones

In order to encourage and promote the economic development and revitalization of its nonresidential areas, the Township should consider expanding its list of permitted uses. Specifically, the following recommendations are noted:

1. **Fitness Uses.** The Township's land use and development regulations largely do not address indoor recreation and fitness uses.

Outdoor recreational activities are permitted as a conditional use in the B-1 District; however, health spas are specifically prohibited in that same zone. Health clubs are also specifically listed as a permitted accessory use for hotels and motels in the R-B Regional Business District.

Historically, the Township has considered fitness centers to fall under "personal service establishments," which are permitted in both the B-1 Neighborhood Business District and the B-2 Highway Business District. In addition, the Township has also historically considered fitness centers to fall under "retail sales and service business and operations," which is permitted in the R-B Regional Business District.

It is recommended that the Township amend its land use and development regulations to specifically permit for various fitness uses. Specifically, the following is noted:

- a. The Township should consider specifically permitting smaller-scale fitness studios within the B-1 Neighborhood Business District. These smaller scale fitness studios may offer training for aerobics, weight lifting, yoga, cycling, Pilates, dance, martial arts, CrossFit, boot camp, and other related physical activities. In order to complement the B-1 District's intent of accommodating retail establishments of a neighborhood service character, it is recommended that a maximum square footage be designated for these uses.
 - b. In addition to the above, it is recommended that the Township consider specifically permitting fitness studios as well as larger-scale fitness centers in the B-2 Highway Business District, R-B Regional Business District, I Industrial District, and the O-2 Office Building District.
2. **Indoor Recreation.** In addition to the above, the Township's land use and development regulations do not adequately address indoor recreational uses. While outdoor recreational uses are a permitted conditional use in the B-1 Neighborhood Business District, indoor recreational uses are generally not permitted in the Township's other commercial districts.

Not only do indoor recreational uses offer an opportunity to adaptively retrofit and reutilize some of the Township's larger vacant commercial buildings, they also have the potential to provide additional community amenities. As such, it is recommended that the Township consider permitting indoor recreational uses in

the B-2 Neighborhood Business District, the R-B Regional Business District, the I Industrial District, and the PED Planned Economic Development District.

Indoor recreational uses may include permanent structures containing facilities and training for such activities as, but not limited to, tennis, platform games, swimming, handball, soccer, and baseball.

3. **Breweries and Distilleries.** Both the I Industrial District and the PED Planned Economic Development District permit for manufacturing uses. While the Township does not have a definition for manufacturing, it is generally identified as “establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as oils, plastics, resins, or liquors.”

Breweries and distilleries likely fall under this broad definition of manufacturing. However, it is recommended that these uses be specifically identified as permitted uses. Breweries and distilleries offer opportunities to adaptively reuse older, industrial buildings. Consideration should be given to permitted limited retail sales as an accessory use to breweries and distilleries.

4. **Arcades.** While their overall numbers may have declined following the late 1990s, arcades have recently experienced an increase in popularity. However, the Township’s land use and development regulations specifically prohibit arcades in several zones. As such, the Township should consider permitting arcade uses in the B-2 and R-B Regional Business District.
5. **Charging Stations.** While charging stations have increased in popularity and demand over the past few years, the Township’s land use and development regulations do not specifically permit nor prohibit them. Therefore, the Township should consider permitting charging stations in certain areas which are located near major transportation corridors and are highly accessible to vehicular traffic. Regulations should ensure that the installation of charging stations do not negatively impact the amount of publicly available parking. Landscaping and/or buffering requirements should also be explicitly established.
6. **Warehousing.** The zoning regulations for the I Industrial District are unclear as to whether warehousing is a permitted use. The list of permitted uses for the district includes “limited manufacturing and industrial operations, office buildings, restaurants, and banks.” While the list of prohibited uses identifies motor freight terminals, motor and truck transfer stations, motor and truck depots, motor and truck storage sites, truck stops, and truck repair facilities, it specifically notes that this prohibition is “not intended to exclude warehousing and manufacturing uses to which trucking is ancillary.” This inconsistency should be resolved.

Multifamily Developments

As noted in Section 3.4 of this Report, there have been several changes regarding the Township's various multifamily developments. However, the Township's 2006 Land Use Plan does not reflect some of these approved developments. Furthermore, in certain instances, the zoning of these sites is no longer reflective of the approved developments.

As such, it is recommended that the Township consider amending its Land Use Plan and its development regulations to more accurately reflect several of these developments.

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Section 5: Incorporation of Redevelopment

This final section discusses recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element.

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Recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element and recommended changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality

NJSA 40:55D-89.E

In 1992, the New Jersey Legislature enacted a new statute which revised and consolidated the State's various redevelopment statutes. Known as the Local Redevelopment and Housing Law (LRHL), this new statute rescinded a number of prior redevelopment statutes and replaced them with a single comprehensive statute governing local redevelopment activities throughout the State.

Ultimately, the LRHL was designed by the State Legislature to assist municipalities in the process of redevelopment and rehabilitation. As explained by the Legislature in the preamble to the LRHL:

"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."

The LRHL provides the statutory authority for municipalities to engage in a number of redevelopment activities, including: designating an "area in need of redevelopment"; preparing and adopting redevelopment plans; and implementing redevelopment projects. It is essentially a planning and financial tool that allows an area to be overlain with specific zoning and other incentives to stimulate its redevelopment or rehabilitation.

More specifically, a redevelopment designation allows a municipality to:

1. Adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use and intensity of use;
2. Issue bonds for the purpose of redevelopment;
3. Acquire property;
4. Lease or convey property without having to go through the public bidding process;
5. Collect revenue from a selected developer; and/or
6. Grant tax exemptions and abatements.

The LRHL establishes eight (8) statutory criteria to determine if an area qualifies as being in need of redevelopment. The statute provides that a delineated area may be determined to be in need of redevelopment if "after investigation, notice and hearing...the governing body of the municipality by resolution concludes that within the delineated area" any one of the eight criteria are present. It is noteworthy that the statute in Section #3 specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area.

As of date, the Township has not adopted any redevelopment plans. As such, there is no need to incorporate any redevelopment plans into the Borough's Land Use Plan Element, nor is there a need to recommend any changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

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