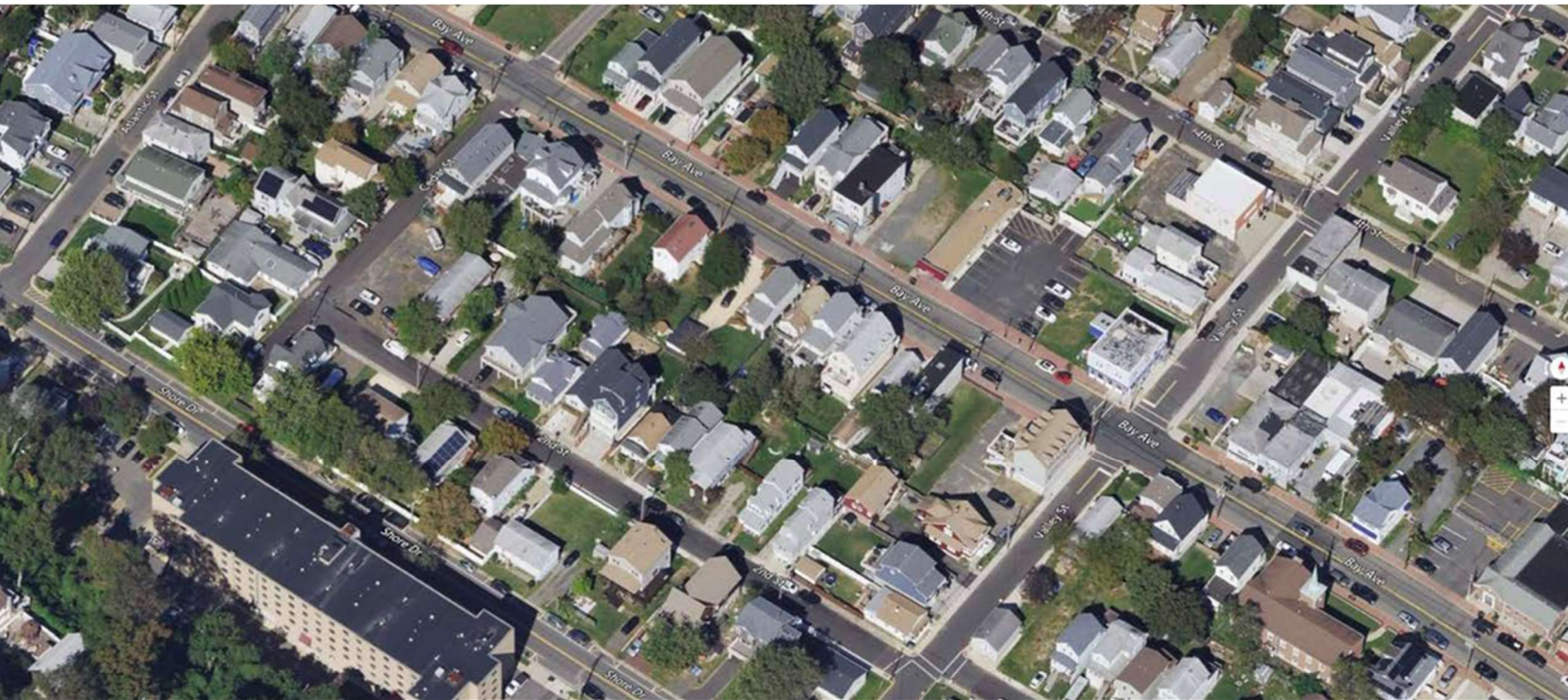


AMENDED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN

BOROUGH OF HIGHLANDS MONMOUTH COUNTY, NEW JERSEY

August 21, 2024



Prepared by: Phillips Preiss Grygiel Leheny Hughes LLC

Amended by: Heyer, Gruel and Associates

**Amended Central Business District Redevelopment Plan
Borough of Highlands
Monmouth County, New Jersey**

August 21, 2024

The Original Redevelopment Plan was prepared by

Paul Grygiel, AICP, PP
NJ Professional Planner License #5518

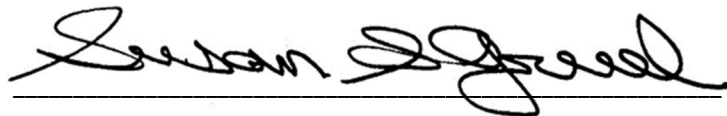
Phillips Preiss Grygiel Leheny Hughes LLC
Planning and Real Estate Consultants

33-41 Newark Street
Third Floor, Suite D
Hoboken, NJ 07030

Amendment prepared by

Heyer, Gruel & Associates
Community Planning Consultants
236 Broad Street
Red Bank, New Jersey 07701
732-741-2900

The original of this amended report was signed and
sealed in accordance with N.J.A.C. 13:41-1.3.(b).

A handwritten signature in black ink, appearing to read "Susan S. Gruel", written over a horizontal line.

Susan S. Gruel, P.P. #1955

With Assistance from Bailey Surbrook, Associate Planner

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I. INTRODUCTION

A redevelopment plan is a powerful planning document that combines the vision of a master plan with the authority of a zoning ordinance. The redevelopment plan's special legal status provides a municipality with a more effective way to control the nature and type of development in a redevelopment area than is possible through standard zoning. Benefits of utilizing redevelopment plans include the ability to create very specific redevelopment plan regulations for uses and design and providing the municipality with greater control of the redevelopment process, such as through the selection of developers.

The preparation and adoption of a redevelopment plan moves the redevelopment process from problem identification to problem solving. With the adoption of a redevelopment plan, the focus shifts from an analysis of existing conditions in a designated area to a discussion of its future use and redevelopment. Adopting a redevelopment plan sends a message to the development community about the Borough of Highlands's (the "Borough") long-term commitment to the redevelopment of an area.

Redevelopment plans may be designed to address a wide range of public purposes and land use issues. The potential scope of a redevelopment plan may include: permitted uses, bulk regulations (e.g., height, setbacks, coverage, etc.), building massing/design, streetscape/open space, sustainability measures, and parking and loading.

This Redevelopment Plan (the "Redevelopment Plan") has been prepared for an area comprised of 155 parcels on portions of 31 tax blocks known as Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114 (heretofore referred to as the "Redevelopment Area") in the Borough of Highlands, Monmouth County, New Jersey. This Redevelopment Plan provides an overall vision for the Redevelopment Area, as well as general recommendations and specific development regulations. It supports and enhances the Borough's ongoing efforts to improve the Bay Avenue corridor and adjoining areas and to attract additional public and private investment.

This Redevelopment Plan provides development regulations for the Bay Avenue corridor between South Street and Gravelly Point Road and certain adjoining areas, including use and bulk standards for the area, as well as site, building design and other regulations typically found in a Redevelopment Plan. But it also provides a vision, goals and general recommendations for the Redevelopment Area, all of which build upon prior efforts for the Central Business District and nearby areas.

The plan was prepared through a process that included the input from the community through meetings and a survey, as well as the input of Borough staff and officials. Notably, the Bay Avenue Redevelopment Survey obtained input from a cross-section of Highlands residents, property owners and business owners which informs the recommendations and regulations in this Redevelopment Plan. Planning and development documents reviewed in the process of preparing the plan included the Borough's Master Plan and updates, the Zoning Ordinance, the Highlands Central Business District Design Manual, and various reports on prior planning efforts for the Redevelopment Area and nearby areas. The consultants also visited the Redevelopment Area and vicinity on a number of occasions to document existing conditions. Data about demographics, housing and development

was reviewed and analyzed, and maps were created based on information obtained from the Borough and other sources.

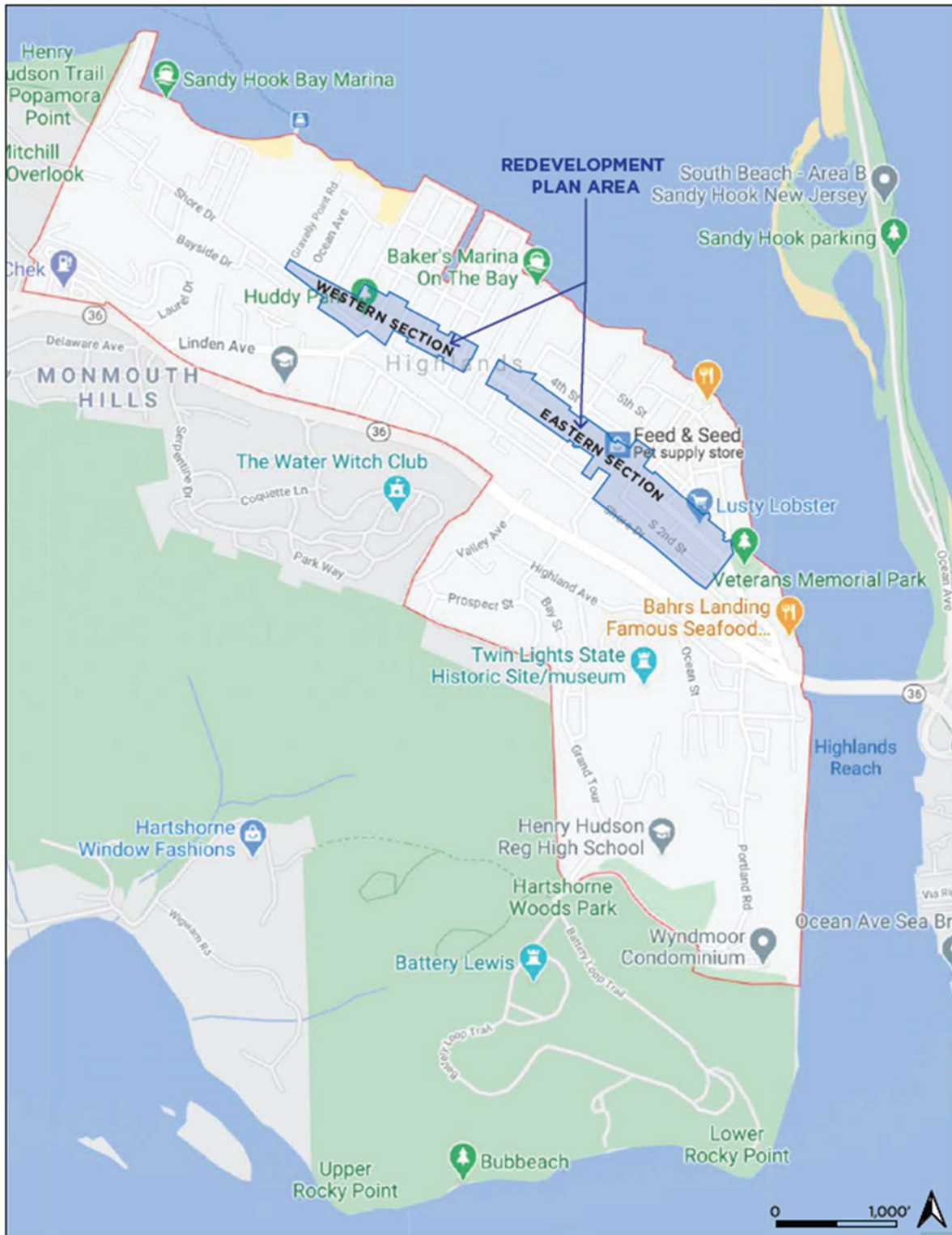


FIGURE 1: LOCATIONAL CONTEXT | BOROUGH OF HIGHLANDS, NJ
PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2021

II. EXISTING CONDITIONS AND CONTEXT

The Borough of Highlands is a unique municipality. Located along Sandy Hook Bay and the Shrewsbury River, its assets include a substantial waterfront, business districts, State Highway frontage, a State Historic Site, a range of residential development types, ferry service to New York City and easy access to the Atlantic Ocean, large parks and trails. **Figure 1** shows the Borough’s locational context. However, Highlands faces a number of challenges, including flooding, traffic and fiscal limitations. There have been a number of plans and studies prepared in recent years for the Borough’s commercial and residential districts. Actions have been taken to implement some of the recommendations of these documents, including adoption of zoning amendments in 2018. But there remain issues both specific to Highlands as well as those affecting downtowns and small business districts, even prior to the COVID-19 pandemic. This Redevelopment Plan is intended to help Highlands’ Central Business District achieve its potential as both a community amenity and a destination.

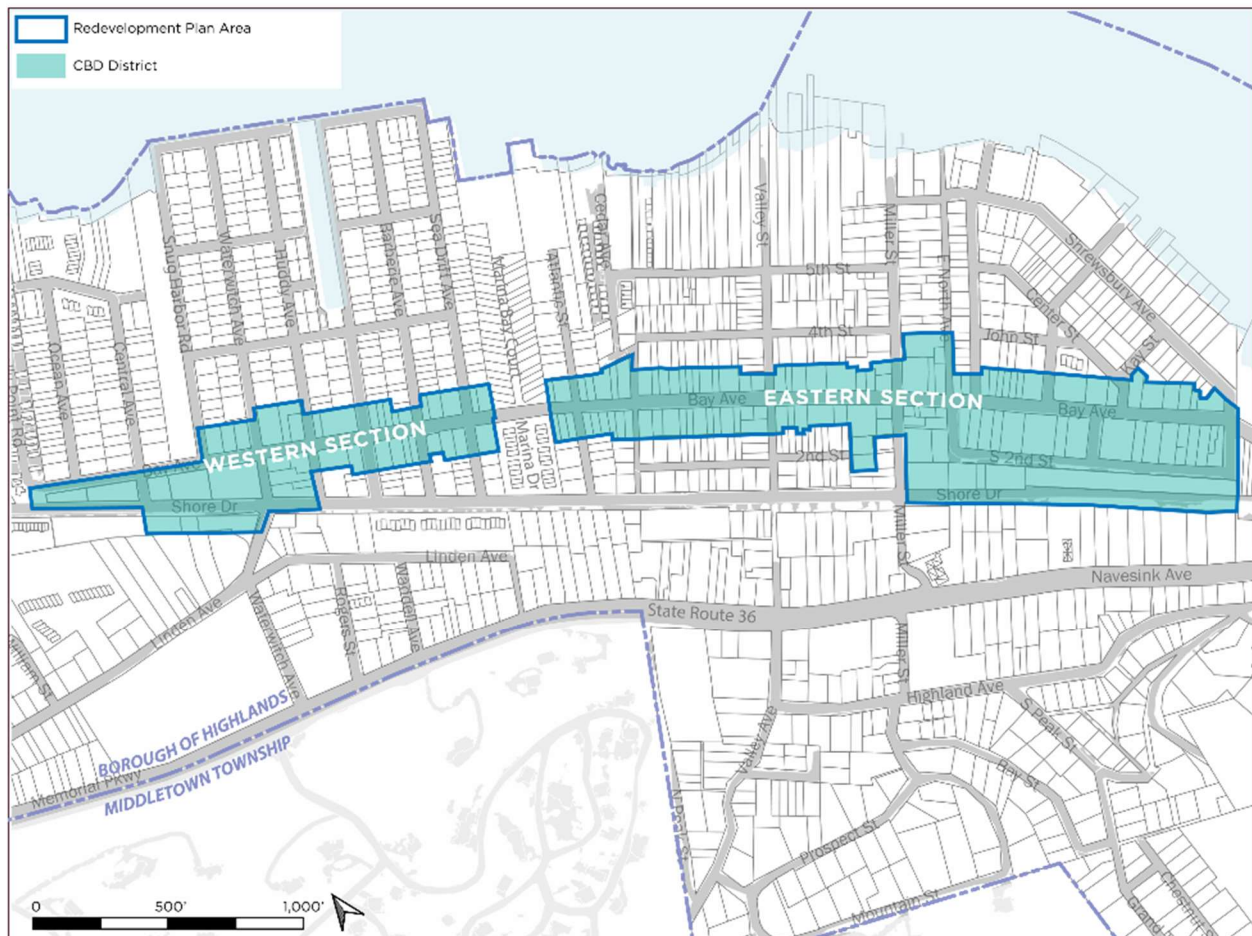


FIGURE 2: REDEVELOPMENT PLAN AREA AND CBD ZONE | BOROUGH OF HIGHLANDS, NJ
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The Redevelopment Area encompasses parts of 31 tax blocks located in the eastern section of the Borough of Highlands. The Redevelopment Area includes a portion of the parcels on Blocks 40.01, 41, 42, 45, 46, 47, 52, 53, 54, 58, 59, 63, 64, 69, 70, 71, 72, 73, 74, 75, 80, 81, 82, 83, 88, 89, 94, 95, 96, 96.01, and 114, as identified on the official tax maps of the Borough of Highlands. The Redevelopment Area is approximately 20.64 acres in area. It is defined by the boundaries of the CBD Zone as adopted on the Zoning Map by Ordinance 18-22 in December of 2018, which generally follows the north and south sides of Bay Avenue, and certain properties on both South Second Street and Shore Drive. **Figure 2** shows the boundaries of the Redevelopment Plan Area and the CBD zone.

Existing land uses in the Redevelopment Area include commercial, residential (one to four family), residential apartment, public property, municipal parks, a religious institution, a social institution, surface parking lots, and vacant, unimproved land. Land uses within the vicinity are varied and include a mix of residential and nonresidential uses. There are also various attractions and landmarks within the surrounding area. These include municipal and county parks, the Twin Lights State Historic Site and the Sandy Hook section of Gateway National Recreation Area.

The Redevelopment Area has been determined to be an “area in need of redevelopment” pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) at N.J.S.A. 40A:12A-1 et seq. The Mayor and Council of the Borough of Highlands adopted a resolution in February 2021 authorizing the Land Use Board to investigate all properties within the Central Business District zone to determine if they constituted an “area in need of redevelopment” pursuant to the LRHL. The Central Business District Area in Need of Redevelopment Study was prepared in July 2021. All of the properties in the redevelopment study area were designated as “an area in need of redevelopment” by resolution of the Mayor and Council on October 20, 2021, following a recommendation by the Borough of Highlands Land Use Board. The designated redevelopment area includes 155 parcels, which are listed in **Appendix A** and are shown on **Figures 3A** and **3B**.

Highlands Borough is located in a unique geographical area. The Highlands’ hills overlook the Atlantic Ocean and Shrewsbury River, home to Historic Site Twin Lights, and the highest point on the Eastern Seaboard. The Central Business District Redevelopment Area is located at the base of the bluff at Shore Drive, and is in a floodplain managed by FEMA Floodplain Management Regulations (Land Use Chapter 21). Highlands manages the Floodplain on a platform (<https://highlandsboroughnj.withforerunner.com/properties>), that provides site-specific FEMA maps, and base/design flood elevations to the public. The current Base Flood Elevation (BFE) in this zone is 11 feet, meaning that the BFE is about 5 to 7 feet above grade in most areas of the Redevelopment Area.

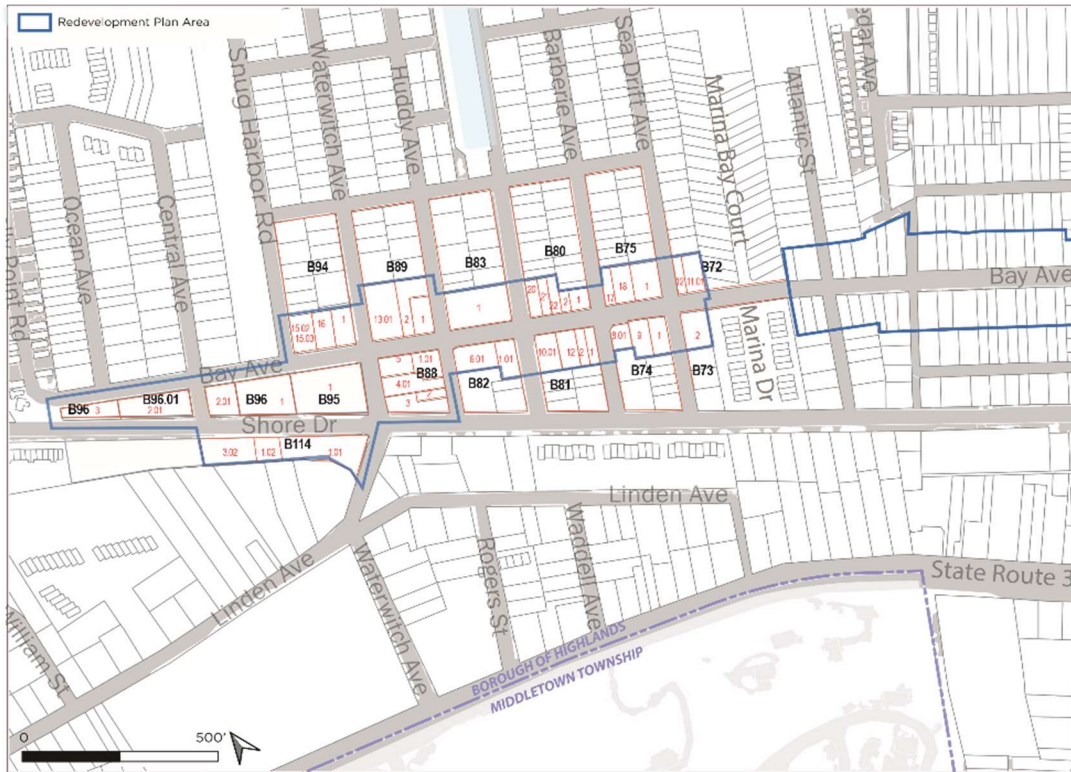


FIGURE 3A: REDEVELOPMENT AREA TAX LOTS WESTERN SECTION
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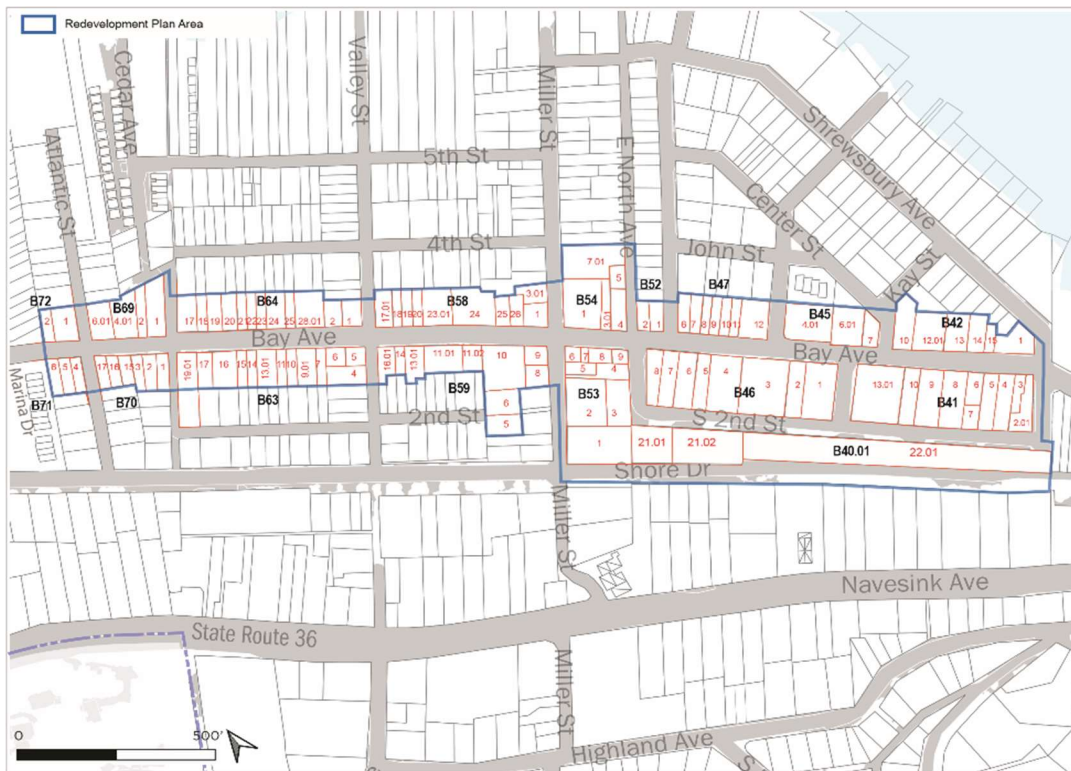


FIGURE 3B: REDEVELOPMENT AREA TAX LOTS EASTERN SECTION
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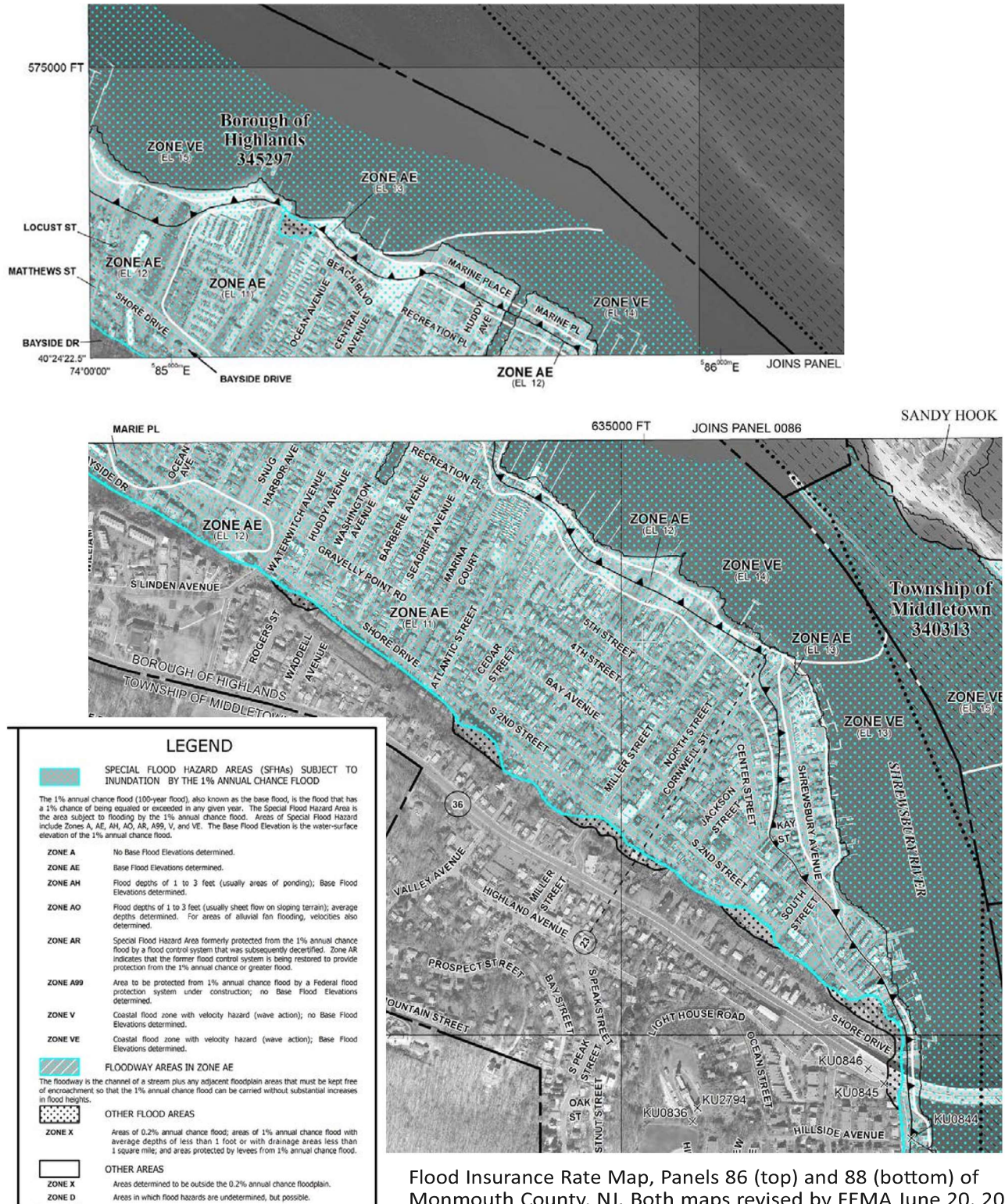


FIGURE 4: FLOOD INSURANCE RATE MAP FOR HIGHLANDS

III. VISION, GOALS AND RELATIONSHIP TO LOCAL OBJECTIVES

A. Vision

This Redevelopment Plan aims for a vision of downtown Highlands that acknowledges and works with the constraints of its location within the Flood Hazard Area. The overall vision for the Redevelopment Area is a vibrant, walkable downtown along the Bay Avenue corridor and adjoining areas that includes a mix of old and new commercial and residential uses; additional apartments, stores, services, and attractions; improved parks and public facilities; and stronger connections to the broader community and the Shrewsbury River. Building and site designs will be consistent with Highlands' identity as a waterfront, historic small town, yet allow for a variety of architectural styles and building types. Retail and other active uses will be required on the ground floor, where feasible, or otherwise on a floor raised above the flood elevation. In either case, guidelines are provided to ensure that retail businesses, apartments, and other uses will have a strong connection to the sidewalk. Streets, sidewalks and public spaces will be more inviting and attractive as a result of public and private investments in the Redevelopment Area.

B. Redevelopment Plan Goals

The specific goals and objectives of the Redevelopment Plan are as follows:

- 1) Provide regulations for the reuse of buildings and the appropriate redevelopment of properties in the Redevelopment Area with a mix of residential and nonresidential land uses that support the Borough's planning and economic development objectives.
- 2) Address flooding through building and site design that elevates critical areas above flood waters and increases use of green infrastructure.
- 3) Require building and site design that is aesthetically attractive, relates to Highlands' existing character, and incorporates sustainability measures.
- 4) Provide regulations on specific building design elements such as facade transparency, location of the front door and parking access, and building massing and articulation, to ensure that buildings are best configured for a pedestrian-friendly streetscape.
- 5) Improve pedestrian safety and comfort in the Redevelopment Area through a program to increase effective sidewalk width through deeper front setbacks and landscaping.
- 6) Provide adequate vehicle and bicycle parking, loading and access for uses in the Redevelopment Area, including flexible shared-use public parking. Provide design guidelines to downplay the visibility of off-street parking.
- 7) Provide additional open space, seating, and gathering areas, and attractions within the Redevelopment Area.
- 8) Make development in the CBD more financially feasible by redefining, or in some cases removing, onerous zoning requirements such as floor area ratio, building coverage and height, and parking ratios, and by providing more flexible standards.
- 9) Emphasize major Gateways into downtown Highlands.

C. Relationship to Master Plan

This Redevelopment Plan is consistent with the goals and objectives of the master planning efforts of the Borough of Highlands, as described further below, as it implements various recommendations of the 2004 Master Plan and updates as well other planning studies seeking to strengthen the vitality of the Borough's downtown and other business districts.

The Borough of Highlands has completed several plans and studies which attempt to address an ongoing lack of investment and business activity in the Borough, particularly on the Bay Avenue commercial corridor. These problems were noted prior to the destruction brought about by Superstorm Sandy but were exacerbated after the storm. The Borough has recommended a series of strategies to revitalize the Bay Area commercial corridor in recent years, several of which have been implemented. A previously untapped recommendation is to investigate the designation of eligible properties as areas in need of redevelopment to encourage a rebirth of the commercial corridor.

The Borough of Highlands' most recent comprehensive Master Plan was adopted in 2004 (the "**2004 Master Plan**"). To promote economic development in the downtown, the 2004 Master Plan recommended "investigating the potential for redevelopment within the downtown to address problems, identify opportunities and provide a guide for future reinvestment," and "[a]ssembling sites that can be offered for new business development," among other strategies. At the time of writing the 2004 Master Plan, the Redevelopment Area roughly corresponded to the boundaries of the B-2 Central Business District, which was intended to "accommodate a higher density concentration of retail, service, office and entertainment uses than other commercial districts in the Borough."

A reexamination of the 2004 plan, along with a land use plan element, was adopted in 2009 (the "**2009 Master Plan Reexamination**"). The 2009 Master Plan Reexamination recommended several changes to the Borough's Development Regulations for the B-1 Neighborhood Business District and the B-2 Central Business District, which generally comprised the east and west ends of Bay Avenue and Shore Drive. The recommended changes related to flooding, parking, permitted uses, bulk requirements, and design to advance the Borough's goal to "[s]trengthen commercial districts, especially the Bay Avenue Central Business District."

The current Master Plan document consists of a reexamination report and amendments, which were adopted by the Borough's Land Use Board on December 27, 2016 (the "**2016 Master Plan Update**"). The 2016 Master Plan Update "places special emphasis on facilitating recovery from Superstorm Sandy's impacts, as well as promoting resiliency to future storm impacts and other potential natural hazards." The plan describes the impact of Superstorm Sandy on the Borough:

Superstorm Sandy struck the coast of New Jersey on October 29, 2012, and caused extensive damage to the Borough of Highlands from both storm surge and wind damage. Approximately 1,250 homes within the Borough were damaged or destroyed as well as over 60% of all Borough businesses. All of the Borough's sewage pump stations went offline due to floodwater inundation and/or power system failure. Trees and power lines throughout the Borough fell, in many cases damaging buildings and homes. (pp. 23)

A **2014 Strategic Recovery Planning Report** further noted that “14 downtown restaurants were destroyed, of these, six remain closed.” The 2016 Master Plan Update addressed the lack of business investment and activity in the downtown, stating that this “ongoing concern... was only exacerbated by the impacts of Superstorm Sandy.”

The **2016 Master Plan Update** contains significant discussion about the Redevelopment Area. In particular, it recommended elimination of the B-1 and B-2 districts and overlay zones, and establishment of a unified Central Business District (CBD) zone “to better accommodate the desired uses for the downtown area [and to] minimize nonconformities and reduce the number of variances that may be required to encourage redevelopment in underutilized lots and areas damaged by Superstorm Sandy or that may be damaged in future storm events.” The 2016 Master Plan Update recommended that the new CBD Zone be governed by a form-based code to “ensure all redevelopment occurs in a manner that is consistent with the image and character of the Borough.” The 2016 Master Plan Update assured consistency with past plans, noting that “many of the recommendations from the 2009 Report will be integrated into the new zone district.” It recommended that the Borough should encourage downtown building design and streetscape features “that promotes and emphasizes the nautical, seaside, small town nature of Highlands.” In addition to the creation of a new CBD Zone, the 2016 Master Plan Update recommended allowing parking as a conditional use in business districts outside of the waterfront to encourage “more opportunities for innovative parking arrangements.” The plan also recommended that residential uses be permitted on all floors above the ground level in mixed-use buildings. In terms of redevelopment, the 2016 Master Plan Update recommended that “[r]edevlopment studies should include the waterfront, downtown neighborhoods, and the Miller Street corridor.”

The Borough amended its Development Regulations to remove reference to the B-1 and B-2 districts and overlays, create reference to the CBD Zone, and update permitted uses in the zone, including allowing parking as a permitted conditional use in the CBD Zone (see **Ordinance 18-01**, adopted in February of 2018, and Ordinance 18-06, adopted in May of 2018). No new regulations were adopted related to permitting residential uses on the upper floors of mixed-use buildings.

The most recent **Zoning Map** was adopted by Ordinance 18-22 in December of 2018, which established the Central Business District (CBD) zone and demarcated it “along Bay Avenue from South Street to the VFW and along Miller Street from Bay Avenue to the Waterfront to replace current existing zoning and overlay districts; with the exception of the existing Multi-Family Zone District located along Marina Bay Court.” The Redevelopment Area is entirely within the CBD Zone.

Since the 2016 Master Plan Update, area in need of redevelopment investigations and plans were adopted for the Captain’s Cove Marina and the Shadow Lawn Mobile Home Park, in 2018. No area in need of redevelopment investigations have been conducted for areas within the CBD Zone until the investigation of the Redevelopment Area described herein.

A full list of the 2016 Master Plan Update Goals & Objectives related to commercial land uses and economic development/redevelopment can be found in the publicly-available 2016 Master Plan Update.

D. Relationship to Local Objectives

This Redevelopment Plan sets forth definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. In particular, the Redevelopment Plan provides development regulations that regulate development intensity and residential density, allowing for a range of land uses. The Redevelopment Plan encourages reuse of buildings and new construction, in tandem with upgrading of existing infrastructure and community facilities.

Beyond the Master Plan-related studies mentioned earlier, a number of other plans and studies have been prepared for the Redevelopment Area, including:

CENTRAL BUSINESS DISTRICT DESIGN MANUAL, 1995

- The Borough’s Highlands CBD Design Manual, Neighborhood Preservation Program (the “Design Manual”) was approved in 1995. It is primarily focused on design changes and improvements to historic buildings and retail storefronts & signage. The Design Manual is very detailed in terms of specific building components such as doors, windows, cladding, and cornices, and leans towards traditional materials and architectural styles. However, because it was written before Superstorm Sandy and before flood control regulations became more onerous, it is not well suited to alone guide anticipated new development in the CBD. For new construction and renovations to existing buildings, this Redevelopment Plan supersedes the older Design Manual. Applicants may choose to seek guidance from the Design Manual as well, but where a conflict occurs, this Redevelopment Plan shall govern.

INTRABOROUGH BICYCLE PLAN, JUNE 2011

HIGHLANDS RECOVERY PLAN, 2013

RUTGERS BLOUSTEIN SCHOOL STUDIO REPORT, SPRING 2014

GETTING TO RESILIENCE” RECOMMENDATIONS REPORT, JUNE 2014

STRATEGIC RECOVERY PLANNING REPORT, SEPTEMBER 2014

- This report identified 13 priority actions that are “most urgently needed to improve public safety, increase resistance to damage from future storms, and stimulate economic recovery’ (NJ DCA).” Of relevance to redevelopment of the Redevelopment Area, priority action #9 was to, “[u]ndertake redevelopment study(ies) and prepare plan(s) for areas determined to be in need of redevelopment. Previous plans have recommended redevelopment efforts in several areas of the borough, including the waterfront and downtown neighborhoods. Moreover, there have also been recommendations to... elevat[e] buildings in the downtown area. All of these recommendations could be reviewed and, if feasible and acceptable, accomplished through the redevelopment planning process.”
- In addition, priority area #11 stated, “The [Getting to Resilience (GTR)] Report... recommends that the Borough’s plans (including the Master Plan and any redevelopment plan) include explicit references and recommendations related to resiliency.”

COASTAL STORM RISK MANAGEMENT PRESENTATION/BRIEFING, MARCH 2017

CAPITAL IMPROVEMENT PROGRAM FOR 2017

STORMWATER POLLUTION PREVENTION PLAN, APRIL 2018

FINAL INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL ASSESSMENT, RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NEW JERSEY, COASTAL STORM RISK MANAGEMENT, MAY 2020

- This document by the U.S. Army Corps of Engineers assesses the feasibility and environmental impact of a series of intervention options to reduce flood risk between the study period of 2026 to 2076.

E. Relationship to Highlands Zoning Ordinance

The Redevelopment Area is located within, and is defined by the boundaries of, the Central Business District (CBD) Zone. The boundaries of the CBD Zone and adjacent zoning districts in the Borough are shown on the Zoning Map adopted in December of 2018.

This Redevelopment Plan supersedes the Zoning and Land Use Regulations of the Borough of Highlands in Chapter 21 of the Borough's Revised General Ordinances (the "Zoning Ordinance"). Final adoption of this Redevelopment Plan by the Mayor and Council shall be considered an amendment of the Borough of Highlands Zoning Map.

F. Relationship to the Uniform Construction Code

Notwithstanding allowances provided for in the Central Business District Redevelopment Area, all construction shall comply with the Uniform Construction Code (UCC) (N.J.A.C. 5:23). Construction not requiring a construction permit or inspections, work performed pursuant to N.J.A.C. 5:23-2.7 (Ordinary Maintenance), or other construction not under the jurisdiction of the UCC, such as manufacturing, production, and process equipment, as defined in N.J.A.C. 5:23-1.4, shall comply with Section V – Floodplain Requirements, of the Central Business District Redevelopment Plan.

G. Definitions and Terminology

The definitions set forth in the Zoning Ordinance shall apply to this Redevelopment Plan.

As used in this Redevelopment Plan, the following terms shall have the meanings indicated:

- **"BFE+1"** shall mean Base Flood Elevation plus one foot. "Base Flood Elevation" is defined in the Highlands Zoning and Land Use Regulations.
- **"Body piercing, tattoo and skin art studio"** shall mean any establishment where a body piercing and/or tattoo artist conducts the business of piercing the skin or other parts of the body.
- **"Cottage Food Preparation Services and Sales"** shall mean the preparation and sale of home-made non-Time/Temperature Control for Safety (non-TCS) food products. All cottage food operators shall be required to obtain a cottage food operator (home baker) permit from the State of New Jersey prior to the sale of any food products and shall comply with all operating standards required by the New Jersey Department of Health.

- **“Food Manufacturing”** shall mean the process of converting raw agricultural materials into consumable food products, including the cleaning, processing, packaging, distribution, and sale of food items.
- **“Land Use Board”** shall mean the Borough of Highlands Land Use Board.
- **“Mayor and Council”** shall mean the governing body of the Borough of Highlands.
- **“Special Flood Hazard Area”** shall mean the areas of special flood hazard for the Borough of Highlands, Community No. 345297, which pursuant to Chapter 21 Zoning & Land Use Regulations Section 21-109 through 21-127 Floodplain Management Regulations of the Zoning Ordinance are identified and defined on the following documents prepared by the Federal Emergency Management Agency:
 - A scientific and engineering report “Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)” dated June 15, 2022.
- **“Substantial Improvement”** shall mean any improvement where the costs of repairs or renovations is equal to fifty (50%) percent or more of the market value of the structure as determined by the Flood Plain Administrator.
- **“Townhouse”** shall mean a “One-family Attached Dwelling” as defined in the Zoning Ordinance (i.e. a one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls),
- **“Two-family dwelling”** shall mean “a building designed or used exclusively for occupancy by two (2) families,” as defined in the Zoning Ordinance.
- **“Multi-family dwelling”** shall mean any building or part thereof containing three or more dwelling units, as defined in the Zoning Ordinance.
- **“Zoning Map”** shall mean a document entitled “Zoning Map, Highlands Borough, New Jersey” dated 2018, as may be periodically amended.
- Except as otherwise provided herein, words not defined above or in this document that appear in this Redevelopment Plan shall be interpreted in accordance with the definitions in the Zoning Ordinance as set forth in Section 21-8: “Definitions.” If a term used in this Redevelopment Plan is not defined in the Zoning Ordinance, the definition in the Municipal Land Use Law (the “MLUL”), N.J.S.A. 40:55D-1 et seq., or the LRHL shall apply.

Throughout this Redevelopment Plan, a conscious distinction is made in the regulations between “shall” and “should.” “Shall” or “must” means that a developer is required to comply with the specific regulation, without any deviations. “Should” means that a developer is encouraged to comply but is not required to do so.

IV. GENERAL RECOMMENDATIONS

Chapters V through IX of this Redevelopment Plan provide specific regulations for land uses and other development regulations as are typically included in a redevelopment plan. This chapter provides additional recommendations for the Redevelopment Area based on input from survey respondents, developers, the Borough, and others.

A. Design

- **Implement building and site design to mitigate flooding impacts and improve stormwater management.** Given the Redevelopment Area’s location and history, ensuring that new development and renovations can withstand flood events will help attract investment and types of uses desired by the community.
- **Incorporate sustainability measures.** Green design provides benefits to business and property owners, as well as to the environment.
- **Make downtown more physically attractive and welcoming.** Survey respondents and community meeting attendees cited physical improvements as an important part of this Redevelopment Plan. Improvements to the streetscape and lighting, additional trees and other plantings, murals and burying utility wires were among the suggestions for upgrading the appearance of the Central Business District.
- **Preserve historic character and identity.** At the same time, as changes are made to the area there is still a strong desire to maintain and enhance Highlands’ identity as a waterfront, historic small town.
- **Provide Gateway treatments at important intersections.** Providing streetscape features such as paver crosswalks, signage, public art, and buildings with prominent design elements would reinforce the Central Business District’s identity as a distinct place.
- **Focus on key sites with the potential to spur additional redevelopment.** There are a number of properties within the Redevelopment Area that are adequate in size or possess other factors that make them appropriate for larger-scale development and have the ability to positively influence nearby areas.

B. Coordination

- **Improve connections to the Shrewsbury River, Sandy Hook Bay, the Twin Lights and other nearby attractions.** While the waterfront is located outside the Redevelopment Area, Highlands’ setting on the Shrewsbury River and Sandy Hook Bay at the northern tip of the Jersey Shore is essential to its character. Nearby beaches and the Twin Lights also bring large numbers of visitors to the area who represent a significant potential market for shops, services and eateries in the Central Business District.
- **Align redevelopment efforts in the Central Business District with other redevelopment and planning initiatives.** There are opportunities for synergy between projects in Highlands such as the Captain’s Cove and Shadow Lawn redevelopments, improved waterfront access, upgrades to utility infrastructure and potential “Transit Village” designation.

C. Uses

- **Continue to permit and support a range of commercial uses and attractions.** Highlands has a variety of existing businesses, but would benefit from additional complementary uses, including businesses not currently located in the Redevelopment Area, attractions, arts, culture and entertainment.
- **Provide housing for a diverse population.** New and renovated residential units should include a range of sizes, types and prices.

D. Circulation

- **Incorporate “Complete Streets” principles in street and site design.** Private and governmental actions implementing this Redevelopment Plan should consider the needs of pedestrians, bicyclists, public transit users, and motorists during design and throughout all stages of any new roadway or streetscape project, in order to make streets safer for all users.
- **Promote pedestrian activity and bicycle usage.** Taking the above recommendation one step further, building and site design should consider the existing prevalence of non-motorized transportation in the Redevelopment Area and environs and support walking and bicycling.
- **Utilize creative design techniques to provide adequate parking.** While parking is necessary to support most uses, addressing parking requirements onsite is not feasible or necessary for all uses. Allowing shared parking among uses, providing additional publicly available parking, and allowing payment in lieu of providing parking are some of the measures that should be considered.

V. FLOOD REQUIREMENTS

All flood requirements for the Central Business District Redevelopment Area shall adhere to the standards, definitions, and regulations set forth in Part VII (Flood Damage Prevention) Article XXIV (Floodplain Management Regulations) of Chapter 21 (Zoning and Land Use Regulations) of the Borough of Highland’s Code, as may be amended.

VI. LAND USE REGULATIONS

A. Introduction

This section provides regulations for future land uses within the Redevelopment Area. The designations are based on analysis of existing land uses, suitability for new uses and the availability of redevelopable land. The proposed land uses recognize existing conditions within the Redevelopment Area, while in some instances proposing changes in use to further the goals and objectives of this Redevelopment Plan.

It should be noted that uses on properties for which the zoning designation is changed may continue as legal non-conforming uses as a matter of law, regardless of any change in the zoning designation. It is only when the property owner seeks to expand the existing use or change the existing use to another use that the new zoning standards will apply.

B. Gateway Parcels

Special Gateway treatments are encouraged at certain intersections to reinforce the Central Business District’s identity as a distinct place and create a sense of entry to the Borough. The three “Gateways” include:

- Waterwitch Avenue at Huddy Park, between Bay Avenue and Shore Drive;
- Miller Street between Shore and Bay; and

- The eastern end of Bay Avenue near the Veteran’s Memorial Park.

These Gateway locations correspond to the intersections identified for special treatment in the 1995 Highlands CBD Design Manual. **Table 1** shows the designated Gateway parcels.

In order to create a sense of arrival at these locations, this Redevelopment Plan encourages architectural massing to create a focal point for new construction in the Gateway parcels. Such focal point elements should be located along Bay Avenue; or at the corner of Bay and Waterwitch Avenue or Bay and Miller Street; where a parcel does not adjoin Bay Avenue, the focal element should be along Waterwitch Avenue or Miller Street.

The eastern end of Bay Avenue near Veteran’s Memorial Park		
BLOCK	LOT	ADDRESS
41	2.01	57 BAY AVENUE
42	1	60 BAY AVENUE
Miller Street between Shore and Bay		
BLOCK	LOT	ADDRESS
53	1	MILLER ST
53	2	65 MILLER STREET
53	5	63 MILLER STREET
53	6	BAY AVE & MILLER ST
58	1	154 BAY AVENUE
58	3.01	50 MILLER STREET
59	8	66 MILLER STREET
59	9	165 BAY AVENUE
Waterwitch Avenue at Huddy Park, between Bay Avenue and Shore Drive		
BLOCK	LOT	ADDRESS
88	3	71 WATERWITCH AVENUE
88	4.01	67-69 WATERWITCH AVENUE
88	5	321 BAY AVENUE
89	13.01	65 WATERWITCH AVENUE
94	1	BAY & WATERWITCH AVE

TABLE 1: GATEWAY PARCELS

Massing Elements

Specifically, Gateway parcel buildings are encouraged to include massing elements that emphasize the Gateway at a corner or along a street corridor, for example: towers, cupolas, bay windows, corner entries, contrasting window or glazing patterns, and/or varied roof heights and shapes.

Active Uses and Deeper Front Setbacks Encouraged

In addition, retail or other non-residential uses are required at the ground level or on an elevated Lowest Floor of buildings in Gateway parcels, and buildings are encouraged to provide deeper front setbacks that are landscaped as plazas.

C. Permitted Principal Uses

- Retail sales and services
- Offices
- Banks and financial institutions
- Eating and drinking establishments
- Bakeries
- Food preparation services
- Food manufacturing given that a portion of the space is dedicated to the sale of the food products that are manufactured on-site.
- Cottage food preparation services and sales
- Microbreweries and distilleries
- Pool halls
- Houses of worship
- Theaters
- Childcare Centers
- Educational uses
- Art, artisan, woodworking, and jewelry making handicraft studios, workshops and galleries
- Health, fitness, dance, music, and martial arts studios
- Municipal uses
- Open space
- Mixed-use developments
- Existing single-family and two-family homes
- Existing multi-family residential
- Multi-family residential located in a mixed-use building where the first floor serves as a non-residential use.
- Wholesale sales and services
- Hotels
- Bed & Breakfasts
- Body Piercing, tattoo, and skin art studios
- Surface parking lots

Permitted Accessory Uses

- Parking in rear, side, and front yard or under building
- Signage
- Any other uses and structures customarily subordinate and incidental to permitted principal uses.

D. Supplemental Use Standards

- Permitted uses below the BFE:
 - Commercial or mixed-used buildings, and non-residential uses, such as office or retail.

- All newly constructed commercial or mixed-use buildings and non-residential uses having a lower level below the Design Flood Elevation must be designed to have those areas dry flood proofed in accordance with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code. Areas used as storage, access, or as parking are permitted to be wet floodproofed.
- All existing commercial or mixed-use buildings and non-residential uses undergoing improvements that result in the property being designated as undergoing a Substantial Improvement, must be designed to have those areas dry flood proofed in accordance with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code. Areas used as storage, access, or as parking are permitted to be wet floodproofed.
- Ground level areas below the structure are permitted to be used for outdoor seating, parks, and dining areas, provided the area has permeable surface composed of materials including but not limited to flood mitigating permeable pavers, sand, rain gardens. These areas can be used to create a placemaking promenade as part of the streetscape.
- Existing residential buildings may remain in place. However, existing residential buildings undergoing improvements that result in the property being designated as undergoing a Substantial Improvement, must comply with FEMA standards, Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code.
- Hotels
 - The minimum floor area per unit shall be two hundred fifty (250 square feet).
 - The parking shall adhere to the standards and requirements of **Chapter VIII, Parking and Circulation.**
 - All solid waste containers for storage and pickup shall be centrally located and easily accessible and within a screened enclosure on the street level.
 - All hotel uses shall be provided with adequate fire safety and evacuation provisions and sprinkler systems. Regardless of the number of rooms, such facilities shall be approved by the Municipal Fire Subcode Official and shall incorporate all applicable requirements of the National Fire Protection Association Code and the NJ Uniform Construction Code.
 - Each unit of accommodation shall contain a minimum of a bedroom, and a separate bathroom which affords privacy to a person within the room and is equipped with a toilet, a wash basin and bathtub/shower. Kitchen facilities are prohibited.
 - The first floor area of a hotel, or the first level over on-site parking, may be used for offices, permitted nonresidential uses, coffee shop or restaurant. The first floor area of the hotel structure does not have to be associated or related to the hotel use.
 - The buffer zone between the rear setback of a hotel and adjacent residential uses or districts shall comply with the requirements of the Zoning and Land Use Regulations of the Highlands Ordinance but shall not be less than (10) feet in width.

- The structure shall not be a “rooming house” or “boarding house” as defined by current New Jersey statute.
- Once established, a hotel use shall not be converted to a multifamily residential use such as apartments, townhouses, or condominium living arrangements.
- **Bed & Breakfasts**
 - The parking shall adhere to the standards and requirements of **Chapter VIII, Parking and Circulation.**
 - Landscaped screening or fencing shall be required for any outside areas for guest use in the side or rear yard to provide a buffer to adjacent residential uses.
 - Signage shall be limited to one (1) freestanding sign not to exceed four (4) square feet and one (1) house mounted name sign not to exceed one and one-half (1 ½) square feet.
- **Body piercing, tattoo, and skin art studios**
 - Tattoo samples shall not be displayed in such a manner as to be visible to the general public outside of the studio.
 - Window displays shall not contain sample artwork or posters that have not been professionally mounted or framed.
 - All establishments must comply with all health requirements of the Borough of Highlands and the Health Department of the State of New Jersey.

VII. BULK REGULATIONS

A. Lot Size

Min. Lot Area: 2,500 Square Feet

Min. Lot Width: 25 Feet

B. Setbacks

Front Setback

For all properties in the CBD zone, a minimum two (2) foot front setback is required. This will help to increase the effective sidewalk width. The required two-foot setback area must be paved with concrete in a similar pattern and material as the public sidewalk.

Where a property is a through lot that adjoins Bay Avenue on one side and another public street on the opposite frontage, Bay Avenue shall be defined as the front street.

Rear Setback

The minimum rear setback is five (5) feet.

Side Setback

No side yard setback is required where a property borders another property that is also located in the CBD Zone, however, if any side yard is to be provided, it shall be at least five (5) feet wide.

Where the side lot line of a property in the CBD Zone directly adjoins a property in a residence zone (that is, not where an intervening public street creates a separation), a minimum side yard of five (5) feet is required, and shall include a buffer as described in existing zoning, Section 21-65.3 Buffers.

C. Coverage

Lot Coverage

Maximum lot coverage is 90 percent.

Building Coverage

Maximum building coverage is 90 percent.

D. Floor Area Ratio

Floor area ratio (FAR): No minimum or maximum FAR is required.

E. Building Height

Definitions

Building height and the related concept of grade plane are defined as follows:

Building Height: The vertical distance as measured from the grade plane to the average height of the highest roof surface. In the case of sloped roofs, the average height is the mid-point between the lowest roof eave of the top floor and the roof ridge. In the case of a building that has multiple roof levels, the highest roof levels must be used to determine the building height. Chimney, elevator equipment and mechanical utility equipment and any associated screening or enclosures may exceed the permitted “building height” by up to ten (10) feet, or up to ten (10%) percent above the permitted building height, whichever is less.

Grade Plane: All properties in the Central Business District Redevelopment Area are in the Special Flood Hazard Area. The reference plane shall be the more restrictive of the base flood elevation or advisory base flood elevation, which is known as the Design Flood Elevation, of the flood hazard area plus one (1) foot.

Note that the existing building height definition provides an incentive for pitched roofs because it measures height to the midpoint of a sloping roof, but to the deck level of a flat roof.

In addition to the zoning definition above, this Redevelopment Plan adds a clarification for the CBD: rooftop parapets are permitted to exceed maximum building height by up to four (4) feet.

Height Variations based on Site Grade

The zoning requires that height for all parcels within the Flood Hazard Area – which includes nearly the entire CBD – be measured with respect to the Base Flood Elevation plus one foot (“BFE+1”), which is 12 feet for this area. Because the finished grade of most parcels within the CBD is between 4 and 9 feet elevation, all such parcels will have some “free” building height below the BFE+1 of 12 feet. But the parcels on the lowest-elevation ground will have the most effective available buildable height because there is more height available below the 12-foot BFE that can be used for parking.

HEIGHT EXAMPLES

152 BAY AVENUE, HIGHLANDS

2 stories, retail and apartments.

ESTIMATED TOTAL HEIGHT:
±28' to 32' high from grade to
ridgeline / peak of roof.

ESTIMATED ZONING HEIGHT:
±17' to 21' from BFE+1 (based on an
illustrative grade of 5 feet elevation,
meaning BFE+1 is 7 feet above grade)
to the midpoint of the gabled roof.



170 BAY AVENUE, HIGHLANDS

2.5 story single-family over storage level.

ESTIMATED TOTAL HEIGHT:
±32' to 36' high from grade to
ridgeline / peak of roof.

ESTIMATED ZONING HEIGHT:
±21' to 24.5' from BFE+1 (based on
illustrative grade of 5 feet elevation,
meaning BFE+1 is 7 feet above grade)
to the midpoint of the gabled roof.

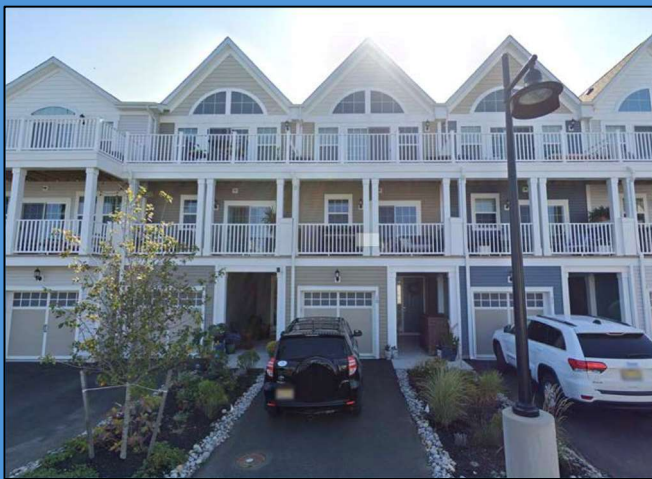


**7 HALFMOON COURT,
HIGHLANDS (outside CBD)**

2-story townhouses over parking level.

ESTIMATED TOTAL HEIGHT:
±32' to 35' from grade to ridgeline /
peak of roof.

ESTIMATED ZONING HEIGHT:
±22.5' to 25.5' from BFE+1 (based on
an illustrative grade of 5 feet
elevation, meaning BFE+1 is 7 feet
above grade) to the midpoint of the
gabled roof.



Maximum Height Allowance

A building height of 4 stories / 45 feet is permitted, conditioned upon the 4th floor having a step-back of a minimum of 8 feet and/or where parking is located on the ground floor.

The step-backs are measured relative to the primary facade plane of the floor below, and shall be designed as balconies, porches, or terraces for adjoining living spaces. A roof is permitted over step-back areas, but any such roof shall be designed and massed as secondary to the main roof mass of the building.

Active Uses

Active uses at the ground floor, and to a lesser degree, on an elevated floor, create more pedestrian foot traffic, vibrancy, and visual interest at the sidewalk. Active uses that are permitted include, but are not limited to:

- Restaurants, cafes, retail shops, boutiques, and kiosks, grocery stores, banks, certain types of walk-in service retail, such as hair salons and realtors, and art-related uses such as galleries, studios, and workspaces.
- Shared support spaces for upper floor residential units, such as lobbies and amenity areas such as resident lounges, mail rooms, game rooms, and work-out rooms.

F. Ground Floor Height

- Nonresidential uses: The minimum floor to ceiling (clearance) height for nonresidential uses located on the ground floor shall be 13-feet.

G. Required Open Spaces

Private Open Space

For any building containing residential uses, outdoor living space is required at the rate of fifty (50) square feet per unit; however, no additional open space is required based on the number of bedrooms. Each unit's minimum 50 square feet of outdoor space shall be private to and connected directly to the unit, either adjoining a floor of the unit or connected by a private staircase to the roof or the ground.

This private open space may be provided through any combination of outdoor, open-air spaces at ground level, directly adjacent to the unit and elevated in the form of balconies, decks, porches, and/or in the form of roof top terraces.

The areas provided shall be for the exclusive use of the adjoining residential unit and shall be sufficiently screened or otherwise designed to insure such privacy and exclusive use.



A modern style of covered porch

Front setback open spaces may not be counted as Private Open Spaces, as such spaces are intended to be public or shared communal spaces.

Open spaces must be exterior, out of doors, and open air. Indoor spaces such as resident lounges and gyms do not count as private open space.

Publicly Accessible Open Space

Buildings with retail or commercial space are encouraged to provide a plaza or pocket park with room for outdoor dining, café seating, merchandise sales, and/or informal public seating within front setbacks or any street-facing setbacks. Benches, landscape planters, and small ornamental trees and bushes are encouraged in these front areas as well.



Private open space on a roof deck

VIII. PARKING AND CIRCULATION

A. Vehicular Parking

Maximum Parking Ratios for Residential

- Single-family detached, two-family duplex, and townhouses: follow NJ Residential Site Improvement Standards (RSIS) for single-family, namely 1.5 spaces for a two-bedroom, 2.0 spaces for three-bedroom, and 2.5 spaces for four-bedroom, and 3.0 spaces for five or more bedrooms.
- Multi-family buildings with three (3) or more units: follow RSIS for Midrise Apartments, namely 1.8 spaces for one-bedroom units, 2.0 for two-bedroom units, and 2.1 for three-bedroom units.
- Residential uses are permitted to count first any available on-street parking spaces before determining the number of parking spaces that must be provided off-street.
- If the parking standards within this section differ from the most current NJ Residential Site Improvement Standards (RSIS), the RSIS standards shall prevail.

Minimum Parking Ratios for Non-Residential

- Each hotel shall provide parking at a ratio of one (1) space per unit of accommodation. The parking may be provided on site or within one thousand (1,000 feet) of the hotel property.
 - The hotel use may provide some of the required parking on another parcel, which may or may not be contiguous to the hotel parcel. In addition, the applicant shall provide written assurances acceptable to the appropriate Board that the parking will remain available in the future. Such assurance shall be in the form of lease agreements or deed restrictions which will be reviewed by the attorney of the board of jurisdiction. The parking assurances may be linked to a municipal mercantile license.
- For Bed and Breakfasts, parking shall be provided at a rate of one (1) space for each guest room and two (2) spaces for the owner/operator. If parking is provided off site, the construction of the Bed & Breakfast will be based on the continued availability of that parking. Should the required number of off-site parking spaces be reduced or eliminated, the number

of guest rooms shall be reduced or the bed and breakfast discontinued in accordance with the available parking.

- The required parking shall be off-street and may be provided either on-site or at a designated off-site location solely for this use.
- Bars and restaurants shall provide 1 space per 4 seats or stools.
- For other non-residential uses: The first 1,000 square feet of non-residential space shall be exempted from parking requirements. After that, parking ratios shall be 1 space per 600 square feet of non-residential space. Where a building contains more than one non-residential space or storefront, the areas of each space shall be combined before deducting the 1,000 SF exemption, and the remaining space shall be used to determine required parking for all the non-residential areas as a whole. In other words, the 1,000 SF exemption may only be used once per building.
- Non-residential uses are now also permitted to first count any available and adjacent on-street parking spaces before determining the number of off-street parking spaces to be provided.
- If the required non-residential parking supply cannot be provided onsite, the developer is required to pay an annual fee to the Highlands Capital Improvement Fund based on the number of deficient spaces so that the Borough may provide the parking at one of its municipal lots.
- Where a shared parking approach for uses with different peak demand periods could result in a total overall lower parking requirement, the Borough may allow the construction of the lesser number of spaces, provided the site plan shows how the additional space will be provided if necessary.

PARKING ACCESS

Where possible on corner lots and through lots, structured parking and open parking areas under buildings should not be accessed from Bay Avenue, but rather should be accessed from the rear of the lot or from a side street. Such access allows for a more inviting and safer street frontage, without the interruption of driveways or parking areas located underneath buildings.

The permitted number and width of driveways and curb cuts from a public street are detailed in existing zoning, [Section 21-65.5, Driveways](#). In addition, in the CBD, continuous curb cuts (such as lead to a row of pull-in parking spaces) are prohibited.

Parking Design and Buffering

Surface Parking Lots

Nonresidential surface parking lots shall be screened through landscaping and /or fencing as approved by the Land Use Board.

Exposed Parking Level on Ground Floor of a Building

Where the ground-level of a building, regardless of the building use, includes parking spaces that are exposed along any street frontage, one or more of the following improvements shall be included to soften the view of the parked cars. Any portion of street-facing building frontage that remains open, with the exception of driveways and parking entries, shall be buffered with a low masonry wall of one to three feet in height, a decorative fence of three to four feet in height, and/or a landscaping planter bed. Plantings, if used, should include a variety of species and should include those that maintain shape and texture through the winter, such as evergreens and tall native grasses. Alternately, the entire parking facade (except for driveways and parking entries) may be covered with a wood or PVC lattice screen, set within or behind regularly-spaced piers or columns.



A low wall and a simple chain fencing delineate a parking lot

Solid Walls around Parking Level on Ground Floor of a Building

Where all or a portion of a ground floor's solid facade wall faces a public street, it is important to break down the scale of the facade and provide some transparency and connection to the street.

Accordingly, any portion of a ground floor's solid facade wall that faces a public street shall include the following measures. Windows and/ or ventilation screens or grates should be provided at least every 20 feet.

High clerestory windows with translucent or opaque glazing are suggested for maximizing privacy while creating a sense of visual permeability in the parking facade. Alternately, metal grilles or screens may be used in windows to allow inflow and outflow of floodwaters. Large expanses of walls should be broken down in scale, for example with a thicker masonry base, accent trim, and/or contrasting textures or brickwork.

B. Bicycle Parking

For buildings containing more than three (3) residential units, indoor bicycle parking racks shall be provided within a secure, access-controlled room inside each building or within a separate area within the parking area, at a minimum ratio of one indoor bicycle parking space for every 4 residential units. At least 15 square feet of area shall be provided for each bicycle space to account for maneuvering room around handlebars and pedals; double-height racks to stack bicycles are permitted



Attractive outdoor bicycle parking racks

in order to meet this requirement. Bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

Outdoor bicycle racks shall also be provided near the primary pedestrian entry, as follows. A minimum ratio of one (1) outdoor bicycle parking space shall be provided for every eight (8) residential units, as well as one (1) outdoor bicycle space for every 2,000 square feet of retail or commercial space. Bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

IX. DESIGN STANDARDS

A. Building Design

BUILDING ORIENTATION AND ACCESS

For parcels with frontage along Bay Avenue, the front facade shall face Bay Avenue. For parcels not adjoining Bay Avenue, but located along Shore Drive, the front facade shall face Shore Drive. For parcels not located along either of these streets, the orientation of the front facade is flexible.

The primary entry door to ground-floor retail or commercial uses shall be located within the front facade.

In mixed-use buildings, residential entry doors may be located on a side facade as long as the entry door to the other active use is located in the front facade.

FACADE TRANSPARENCY

All glazed windows and doors below the Base Flood Elevation must comply with FEMA Technical Bulletin 2 (TB2), Highlands Borough Floodplain Management Regulations (Land Use Chapter 21), and the Uniform Construction Code.

Retail / Commercial Uses

At least 50 percent of the front facade area of retail and commercial spaces (whether ground floor or elevated) shall have large storefront-style plate glass windows and fully glazed doors, in order to maximize visibility into the space. At a side street, the side frontage (whether ground floor or elevated) shall include windows comprising at least 50 percent of that floor's facade area for at least the front ten (10) feet of the space.

Decorative Roll-up or fold-away windows or walls are encouraged for front facades of restaurants, cafés, and other retail businesses in order to allow the interior space to be more open and well-ventilated during good weather. Seating for outdoor dining is encouraged as well.

Residential Uses in mixed use buildings

The primary entry door for residential uses shall include a glazed area, such as a row of glass lites or a large panel of glass. To further accentuate the door, side lite windows and wall-mounted sconce lighting are encouraged.

Residential uses on upper floors shall include windows comprising at least 25 percent of the facade area along all street-facing facades.

MASSING AND ARTICULATION

Vertical Bays

The following applies to all new buildings exceeding 40 feet in length or width. Such buildings shall be broken down along all street-facing facades into a series of vertical bays each not to exceed 30 feet in width. Each bay shall be defined by a physical change in plane of at least one (1) foot relative to adjacent bays, such as is provided by a recessed or projecting bay, stacked balconies or porches, or stacked projecting bay windows. Differentiation based only on facade colors or materials is insufficient to define a bay.

Roof Form

Sloping roofs with deep eaves or overhangs are the preferred roof forms and are incentivized by the definition of where building height is measured. Cross-gables and dormers are encouraged on sloping roofs. Any areas of flat roof should receive horizontal emphasis such as deep overhangs, parapets, and/or cornices. On larger buildings, the roofline shape should vary in relation to the massing of vertical bays below.

Articulation

Building facades shall be articulated and enlivened with elements such as bay windows, balconies, piers, corner boards, overhangs, awnings or canopies, porches, windows and varied materials and textures, so as to avoid large uninterrupted areas of blank walls. Shutters, if used, shall be large enough to actually cover the window they frame, even if they will remain fixed in place.

On buildings with ground-floor retail or commercial uses, architectural accents shall be used to highlight the ground floor, such as: a cornice band above the storefront floor, flat sheltering canopies over entryways and large expanses of windows, wall-mounted sconce or gooseneck lighting, decorative tilework, and attractive signage.

Green Building Design

On southern exposures, buildings shall include projecting overhangs, flat canopies, brise-soleils / sunshades and the like to shield against solar gain, provide shade, and increase building energy efficiency.

Roof coverings painted in highly-reflective, light colors are encouraged. Green roofs are encouraged as a means to help detain precipitation and provide insulation to floors below.

ARCHITECTURAL STYLE AND MATERIALS

Building Styles

A broad design palette is permitted, provided that buildings have high quality design. Buildings are encouraged to make reference to prevailing historic styles and vernacular materials of the Jersey Shore, such as (but not limited to) shingle cottages, “gingerbread” trim, generous front porches (often on all levels of a building), and gambrel or hipped roof forms with dormers. However, references to historical motifs should be used in moderation and only where they form a cohesive design.

Façade Materials

Preferred façade materials include fiber cement and wood siding in horizontal clapboards or shingles, board and batten siding, brick, cultivated stone, or other masonry compliant with FEMA Technical Bulletin 2 (TB2). Stucco and EIFS are prohibited in the floodplain. Materials used below BFE+1 must meet FEMA flood damage-resistant material requirements. Materials, detailing, and articulation should be consistent along all building facades.

Application of Materials

No more than three different materials should be used as primary materials within each building bay. Within the chosen primary materials, variation in color, texture, and/or pattern may be employed to create further distinctions. Changes in materials, colors, texture, or pattern that occur across a horizontal line should be marked by a change in plane, dimensional band or belt cornice, a recessed channel, or similar horizontal feature. Materials should be extended around corners and extensions to a logical vertical break in plane, in order to avoid a “pasted on” appearance. The level of materials, detailing, and articulation should be consistent along all building facades, not just street-facing facades.

B. Public Improvements

This section discusses possible improvements that the Borough of Highlands could make on its public rights-of-way to help improve the pedestrian environment.

Gateway Treatments

Within the public right-of-way, special Gateway treatments at important intersections could help to reinforce the Central Business District’s identity as a distinct place and create a sense of entry to the Borough. Refer to the [Gateway Parcels](#) section of this plan for a description of the three designated Gateway areas. It is recommended that the Borough improve the public streetscape in these areas with such features as unit-paver pedestrian crosswalks at all sides of major intersections, bulb-outs at the ends of parking lanes to shorten pedestrian crossing distances, “Welcome to downtown Highlands” signage, public art, rain gardens, and landscaped sidewalk plantings and accent street trees.

Street Landscaping and Open Spaces

Downtown Highlands has few street trees. In part this is due to the very narrow sidewalk widths and the need to provide adequate clear walking paths for pedestrians. Street trees need generous planting volume to grow and thrive. In addition, periodic saltwater flooding may make for an inhospitable tree environment. Some towns with narrow sidewalks plant street trees in curbed planting areas within the parking lane between designated parking spots. Similarly, Highlands could plant street trees in the parking lane between driveway entry curb cuts. It should be noted, however, that trees in the parking lane make it more difficult to street-sweep and plow snow.

The landscaping in these front setback areas should include large street trees or smaller ornamental trees, either of which would contribute greatly to the appeal of Bay Avenue for pedestrians. In addition, the front setbacks will create an effectively wider sidewalk width, making the walking environment more spacious and comfortable.

X. REDEVELOPMENT ACTIONS

This Redevelopment Plan provides for several actions in support of the overall Redevelopment Plan goals and objectives, as follows:

A. Appointment of Designated Redeveloper

In order to redevelop a property within the Redevelopment Area, an individual or entity shall first be designated as a Redeveloper of the property by the Council of the Borough of Highlands (the “Governing Body”) in accordance with the LRHL. Designation of a Redeveloper by the Governing Body shall be subject to the execution of a Redevelopment Agreement as negotiated between the Redeveloper and the Borough setting forth the scope of the project, terms, obligations and conditions of the project/parties. Properties within the Redevelopment Area which are developed with one- and two-family houses do not require the property owner/developer to be designated as a Redeveloper by the Governing Body, but such properties are subject to the requirements of this Redevelopment Plan.

Potential redevelopers will be required to submit to the Borough for review and approval prior to the designation as a redeveloper at a minimum:

- Financial responsibility and capability;
- Estimated development cost;
- Estimated time schedule;
- Conceptual site plans including visual plans and elevations at a minimum;
 - Building elevations should indicate the proposed building/flood resistant materials to be constructed at all of the building’s facades.
 - The concept plan should include a site specific massing diagram which includes the mix of uses proposed for the project along with the size of the proposed program components.
- Fiscal impact analysis.

The Borough may, at any time, entertain an unsolicited proposal from a prospective redeveloper or property owner for redevelopment of a redevelopment project. The Borough may also issue an RFQ/RFP to solicit interest in a project. After review and evaluation of all proposals by the Borough, the Governing Body may select a redeveloper and proceed to negotiate a Redevelopment Agreement. The Governing Body may also reject all proposals.

B. Review Process

The review process for all redevelopment projects shall consist of the following steps:

Review of Proposed Development Plan: An application for redevelopment shall first be reviewed by the Borough staff and submitted to the Borough Planner for a consistency determination which shall include, but not be limited to, a review of the project to determine the general compliance with the

proposed development and uses of the parcel and related standards in the Redevelopment Plan, the aesthetics of the project and the project's coordination with other existing projects and with proposed development and uses.

After a favorable consistency review, a redevelopment agreement with the prospective redeveloper shall be negotiated. The Governing Body may then adopt a resolution designating the redeveloper as the "Redeveloper" for a specific portion of the Redevelopment Area and authorizing the execution of the redevelopment agreement. No application may proceed to the Land Use Board for preliminary/final site plan approval prior to the designation of a redeveloper and the execution of a Redevelopment Agreement.

C. Properties to Be Acquired

The Redevelopment Area is designated as a "non-condemnation Redevelopment Area"; no properties are currently identified for acquisition by eminent domain for redevelopment purposes.

D. Relocation

Any redeveloper will be required to provide for the temporary and permanent relocation, as necessary, of residents in the project area in accordance with applicable statutes and regulations.

The Redevelopment Area and surrounding areas include a substantial amount of decent, safe and sanitary dwelling units affordable to displaced residents.

F. Duration of Plan

The provisions of this Plan specifying redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this plan by the Borough Council.

F. Other Actions

In addition to the actions described above, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to:

- Demolition of existing structures as necessary to allow for new flood compliant construction and elimination of existing FEMA National Violation Properties that are not eligible for Community Rating System discounts.
- The option to consolidate and/or resubdivide lots to the extent necessary.
- Provisions for utilities and other infrastructure necessary to service and support new development.
- Environmental remediation as necessary to effectuate the Redevelopment Plan.
- Creation and/or vacation of easements as may be necessary for redevelopment.
- Any and all other actions and powers authorized by State law, including, but not limited to, the LRHL.

XI. GENERAL ADMINISTRATIVE REQUIREMENTS

A. Site Plan and Subdivision Review

For any development plan requiring site plan or subdivision approval, prior to commencement of construction, a site plan and/or subdivision for construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the MLUL, shall be submitted by the applicant for review and approval by the Highlands Land Use Board, unless such approval has previously been granted. One- and two-family homes are specifically exempt from site plan review. Subdivision approval shall also be required for any lot consolidations or mergers.

B. Easements

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Engineer of the Borough of Highlands.

C. Adverse Influences

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

D. Non-Discrimination Provisions

No covenant, agreement, lease, conveyance, or other instrument shall be affected or executed by the Borough of Highlands Mayor and Council or by a developer or any of his or her successors or assignees, whereby land within the Redevelopment Area is restricted upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability, or sexual orientation in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color, ancestry, sex, national origin, family status, disability, or sexual orientation.

E. Affordable Housing Provisions

This paragraph addresses the requirements of the LRHL at N.J.S.A. 40A:12A-7 pertaining to existing affordable dwelling units. The Redevelopment Area includes 155 tax lots, of which approximately 100 are developed with buildings that include one or more residential units, either as a freestanding residential use or within a mixed-use structure. There are no known dwelling units in the Redevelopment Area subject to formal affordability controls. Any residents displaced by redevelopment of a building containing a dwelling unit will be provided statutory relocation services.

The mandatory set-aside requirements in Section 26-2 of the Borough of Highlands Affordable Housing Ordinance apply to any multifamily residential development of five (5) dwelling units or more, including the residential portion of a mixed-use project. Any affordable housing obligation shall be addressed in the Redevelopment Agreement.

F. Deviation Requests

The Highlands Land Use Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Highlands Land Use Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

Deviation requests are not permitted on any FEMA regulation, NFIP standard, Highlands Borough Floodplain Management Regulation (Land Use Chapter 21), or Uniform Construction Code regulations.

Notwithstanding the above, any changes which would result in a “d” variance shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough governing body and only upon a finding that such deviation would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

G. Escrows

Any redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Borough of Highlands to review the proposed redevelopment project and advise the Borough on any and all aspects of the redevelopment process.

H. Electric Vehicle Charging Infrastructure

Pursuant to the LRHL at N.J.S.A. 40A:12A-7, the Redevelopment Plan mandates the provision of public electric vehicle charging infrastructure in a manner that appropriately connects with an essential public charging network. There are multiple existing municipal parking lots in the Redevelopment Area, of which one or more may be considered for siting of the charging network. In addition, pursuant to P.L. 2021, c.171, which was signed into law on July 9, 2021, electric vehicle supply/service equipment and parking spaces pre-wired for electric vehicle supply/service are now permitted accessory uses in all zoning or use districts Statewide, and certain nonresidential and multifamily residential developments are subject to installation of electric vehicle charging infrastructure.

XII. PLAN CONSISTENCY REVIEW

A. Relationship to Master Plans of Adjacent Municipalities

The Borough of Highlands shares municipal boundaries with the Borough of Atlantic Highlands, the Township of Middletown and the Borough of Sea Bright. However, the Redevelopment Area is located in the interior of Highlands and is not proximate to any of the adjacent municipalities. This Redevelopment Plan will not impact any of the adjacent municipalities or their master plans.

B. Relationship to the Monmouth County Master Plan

Monmouth County's current Master Plan was adopted in 2016. The Monmouth County Master Plan designates Highlands as a "Priority Growth - Reinvestment Area/Site Overlay (PG-RAS)." These are defined as "(a)reas or sites located within the PGIA where more intense or significant development, redevelopment, revitalization, and hazard mitigation investments are highly encouraged."

The Redevelopment Plan is also consistent with the goals of the Monmouth County Master Plan, notably the following: "Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay."

In addition, Monmouth County conducted a Master Plan Reexamination in 2018. The 2018 Reexamination reaffirms the goals, principles, objectives, and policy recommendations of the 2016 Master Plan.

C. Relationship to the State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (the "SDRP") was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and readopted every three years, the SDRP has only been re-adopted once during the 29 years since its original adoption. It is anticipated that a revised draft SDRP will be released to the public and subject to the cross-acceptance process in April, 2024.

This Redevelopment Plan is consistent with the SDRP, as it epitomizes the smart growth principles set forth. In particular, the Redevelopment Plan promotes the preservation and reuse of developed property, and development of vacant properties, in an area well served by infrastructure, roads and transit, while also promoting upgrades to mitigate impacts from flooding. This Redevelopment Plan therefore furthers the goals, strategies and policies of the SDRP.

XIII. PROCEDURE FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. Applicable fees and escrows shall be payable to the Borough of Highlands for any request to amend this Plan.

APPENDIX A: REDEVELOPMENT AREA TAX PARCELS

BLOCK	LOT	ADDRESS
40.01	21.01	40 WEST NORTH STREET
40.01	21.02	42 WEST NORTH STREET
40.01	22.01	38 WEST NORTH STREET
41	2.01	57 BAY AVENUE
41	3	59 BAY AVENUE
41	4	61 BAY AVENUE
41	5	65-67 BAY AVENUE
41	6	69-71 BAY AVENUE
41	7	30 SECOND STREET
41	8	75 BAY AVENUE
41	9	BAY AVENUE
41	10	85-87 BAY AVENUE
41	13.01	95-99 BAY AVENUE
42	1	60 BAY AVENUE
42	10	88 BAY AVENUE
42	12.01	84 BAY AVENUE
42	13	78 BAY AVENUE
42	14	74 BAY AVENUE
42	15	68 BAY AVENUE
45	4.01	102 BAY AVENUE
45	6.01	98 BAY AVENUE
45	7	92 BAY AVENUE – KAY STREET
46	1	103-107 BAY AVENUE
46	2	111 BAY AVENUE
46	3	123 BAY AVENUE
46	4	125 BAY AVENUE
46	5	139 BAY AVENUE
46	6	141 BAY AVENUE
46	7	143 BAY AVENUE
46	8	BAY AVE & WEST NO ST
47	6	132 BAY AVENUE
47	7	130 BAY AVENUE
47	8	128 BAY AVENUE
47	9	126 BAY AVENUE
47	10	124 BAY AVENUE
47	11	122 BAY AVENUE
47	12	120 BAY AVENUE
52	1	CORNWALL ST & BAY
52	2	140 BAY AVENUE
53	1	MILLER ST
53	2	65 MILLER STREET
53	3	9 WEST NORTH STREET

BLOCK	LOT	ADDRESS
53	4	7 NORTH STREET
53	5	63 MILLER STREET
53	6	BAY AVE & MILLER ST
53	7	BAY AVENUE
53	8	157 BAY AVENUE
53	9	151 BAY AVENUE
54	1	150 BAY AVENUE
54	3.01	146-148 BAY AVE
54	4	144 BAY AVENUE
54	5	38 NORTH STREET
54	7.01	49 MILLER STREET
58	1	154 BAY AVENUE
58	3.01	50 MILLER STREET
58	17.01	192 BAY AVENUE
58	18	190 BAY AVENUE
58	19 (& 20)	188 BAY AVENUE
58	23.01	182 BAY AVENUE
58	24	170 BAY AVENUE
58	25	168 BAY AVENUE
58	26	164 BAY AVENUE
59	5	SECOND ST
59	6	SECOND TO MILLER
59	8	66 MILLER STREET
59	9	165 BAY AVENUE
59	10	171 BAY AVENUE
59	11.01	181 BAY AVENUE
59	11.02	179 BAY AVENUE
59	13.01	187 BAY AVENUE
59	14	191 BAY AVENUE
59	16.01	193-195 BAY AVENUE
63	4	VALLEY STREET
63	5	197 BAY AVENUE
63	6	203 BAY AVENUE
63	7	205 BAY AVENUE
63	9.01	207 BAY AVENUE
63	10	211 BAY AVENUE
63	11	213 BAY AVENUE
63	13.01	215 BAY AVENUE
63	14	219-221 BAY AVENUE
63	15	219-221 BAY AVENUE
63	16	225 BAY AVENUE
63	17	227 BAY AVENUE

BLOCK	LOT	ADDRESS
63	19.01	231 BAY AVENUE
64	1	196 BAY AVENUE
64	2	208 BAY AVENUE
64	17	230 BAY AVENUE
64	18	228 BAY AVENUE
64	19	226 BAY AVENUE
64	20	222 BAY AVENUE
64	21	218 BAY AVENUE
64	22	218 BAY AVENUE
64	23	216 BAY AVENUE
64	24	214 BAY AVENUE
64	25	210 BAY AVENUE
64	28.01	208 BAY AVENUE
69	1	234 BAY AVENUE
69	2	238 BAY AVENUE
69	4.01	242 BAY AVENUE
69	6.01	29 ATLANTIC STREET
70	1	233 BAY AVENUE
70	2	235 BAY AVENUE
70	3	237 BAY AVENUE
70	15	239 BAY AVENUE
70	16	241 BAY AVENUE
70	17	245 BAY AVENUE
71	4	247 BAY AVE – ATLANTIC ST
71	5	249 BAY AVENUE
71	6	251 BAY AVENUE
72	1	28 ATLANTIC STREET
72	2	BAY AVENUE
72	11.01	270 BAY AVENUE
72	12	272 BAY AVENUE
73	2	SEADRIFT AVENUE
74	1	273 BAY AVENUE
74	8.01	83 BARBARIE AVENUE
74	9	277 BAY AVENUE
75	1	274-276 BAY AVENUE
75	17	282 BAY AVENUE
75	18	284 BAY AVENUE
80	1	286 BAY AVENUE
80	2	288 BAY AVENUE
80	20	294 BAY AVENUE
80	21	292 BAY AVENUE

BLOCK	LOT	ADDRESS
80	22	290 BAY AVENUE
81	1	285 BAY AVENUE
81	10.01	295 BAY AVENUE
81	12	289 BAY AVENUE
82	1.01	297-299 BAY AVENUE
82	6.01	BAY & HUDDY AVE
83	1 (& 14)	300 BAY AVENUE
88	1.01	311 BAY AVENUE
88	2	71 WATERWITCH AVENUE
88	3	71 WATERWITCH AVENUE
88	4.01	67-69 WATERWITCH AVENUE
88	5	321 BAY AVENUE
89	1	310 BAY AVENUE
89	2	58-60 HUDDY AVENUE
89	13.01	65 WATERWITCH AVENUE
94	1	BAY & WATERWITCH AVE
94	15.02 & 15.03 (was 15)	69-71 SNUG HARBOR AVE
94	16	329 BAY AVENUE
95	1	WATERWITCH & BAY AVE
96	1	331 BAY AVENUE
96	2.01	171 BAY AVENUE
96.01	2.01	BAY AVENUE
96 (was 96.01)	3	409 BAY AVENUE
114	1.01	SHORE DRIVE
114	1.02	SHORE DRIVE
114	3.02	SHORE DRIVE