

LAND USE PLAN ELEMENT

Borough of Bound Brook
Somerset County, New Jersey



Prepared for the Borough of Bound Brook Planning Board in Accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.)

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1. INTRODUCTION

The New Jersey Municipal Land Use Law (MLUL), at N.J.S.A. 40:55D-28(b)2 contains the following statement relative to the land use plan element of a municipal Master Plan:

A land use plan element (a) taking into account and stating its relationship to the statement provided for in paragraph (1) hereof [ie, the 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] and other master plan elements provided for in paragraphs (3) through (14) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes and woodlands; (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, open space, educational, and other public and private purposes or combination of purposes [...] and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; [...] (d) including a statement of the standards of population density and development intensity recommended for the municipality [...].

Bound Brook adopted its first zoning code in 1921, prior to adoption of the 1928 zoning enabling legislation. The town's first *Master Plan* was adopted in 1932. The plan was prepared by Russell Van Nest Black, a well-regarded pioneer of city planning in New Jersey. The plan established six land use categories: two residential (one single-family and one multi-

family); two business (the Main Street / Talmage Avenue corridor and a neighborhood business district at the intersection of Vosseller and Union Avenues; a commercial district; and an industrial district south of the Main Street and the railroad tracks.

The Borough subsequently updated its *Master Plan* in 1954, with the assistance of Robert Catlin. There were 1,196 single-family housing units -- 68% of the housing stock. About 25% of the population lived in two-family units; 15% lived in apartment complexes; and 7% lived in mixed-use buildings with ground-floor commercial. There was still considerable vacant land -- 21% of the Borough's land area.

The land use plan was relatively simple, with seven designations: two single-family detached (A1 = 15,000 square foot lots, A2 = 6,000 square foot lots); a multifamily district; three commercial districts (C1 = Business - Retail / Services; C2 = Business - CBD; C3 = Business / Limited Industry); and an Industrial district. The population was projected to grow to 10,500, living in 3,500 dwelling units.

The plan was again updated in 1963; an update to the *Land Use Element of the Master Plan* was adopted in 1978, also prepared with the assistance of Robert Catlin. A *Re-examination Report* was adopted in May of 1983.

The most recent edition of the full *Master Plan* - addressing both the required Master Plan elements (goals and objectives, land use plan and housing plan) as well as optional elements (circulation plan, utility service plan, community facilities plan, recreation plan, conservation plan, economic development plan and historic preservation plan) was adopted in 1988.

In February of 1996, the Borough adopted the *Tea Street / Middle Brook Redevelopment Plan*, with an amendment to the Land Use Element of the Master Plan. This Redevelopment Plan was substantially amended in July of 2008. The ShopRite shopping center and the Queens Gate apartments were developed in accordance with this redevelopment plan.

Following the catastrophic flooding event caused by Hurricane Floyd in November of 1999, when flood waters reached a 42-foot elevation, the Borough designated extensive areas “in need of redevelopment” in the southern part of town. *Redevelopment Plans for Area 1 and 2* were adopted in 2000, substantially changing the planning framework in those areas. The plan for Area 2 was substantially amended in 2008, radically reducing the size of the area subject to the plan. The plan for Area 1 was partially amended in 2012, without changes to its boundaries; and more substantially amended in 2015. Additional, targeted, amendments have been adopted for both redevelopment areas since then.

Bound Brook’s downtown was subject to many flooding events over the years. The entire southern part of the Borough, including the Main Street area, lies within the Raritan River flood plain and its tributaries, the Middle Brook and the Bound Brook, that comprise the western and eastern boundaries of the Borough.

The Army Corps of Engineers addressed these flooding problems through the *Green Brook Flood Control Project*, designed to provide protection from a 150-year flood event. Flood control protection is now in place on either side of the downtown, with a system of levees, flood walls, flood gates, pumping stations and designated “over topping” areas. In July of 2016, most privately-owned properties in the Borough’s

low lying areas were removed from the floodplain and are no longer subject to flood proofing and flood insurance requirements.

The Borough was an active participant, for many years, in the State of New Jersey’s smart growth planning efforts, having received Center Designation (jointly with South Bound Brook) from the New Jersey State Planning Commission in 2000. These actions were intended to redirect State resources to the downtown area and, in turn attract private investment.

The Borough continues to be well positioned from a planning perspective with respect to current state and county strategic planning frameworks -- the Borough’s planning and regulatory documents are closely aligned with the intent and goals of the county and state documents.

In March of 2003 the Planning Board adopted a *Master Plan Re-examination Report* containing a new historic preservation framework, as well as extensive proposed amendments to the Borough’s Land Use regulations.

A Housing Plan Element and Fair Share Plan was also adopted at the same time.

Also In 2003, the Borough successfully petitioned the NJ Department of Transportation and NJ Transit to be recognized with Transit Village designation. The Transit Village program recognizes communities that have adopted planning and zoning frameworks that support and further encourage transit ridership. Designated Transit Village communities are intended to have priority access to state funding and technical assistance for projects within the designated Transit Village areas.

New Jersey’s *Transit Village* program loosely defines a passenger rail-oriented transit village as the area encompassed within the 1/2 mile area

around the train station. In the case of Bound Brook, this 1/2 mile radius encompasses the entire downtown area and the area north of the downtown, all the way up to the Union Avenue / NJ Route 28 corridor. It also encompasses the largely undeveloped area south of the tracks, all the way down to the Raritan River -- an area that is both flood prone and encumbered by both passenger and freight railroad right-of-ways.

As such, and relative to other Transit Villages, Bound Brook is at a disadvantage, in the sense that conventional transit-oriented land development can occur only in roughly half the transit facility's catchment area. That notwithstanding, Bound Brook's transit-oriented redevelopment framework addresses the entirety of the transit village catchment area, albeit with different redevelopment strategies: a conservation, recreation and historic preservation-oriented strategy for the physically constrained and flood prone areas along the river; and a more conventional residential and commercial-oriented redevelopment strategy for the flood protected areas on higher ground.

In August of 2007, the Planning Board adopted a *Re-examination Report and Master Plan Amendment of the Land Use Element* of the Borough's Master Plan. This 18-page report deals almost exclusively with flood protection and stormwater runoff issues in the low-lying areas of the Borough, along with design guidelines for the downtown area.

In February of 2012, the Planning Board adopted the *Downtown Urban Design Plan* as an element of the Master Plan. This plan provides a detailed development framework for the entire downtown area, extending to the riverfront.

In August of 2014, the Borough adopted extensive amendments to the Land Development

Regulations for the B-R district in an effort to facilitate implementation of certain elements of the downtown plan.

In 2015 the Planning Board adopted a *Riverfront Access Plan* as an element of the Borough's Master Plan. This plan element provides a blueprint for enhancing public access to the Raritan riverfront and for improving pedestrian and bicycle connections along the riverfront, as well as between the downtown and the riverfront.

Finally, in June of 2017, the Planning Board adopted an updated *Master Plan Reexamination Report*. Unlike most Reexamination Reports, which are very cursory documents, the 2017 report contains extensive background information and analysis of the changing conditions in the Borough. An urgent recommendation of the 2017 Reexamination Report is to update the Land Use Plan element of the Borough's Master Plan to reflect those changes. In order to do so, it was also necessary to update the Goals and Objectives statement of the Master Plan. A new Statement of Goals and Objectives was adopted by the Planning Board in May of 2018.

2. CURRENT LAND USE FRAMEWORK

2.1 Introduction

The land use plan provides a generalized distribution of desired land uses, and combinations of land uses, throughout a given jurisdiction. The land use plan may also address the desired distribution of various types of *structures* that, in addition to uses, may be regulated under the zoning.

The land use plan provides the substantive basis for the zoning framework, which is implemented legislatively.

Providing a substantive basis for the planned distribution of land uses and structures is a fundamental principle of community planning. The planned land use pattern should reflect existing, or planned, features such as public infrastructure -- passenger rail service, public water and sewer, high capacity roads and others. The planned land use pattern should also recognize natural features, such as floodplains, prime agricultural soils, areas of extreme slopes and high quality natural habitats, whether or not these areas are protected or restricted by regulations. Finally, the planned land use pattern should also recognize synergies between various land uses and activities -- for example, residential areas should be proximate to schools, to transportation, to goods and services, and to cultural and recreational opportunities.

Accordingly, it is very important that the land use plan element explicitly address the rationale behind the various land use designations. Unfortunately, this is often over-looked, leading in turn to the enactment of seemingly random, or hard to justify zoning districts, which undermines the integrity of the zoning scheme, erodes public

confidence in planning and encourages use variance requests.

There are considerable synergies and inter-dependencies between the land use plan element and other master plan elements, such as the circulation plan element, the housing plan element, the conservation plan element, and the recreation plan element, to name just a few. The land use plan element must reflect the fundamentals of these various plan elements, and seek to reconcile any potential differences or inconsistencies between them, thus presenting a coherent planning narrative defining the future of any given jurisdiction.

2.2 Overview of Existing Land Use Framework

The Borough contains a variety of land uses located in both predominantly single-use districts as well as predominantly multiple-use or mixed-use districts.

Commercial activities offering goods and services are largely clustered along two corridors -- the Main Street / Talmage Avenue corridor, and the Union Avenue corridor (NJ Route 28). Both are within short walking distance from the adjacent residential areas. In addition, the Main Street / Talmage Avenue corridor is also a residential corridor, and therefore constitutes a true mixed-use environment.

Main Street is a decidedly pedestrian-oriented corridor and judicious enforcement of the current land use regulations will keep it that way. Union Avenue was once a pedestrian-oriented corridor, and it could easily become so again, but the current single-use zoning, certain misguided redevelopment projects and context-insensitive

NJDOT design regulations have partially eroded this character, over time. This can be reversed.

There is a very limited amount of land in the Borough with frontage on Route 22. It has been zoned low density residential for many years and has never been developed.

Educational facilities and houses of worship are dispersed and located within neighborhoods; however neither are explicitly permitted under the zoning, which unnecessarily creates awkward situations. Other civic facilities, such as the post office, the library, Brook Theater and Borough Hall are clustered near the downtown.

Most neighborhoods host educational or recreational facilities. The exceptions are the Middle Brook, Piedmont and North End neighborhoods, which are almost exclusively residential.

Some single-family and two-family neighborhoods also host non-conforming uses, such as a medical office building, mortuaries and a few older multifamily apartment complexes. These non-conforming uses have been in place for decades and appear thoroughly integrated into the surrounding areas.

There are also a number of non-conforming uses -- primarily quasi-industrial and automotive related -- in the downtown and along the Talmage Avenue corridor.

The few remaining industrial or quasi-industrial activities are located along the railroads. They have no functional relationship with the railroad and could therefore easily be located elsewhere.

The Borough is missing some of the land use prototypes (eg office parks, retail centers) that dominated suburban commercial development in the second half of the 20th century. This is both a blessing, in that these prototypes are dated and

increasingly vulnerable to change, and a curse, as their absence translates into a weaker non-residential ratable base.

There are no office parks or larger Class A or Class B office properties. The Borough's inventory of professional office space is located in small mixed-use buildings in the downtown, in single purpose buildings on Union Avenue, or in converted larger and older single-family homes. The Brook Industrial Park also hosts some office uses.

There are only a few locations in the Borough where larger-scale office buildings might be appropriate. Given the weak office market in Central Jersey generally, and the absence of an established office market in the Borough, it is unlikely that new large-scale office proposals will be forthcoming. However, there might be a market for niche products -- such as shared offices -- that respond to millennial preferences and are not likely to find accommodation in the more established corporate, single tenant environments nearby. Were such proposals to materialize, the Borough's land use framework could accommodate them in select locations, in a walkable environment close to transit and basic services.

There are also no big box stores, retail malls or lifestyle centers. There is one shopping center, with a full service supermarket and a variety of in-line stores and services, located at the western end of Union Avenue. The scarcity of parcels capable of accommodating large footprints buildings suggests that new, single-level large-format retail facilities are not feasible.

This not to say, however, that there is no room for new retail. Some national chains have developed more compact stores for urban settings, and these could be accommodated in the Borough.

Multi-level retail -- still unusual outside of a few major urban markets -- is also a possibility, if permitted.

The possibility of attracting new, larger format retail will depend primarily on the Borough's demographics, and secondarily on adopting a land use regulatory framework that would contemplate such formats. And, similar to the office market, the Borough may be able to more easily attract niche retail users.

There are no large institutions in the Borough, such as hospitals or other medical facilities, colleges or universities. There is a private school (Green Brook Academy on Vosseller Avenue) for students with emotional and behavioral disabilities. There is one medical office building -- other medical practices in the Borough operate from converted older homes.

The Borough does not have a functioning hotel, motel, inn or any other representative of the hospitality industry, including bed & breakfast establishments. These types of land uses represent an area where the Borough could easily grow its ratable base.

Parks and open space are primarily located along the edges of the Borough, reflecting preserved lands along the two major stream corridors -- Middle Brook and Bound Brook. The Borough has an ample supply of open space, but a limited supply of active recreation facilities and few neighborhood parks with facilities for younger children. Efforts to create additional active recreation facilities, primarily soccer fields, are underway.

The following section discusses in greater detail the various land use designations in place prior to adoption of the new Land Use Plan element.

2.3 Residential Designations

The previous land use framework had five exclusively residential designations: R1, R2, R3, R4 and R6.

The **R1 designation** applies to 19 parcels covering roughly 42 acres situated immediately to the north of Route 22 -- the Northside neighborhood. The developed portion of the R1 designation exhibits conventional, suburban single-family standards. The minimum lot size is 40,000 square feet and the average lot is larger than that.

The R1 designation includes two heavily wooded, undeveloped lots with frontage on the westbound lane of Route 22. The R1 is not considered appropriate for these properties, and the *2017 Master Plan Reexamination Report* recommended incorporating them into a new, highway-oriented mixed-use designation. This recommendation has been carried out in this future land use plan element, with the creation of a Highway -- Mixed-Use (H-MU) land use designation.

The **R2 designation** applies to 386 parcels in the scenic Piedmont neighborhood, an area with meandering streets developed in the earlier part of the 20th century according to picturesque design principles. The minimum lot size is 15,000 square feet. Single-family residential is the only permitted use.

The *2017 Master Plan Reexamination Report* identified a considerable number of non-conforming lots as to lot size and lot width, and recommended adjusting these standards to reduce the onus of non-conformity. This recommendation has been implemented.

We note that the 2007 Land Use Plan included an R-1.1 designation for the Encampment Drive, Ross Lane and Farm Lane portion of this neighborhood. This designation has never been

implemented as a separate zoning district and has not been adopted as part of this new land use plan element.

The **R3 designation** applies to 843 parcels in the Central, Thompson Avenue and Codrington neighborhoods. Single-family residential is the only permitted use. The minimum lot size is 6,000 square feet.

The *2017 Master Plan Reexamination Report* identified a significant number of non-conforming properties as to minimum lot frontage, and recommended reducing that standard from 60 to 50 feet. This recommendation has also been implemented.

The **R4 designation** applies to 963 parcels in the Codrington, High Street and West End neighborhoods. Single-family residential and two-family residential are the permitted uses, however the current bulk standards do not distinguish between the two building types. The minimum lot size is 5,000 square feet.

The *2017 Master Plan Reexamination Report* identified very high rates of non-conformity as to both minimum lot size and minimum lot width, and recommended adding bulk standards specifically for two-family dwellings. This has also been carried out.

We note that the 2007 Land Use Plan included an R-4.1 designation for the Crescent Drive and Thomas Place neighborhood. This designation was never implemented as a separate zoning district and has not been adopted as part of this new land use plan element.

Finally, the **R-6 designation** applies to 54 parcels in the Old Town neighborhood. The permitted uses are single-family, two-family, three-family, four-family and apartment buildings. The minimum lot size is 5,000 square feet.

The *2017 Master Plan Reexamination Report* recommended modifying this designation, by reassigning the section fronting on East Street to a modified R-4, and modifying the R-6 standards to allow only townhouses and apartment buildings. This recommendation is carried out in this new Land Use Plan element.

The changes recommended in the *2017 Master Plan Reexamination Report* -- with respect to modifications to the bulk standards of various residential districts, in order to mitigate, or eliminate, the high levels of needless non-conformities -- have all been implemented in the new Land Use Plan element.

2.4 Mixed-Use and Multiple-Use Designations

The previous land use framework had one multiple-use designation and three mixed-use designations. To distinguish, “mixed-use” applies to different uses within a single building, while “multiple uses” applies to different uses within a district, but not within the same building.

The **Regional Business/Senior Residential (RB/SR)** was the multiple-use designation.

The RB/SR designation applied to 3 parcels in the area west of Tea Street and north of Union Avenue, which is part of Redevelopment Area 3. Permitted land uses included hotels, motels, medical offices, warehouse and distribution, childcare, telecommunications, assisted care, nursing homes and age-restricted housing. Minimum lot size was 120,000 square feet.

The *2017 Master Plan Reexamination Report* recommended anticipating future change and developing a new vision for this area, with new place-appropriate design standards.

This area is now covered by two separate designations in the new Land Use Plan element

– a Residential 6 (R-6) designation for the area north of the intersection of Cedarcrest Drive and Tea Street; and a Mixed-Use 1 (MU-1) designation for the area south of said intersection.

The mixed-use designations were the **Office Business (O-B)**, **Business Residential (B-R)** and **Neighborhood Business Residential (NB-R)** designations.

The O-B designation applies to 203 parcels in the Union Avenue East and Old Town neighborhoods. Permitted land uses include various types of offices, as well as single-family residential. Minimal lot area is 11,250 square feet.

The *2017 Master Plan Reexamination Report* identified a significant number of non-conformities with respect to minimum lot size and lot frontage and recommended re-evaluating the bulk standards. The *Reexamination Report* also recommended reevaluating the residential requirements for this land use designation and adopting place-appropriate design standards.

The B-R designation applied to 149 parcels in the Historic Downtown neighborhood. There was no minimum lot size. It allowed a very wide range of residential and non-residential uses, although some uses were permitted in upper floors only. The area is also regulated under the Redevelopment Plans for Sub-Areas 1.1, 1.4, 2.1 and 2.2. The *2017 Master Plan Reexamination Report* recommended further reconciling the provisions of this land use designation with the provisions of the Redevelopment Plan. This area is now designated as Mixed-Use 5 (MU-5) in the new Land Use Plan element, but no substantive changes are recommended in this new Land Use Plan element other than those changes needed to better reconcile this designation with the provisions of the adopted Redevelopment Plan.

Finally, the NB-R designation applied to 113 parcels in the Talmage Avenue neighborhood. The minimum lot size was generally 5,000 square feet, but also varied with the use. A wide range of residential and non-residential uses were allowed, although some uses were permitted only on the ground floor and other uses were permitted on upper floors only. The area is also regulated under the Redevelopment Plans for Sub-Areas 2.3, 2.4, 2.5 and 2.6. The *2017 Master Plan Reexamination Report* recommended further reconciling the provisions of this land use designation with the provisions of the adopted Redevelopment Plan. The area is now designated as Mixed-Use 6 (MU-6) in the new Land Use Plan element.

2.5 Commercial Designations

The previous land use framework had two commercial land use designations: the **Business 1 (B-1)** and the **Regional Business 1 (RB-1)** designations.

The B-1 designation applied to 78 parcels and included much of the western half of Union Avenue. It permitted retail, office and restaurant uses. Residential uses were notably not permitted, although some exist directly on the corridor, and immediately behind the commercial uses are relatively dense residential neighborhoods. There was no minimum lot size. The area has an auto-oriented flavor, which can and should be reversed.

The *2017 Master Plan Reexamination Report* recommended undertaking a detailed planning and urban design analysis of the area, with a view towards evaluating its capacity for change, and developing a new vision for this corridor. The new vision should clarify the desired building scale, and whether multi-family residential uses should be contemplated, as part of mixed-use buildings.

Pursuant to these considerations, this area has now been designated as a Mixed-Use 2 (MU-2) designation in the new Land Use Plan element.

The RB-1 designation applied to a single parcel, which is currently occupied by the Bound Brook Apartments, an aging low-rise garden apartment complex. There was no minimum lot size.

Permitted uses included corporate offices, hotels, data processing and communications. Notably, residential uses were not permitted.

The *2017 Master Plan Reexamination Report* noted that this land use designation was at odds with how the property has been used for the last 50 years, and recommended reevaluating its designation, with a view towards either recognizing the existing, non-conforming use, or developing a new vision for the area. Similar to the B-1, this new vision should clarify the desired building scale, and whether multi-family residential uses should be contemplated, either on their own, or as part of mixed-use buildings. This has been carried out, and the new Land Use Plan element designates this area as a Mixed-Use 1 (MU-1) which also incorporates the adjacent (to the west) former Regional Business (RB-1) district.

2.6 Industrial Designation

The current land use framework has one industrial land use designation -- the **Industrial Park (IP)** designation.

It applies to 30 parcels in the area south of the railroad tracks. The minimum lot size is 3 acres. Permitted uses include warehousing, manufacturing, printing and publishing, and truck terminals.

Given the existing limitations in terms of road access to the IP area, and the low probability that these will be remedied any time soon, it is apparent

that the land uses currently contemplated for the IP designation are entirely inappropriate.

In reality, there are only four active uses currently in this land use designation: the Brook Industrial Park; Pelican Properties, another small industrial park; a self-storage facility, soon to be redeveloped; and a shipping business.

The bulk of the land within the IP designation is land owned by the railroads (either Class I or Class II properties), along with flood-prone lands close to the Raritan River owned by New Jersey American Water and Pfizer.

As a practical matter, much of the IP designation is regulated by the Redevelopment Plans for Sub-Areas 1.1, 1.2 and 1.3, which contemplate very different land use scenarios.

The *2017 Master Plan Reexamination Report* recommended eliminating the IP designation altogether, and replacing it with three new designations that would better capture the intent for these properties, and would also better align with the provisions of the Redevelopment Plan for Sub-Area 1.3. This recommendation is reflected in the new Land Use Plan element.

2.7 Shortcomings of Previous Land Use Strategy

The Borough's old land use plan relied on both single-purpose land use designations, designed to compartmentalize and segregate different land uses, as well as land use designations that allowed mixed-use and multiple-use scenarios.

Confining industrial, commercial and residential land uses to their own designations, and assigning different types of housing to their own individual designations, reflects an approach to land use planning prevalent in the second half of the 20th Century, but now largely discredited.

It is now commonly accepted, for example, that with appropriate design and performance standards, many different types of land uses -- including housing and non-residential activities -- can co-exist peacefully, creating a richer environment that benefits the community at large.

Unlike suburban communities developed largely after World War 2, much of the Borough's fabric was developed pre-zoning. Thus, the strict separation between different land uses was never absolute. As noted earlier, a number of districts allowed multiple uses, as well as mixed-use scenarios, including combinations of residential and non-residential uses. Pre-existing non-conforming uses, along with non-conforming uses allowed through use variances further undermine the basis for an approach emphasizing strict separation.

The Borough's new Land Use Plan element will better reflect those areas where mixed-use and multiple-use scenarios are encouraged, and will also remedy a number of other shortcomings with the previous land use plan.

First, there were serious discrepancies between certain land use designations and what is actually built there. These discrepancies can, and should be corrected.

Second, certain land use designations were obsolete. For example, the expansive area designated for industrial uses is largely occupied by railroad properties and flood prone lands, neither of which are now appropriate for new industrial uses. In fact, no railroad-oriented industrial uses are now considered desirable for the Borough and the flood-prone lands are not developable in a conventional sense.

Third, certain land use designations promoted a land use pattern that may no longer be desirable.

Fourth, the previous land use framework had no land use designation dedicated to civic and open space uses, such as schools, houses of worship, parks, cemeteries and preserved lands. All civic and open space facilities were included in other land use designations for lack of a better alternative. For example, Billian Legion Park was included in the Office-Business designation. Civic uses (Borough Hall, the public library, the post office, etc), religious uses and educational uses were not specifically addressed and were not explicitly contemplated in any land use designation.

Finally, there were structural discrepancies between the provisions of certain land use designations and the provisions of adopted Redevelopment Plans that overlap with, and in many cases supersede those provisions. This created unnecessary confusion and needed to be addressed.

These issues were all raised in the *2017 Master Plan Reexamination Report*, which contains extensive recommendations on how to address them. All of those recommendations have now been incorporated in the new Land Use Plan element.

3. LAND USE PLAN

3.1 Introduction -- Future Land Use Strategy

Given the existing, fairly consolidated pattern of development and the absence of large, unconstrained land parcels available for redevelopment, the Borough's future land use strategy focuses on relatively small-scale interventions, with intensification where appropriate, and with a view towards diversification where feasible.

The new plan also seeks greater clarity, and consistency, between the new Goals and Objectives adopted in 2018 and the desired land use strategy.

The transit-oriented redevelopment framework adopted for the downtown is working, and producing fruits. As new mixed-use redevelopment projects come on-line, a substantial increase in downtown residents will have a revitalizing effect on downtown businesses and the whole area can be expected to undergo positive change in the near future.

Those marginal downtown businesses will eventually be upgraded and converted to businesses with a broader appeal -- only 3% of the people that responded to the survey administered in 2016 as part of the *Master Plan Reexamination Report* said they shopped predominantly in the downtown, while 79% said they shopped predominantly in the Union Avenue corridor and 18% said they shopped at both locations.

The new Land Use Plan element reflects the Borough's strategy for growth and preservation for the foreseeable future. It seeks to remedy a number of deficiencies identified with the previous land use plan and create a new land use

pattern that will better address and facilitate the Borough's goals and objectives.

The new Land Use Plan element seeks to expand the mixed-use and multiple-use footprint in order to increase the Borough's commercial and multi-family residential tax base and provide more opportunities for synergies between residential and employment uses. In addition to an expanded footprint where these types of buildings may occur, building heights are also increased in certain areas to provide further room for growth.

The intensification contemplated in defined areas is also a strategy designed to reinforce the Borough's essential character as a walking community. The average resident of the Borough is able to carry out most basic activities around the Borough safely and conveniently on foot or by bicycle. While this walking culture is physically possible, it is not currently espoused by many residents, which are tethered to their vehicles. This can change, and by increasing density in strategic locations, by increasing the number of mixed-use locations, by discouraging the over-supply of vehicular parking, and by significantly improving the quality of the pedestrian experience, the new Land Use Plan element encourages local residents to rely less on their motor vehicles and more on their legs and feet.

The new Land Use Plan element clearly assigns certain uses (railroad, civic and open space) to their own designations, and more explicitly recognizes those designations where mixed-use and multiple-use scenarios are permitted.

The new Land Use Plan element retains a level of separation between uses where this is warranted. Residential designations remain residential. In some cases, only one residential product type

is permitted, if that is the historic character of the neighborhood. On the other hand, most commercial designations will now also allow upper-story residential, thereby expanding the Borough's potential residential footprint without compromising its commercial footprint.

The new Land Use Plan element recognizes the difference between a *land use* and a *building type*. Conventional land use plans regulate land uses but not building types. This can create awkward situations and confusion between land use and building type. For example, a large single-family house (the building type) can accommodate a number of residential apartments (the land use), as well as retail or office functions (also land uses).

Generally speaking, the adaptive reuse of existing buildings is encouraged, and conversions of buildings designed for one purpose to a very different purpose -- for example, a former factory that is converted to residential -- can lead to striking and very attractive outcomes.

In certain situations, however, there are benefits to explicitly distinguishing between land use and building type and regulating both, such that certain combinations are permitted, while others are not.

We note that the Borough's two mixed-use and multiple-use corridors -- Main Street/ Talmage Avenue and Union Avenue -- are a scant 10-minute walk from each other, however the two corridors function independently and do not recognize each other. It would be beneficial to reinforce the linkages between the two corridors, with a view towards developing synergies and strengthening each corridor. Land uses in the area between the corridors are largely residential and institutional, and there is no reason to try to change this. This is not a matter for the Land

Use Plan per se, but can be more appropriately addressed through a combination of way-finding and appropriate streetscape improvements.

Table 1 shows the distribution of parcels and their acreage according to the 13 future land use designations.

Table 1: Number of Parcels and Acreage by Future Land Use Designation

Land Use Designation	Number of Parcels	Total Acreage
H-MU	2	18.6
MU-1	2	25.9
MU-2	76	29.2
MU-3	4	10.9
MU-4	2	3.1
MU-5	141	22.6
MU-6	111	18.3
O-B	179	46.7
OS-C	40	190.8
R-1	17	23.7
R-2	380	152.6
R-3	824	140.0
R-4	958	143.9
R-6	59	19.9
R-C	6	2.2
RR	8	44.2

The Open Space / Civic designation (OS-C) is the largest individual land use category, comprising 40 parcels and a total of 191 acres.

Strictly residential land use designations (R-1, R-2, R-3, R-4 and R-6) collectively apply to 2,238 parcels occupying 480 acres.

Mixed-use designations (MU-1, MU-2, MU-3, MU-4, MU-5, MU-6 and O-B), which allow both residential and non-residential uses, apply collectively to 515 parcels encompassing 157 acres.

There are three additional special purpose designations. The Hotel / Mixed-Use (H-MU) designation applies to two parcels encompassing 18.6 acres; the Riverfront Commercial (R-C) designation applies to 6 parcels totaling 2.2 acres; and finally the Railroad (RR) designation applies to 8 parcels totaling 44.2 acres.

3.2 Residential 1 (R-1)

The R-1 land use designation applies to the Northside, a unique neighborhood in the Borough, consisting of only 17 parcels with a combined total of 24 acres.

The predominant lot size in this neighborhood, where a minimum of 40,000 square feet is required, is by far the largest in the Borough. The neighborhood is physically separated from the rest of town by Route 22. The larger lots and larger homes appeal to more affluent households that value privacy over convenience, since the neighborhood is essentially auto-dependent.

The intent of the R-1 land use designation is to preserve and enhance the small existing neighborhood located north of Route 22 and to retain its essential suburban character of larger wooded lots and larger homes.

Building types envisioned in the R-1 land use designation are limited to single-family detached residential buildings, which may incorporate an attached garage for motor vehicles, for general storage or for both; and to non-residential accessory buildings, which current zoning allows to be used as a detached home office/work studio, subject to certain conditions.

Principal structures are subject to the R-1 bulk standards, which appear appropriate for this type of neighborhood. The minimum side yard and rear yard setbacks ensure reasonable levels of privacy. The 35-foot height limit allows for a

habitable attic and additional living space within the existing building footprint. The maximum impervious coverage of 25% seems adequate.

Accessory structures, on the other hand, are currently subject to a uniform set of bulk standards (Section 21-10.2e) applicable to all districts. Given the large disparity in lot sizes between different zoning districts, the bulk standards for the discretionary accessory building (the detached garage and/or home office/studio) should be tailored to the individual district.

The activities that may take place within the home office/studio are regulated under the Borough's provisions regarding home occupations (Section 21-10.3c). This section should be reevaluated and updated, as needed.



3.3 Residential 2 (R-2)

The R-2 land use designation applies to the historic Piedmont neighborhood, which encompasses 380 parcels with a combined area of 153 acres.

The intent of the R-2 land use designation is to preserve and enhance the traditional picturesque character of the residential Piedmont neighborhood, which was developed in the early years of the 20th Century.

The neighborhood offers a comfortable single-family lifestyle for upper middle-income families in an in-town residential environment with a historic character and more affordable prices than the R-1 district. Lots in the 1/4 acre range provide privacy, private open space and mature vegetation.

The Piedmont neighborhood is almost exclusively residential. It is a walkable environment, with sidewalks and pedestrian scale blocks. The southern portion of the neighborhood is within an easy walking distance of the eastern section of Union Avenue, which has some offices and civic destinations, but no retail or services. The northern part of the neighborhood is more secluded and further away, making the bicycle the ideal form of transportation for relatively short trips into town.

Similar to the R-1 designation, the anticipated building types in the R-2 designation are limited to single-family detached residential buildings; and to detached non-residential accessory buildings, which may be used as a garage for motor vehicles, for general storage or for both, as well as a home office/work studio, subject to certain conditions.

Principal structures are subject to the R-2 bulk standards. The *2017 Master Plan Reexamination Report* identified a significant number of non-

conformities in this district with respect to minimum lot size and minimum lot frontage. These non-conformities have now been mitigated, although not eliminated, through appropriate amendments to the district's bulk standards.

The other bulk standards for the principal structure appear appropriate for this type of neighborhood. The minimum side yard and rear yard setbacks ensure reasonable levels of privacy. The 35-foot height limit allows for a habitable attic and additional living space within the existing building footprint. The maximum impervious coverage of 40% seems adequate.

Accessory structures are currently subject to a uniform set of bulk standards (Section 21-10.2e) that applies to all districts. Given the large disparity in lot sizes between different zoning districts, the bulk standards for the discretionary accessory building (the detached garage and/or home office/studio) should be tailored to the individual district.

The activities that may take place within the home office/studio are regulated under the Borough's provisions regarding home occupations (Section 21-10.3c). This section should be reevaluated and updated, as needed.



3.4 Residential 3 (R-3)

The R-3 designation applies to portions of the Thompson Avenue neighborhood; to a portion of the West End; and to the bulk of the Central and Codrington neighborhoods. All together, this designation applies to 824 parcels encompassing 140 acres.

The intent of the R-3 designation is to preserve and enhance these largely post-war, single-family detached residential neighborhoods of smaller, more modest and more affordable structures on smaller lots.

These neighborhoods offer a walkable environment, with sidewalks and pedestrian scale blocks. They are close to several schools, parks and playing fields, and to civic destinations, as well as to the goods and services provided along West Union Avenue. The West End area is closer to Talmage Avenue. Both walking and bicycling are very viable forms of transportation for short trips with origins and/or destinations in these neighborhoods.

The anticipated building types in the R-3 land use designation are limited to single-family detached residential buildings and to detached non-residential accessory buildings. Current zoning allows the detached accessory building to be

used as a garage for motor vehicles, for general storage or for both, as well as a detached home office / work studio, subject to certain conditions.

The *2017 Master Plan Reexamination Report* identified significant non-conformities in this district, with respect to minimum lot frontage, and recommended that this bulk standard be adjusted. This has been rectified.

The permitted accessory structure is currently subject to a uniform set of bulk standards (Section 21-10.2e) that applies to all districts. Given the large disparity in lot sizes between different zoning districts, the bulk standards for the discretionary accessory building (the detached garage and/or home office/studio) should be tailored to the individual district.

The activities that may take place within the home office/studio are regulated under the Borough's provisions regarding home occupations (Section 21-10.3c). This section should be reevaluated and updated, as needed.



3.5 Residential 4 (R-4)

The R-4 designation applies to the eastern portion of the Codrington neighborhood, to the northern part of the West End neighborhood, to a portion of the Thompson Avenue neighborhood and to most of the High Street neighborhood. As such, it can be said that the R-4 designation applies to the large area at the heart of the Borough – the largely residential area north of Main Street and South of Union Avenue. It also applies to the small and relatively isolated West Main Street neighborhood. All together, the R-4 designation applies to 958 parcels and 144 acres.

The intent of the R-4 land use designation is to preserve and enhance a predominantly residential area of relatively affordable single-family and two-family structures, located in close proximity to Borough schools, recreational facilities and other civic destinations, as well as to goods and services.

Homes in these neighborhoods are generally smaller, more modest and more affordable, and sit on smaller lots. They provide a stock of starter homes for families, or a long-term in-town single-family housing option for smaller households.

All neighborhoods are very walkable, with manageable block sizes and functioning sidewalks.

The R-4 designation anticipates only two building types: single-family detached structures and two-family structures. A two-family structure is defined as a building containing two single-family residential units, with separate entrances and separated by a vertical party wall.

The *2017 Master Plan Reexamination Report* identified a number of bulk standards-related issues with the R-4 designation, which translated into high levels of non-conformities. To remedy this situation, the R-4 regulations have recently

been amended. Specific bulk standards for two-family dwellings have been added, as well as a definition of two-family dwelling that makes it clear that it applies only to two, single-family dwellings attached by a party wall and occupying separate lots, not to a single-family structure that has been internally subdivided into two units, one on the ground floor and one on the second floor. Definitions of the two building types (single-family and two-family structures) have also been added.



3.6 Residential 6 (R-6)

The R-6 land use designation applies to 59 parcels, totaling almost 20 acres, and located in five separate areas:

- 1) An area located between East High Street, Bolmer Boulevard and East Main Street, in the Old Town neighborhood, comprised of 29 parcels;
- 2) A 1.7-acre parcel located at the intersection of East Street and East Union Avenue, occupied by an older two-story U-shaped apartment building known as Blair House.
- 3) A 1.2-acre parcel on Mountain Avenue, between East High Street and East Union Avenue, occupied by a 1965 U-shaped two-story building with 22 one-bedroom and 2 two-bedroom apartments, known as La Maison.
- 4) A 1.5-acre parcel on West High Street, occupied by 20 townhouses in five buildings and known as Gilly's Landing.
- 5) The area behind the existing Shoprite shopping Center, on Tea Street, comprising 3 parcels totaling 8.8 acres. It is occupied with three, 3-story apartment buildings, containing 140 rental units, known as Queens Gate.

The intent of the R-6 district is to provide opportunities for smaller apartment buildings and attached single-family structures (townhouses).

Anticipated building types in the R-6 designation are townhouses and apartment buildings. The scale envisioned for this land use designation is three stories or 45 feet.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.



3.7 Mixed-Use 1 (MU-1)

The MU-1 land use designation applies to five parcels totaling 28.6 acres located in the Union Avenue – West neighborhood, and occupying the northeast and northwest quadrants of the intersection of West Union Avenue and Tea Street.

The parcel located at the northwest quadrant of that intersection is occupied by the one-story Shop Rite shopping center, which includes the grocery store, a small strip center, a free-standing pad site with a fast food restaurant and a large, surface parking lot. While there are no vacancies and the retail center appears healthy, a more intensive and diverse use for this site can be anticipated. This parcel is also part of Redevelopment Area 3, and therefore subject to the zoning adopted as part of that Plan.

The parcels located in the northeast quadrant include the Brook Apartment complex, an aging 2-story garden apartment project; and three lots formerly occupied by the two-story Efinger’s sporting goods store, now mostly vacant, and a substantial surface parking lot. Again, a more intensive and diverse use of these parcels can be anticipated in the future.

The MU-1 designation’s gateway location lends it to more intense development and a taller building scale. This land use designation envisions a three-story building wall facing West Union Avenue, with 5 story-buildings on the remaining site. Seven story buildings are currently permitted under the zoning.

Ground-floor retail/services should be required along the Union Avenue and Tea Street frontages.

The intent of the new MU-1 land use designation is to create a more dignified and distinctive entrance into this part of the Borough; to encourage a more efficient and pedestrian-

oriented land use pattern; to increase the Borough’s ratable base and bring in new uses and new residents; and to enhance the Union Avenue and Tea Street streetscapes.

In addition to ground floor retail/services and upper level residential, this land use designation could also support a variety of non-residential uses, such as hospitality, offices and entertainment.

Other uses currently permitted under the zoning, such as warehouse/distribution and data centers are not considered appropriate and should be eliminated.

Building types would mirror the preferred uses, and include mixed-use buildings, hotels, offices, entertainment and potentially parking structures, with ground-floor liner uses and subject to design standards to animate the facades. Parking in the front yard is not appropriate.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.



3.8 Mixed-Use 2 (MU-2)

The MU-2 land use designation applies to 76 parcels with a combined total of 29 acres in the Union Avenue - West neighborhood, but also includes a few properties with frontage on Vosseller Avenue, north of Union Avenue.

The area contains a variety of retail and service uses, along with offices and some residential, which is currently not permitted.

While most lots are considerably smaller than the parcels included in the MU-1 designation, there are some larger, and deeper parcels that could be better utilized. Land assembly of adjoining properties, while time consuming, can also lead to larger parcels.

The intent of the new MU-2 land use designation is to encourage a more efficient and pedestrian-oriented land use pattern; to increase the Borough's ratable base and bring in new uses and new residents; and to enhance the Union Avenue and Vosseller Avenue streetscapes.

This land use designation anticipates retail, services, offices and upper-floor residential as the primary uses. Other potential uses might include small hospitality (bed and breakfasts, small inns), educational uses, houses of worship and other similar uses.

Given the limited depth of many parcels in this area, and the close proximity of single-family neighborhoods immediately behind, both to the north and to the south, a three-story building height is considered appropriate.

Building types envisioned include mixed-use or single-use buildings.

Parking in the front yard is strongly discouraged.

New structures in this land use designation should be sensitive to surrounding land uses and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.



3.9 Mixed-Use 3 (MU-3)

The MU-3 land use designation applies to four parcels with a combined total of 10.9 acres, located south of the New Jersey Transit railroad tracks and east of the South Main Street neighborhood. This area is currently occupied by two industrial uses -- Brook Industrial Park (a former Superfund site, still undergoing ground water monitoring) and Pelican Properties -- as well as a parcel owned by the Middlesex County Sewerage Authority.

With some improvements, this area could have direct access to the eastbound platform of the train station, and therefore constitute a new transit-oriented neighborhood for the Borough.

Most of the area is regulated by the zoning adopted as part of the Redevelopment Plan for Sub-Area 1.2.

The intent of the new MU-3 land use designation is to dramatically change the uses and land use pattern in this currently underutilized area, with the following objectives:

- a. Implement the relevant recommendations of the *Bound Brook Downtown Urban Design Plan*.
- b. Facilitate any needed environmental remediation and significantly improve vehicular and pedestrian connections between this area and the core of the downtown.
- c. Facilitate enhanced vehicular and pedestrian connections to Main Street, including new connections under, over or across the NJ Transit railroad right-of-way.
- d. Facilitate enhanced pedestrian connections to the NJ Transit Eastbound platform.
- e. Create a new development pattern defined by pedestrian-sized blocks anchored by

architecturally interesting buildings defining pedestrian-oriented street walls and small but inviting public, semi-public and private open spaces and plazas.

- f. Adopt an approach to design that encourages architectural interest and diversity.
- g. Permit adequate densities and building types -- including mid-rise and high-rise buildings -- that support transit-oriented development and help underwrite the high costs of infrastructure improvements required to improve access to this area.
- h. Create additional opportunities for active pedestrian-generating land uses within 1/2 mile walking distance of the Bound Brook train station.
- i. Create opportunities for new, demographically-appropriate residential and highly skilled employment space within walking distance of the Bound Brook train station.
- j. Pursue a complete streets approach to street design, with bicycle lanes, bicycle parking and bicycle storage.



- k. Promote pedestrian and bicycle activity through traffic calming measures, continuous sidewalks, buildings sited at the street line, walkable block patterns and clearly marked crosswalks, with a focus on pedestrian access to the train station, downtown and adjacent public spaces.
- l. Adopt parking strategies for on-street, shared and/or structured parking, incorporating appropriate reductions in parking requirements for properties near transit facilities and properties with on-demand car rental facilities.
- m. Pursue a “green street” approach to sidewalk and streetscape improvements, including porous pavements, structural soils in tree planters and use of foundation plantings or movable planter boxes.
- n. Pursue a “green wall” approach to building elevations, including window or balcony planters and climbing vegetation.
- o. Pursue non-structural stormwater management strategies -- such as green roofs, cisterns, rain gardens, bio-swales, porous pavements and others -- that provide natural habitats, create attractive people places, reduce flooding, increase ground water recharge and minimize maintenance requirements for plantings and landscaping.
- p. Pursue high-performance building design and construction to minimize energy needs.
- q. Encourage architectural design that create iconic and memorable buildings.

The MU-3 land use designation anticipates a wide variety of uses, either individually or combined: multi-family residential; live-work; retail; personal and professional services; hotel and hospitality

(including extended stay facilities); inn; conference center; restaurants and bars (ground level or rooftop only); dance clubs, comedy clubs, live music venues and other entertainment facilities; office (including medical), research, and lab facilities; institutional; civic, governmental and houses of worship; performing arts centers; stadiums; and temporary uses.

The following building types are anticipated within the MU-3 land use designation: multi-story, single-use and mixed-use buildings; civic buildings, governmental buildings and houses of worship; structured parking decks; kiosks and open-air pavilions; temporary structures; and energy and utility-related structures.

Given the environmental and transportation challenges associated with redevelopment of this area, it is recognized that substantial incentives must be deployed if those challenges are to be appropriately addressed. As such, taller buildings are contemplated. These would also take advantage of the scenic views of the Raritan River, the downtown, and the railroads. Building heights in the MU-3 designation could reach 30 stories, however they are linked to substantial infrastructure investments necessary to substantially improve vehicular and pedestrian access between this area, the train station and the downtown.

The Redevelopment Plan for Sub-Area 1.2 has extensive design standards to govern both building and public space design in this area with a view towards creating a walkable, pedestrian, bicycle and transit-friendly environment with high quality and interesting building design and public, semi-public and private open spaces that enhance and complement the new neighborhood.

The intent of the building design standards is to ensure well-designed, high-quality buildings that, whether conforming to traditional design models or exhibiting iconic features and contemporary design expressions, nevertheless fit well into the surrounding context of buildings and open spaces.

The open space and landscape design standards and guidelines seek to shape inviting public and semi-public spaces, create active and safe streets, sidewalks and public spaces, and promote landscape restoration and habitat creation, where appropriate.

3.10 Mixed-Use 4 (MU-4)

The MU-4 land use designation applies to two parcels of 3.1 acres at the eastern end of East Union Avenue, next to the Bound Brook. This land is currently vacant.

Billian Park is located immediately to the south, on the other side of a drainage ditch. It can be reached by way of a pedestrian bridge. Immediately to the west is Blair House, a garden apartment complex.

The area is regulated by the zoning adopted as part of the Redevelopment Plan for Sub-Area 1.5. The intent of the new MU-5 land use designation is to create a visually striking eastern gateway into the Borough and the Union Avenue corridor, and provide a suitable anchor to the eastern end of the corridor.

Other objectives include bringing new users and patrons to Billian Park; taking advantage of the unobstructed views of Billian Park, of the undeveloped lands to the north and of the stream corridor to the east; assisting the on-going downtown revitalization efforts by locating additional new patrons, and transit riders, within walking distance to downtown businesses, activities, and transit; facilitating any needed environmental remediation and/or infrastructure improvements to address any existing geo-technical constraints; pursuing

high quality architectural and landscape design that creates iconic and memorable buildings and high quality places and outdoor spaces; creating opportunities for new, demographically-appropriate residential and high-skill employment space within walking distance of downtown's goods and services; improving pedestrian and bicycle connections between this area and the core of the downtown; and promoting pedestrian and bicycle activity through appropriate site design, including continuous sidewalks and walkways, buildings sited at the street line, clearly marked crosswalks, and bicycle storage.

The MU-4 land use designation anticipates a variety of uses, including residential; live-work; retail, including grocery stores; personal, professional and business services; hotel and hospitality (including extended stay facilities); conference center; restaurants and bars (ground level or rooftop only); sports, health and fitness facilities; offices, including medical offices; civic and governmental uses; museums; art galleries and artist studios.

The MU-4 land use designation anticipates the following building types: multi-story, single-use and mixed-use buildings; enclosed sports facilities; civic buildings and governmental buildings; and parking decks.

Given the gateway location and the surrounding, permanently preserved open space, a six-story building height is considered appropriate.

Parking in the front yard is not appropriate.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.

The Redevelopment Plan for Sub-Area 1.5 contains extensive design standards to require high quality design of both buildings and open spaces.



3.11 Mixed-Use 5 (MU-5)

The MU-5 land use designation applies to 145 parcels, with a combined area of 24 acres. The designation applies to the Historic Downtown neighborhood, and part of the West End neighborhood. This mixed-use area includes mixed-use buildings, with ground floor retail and services and upper level apartments, including recently developed projects; offices; and a variety of goods and services typically found in a downtown area. It also includes the NJ Transit Bound Brook train station, along with the commuter parking lots.

The area is subject to the Redevelopment Plan for Sub-district 1.4, as well as the B-R zoning.

The intent of the MU-5 land use designation is as follows:

1. Implement the relevant recommendations of the *Downtown Urban Design Plan*.
2. Encourage creative design and development that promotes economic revitalization and is consistent with the existing character of the Downtown.
3. Provide ample sidewalks that encourage pedestrian circulation and public interaction and provide space for active outdoor uses by businesses (cafes, displays, etc) and the public.
4. Create the active streets and vibrant public spaces envisioned in the *Downtown Urban Design Plan*.
5. Provide the high-quality pedestrian access to downtown amenities, services and transit required to achieve the vision of the *Downtown Urban Design Plan*.
6. Maintain a continuous or near continuous street wall along Main Street, Talmage Ave and Columbus Place, and expand it into new “gap” areas. A continuous or near continuous sequence of facades will enclose the street, define the downtown space, facilitate the creation of place, and create protected and uninterrupted pedestrian zones.
7. Encourage active ground floor uses, such as retail and services, in order to promote economic development, improve the pedestrian experience and encourage further residential growth downtown.
8. Promote economic development through a mix of new development, renovation and reuse of existing structures, and the preservation of historically and architecturally significant buildings.
9. Harmonize the design of new construction with that of existing buildings. This harmony is best accomplished through the control of design features, such as key facade elements, and will ensure that new development meets market demands while also reinforcing the existing place character of the Downtown. The result will be a Downtown with a stronger identity and new construction with greater marketplace value.
10. Discourage surface parking lots that abut streets, which have negative visual impacts, detract from a pedestrian-friendly environment, reduce the overall market value of properties in the Downtown, and are generally inconsistent with the goals and objectives of the *Urban Design Plan*.
11. Pursue a parking strategy focused on encouraging shared-use parking agreements among private property owners and between the Borough and private property owners to create a strategically located downtown parking supply. At least 50% of new parking

provided in residential buildings within easy walking distance (1/4 mile) of the train station should be open to the general public, for a fee, between 7 AM and 7 PM.

The MU-5 land use designation anticipates a wide variety of uses, including mixed-use buildings with active ground floor uses (cafes, restaurants, art galleries, bookshops, banks, retail, services) and upper-level residential; upper level office; and upper-level educational.

Anticipated building types in the MU-5 designation include mixed-use buildings, apartment buildings, live/work, offices, and parking decks with ground floor liner uses, such



as retail or services. Civic, governmental and houses of worship are also anticipated building types.

Given the proximity to the train station, downtown goods and services; the views to the Raritan River and Watchung Mountains; and the limited dimensions of many Main Street parcels, building heights on the south side of Main Street may rise to 16 stories. Projects with taller buildings are required to make substantial contributions to needed infrastructure or public space projects, under the provisions of the Redevelopment Plan.

The appropriate building height for the north side of Main Street is six stories.

The Redevelopment Plan for Sub-district 1.4, as well as the current B-R zoning, contain extensive design standards to assure a high quality of design for both new buildings as well as for the public realm.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.

3.12 Mixed-Use 6 (MU-6)

The MU-6 designation applies to the Talmage Avenue corridor. It includes 111 parcels totaling 18.3 acres.

The area subject to this land use designation is regulated by the Redevelopment Plans for Sub-Areas 2.3, 2.4, 2.5 and 2.6. These sub-areas have distinct land use/occupancy characteristics and therefore require a different development strategy.

The underlying zoning district is currently the NB/R (Neighborhood Business / Residential).

New development on the north side of Talmage Avenue should be compatible with the nature and scale of surrounding, established neighborhood. New development on the south side of Talmage is constrained by relatively shallow lots abutting the railroad right-of-way and possible soil contamination from the tracks, but otherwise unconstrained by immediate residential neighbors.

The MU-6 land use designation seeks to transform this corridor from a derelict, stagnant and underutilized area to a thriving, stable and revived asset to the community and to the Borough as a whole.

The intent of the MU-6 land use designation is to encourage targeted new development and rehabilitation to improve the quality of life for current and future residents and business owners, as well as to enhance the corridor's currently gritty image. Specifically, this designation seeks to:

- Provide for viable, short-term (re) development opportunities as well as longer-term projects.



- Provide for a mix of residential, community-oriented commercial, civic, recreational and community activities.
- Significantly enhance the image and quality of architecture, the streetscape and the public realm along the Talmage Avenue corridor.
- Facilitate green infrastructure interventions to soften the corridor's gritty image.
- Improve the opportunities for walking and bicycling as alternatives to driving.
- Facilitate access to the south side of the railroad tracks and to the river.
- Provide functional, high-quality public and private open space, where appropriate.
- Create a new, visually striking gateway into town from the west.
- Functionally link new development with the neighborhoods to the north, the preserved lands to the south and the downtown, to the east.
- Encourage and facilitate the environmental cleanup, remediation and replacement of contaminated buildings and lots.

The MU-6 designation anticipates a mix of residential, retail and services.

The anticipated building types are townhouses and small apartment buildings, with or without ground floor commercial.

The appropriate building height is three stories.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.

3.13 Office-Business (O-B)

The O-B land use designation applies to 179 parcels, with a combined area of 47 acres, in the Union Avenue -- East and Old Town neighborhoods.

The intent of this land use designation is to preserve the inventory of older single-family housing stock, and to promote new single-family, two-family, three-family and four-family housing, as well as small-scale professional office buildings. Office uses can be accommodated in freestanding, small office buildings, or through the adaptive reuse of housing to offices.

Allowing the conversion of single-family housing structures to offices is a strategy that has been in place for quite some time. It has been successful with respect to the large, stately single-family structures located along East Union Avenue, most of which are occupied by law offices, accounting firms, dental/medical and other professional offices. It has been less successful in the Old Town area, along Hamilton Street and Mountain Avenue, where the building stock consists of smaller structures built as single-family dwellings, as well as older commercial buildings, frequently single-story.

The existing O-B zoning allows residential uses, either as stand-alone single-family buildings; or in the upper floors, where an office use occupies the ground floor and the lot is a minimum of 11,250 square feet. Public buildings and funeral homes are also permitted. Conditional uses include houses of worship and home occupations.

The *2017 Master Plan Reexamination Report* identified a significant number of non-conforming lots in the O-B district, both with respect to minimum lot size and lot frontage. These issues should be remedied. In addition, the Reexamination Report noted that the limitation



on ground floor residential uses, in mixed-use buildings, could be preventing desired reinvestment, given a soft market for small offices and the proximity of small downtown office suites.

Maintaining the integrity of the older, larger housing structures on West Union Avenue, along with the prevailing setbacks and scale, continues to be important. However, the smaller lots and housing structures in the Old Town neighborhood should be treated differently. The current requirement for ground floor office uses in mixed-use buildings is no longer appropriate. In addition, two-, three- and four-family structures should be permitted, with no requirement for a ground floor office use.

The anticipated uses in this designation are housing, offices, live/work, small-scale hospitality and institutional.

The anticipated building types are single-family detached; two-, three- and four-family buildings; townhouses, office buildings; and institutional buildings.

A three-story building height is considered appropriate in this land use designation.



Explicit design standards to better guide change should be adopted, including streetscape standards for the properties fronting directly on East Union Avenue. Parking in the front yard is not considered appropriate throughout the O-B designation.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.



3.14 Highway Mixed-Use (H-MU)

The H-MU land use designation is a new land use designation in the Northside neighborhood. It applies to two heavily wooded, undeveloped lots with frontage on the westbound lane of US 22. The development potential of this land may be limited, for environmental reasons. Nevertheless a new land use designation is appropriate.

Block 97, Lot 2 comprises 12.98 acres, and has 2,121 feet of frontage on Route 22. Block 96, Lot 2 comprises 5.4 acres, and has 438 feet of frontage on Washington Avenue and 657 feet of frontage on the ramp connecting Mountain Avenue with westbound Route 22. Both parcels have the same owner and are designated as “vacant” in the Borough’s tax rolls.

Given its location, and high visibility from the highway corridor, a mixed-use / commercial designation is more appropriate. Access to lot 96 can be achieved from Washington Road; access to lot 97 can only be achieved from Route 22. Access permits from NJDOT will be required, and these may also constrain how the sites can be developed.

The two parcels were zoned R-1. The *2017 Master Plan Reexamination Report* recommended creating a new designation that better recognizes their unique location and circumstances. The new Land Use Plan removes these parcels from the R-1 designation, and places them in a new H-MU designation.

The intent of the H-MU designation is to facilitate development of a new, high-quality commercial ratable for the Borough and expand the Borough’s ratable base to potentially include missing uses.

This land use designation anticipates a variety of uses that may include hospitality, including extended stay facilities; conference

centers; offices; restaurants; movie theatres and other forms of entertainment; cultural centers; museums; auditoriums; and similar uses, individually or combined. Higher-density residential uses are not recommended, given the highway orientation.

The anticipated building types are institutional, hospitality, office, entertainment and food and beverage.

A three-story height limit seems appropriate for the location.

New structures in this land use designation should be sensitive to surrounding land uses, where such exist, and should be subject to bulk standards such that they do not encroach on appropriate standards of light and air affecting other properties.

3.15 Riverfront Commercial (R-C)

This new land use designation applies to six parcels near Queen's Bridge, with a combined total of 2.2 acres, at the edge of the Historic Downtown neighborhood. Several pre-existing, non-conforming quasi-industrial uses have been located there, on either side of South Main Street. The use on the east side of South Main Street extends into Middlesex Borough, so this area is actually larger than the 2.2 acres.

The area had been zoned Industrial Park (IP), but this zoning had been superseded by the zoning adopted as part of the Redevelopment Plan for Sub-Area 1.3. The Borough has recently rezoned this area to match the uses permitted in the Redevelopment Plan.

The intent of the new Riverfront Commercial designation is to enhance this southern gateway into the Borough, taking advantage of the area's location near Queen's Bridge and the Raritan River, as well as to create a public gateway for recreational access to the Raritan River.

Specifically, this land use designation seeks to encourage high quality mixed-use, commercial and civic development on developable parcels with frontage on South Main Street to enhance the South Main Street gateway into the Borough, with visually striking architecture, interesting signage, enhanced lighting and other visual and physical improvements to the South Main Street underpass; provide additional commuter parking with safe and direct pedestrian access to the eastbound platform of the NJ Transit train station; provide opportunities for special outdoor events; improve the streetscape and landscape treatments along South Main Street, including pedestrian crosswalks, new sidewalks, new street lights, new street trees, green infrastructure applications, flag poles, banners and other



devices that visually and physically enhance the pedestrian experience, reinforce the gateway effect and underscore a sense of arrival; and promote landscape and habitat restoration where appropriate.

The location for a public access kayak/canoe put-in in this area has been secured from New Jersey American Water. A nearby location for a kayak/canoe storage facility has also been secured. This area could also host a trailhead for a future multi-purpose trail along the river with connections to the adjoining towns.

The area includes the historic Stone Bridge, which is on the National Register of Historic Places and is currently buried. Somerset County has sought to acquire the parcel where the bridge is located, which extends into neighboring Middlesex Borough, with a view towards unearthing the structure and including it in a new park. Other civic uses could potentially be located there to further animate this area and provide reasons for the public to go there.

The Borough's *Downtown Urban Design Plan* envisions a cultural/historic/recreational hub for this area, with a rehabilitated historic Stone

Bridge as an anchor to a new park. A Raritan River Museum, or another cultural facility, was also contemplated. Redevelopment for private uses compatible with these public uses is also envisioned.

This new land use designation provides for a wide range of uses and activities, such as commuter or multi-purpose parking; civic and governmental uses, including libraries and museums; retail in mixed-use buildings; conference centers; hotels; offices, including shared office suites, and retail sales limited to parcels with direct frontage on South Main Street; self-storage facilities on parcels with direct frontage on South Main Street; recreational and sports-related uses; cafes, restaurants and similar food and beverage uses; kayak and canoe storage and/or rental facilities; temporary uses, such as farmers markets or flea markets; and mobile uses, such as food trucks or mobile retail.

The envisioned building types are civic and recreational buildings, mixed-use buildings, self-storage facilities, parking decks, kiosks and open-air pavilions, boat houses and similar. Building heights could go up to six stories.

As a gateway area, special attention should be placed on the graphic quality of larger format signage, which is encouraged, in particular with respect to applications to building types with large blank walls, such as self-storage facilities, or repetitive openings, such as parking decks. Other devices for masking or mitigating large blank walls, such as green screens, are also encouraged.

The Redevelopment Plan for Sub-Area 1.3 contains extensive design standards to assure the highest quality in building and public space design.

3.16 Open Space / Civic (OS-C)

The OS-C land use designation applies to 40 parcels totaling 191 acres. These parcels include public schools and public buildings, flood constrained parcels along the Middle Brook and the Bound Brook, developed and undeveloped parkland and cemeteries, and vacant land. These lands, which are located in multiple neighborhoods all over the Borough, have previously been included in multiple underlying land use designations and zoning districts.

Most parcels assigned to the OS/C designation are publicly owned, and as such, have a unique status under the Municipal Land Use Law and the Borough's Land Development Regulations. Others, such as the cemeteries, are privately owned, but they too have a unique status, as they are also regulated under a separate state statute NJS 45:27-1 et seq.

The undeveloped lands located south of the West Main Street neighborhood, as well as those located between the railroad rights-of-way and the river, are also distinct. Most are privately-owned. All are constrained by NJDEP regulations limiting construction within floodplains. Some flag lots located along the south side of West Main Street have in excess of four acres, and extend all the way south to the railroad rights-of-way that parallel the Raritan. The USACE flood control levee extends in a band along the rear of these larger lots, just north of the railroad rights-of-way. However large portions of these properties north of the levee are classified by FEMA as "Zone AE - 100-Year Floodplain" due to the potential for ponding inside the levees and are therefore not developable in conventional ways.

The *2017 Master Plan Reexamination Report* recommended removing all of the parcels

described above from the various underlying districts and placing them in a new designation that better recognizes their unique characteristics and circumstances.

The intent of the Opens Space / Civic land use designation is therefore to recognize the numerous open space features and community facilities that exist throughout the Borough. These facilities have distinct needs and constraints and should not be subject to the land use regulations adopted for the surrounding residential or commercial districts.

The parcels devoted to public uses and public facilities, including facilities dedicated to sports and other recreational activities should be developed with the types of facilities for which there is the greatest demand in the Borough.

The environmentally-constrained parcels are suitable for landscape and habitat restoration projects and passive uses such as trails. It is possible that creative uses that do not encroach into the floodplain could also take root.

Access to all these lands and facilities would be greatly enhanced by a bicycle and pedestrian trail system that would complement the Borough's extensive sidewalk network.



Whether publicly-owned, or privately-owned, it is appropriate that these properties be subject to regulations that deal specifically and directly with the types of activities that take place, or may take place thereon.

Specifically, the OS-C Open Space – Civic land use designation is intended to:

- 1) Provide a land use designation for lands devoted to public and private parks and open space, whether used for active or passive purposes; trails; campgrounds; amphitheaters; sculpture parks; community gardens, and other similar uses; agricultural and forested land; and lands occupied or to be occupied by public buildings or uses, other civic buildings or uses, cemeteries and similar uses.
- 2) Promote safe and convenient public access to the riverfront and to the preserved areas adjacent to the Middle Brook and Bound Brook and encourage amenities and activities that will attract the public and enhance and reclaim these underutilized areas.
- 3) Promote a multi-purpose trail along the Raritan River and the two brooks with connections to the adjoining towns.
- 4) Promote landscape and habitat restoration in appropriate locations.
- 5) Provide opportunities for special outdoor events.

The OS-C land use designation anticipates, either individually or combined, uses such as civic and governmental uses; educational uses; recreational and sports-related uses; cemeteries, including supporting offices and limited retail sales of funerary items; temporary uses, such as circuses,

concerts and other performances, amusement rides, farmers markets, flea markets, book fairs, art fairs and similar uses; mobile uses, such as food trucks and mobile retail; tree and plant nurseries; community gardens; sculpture parks and solar arrays, wind turbines and other green energy facilities.

The envisioned building types are civic, educational and recreational buildings; cemetery-related structures; kiosks and open-air pavilions; boat houses; observations towers; tree houses; temporary structures; and energy and utility-related structures.

Any structures in this and use designation should be sensitive to surrounding land uses, where such exist, and should not encroach on appropriate standards of light and air affecting other properties.



3.17 Railroad (RR)

The new RR land use designation applies to six parcels totaling 32.3 acres, all located in the southern portion of the Borough, between the Raritan River and Main Street.

Bound Brook is a railroad town. While the importance of the railroads -- both freight and passenger -- has decreased over time, they still occupy a considerable amount of land and play a critical role in the southern portion of the Borough.

There are three railroad rights-of-way in the Borough. Only two are active.

The right-of-way closest to the Raritan River belonged to the old *Port Reading Secondary*. It is now controlled by CSX. The line is not active, and the track and tie have been removed. It does not appear that it has gone through a formal “declaration of abandonment” as per the Federal Surface Transportation Board. This right-of-way is designated by a single tax parcel on the Borough’s tax map: block 1, lot 36 (11.05 acres). Its width varies between 100 feet (Bridgewater side) and 110 feet (South Main Street side).

Immediately to the north of the Port Reading Secondary is the former Lehigh Valley line, now run by Conrail. It is designated as block 1, lot 35 (13.25 acres). Its width varies between 100 feet (Bridgewater side) and 122 feet (South Main Street side). It is an active freight line, with a grade crossing at South Main Street.

The third right-of-way is the former Central Railroad of New Jersey, currently New Jersey Transit. It provides both passenger service -- New Jersey Transit’s Raritan Valley Line -- as well as freight service. It occupies five tax lots: block 1, lots 2 and 68.01; block 3, lot 9; block 4, lot 32; and block 5, lot 28. Its width ranges from 104 feet (Bridgewater side) to 77 feet (Middlesex Borough

side). It has two grade crossings: at La Monte Avenue and at Vosseller Avenue.

There are also a number of Class II railroad properties, which means they are adjacent to, but not included in rights-of-way. They are not identified as separate parcels on the Borough’s tax map.

The Borough is fortunate to have rail passenger service, and its downtown revitalization strategy is predicated, in part, on facilitating transit-oriented development, and in particular higher-density residential development.

The freight service, on the other hand, does nothing for the Borough, as local industries that may have at one time benefitted from direct freight service (pick-up and deliveries) are long gone.

The ability of towns to regulate railroad-related activities that take place on railroad-owned land is pre-empted by Federal law. Towns do have land use jurisdiction over non-railroad-related activities that might take place on railroad-owned lands and therefore these lands are subject to local land use regulations, within strict limits.



The Borough is known among railroad enthusiasts as a good place for train watching, so perhaps some form of train-watching tourism could be explored.

Federal railroad regulations require trains, for safety reasons, to continually activate their sirens when crossing the two grade crossings. The sirens are very loud, and constitute an auditory nuisance for the nearby residents and businesses. The Borough requested, and received, permission from the New Jersey Department of Transportation to implement a “quiet zone” designation such that the sirens will no longer be required. The required capital improvements have not yet been executed.

The railroads have created physical and legal barriers separating the rest of the town from the Raritan riverfront, and impeding public access thereto, which seriously undermines the Borough’s identity as a river town.

With this in mind, the Planning Board adopted a *Riverfront Access Plan* in 2015 that anticipates the conversion of the former Port Reading Secondary into a rails-to-trails facility that would once again allow formal public access along the riverfront. This is a very important long-term project that will require the consent of the railroad and the design and construction of an approximately one-mile long trail in the Borough, with the potential, in the future, for a trail extension into Bridgewater, and a formal connection to the Delaware & Raritan Canal towpath in South Bound Brook, on the south side of the river.

The section of the old Port Reading Secondary to be converted to a rails-to-trail facility is included in the Open Space / Civic land use designation (see previous section).

The active railroad rights-of-way and adjacent, railroad-owned lands, are all included in the Railroad (RR) land use designation.

The intent of the RR land use designation is to recognize the active railroad facilities that provide both passenger and freight service. Railroad uses are permitted on these lands, subject to applicable federal and state statutes.

Specifically, the intent of the RR Railroad designation is to maintain the active freight and passenger rail service; provide safe and efficient crossings for pedestrians, bicycles and motor vehicles; improve transit rider accessibility to public transit facilities; facilitate “quiet zone” designation; promote environmental remediation of contaminated soils along rail rights-of-ways; and promote landscape and habitat restoration in appropriate locations.

This land use designation anticipates the following uses either individually or combined: rail lines and rail-related uses and structures, such as signaling equipment; commuter or multi-purpose parking; temporary uses; mobile uses, such as food trucks and mobile retail; tree and plant nurseries; community gardens; sculpture parks; and solar arrays, wind turbines and other green energy facilities.

This land use designation anticipates the following building types: railroad signaling equipment; surface and structured parking decks; kiosks and open-air pavilions; observations towers; temporary structures; and energy and utility-related structures.

Any structures in this and use designation should be sensitive to surrounding land uses, where such exist, and should not encroach on appropriate standards of light and air affecting other properties.

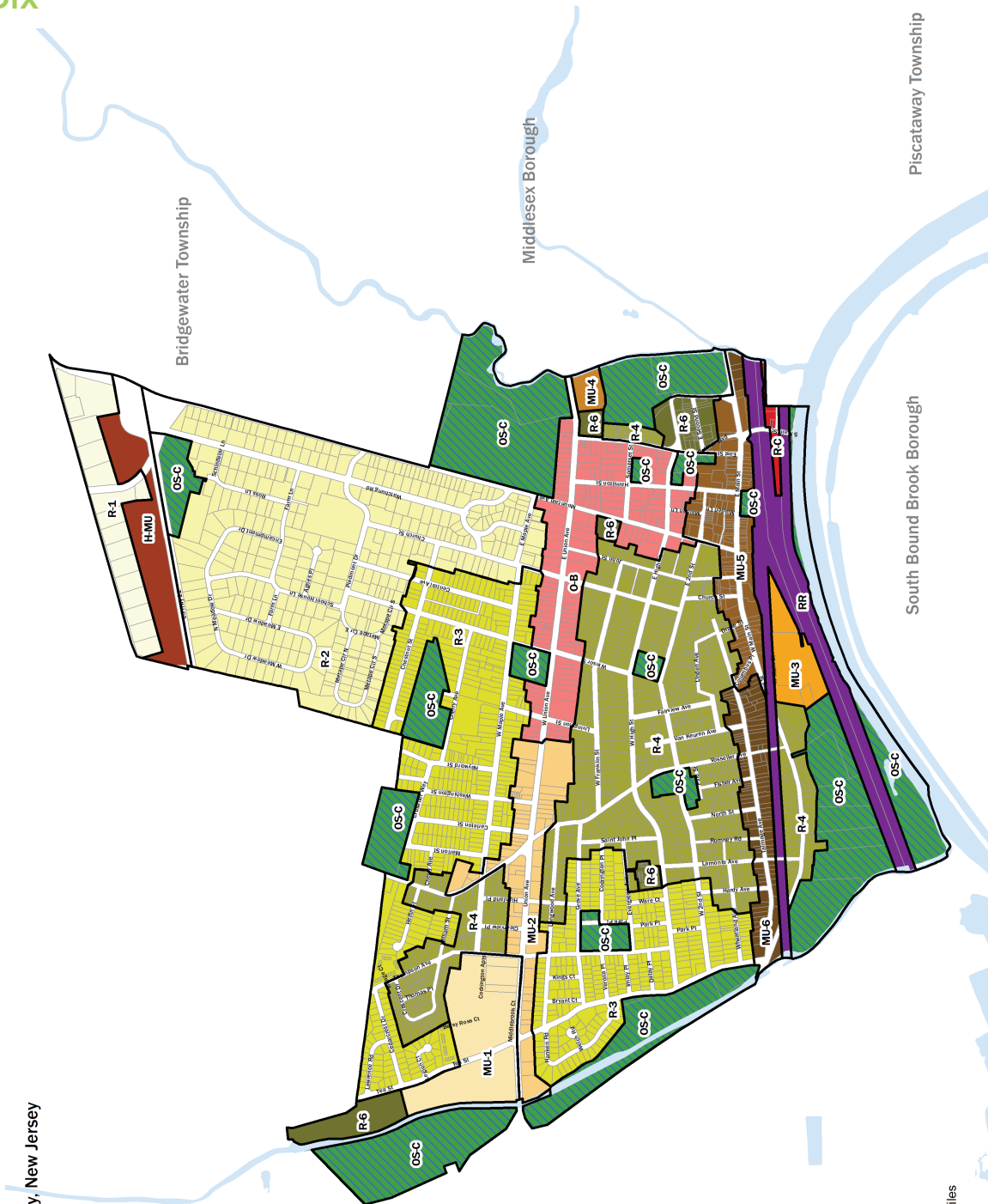
4. RECOMMENDED CHANGES TO THE LAND DEVELOPMENT REGULATIONS

This Land Use Plan, and the *2017 Master Plan Reexamination Report* that preceded it, both recommend amendments to the Borough's aging Land Development Regulations. Some of these amendments are already underway, however a comprehensive overhaul of the code is recommended. To become a fully functional, contemporary tool that promotes economic development opportunities in the Borough, instead of stifling them, the Land Development Regulations require a comprehensive update and modernization.

Borough of Bound Brook - Somerset County, New Jersey

LAND USE PLAN MAP

- R-1 Single Family Residence District
- R-2 Single Family Residence District
- R-3 Single Family Residence District
- R-4 One and Two Family Residence
- R-6 Multiple Family Residence
- MU-1 Mixed-Use 1
- MU-2 Mixed-Use 2
- MU-3 Mixed-Use 3
- MU-4 Mixed-Use 4
- MU-5 Mixed-Use 5
- MU-6 Mixed-Use 6
- H-MU Highway Mixed-Use
- O-B Office-Business
- R-C Riverfront Commercial
- RR Railroad
- OS-C Open Space/Civic



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