



## 8.0 STATUTORY PROVISIONS OF A MASTER PLAN

Pursuant to the *Municipal Land Use Law*<sup>299</sup>, a Master Plan “shall generally comprise a report or statement and land use and development proposals, with maps, diagrams and text, presenting, at least the following elements...

### 8.1 Mandatory Elements

- 1) A statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based;

***Addressed in Section 5.0 herein.***

- 2) A land use plan element (a) taking into account and stating its relationship to the statement provided for in 1) hereof, and other master plan elements provided for in 3) through 16) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands; (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport safety zones delineated pursuant to the "Air Safety and Zoning Act of 1983,"... (C.6:1-80 et seq.); and (d) including a statement of the standards of population density and development intensity recommended for the municipality;

***Addressed in Section 6.0 herein.***

***There are no Airports within the City of Pleasantville. The closest airport to the City is the Atlantic City International Airport in Egg Harbor Township. The Airport Safety Zone is delineated on the Existing and Proposed Zoning Maps (Exhibit 6, Exhibit 14 & Exhibit 15).***

***While the US Coast Guard Station in Atlantic City routinely handles helicopter traffic, the takeoff and landing approaches do not encroach into Pleasantville’s airspace.***

<sup>299</sup> N.J.S.A. 40:55D-28



## 8.2 Optional Elements

In addition, a Master Plan may include the following optional elements:

- 3) A housing plan element pursuant to (C.52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing;

***Addressed in Section 7.0 herein.***

- 4) A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality, taking into account the functional highway classification system of the Federal Highway Administration and the types, locations, conditions and availability of existing and proposed transportation facilities, including air, water, road and rail;

***The specific components of a Circulation Plan Element are, of necessity, dependent upon the recommendations adopted as part of the Land Use Plan Element of a municipal Master Plan. Accordingly, issues related to Circulation within the City of Pleasantville shall be addressed in Volume 2 of 2 of this Comprehensive Master Plan Update, which shall be undertaken upon adoption of the recommendations contained in Volume 1 of 2 herein.***

- 5) A utility service plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provision for other related utilities, and including any storm water management plan required pursuant to the provisions of...(C.40:55D-93 et seq.). If a municipality prepares a utility service plan element as a condition for adopting a development transfer ordinance pursuant to (C.40:55D-140), the plan element shall address the provision of utilities in the receiving zone as provided thereunder;

***The specific components of a Utility Plan Element are, of necessity, dependent upon the recommendations adopted as part of the Land Use Plan Element of a municipal Master Plan. Accordingly, issues related to Infrastructure within the City of Pleasantville shall be addressed in Volume 2 of 2 of this Comprehensive Master Plan Update,***



***which shall be undertaken upon adoption of the recommendations contained in Volume 1 of 2 herein.***

- 6) A community facilities plan element showing the existing and proposed location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas;

***Issues related to Infrastructure within the City of Pleasantville shall be addressed in Volume 2 of 2 of this Comprehensive Master Plan Update, which shall be undertaken upon adoption of the recommendations contained in Volume 1 of 2 herein.***

- 7) A recreation plan element showing a comprehensive system of areas and public sites for recreation;

***Issues related to Recreation and Open Space within the City of Pleasantville shall be addressed in Volume 2 of 2 of this Comprehensive Master Plan Update, which shall be undertaken upon adoption of the recommendations contained in Volume 1 of 2 herein.***

- 8) A conservation plan element providing for the preservation, conservation, and utilization of natural resources, including, to the extent appropriate, energy, open space, water supply, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, endangered or threatened species wildlife and other resources, and which systemically analyzes the impact of each other component and element of the master plan on the present and future preservation, conservation and utilization of those resources.

***Issues related to preservation, conservation, and utilization of natural resources are addressed within the context of the various other plan elements within this Comprehensive Master Plan Update.***

- 9) An economic plan element considering all aspects of economic development and sustained economic vitality, including (a) a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas and (b) an analysis of the stability and diversity of the economic development to be promoted;



***Issues related to economic development and sustained economic vitality are addressed within the City of Pleasantville, Urban Enterprise Zone 5-Year Strategic Plan prepared by Remington & Vernick Engineers (1996) as updated through the Amended & Restated Zone Development Plan, Urban Enterprise Zone, City of Pleasantville prepared by Remington, Vernick & Walberg Engineers (2002).***

***This Comprehensive Master Plan Update contains significant recommendations which will impact the economic development of the City of Pleasantville. Accordingly, it is recommended that the Amended & Restated Zone Development Plan for the Pleasantville Urban Enterprise Zone be updated upon adoption of this Master Plan Update.***

- 10) A historic preservation plan element: (a) indicating the location and significance of historic sites and historic districts; (b) identifying the standards used to assess worthiness for historic site or district identification; and (c) analyzing the impact of each component and element of the master plan on the preservation of historic sites and districts;

***Policies related to Historic Preservation are addressed in section 5.8 herein.***

- 11) Appendices or separate reports containing the technical foundation for the master plan and its constituent elements;

***Referenced documents not included as an Exhibit hereto are on file with the Pleasantville City Clerk and/or the Atlantic County Clerk.***

- 12) A recycling plan element which incorporates the State Recycling Plan goals, including provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance, and for the collection, disposition and recycling of recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land;



***Recycling in the City of Pleasantville is the responsibility of the Atlantic County Utilities Authority. While the City supports recycling efforts and includes a review of appropriate storage areas for recycling materials as part of its Planning Board and Zoning Board development reviews, a formal Recycling Plan Element is not applicable to this Comprehensive Master Plan Update.***

- 13) A farmland preservation plan element, which shall include: an inventory of farm properties and a map illustrating significant areas of agricultural land; a statement showing that municipal ordinances support and promote agriculture as a business; and a plan for preserving as much farmland as possible in the short term by leveraging monies made available by (C.13:8C-1 et al.) through a variety of mechanisms...;

***The City of Pleasantville contains no farmland. A Farmland Preservation Plan Element is thus not applicable to this Comprehensive Master Plan Update.***

- 14) A development transfer plan element which sets forth the public purposes, the location of sending and receiving zones and the technical details of a development transfer program based on the provisions of N.J.S.A. 40:55D-141;

***The City of Pleasantville has no lands it wishes to protect from development by means of the transfer of development rights. A Development Transfer Plan Element is thus not applicable to this Comprehensive Master Plan Update.***

- 15) An educational facilities plan element which incorporates the purposes and goals of the "long-range facilities plan" required to be submitted to the Commissioner of Education by a school district pursuant to N.J.S.A. 18A: 7G-4;

***Objective 5.6.3 A. recommends that the City work with the Pleasantville Board of Education to address physical plant issues facing the school system, including, but not limited to, issues identified within the Board of Education's Long Range Facilities Plan, provided that these proposals do not conflict with the City's larger revitalization efforts.***



- (16) A green buildings and environmental sustainability plan element which shall provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems by considering the impact of buildings on the local, regional and global environment; allowing ecosystems of function naturally; conserving and reusing water; on-site treatment of storm water; and optimizing climatic conditions through site orientation and design;

***A Green Buildings and Environmental Sustainability Plan Element became an optional element to a municipal Master Plan as this Comprehensive Master Plan Update was being finalized for printing.***

***Principle 5.6.3 herein recommends that the City undertake a Green Buildings and Environmental Sustainability Plan Element as funding becomes available and that, until such time, the City should address 'green' technologies within the context of Chapter 290. Objectives include encouraging 'green' technologies (windmills, solar, geothermal, etc.) as accessory uses in new construction and building rehabilitation and as principal uses at appropriate locations within the City (i.e., where such uses do not conflict with neighboring land uses) and LEED ("Leadership in Energy & Environmental Design") building systems and technologies in all Projects as appropriate.***

### 8.3 Relationships to Other Plans

Municipalities contiguous to the City of Pleasantville are the City of Absecon, the City of Atlantic City, the West Atlantic City section of Egg Harbor Township, the City of Northfield and the City of Ventnor.<sup>300</sup>

#### 8.3.1 City of Absecon

Absecon completed its most recent Master Plan Reexamination in June of 2006. Such Reexamination is largely silent as relates to Pleasantville.

Absecon and Pleasantville share a common boundary line at California Avenue. Recommendations contained in this Comprehensive Master Plan Update which might impact the City of Absecon include modifications to certain existing zone boundary lines in the northern section of Pleasantville, the creation of the Residential Duplex (R-D) Zone along California Avenue, the elimination of commercial overlay zones on Main Street, New Road and California Avenue and the creation of the General Commercial Zone on north Main Street.

<sup>300</sup> Exhibit 3



While these and other recommendations modify certain permitted uses, zoning district boundaries and building controls in the City's northern Zoning Districts, they do not substantially alter the underlying nature of the northern side of Pleasantville in terms of land use and zoning controls beyond what was in place at the time of this Update. Accordingly, the recommendations proposed herein are not sufficient in scope or content to materially impact Absecon or its Master Plan.

### 8.3.2 City of Atlantic City

Atlantic City last reexamined its Master Plan in 2003. Such Reexamination is largely silent regarding the City of Pleasantville.

At Publication, Atlantic City had completed, and was in the process of adopting, a new Master Plan. Other than recognizing the shared municipal boundaries, such Master Plan is similarly silent regarding the City of Pleasantville.

The recommended revisions to the City's Land Use Plan contained in this Comprehensive Master Plan Update (section 6.3 herein) modify certain permitted uses, zoning district boundaries and building controls in the City's eastern Zoning Districts, including the proposed Bayside Mixed-Use Zone, which significantly increases the potential development intensity for the middle section of the City to the east of Franklin Boulevard (section 6.3.2 C. 8. f. herein).

At its closest point, the Atlantic City municipal boundary line is approximately 1.8 miles east of the nearest developed sections of the City of Pleasantville.<sup>301</sup> However, such boundary is located within the marine tidal marsh. In actuality, the nearest developed sections of Pleasantville are approximately 4.5 miles from any inhabited or developable lands in Atlantic City.<sup>302</sup>

The marine tidal marshes provide a significant buffer between developed areas in Pleasantville and Atlantic City. Accordingly, it is not anticipated that the actions recommended in this Comprehensive Master Plan Update will have any material impact on the City of Atlantic City or its Master Plan.

### 8.3.3 Egg Harbor Township

Egg Harbor Township last reexamined its Master Plan in 2002. Such Reexamination is largely silent regarding the City of Pleasantville.

Egg Harbor Township shares a common boundary line with the City of Pleasantville to the western and along the West Atlantic City portion of the Township to the east.

<sup>301</sup> Black Horse Pike from Jonathan's Thoroughfare to Lyons Court in Pleasantville.

<sup>302</sup> Black Horse Pike from Lyons Court to West End Avenue in Chelsea Heights section of Atlantic City.



**A. West of Pleasantville**

Recommendations contained in this Comprehensive Master Plan Update which might impact the portion of Egg Harbor Township to the west of Pleasantville include modifications to certain existing zone boundary lines in the western section of Pleasantville and the creation of the Regional Commercial (RC) Zone along the western section of the Black Horse Pike.

While these and other recommendations modify certain permitted uses, zoning district boundaries and building controls in the City's western Zoning Districts, they do not substantially alter the underlying nature of the western side of Pleasantville in terms of land use and zoning controls beyond what was in place at the time of this Update. Accordingly, the recommendations proposed herein are not sufficient in scope or content to materially impact Egg Harbor Township or its Master Plan as relates to the western side of the City of Pleasantville.

**B. West Atlantic City**

In addition to modifications to certain permitted uses, zoning district boundaries and building controls in the City's eastern Zoning Districts, recommendations contained in this Comprehensive Master Plan Update which might impact the West Atlantic City portion of Egg Harbor Township include the proposed Bayside Mixed-Use ("BMU") Zoning District, which is located on the eastern edge of the City between the Atlantic City Expressway and West Jersey Avenue; thereby sharing the northern boundary line with West Atlantic City. Additionally, this Update recommends modifying the zoning for the Black Horse Pike area east of the Central Business District from Commercial (COM) to General Commercial (GC).

Egg Harbor Township zoning for West Atlantic City is Special Highway Development ("SHD") for properties fronting the Black Horse Pike and Residential ("R-5") for the area between the Black Horse Pike frontage properties and the West Jersey Avenue border with the City of Pleasantville. At Publication, land uses on the Pleasantville side of West Jersey Avenue included a lumber yard and railroad rights-of-way owned and operated by J.P. Rail.

At Publication, SHD Zoning permits uses which are very similar to the uses proposed for the BMU Zone (although the area and bulk standards reflect different settings and municipal priorities) and R-5 Zoning permits uses which are very similar to uses permitted in the City's R-50 Residential Zoning Districts.

Also at Publication, Egg Harbor Township had declared the portion of West Atlantic City north of the Black Horse Pike between Palermo Avenue and Jonathan's Thorofare to be In Need of Redevelopment under the Redevelopment Statute. While a Redevelopment Plan, outlining likely uses and development controls for this Area has yet to be crafted, it is assumed that development intensity for the Redevelopment Area will increase significantly.



Given the intensity of development expected for West Atlantic City, it is not anticipated that the recommendations contained in this Comprehensive Master Plan Update will have any material impact on Egg Harbor Township or its Master Plan beyond what the Township might introduce under its Redevelopment Plan.

#### **8.3.4 City of Northfield**

Northfield last reexamined its Master Plan in 1995. At Publication, Northfield was undertaking, but had not completed, the 6-year Master Plan Reexamination process. The 1995 Reexamination is therefore the active Master Plan for the City of Northfield.

Northfield and Pleasantville share a common boundary line behind the properties fronting Ridgewood Avenue (if extended to the east and west). Recommendations contained in this Comprehensive Master Plan Update which might impact the City of Northfield include modifications to certain existing zone boundary lines in the southern section of Pleasantville, the elimination of commercial overlay zones on Main Street and New Road and the creation of the General Commercial Zone on south Main Street.

While these and other recommendations modify certain permitted uses, zoning district boundaries and building controls in the City's southern Zoning Districts, they do not substantially alter the underlying nature of the southern side of Pleasantville in terms of land use and zoning controls beyond what was in place at the time of this Update. Accordingly, the recommendations proposed herein are not sufficient in scope or content to materially impact Northfield or its Master Plan.

#### **8.3.5 Atlantic County**

Atlantic County last reexamined its Master Plan in 2000. While such Reexamination is largely silent regarding specific projects within the City of Pleasantville, the County strongly supports the City's revitalization efforts. Accordingly, it is not anticipated that the recommendations contained in this Comprehensive Master Plan Update will have any negative impact on Atlantic County or its Master Plan.

#### **8.3.6 State of New Jersey**

The New Jersey Office of Smart Growth has promulgated the *State Development and Redevelopment Plan*<sup>303</sup> as the equivalent of a statewide Master Plan. Prepared as an interdepartmental effort between various offices charged with managing development in New Jersey<sup>304</sup>, the State Plan is the controlling policy guide regarding land use planning and growth-related issues.

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<sup>303</sup> "State Plan"

<sup>304</sup> Principally, but not exclusively, NJDCA and NJDEP.



The current version of the State Plan was adopted in March of 2001. At Publication, the State was undertaking, but had not completed, a reexamination of the State Plan. The 2001 version of the State Plan is therefore the active Development and Redevelopment Plan for the State.

The State Plan classifies almost all of Pleasantville as a “PA-1: Metropolitan Planning Area”<sup>305</sup> and includes Pleasantville as a Proposed Center.

*Metropolitan Planning Areas* are designed to provide for much of the state’s future redevelopment through revitalization of cities and towns; promotion of growth in compact forms; stabilization of older suburbs; redesign of areas of sprawl; and protection of the character of existing stable communities.

*Centers* are compact forms of development that consume less land, deplete fewer natural resources and are more efficient in the delivery of public services.

To accomplish these goals, the following Policy Objectives (pertinent to the City of Pleasantville) have been established:<sup>306</sup>

**Land Use:** Promote redevelopment and development in Cores and Neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

**Housing:** Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of non-residential buildings, and the introduction of new housing into appropriate non-residential settings. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.

**Economic Development:** Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role

<sup>305</sup> Exhibit 9

<sup>306</sup> State Plan (pp.156-158)



for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies, and programs, including tax policies and expedited review of proposals that support appropriate redevelopment.

**Transportation:** Maintain and enhance a transportation system that capitalizes on high density settlement patterns by encouraging the use of public transit systems, walking, and alternative modes of transportation to reduce automobile dependency, link Centers and Nodes, and create opportunities for transit oriented redevelopment. Facilitate efficient goods movement through strategic investments and intermodal linkages...

**Natural Resource Conservation:** Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites and Historic and Cultural Sites. Give special emphasis to improving air quality. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link to other Planning Areas.

**Recreation:** Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects.

**Redevelopment:** Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.

**Historic Preservation:** Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.



**Public Facilities and Services:** Complete, repair or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region. Encourage the concentration of public facilities and services in Centers and Cores.

**Intergovernmental Coordination:** Regionalize as many public services as feasible and economical to enhance the cost-effective delivery of those services. Establish multi-jurisdictional policy and planning entities to guide the efforts of State, county and municipal governments to ensure compatible and coordinated redevelopment.

The commendations proposed in this Comprehensive Master Plan Update support and advance the Policy Objectives of the State Plan.

- 8.3.7 In sum, there is no change in the relationship between the recommendations of this Comprehensive Master Plan Update and (a) the master plans of contiguous municipalities, (b) the Atlantic County Comprehensive Plan (February, 2005, as amended) and (c) the State Development & Redevelopment Plan from those relationships which existed prior to this 2007 Master Planning effort.