

A PRELIMINARY INVESTIGATION

REGARDING THE DESIGNATION OF A PROPOSED AREA IN NEED OF REDEVELOPMENT

KNOWN AS

AREA C

(ROUTE 23 NORTH – MABIE TO HIGH STREETS)



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The original of this report was signed and sealed in accordance with NJSA 45:14A-12

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1.0 INTRODUCTION AND PURPOSE OF REPORT

The purpose of this report is to analyze a portion of Franklin Borough in order to determine if that area can be designated as an “Area in Need of Redevelopment” in accordance with the criteria set forth in NJSA 40A:12A-5 (The Local Redevelopment and Housing Law). The specific area in question is bordered by Route 23 immediately to the east, by Mabie St to the north, High St to the south and on the west by several properties that front on Rutherford Ave. The specific properties that comprise this area are all located in Block 29 and are listed as follows:

Property	Location	Area	Zone	Owner
B29, L28	429 Rt. 23	.5165ac	HC	Dobolen Realty
B29, L29	425 Rt. 23	.5211ac	HC	DFS Partners (gas station)
B29, L30	413 Rt. 23	1.24ac	HC	Wanut LLC (aka Kulsar’s)
B29, L31	407-409 Rt.23	.4944ac	HC	RTL Realty
B29, L32	401-403 Rt. 23	.4136ac	HC	Ferdinand, J & E. (2bldg, deli,)

Please note that the Borough of Franklin restructured its block and lot designations during the course of this study and the above referenced block and lot numbers have been changed. However, since the original request from the Franklin Borough Council referenced the numbers listed above, this report will continue to use those numbers. The Tax Assessor’s office should be consulted for the current designations.

This area (Area C – Route 23 North / Mabie to High Streets) is one of four areas identified in the **Franklin Borough Redevelopment Ad Hoc Committee Report**, dated June 2010, as potentially meeting the criteria to be designated as “An Area in Need of Redevelopment”. A fifth area was identified as potentially meeting the criteria for “An Area in Need of Rehabilitation”. All five of the areas identified in the report are strategically located portions of the community that are important to the future vitality of the Borough. They vary in size, location and condition but each has the potential to contribute more to the socio- economic goals and objectives of the community and the region, than they do now.

During 2009, the Borough Planning Board undertook and adopted a Master Plan Reexamination Report and several Master Plan amendments, as part of its long range planning efforts. In the Reexamination Report document, specific mention is made of potential areas in need of redevelopment, as well as the Borough’s previous redevelopment activities. Subsequent to the adoption of the Reexamination Report, The Ad Hoc Committee Report, which was approved by the Planning Board in 2010, supplemented the Reexamination Report by providing a substantial amount of

information regarding the redevelopment area process and the five areas of the Borough that should be investigated in more detail.

The Borough is fully aware of the need to comprehensively investigate any area that is being considered as a designated "Area in Need of Redevelopment". The Borough is also aware that recent case law makes it clear that such designations must be fully supportable by the documentation that is compiled in connection with such an effort. This report provides that documentation.

Specifically, in compiling this report, a variety of tasks were undertaken. First each property in the study area was visited and photographed in order to document the appearance and condition of any structures existing on the property. The next step was to review the Borough Tax Assessor's property record cards for each lot and make note of relevant information. A return site visit to each property was undertaken to more closely inspect the existing physical conditions. Unless otherwise noted, only exterior conditions were evaluated.

The Borough Zoning Officer and Tax Collector, as well as the Construction Code Official were also consulted to determine the extent of any activity under their jurisdictions involving these properties during the last several years. Among the items of interest were code violations, failure to pay property taxes, tax liens, tax sales, foreclosures and the issuance of any zoning or building permits. In addition, information was also provided regarding any Planning Board or Board of Adjustment activity involving any of the properties. The compiled information is noted for each property where it is relevant with respect to whether or not the property meets the applicable statutory criteria for an area in need of redevelopment.

So, the end result of an analysis of this type involves determining how the properties that are studied meet or don't meet the criteria established by NJSA 40A: 12A-5. Those criteria are listed as follows:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or

nature of the soil, is not likely to be developed through the instrumentality of private capital.

d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.

f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c. 303 (C. 52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c. 79 (C. 40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c. 431 (C. 40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c. 441 (C. 40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C. 40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

An authoritative source on the redevelopment process in New Jersey is a document entitled The Redevelopment Handbook authored by Slachetka and Roberts on behalf of the New Jersey Dept of Community Affairs. In that document, in Section 5, there is a

discussion of the statutory criteria and how to interpret the above referenced statutory language. In terms of guidance the authors begin by indicating that “an area may be in need of redevelopment if:

- The buildings and structures located within it have been allowed to deteriorate to such a degree that they pose a threat to the public health and safety
- It includes vacant commercial and industrial buildings that are abandoned or have become so obsolete that they cannot reasonably be rented or sold”

However, the authors go on to further clarify that the statutory language is broad enough so that even “relatively well maintained properties and structurally sound buildings and viable commercial and residential uses” may qualify if there are various defects related to site design, property size and shape or if other land use related factors have discouraged the private sector from considering these properties for investment or redevelopment purposes. The authors conclude their observations with the following thought:

“In summary, an area in need of redevelopment when private market forces and conditions of ownership have led to abandonment disinvestment or underutilization of properties within an area.....it may be that an area is not being utilized to its full development potential. As a result, the area may not be effectively contributing to the municipality’s economy or its long range community development objectives. Thus, public action is required”

However, it must also be noted that recent case law has somewhat tempered this expansive view of how liberally the redevelopment criteria can be applied. Nevertheless, as long as the health, safety and welfare of the community is directly tied to the conditions that exist within a potential redevelopment area, a municipality can still rely on the language in The Local Redevelopment and Housing Law to support its actions

It also needs to be noted that if a property, by itself does not meet any of the statutory criteria, it may still be included in a designated redevelopment area, as noted in NJSA 40A:12A-3 – because of how a “Redevelopment Area” is defined. The last sentence of that definition states the following:

“..... A redevelopment area may include lands, buildings or improvements, which of themselves are not detrimental to the public, health, safety or welfare but the inclusion of which is found necessary, with or without changes in their condition, for the effective redevelopment of the area of which they are a part. “

The following property descriptions and related information pertaining to the study area will determine if all or some of the properties in question can qualify as part of an area that may be designated, by the Borough Council, as “An Area in Need of Redevelopment.”

2.0 EXISTING CONDITIONS AND ANALYSES

2.1 GENERAL DESCRIPTION AND APPLICABILITY OF STATUTORY CRITERIA

The area in question, as already noted, is adjacent to Route 23. It consists of approximately 3.18 acres and five separate lots. Each lot has one or more buildings located on it. There are five different owners involved with this area. The area is depicted on a map identified as Exhibit 1 and an aerial photo identified as Exhibit 2 in Appendix A

The configurations of the lots vary, with several being relatively irregular in shape. The topography is generally level and all of the properties can be described as essentially being fully developed with only small amounts of vegetation remaining. This area is part of the Route 23 commercial corridor but there are also a number of existing residential properties in close proximity.

All five properties are located in the HC Zone, which permits a variety of commercial uses – see Appendix B – Schedule A of the Franklin Land Development Ordinance. The HC Zone has a minimum lot size requirement of 5 acres, which is intended to encourage larger commercial complexes and to discourage the further fragmentation of the Route 23 commercial corridor. The remaining dimensional requirements of the zone are as follows:

- Min. Lot Width – 250’
- Min. Lot Depth – 500’
- Min. Front Yd Setback – 100’
- Min. Side Yd Setback – 50’
- Min. Rear Yd Setback – 100’
- Max. Bldg Ht. – 35’ / 3 stories
- Min. Depth of Corner Lot from Street – 300’
- Max. Building Coverage – 20%

The area to the east of Route 23 and bordering that roadway is also in the HC zone. However, the lots immediately to the west of the area in question are in the R-4 Zone, which is a residential zone with a minimum lot area requirement of 6,250 sq ft. See Appendix C for a graphic depiction of the area zoning pattern

The following descriptions and analyses – Sections 2.2 to 2.6 - provide the necessary information needed to conclude whether or not each specific property, within the study area, can be included as part of An Area in Need of Redevelopment based on its own merits. In connection with that issue, the specific statutory criteria that apply to each property are noted at the end of each section

2.2 BLOCK 29 ; LOT 28 “Parcel A” ANALYSIS AND DESCRIPTION

This site consists of approximately one half acre. It is located at the north end of the study area. It is long (in excess of 400') and narrow with an average width of less than 40'. Two existing structures are located on the site and are in very poor condition. One is a vacant single story commercial structure (Building # 1) and the other is a two story vacant residential structure (Building # 2), that according to the Tax Assessor's records contains two apartments. The total assessment of the property is just over \$ 383,000 with the buildings accounting for just under \$ 132,000 of that number. Based on a land to structure ratio, the value of the land nearly double that of the buildings, an indication that the site is underutilized. Finally, this site does not meet most of the dimensional requirements of the HC Zone and the residential structure on the property is non conforming.

Both buildings are in a very poor, dilapidated condition. Some of the windows are covered by boards. Furthermore, peeling paint, deteriorated roofing, plus other obvious signs of neglect, indicate that each structure has reached the end of its useful life. It does not appear that it would be cost effective to attempt to rehabilitate either structure. In addition, Building # 1 is a very small building, not useful by today's commercial standards and both it and Building # 2 are located in close proximity to Route 23. Finally, accommodating adequate parking on the site is very difficult because of the current placement of the buildings on the property.

The Zoning Officer indicates that this property has been the subject of several property maintenance complaints and there are also construction violations associated with the buildings. The violations have not been abated and there may also be a contamination problem on the site, identified by NJDEP, from a past use as a gas station. Finally, it has been difficult to resolve these issues because there is also some ownership and foreclosure problems affecting the property.



BUILDING # 1



BUILDING # 2

In summary, this property meets at least criterion “a” because of the persistent pattern of neglect and may meet other criteria as well.

2.3 BLOCK 29 LOT 29 (Parcel “B”) ANALYSIS AND DESCRIPTION

This site consists of approximately one half acre and it is somewhat rectangular in shape. It is located immediately to the south of lot 28. It accommodates an existing gasoline service station, which operates under the Shell brand. In addition, a separate sign indicates that there is an auto repair facility on the site, which operates under the name of Ultimate Auto Repair.

The service station building consists of an office area and two repair bays, totaling 1,825 sq ft, but it appears that the repair bays are used for storage not for repair purposes. This single story masonry building appears to be in excess of 50 years old, based on the Tax Assessor’s records and visual observation. Immediately to the north of this building and partially attached to it is a single story metal building which accommodates the aforementioned auto repair operation. And consists of 2,400 sq ft of floor area This building accommodates three repair bays. Both buildings are in fair to good condition. However, the placement of the buildings on the site, the somewhat difficult access related to the gas pumps and the manner in which vehicles are parked on the site are indicators that this site falls short of the current standards for commercial uses of this type. It should be noted that although service stations are permitted in the HC Zone, this use as currently configured, would have difficulty obtaining an approval without multiple variances

The Zoning Officer indicates that there was a recent sign violation associated with this property and there may also be an issue related to the underground storage tanks on the property that requires further clarification. Furthermore, it is possible (not confirmed) that some of the parking spaces, associated with this commercial use, may actually be located within the right of way of Route 23. Any requirement to remove those spaces would obviously affect the viability of this site for many types of commercial uses.

Based on a visual inspection, it appears that the masonry structure pre dates zoning but it is unknown when or if the metal building was subjected to the local review and approval process. The Tax Assessor indicates that the total value of the property is approximately \$ 661,000, with the land having approximately the same value as the structures. However, the Tax Assessor’s records do not provide any definitive information about the age of either structure.



SHELL SERVICE STATION

In summary, this property meets at least criterion “d” because of the overcrowded conditions on the site, the deficient size of the site, the non conforming use and the fact that the commercial use of this property, in its current configuration, is not consistent with modern planning standards. The proximity of the site to a residential area also raises health and safety issues.

2.4 BLOCK 29 LOT 30 (Parcel “C”) ANALYSIS AND DESCRIPTION

This site consists of approximately one and a quarter acres and is somewhat rectangular in shape. It is located immediately to the south of lot 29. It accommodates an existing vacant, single story commercial structure of approximately 7,400 sq ft. This property at one time had been a car dealership. In the recent past it had been used for other auto related commercial uses and is commonly known as the Kulsar Garage building. The Tax Assessor lists the use as that of a warehouse but a visual inspection indicated that no use is currently active on the site, which has been confirmed by the Zoning Officer. However, the Zoning Officer also indicates that during the last several years there have been many problems with the illegal parking of vehicles at this location, as well as the illegal placement of dumpsters, storage containers and the illegal sale of such things as Christmas Trees and firewood.

The existing building is oriented toward the north side of the property and there is a large open, mostly unpaved area to the south of the building. From what is known about the former use of the building, as one of the first car dealerships in Sussex County and from a visual inspection of the structure, it is clear that this building was constructed prior to zoning. In addition, the building has been allowed to deteriorate in recent years as evidenced by the condition of the exterior walls and roof. However, the building has not necessarily reached the end of its useful life, although that conclusion will require further investigation as to its structural stability. In fact, if the building is salvageable, given its historic character, any redevelopment plan for this area may want to consider retaining and rehabilitating it and making it a focal point of any redevelopment project. However, given the existing site and building conditions and the placement of the building on the property, it may be more realistic to demolish the building, as part of any redevelopment plan.

The Tax Assessor’s records indicate that the total value of the property is approximately \$ 990,000, with the land accounting for approximately 62% of the total value.



KULSAR’S GARAGE

In summary, this property meets at least criterion “d” because the current site design, including the placement of the building on the property, makes any adaptive re-use of the site or building, which would be in accordance with modern planning standards, difficult at best. Finally, please note that although this site is larger than the others in the study area, it is still substantially deficient in size, based on the requirements of the HC Zone.

2.5 BLOCK 29 LOT 31 (Parcel “D”) ANALYSIS AND DESCRIPTION

This site consists of approximately one half acre and is nearly square in shape. It is located immediately to the south of lot 30. It accommodates a two story commercial structure with several business locations in it. Currently one of those locations is vacant and the other two are occupied by a realtor – Gross / Jansen - and a business which identifies itself as North Jersey Gold. The total amount of commercial floor area is 1,500 sq ft. The building also includes a two bedroom apartment on the second floor.

The Tax Assessor’s records indicate that the structure was built in 1965. The building is of a typical non descript appearance common to that era and it is kept in reasonably good condition. However, given the age and design of the building it may be bordering on obsolescence, which may result in it becoming more difficult to keep the commercial space fully rented.

The Tax Assessor indicates the total value of the property is just over \$ 390,000. It appears that the amount of parking area that services the building is adequate and there is a substantial lawn area on two sides of the building but there are few other site amenities in the form of landscaping or other decorative features. There is also a billboard on the property located near the northern boundary of the site



COMMERCIAL STRUCTURE – 407/409 ROUTE 23 - PARCEL D

This property does not qualify on its own, although it comes very close to meeting the requirements of criterion d. However, it can be included in the redevelopment area, based on its importance to the preparation of a comprehensive redevelopment plan for this area, as authorized by the provisions of NJSA: 40A: 12-3.

2.6 BLOCK 29 LOT 32 (Parcel “E”) ANALYSIS AND DESCRIPTION

This site consists of approximately four tenths of an acre and is nearly rectangular in shape. It is located immediately to the south of lot 31. It accommodates two existing commercial structures. One structure is occupied by a deli and the other is occupied by a auto repair facility. Both buildings are in fair condition and it appears they have been reasonably maintained, since there are no overtly visible signs of dilapidation or deterioration. The Tax Assessor’s records indicate that the buildings were constructed around 1970. However, both buildings appear to be much older and probably date to before World War II based on the type and style of construction, as well as the recollections of some people with a knowledge of Franklin’s history.

As already noted, there are two buildings on this relatively small site, which accommodate businesses that are not related to one another. Both buildings are very close to the road and the parking arrangement is substandard. It also needs to be noted that the visual and environmental impacts associated with the auto repair facility do not help foster a positive image of this part of Franklin, when one considers the very visible location of this facility at the intersection of Route 23 and High St.

The Tax Assessor has placed a value on this property of \$ 343,200 using the income approach rather than a replacement value figure. The Tax Assessor’s records also indicate that the total square footage of the two buildings is 2,748 sq ft but the records do not indicate how that floor area is divided between the two buildings and those records only provide a total value, not separate values for land and buildings. The Zoning Officer’s records indicate that this property has been the subject of several minor zoning violations in the past but they have been abated.

This property is reflective of the type of development that existed along the Franklin portion of Route 23 in the past – poorly planned, on small lots with relatively small business operations. It is not reflective of the newer type of development that has been occurring along the Route 23 corridor in recent years. The continued existence of these older, obsolete commercial properties undoubtedly is having a negative effect on private sector investment in this part of the Borough.



AUTO REPAIR FACILITY ON LEFT / DELI ON RIGHT

In summary, this property meets at least criterion “d” because of the overcrowded conditions on the site, the deficient size of the site, the non conforming use and the fact that the commercial use of this property, in its current configuration, is not consistent with modern planning standards. There also may be health and safety issues relative to the proximity of the auto repair facility to a residential area

3.0 STUDY SUMMARY

3.1 PLANNING CONSIDERATIONS

This proposed redevelopment area includes the remnants of a commercial period, in Franklin's past, which has largely disappeared along most other parts of the Route 23 corridor. Many other parts of this corridor now contain commercial structures built either in the later part of the 20th century or the beginning years of the 21st century. The 2003 Master Plan addresses the commercial development in Franklin, by stating in the goals and objectives section, the following:

- Encourage commercial and office uses along Route 23
- Strengthen existing commercial districts and corridors by encouraging a mix of uses that provide employment, retail opportunities, services and entertainment
- Encourage the re use of vacant non residential buildings

This is one of the areas along Route 23 that, at least partially, hasn't kept pace with the changes and demands associated with the commercial environment of the 21st century. There may be a variety of reasons why this hasn't happened but what is important from the Borough's perspective is that it is something that needs to be addressed and addressed as soon as possible..... and comprehensively. Consequently, this urgency has led the Borough to consider these properties, collectively, as a potential "Area In Need of Redevelopment" in order to facilitate, among other things, the goals and objectives of the 2003 Master Plan. And this "Preliminary Investigation" was authorized in order to determine the feasibility of doing so.

3.2 CONCLUSIONS AND RECOMMENDATIONS

Clearly, four of the five properties associated with this area qualify on their own based on the documented conditions that exist at these locations and the applicability of the criteria established by NJSA 40A: 12A-5. And the fifth property can be included, because of its integral relationship to the other four lots. So, the recommendation of this "Preliminary Investigation" is for the Borough Planning Board to conduct a public hearing, as required by statute ; evaluate the input from the public and assuming that there is no evidence presented at the hearing that contradicts the contents of this report, to then proceed with a favorable recommendation to the Borough Council, which will lead to the designation of this area as "An Area In Need of Redevelopment"

In closing, there are two other matters to mention in connection with this report. First, this report was initiated in 2011 and a draft completed in April of that year. The report was discussed and then tabled as the Planning Board went on to deal with other redevelopment matters. Part of the reason for tabling this report involved a proposal by the new owner of the Kulsar's Garage property to redevelop that site. In fact, a site plan approval and variances were granted for that work. However, subsequent to that approval no work has commenced at that site. As a result, the Planning Board decided to bring this

matter to the front of the agenda again for discussion and possible action. The material and conclusions in this report originally prepared in 2011 have again been reviewed and have been found to still be valid and defensible

The second matter that requires clarification relates to the scope of this proposed redevelopment area. Immediately to the west of the five properties evaluated herein, there are three other properties that presented some interesting possibilities. They are Lots 33, 34 and 35 located in Block 29, which are depicted on the Study Area Map in Appendix B. Together they comprise about 1.5 acres. They are in the R-3 Zone and they each accommodate a residential structure. They are accessible via Rutherford Ave only.

The Ad Hoc Committee Report made no reference to these lots and they were not authorized to be included in this study. However, these properties were evaluated for the purpose of possibly adding them to the proposed redevelopment area. At the end of that evaluation, it was decided by the Planning Board not to include them, at this time, for a variety of reasons. The primary reason for excluding them was that by including them an inappropriate retail intrusion into the existing residential area might occur.

This concludes the report for Area C and the recommendation that it be favorably considered for designation as “An Area In Need of Redevelopment”

APPENDIX A

STUDY AREA MAP AND AERIAL PHOTO

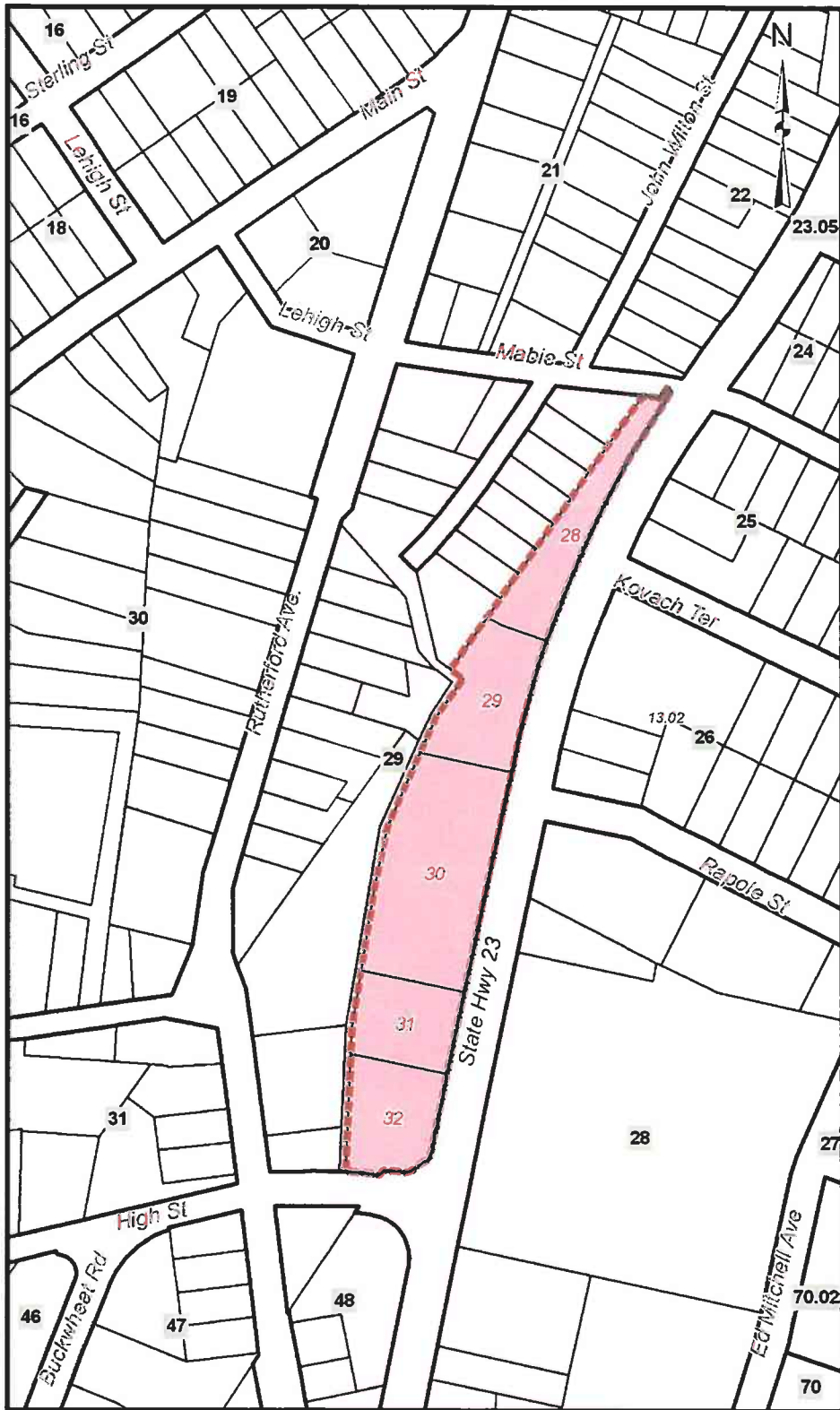


EXHIBIT 1

AREA C

(ROUTE 23 NORTH -
MABIE TO
HIGH STREETS)

Legend

- Parcels
- Study Area

0 100 200
Feet

December 6, 2012

Prepared By:

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"This map was developed using
Sussex County Geographic
Information System (SCOGIS)
digital data, but this secondary
product has not been verified
by SCOGIS and is not
county-authorized."

"This map was developed using
New Jersey Department of
Environmental Protection
Geographic Information
System digital data, but this
secondary product has not
been verified by NJDEP
and is not state-authorized."




EXHIBIT 2

AREA C

(ROUTE 23 NORTH -
MABLE TO
HIGH STREETS)

Legend

 Study Area

0 100 200
Feet

December 6, 2012

Prepared By:

The Nelson Consulting Group
2 Volcanic Hill Road
Wantage, New Jersey



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APPENDIX B

SCHEDULE A

LAND DEVELOPMENT
161 Attachment 2

Borough of Franklin

Schedule A

Permitted, Conditional and Accessory Uses & Structures
Borough of Franklin, Sussex County, New Jersey

(Amended 6-24-2008 by Ord. No. 6-2008; 9-14-2010 by Ord. No. 9-2010)

Legend:

P = Permitted principal use
A = Permitted accessory use
C = Conditional use

Uses	R-1	R-2	R-3	R-4	MF	ZM	B-1	B-2	HC	I	MHP	OS/GU	GC	Q	HMF	NC ^{1,2}
Detached single-family	P			P											P	
Apartment					P	Upper floors of upper section only	Upper floors only	Upper floors only							P	C Upper floors only
Attached single-family/townhouses					P		P								P	
Governmental buildings and uses	P	P	P	P	P	P (upper section only)		P	P	P	P	P	P			
Mixed-use buildings						P (upper section only)	P	P								P
Agricultural uses	P	P	P	P				P	P	P	P					
Mobile home parks											P					
Retail sales and trade						P (upper section only)	P	P	P							P
Financial institutions, non-drive-through						P	P	P	P	P						P
Offices						P	P	P	P	P	P		P			P
Restaurants (non-drive-through)						P (upper section only)	P	P	P	P						P

NOTES:

- 1 See § 161-13F, Quarry Zone, for all permitted, conditional and accessory uses and structures.
- 2 Amended 3-13-2007 by Ord. No. 6-2007.
- 3 Note: Any use listed in Schedule A that is not included on the above referenced list is specifically prohibited in the NC Zone.
- 4 Note: A single use project may include an affordable housing component in addition to any commercial use, if the Planning Board determines that the affordable housing obligation should be addressed on site.

FRANKLIN CODE

Uses	R-1	R-2	R-3	R-4	MF	ZM	B-1	B-2	HC	I	MHP	OS/GU	GC	Q	HMF	NC ^{1,2}
Theaters						C (upper section only)	C	C	P							
Funeral homes						P	P	P	P							
Vocational schools						(upper section only)	P	P								
Art, music, dance and photographic studios and galleries						P (upper section only)	P	P	P	P						P
Medical and dental clinics and health services associated with medical or dental offices						P (upper section only)	P	P	P	P						P
Nonprofit clubs, lodges, fraternal and charitable organizations							P	P	P	P						
Retail and personal service shops						P (upper section only)	P	P	P							P
Animal hospitals									P							P
Distribution centers, warehouses										P						
Building materials, grain and feed establishments									P	P						
Automobile sales									P							
Automobile service stations									C							
Automotive repair services									C	P						
Bowling alleys, health clubs and buildings intended for tennis and similar sports activities						P (upper section only)			P	P						P
Retail greenhouses and nurseries						P (upper section only)		P	P	P						
Hotels and motels								P	P	P						
Golf courses, executive and regulation																

NOTES:

- 1 See § 161-33F, Quarry Zone, for all permitted, conditional and accessory uses and structures.
- 2 Amended 3-13-2007 by Ord. No. 6-2007.
- 3 Note: Any use listed in Schedule A that is not included on the above referenced list is specifically prohibited in the NC Zone.
- 4 Note: A single use project may include an affordable housing component in addition to any commercial use, if the Planning Board determines that the affordable housing obligation should be addressed on site.

LAND DEVELOPMENT

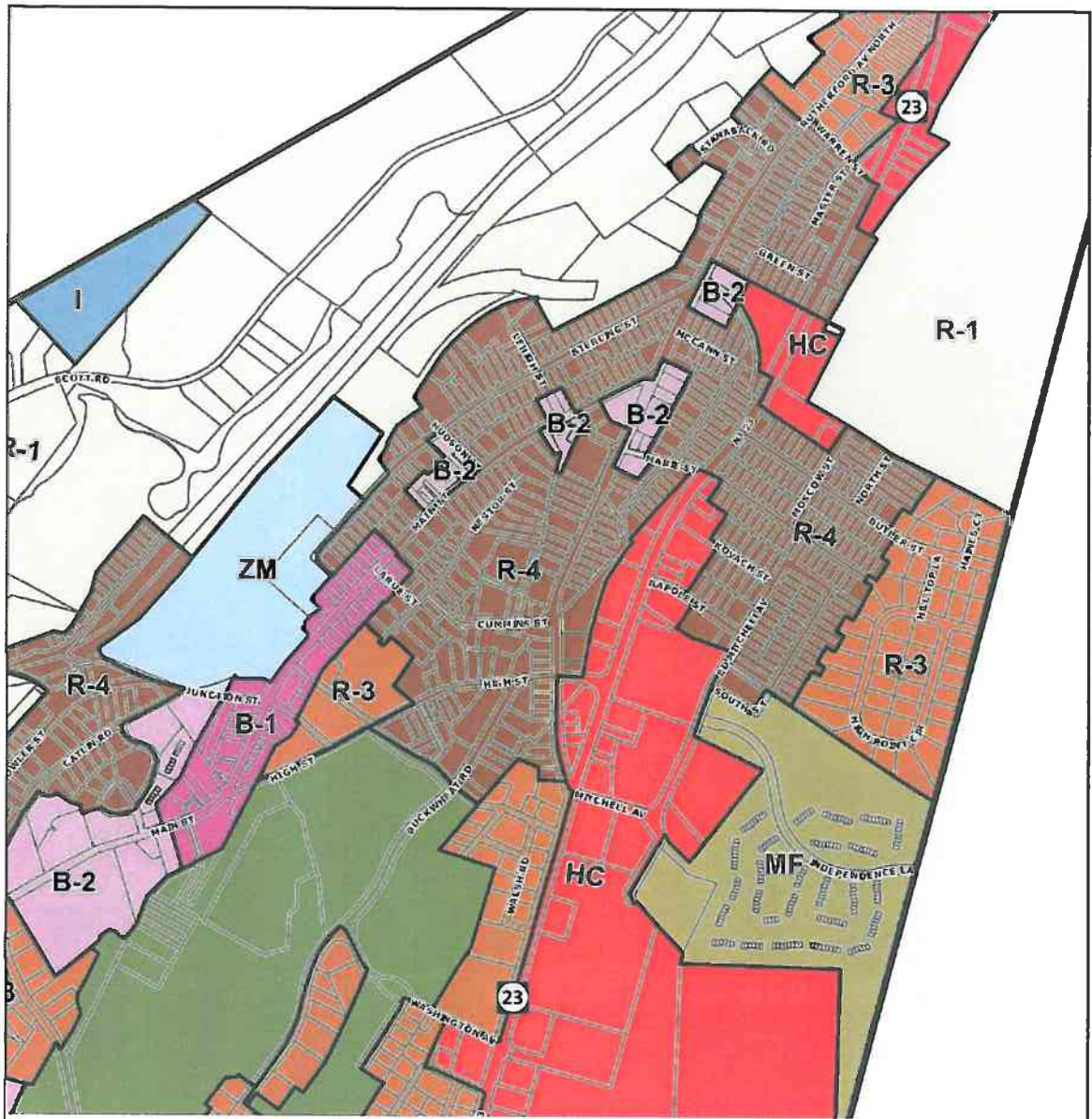
Uses	R-1	R-2	R-3	R-4	MF	ZM	B-1	B-2	HC	I	MHP	OS/GU	GC	Q	HMF	NC ^{1,2}
Research laboratories										P						
Manufacturing, fabrication and assembly										P						
Quarries																
Private garages	A	A	A	A	A											
Sheds, gazebos and similar structures	A	A	A	A											A	
Barns, silos and other customary structures in connection with permitted agricultural uses	A	A	A	A	A											
Off-street parking	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A
Signs	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A
Home occupations	A	A	A	A												
Recreation building and personal facilities	A	A	A	A	A	A									A	
Houses of worship	C	C	C	C			C	C	C	C						C
Private and public schools	C											C				
Commercial recreation facilities									C	C						
Drive-through uses									C							C
Museums						P (upper section)										
Mineralogical landmark uses		C														
Planned adult community						P (lower section)										
Outdoor storage									A	A			A	A		A

NOTES:

1. See § 161-33F, Quarry Zone, for all permitted, conditional and accessory uses and structures.
2. Amended 3-13-2007 by Ord. No. 6-2007.
3. Note: Any use listed in Schedule A that is not included on the above referenced list is specifically prohibited in the NC Zone.
4. Note: A single use project may include an affordable housing component in addition to any commercial use, if the Planning Board determines that the affordable housing obligation should be addressed on site.

APPENDIX C

PORTION OF BOROUGH ZONING MAP



ZONE LEGEND

Zone Name	
B-1, Main Street Retail	MHP, Mobile Home Park
B-2, Main Street Mixed Use	NC, Neighborhood Commercial
GC, Golf Course	OS/GU, Open Space / Government Use
HC, Highway Commercial	Q, Quarry
HMF, Hospital Multi-Family	R-1, Single Family Residential 3 Acre
I, Industrial	R-2, Single Family Residential 1 Acre
MAAH, Mixed Active Adult Housing Zone	R-3, Single Family Residential 15,000 s.f.
MF, Multi-Family	R-4, Single Family Residential 6,250 s.f.
	ZM, Zinc Mine Mixed Use