Redevelopment Plan for The Surflight Theater
Block 153, Lots 9, 10, 11, 12, 13 and 14
Borough of Beach Haven
<table>
<thead>
<tr>
<th></th>
<th>Table of Contents</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>II.</td>
<td>Designation of Area and Plan Development</td>
<td>1</td>
</tr>
<tr>
<td>III.</td>
<td>Statutory Requirements of Redevelopment Plan</td>
<td>1</td>
</tr>
<tr>
<td>IV.</td>
<td>Description of Project Area</td>
<td>2</td>
</tr>
<tr>
<td>V.</td>
<td>Statement of Goals and Objectives</td>
<td>3</td>
</tr>
<tr>
<td>VI.</td>
<td>Proposed Land Uses and Building Requirements</td>
<td>3</td>
</tr>
<tr>
<td>VII.</td>
<td>Affordable Housing</td>
<td>4</td>
</tr>
<tr>
<td>VIII.</td>
<td>Property Acquisition</td>
<td>5</td>
</tr>
<tr>
<td>IX.</td>
<td>Relocation of Displaced Resident</td>
<td>5</td>
</tr>
<tr>
<td>X.</td>
<td>Relationship of Redevelopment Plan to Other Plans</td>
<td>5</td>
</tr>
<tr>
<td>XI.</td>
<td>Relationship of Redevelopment Plan to Municipal Development Regulations and Master Plan</td>
<td>6</td>
</tr>
<tr>
<td>XII.</td>
<td>Proposed Redevelopment Actions</td>
<td>6</td>
</tr>
<tr>
<td>XIII.</td>
<td>Obligations of Developer</td>
<td>7</td>
</tr>
<tr>
<td>XIV.</td>
<td>Deviations from Provision of Approved Redevelopment Plan</td>
<td>7</td>
</tr>
<tr>
<td>XV.</td>
<td>Duration of Redevelopment Plan Restrictions</td>
<td>8</td>
</tr>
<tr>
<td>XVI.</td>
<td>Amendments to the Approved Redevelopment Plan</td>
<td>8</td>
</tr>
</tbody>
</table>

**Map and Renderings**

- Project Area Map
I. Introduction

The Borough of Beach Haven was founded in 1874 and incorporated in 1890. The Borough is part of the Long Beach Island communities in Ocean County. On March 12, 2017, the Beach Haven Borough Mayor and Council, by Resolution #87-2018, directed the Land Use Board to investigate Block 153, Lots 9, 10, 11, 12, 13 and 14 (the “Project Area”) to determine if they satisfied the criteria under the New Jersey Local Housing and Redevelopment Law N.J.S.A. 40A:12A-1 et seq. (the “LHRL”) to be designated as an “Area in Need of Rehabilitation.” The primary purpose for this effort is to help strengthen the Borough’s economic base by improving the conditions and redevelopment opportunities available within the Borough.

The Project Area is comprised of six (6) adjacent lots situated within the Borough’s Business Development (BD) District along Engleside Avenue, Beach Avenue and Centre Street. More specifically, the Project Area properties make up the Surflight Theater, as shown on the official Borough Tax Map. The Project Area is bound by Engleside Avenue to the south; Lots 8 and 15 in Block 153 to the west; Centre Street to the north; and Beach Avenue to the east.

In order to address the conditions in the Project Area and stimulate private investment, the Mayor and Council of the Borough of Beach Haven have determined that the appropriate course of action to prevent underutilization and further deterioration of the Project Area and to return the property within the Project Area to a useful and productive site is to rehabilitate the Project Area in accordance with the LRHL. This Redevelopment Plan (“Redevelopment Plan” and/or “Plan”) provides the framework to facilitate development by Borough Officials and interested developers for the rehabilitation of the Project Area. This Plan incorporates the underlying zoning regulations while also providing broad opportunity to improve the economy, prevent further deterioration of a distressed area and promote the overall development of the Borough.

II. Designation of Area and Plan Development

A. Designation of the Redevelopment Area

The Project Area has been designated as an Area in Need of Rehabilitation. The process, consistent with applicable state statutes, followed by the Borough in the determination as to the Project Area’s qualification and designation as an Area in Need of Rehabilitation was that on April 9, 2018 the Borough of Beach Haven, upon favorable recommendation by the Borough Land Use Board, adopted Resolution ___-2018 declaring the Project Area an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40:12A-14.

B. Redevelopment Plan Preparation Process

A redevelopment plan must be prepared and adopted by ordinance prior to undertaking any rehabilitation project in all or a portion of the rehabilitation area. This process, which is consistent with applicable state statutes, was followed by the Borough in the preparation of this Redevelopment Plan.
III. **Statutory Requirements of Redevelopment Plan**

According to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment or rehabilitation of the area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

2. Proposed land uses and building requirements in the Project Area.

3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the Project Area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

4. An identification of any property within the Project Area which is proposed to be acquired in accordance with the Redevelopment Plan.

5. Any significant relationship of the Redevelopment Plan to:
   - the Master Plans of contiguous municipalities;
   - the Master Plan of the County in which the municipality is located;
   - the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” PL 1985, C398 (C52:18A-196 et al.); and
   - the local ordinances and master plan.

6. A housing inventory of all affordable housing units to be removed; and

7. A plan for replacement of any affordable housing removed pursuant to the Redevelopment Plan.

IV. **Description of Project Area**

This Redevelopment Plan is applicable to the following parcels:

Block 153, Lots 9, 10, 11, 12, 13 and 14

This Project Area has been determined to be an area in need of rehabilitation by the Beach Haven Borough Council and is identified on the Project Area Map found in the Appendix.

A. **Project Area Context**

On April 9, 2018 the Borough of Beach Haven adopted Resolution ___-2018 declaring the Project Area an “Area In Need of Rehabilitation” pursuant to N.J.S.A. 40:12A-14.
B. Existing Land Use

The Project Area is located in the Borough’s Business District (BD) zone. Existing permitted uses in this District are retail shopping facilities or services establishments as well as mixed uses, single family dwellings, houses of worship, playgrounds, conservation areas, hotels and motels. The Project Area is also subject to the Borough’s Historic Preservation Zone/Bed and Breakfast Overlay Zone. The Borough of Beach Haven Historic District is included on both the National and State Registers. The Historic District includes properties from Atlantic, South Atlantic, Beach, North Beach, Engleside Avenue; Amber, Centre, Coral, Pearl, Second and Third Streets. The area was placed on the National Register July 14, 1983 and on the State Register April 20, 1983.

The Project Area includes six (6) tax parcels (lots 9 through 14) all with various improvements which are utilized by the Surflight Theater. The primary structure is the theater itself which is located on lot 12. Lots 9, 10 and 11 include offices and the Show Place Ice Cream Parlor. Lot 13 includes a residential dwelling and Lot 14 includes the Cast House. The properties are all under the same ownership and utilized as a single operation. With the exception of the residential structure on lot 13, all of the buildings have internal connections. The existing structures may be reused as part of the rehabilitation project area.

V. Statement of Goals and Objectives

The Borough seeks to alleviate the conditions found in the Project Area and support use of the property in a manner which will better contribute to serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following goals and objectives have been established:

1. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an “area in need of rehabilitation.”

2. The stimulation of private investment in the Project Area by assisting as necessary and appropriate to support such rehabilitation.

3. The making available of the full range of benefits and inducements for the Project Area, including, federal, state, county and local government funding.

4. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy and attracts residents to the area and contributes to the continuing vitality of Beach Haven.

VI. Proposed Land Uses and Building Requirements
The use, bulk standards, design standards and performance standards set forth in the Borough Zoning and Land Development Ordinances for the Project Area shall remain applicable, except as set forth herein.

Trash Pick-up by the Borough shall be provided for Theatre and associated uses within the Project Area.

The following Conditional Uses shall be permitted provided the Theatre remains operational:
Full Service Restaurant
Housing for Theatre and/or restaurant staff
Special Events
Educational purposes

Bulk Standards:
Current site conditions shall be permitted to continue provided the Theatre remains operational. This would include current set-backs, parking and lighting on site.

Prohibited Uses:
In the event the structures within the Project Area cease to be utilized as a theatre, or are demolished, no new residential structures shall be permitted within the Project Area.
Drive Through Restaurants are also prohibited

Historic Preservation Commission
It is intended that all Historic District Requirements, such as but not limited to (i) approval of building modifications by the Historical Committee; (ii) Certificate of occupancy requiring Historical Committee approval; (iii) transfer of ownership restricting new construction for a period of 12 months, shall remain in place with the adoption of this Redevelopment Plan.

It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to the Zoning and Land Development Ordinances and all other ordinances and regulations of the Borough of Beach Haven not contravened in this Redevelopment Plan as permitted by N.J.S.A. 40A:12A-7a(2).

VII. Affordable Housing

The Project Area consists of six (6) tax parcels (lots 9 through 14) all with various improvements which are utilized by the Surfliight Theater. The primary structure is the theater itself which is located on lot 12. Lots 9, 10 and 11 include offices and the Show Place Ice Cream Parlor. Lot 13 includes a residential dwelling and Lot 14 includes the Cast House. The properties are all under the same ownership and utilized as a single operation. With the exception of the residential structure on lot 13, all of the buildings have internal connections.

There are no plans to remove any housing. Therefore, there are no affordable housing units that are to be removed as a result of the implementation of this Redevelopment Plan.
Because there are no affordable housing units that are to be removed as a result of the implementation of this Redevelopment Plan, no affordable housing units need to be replaced.

The provision of affordable housing within the Rehabilitation Area shall be addressed in accordance with the Borough’s Housing Element and Fair Share Plan, and in accordance with any redevelopment agreement entered into between a redeveloper and the Redevelopment Entity.

VIII. Property Acquisition

Because the Project Area is a rehabilitation area and has not been designated a redevelopment area, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan.

IX. Relocation of Displaced Residents

As the Redevelopment Plan does not contemplate the removal of any housing from the Project Area, no residents will be displaced as a result of this Redevelopment Plan.

X. Relationship of the Redevelopment Plan to Other Plans

A. Relationship to Master Plans of Contiguous Municipalities

This Redevelopment Plan applies to Block 153, Lots 9, 10, 11, 12, 13 and 14 which are within the B-Business District of the Borough of Beach Haven. The nearest contiguous municipality to the Project Area is Long Beach Township, to the south and north. The Long Beach Township Master Plan indicates that the area adjacent to Beach Haven is predominately residential and commercial. The uses proposed within this Redevelopment Plan are the same uses currently existing or permitted within the Rehabilitation Area and therefore are consistent with local objectives. Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Master Plan of the Township of Long Beach.

B. Relationship to Ocean County Comprehensive Master Plan

The 2011 Ocean County Comprehensive Master Plan serves as a guide to municipalities in the County. The Master Plan encourages satisfaction of obligations of municipalities to provide affordable housing in innovative ways. In addition, the Master Plan encourages the use of mixed-use multi-story buildings, particularly in established downtown/main street areas. Thus, no conflict with the Ocean County Comprehensive Master Plan is anticipated.

C. Relationship to State Development and Redevelopment Plan

The State Development and Redevelopment Plan (“SDRP”) was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP. However, this updated plan was never adopted. Therefore, the 2001 is the most current SDRP.
The Project Area is located in the Planning Area 5B (“PA 5B”) designation of the SDRP. The SDRP’s intent is for PA5B areas is to accommodate growth in Centers, protect and enhance the existing character of barrier island communities, minimize the risks from natural hazards, provide access to coastal resources for public use and enjoyment, maintain and improve coastal resource quality and to revitalize cities and towns. The SDRP’s PA 5B designation recognizes both the environmental and the vital economic aspects of the barrier islands and peninsulas.

This Redevelopment Plan furthers some of the SDRP’s general economic development goals. For example, Policy 14 of the SDRP’s Economic Goals encourages the enhancement of tourism. The tourism industry alone in Ocean County generates $3.35 billion in revenue for the local economy. The goal of maintaining and improving the Surflight Theatre promotes tourism in the Borough of Beach Haven. Thus, this Redevelopment Plan furthers the State Development and Redevelopment Plan.

XI. Relationship of Redevelopment Plan to Municipal Development Regulations and Borough Master Plan

Under the current Beach Haven Land Use Ordinance, the Project Area lies within the B-Business District within the Borough. All of the requirements of the Zoning and Land Development Ordinances of the Borough of Beach Haven shall apply to this portion of the Project Area, except as superseded by this Redevelopment Plan. Any deviations provided for herein are necessary in order to provide appropriate incentives and least cost restrictions to facilitate the rehabilitation and redevelopment of the Project Area.

This Redevelopment Plan is consistent with the Borough Master Plan and designed to effectuate the Borough Master Plan. One of the recommendations of the Borough Master Plan is to protect, enhance and rehabilitate historic resources and to ensure that new growth and development within the Borough’s Historic District is compatible with the Borough’s historic and cultural values. This Redevelopment Plan incorporates those recommendations.

XII. Proposed Redevelopment Actions

A. Redevelopment Authority

The Borough’s governing body shall act as the redevelopment entity pursuant to N.J.S.A. 40A:12A-4c for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and 40A:12A-22, and all other relevant statutes and regulations to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

B. Redevelopment Agreement

Pursuant to N.J.S.A. 40A:12A-8, the Borough may select one or more redevelopers for the construction of a development project within the Project Area as it deems necessary. Once a redeveloper has been selected, the Borough shall enter into a Redevelopment Agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9 and this Redevelopment Plan.
XIII. Obligations of the Redeveloper

All property within the Project Area must be developed in accordance with the requirements of this Redevelopment Plan and the Borough of Beach Haven Zoning and Land Development Ordinances. Any private developer(s) shall be required to:

A. Submit development plans consistent with this Redevelopment Plan to the Borough Land Use Board for approval.

B. Enter into a Redevelopment Agreement with the Borough of Beach Haven prior to the commencement of any development and/or improvements as permitted in this Redevelopment Plan. Such Redevelopment Agreement shall include a development schedule and the private developer(s) shall commence the undertaking of the development in accordance with the development schedule.

C. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s) or the successors, lessees, or assigns of them, by which land in the Project Area is restricted as to sale, lease or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status as determined in more detail in such Redevelopment Agreement.

D. Neither the developer(s) nor any successors, lessees, or assigns shall discriminate upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Project Area.

E. Maintain the structures and facilities in accordance with all code and ordinances of the Borough of Beach Haven.

XIV. Deviations From Provisions Of Approved Redevelopment Plan

Pursuant to N.J.S.A. 40A:12A-13, all applications for development in accordance with this Plan shall be submitted to the municipal planning board for its review and approval in accordance with the requirements for review and approval of subdivisions and site plans as set forth by ordinance adopted pursuant to the Municipal Land Use Law.

All requests for relief or deviations from this Plan or other Borough ordinances shall be governed by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or any existing, or to be adopted, Redevelopment Plan for a specific site and/or project and/or project area.
XV. **Duration of Redevelopment Plan Restrictions**

This Redevelopment Plan and any modifications thereof shall be in force and effect for a period of thirty (30) years from the date that the Beach Haven Borough Council first approves this Redevelopment Plan.

The termination of this Redevelopment Plan shall in no way permit the project land or any part thereof to be restricted on the basis of race, creed, sex, religion, color, age, national origin or ancestry.

XVI. **Amendments to Approved Redevelopment Plan**

This Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL, as may be amended.