

**HAINESPORT TOWNSHIP
ORDINANCE 2015-7-8**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN
AMENDMENT FOR BLOCK 108 LOTS 1.02, 3, 3.01, 4.05, AND 4.06, WITH
THE STREET ADDRESS OF 1328 ROUTE 38, HAINESPORT TOWNSHIP,
NEW JERSEY (THE HITCO PROPERTY)**

WHEREAS, the Township Committee of Hainesport, in the County of Burlington, New Jersey (the “Township”) is empowered to declare an area in need of redevelopment and to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken and carried out, in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”); and

WHEREAS, on July 13, 2004, the Township Committee, via Ordinance 2004-11-6, adopted a Report entitled, “Redevelopment Plan: Preliminary Investigation and Redevelopment Plan for the HITCO Property,” thereby declaring Block 108, Lots 1.02, 3, 3.01, 4.05 and 4.06, with the street address of 1328 Route 38, Hainesport Township, New Jersey 08036 (the “HITCO property”) to be in need of redevelopment and adopting a Redevelopment Plan to implement a redevelopment strategy for the HITCO property;

WHEREAS, since the adoption of the Redevelopment Plan, there have been revisions to the Redevelopment Law and changes to the site conditions;

WHEREAS, Township Committee directed Ragan Design Group to review the original Preliminary Investigation and to prepare an Amended Redevelopment Plan for the former HITCO site; and

WHEREAS, Ragan Design Group has prepared a Redevelopment Plan Amendment for the HITCO property to bring the plan into compliance with the statutory requirements, to update site conditions, to incorporate brownfield remediation recommendations, and to include potential site concepts, in an effort to market the property to potential developers.

WHEREAS, on July 14, 2015, Township Committee directed the Joint Land Use Board to review the Redevelopment Plan Amendment for the HITCO property for comments and for consistency with the Master Plan; and

WHEREAS, on September 2, 2015, the Joint Land Use Board of the Township reviewed the Redevelopment Plan Amendment prepared by Ragan Design Group and adopted Resolution No. 2015-13, which recommends the adoption of the Redevelopment Plan Amendment to the Township Committee and concludes that the Redevelopment Plan Amendment is consistent with the Master Plan of the Township; and

WHEREAS, on August 14, 2015, public notice of the public hearing on the Redevelopment Plan Amendment was published in the Burlington County Times and a copy of

the proposed ordinance was posted on the public notice board in the Hainesport Township Municipal Building.

WHEREAS, on September 2, 2015, notice by personal service or certified mail of the public hearing on the Redevelopment Plan Amendment was made to the Burlington County Planning Board.

WHEREAS, the Township Committee believes the adoption of the Redevelopment Plan Amendment is in the best interests of the Township and will help to overcome certain obstacles to the improvement of the HITCO property.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Hainesport as follows:

Article I. Adoption of Redevelopment Plan Amendment. The Redevelopment Plan Amendment, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Article II. Amendment to the Zoning Ordinance. The Redevelopment Plan Amendment is an explicit amendment to the Land Use Code of the Township and related zoning district maps as it relates to the HITCO site. Section 104-44(C) of the Land Use Code of the Township of Hainesport, establishing the HITCO Redevelopment Area in the Highway Commercial District, is hereby amended to update the following dimensional regulations, use regulations, and design and performance standards for the HITCO Redevelopment Area in accordance with the Redevelopment Plan Amendment adopted herewith.

1. Dimensional Regulations

The following dimensional regulations shall apply to development in the Redevelopment Area:

- (a) Minimum Lot Area: 40,000 square feet
- (b) Building Coverage Limit: 25%
- (c) Minimum Front Yard: 50 feet
- (d) Minimum Side Yard: 25 feet
- (e) Minimum Rear Yard: 15 feet
- (f) Minimum Frontage: 200 feet
- (g) Maximum Building Height: 55 feet
- (h) Maximum Impervious Coverage Limit: 65%
- (i) Minimum Vegetated Area: 35%
- (j) Minimum Setback of Parking or Traffic Aisle from:
 - (1) Side or Rear Property Line: 20 feet

(2) Public Right of Way: 25 feet

2. Use Regulations

The HITCO Redevelopment Area is located within the Highway Commercial Zoning District. This zone is designated for retail centers, office buildings, and other complimentary and supportive uses.

Permitted Uses

The following land uses are permitted uses:

- (a) Business office uses, e.g., financial and insurance businesses, professional, scientific and technical services, banks, medical offices, government offices, business administration, management and support services;
- (b) Commercial uses, e.g. retail stores, personal service shops, antique shops, variety merchandise sales, furniture sales and similar commercial uses as permitted in the HC Zoning District;
- (c) Restaurants, excluding drive-through and drive-in restaurants and mobile restaurants and food service carts;
- (d) Information industry uses, e.g. wireless telecommunications facilities, including communication (cell) towers, information and data processing services, newspaper, periodical, book, database, and software publishing;
- (e) Buildings consisting of a mix of uses otherwise permitted within the HC Zoning District.

Conditional Uses

The following land uses are conditional uses, requiring compliance with Chapter 104, Land Use, Article X. Conditional Uses; Conditions and Restrictions:

- (a) Restaurants with drive-through or drive-in facilities;
- (b) Catering Establishments;
- (c) Food and beverage stores, excluding liquor and package good stores;
- (d) Dry cleaning and laundry services, except coin-operated services.

Prohibited Uses

The following land uses are prohibited uses:

- (a) Outdoor storage and temporary storage;

- (b) Roadside stands;
- (c) All residential uses;
- (d) Mini storage warehouses;
- (e) Warehouses in general;
- (f) Wholesale distribution centers;
- (g) Manufacturing;
- (h) Hospitals;
- (i) Distributorships of a warehouse nature;
- (j) Cemeteries;
- (k) Clubs or lodges;
- (l) Convalescent homes;
- (m) Educational institutions;
- (n) Light manufacturing;
- (o) Body shops;
- (p) Motor vehicle and trailer sales;
- (q) Passenger stations;
- (r) Septic transfer stations;
- (s) Motor vehicle service stations.

3. Design and Performance Standards

The following design and performance standards supplement the Design and Performance Standards for the Highway Commercial District set forth in Chapter 104, Land Use, Article XII. In the event of a conflict between the general design and performance standards and this Redevelopment Plan Amendment, this Redevelopment Plan Amendment shall govern.

Easements

- (a) Cross easements shall be provided to adjacent commercial lots to provide safe and efficient circulation between existing and future commercial developments.

Off-street Parking

- (a) Minimum off-street parking shall be provided in accordance with applicable township requirements set forth in Article XII § 104-115, Off-street parking and loading, except that the following standards shall supersede the parking requirements for the following categories of land uses:

- (1) Retail: 4 spaces per 1,000 gross floor area;
 - (2) Banks or other financial institutions: 6 spaces per 1,000 gross floor area;
 - (3) Restaurants with drive-through or drive-in facilities: 6 spaces per 1,000 gross floor area.
- (b) The maximum off-street parking shall not exceed 105% of the minimum requirements.
 - (c) Parking facilities are required to interconnect to adjacent commercial properties.

Architectural Details

- (a) Fifty percent (50%) of the front façade of a building facing Route 38 shall be glass and brick.
- (b) Buildings with pitched roofs shall have architectural shingles.
- (c) Buildings with flat roofs shall be designed with a parapet to screen any mechanical equipment.

Landscape Requirements

- (a) Minimum Vegetative Buffer to Residential Zone: 50 feet.
- (b) Minimum green area, including grass or ground cover, trees and shrubs, along State Highways: 25 feet.
- (c) A sidewalk with a minimum width of five (5) feet shall be provided along the frontage of Creek Road on the site.
- (d) Street trees shall be provided along the entire frontages of Route 38 and Creek Road with trees placed on maximum centers of forty (40) feet.

If codification reveals there is a conflict between the following section numbers and/or letters and the existing code, the Township Clerk is authorized to organizationally change them in order to avoid confusion.

Article III. Inconsistency. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence, phrase or provision of any item in this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Article IV. Public Inspection. A copy of this Ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Township Clerk during regular business hours.

Article V. Effective Date. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey and upon the filing of same with the Burlington County Planning Board as required by N.J.S.A. 40:55D-16.

NOTICE OF PUBLIC HEARING
HAINESPORT TOWNSHIP
ORDINANCE 2015-7-8

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NEW JERSEY (THE HITCO PROPERTY)**

The ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Hainesport held on August 11, 2015. It will be further considered for final passage after a public hearing at the regular meeting to be held on September 8, 2015 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 7:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

Dated:

Leo F. Selb, Jr.
Township Administrator/Clerk

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher	X		X			
Porto			X			
Fitzpatrick			X			
Dickinson		X	X			
MacLachlan			X			

**NOTICE OF FINAL PASSAGE
HAINESPORT TOWNSHIP
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Notice is hereby given that Ordinance 2015-7-8 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on September 8, 2015. Said Ordinance shall take effect in accordance with law.

ATTEST:

Dated: _____

Leo F. Selb, Jr.
Township Administrator/Clerk

ACKNOWLEDGEMENT OF
APPROVAL BY:

Dated: _____

Michael Fitzpatrick
Mayor of Hainesport Township

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher		X	X			
Porto			X			
Fitzpatrick			X			
Dickinson			X			
MacLachlan	X		X			

Introduced: August 11, 2015
First Publication: August 14, 2015
Adoption: September 8, 2015
Final Publication: September 11, 2015