

O:2024-14

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY ADOPTING THE DISTRICT 5 (RIVERSIDE INDUSTRIAL) AMENDMENT - RIVERFRONT REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment or areas in need of rehabilitation, as such terms are defined in the Act; and

WHEREAS, in accordance with the requirements of the Redevelopment Law, the municipal council ("Town Council") of the Town of Phillipsburg (the "Town") previously determined that the properties identified as Block 2102, 2.01, and 2.02 on the official tax maps of the Town constituted an area in need of redevelopment (the "Riverfront Redevelopment Area") in accordance with the requirements of the Redevelopment Law; and

WHEREAS, Block 2102 Lots 2.01 and 2.02 are located in District 5 of the Riverfront Redevelopment area; and

WHEREAS, in order to effectuate the redevelopment of the Riverfront Redevelopment Area and establish the riverfront districts, including Districts 3 and 5, the Town has previously adopted a redevelopment plan entitled "Revised Riverfront Redevelopment Plan" dated November 4, 2013 by Ordinance 2013-19 (the "Revised RRP"), pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, the Town wished to amend the Revised RRP to change District 5 from Riverside Residential to Riverside Industrial, to permit industrial uses and allow the related amendments to accommodate the aforementioned purposes as specifically set forth in the attached EXHIBIT A (the "District 5 Amendment - RRP"); and

WHEREAS, the Town has referred the District 5 Amendment - RRP to the Phillipsburg Land Use Board (the "Land Use Board") for its review, report and recommendation in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Land Use Board, at a duly noticed and constituted public meeting, has reviewed the District 5 Amendment - RRP; and

WHEREAS, following such review the Land Use Board has rendered its report and recommendations to the Town and recommended the adoption of the District 5 Amendment - RRP pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Town previously adopted the District 5 Amendment - RRP as recommended by the Land Use Board Resolution, attached hereto as EXHIBITS A&B (the "Ordinance" and "Board Resolution");

WHEREAS, the Town was sued for adopting the Ordinance 2021-14 on the basis that there was a conflict of interest on voting Council members which the Town denies; and

WHEREAS, the Town wishes to re-affirm and adopt the Ordinance 2021-14 zone changes to eliminate any alleged conflict of interest back in 2021;

WHEREAS, the Town referred the District 5 Amendment - Riverfront Redevelopment Plan to the Land Use Board again and the Land Use Board, at a duly noticed and constituted public meeting, reviewed the Amendment; and

WHEREAS, the Land Use Board reaffirmed its report and recommendation to the Town and recommended adoption of the District 5 Amendment - RRP pursuant to N.J.S.A. 40A:12A-7(e).

 **legals**

 **notices**

firmed its report and recommendation to the Town and recommended adoption of the District 5 Amendment - RRP pursuant to N.J.S.A. 40A:12A-7(e).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF PHILLIPSBURG, IN THE COUNTY OF WARREN, AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The District 5 Amendment - Riverfront Redevelopment Plan is hereby adopted pursuant to the terms of the Redevelopment Law.

3. The zoning district map included in the zoning ordinance of the Town is hereby amended to reference and delineate the District 5 Amendment - Riverfront Redevelopment Plan. The District 5 Amendment - Riverfront Redevelopment Plan shall supersede the applicable development regulations of the Town's municipal code, as and where indicated.

4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of the Ordinance.

5. A copy of the Ordinance and the District 5 Amendment - Riverfront Redevelopment Plan shall be available for public inspection at the office of the Town Clerk during regular business hours.

6. This Ordinance shall take effect in accordance with all applicable laws.

ATTEST:

SUSAN TURNER
Municipal Clerk

TOWN OF PHILLIPSBURG
RANDY PIAZZA, JR.
Mayor

DATED:

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their September 11, 2024 meeting.

Susan Turner
Acting Municipal Clerk