

BOROUGH OF CLAYTON
COUNTY OF GLOUCESTER, NEW JERSEY

ORDINANCE NO. 15-2023

**AN ORDINANCE OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY ADOPTING A SECOND AMENDMENT TO THE
REDEVELOPMENT PLAN FOR CERTAIN PARCELS WITHIN DELSEA DRIVE
(NJSH No 47) CORRIDOR TO AMEND THE EXISTING PLANNED HIGH-DENSITY
APARTMENT RESIDENTIAL OVERLAY ONE (PA-B-1) AND CREATE A PLANNED
HIGH-DENSITY APARTMENT RESIDENTIAL TWO OVERLAY (PA-B-2)**

WHEREAS, in March of 2014, the Borough Council of the Borough of Clayton (“Borough”) passed Ordinance #13-2014 Adopting a Redevelopment Plan For Parcels Within The Delsea Drive (NJSH No. 47) Corridor; and

WHEREAS, in June of 2015, the Borough passed Ordinance #7-2015 Adopting An Amendment to the Redevelopment Plan For Parcels Within The Delsea Drive (NJSH No. 47) Corridor to allow for an Adult Planned Apartment Residential District (APA) and related bulk standards; and

WHEREAS, by Ordinance 28-2021 the Borough adopted an Amendment to the Redevelopment Plan that added a new Section 3.5 and created a Planned High-Density Apartment Residential Overlay (PA-B); and

WHEREAS, the Borough has now determined that certain additional amendments to said Redevelopment Plan are necessary to modify the uses and bulk standards to certain lots and blocks within the Planned High-Density Apartment Residential Overlay; and

WHEREAS, the Second Amendment to the Redevelopment Plan modifies Section 3.5 by removing certain lots and renaming the Overlay as Planned High Density Apartment Residential One Overlay (PA-B-1); and adding a new Section 3.6 that creates a Planned High-Density Apartment Residential Two Overlay (PA-B-2) area; and

WHEREAS, the intent of PA-B-1 and PA-B-2 is to provide standards for the development, redevelopment or rehabilitation of appropriately sized and located lands within the Borough for high density multi-story garden apartment buildings; and

WHEREAS, now the Borough following referral to and upon recommendation of, the Borough of Clayton Planning Board (“Planning Board”), desires to repeal the Amendment to the Redevelopment Plan adopted by Ordinance 28-2021 and adopt the Second Amendment to the Redevelopment Plan for a certain area in need of rehabilitation and/or redevelopment at Block 809, Lot 4; Block 903, Lots 7 & 8; Block 904, Lots 8-11; Block 905, Lots 13-15; Block 1001, Lot 32; Block 1102.05, Lot 98; Block 1401, Lots 8 & 9, Block 1512, Lots 23-27 and Block 1513, Lot 2 within the Borough of Clayton, Gloucester County, New Jersey, attached hereto as Exhibit A , and is incorporated herein and made a part hereof by reference; and

WHEREAS, the Planning Board has examined and considered said proposed Second Amendment to the Redevelopment Plan regarding the subject designated rehabilitation and/or redevelopment area; and

WHEREAS, the Planning Board conducted a public meeting concerning the Second Amendment to the Redevelopment Plan, which was open to the public and where said Second Amendment to the Redevelopment Plan was explained and discussed and members of the public had an opportunity to pose questions and submit concerns; and

WHEREAS, the Planning Board has, through Resolution No. 18-2023, reported that the proposed Second Amendment to the Redevelopment Plan is consistent with the Borough Master Plan and has recommended that the Second Amendment to the Redevelopment Plan be adopted by the Borough Council; and

WHEREAS, the Second Amendment to the Redevelopment Plan, upon adoption by this Ordinance, is expected to facilitate rehabilitation, redevelopment and development of the rehabilitation and/or redevelopment area, and to provide new opportunities for private residential and non-residential development within the NJSH Route 47 Corridor in association with the development of a new garden apartments, townhomes, retail, general business and professional office, financial service organizations, day-care centers, eating establishments, custom- handicraft making and selling for the benefit of the Borough.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Clayton that, with the recommendation of the Planning Board to adopt the proposed Second Amendment to the Redevelopment Plan, such recommendation is accepted and the Second Amendment to the Redevelopment Plan is hereby adopted adding Section 3.6 Planned High Density Apartment Residential Two Overlay (PA-B-2) and modifying Section 3.5.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Clayton that Ordinance 28-2021 adopted as an Amendment to the Redevelopment Plan is hereby repealed in its entirety;

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Clayton that the Second Amendment to the Redevelopment Plan attached hereto as **Exhibit A** for the subject rehabilitation and/or redevelopment areas, be and hereby is adopted to govern the Rehabilitation and/or Redevelopment Area comprised of Block 809, Lot 4; Block 903, Lots 7 & 8; Block 904, Lots 8-11; Block 905, Lots 13-15; Block 1001, Lot 32; Block 1102.05, Lot 98; Block1401, Lots 8 & 9, Block 1512, Lots 23-27; Block 1513, Lot 2.

BE IT FURTHER ORDAINED the Borough Council declares and determines the Second Amendment to the Redevelopment Plan meets the criteria, guidelines and conditions set forth in

N.J.S.A.40A:12A-7, provides realistic opportunities for the planning development and rehabilitation of the Borough and specifically the Rehabilitation and/or Redevelopment Area, and is otherwise in conformance with N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER ORDAINED that the Borough Zoning Map is hereby amended to incorporate the zoning identified in the Redevelopment Plan and this Second Amendment to the Redevelopment Plan for the properties located in the Redevelopment Area.

BE IT FURTHER ORDAINED that the Redevelopment Plan and this Second Amendment to the Redevelopment Plan shall be attached to the Unified Development Ordinance as an Appendix to said ordinance.

BE IT FURTHER ORDAINED that any prior Ordinances or Plans which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days following final passage and publication as required by law, as the Ordinance adopting the Second Amendment to the Redevelopment Plan for these designated areas, and zoning and rehabilitation and redevelopment maps for the areas, as applicable.

BOROUGH OF CLAYTON



TOM BIANCO, Mayor

ATTEST:


CHRISTINE NEWCOMB, Clerk



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Our File No. 30699-1

June 27, 2023

VIA EMAIL

Mayor Tom Bianco and
Members of the Borough of Clayton Council
125 N. Delsea Drive
Clayton, New Jersey

**Re: Borough of Clayton Land Use Board
Ordinance Reviewed for Master Plan Consistency**

Dear Mayor and Members of the Borough Council:

On June 26, 2023 the Borough of Clayton Land Use Board reviewed the following Ordinance for Master Plan consistency:

Ordinance 15-2023: An Ordinance of the Borough of Clayton, County of Gloucester, State of New Jersey Adopting a Second Amendment to the Redevelopment Plan for Certain Parcels within Delsea Drive (NJSH No 47) Corridor to Amend the Existing Planned High Density Apartment Residential Overlay One (PA-B-1) and Create a Planned High Density Apartment Residential Two Overlay (Pa-B-2).

The Board considered the Ordinance, and determined that it is consistent with the Master Plan and the 2017/2018 Master Plan Reexamination Report. The Board will be adopting a formal memorializing resolution at their next meeting on July 24, 2023.

If you have any questions or comments please feel free to contact me.

Respectfully submitted,

s/ Alexis C. Smith
Alexis C. Smith

Encl.

cc: via email:

Susan Miller, Borough Administrator
Timothy Scaffidi, Esquire, Solicitor, Clayton Borough
Wayne Roorda, PE, PP, CME
Joe Abate, Chairman, Clayton Borough Land Use Board
Debbie Schlosser, Secretary/Administrator, Clayton Borough Land Use Board
4879-9323-4540, v. 1

COUNSEL WHEN IT MATTERS.SM

Mount Laurel, New Jersey | Hamilton, New Jersey | Camden, New Jersey

BOROUGH OF CLAYTON

COUNTY OF GLOUCESTER, NEW JERSEY

ORDINANCE NO. 15-2023

**AN ORDINANCE OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY ADOPTING A SECOND AMENDMENT TO THE
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HIGH-DENSITY APARTMENT RESIDENTIAL TWO OVERLAY (PA-B-2)**

This Ordinance was introduced at a meeting held on the 8th day of June, 2023. It is scheduled for a public hearing and final adoption at a meeting of the Mayor and Council of the Borough of Clayton beginning at 6:30 p.m. on the 10th day of August, 2023, at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey.

The purpose of this Ordinance is to adopt a second amendment to the Redevelopment Plan for certain parcels within the Delsea Drive Corridor.

A copy of this Ordinance can be obtained without any cost, by any member of the general public in the Borough Clerk's office within the Borough of Clayton in the Municipal Building, 125 North Delsea Drive, Clayton, New Jersey.

Christine Newcomb, Municipal Clerk
Borough of Clayton

NOTICE OF ADOPTION
BOROUGH OF CLAYTON
ORDINANCE NO. 15-2023

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on August 10, 2023.

Christine Newcomb
Borough Clerk

Resolution No.: 18-2023

**RESOLUTION OF THE BOROUGH OF CLAYTON LAND USE BOARD
CONFIRMING MASTER PLAN CONSISTENCY OF ORDINANCE NO. 15-2023**

WHEREAS, Section 26.a of the Municipal Land Use Law (N.J.S.A. 40:55D-26.a) requires the Governing Body, prior to the adoption of a land development regulation or revision or amendment thereto, to refer same to the Land Use Board for determination of whether the regulation, revision or amendment is consistent with the Master Plan; and

WHEREAS, the statute provides the Land Use Board 35 days from the date of referral to conduct its review and submit a report to the Governing Body setting forth its recommendations and determinations as to Master Plan consistency which the Governing Body must evaluate and consider prior to the final adoption of the development regulation; and

WHEREAS, the Council of the Borough of Clayton has referred to the Land Use Board proposed Ordinance No. 15-2023 for Master Plan consistency review pursuant to the aforementioned statute; and

WHEREAS, Ordinance No. 15-2023 amends the Redevelopment Plan for certain parcels within Delsea Drive (NJSH No 47) to modify bulk standards for specific blocks and lots; and

WHEREAS, on June 26, 2023, the Land Use Board reviewed the Ordinance; and

WHEREAS, the Land Use Board found that the Ordinance makes the proposed redevelopment more viable, and therefore effectuates the housing element of the Master Plan; and

WHEREAS, the Land Use Board has found and determined that Ordinance 15-2023 is consistent with the Master Plan and the 2017/2018 Master Plan Reexamination Report and made no recommendation for changes to the Ordinance prior to adoption.

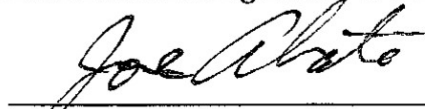
NOW, THEREFORE, BE IT RESOLVED by the Borough of Clayton Planning Board that Ordinance No. 15-2023, that has been referred from the Borough Council pursuant to N.J.S.A. 40:55D-26.a, is hereby declared consistent with the Master Plan of the Borough of Clayton and that no changes are recommended prior to adoption.

THIS RESOLUTION DULY ADOPTED at a regular meeting of the Borough of Clayton Planning Board held on Monday, July 24, 2023.

Attest:

**Borough of Clayton Combined Planning
Board and Zoning Board of Adjustment**


~~Debbie A. Schlosser, Secretary~~

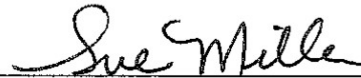


By: Joe Abate, Chairman

ROLL CALL VOTE

THOSE IN FAVOR	<u>9</u>
THOSE OPPOSED	<u>0</u>
THOSE ABSTAINED	<u>0</u>

CERTIFICATION

I hereby certify that the foregoing Resolution is a true copy of a Resolution adopted by the Borough of Clayton Combined Planning Board and Zoning Board of Adjustment at a regularly scheduled meeting of the Board held on July 24, 2023 at the Borough of Clayton Municipal Building, 125 Delsea Drive, Clayton, New Jersey 08312 at 7:00 p.m. and memorializes the decision reached by said Board on the herein application at the Board's June 26, 2023 meeting and public hearing.

 
Debbie A. Schlosser, Secretary