

Memorandum

ABS 046.03

Dated: July 7, 2007

To: Absecon Planning Board, Master Plan Committee

From: Robert L. Reid, AICP, PP, Board Planner

Re: **Proposed Ordinance to change a portion of I / PI Industrial / Planned Industrial to R-2 District.**

Introduction

The existing I / PI Industrial / Planned Industrial Area District west of Mill Road is bounded by the R 2 Residential District to the north, the Conservation District to the south and west and existing residential uses to the east across Mill road in the I / PI District. The area in question has no Industrial uses. The Zoning Board of Adjustment granted a use variance and subdivision approval to permit residential uses on Lot 21 in Block 192, which is a large portion of the area in question. A large portion of this area is state regulated freshwater wetlands.

The following proposed Ordinance to change a portion of the I / PI Industrial / Planned Industrial Area District to R 2 District is submitted for review and comment. This ordinance was composed based on discussions with the Planning Board Master Plan Committee members, Planning Board members at numerous meetings while preparing the 2005 Reexamination of the Master Plan. At those meetings we discussed components of the Reexamination Report and the proposed ordinance. This proposed ordinance is consistent with and the 2005 Reexamination Report. of the Master Plan.

Upon review and approval by the Planning Board the following proposed ordinance should be referred to City Council with findings that it is consistent with the Master Plan and recommend it be adopted.

NJSA 40:55D-26a states (in part) that Aprior to the adoption of a development regulation, or amendment thereto, the Planning Board shall make and transmit to the governing body, within 35 days after referral, a report including identifications of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Board deems appropriate. Because this proposal originated at the Planning Board and the proposal is consistent with the Master Plan and this proposal is being referred to City Council with the statement that it is consistent with the Master Plan, the City Council does not need to refer it back to the Planning Board prior to final adoption.

ORDINANCE NO. ____ OF 2007

AN ORDINANCE AMENDING ARTICLE II, §224-3 (A) OF THE CODE OF THE CITY OF ABSECON AND THE ZONING MAP OF THE CITY OF ABSECON WHICH INCORPORATES BY REFERENCE THE ABSECON CITY ZONING MAP TO CHANGE A PORTION OF THE I / PI INDUSTRIAL / PLANNED INDUSTRIAL DISTRICT TO MODERATE DENSITY RESIDENTIAL (R 2) DISTRICT.

WHEREAS, the Absecon City Planning Board adopted a Master Plan Reexamination Report and Master Plan Update on May 23, 2006; and

WHEREAS, the Master Plan Reexamination Report and Master Plan Update recommended changing a portion of the I / PI Industrial District to Moderate Density Residential (R 2) District.

NOW THEREFORE, BE IT ORDAINED by the Governing Body for the City of Absecon City, County of Atlantic and State of New Jersey, that Chapter 224, Absecon Developmental Ordinance and the Absecon City Zoning Map is hereby amended as follows:

SECTION 1.

The following properties in the I / PI District are included in expanded R 2 District:

Block 192, Lots 1.01, 1.02, 1.03, 2, 3, 15, 16, 17, 18, 19, 20, 21.

Block 195, Lots 1 through 28.

(See plan entitled "Absecon City Zoning Map", prepared by Robert L. Reid, AICP, PP, dated May 4, 2007 on file at the City Clerk's Office and Planning Board Office)

SECTION 2.

Any Ordinance or part thereof which is inconsistent with the provisions of the Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3.

This Ordinance will take effect upon final passage and publication as required by law.

Ordinance to change a portion of I / PI Industrial / Planned Industrial to R-2 District.

Robert L. Reid, AICP, PP

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NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed the first reading at a meeting of the City Council of the City of Absecon City, County of Atlantic and State of New Jersey, held on _____, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 500 Mill Road, Absecon, New Jersey 08201, on _____, at 7:30 p.m. or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE CITY OF ABSECON

Approved: _____
Peter C. Elco, Mayor

Attest: _____
Carie A. Crone, Acting Municipal Clerk