

Memorandum

ABS 046.06

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 HC Highway Commercial to SPB District.**

Introduction

A portion of the HC Highway Commercial District is bounded by the Absecon Fire Department property on two sides, which is situated in the SPB District and is separated from the HC Highway Commercial District by the White Horse Pike (State Highway Route 30) and New Road (State Highway Route 9). This property was for many years prior Al Zona's auto service station. Thus the current HC Highway Commercial District designation. After being purchased by the NJDOT for the widening of State Highway Route 30 the remaining unused portion was converted into a mini-park with plantings and benches. The city should consider changing the zone to allow the possible future expansion of the Fire House.

The following proposed Ordinance to change a portion of the HC Highway Commercial District to SPB 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

Ordinance to change a portion of HC Highway Commercial to SPB District.

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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 HIGHWAY COMMERCIAL (HC) DISTRICT TO SCHOOL AND PUBLIC BUILDINGS (SPB) 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 Highway Commercial (HC) District to School and Public Building (SPB) 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 property in the HC District is included in the expanded SPB District:

Block 203, Lot 2.

(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 NO. ____ OF 2007
Ordinance to change a portion of HC Highway Commercial to SPB District.

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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

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