

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2024-12

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 1 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

BE IT ORDAINED by the Borough Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, as follows:

- SECTION I** Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), the Bound Brook Borough Council ("Borough Council"), by a Resolution adopted in February 2000, determined that a significant portion of the Borough of Bound Brook including its downtown was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the "Redevelopment Area").
- SECTION II** Subsequently, the Redevelopment Area was divided into two (2) parts, known as Redevelopment Area 1 (the eastern portion) and Redevelopment Area 2 (the western portion).
- SECTION III** On February 17, 2000, the Borough Council adopted a Redevelopment Plan for Redevelopment Areas 1 and 2.
- SECTION IV** In November 2009, the Borough Council adopted an amendment to the Redevelopment Plan creating a separate redevelopment plan for Redevelopment Area 2.
- SECTION V** In August 2015, the Borough Council adopted an ordinance amending the Redevelopment Plan creating a separate redevelopment plan for Redevelopment Area 1.
- SECTION VI** The Borough Council adopted several ordinances amending the Redevelopment Plan for Redevelopment Area 1, which were prepared by Carlos Rodrigues, FAICP/PP, the most recent amendment of which is entitled "Amended Redevelopment Plan for Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3, 1.4 and 1.5, adopted by the Borough on February 14, 2023.
- SECTION VII** In order to create a more appropriate transition in building type and height within the redevelopment area identified as the Sub-Area 1.4, the Borough Council desires to modify the height exception on the north side of Main Street, west of the intersection of John Street and West Main Street specific to properties identified as Block 7, Lots 25.01 and 26 by Borough tax assessment records.

SECTION VIII At the Borough’s direction, such amendment to the Amended Redevelopment Plan for Redevelopment Area 1 has been prepared by John P. Szabo, Jr., PP, AICP of Burgis Associates and is hereinafter referred to as the “Amendment” (Deleted language is indicated by a ~~strikeout~~, while new language is indicated in **bold**):

5.6 Bulk Standards Sub-Area 1.4, Section 5.6, Subsection (a)(page 47)to read:

Exemption from the requirements of Section 21-10.15.E.5 (b) and (c), Section 21.10.15.F.6 and Section 21.10.15.G.4: Maximum building height is set at eight (8) stories or 90 feet in the area West of the intersection of John Street and West Main Street, for buildings located on the South side of West Main Street, six (6) stories or 70 feet for buildings located on the North side of Main Street, West of the intersection of West Main Street and John Street, and four (4) stories or 50 feet in the area East of the intersection of John Street and West Main Street for buildings located on both sides of West Main Street. Building setbacks are required along Main Street. The front elevation of buildings located on the South side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4), a ten (10) foot setback at level six (6) and a ten-foot setback at level eight (8). No setbacks are required in the rear elevation. Corner features/elements up to five (5) stories are not subject to setback requirements. The rear elevations of buildings located on the North side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4) and a ten (10) foot setback at level five (5). No setbacks are required in the front elevation of these buildings. The front elevation of buildings located on the South side of West Main Street, East of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level three (3). No setbacks are required in the rear elevation. No setbacks are required for the front elevation of buildings located on the North side of West Main Street, East of John Street, but the rear elevations of these buildings shall observe a ten (10) foot setback at level three (3). Along Hamilton Street, a 10-foot setback is required above the fourth floor. Buildings that are setback 20 feet, or more, from the curb line, do not require a setback above the fourth floor. The provisions governing taller buildings shall not apply to the parcels identified by the following blocks and lots on the official Tax Maps of the Borough of Bound Brook, where building heights shall be limited to the building heights of the existing buildings: block 1, lots 57, 58, 59, 68.02 and 70; **block 7 lots 25.01, and 26**, block 9, lot 3; block 10, lot 1; block 11, lots 6 and 7; and block 12, lots 10.01 and 14.

SECTION IX Figure 8: Building Height Map, page 52 is hereby amended to remove parcels block 7 lots 25.01 and 26 from the height exclusion provided for under Section 5.6, Subsection (a)(page 47).

SECTION X Upon introduction of this Ordinance, the Amendments shall be referred to the Borough Planning Board (the “Planning Board”) for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section XI Prior to the adoption of the Amendments, the Planning Board shall, within 45 days after referral by the Borough Council, transmit to the Borough Council, a report containing its recommendation concerning the Amendments pursuant to N.J.S.A. 40A:12A-7.e.

SECTION XII Upon receipt of the Planning Board's recommendation, the Borough Council shall act upon this Ordinance adopting the Amendments pursuant to N.J.S.A. 40A:12A-7.f. and no further review of the Borough Planning Board is required.

SECTION XIII The Borough Council hereby adopts the Amendments to the Amended Redevelopment Plan for Redevelopment Area 1.

SECTION XIV Upon adoption of this Ordinance, the Amendments to the Amended Redevelopment Plan for Redevelopment Area 1 shall include the date of adoption of this Ordinance.

SECTION XV This Ordinance shall take effect after publication in accordance with applicable law.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

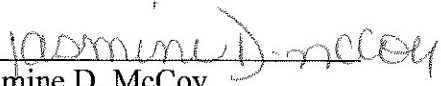
SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

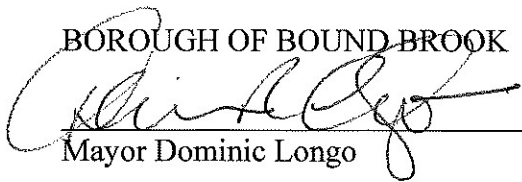
SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

ATTEST



Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK


Mayor Dominic Longo

Date of Introduction: March 26, 2024

Date of Adoption: April 23, 2024

Figure 8: Building Height Map

