

ORDINANCE NO. 2016:19

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 2 PURSUANT TO N.J.S.A. 40A:12A-1ET 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 On August 11, 2015, the Borough Council adopted an ordinance amending the Redevelopment Plan for Redevelopment Area 2, which was prepared by Carlos Rodrigues, FAICP/PP and is entitled "Amended Redevelopment Plan for Redevelopment Area 2: Sub-Areas 2.1, 2.2. and 2.3.

SECTION V At the Borough's direction, further amendments to the Amended Redevelopment Plan for Redevelopment Area 2 have been prepared by Carlos Rodrigues, FAICP/PP, and are as follows, and are hereinafter referred to as the "Amendments":

- (a) Sub-Area 2.1, Page 16 - Amend Section 4.2.2 Permitted Uses, by adding the following sentence to the end of that section: "Ground floor retail uses are not required on West Main Street west of the intersection with Columbus Place."
- (b) Sub-Area 2.1, Page 16 - Amend Section 4.2.4 Permitted Building Types, by adding the following sentence to the end of that section: "Ground floor liner uses are not required on West Main Street west of the intersection with Columbus Place."
- (c) Sub-Area 2.1, Page 16 - Amend the first sentence of Section 4.2.6 Bulk Standards, subsection (b) Exemption from the requirements of Section 21-10.15.E.7(b) to read "The minimum front yard building setback from the Main Street curb line is fifteen (15) feet."
- (d) Sub-Area 2.1, Page 17 - Amend Section 4.2.7 Parking Requirements, subsection (a) by adding the following sentence to the end of that subsection: "Ground floor liner uses are not required on West Main Street west of the intersection with Columbus Place."
- (e) Sub-Area 2.1, Page 17 - Amend Section 4.2.7 Parking Requirements, by adding the following sentence to the end of that section: "Tandem parking is permitted for multi-family residential uses, provided each tandem parking space is coupled with a non-tandem space, and both are allocated to the same residential unit. Minimum dimensions for vehicular parking spaces are as found in Table 4 of the Redevelopment Plan for Sub-Area 1.5."
- (f) Sub-Area 2.2, Page 20 - Amend the first sentence in Section 4.3.6 Bulk Standards, subsection (b) Exemption from the requirements of Section 21-10.15.E.7(b)

to read "The minimum front yard building setbacks from the Main Street and the Columbus Place curb lines are fifteen (15) feet."

- (g) Sub-Area 2.2, Page 21 - Amend Section 4.3.7 Parking Requirements, subsection (a) by adding the following sentence to the end of that subsection: "Ground floor liner uses are not required on West Main Street west of the intersection with Columbus Place."
- (h) Sub-Area 2.2, Page 22 - Amend Section 4.3.7 Parking Requirements, by adding the following sentence to the end of that section: "Tandem parking is permitted for multi-family residential uses, provided each tandem parking space is coupled with a non-tandem space, and both are allocated to the same residential unit. Minimum dimensions for vehicular parking spaces are as found in Table 4 of the Redevelopment Plan for Sub-Area 1.5."
- (i) Sub-Area 2.3, Page 24 - Change the first sentence of item 1 in Section 4.4.2 Permitted Uses to read "Multi-family residential units, including apartments, stacked flats or stacked duplex apartments".
- (j) Sub-Area 2.3, Page 24 - Add a new item 3 in Section 4.4.2 Permitted Uses as follows: "Ground floor retail and services" and renumber the existing item 3 as 4.
- (k) Sub-Area 2.3, Pages 25 and 26 - Amend Section 4.4.6 Bulk Standards, subsection (b) Exemption from the requirements of Section 21-10.15.E.7(b) to read "The minimum front yard building setback from the West Main Street curb line is fifteen (15) feet."

- (l) Sub-Area 2.3, Page 26 - Amend Section 4.4.6 Bulk Standards, by making the following changes to Table 4: Add "minimum building setback from Talmage Avenue curb line - 15 feet"; add "maximum building setback from Talmage Avenue curb line - 20 feet".
- (m) Sub-Area 2.3, Page 27 - Amend Section 4.4.7 Parking Requirements, by adding a new paragraph: "Tandem parking is permitted for multi-family residential uses, provided each tandem parking space is coupled with a non-tandem space, and both are allocated to the same residential unit. Minimum dimensions for vehicular parking spaces are as found in Table 4 of the Redevelopment Plan for Sub-Area 1.5."
- (n) Sub-Area 2.4, Page 28 - Amend Section 4.5.1 Principal Permitted Uses in Sub-Area 2.4 by adding the following paragraph: "In the portion of Sub-Area 2.4 that is also in the B-R district, only those principal uses and building types authorized in the B-R district are permitted. Multi-family buildings shall have ground floor retail or personal or professional service uses along a minimum of 50% of the building's frontage on Talmage Avenue. The remaining frontage may be used for tenant facilities, such as mail or laundry rooms. Exposed ground level parking is not permitted facing Talmage Avenue and must be concealed behind liner uses, such as those uses referred above. In the portion of Sub-Area 2.4 that is not also in the B-R district, the following principal uses are permitted:"
- (o) Sub-Area 2.4, Page 28 - Amend Section 4.5.1 Principal Permitted Uses in Sub-Area 2.4 by inserting a new item (3) "Ground floor retail and services (East of the Vosseller Avenue intersection", a

new item (4) "Upper floor professional offices (East of the Vosseller Avenue intersection only)" and renumbering existing items (3) and (4) as (5) and (6).

- (p) Sub-Area 2.4, Page 28 - Amend Section 4.5.1 Principal Permitted Uses, item 1, by replacing the section "(as per Tables 6, 7 and 8 below)" with "(as per Tables 6.1, 6.2 and 6.3 below)".
- (q) Sub-Area 2.4, Pages 28-30 - Amend Tables 6.1, 6.2, 6.3 and 6.4 to read "Building setback from public streets (curb line)."
- (r) Sub-Area 2.4, Page 30. Amend Section 4.5.3 Area, Yard and Bulk Requirements, by inserting a new section after Table 6.4: "Any mixed-use or multi-family residential project in the portion of Sub-Area 2.4 that is also in the B-R District shall comply with the bulk standards in Table 6.5 - Mixed-Use and Multifamily Residential".
- (s) Sub-Area 2.4, Page 30. Amend Section 4.5.3 Area, Yard and Bulk Requirements, by inserting a new Table 6.5:

Minimum lot area = 10,000 square feet
Minimum lot frontage = 50 feet
Maximum building height = 45 feet or 3 stories (footnote 1)
Minimum front yard building setback from the Talmage Avenue curb line = 15 feet
Minimum side yard = 10 feet each side, if unattached; no setback, if attached
Minimum rear yard = 15 feet (footnote 2)
Maximum lot coverage = 85%
Minimum common open space = 20% (may be satisfied, in part, through patios and/or roof decks.

Footnote 1 - Buildings with frontage on both Talmage Avenue and West Main Street, and which are therefore both in Sub-Area

2.4 and Sub-Area 2.3, may go up to six (6) stories or 70 feet, provided they observe a step-back of at least thirty (30) feet on the Talmage Avenue side between level 3 and level 4.

Footnote 2 - Buildings with frontage on both Talmage Avenue and West Main Street have no rear yard requirement.

- (t) Sub-Area 2.5, Pages 31 and 32 - Amend Tables 7.1, 7.2 and 7.3 to read "Building setback from public streets (curb line)."
- (u) Sub-Area 2.6, Page 34 - Amend Table 8 to read "Building setback from public streets (curb line)."
- (v) Amend page 60, Section 8.8 - Deviation requests, by adding a new paragraph, after the first paragraph, as follows: "Special consideration shall be given by the Bound Brook Land Use Board in the review of any project that straddles more than one Sub-Area. The Board and its professionals shall make reasonable accommodations in those situations where multiple standards may apply and may need to be reconciled."

SECTION VII 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 VIII 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 IX 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

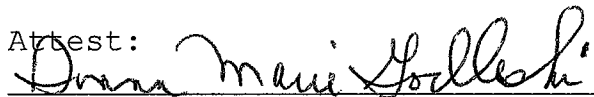
further review of the Borough Planning Board is required.

SECTION X The Borough Council hereby adopts the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2.

SECTION XI Upon adoption of this Ordinance, the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2 shall include the date of adoption of this Ordinance.

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

Approved: 
Mayor Robert P. Fazen

Attest: 
Donna Marie Godleski, Municipal Clerk

Date of Adoption: August 23, 2016

Date of Introduction: June 14, 2016