

*****ADOPTED SEPTEMBER 11, 2023*****

DELANCO TOWNSHIP

ORDINANCE 2023-15

**AN ORDINANCE AMENDING CHAPTER 110 OF THE
CODE OF THE TOWNSHIP OF DELANCO TO MODIFY
AND AMEND THE I-3 (MODIFIED INDUSTRIAL) ZONE
WITH REGARD TO DISTRIBUTION FACILITIES**

WHEREAS, the Township of Delanco, by Ordinance 2023-10, adopted on July 5, 2023, created a new I-3 (Modified Industrial) Zone; and

WHEREAS, the Township further amended the I-3 Zone and related provisions by Ordinance 2023-11, introduced on July 5, 2023 and set for second reading and public hearing on the same date as the introduction date of this Ordinance, August 7, 2023; and

WHEREAS, in continued communication with property owners within the I-3 Zone and with consideration to planning goals, it is apparent that the existing language with regard to distribution facilities was inadvertently restrictive with regard to certain existing uses, which was not the intent of the I-3 Zone; and

WHEREAS, the Township desires to amend the zoning to allow for additional building square footage and related flexibility with regard to distribution facilities, and further determines that these revisions will allow existing activity and product storage that is currently outside to be brought under roof, with no impact on increase in activity or resultant truck traffic; and

WHEREAS, the Township Committee of the Township of Delanco finds this amendment to the Code to be in the best interests of the health, safety and welfare of the residents of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Delanco, State of New Jersey Chapter 110 is hereby amended as follows:

SECTION 1. Chapter 110-37 is hereby amended as follows:

§110-37. I-3 Modified Industrial District.

- A. Permitted principal uses. In an I-3 Modified Industrial District, land shall be used only for the following permitted uses:

(11) Distribution facilities for building products and services (including but not limited to lumber, engineered-wood products, railings, decking, siding, roofing products, doors and trim) with a maximum cumulative building size of 275,000 SF across all lots used to

operate the distribution facility.

SECTION 2. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

SECTION 3. Severability. If the provision of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 4. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral a report, including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 5. After introduction, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance in its entirety or by title and summary at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality, together with a notice of the introduction thereof, the time and place when and where it will be further considered for final passage. The publication shall include a clear and concise statement prepared by the Clerk setting forth the purpose of this Ordinance and a time and place when and where a copy of this Ordinance can be obtained without cost by any member of the general public. The publication shall be at least one week prior to the scheduled hearing.

SECTION 6. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance, in its entirety or by title and summary, together with a notice of the date of passage or approval, at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality.

SECTION 10. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:55D-16, shall forward a copy of this Ordinance to the County Planning Board for filing.

SECTION 11. Effective Date. This Ordinance shall be effective upon proper passage and approval in accordance with the law.