

**APPROVED**

*Oct 1 2025*  
*Kurt J. Minter*  
**MAYOR**

**ORDINANCE NO. 2025-21**

**ORDINANCE OF THE TOWNSHIP OF FLORENCE ADOPTING A  
REDEVELOPMENT PLAN FOR PARCELS WITHIN THE ROUTE  
130 REDEVELOPMENT AREA (BLOCK 163.07 LOTS 3.01 AND 3.07)**

**WHEREAS**, on May 15, 2013, Florence Township Council adopted Resolution 2013-112 authorizing the Planning Board to conduct a Preliminary Investigation for the Determination of An Area in Need of Redevelopment for the U. S. Route 130 Corridor and Vicinity in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1); and

**WHEREAS**, on June 24, 2013 the Planning Board held a Public Hearing on the Preliminary Investigation and adopted Planning Board Resolution 2013-12, memorializing a determination that certain lands described by blocks and lots in the Resolution satisfied the statutory criteria to be designated as “An Area in Need of Redevelopment.”

**WHEREAS**, on July 10, 2013, Florence Township Council adopted Resolution 2013-147, accepting the Planning Board’s recommendation and designating certain parcels along and adjacent areas as an “Area in Need of Redevelopment” (the “Route 130 Corridor Redevelopment Area” or “Redevelopment Area”)

**WHEREAS**, on July 11, 2013, the Township sent the Preliminary Investigation and Resolution 2013-147 to the New Jersey Department of Community Affairs (NJ DCA) for their approval of the Area in Need of Redevelopment Designation; and

**WHEREAS**, on August 23, 2013, the NJ DCA sent a letter to the Township, dated August 23, 2013, indicating that, “[i]n accordance with NJSA 40A:12A-6, the municipality’s approval took effect upon transmittal to the Department of Community Affairs and no further action is necessary from the department to effectuate your designation;” and

**WHEREAS**, Block 163.01, Lots 3.01 and 3.07 within the Township (the “Property”) are located in the Route 130 Corridor Redevelopment Area (2013); and

**WHEREAS**, the owner of the Property has requested the Township use its redevelopment powers to assist in making development on the Property feasible and the Township has agreed to provide assistance to allow the Property to be developed for the benefit of the Township and the remaining parcels within the Redevelopment Area; and

**WHEREAS**, Edward E. Fox, III, PP, AICP of Environmental Resolutions, Inc., a licensed professional planner employed by the Township, has developed a draft redevelopment plan for the Property (the “Proposed Redevelopment Plan March 12, 2025”), dated March 12, 2025 and entitled “Non-Condemnation Redevelopment Plan Block 163.01, Lot 3.01 and 3.04”, which would permit development of the Property in a manner that is beneficial to the Township and consistent with the vision for the Route 130 Corridor Redevelopment Area (2013); and

**WHEREAS**, on March 19, 2025, the Township Council forwarded the Proposed Redevelopment Plan March 12, 2025 to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7e; and

**WHEREAS**, on March 25, 2025, the Planning Board held a regularly scheduled meeting to review the Proposed Redevelopment Plan where Township's Professional Planner, Edward E. Fox, III, PP, AICP of Environmental Resolutions, Inc., presented testimony on the preparation and relationship of the Proposed Redevelopment Plan March 12, 2025 to the Master Plan; and

**WHEREAS**, members of the Planning Board, who were members in 2022, explained to the Planning Board that the explicit purpose of the rezoning of the Property and similar properties had been to avoid additional heavy truck traffic by moving away from the former SM light manufacturing overlay that had allowed warehousing and distribution uses, which were perceived to be more generative of truck traffic than the HC-Highway Commercial uses; and

**WHEREAS**, Mr. Fox further testified that this particular property would be difficult to develop for the permitted HC-Highway Commercial uses because it does not have any visible frontage or direct access to US Route 130, and further, that the close proximity of Cathy Lane to the Turnpike exit ramp onto US Route 130 could lead to traffic issues for cars as well as trucks if an intense retail use as envisioned in the HC Zone were implemented at this site; and

**WHEREAS**, following a presentation by Mr. Fox, an opportunity for public comments, and an extensive discussion by and amongst the Planning Board; the Planning Board found that pursuant to the authorities under N.J.S.A. 40A:12A-7(e) the Proposed Redevelopment Plan March 12, 2025 was inconsistent with the Township's Master Plan (See P.B. Resolution 2025-04 dated April 24, 2025, attached hereto as Exhibit A.); and

**WHEREAS**, the Planning Board further recognized that pursuant to N.J.S.A. 40A:12A-7(e), that the Township Council may elect to adopt the Proposed Redevelopment Plan March 12, 2025; and resolved that if the Township Council should adopt the Proposed Redevelopment Plan, certain standards should be incorporated into the Proposed Redevelopment Plan March 12, 2025 upon adoption, or in a Redevelopment Agreement; and

**WHEREAS**, the Township Council has reviewed P.B. Resolution 2025-04, attached hereto as Exhibit A, constituting the report of the Planning Board on its review of the Proposed Redevelopment Plan March 12, 2025 required pursuant to N.J.S.A. 40A:12A-7, including the findings of inconsistency with the Master Plan and recommendations set forth therein; and

**WHEREAS**, on July 2, 2025, the Township Council held a public hearing on Ordinance 2025-18 Adopting a Redevelopment Plan for Parcels within the Route 130 Redevelopment Area (61 Cathy Lane, Block 163.07, Lots 3.01 and 3.07), during which neighboring property owners expressed concerns with the Proposed Redevelopment Plan March 12, 2025, after which the Township Council did not approve Ordinance 2025-18; and

**WHEREAS**, subsequent to July 2, 2025, the Township has substantially revised the Proposed Redevelopment Plan March 12, 2025 to address the concerns raised by members of the public, the recommendation of the Planning Board contained in Planning Board Resolution P.B. 2025-04, and the commitments of the Property Owner including but not limited to:

1. Placing restrictions upon the number, location and timing of parking of tractor-trailers (Section II.B.2.c.), and
2. Requiring fencing and screening along the boundary line with Block 163.01, Lot 15.02 (Section II.B.2.c.), and
3. Requiring buffering and screening requirements at the time of site plan review, as well as angling of the driveway to avoid headlights impacting 50 Cathy Lane (Section II.B.2.g.), and
4. Cooperation with roadway improvements at the intersection of Route 130 and Cathy Lane (Section VII.D.1.); and

**WHEREAS**, to the extent that the recommendation of the Planning Board contained in Planning Board Resolution P.B. 2025-04 are not already addressed in the Proposed Redevelopment Plan March 12, 2025, said recommendations shall be addressed and incorporated into a Redevelopment Agreement; and

**WHEREAS**, the Township Council believes that adoption of the Proposed Redevelopment Plan is in the best interest of the Township as:

- a. Block 163.01, Lots 3.01 and 3.07 have historically been used for industrial uses that depend on trucking; and
- b. The property is currently occupied and dominated by industrial buildings and improvements which are unsuited for the current HC-Highway Commercial uses; and
- c. As testified by the Township Planner, Edward E. Fox, III, PP, AICP of Environmental Resolutions, Inc., the property would be difficult to develop for HC -Highway Commercial uses due to its lack of frontage on US Route 130, and proximity to the Turnpike exit ramp onto US. Route 130; and
- d. The Proposed Redevelopment Plan provides for improvement to the existing current uses of the property and through sound planning acts to prevent the deterioration and potential blight of the property related to the improbability of the development of the property for HC- Highway Commercial uses; and

**WHEREAS**, the Township Council desire to approve the Redevelopment Plan dated August 1, 2025 in the form set forth in Exhibit B hereto, and direct that the Township's Zoning Map be amended and superseded to reflect the provision of the Redevelopment Plan;

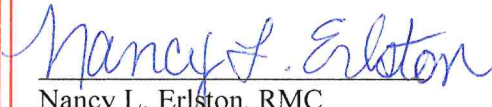
**NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:**

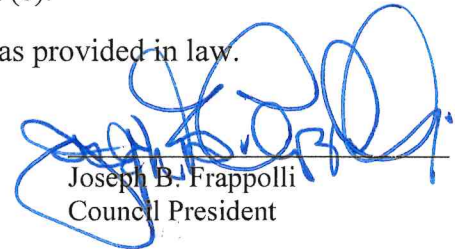
Section 1. The Proposed Redevelopment Plan dated August 1, 2025, as filed in the Office of the Township Clerk and attached hereto as Exhibit A is hereby approved.

Section 2. The zoning map of the Township of Florence is hereby amended to incorporate the provisions of the Proposed Redevelopment Plan and delineate the boundaries of the Property.

Section 3. The recitals of this ordinance shall be reproduced in the minutes of the meeting where this ordinance is finally adopted and shall serve as the reasoning of the Township Council for purposes of N.J.S.A. 40A:12A-7(e).

Section 4. This ordinance shall take effect as provided in law.

  
Nancy L. Erlston, RMC  
Township Clerk

  
Joseph B. Frappolli  
Council President

**NOTICE  
TOWNSHIP OF FLORENCE**

**ORDINANCE 2025-21**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE  
ADOPTING A REDEVELOPMENT PLAN FOR PARCELS  
WITHIN THE ROUTE 130 REDEVELOPMENT AREA  
(BLOCK 163.07, LOTS 3.01 AND 3.07)**

Take Notice that the Ordinance identified adopting a redevelopment plan for parcels within the Route 130 Redevelopment Area, 61 Cathy Lane and known as Block 163.07, Lots 3.01 and 3.07 on the tax map of the Township of Florence, has received final adoption by the Township Council and was approved by the Mayor of the Township of Florence, County of Burlington, State of New Jersey, at a meeting held on October 1, 2025 at 7:00 PM in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey. The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full Ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. The ordinance is posted on the township's website [www.florence-nj.gov](http://www.florence-nj.gov)

Nancy L. Erlston, RMC  
Township Clerk

Ordinance No. <u>2025-21</u>
Advertised in Burlington County Times on: <u>OCTOBER 5, 2025</u>
Effective Date: <u>OCTOBER 25, 2025</u>
<u>hse</u> Initials

August 1, 2025

**NON-CONDEMNATION REDEVELOPMENT PLAN**  
**Block 163.01, Lots 3.01 and 3.07**  
**Florence Township**  
**Burlington County, New Jersey**



**Prepared For:**

Mayor & Council  
Township of Florence  
711 Broad Street  
Florence, NJ 08518

**Prepared By:**

Edward E. Fox III, AICP, PP  
NJ PP #33LI00510400



Environmental Resolutions, Inc.  
815 East Gate Drive, Suite 103  
Mount Laurel, NJ 08054

*The report author signed and sealed the original document in accordance with  
Chapter 41 of Title 13 of the State Board of Professional Planners.*

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## **ACKNOWLEDGMENTS**

### **Florence Township Mayor**

Hon. Kristan I. Marter

### **Florence Township Council**

Hon. Joseph Frappolli, President

John Fratinardo, Vice President

Frank Baldorossi, Jr.

Nick Haas

Talaya Loftin

### **Florence Township Staff**

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### **Florence Township Planning Board**

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Carl Mattson, Vice Chair

John Fratinardo, Secretary

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Newell Kehr

Hon. Kristan I. Marter, Mayor

Kecica Taylor, Alternate #1

Robert Johnson, Alternate #2

### **Florence Township Planning Board Staff**

Anne-Marie Hellman, Board Secretary

David C. Frank, Esq., Board Attorney

Hugh J. Dougherty, Board Engineer

Edward Fox, Board Planner

## **I. INTRODUCTION**

This Non-Condemnation Redevelopment Plan relates solely to a 10.87-acre redevelopment project area on two (2) adjacent tax blocks on Cathy Lane in the Township of Florence (Township), i.e., Block 163.01, Lots 3.01 and 3.07. Township Council designated this area in need of redevelopment in 2013 via Resolution 2013-147

The purpose of this Redevelopment Plan is to facilitate redevelopment of the project area, which has been significantly underutilized despite its adjacency to NJ Turnpike Interchange #6, US Route 130, and Florence-Columbus Road (CR 656), due to its lack of highway frontage and other factors. Redevelopment of this project tract will advance Florence Township Master Plan's community and economic development goals and objectives strategies.

## **II. DEFINITIONS**

The following definitions, which are set forth in N.J.S.A. 40A:12A-3 of the Local Redevelopment and Housing Law (LRHL), are pertinent to this Redevelopment Plan:

Redevelopment -- means clearance, re-planning, development, and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public, or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

Redevelopment area or area in need of redevelopment - means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6)... a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.

Redevelopment Plan -- means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan will be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.

Redevelopment Project -- means any work or undertaking pursuant to a redevelopment plan; such undertaking may include any buildings, land, including demolition, clearance, or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping and administrative, community, health, recreational, educational, welfare facilities.

Rehabilitation -- means an undertaking, by means of extensive repair, reconstruction, or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.

### III. REDEVELOPMENT PLAN

#### A. Property Description

The properties within the Redevelopment Project Area, Lots 3.01 and 3.07 of Block 163.01, are at the eastern terminus of Cathy Lane, which intersects US Route 130 about 400' north of NJ Turnpike Interchange 6. The NJ Turnpike forms the southern boundary of both parcels.

Lot 3.01, the western of the two, has 30' of frontage on US Route 130, but this is dedicated for a sanitary and sewer easement. The parcel currently contains a 1-story 3,559 SF office building, a 2-story 2,358 SF storage building, a 1-story 13,234 SF industrial building, and several stone and asphalt parking areas. It has principal frontage on Cathy Lane and is adjacent to the Stangel Motel at 2086 US Route 130 (Lot 3.02) and a single-family detached dwelling at 41 Cathy Lane (Lot 15.02). Blue Stone Cathy Lane, LLC owns this 7.19-acre parcel and provides a 50'-wide easement to AKAL Cathy Lane LLC, which owns Lot 3.07, a 3.66-acre parcel to the east that is mostly vacant except for a telecommunications tower in its southern corner.

#### B. Redevelopment Plan

In N.J.S.A. 40A:12A-7a., the LRHL requires all redevelopment plans to "include an outline for the planning, development, redevelopment, or rehabilitation of the Project Area...."The LRHL requires the outline to indicate the following information:

##### 1. Relationship to Definite Local Objectives

N.J.S.A. 40A:12A-7a.(1) requires the redevelopment plan to indicate:

*Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.*

This Redevelopment Plan relates to the Township's local objectives, as expressed in its master plan and other land, community, and economic development documents, as follows:

1. Land Use Objectives: The proposed uses and building requirements correlate with the 2022 Master Plan's first goal, which is "managed and balanced economic development is encouraged in the Township to achieve land development that is aesthetically pleasing and economically viable."
2. Population Density / Housing Objectives: Because residential uses are not suitable, practicable, and sustainable uses within the Redevelopment Project Area, the Redevelopment Plan does not include a component that addresses these local objectives.
3. Traffic and Public Transportation Objectives: The proposed land use and building requirements in this redevelopment plan are not meant to address any of the 2022 Master Plan Circulation Element recommendations. However, it is anticipated that the current problem of trucks leaving Cathy Lane and illegally crossing the US Route 130 median strip to turn left onto south / westbound US 130 will be addressed during the future site plan review process. In addition, the proposed Redevelopment Project will include the vacation of a small portion of the southern terminus of Cathy Lane between Lots 3.01 and 3.07, for which the future Redeveloper(s) will take responsibility.
4. Public Utilities / Infrastructure Objectives: The Redevelopment Project Area is served by public water and wastewater infrastructure. The proposed land use and building requirements in this redevelopment plan are not meant to address any of the 2022 Master Plan Utility Element recommendations and should not have any significant impact on those public utilities.

5. Recreational and Community Facilities Objectives: Because recreational and community facilities uses are not suitable, practicable, and sustainable uses within the Redevelopment Project Area, the Redevelopment Plan does not include a component that addresses these local objectives. In addition, the proposed uses and building requirements should not have any significant impact on the Township's recreational and community facility resources.
6. Other Public Improvement Objectives: Not applicable.

## **2. Proposed Land Use and Building Requirements**

N.J.S.A. 40A:12A-7a.(2) requires the redevelopment plan to indicate:

*Proposed land uses and building requirements in the Project Area.*

The purpose of this Redevelopment Plan is to facilitate the redevelopment of the project area to advance Florence Township Master Plan's community and economic development goals and objectives strategies.

### **2.a Definitions**

The following land use definitions from the US Census Bureau's 2022 North American Industrial Classification System (NAICS) will be applied to the individually listed permitted principal uses in this Redevelopment Plan:

General Freight Trucking, Local (NAICS 4841140): Establishments primarily engaged in providing local general freight trucking. General freight trucking establishments handle a wide variety of commodities, generally palletized, and transported in a container or van trailer. Local general freight trucking establishments usually provide trucking within a metropolitan area which may cross state lines. Generally, the trips are same-day return.

General Freight Trucking, Long-Distance, Truckload (NAICS 484121): Establishments primarily engaged in providing long-distance general freight truckload (TL) trucking. These long-distance general freight truckload carrier establishments provide full truck movement of freight from origin to destination. The shipment of freight on a truck is characterized as a full single load not combined with other shipments.

General Freight Trucking, Long-Distance, Less Than Truckload (NAICS 484122): Establishments primarily engaged in providing long-distance, general freight, less than truckload (LTL) trucking. LTL carriage is characterized as multiple shipments combined onto a single truck for multiple deliveries within a network. These establishments are generally characterized by the following network activities: local pick-up, local sorting and terminal operations, line-haul, destination sorting and terminal operations, and local delivery.

Minor Repair: Inspection and repair / replacement of: brake disks, pads, and fluid; windshield wipers and wiper fluid; air filters; tires, including mounting and balancing; electric fuses and electronic components; oil and filter changing; lights; and minor body work, such as dent and scratch repair. Minor repair does not include repair / replacement of: braking, coolant, engine, emission, exhaust, steering, of transmission systems or major body work.

### **2.b Permitted Principal Uses**

The permitted principal uses will be the following:

1. All those permitted in the Township's Highway Commercial (HC) District, per § 91-216,

2. General Freight Trucking, Local (NAICS 4841140),
3. General Freight Trucking, Long-Distance, Truckload (NAICS 484121),
4. General Freight Trucking, Long-Distance, Less Than Truckload (NAICS 484122),
5. Municipal, County, and State uses and facilities.

### **2.c Permitted Accessory Uses**

The permitted accessory uses will be the following:

1. All those permitted in the Township's Highway Commercial (HC) District, per § 91-216,
2. Technical, administrative, and support service uses accessory to permitted principal uses,
3. Parking, maintenance, and minor repair of tractor trucks, tractor trailers, and other fleet vehicles of a permitted general freight trucking establishment, subject to the limitations, however, that no more than forty-two (42) tractor-trailers may be parked on the Property at any one time; and further, that the nine (9) spaces shown on the easterly border of Lot 3.07 may only be parked there for staging purposes associated with repair work to be conducted within that building opposite said staging area,
3. Fuel storage for fleet vehicles of a permitted general freight trucking establishment,
4. Building and business identification signage,
5. Security systems, including gates and gate houses; and fencing not to exceed eight (8) feet in height with appropriate screening along the boundary line with Block 163.01, Lot 15.02.

### **2.d Prohibited Principal and Accessory Uses**

All principal uses that are not permitted are prohibited. In addition, there shall be no loading and unloading of freight, no overnight occupancy by drivers, no truck leasing or sales, no temporary or mobile storage structures, no warehousing, and no washing or painting of trucks or trailers, except for minor dent and scratch repair.

### **2.e. Conditionally Permitted Principal Uses**

The conditionally permitted principal and accessory uses will be the following:

1. Hotels and motels, per § 91-290.

### **2.f. Area and Height Regulations**

The area and bulk height regulations will be the same as those in the Township's Highway Commercial (HC) District, per § 91-219, except for the following:

1. A minimum lot frontage of 200' along US Route 130 is not required for Lot 3.01, which currently has only 31.57' of frontage along that road and cannot be increased.
2. No minimum lot frontage along Cathy Lane is required for Lot 3.07 because the Redevelopment Project includes vacation of a portion of that public-right-way now adjacent to that parcel and future Redeveloper(s) assumption for the private maintenance responsibility of that portion.

### **2.g. Signage**

All building and business identification signs will comply with those in the Township's Highway Commercial (HC) District, per § 91-223.

### **2.g. General Requirements**

1. No products, waste, equipment or similar material or objects will be displayed or stored outside.
2. All portions of the property not utilized by buildings or paved surfaces will be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours, existing foliage and the planting of conifers and/or deciduous trees native to the area in

order to either maintain or reestablish the tone of the vegetation in the area and lessen the visual impact of the structures and paved areas. Redeveloper, during the course of site plan review, shall place particular emphasis on buffering and screening the eastern rear portion of the staging area parking described above between that area and the area of the Birch Hollow residential development. In addition, the exit driveway from Lot 3.01 shall be angled so that headlights are not directed straight into the front window of 50 Cathy Lane.

## **2.h. Environmental Performance Standards**

All development will comply with State Air Pollution Noise Control regulations (N.J.A.C. 7:27-14) and State Noise Control regulations (N.J.A.C. 7:29) during construction and upon the Redeveloper's receipt of a certificate of occupancy.

## **2i. Deviations from Provisions of this Redevelopment Plan**

The Planning Board may review and retain jurisdiction over applications requiring relief for variances and deviations from this Redevelopment Plan or other municipal development ordinances, other than with respect to the nature of relief as set forth under N.J.S.A. 40:55D-70d. Accordingly, an amendment to the Redevelopment Plan will not be necessary if the selected Redeveloper(s) or property owner desires to deviate from the bulk provisions set forth in this Redevelopment Plan or the pertinent sections of Florence's Land Development Ordinance, or from the design standards set forth in this Redevelopment Plan or other municipal development ordinances.

The Redeveloper will make all requests for such relief to the Planning Board accompanied by a complete application for development, as otherwise required by ordinance. The Planning Board will make its decisions on such requests in accordance with the legal standards set forth in N.J.S.A. 40:55D-70c. in the case of requests for relief from zoning standards and in accordance with the legal standards set forth in N.J.S.A. 40:55D-51 in the case of requests for relief from design standards.

## **3. Provisions for Relocation**

N.J.S.A. 40A:12A-7a.(3) requires the redevelopment plan to indicate:

*Adequate provision for the temporary and permanent relocation, as necessary, of residents in the Project Area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.*

The Township Council of Florence, or its appointed Redevelopment Agency, will not disturb or eliminate any existing residences to implement this Redevelopment Plan. Therefore, this Redevelopment Plan does not require resident relocation provisions.

## **4. Identification of Property to be Acquired**

N.J.S.A. 40A:12A-7a.(4) requires the redevelopment plan to indicate:

*An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.*

At this time, this Redevelopment plan does not anticipate that the Township Council of Florence will need to acquire any properties in the Redevelopment Project Area to implement this Redevelopment Plan. If the need should arise to acquire a property, the Council will take separate action to designate that property as a Condemnation Redevelopment Area, in accordance with the LRHL.

## **5. Relationship to Other Plans**

N.J.S.A. 40A:12A-7a.(5) requires the redevelopment plan to indicate:

*Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et seq.).*

### **a. Contiguous Municipalities**

The Redevelopment Project Area is located about 1 mile from the border of Burlington Township. Its redevelopment should have no significant impact on the implementation of the goals and objectives of that township's master plan.

### **b. Burlington County**

The Burlington County Planning Board has not adopted a County Master Plan; therefore, this provision does not apply.

### **c. New Jersey**

The New Jersey State Planning Commission adopted the *State Development and Redevelopment Plan (SDRP)* on June 12, 1992. The Commission reexamined the *SDRP* and adopted a new plan on March 1, 2001. The *SDRP* delineates the Project Area as within the Suburban (PA2) Planning Area. The *SDRP* intends the Suburban Planning Area to provide for much of the State's future development by revitalizing cities and towns; promoting growth in compact forms; stabilizing older suburbs; redesigning areas of sprawl; and protecting the character of existing stable communities. This Redevelopment Plan is consistent with this intent by promoting growth in compact forms through redevelopment of former areas of highway sprawl.

## **6. Affordable Housing Impacts**

N.J.S.A. 40A:12A-7a.(6) requires the redevelopment plan to indicate:

*As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.*

This Redevelopment Plan does not provide for the demolition, rehabilitation, or construction of any affordable housing. Therefore, the provision of an analysis of affordable housing impacts does not apply.

## **7. Affordable Housing Replacement Provisions**

N.J.S.A. 40A:12A-7a.(7) requires the redevelopment plan to indicate:

*A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last eighteen (18) months, which is subject to affordability controls and that is identified as to be removed because of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, will have first priority for those replacement units provided under the plan; provided that any such replacement unit will not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward*

*satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing will be provided within or near the redevelopment area. A municipality will report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.*

There are no residential uses within the Redevelopment Project Area. Therefore, this Redevelopment Plan requirement does not apply.

#### **8. Zero-Emission Vehicle Infrastructure**

N.J.S.A. 40A:12A-7a.(7) requires the redevelopment plan to indicate:

*Proposed locations for zero-emission vehicle fueling and charging infrastructure within the Project Area in a manner that appropriately connects with an essential public charging network.*

This Redevelopment Plan will require redevelopers to install electric vehicle charging infrastructure within the Redevelopment Project Area in accordance with P.L. 2021 c.171. The locations of such infrastructure will be determined during the development review process.

### **IV. AFFORDABLE HOUSING PROVISIONS**

N.J.S.A. 40A:12A-7b. indicates:

*A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.*

Redevelopment projects will comply with all applicable provisions of Township Code Chapter 33 Affordable Housing.

### **V. RELATIONSHIP TO LOCAL DEVELOPMENT REGULATIONS**

N.J.S.A. 40A:12A-7c. requires the redevelopment plan to indicate:

*The redevelopment plan will describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.).*

This Redevelopment Plan incorporates all those other chapters of the Florence Township Code related to land development, such as Chapter 33 Affordable Housing and Chapter 91 Land Development. This Redevelopment Plan only supersedes those ordinance regulations identified in **Section III B2. Proposed Land Uses and Building Requirements**, of this Redevelopment Plan.

The Council will amend the Zoning Map to indicate that this Redevelopment Plan will apply for all future development and redevelopment for this Redevelopment Project Area.

In addition, the Planning Board is authorized to issue, at its discretion, bulk variances, design waivers, and other exceptions from the Proposed Land Uses and Building Requirements detailed in this Redevelopment Plan.

### **VI. MUNICIPAL MASTER PLAN CONSISTENCY**

N.J.S.A. 40A:12A-7d. requires that:

*All provisions of the redevelopment plan will be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a*

*redevelopment plan that is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.*

In addition to the Master Plan-related comments above in **Section V. Relationship to Local Development Regulations**, the Redevelopment Plan is substantially consistent with and designed to effectuate Florence's 2022 Master Plan:

Although the adopted 2022 Land Use Plan Element did not provide any analysis or explanation for doing so, page III-33 of the element recommended rezoning three light industrial properties (Lots 3.01, 3.05, and 3.07) and one place of worship (Lot 3.06) on Cathy Lane and an adjacent 55.84-acre parcel owned and operated by the NJ Turnpike Authority from the SM Special Manufacturing zone to the HC Highway Commercial zone. The Township Council approved this zoning district change via Ordinance 2022-13 on October 5, 2022. This Zoning Map change made all of the existing uses Lots 3.01, 3.05, 3.06, 3.07, and 5 pre-existing, non-conforming uses. Thus, the general freight trucking uses proposed in this redevelopment plan would not be consistent with this single rezoning recommendation in the 2022 Land Use Plan Element.

§ 91-215 indicates that “the purpose of the Highway Commercial District is to provide commercial uses along several major highways or major arteries in the Township which provide services to the general traveling public, and which have a service radius generally wider than the immediate neighborhood. The provisions are designed to curtail the further evolution of strip commercial patterns while permitting controlled commercial growth.” None of the properties recommended for this rezoning are commercial uses and none of them had any usable commercial frontage on US Route 130. Absent a reasonable explanation or rational nexus for this proposed rezoning, particularly given the existing uses on Lots 3.01, 3.05, 3.06, 3.07, and 5 and the HC zone's stated purpose, this individual Land Use Plan Element rezoning recommendation is unsubstantiated and appears arbitrary. In other words, the Planning Board did not provide the Township Council with a reason to change the properties' zoning designation.

General freight trucking uses are not “wholesale distribution centers and warehouses,” which the Land Development Ordinance permits in the GM General Manufacturing zone, but they are necessary for such uses to function. They are also not “truck stops, parking lots, and trailer lots,” which Section V of Ordinance 2022-13 prohibited throughout the Township. They are a niche industry that allows local industrial and commercial businesses to focus on their core missions by efficiently outsourcing the transportation of their products to logistics professionals. Such uses are a necessary component in modern light industrial districts where local factories rely on them to get their products to market.

While the general freight trucking uses proposed in this redevelopment plan would not be explicitly permitted in the SM Special Manufacturing zone, which is a general light industrial and food processing district, these uses are more in character with the SM zone's stated purpose, i.e., “to provide areas for industrial uses which are of lesser magnitude and intensity than uses permitted in industrial districts.” (§ 91-215) General freight trucking uses are logistics businesses that pick up a wide variety of bulk commodities from one business, generally an industrial producer, wholesaler, or warehouse, and transport them to another business for further processing, wholesale / warehousing, or retailing.

The Redevelopment Project Area is adjacent to NJ Turnpike Interchange 6A on US Route 130 and accessed by Cathy Lane to the rear of commercial properties fronting on the highway. It is also near Florence-Columbus Road (CR 656), which provides access to I-295 Interchange 52. As such, it is located in a unique location for a logistics business with readily access to regional and interstate highways without disturbing residential neighborhoods.

As such, general freight trucking uses, such as those proposed in this Redevelopment Plan, are consistent with the 2022 Master Plan's first goal, which is "managed and balanced economic development is encouraged in the Township to achieve land development that is aesthetically pleasing and economically viable." While these proposed uses may not be consistent with the arbitrary rezoning recommendation in the 2022 Land Use Plan Element, they are consistent with the primary goal of Florence Township's Master Plan.

## **VII. OTHER PROVISIONS**

### **A. Designation of Redeveloper.**

1. The Township Council of Florence (Council) will designate and enter into a contract with a Redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A: 12A-4(c)).
2. The designated Redeveloper will agree to retain interest acquired in the Redevelopment Project Area until the completion of construction and development of the specified project, subject to the terms of a negotiated Redevelopment Agreement. The Redeveloper will agree not to lease, sell, or transfer interest or any part thereof without prior written approval of the Council, subject to the terms of a negotiated Redevelopment Agreement(s). The Council will require the Redeveloper to furnish escrows and performance guarantees. (N.J.S.A. 40:55D-53)

### **B. Compliance with Development Regulations.**

1. All development within the Redevelopment Project Area will be governed by the requirements of Florence Township Code Chapter 91 Land Development, unless otherwise superseded by the provisions of this Redevelopment Plan, as well as the State of New Jersey governing development and redevelopment.
2. The Council and Redeveloper will agree to comply with all applicable application submission requirements, design standards, and development regulations established in this plan for the Redevelopment Area, as well as those established by Council to the extent that they do not contradict this Redevelopment Plan and applicable law, and except where variances and waivers are properly approved by the Planning Board.
3. The ordinance adopting the Redevelopment Plan will contain an explicit amendment to the Township's Zoning Map included in the Land Development Ordinance. The Zoning Map, as amended, will indicate the redevelopment area to which the Redevelopment Plan applies.
4. The Planning Board will review and approve all plans and specifications for development with respect to conformance with this Redevelopment Plan.

### **C. General Provisions of the Redevelopment Plan.**

1. Land use provisions and building requirements are necessary as minimum requirements in the interest of public health, safety, convenience, and general welfare. They provide references for the physical development of the redevelopment project area. Redevelopers have flexibility in project

planning and design, so long as buildings and improvements reflect quality, permanence, and physical integration through design elements. The Council has not attempted in these controls to anticipate every possible design or land use solution. Rather, Council will evaluate proposals as to how well they achieve the objectives of this Redevelopment Plan.

2. The Council and the Planning Board specifically reserve the right to review and approve the Redeveloper's site and subdivision plans and specifications with respect to their conformance to the Redevelopment Plan. Such a review will be based on submissions to both agencies of a site context plan locating the proposed Redevelopment Project; a site plan illustrating all site features; and building elevations for facades facing primary and secondary streets. If Redevelopers make design changes after submission, no construction related to the changed project features can take place until the Redevelopers submit a site plan and other pertinent drawings reflecting such additions or changes for both agencies' approval. This pertains to revisions and additions prior to, during, and after the completion of such improvements.
3. As part of the final site plan approval process, the Planning Board may require a Redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. The Township's Attorney or the Planning Board Attorney will approve such performance guarantees. The Council will determine the amount and form of such performance guarantees.
4. Subdivisions of lots and parcels of land within the Redevelopment Project Area will be in accordance with the requirements of this Redevelopment Plan and the Township's Zoning and Land Use Ordinance. If parcels are combined that include the use or taking of public rights-of-way, thus interfering with existing circulation patterns, and creating a new street or tax block, the Redeveloper will also be required to comply with the Township's Land Development Ordinance, as if the Redeveloper were proposing a subdivision or portion thereof.
5. The Redeveloper will also comply with the requirements of the Local Redevelopment and Housing Law, PL 1992, Chapter 79. (N.J.S.A. 40A:12A-1 *et seq.*).
6. No use or reuse will be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic, or noxious fumes, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust, or waste, undue noise or vibration, or other features detrimental to the public health, safety, or general welfare.
7. No Redeveloper will construct a building over an easement in the project area without prior written approval of the Council.
8. The Redeveloper will provide utility easements, when necessary, for approval by the Council. The Redeveloper will provide such easements within seven (7) working days after completion of project construction.
9. No covenant, lease, conveyancing document, or other instrument relating to the Property shall discriminate on the basis of race, creed, color, marital status, gender, age, handicap, familial status, or national origin.
10. Any plans or plats approved by the Council, or its agencies and subsidiaries, prior to the adoption of this Redevelopment Plan will not be subject to the requirements of this Redevelopment Plan.

#### **D. Public Improvements.**

Redevelopers will participate in infrastructure improvements per the terms of a negotiated Redevelopment Agreement(s). As its sole option, the Council may opt to pay for all or part of these public improvements. The Redeveloper will coordinate any water, sewerage, or other infrastructure system improvement with the appropriate utility company. All off-tract improvements will conform to Township requirements. In addition to the foregoing:

1. As referenced in Art. III B.1(3), "Traffic & Public Transportation Objectives", regarding trucks illegally crossing the U.S. Route 130 median strip, the vacation of a small portion of the southern terminus of Cathy Lane between Lots 3.01 and 3.07, Redeveloper shall:

- a. Cooperate with the Township in its efforts to have the New Jersey Department of Transportation install a barrier along that stretch of the median where trucks, which are not necessarily owned, controlled, or operated by Redeveloper, have been known to cross to make a left-turn onto the southbound Route 130; and further if said approval is secured and a barrier is installed, to pay for said barrier.
- b. Cooperate with the Township in the vacation of the southern terminus of Cathy Lane and fund the construction cost of the Township's installation of a new cul-de-sac at said terminus.
- c. In addition, the Township wishes to widen Cathy Lane along its outbound lane to Route 130 to improve the turning radius of tractor-trailers entering onto Route 130 to turn right and go northbound. The Township has an additional nine feet (9') +/- of right-of-way in addition to the paved Cathy Lane cartway. The Township proposed to widen said cartway by nine feet (9') +/-, to a length of approximately one hundred feet (100'). Redeveloper agrees to fund the costs of said construction.
- d. The specific terms and conditions of Redeveloper's funding of the improvements described in the foregoing three (3) subparagraphs shall be detailed in the Redeveloper's Agreement to be entered into by and between the Township and Redeveloper, which Agreement, as set forth above in Article VIII. A(1).

2. Prior to any of the construction work described in subparagraphs (b) & (c) above, Redeveloper, in cooperation with the Township, shall provide notice to adjoining property owners.

#### **E. Types of Proposed Redevelopment Actions.**

Pursuant to N.J.S.A. 40A:12A-8, the Council may, upon adoption of a Redevelopment Plan, proceed with clearance, re-planning, development, and redevelopment of the area designated in that plan. To perform and affect the purposes and terms of this Redevelopment Plan, the Council may:

1. Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L.1992, c.79 (C.40A:12A-29);
2. Acquire property pursuant to subsection i. of section 22 of P.L.1992, c.79 (C.40A:12A-22);
3. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et

seq.), provided that the land or building is located within (1) an area that was determined to be in need of redevelopment prior to the effective date of P.L.2013, c.159, or (2) a Condemnation Redevelopment Area;

4. Clear any area owned or acquired and install, construct, or reconstruct streets, facilities, utilities, and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
5. Prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants for the carrying out of Redevelopment Projects;
6. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redeveloper to defray the costs of the Council, including where applicable the costs incurred in conjunction with bonds, notes or other obligations issued by the Council and to secure payment of such revenue; as part of any such arrangement or contract, provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work, or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, or would not be undertaken in its intended scope without the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers; and arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
7. Except with regard to property subject to the requirements of P.L.2008, c.65 (C.40A:5-14.2 et al.), lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary;
8. Enter upon any building or property in any redevelopment area to conduct investigations or make surveys, sounding, or test borings necessary to carry out the purposes of this Act;
9. Arrange or contract with a public agency for the relocation, pursuant to the "Relocation Assistance Law of 1967," P.L.1967, c.79 (C.52:31B-1 et seq.) and the "Relocation Assistance Act," P.L.1971, c.362 (C.20:4-1 et seq.), of residents, industry or commerce displaced from a redevelopment area;
10. Make, consistent with the redevelopment plan: (1) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and (2) plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements;
11. Request that the Planning Board recommend to the Council and that the Council designate particular areas as being in need of redevelopment or rehabilitation in accordance with the provisions of this act and make recommendations for the redevelopment or rehabilitation of such areas;

12. Study the recommendations of the Planning Board or Council for the redevelopment of the area;
13. Publish and disseminate information concerning any redevelopment area, plan, or project; and
14. Do all things necessary or convenient to carry out its powers.

**F. Time Limits.**

The following provisions with respect to time limits will govern this Redevelopment Plan:

1. Reasonable Time for Development: The redeveloper of a project within the Redevelopment Area will begin the development of land and construction of improvements within a reasonable time, to be determined in an Agreement between the Council and the duly designated Redeveloper. (N.J.S.A. 40A: 12A-9)
2. Expiration of Redevelopment Plan: The provisions and regulations specified in this Redevelopment Plan will continue in effect for a period of ten (10) years from the adoption of the Redevelopment Plan.
3. Certificates of Completion: Upon the issuance of a Certificate of Completion by the Council, the Council will deem that a redevelopment project is no longer in need of redevelopment for the purposes of implementation of this Redevelopment Plan.

**G. Procedures for Amending this Redevelopment Plan.**

This Redevelopment Plan may be amended from time to time in conformance with the requirements of the Local Redevelopment and Housing Law (N.J.S.A. 40A: 12A-1 *et seq.*).

**H. Supersedence, Repeal, and Severability**

1. This Redevelopment Plan repeals all ordinances or parts of ordinances inconsistent with it to the extent of such inconsistency only.
2. If any standards, controls, objectives, land uses, permitted uses, and other restrictions and requirements called for in this Redevelopment Plan differ in content from provisions set forth in the Township's Land Development Ordinance, the provisions of this Redevelopment Plan – unless otherwise specified – will prevail.
3. If any provision or regulation of this Redevelopment Plan will be judged invalid by a court of competent jurisdiction, such order or judgment will not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this Redevelopment Plan and such section, subsection, paragraph, subdivision or clause of this Redevelopment Plan are hereby declared severable.