BOROUGH OF WATCHUNG

ORDINANCE NO. OR:19/10

AN ORDINANCE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, REPEALING A PORTION OF SECTION 28-301, TITLED "ZONING DISTRICTS", SECTION 28-302, TITLED "ZONING MAP", AS EACH APPLIES TO THE "'O-C' OFFICE BUSINESS/ CONFERENCE CENTER OVERLAY DISTRICT" AND REPEALING SECTION 28-410, TITLED "'O-C' BUSINESS/ CONFERENCE CENTER OVERLAY DISTRICT" OF THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH

BE IT ORDAINED, by the Mayor and Council of the Borough of Watchung, in the County of Somerset and State of New Jersey that the Borough Land Development Ordinance is amended as follows:

Section 1: Section 28-301, titled "Zoning Districts", is amended to remove reference to the "'O-C' Office Business/ Conference Center Overlay District".

Section 2: Section 28-302, titled "Zoning Map", is be amended to repeal the "O-C" Office Business/ Conference Center Overlay District in its entirety. Specifically, the legend shall be revised to remove reference to the "O-C" Office Business/ Conference Center Overlay District and the "O-C" Office Business/ Conference Center Overlay District zoning designation shall be removed from the following Lots: the entirety of Block 76.01 (i.e., Lots 1, 2, 3, 4, 5, 6, 7, 8, 9.01, 9.02, 10, 11, 12.01, 12.02, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24.01, 24.02, 25, 26, 27, 28 and 29 in Block 76.01) and Lots 4, 5, 6, 7, 8, and 9 in Block 78.01, as depicted on the map in Appendix A.

Section 3: Section 28-410, titled "'O-C' Office Business/ Conference Center Overlay District", is hereby repealed in its entirety.

Section 4: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 5: In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Watchung, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Land Development Ordinance of the Borough of Watchung

are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 6: The Borough Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and to the owners of all real property as shown on the current tax duplicates located within the district.

Notice shall also be given by (1) serving a copy on the property owner as shown on the current tax duplicate, or his agent in charge of the property, or (2) mailing a copy by certified mail and regular mail to the property owner at his or her address as shown on the current tax duplicate. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas within the district which is the subject of the hearing, may be made in the same manner as to a corporation, in addition to notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

The Borough Clerk shall execute affidavits of proof of service of the notices required by this section, and shall keep the affidavits on file along with the proof of publication of the notice of the required public hearing on the proposed zoning ordinance change.

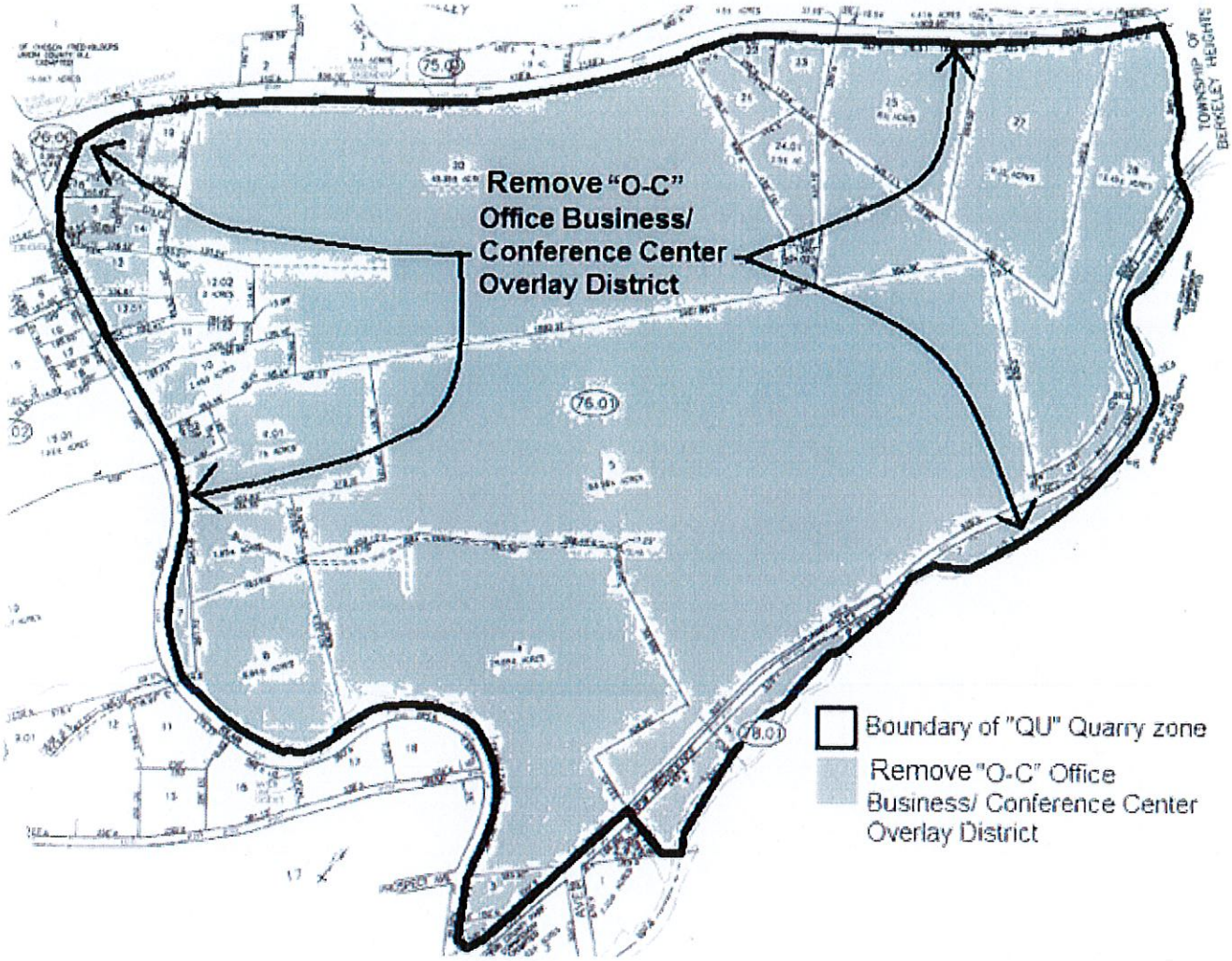
Section 7: After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Watchung for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, 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 8: This ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Somerset County Planning Board pursuant to N.J.S.A. 40:55D-16 and shall be transmitted to the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED BY: Black
PASSED: May 16, 2019
PUBLISHED: May 23, 2019
ADOPTED: June 20, 2019

ATTEST:

Michelle DeRocco, Borough Clerk

Keith S. Balla, Mayor

Appendix A: Zoning Map Amendment