

**BOROUGH OF FRANKLIN
ORDINANCE # 07-2023**

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE,
ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE**

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Franklin as follows:

Section 1. Schedule A to the Land Use Ordinance is amended to indicate that the phrase “upper floors only” for apartments in the B-2 Zone shall not apply to Block 602 Lot 25; Block 607 Lots 18, 19 and 20; and Block 608 Lot 12 which shall permit residential uses on all floors in the B-2 Zone.

The amended Schedule A attached to this Ordinance.

Section 3. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This ordinance shall take effect after publication and passage according to law.


Section 5. The Borough Clerk is hereby directed to give notice by certified mail at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

ATTEST:



Darlene J. Tremont, CLERK

BOROUGH OF FRANKLIN




John M. Sowden IV, MAYOR

DATED: July 18, 2023

NOTICE


TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Franklin on June 27, 2023, and will be considered for final

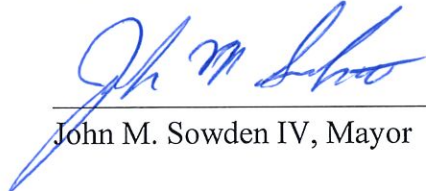
passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on July 18, 2023, at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.


 Darlene J. Tremont, Municipal Clerk

CERTIFICATION

I, DARLENE J. TREMONT, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 18th day of July, 2023.


 Darlene J. Tremont, Clerk
 Borough of Franklin


 John M. Sowden IV, Mayor

Introduced: June 27, 2023

Adopted: July 18, 2023

| RECORD OF COUNCIL VOTES-FIRST READING | | | | | Move | 2nd |
|---------------------------------------|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | X | | | | X | |
| RACHEL HEATH | X | | | | | |
| JOSEPH LIMON | X | | | | | |
| JOHN POSTAS COUNCIL PRESIDENT | | | | X | | |
| STEPHEN SKELLENGER | X | | | | | X |
| GILBERT SNYDER | X | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

| RECORD OF COUNCIL VOTES-SECOND READING | | | | | Move | 2nd |
|--|------|-------|---------|--------|------|-----|
| COUNCIL MEMBER | AYES | NAYES | ABSTAIN | ABSENT | | |
| CONCETTO FORMICA | X | | | | X | |
| RACHEL HEATH | X | | | | | |
| JOSEPH LIMON | X | | | | | |
| JOHN POSTAS COUNCIL PRESIDENT | X | | | | | X |
| STEPHEN SKELLENGER | X | | | | | |
| GILBERT SNYDER | X | | | | | |
| MAYOR SOWDEN, IV (Tie Only) | | | | | | |

LAND DEVELOPMENT
161 Attachment 2
Schedule A

Permitted, Conditional and Accessory Uses & Structures
Borough of Franklin, Sussex County, New Jersey

Legend:
P = Permitted principal use
A = Permitted accessory use
C = Conditional use

| Uses | R-1 | R-2 | R-3 | R-4 | MF | ZM | B-1 | B-2 | HC | I | MHP | OS/GU | GC | Q | HMF | |
|----------------------------------|-----|-----|-----|-----|----|------------------------------------|-------------------|---|----|---|-----|-------|----|---|-----|---|
| Detached single family | P | P | P | P | | | | | | | | | | P | P | |
| Apartments | | | | | P | Upper floors of upper section only | Upper floors only | *Upper floors only **all floors in certain block/lot | | | | | | | | P |
| Attached single/family townhomes | | | | | P | | P | | | | | | | | | P |
| Governmental buildings and uses | P | P | P | P | P | P (upper section only) | | P | P | P | P | P | P | P | | |
| Mixed use dwellings | | | | | | P (upper section only) | P | P | | | | | | | | |
| Agricultural uses | P | P | P | P | | | | P | P | P | P | | | | | |
| Mobile home parks | | | | | | | | | | | P | | | | | |
| Retail sales and trade | | | | | | P (upper section) | P | P | P | | | | | | | |

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

ORDINANCE NO. 07-2023

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH CODE,
ALLOWING FIRST FLOOR RESIDENTIAL ON SOME LOTS IN THE B-2 ZONE**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 27th day of June, 2023, and the same came up for final passage at a meeting of the said Borough Council on the 18th day of July, 2023, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Darlene J. Tremont, Municipal Clerk