

# DE PALMA COMPLEX STUDY AREA

## DETERMINATION OF NEEDS STUDY and REDEVELOPMENT PLAN

Report to the Lindenwold Borough Council  
As recommended by the Lindenwold Planning Board on \_\_\_\_\_, 2005

FILE COPY



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The original of this document was signed and sealed in accordance with N.J.A.C. 13:41-1.3.b.

# DE PALMA COMPLEX STUDY AREA

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# DE PALMA COMPLEX STUDY AREA

## DETERMINATION OF NEEDS STUDY

### I. Introduction

The Lindenwold Borough Council, via Resolution 2004:187 dated December 22, 2004, requested the Borough Planning Board to prepare a Redevelopment / Rehabilitation Needs Study for the De Palma Study Area in accordance with the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12-1 et seq.). It did so because it believed that the De Palma area contains underutilized or improperly utilization properties due to property ownership, title, property configuration or other factors that may qualify it as an "area in need of redevelopment". If so, the Borough may be able to work with the property owner, local businesses and residents, as well as its public, non-profit and private-sector partners to transform the De Palma Study Area into a more productive asset for the future public health, safety and general welfare of the community through the redevelopment process.

### II. Study Area Boundaries

The De Palma Study Area contains those county-owned properties in Lindenwold Borough, identified on Lindenwold Borough tax blocks 259, 261, 262, 263, and portions of blocks 258 and 264, in the northeast section of Lindenwold near the municipal boundaries of Gibbsboro and Voorhees. The site, the Camden County Charles J. DePalma Complex, which is located along Old Egg Harbor Road (Route 702), is the County's public works headquarters. (See Fig. 1 – Redevelopment Study Area.)

### III. Property Listing and Description

The properties within the redevelopment study area include the following: Block 258, Lot 19; Block 259, Lot 1; Block 261, Lot 1; Block 262, Lot 1; Block 263, Lot 1; and Block 264, Lots 8, 9 and 10. Camden County acquired more than two-thirds of the approximately 40-acre property from the Lucas estate in two purchases, in 1940 and 1946. At that time, the Gibbsboro-based company had used the undeveloped property for timber, sand and minerals for their paint business operations. Camden County opened a public works center there using the same materials to maintain the County's highway network and capital infrastructure. Over the years, the County purchased additional tracts in 1952 and developed the property as a compact public works center. The County property now includes the Department of Public Works' highway and engineering divisions, other traffic, roadway, and capital projects offices and a public safety firing and training range. The Department uses the majority of the complex to store materials, equipment, and vehicles. About 10 acres (25%) of the complex, on the southern and eastern edge of the property, has remained vacant upland woodlands for more than fifty years and the County has no plans for its future use. The accompanying 2002 aerial photograph shows existing development patterns. (See Fig. 2 – Major Features.)

### IV. Master Plan and Land Use Zoning Plan Review

The 1996 Lindenwold Master Plan Re-examination Report did not mention the De Palma Study Area, assuming that it would remain as part of the County's Department of Public Works complex. The De Palma Study Area is located within the I-1 (Industrial) zoning district. The purpose of this district is to create an area for light industry compatible with the established residential character of the borough, which will contribute to the economic base of the community by providing employment and a market for the business and service uses within the community.

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Permitted uses include any business or service use permitted in B-1 (Neighborhood Business) and B-2 (Highway Business) zoning districts, as well as a number of manufacturing, processing and industrial uses. Such uses and processes, however, provided must meet the Borough's performance standards and must not have inherent characteristics that are noxious, injurious, offensive or hazardous to the health, safety or general welfare of the community. The zone also allows:

- wholesale establishments, warehouses and storehouses;
- lumber and building materials and other similar storage yards;
- railroad maintenance yards, railroad stations and switching yards;
- customary and conventional agricultural uses; and
- motels and hotels

### V. Statutory Criteria Review

New Jersey's Local Redevelopment and Housing Law (N.J.S.A. 40A:12-1 et seq.) indicates that a municipal governing body may declare an "Area in Need of Redevelopment" if it determines that the study area, or the properties within it, meet at least one of eight possible statutory criteria. The Law also provides for designation of an "Area in Need of Rehabilitation" under other criteria. This analyses found that the De Palma Complex Study Area generally did not meet the criteria for designation as "an area in need of rehabilitation" because those criteria are geared toward tax-delinquent properties, residential districts, or areas of older public service infrastructure.

The following are observations and findings of the applicability of each "Area in Need of Redevelopment" criterion within the study area.

- a. Buildings have deteriorated or fallen into such a state of disrepair that they constitute a threat to the people who live or work in them;*
- b. Vacant commercial or industrial buildings that are abandoned or have become so obsolete that they cannot be reasonably rented or sold;*
- c. Publicly-owned property that has remained vacant due to its location, remoteness from other developed areas, lack of access, topography, or soil conditions, or privately-owned property that has remained unimproved and vacant for at least ten years for the same reasons;*
- d. Properties have obsolete layout and design, such as the location and relationships of buildings, accessory structures and other site improvements, onsite circulation and parking, land use conflicts and building coverages.*
- e. Underutilization or lack of proper utilization of properties due to property ownership, title, property configuration or other factors;*
- f. An area of five or more acres that has been destroyed or where property values have been materially reduced by a fire or sudden natural disaster;*
- g. Properties are within an Urban Enterprise Zone (UEZ); and*

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*h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.*

In addition, the statute states:

*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.*

The properties within the redevelopment study area include the following: Block 258, Lot 19; Block 259, Lot 1; Block 261, Lot 1; Block 262, Lot 1; Block 263, Lot 1; and Block 264, Lots 8, 9 and 10.

### Criterion E

The Camden County Department of Public Works uses the majority of the 40-acre property to store materials, equipment, and vehicles. Camden County uses most of the property within the study area very intensively used and maintains its developed property in good condition. It, however, has concentrated its operations in a compact area. About 10 acres (25%) of the complex, on the southern and eastern edge of the property, has remained vacant for more than fifty years and the County has no plans for its future use. This vacant underutilized area is the remainder of a number of oddly shaped tracts and paper streets dating from the original platting and property configuration of this section of Lindenwold. When the County purchased many of these large oddly shaped tracts more than 50 years ago, it did so in part to protect its initial 1940 purchase of 4.5 acres on Block 264, Lot 9 and future expansion interests from those of an adjacent expanding sand mine operation. This utilization is also due to Camden County's unique conditions of title and ownership, which restrict disposal of excess properties under the State's Local Land and Building Law.

### Other Reasons

Designation of the entire study area, and not just the currently vacant upland woodlands, would allow the County to consider and plan for a more efficient allocation of its capital and storage facilities at the De Palma Complex. This may permit the County to redevelop other excess property in the study area.

## **VI. Recommendation**

In conclusion, the Lindenwold De Palma Study Area meets Criterion E for designation as an "Area in Need of Redevelopment," as described in **V. Statutory Criteria Review** of this report. I, therefore, recommend that the area be so designated by the Lindenwold Borough governing body.

# De PALMA COMPLEX STUDY AREA

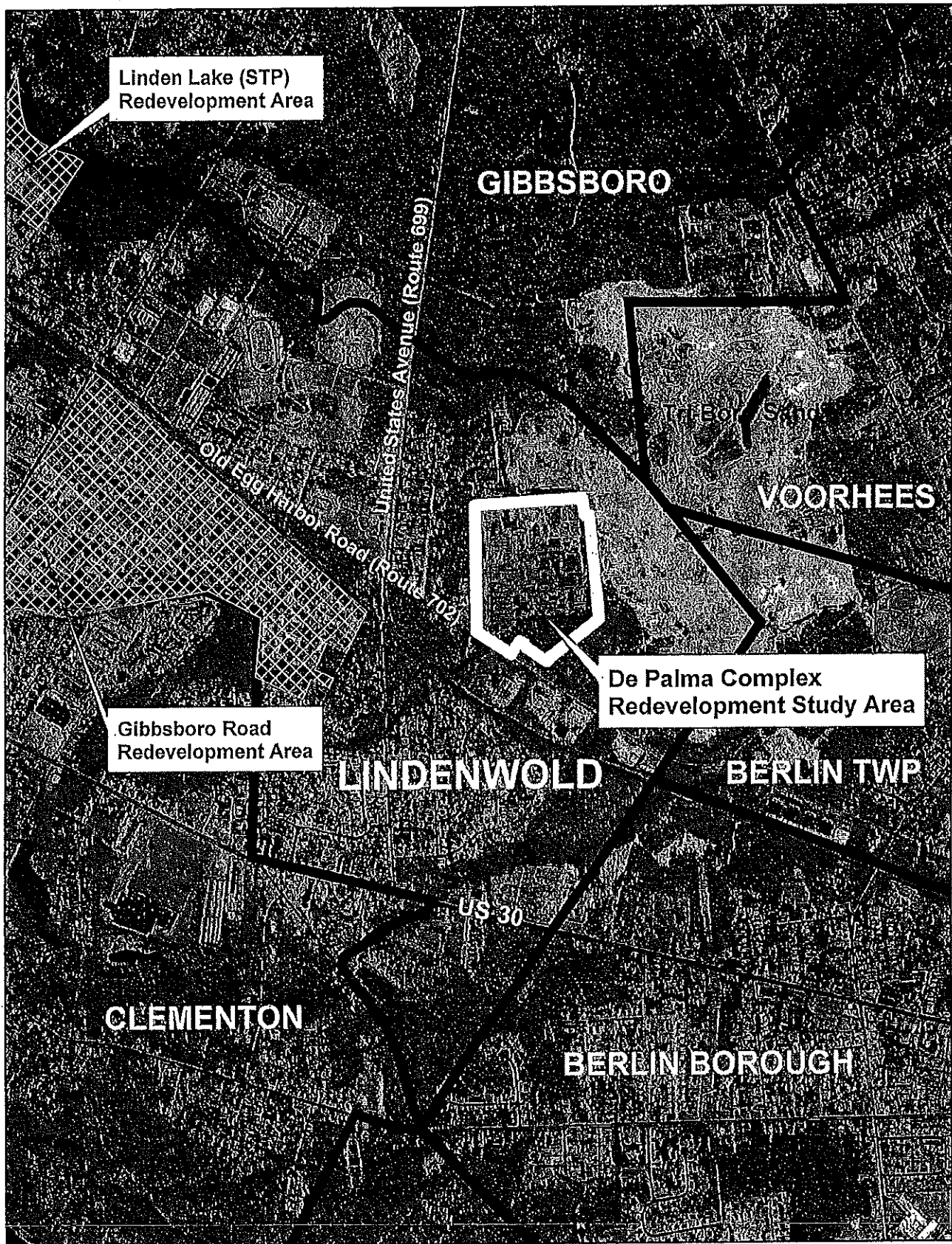


Fig. 1. Redevelopment Study Area

# De PALMA COMPLEX STUDY AREA

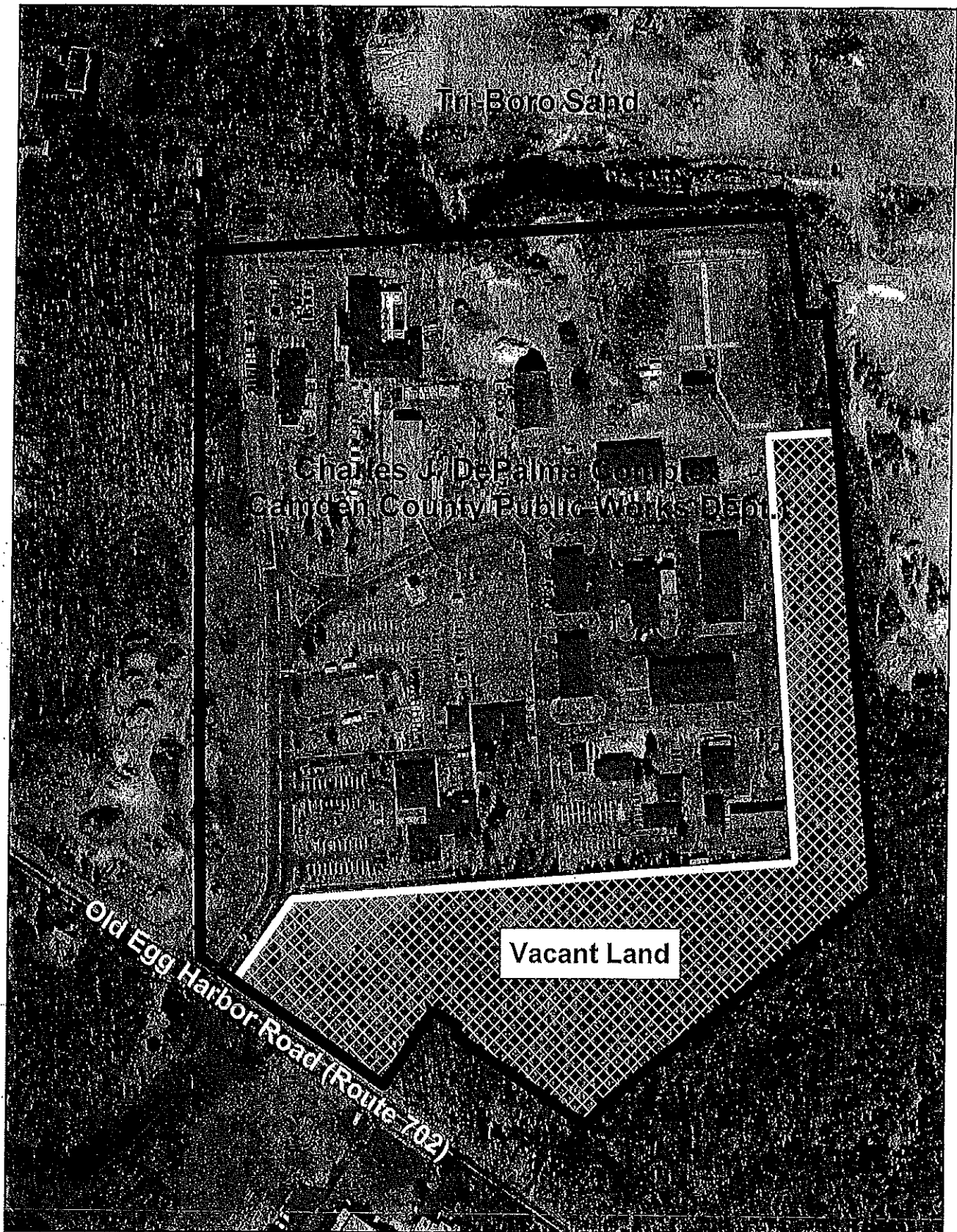


Fig. 2. Major Features

# De PALMA COMPLEX STUDY AREA

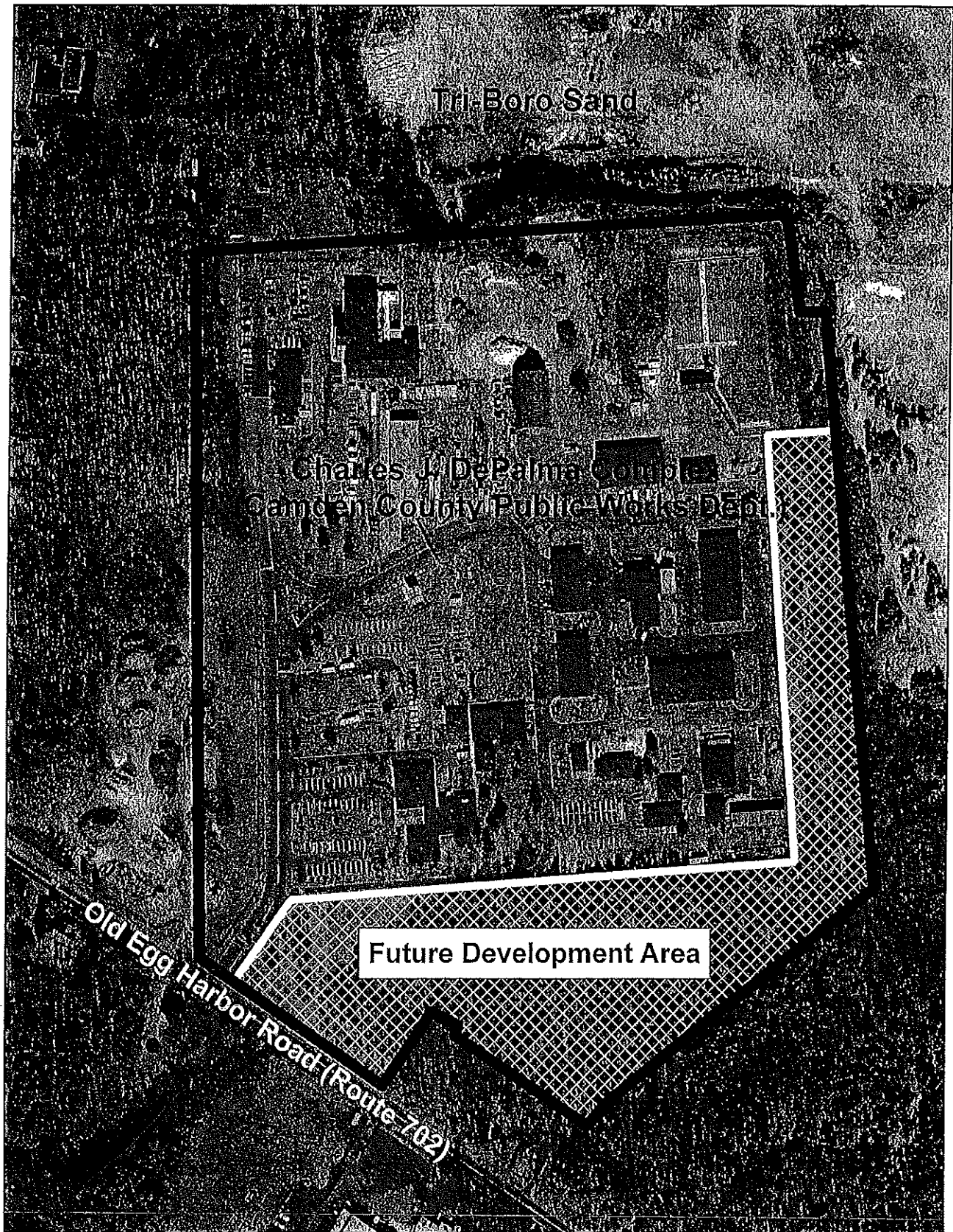


Fig. 3. Redevelopment Plan

# DE PALMA COMPLEX STUDY AREA

## REDEVELOPMENT PLAN

### I. Redevelopment Plan

The purpose of the De Palma Complex Redevelopment Plan is to address the issue of underutilized land within Lindenwold's I-1 (Industrial) zoning district, the district in which the redevelopment area is located. The purpose of this district is to create an area for light industry compatible with the established residential character of the borough, which will contribute to the economic base of the community by providing employment and a market for the business and service uses within the community.

The De Palma Complex Redevelopment Plan focuses on redevelopment of the vacant upland woodlands on the southern and eastern edges on the study area by encouraging their subdivision from the County's existing land holdings and then redevelopment of that land for uses consistent with the Borough master plan and land development ordinance. (See "Future Development Area" in Fig. 3 – Redevelopment Plan.)

#### 1. Development Standards

Permitted uses within the redevelopment area shall include any business or service use permitted within the Lindenwold I-1 (Industrial) zoning district. This shall include any business or service uses permitted in the Borough's B-1 (Neighborhood Business) and B-2 (Highway Business) zoning districts, as well as a number of manufacturing, processing and industrial uses. Such uses and processes, however, provided must meet the Borough's performance standards and must not have inherent characteristics that are noxious, injurious, offensive or hazardous to the health, safety or general welfare of the community. The redevelopment area shall also allow, as permitted under the ordinance:

- wholesale establishments, warehouses and storehouses;
- lumber and building materials and other similar storage yards;
- railroad maintenance yards, railroad stations and switching yards;
- customary and conventional agricultural uses; and
- motels and hotels.

In order to bring the County's existing uses and structures and the redevelopment area's future uses into consistency with the Borough's land development ordinance, the redevelopment plan also shall permit:

- public parks;
- governmental uses, buildings and structures;
- public utility installations; and
- storage and maintenance yards for operating fleet vehicles.

#### 2. Pre-existing, non-conforming land uses and structures

Continuation of Camden County's existing uses not identified in this redevelopment plan or the Borough's Land Development Ordinance as permitted principal, accessory or conditional uses, as well as the structures occupied by those uses, shall be allowed in accordance with the provisions of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and other pertinent laws. Voluntary removal or relocation of those uses and structures, however, may be occur under the provisions of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), Eminent Domain Act (N.J.S.A. 20:3-1 et seq.), New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), New Jersey Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.), etc.



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### II. Statutory Requirements

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

The purpose of the De Palma Complex Redevelopment Plan is to address the issue of underutilized land within Lindenwold's I-1 (Industrial) zoning district, consistent with the goals and objectives of the land use element and other elements of the Borough's master plan. The De Palma Complex Redevelopment Plan focuses on redevelopment of the vacant upland woodlands on the southern and eastern edges on the study area.

Future land uses shall be redeveloped consistent with the Borough's I-1 (Industrial) zoning district land use and development standards and those specified in this Redevelopment Plan. Landscaping, buffering and other site improvement issues shall be addressed through the development review and approval process for individual redevelopment projects, in accordance with the Borough's Land Development Ordinance.

#### 2. Proposed Land Uses and Building Requirements:

The De Palma Complex Redevelopment Plan includes a discussion of these requirements. These standards shall be used for the implementation of this Redevelopment Plan, and should be incorporated into the current Borough Master Plan and Land Development Ordinance through their respective statutory amendment processes. Developments, including those requiring site plans and subdivisions, within the Redevelopment Area shall be governed by the respective Lindenwold Borough codes regarding such development. The land uses identified within this Redevelopment Plan shall be used as the Redevelopment Area's land use plan, until the Land Development Ordinance is amended to correlate with the Redevelopment Plan.

#### 3. Identification of Properties to be Acquired:

It is not anticipated that the implementation of this De Palma Complex Redevelopment Plan will require the acquisition of any properties or portions of them. During the course of the redevelopment program, however, lands within the redevelopment area may be disposed of in accordance with the State's Local Land and Buildings Law.

#### 4. Relocation Provisions

There are no residential units within the redevelopment area, and the only business is the County's Department of Public Works. It is not anticipated that the implementation of this De Palma Complex Redevelopment Plan will require the relocation of any residents or businesses.

#### 5. Relationship to the Municipal Land Use Law:

The De Palma Complex Redevelopment Plan conforms to the general intent and scope of the Municipal Land Use Law. Redevelopment projects requiring site plan and subdivision approval by the Lindenwold Borough Planning Board or Zoning Board of Adjustment will be submitted to the Planning Board for review and approval, in accordance with the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12-1 et seq.). Those requiring County Planning Board approval will be submitted for their review and approval also.

The land use and development standards provided in the Redevelopment Plan are designed to be consistent with those in the current Borough Land Development Ordinance, however,

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they have been modified to allow sufficient flexibility for successful redevelopment within the De Palma Complex Redevelopment Area. In cases where there is a difference between the standards in the Land Development Ordinance and those in the Redevelopment Plan, the uses and standards specified in the Redevelopment Plan shall supercede those in the ordinance. Uses identified as restricted and prohibited in the Borough of Lindenwold and the I-1 (Industrial) zoning district, such as junkyards and automobile wrecking and disassembly yards, shall be restricted and prohibited in the Redevelopment Area, as well. In essence and fact, the uses and standards provided in this Redevelopment Plan shall be considered an overlay zone for the I-1 zoning district.

### 6. Lindenwold Borough Master Plan:

The De Palma Complex Redevelopment Plan has been developed from and is consistent with the Lindenwold Borough Master Plan, as updated and amended. It has been designed to implement its recommendations.

### III. **Conformance with Other Plans**

The De Palma Complex Redevelopment Plan is consistent with the Intent and Policy Objectives of the Metropolitan Area (PA1) in the 2001 State Development and Redevelopment Plan (SDRP), as well as the SDRP's goals and statewide policies on urban revitalization, economic development, etc. The De Palma Complex Redevelopment Plan is not consistent with the 1973 Camden County Future Land Use Plan, which indicates medium-density residential development for this area. However, the 1973 plan is much outdated and none of the existing surrounding industrial uses complies with this 30-year old land use recommendation. The 1973 plan will be superseded by the White Horse Pike Corridor Regional Plan, which the Lindenwold Borough and nine other Pike communities are currently developing under a Smart Futures grant from the NJ Department of Community Affairs.

### IV. **Redevelopment Entity and Redeveloper(s)**

The Governing Body of the Borough of Lindenwold, in cooperation with the County of Camden, shall designate a Redevelopment Entity to implement this De Palma Complex Redevelopment Plan and undertake the redevelopment projects in the area designated by this plan.

When necessary for the implementation of this plan, the designated Redevelopment Entity shall enter into a contract(s) with a Redeveloper(s) for any construction or other improvements forming part of this Redevelopment Plan.

The Redeveloper shall agree to retain interest in the project until the completion of construction, development and/or improvements of the specific project. The Redeveloper shall agree not to lease, sell or transfer interest or any part thereof without written prior approval of the Redevelopment Entity.

### V. **General Provisions**

The following general provisions shall apply to this Redevelopment Plan:

1. Land use provisions and building requirements for the De Palma Complex Redevelopment Area are deemed necessary as minimum requirements in the interest of public health, safety and general welfare. They are intended to provide a frame of

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reference for physical development of the designated Redevelopment Area and as context for development in neighboring area. Developers and designated redevelopers (hereinafter Redevelopers) may be given flexibility in project planning and design, so long as building and other improvements reflect quality, permanence and physical integration through design elements and quality construction. The Borough of Lindenwold cannot anticipate every possible design or land use solution for the variety of issues involved in this Redevelopment Plan. Redevelopment proposals will be evaluated as to how they appropriately achieve the redevelopment goal and objectives of this plan, as outlined in this document

2. The Redevelopment Entity and the Borough of Lindenwold Planning Board, and its respective advisory committees, specifically reserve the right to review and approve a Redeveloper's plans, pro forma / marketing analyses, construction documents and specifications, and other development application submission materials that it may deem necessary to determine a project's conformance to the Redevelopment Plan. Such a review also shall be based on submissions to both agencies of a site context plan locating the proposed project in the Redevelopment Area; a site plan; and building elevation. All design changes must be approved by both agencies, or their designees, prior to their execution.
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. Such performance guarantees shall be approved by the Borough Engineer and Borough Attorney. The amount of such performance guarantees shall be determined by the Borough Engineer and shall be sufficient to assure completion of improvements within two years of final site plan approval.
4. Interim uses, such as surface parking lots, may be established, subject to finding by the Planning Board that such uses will not have an adverse effect upon existing or contemplated development during the interim use. The Planning Board will determine a time during which the interim use will be permitted. No interim use approval shall be granted for more than two years; extensions may be granted at the Planning Board's discretion for a maximum of two additional two-year periods.
5. Subdivision of lots and tax parcels within the Redevelopment Area shall be in accordance with the requirements of this plan and the Borough's Subdivision Ordinance. Subdivisions or combinations of parcels that conflict with the proposed rights-of-way in the Redevelopment Plan's circulation element shall not be approved.
6. Redevelopers shall comply with the requirements of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).
7. No building shall be constructed over a right-of-way or utility easement in the Redevelopment Area without prior written approval of the Redevelopment Entity and the Borough's Public Works and Code Enforcement offices.
8. Utility easements, when necessary, shall be provided by Redevelopers and approved by the Lindenwold's Public Works and Code Enforcement offices. Such easements shall be provided within seven working days after completion of project construction.

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9. Any plans or plats approved by the Borough of Lindenwold, or its agencies and subsidiaries, prior to the adoption of this Redevelopment Plan shall not be subject to the requirements of this plan.
10. The Redevelopment Entity will agree to ensure compliance with Title VI of the Civil Rights Act of 1964, and Title VII as amended in March 1972, and with all the affirmative action requirements of the State of New Jersey, including those required by P.L. 1975 and other regulations issued by the State of New Jersey and the Borough of Lindenwold.

### VI. Public Improvements

Existing water, sewer, stormwater and roadway facilities serving the De Palma Complex Redevelopment Area may require upgrading to meet present and future needs. The Borough should continue its long-range improvement program to upgrade the sanitary sewer, storm sewer and water systems in the Redevelopment Area for service to existing and future development. Redevelopers will be required to participate in on-site and off-tract infrastructure improvements for the Redevelopment Area, in proportion to the size of their projects.

### VII. Types of Proposed Redevelopment Actions

Upon adoption of the De Palma Complex Redevelopment Plan, the Redevelopment Entity may proceed with the clearance, re-planning, development and redevelopment of the areas delineated in the plan. In order to undertake and effectuate the purposes of the Municipal Redevelopment and Housing Law and the Borough Master Plan, the Redevelopment Entity may:

1. Undertake redevelopment projects, and for this purpose, issue bonds in accordance with provisions of Section 29 of P.L. 1992, C.29;
2. Acquire privately held parcels and property that area vacant or under-utilized, scattered or under varied ownership, and assemble them into parcels of sufficient size to support redevelopment;
3. Form public-private partnerships for development of the Redevelopment Area;
4. Provide for public improvements necessary to support redevelopment;
5. Select Redevelopers to implement all or part of the projects for this Redevelopment Area, in accordance with this Redevelopment Plan and all applicable local, state and federal requirements;
6. Enter upon any buildings or property in the Redevelopment Area to conduct investigations or make surveys, soundings or test borings necessary to carry out the purposes of this plan;
7. Acquire by condemnation any land or building which is necessary for a redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971 (N.J.S.A. 20-3-1 et seq.);

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8. Clear any owned or acquired area, 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;
9. Prepare, or arrange by contract, for the provision of professional services and the preparation of plans by registered architects and landscape architects, licensed professional engineers or planners, or other consultants, to carry out redevelopment projects;
10. Arrange, or contract with public agencies or Redevelopers, for re-planning, construction or undertaking of any project or redevelopment work, or any part thereof;
11. Negotiate and collect revenue from a Redeveloper to defray the costs of the Redevelopment Entity, including where applicable the costs incurred with bonds, notes or other obligations issued by the Redevelopment Entity, and to secure payment of such revenue as part of any such arrangement or contract;
12. Provide for extension of credit or making of loans to Redevelopers to finance any project or redevelopment work, or upon finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, provide as part of an arrangement or contract for capital grants to Redevelopers;
13. Arrange or contract with public agencies or Redevelopers, for the opening, grading or closing of streets, roads, roadways, alleys or other such place, or for the furnishing of facilities or for the acquisition by such agency of property options or property rights, or for furnishing of property or services in connection with this Redevelopment Plan;
14. Lease or convey property or improvements to any other party, without public bidding, and at such prices and upon such terms as it deems reasonable, provided that the lease of conveyance is made in conjunction with this Redevelopment Plan, notwithstanding the provisions of any law, rule or regulation to the contrary;
15. Arrange or contract with a public agency for relocation of residents or commerce displaced from or within the Redevelopment Area, pursuant to the Relocation Assistance Laws of 1967 (N.J.S.A. 52:31B-1 et seq.) and the Relocation Assistance Law of 1971 (N.J.S.A. 20:4-1 et seq.);
16. Make, consistent with this Redevelopment Plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes and regulations relating to the use and occupancy of buildings and improvements, and the compulsory repair, rehabilitation, demolition or removal of buildings and improvements;
17. Publish and disseminate information concerning the Redevelopment Plan or any area or project noted within;
18. Improve vehicular and pedestrian circulation in the Redevelopment Area through roadway design and redesign, improved signal timing, signage and paving;
19. Improve the infrastructure and streetscape within the Redevelopment Area and on adjacent streets as redevelopment takes place;

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20. Improve the condition of public park, trails and other spaces recreational purposes;
21. Demolish acquired vacant residential and non-residential structures that cannot be cost-effectively rehabilitated;
22. Rehabilitate vacant housing for residential use or other purposes; and
23. Develop and adopt design guidelines and a design review process that will govern all new development within the Redevelopment Area.

### **VIII. Time Limits**

Redevelopers of specific projects within the De Palma Complex Redevelopment Area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in a contract between the Redevelopment Entity and its designated Redevelopers (N.J.S.A. 40A:12A-8(f)).

The provisions and regulations specified in this plan shall continue in effect for a period of seven (7) years from the date of adoption of this plan by the governing body of the Borough of Lindenwold, or until the issuance of a Certificate of Completeness from the Redevelopment Entity.

### **IX. Procedures for Amendments**

The De Palma Complex Redevelopment Plan may be amended from time to time upon compliance with the appropriate sections of the Local Redevelopment and Housing Law (N.J.S.A. 40A-7).

### **X. Supercedence, Repeal and Severability**

All ordinances or parts of ordinances inconsistent with the De Palma Complex Redevelopment Plan are hereby repealed to the extent of such inconsistency only.

If any standards, control, 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 Borough of Lindenwold Land Development Ordinance or other land development regulations, the provisions in this Redevelopment Plan, unless otherwise specified, shall prevail.

If any provision or regulation of this Redevelopment Plan shall be judged invalid by court or competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of the Redevelopment Plan and the governing body's redevelopment ordinance, which are hereby declared severable and shall remain in full force and effect.