

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
THE UNIFIED LAND DEVELOPMENT ORDINANCE AND  
OTHER SECTIONS OF THE CODE OF THE TOWNSHIP OF VOORHEES  
TO CODIFY AND IMPLEMENT THE PROVISIONS OF THE  
2005 MASTER PLAN RE-EXAMINATION REPORT  
AND OTHER LEGAL REQUIREMENTS**

**WHEREAS**, the Mayor and Township Committee of the Township of Voorhees, County of Camden, and State of New Jersey (the "Township"), have reviewed the Voorhees Master Plan update adopted by the Planning Board of the Township of Voorhees on July 13, 2005 pursuant to Resolution #05-028; and

**WHEREAS**, the Mayor and Township Committee are empowered by law to implement the Township Master Plan through the adoption of ordinances; and

**WHEREAS**, the Mayor and Township Committee have deemed it in the best interest of the public health, safety and welfare to implement the Township Master Plan; and

**WHEREAS**, in order to facilitate the consistency of the Voorhees Township Master Plan with the Zoning Code of the Township of Voorhees, the Township Committee of the Township of Voorhees desires to codify and implement the recommendations contained in the 2005 Master Plan Reexamination Report document; and

**WHEREAS**, this Ordinance was referred to the Planning Board of the Township of Voorhees pursuant to the New Jersey Municipal Land Use laws; and

**WHEREAS**, the Planning Board of the Township of Voorhees has recommended the adoption of this ordinance and has determined that it is consistent with the Township Master Plan.

**NOW, THEREFORE**, be it ordained by the Township Committee of the Township of Voorhees that the Voorhees Township Zoning Code be supplemented and amended as follows:

**101.001 Voorhees Pet Waste Ordinance -**

**SECTION I. Purpose:**

An ordinance to establish requirements for the proper disposal of pet solid waste in The Township of Voorhees, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

### SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

### SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

### SECTION V. Enforcement:

The provisions of this Article shall be enforced by the Police Department and the local code enforcement official of The Township of Voorhees.

### SECTION VI. Violations and Penalty:

Any **person(s)** who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **\$250.00**, for each offense.



**Voorhees Litter Control Ordinance****SECTION I. Purpose:**

An ordinance to establish requirements to control littering in The Township of Voorhees, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter -any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle -a container suitable for the depositing of litter.
- c. Person -any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**SECTION III. Prohibited acts and regulated activities:**

- 1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
- 2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.



SECTION IV. Enforcement:

This ordinance shall be enforced by the Police Department and/or local code enforcement official of The Township of Voorhees.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250 for each offense.

## Improper Disposal of Waste Ordinance

### SECTION I. Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Voorhees, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

### SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Voorhees or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### SECTION III. Prohibited Conduct:

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Voorhees is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.



#### SECTION IV. Exceptions to Prohibition:

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
  - Beach maintenance equipment immediately following their use for their intended purposes; and
  - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
  - Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

#### SECTION V. Enforcement:

This ordinance shall be enforced by the police department and/or local code enforcement official of the Township of Voorhees.

#### SECTION VI. Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed \$250, for each offense.

**101.004**

#### **Voorhees Wildlife Feeding Ordinance**

##### SECTION I. Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Voorhees, so as to protect public health, safety and welfare, and to prescribe penalties for failure to



comply.

## SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

## SECTION III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by The Township of Voorhees, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

## SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the Police Department and/or local code enforcement official of The Township of Voorhees.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

## SECTION V. Penalties:

Any who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250 for each offense.

## SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Voorhees, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

## SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection - any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the [insert name of municipality], unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following:



"MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### SECTION III. Prohibited Conduct:

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Voorhees any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

### SECTION IV. Enforcement:

This ordinance shall be enforced by the police department and/or local code enforcement official of the Township of Voorhees.

### SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250.00 for each offense.



Section 2: Add 150.08 by adding below to (6):

Any other placement may be permitted only upon the submission of sufficient evidence from a competent source to indicate that reception cannot be obtained in the rear yard

Section 3: Amend 150.10 Definitions by adding the following in proper alphabetical order:

“Adult Uses”: An establishment consisting of, including, or having the characteristics of any or all of the following:

“Adult bookstore, newsstand, video store, or combination”: An establishment having more than 40 percent of its stock-in-trade, floor area, or display area used for the sale or rental of books, magazines, publications, tapes, or films that are distinguished or characterized by the emphasis on sexually oriented material depicting, describing, or relating to sexual activities or anatomical genital areas.

“Sex Shop”: Any establishment offering, for sale or rent, items from any two of the following categories: sexually oriented books, magazines, and videos; leather goods marketed or presented in a context to suggest their use for sexual activities; sexually oriented toys and novelties; or video viewing booths; or an establishment that advertises or holds itself out in any forum as a sexually oriented business.

“Video Viewing Booths”: Often referred to as peep shows and characterized by small private booths rented to individuals to view sexually explicit films or tapes.

“Adult Motion Picture Theater”: A building used for presenting films distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

“Adult Cabaret”: An establishment, either with or without a liquor license, offering sexually oriented live entertainment, which may include topless and go-go dancers, strippers, or male or female impersonators.

“COAH”: The New Jersey Council on Affordable Housing

“Development fees”: The money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH’s rules.

“Equalized assessed value”: The value of a property determined by the municipal tax assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building

permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.

“In-Law Suites”: A room or group of rooms added to an existing single family detached unit designed for habitation as part of a single household and physically accessible from the main structure and subject to the same bulk regulations.

“Judgment of repose”: A judgment issued by the Superior Court approving a municipality’s plan to satisfy its fair share obligation.

“Massage Parlors/Therapy”: Any use that is described as providing any type of therapy or related service regarding health or well-being which requires physical contact provided the practitioner has State licensure or other generally recognized specialized education or training.

“Substantive certification”: A determination by COAH approving a municipality’s housing element and fair share plan in accordance with the provisions of the Fair Housing Act and the rules and criteria as set forth herein. A grant of substantive certification shall be valid for a period of six years in accordance with the terms and conditions therein.

Section 4: Amend Chapter 150 by adding the following:

**150.11 Temporary Structures**

- (A) Residential: No detached or attached temporary structures shall be permitted except in the rear yard, subject to all the requirements of the zone and other applicable regulations of the ULDO.
- (B) Non-residential: Any tent, gazebo, shelter or display on any land shall require approval of the original approving Board.

Section 5: Amend Section 152.003 Conditional Uses by eliminating subsections (D) and (F) and add the following to the 152.003 title (any conforming use existing as of January 1, 2006, shall be considered conforming under the regulations approving such use)

Section 6: Amend 152.004 Density by: eliminating the following portion of (A) [provided, however, if its units are clustered outside the area of preservation as provided in 152.003 (D) above, the maximum cluster shall be one unit per acre.] and; by revising the paragraph as follows:

- (A) The increase in units per acre shall be permitted with the condition that \$25,000 per added unit as a result of this increase in density be paid to the Township open space fund as compensation for the added property being subdivided and lost as open area, at the time of final subdivision approval.

Section 7: Amend Section 152.004 Density by eliminating the following from subsection (B), (C) and (D)

“...subject to Section 152.003(F) above.”

Section 8: Add the following as new Sections 152.005(K) and 152.015(K)

**K. Accessory uses in Residential Zones: notwithstanding any other regulations the following shall apply in all residential zones:**

- (1) The installation of any recreational structure within public rights-of-way shall be prohibited.
- (2) The installation of any structure which alters the flow or quantity of storm water shall require a grading plan to be submitted prior to the issuance of a zoning permit.
- (3) No structure designed or approved as temporary shall be utilized beyond 60 days. No such structure may become permanent without a new application and review.

Section 9: Amend 152.014 Density, by adding the following after the first sentence: The maximum density may be increased to 2.0 units per acre with the condition that \$25,000 per added unit as a result of this increase in density be paid into the Township open space fund as compensation for the added property being subdivided and lost as open area, at the time of final subdivision approval.

Section 10: Amend 152.033 by adding (B) below:

(B) Conference Center

- (1) General requirements
  - a. Minimum tract size: 50 acres
  - b. Permitted uses: hotels (including a maximum of 10% floor area of retail), restaurants, meeting and conference facilities, office buildings for a maximum of 25% of the gross floor area, accessory uses such as parking, maintenance buildings and the like.
  - c. Maximum intensity of development
    - Building cover of 25%
    - Total cover of 60%
    - F.A.R. of 1.0
- (2) Bulk requirements
  - a. Perimeter buffer: 50 ft minimum
  - b. Minimum dimensions:
    1. front yard: 100 ft
    2. side yard: 75 ft



3. rear yard: 100 ft
  4. building to building: 50 ft plus 1 ft for every foot in height over 35 ft of the tallest building
- c. Maximum height: 50 ft plus 1 ft for every 5 ft of setback additional to minimum

(3) Design Guidelines (see Section 152.070)

Section 11: Eliminate sub-sections 152.063(B)(2)(a) and (c).

Section 12: Add the following new sections:

#### 04 – Office Campus Zone

**152.067 Purpose and Intent**

To provide for low intensity general and professional offices on a major thoroughfare and near residential areas; therefore requiring compatibility with the residential ambience.

**152.068 Permitted Uses**

(A) Primary Uses: General and professional offices

(B) Accessory Uses: Restaurants, newsstands and health and fitness facilities within office buildings.

**152.069 Area and Bulk Standards**

(A) Minimum tract size: 10 acres

(B) Minimum tract frontage: 400 ft

(C) Maximum building coverage: 25%

(D) Maximum total coverage: 60%

(E) Maximum F.A.R.: .50

(F) Maximum building size: 10,000 sq. ft.

(G) Minimum dimensions:

(1) front yard: 25 ft

(2) side yard: 10 ft

(3) rear yard: 25 ft

(4) side to side: 10 ft

(5) front to front: 20 ft

(6) front to side: 10 ft

(7) front to rear: 20 ft

(8) rear to rear: 20 ft

(H) Maximum height: 35 ft

(I) Buffer width when abutting residential use or zone in addition to yards: 200 ft

**152.070 Add: Zone Specific Design Standards:** see 152.076(A) and 152.076(C) through (H)

Section 13: Section 152.075 shall be revised by eliminating (A) and substituting a new (A) as follows:

(A) Minimum lot size: 12,500 sf for development existing as of January 1, 2006; 20,000 sf for new development after January 1, 2006.

Section 14: Section 152.085 shall be revised by: eliminating (A) and substituting a new (A) as follows:

(A) Minimum lot size: 12,500 sf for development existing as of January 1, 2006; 20,000 sf for new development after January 1, 2006.

Section 15: Amend Section 152.085(C)(1) by eliminating subsection (a), (b) and (c) and replacing with:

(1) Minimum front yard setback: 100 ft

Section 16: Revise 152.085 (C)(2) as follows:

(2) Minimum rear yard setback

- a. 100 ft from any property line which abuts a residentially zoned or used property; right-of-ways shall not be included.
- b. 50 ft from any other property.

Section 17: Revise 152.085(D) as follows:

(D) Minimum buffer width and location:

50 ft within the setback from any property line which abuts a residentially zoned or used property; right-of-ways shall not be included.

Section 18: Revise 152.085(I) as follows:

(I) Minimum parking setbacks:

- (1) 50 ft from any property line which abuts a residentially zoned or used property; right-of-ways shall not be included.
- (2) 15 ft from any other property

Section 19: Add the following Section 152.086:

**152.086 Design Standards for Route 561**

(A) Storefront Regulations: All buildings shall provide a storefront character on the first floor adjacent to the sidewalk. All buildings, with a storefront character shall meet the following requirements:

- (1) The length of façade without intervening fenestration or entryway shall not exceed twenty (20) feet.
- (2) Fenestration shall be provided for a minimum of seventy-five (75%) percent of the length of the frontage:
  - (a) Beginning at a point not more than three (3) feet above the sidewalk, to a height no less than ten (10) feet above the sidewalk;
  - (b) Beginning at the finished floor elevation to a height no less than ten (10) feet above the finished floor elevation when the finished floor elevation is three (3) or more feet above the sidewalk; or



- (c) Beginning at a point not more than sidewalk level, to a height no less than ten (10) feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
- (3) Continuous landscaped buffer strips shall be constructed along public sidewalks and public rights-of-way where parking is adjacent to such sidewalks or public rights-of-way, except at points of ingress and egress into the facility. Such landscaped buffer strips shall be a minimum of five (5) feet in width and shall contain, in addition to grass and/or ground cover, trees planted a maximum of fifty (50) feet on center along the entire length.
- (4) All landscaped buffer strips along public sidewalks and public rights of way shall have a minimum of one (1) tree for every 40 ft on center.
- (5) Newly planted trees shall be a minimum of two (2) inches in caliper as measured at a height three (3) feet above ground level, shall have a forty (40) foot minimum mature height and shall be drought-tolerant. Trees shall be planted a minimum of thirty (30) inches from any barrier curb so as to prevent injury to trees from vehicle bumpers.

#### (B) Parking Lots

- (1) Surface parking lots shall have a minimum landscaped area equal to at least ten percent (10%) of the paved area within said lot. In no case shall a parking lot owner be required to provide landscaped areas that exceed ten percent (10%) of the paved area.
- (2) A minimum of one (1) tree per eight (8) parking spaces shall be included in the required landscaped areas for surface parking lots.
- (3) In addition to trees, ground cover shall be provided in order to protect tree roots and to prevent erosion. Ground cover shall consist of shrubs, mulch and other similar landscaping materials.
- (4) Barrier curbs shall be installed around the perimeter of surface parking lots and around landscaped areas that are required herein, except where the perimeter abuts an adjacent building or structure and at points of ingress and egress into the facility, so as to prevent encroachment of vehicles onto adjacent property, rights-of-way and landscape areas.
- (5) All commercial uses shall provide bicycle/moped parking facilities at a ratio of at least one (1) bicycle/moped parking space for every twenty (20) automobile parking spaces.

(6) No surface level parking lots shall abut Haddonfield-Berlin Road.  
Driveways leaving to rear parking areas shall be permitted.

(7) Shared parking lots and access amongst buildings is recommended.

Section 20: Eliminate Sections 152.101 - 152.106 and replace with the following:

**MB - Major Business Zone**

**152.101 Purpose and Intent**

To provide for a wide range of business uses in appropriate locations and with specific design standards along Route 73, recognizing the primary importance of the corridor as a business locus.

152.102 (A) Permitted Uses and Bulk Standards

Standard Use	Min Tract Size (acres)	Location	Min Frontage (ft)	Minimums (ft)				Maximum Height (ft)
				* Front Yard Rt 73	Side Yard	** Rear Yard	Distance between buildings	
Shopping Centers	10	W: Township line S to Block 224 E: Township Line S to Block 229.01	700	50	50	100	25	30
Retail (sales and service)	2	Same as above	200	75	50	100	25	30
Office Buildings	5	W/E entire	400	75	50	50	25	50
Mixed Use	10	Same as SC	700	50	50	100	25	40
Banks	2	Same as Office	200	50	50	50	25	30
Health and Fitness Centers	5	entire	200	50	50	50	25	30
Automobile Sales	3	W entire	400	75	50	100	25	30
Banquet and Conference Facilities	3	E/W entire	400	50	50	100	25	40
Hotels and Motels	2	E/W entire	200	75	50	50	25	40
Funeral Homes and undertaking establishments	2	entire	200	75	50	50	25	30
Recreation and performing arts schools and training centers	2	entire	100	50	50	50	25	30
Pre-schools and day-care nurseries	2	entire	100	50	50	50	25	30
Nursing homes, convalescent care facilities, acute care facilities and assisted living facilities marketed to senior citizens	2	entire	100	50	50	50	25	40
Restaurants except fast food	2	E/W entire	200	50	50	100	25	30

Note: W=West Side E=East Side S= South to Block

\* In addition to the Rt. 73 streetscape requirements

\*\* The entire rear yard shall consist of a landscaped buffer consistent with Sections 154.006, and a 100 ft buffer shall be a quadrupling of the 25 ft buffer



(B) Total Impervious Coverage

- (1) Without sewer service: 30%
- (2) With Sewer service: 60%
- (3) With sewer service and a tract area of at least 20 acres: 70% provided that at least 75% of the open area of the tract shall be contiguous and that no more than 50% of that area shall be DEP designated wetlands.

(C) Pervious Area

- (1) Without sewer service: 70%
- (2) With Sewer service: 40%
- (3) With sewer service and a tract area of at least 20 acres: 30% provided that at least 75% of the open area of the tract shall be contiguous and that no more than 50% of that area shall be DEP designated wetlands.

Section 21: Eliminate Sections 152.111 – 152.116 EB Zone

Section 22: Eliminate Sections 152.121-152.126 SC Zone

Section 23: Revise Sections 152.131-136 as follows:

**152.131** Add the following

Any development in this zone shall adhere to the design principles of transit-oriented traditional neighborhood development

**152.132** Eliminate (E) and (F) uses and redesignate Sections

**152.135** Revise subsection (A) as follows: eliminate (1) and (2) and replace with new (1):

(1) The minimum tract area for development shall be three (3) acres

Add to subsection (D)(4)

- (C) Notwithstanding any other requirements above, when a predominantly non-residential building abuts a residential use the setback shall be increased beyond the minimum of 50 ft by the same distance as the height exceeds 35 ft.

Section 24: Revise Section 152.135 as follows:

Eliminate (A)(1) and (A)(2)

(K) Open Space requirements: Not less than 10% of any new development approved after January 1, 2006, shall be set aside for open space. No land shall be deemed...

- Section 25: Revise Section 152.143 by deleting subsection (B) in its entirety and redesignating subsequent sections.
- Section 26: Eliminate warehousing and distributing from Sections 152.142(C).
- Section 27: Amend Section 152.143 by adding the following (H) Adult uses provided that the following conditions are met:

(4) Purpose. These regulations are adopted in furtherance of all of the public purposes of municipal zoning and planning, including, but not limited to, guiding the appropriate use and development of the Township of Voorhees in a manner which will promote the public health, safety, morals and general welfare, and in order to meet the needs of citizens of the Township of Voorhees, while maintaining the quality and character of the Township and deterring the growth and spread of blight and crime (especially prostitution, sexual offenses, public indecency, and related offenses). It is recognized that there are some uses commonly known as "adult" uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when those uses are located near residential areas or in other inappropriate locations, or without sufficient showing that those uses in a specified location will comply with the conditions and standards for the location and operation of those uses. Therefore, special regulation of these objectionable adult uses is deemed necessary to ensure that adverse effects will not contribute to the blighting or downgrading of the Township of Voorhees. In no way is the fact that the Township of Voorhees regulates any or all of the adult uses described herein, or prohibits or allows them in the various locations to be construed as approval of or condoning of those uses.

(5) No lawful adult use shall be located within 1,000 feet of any residential district, single-family or multifamily dwelling; within 1,000 feet of any existing house of worship; within 1,000 feet of any religious, charitable or nonprofit institution, public community center, park, playground, recreation center, or similar use; within 1,000 feet of any premises licensed for the sale or distribution of alcoholic beverages; or within 1,000 feet of any public or private school, nursery or child-care center. The foregoing distance limitations shall be measured by a straight line drawn from the nearest point of the lot boundary on which the proposed adult use is to be located to the nearest point of the lot or district boundary, as the case may be, of the other use or district, and those uses, district boundary lines and dimensions shall be indicated on the submitted site plan. No permitted adult use shall be located within 1,000 feet of any



existing residential use or residential zone in the Township of Voorhees or in any contiguous municipality.

- (6) Adult uses in buildings having a capacity of 50 or more persons are excluded from all zones.
- (7) Off-street parking shall be provided in accordance with Chapter 154.
- (8) Signs shall meet the requirements specified for the zones described herein, and various zoning districts shall not be construed as approval of or condoning of those uses.
- (9) Signs shall meet the requirements specified for the EIB district for commercial uses, additionally, no "specified anatomical areas" or "specified sexual activity" shall be shown, described or depicted on any signs, advertisements, displays or exhibits that are visible from outside the building.
- (10) The interior of the adult use building shall be designed so that no interior contents of the building are visible at anytime from the outside through windows, door openings or in any other manner.
- (11) The interior of any building in which an adult use is located shall be adequately lighted and shall be constructed so that every portion thereof is readily visible without obstruction to the clerk or other person in charge of the building from the counter, booth, cash register or other place where the person is normally stationed.
- (12) All other applicable requirements of the EIB District and of the Zoning and Development Ordinances of Voorhees Township shall be met.
- (13) Hours of operation shall not be earlier than 9 a.m. nor later than 12 midnight, prevailing time, on weekdays and no operation shall be permitted on Saturdays and Sundays.

Section 287: Eliminate (A) Light Industrial from Sections 152.143 and replace with the following new (A):

- (A) Warehousing, distributing and light industrial uses may continue to the same extent as they existed on January 1, 2006, under the regulations under which they received approval.



Section 29: 152.145, eliminating the following subsections and redesignating subsequent subsections:

- (A)(1)
- (B)(1)
- (C)(2)(a)
- (C)(3)(a)

Also for (A)(2), (B)(2), (C)(2)(b) and (C)(3)(b) eliminate "other"

Section 30: Add new Section 152.188 as follows:

**152.188 Development Fee**

(A) Purpose

In Holmdel Builder's Ass'n V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution subject to the Council on Affordable Housing's (COAH) adoption of rules. The purpose of this ordinance is to establish standards for the collection, maintenance and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low and moderate income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees.

(B) Residential Development Fees

- (1) Within the RR, CR, TC, MDR, and R10 zones, developers shall pay a development fee of one percent of the (equalized assessed value for residential development/or the coverage amount of the Home Owner Warranty document of a for-sale unit or the appraised value on the document utilized for construction financing for a rental unit) provided no increased density is permitted.
- (2) The fee may be realized on the equalized assessed value or on the coverage amount on the Home Owner's Warranty document for each additional for sale unit or on the appraised value on the document utilized for construction financing for each additional rental unit.
- (3) If a "d" variance is granted pursuant to N.J.S.A. 40:55D-70d(5), then the additional residential units realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of 6 percent rather than the development fee of one percent. However, if the zoning on a site has changed during the two-year period preceding the filing of the "d" variance application, the density for the

purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the "d" variance application.

(C) Nonresidential Development Fees

- (1) Developers within 01, 03, 04, B, ORB, MB, and EB zoning district shall pay a fee of two percent of either the equalized assessed value for non-residential development or the appraised value utilized on the document for construction financing.
- (2) If a "d" variance is granted pursuant to N.J.S.A 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of 6 percent rather than the development fee of two percent. However, if the zoning on a site has changed during the two-year period preceding the filing of the "d" variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the "d" variance application. The development fee may be based on either the equalized assessed value for non-residential development or the appraised value utilized on the document for construction financing.

(D) Eligible Exaction, Ineligible Exaction and Exemptions

- (1) Developers of low and moderate income units shall be exempt from paying development fees.
- (2) Developers that have received preliminary or final approval prior to the effective date of this ordinance shall be exempt from paying a development fee unless the developer seeks a substantial change in the approval.

(E) Collection of Fees

- (1) Developers shall pay 50 percent of the calculated development fee to Voorhees Township at the issuance of building permits. At the issuance of certificates of occupancy, the appropriate development fee shall be based on one of the options in N.J.A.C. 5:93-8-10. The developer shall be responsible for paying the difference between the fee calculated at building permit and paid at issuance of certificate of occupancy. The entire fee may also be paid at the issuance of the certificate(s) of occupancy.

(F) Housing Trust Fund

- (1) There is hereby created an interest bearing housing trust fund in (bank) for the purpose of receiving development fees from residential and nonresidential developers. All development fees paid by developers pursuant to this ordinance shall be deposited in this fund. No money shall be expended from the housing trust fund unless the expenditure conforms to a spending plan approved by COAH.
- (2) If COAH determines that Voorhees Township is not in conformance with COAH's rules on development fees, COAH is authorized to direct the manner in which all development fees collected pursuant to this ordinance shall be expended. Such authorization is pursuant to: this ordinance, COAH's rules on development fees and the written authorization from the governing body to the (name of bank in which the housing trust fund is located).

(G) Use of Funds

- (1) Money deposited in a housing trust fund may be used for any activity approved by COAH for addressing Voorhees' low and moderate income housing obligation. Such activities may include, but are not necessarily limited to, housing rehabilitation, new construction, regional contribution agreements, the purchase of land for low and moderate income housing, extensions and/or improvements of roads and infrastructure to low and moderate income housing sites, assistance designed to render units more affordable to low and moderate income households and administrative costs necessary to implement Voorhees' housing element. The expenditure of all money shall conform to a spending plan approved by COAH.
- (2) At least 30 percent of the revenues collected shall be devoted to render units more affordable unless exempt as per N.J.A.C. 5:93-8-16(c). Examples of such activities include, but are not limited to, down payment and closing cost assistance, low interest loans and rental assistance.
- (3) No more than 20 percent of the revenues shall be expended on administrative costs necessary to develop, revise or implement the housing element. Examples of eligible administrative activities include personnel, consultant services, space costs, consumable supplies and rental or purchase of equipment directly associated with plan development or plan implementation.



Section 31: Add the following Section:

**152.190 Stream Buffer Conservation Zone**

**1. PURPOSE**

In recognition of the fact that natural features contribute to the welfare of residents, the following regulations have been enacted to provide reasonable controls governing the restoration, conservation, disturbance, and management of existing stream buffers for all perennial and intermittent streams and all lakes and ponds in the municipality by establishing designated Stream Buffer Conservation Zones. For the purposes of this ordinance the following definitions shall apply:

- Stream - a natural watercourse containing flowing water for at least part of the year.
- Perennial stream - a stream that flows continuously throughout the year in most years.
- Intermittent stream - a stream with a drainage area of 50 acres or greater.

In addition, the specific purposes and intent of this section are to:

- A. Reduce the amount of nutrients, sediment, organic matter pesticides, and other harmful substances that reach watercourses, wetlands, subsurface, and surface water bodies by using scientifically-proven processes including filtration, deposition, absorption, adsorption, plant uptake, biodegradation, denitrification and by improving infiltration, encouraging sheet flow, and stabilizing concentrated flows.
- B. Improve and maintain the safety, reliability and adequacy of the water supply for domestic, agricultural, commercial, industrial and recreational uses along with sustaining diverse populations of aquatic flora and fauna.
- C. Regulate the land use, siting and engineering of all development to be consistent with the intent and objectives of this ordinance, accepted conservation practices, and to work within the carrying capacity of existing natural resources.
- D. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices.
- E. Conserve the natural features important to land and water resources (e.g., headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.

- F. Work with floodplain, steep slope, and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and Stream features.
- G. Conserve natural, scenic, and recreation areas within and adjacent to Stream areas for the community's benefit.

## 2. DEFINITIONS, ESTABLISHMENT, AND WIDTH DETERMINATION OF THE STREAM BUFFER CONSERVATION ZONE

### A. Definition - The Stream Buffer Conservation Zone is defined as:

Areas surrounding municipally designated surface water bodies, including creeks, lakes and intermittent watercourses that intercept surface water runoff, wastewater, subsurface flow, and/or deep groundwater flows from upland sources and function to remove or buffer the effects of associated nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into surface waters. This area may also provide wildlife habitat, control water temperature, attenuate flood flow, and provide opportunities for passive recreation. This buffer area may or may not contain trees and other native vegetation at the time of ordinance enactment.

### B. Establishment

1. The establishment of the Stream Buffer Conservation Zone applies to the following areas which are identified on the municipal Stream buffer map:
  - a. Lands adjacent to municipally designated streams within the municipality.
  - b. Lands adjacent to municipally designated intermittent water courses within the municipality.
  - c. Lands at the margins of municipally designated lakes.
2. The measurement of the Stream Buffer Conservation Zone shall extend a minimum of 75 feet from each defined edge of an identified watercourse or surface water body at bankfull flow or level, or shall equal the extent of the 100 year floodplain, whichever is greater. The District will consist of two distinct zones designated as:
  - a. Zone One: This zone will begin at each edge of an identified waterway (which can include wetlands and intermittent watercourses) and occupy a margin of land with a minimum width of 25 feet measured horizontally on a line perpendicular to the edge of water at bankfull flow.

Where steep slopes (in excess of 25 percent) are located within 25 feet of a municipally designated watercourse,



Zone One shall extend the entire distance of this sloped area. If the distance of this sloped area is greater than 75 feet, there will be no requirement for the establishment of Zone Two. If the distance is less than 75 feet, the width of Zone Two will be adjusted so that the total buffer width (Zone One and Zone Two) will be 75 feet maximum.

3. Zone Two: This zone will begin at the outer edge of Zone One and occupy a minimum width of 50 feet in addition to Zone One.
  - a. Where the 100-year floodplain extends greater than 75 feet from the waterway, Zone One shall remain a minimum of 25 feet wide, and Zone Two shall extend from the outer edge of Zone One to the outer edge of the 100-year floodplain.
  - b. Width Determination. The developer, applicant, or designated representative shall be responsible for the initial width determination of the stream buffer and identifying this area on any plan that is submitted to the municipality for subdivision, land development, or other improvements that require plan submissions or permits. This initial determination shall be subject to review and approval by the municipal engineer, governing body, or its appointed representative.

### 3. USES PERMITTED IN THE STREAM BUFFER CONSERVATION ZONE

The following uses are permitted, either by right or after review and approval by the municipality in the Stream Buffer Conservation Zone. However, within any buffer, no construction, development, use, activity, or encroachment shall be permitted unless the activity is described in the Stream Buffer Management Plan, as outlined in Section 8 (A) (1).

#### A. Zone One

##### 1. Uses Permitted by Right

Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone One, including:

- a. Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas of public and private parklands, and reforestation in compliance with the guidelines of the Stream Buffer Management Plan.



- b. Streambank stabilization in compliance with the guidelines of the Stream Buffer Management Plan.
- 2. Uses Requiring Municipal Review and Approval
  - a. Buffer crossings by farm vehicles and livestock, recreational trails, roads, railroads, centralized sewer and/ or water lines, and public utility transmission lines, and public utility transmission lines provided that any disturbance is offset by buffer improvements identified in the Stream Buffer Management Plan.

B. Zone Two

1. Uses Permitted by Right

The following uses which are primarily passive in character, shall be permitted by right to extend into the area defined as Zone Two:

- a. Open space uses including wildlife sanctuaries, nature preserves, forest preserves, passive areas of public and private parklands, and recreational trails.
  - b. Reforestation in compliance with the guidelines of the Stream Buffer Management Plan.
  - c. Minimum required front, side, and rear yards on private lots, provided that no yard may extend into Zone Two more than half the distance between the outer boundaries of Zone One and Zone Two.
  - d. Agricultural uses existing at the time of adoption of this ordinance.
- 2. Uses Requiring Municipal Review and Approval
  - a. New agricultural uses.
  - b. Buffer crossings by farm vehicles and livestock, roads, railroads, centralized sewer and/or water lines, and public utility transmission lines provided that any disturbance is at a minimum, offset by buffer improvements identified in the Stream Buffer Management Plan.
  - c. Centralized sewer and/or water lines and public utility transmission lines running along the buffer, provided that any disturbance is, at a minimum, offset by buffer improvements identified in the Stream Buffer Management Plan. These lines shall be located as far from Zone One as practical.
  - d. Selective cutting of trees when removal is consistent with approved standards in the Stream Buffer Management Plan.
  - e. Areas such as camps, campgrounds, picnic areas and golf courses. Active recreation areas such as ballfields, playgrounds, and courts provided these

uses are designed in a manner that will not permit concentrated flow.

- f. Naturalized stormwater basins in compliance with the guidelines in the Stream Buffer Management Plan. The entire basin shall be located a minimum of 50 feet from the defined edge of identified watercourses.

#### 4. USES SPECIFICALLY PROHIBITED IN THE STREAM BUFFER CONSERVATION ZONE

Any use or activity not authorized within Section 3 shall be prohibited within the Stream Buffer Conservation Zone. By way of example, the following activities and facilities are specifically prohibited:

- A. Clear-cutting of trees and other vegetation.
- B. Selective cutting of trees and/or the clearing of other vegetation within Zone One, except where such clearing is necessary to prepare land for a use permitted under Section 3.A. and where the effects of these actions are mitigated by revegetation, as specified under Section 8.
- C. Selective cutting of trees and/or the clearing of other vegetation within Zone Two, except where such clearing is necessary to prepare land for a use permitted by Section 3.B. and where the effects of these actions are mitigated by revegetation, as specified under Section 8.
- D. Removal of trees in excess of selective cutting, except where such removal is necessary as a means to eliminate dead, diseased, or hazardous tree stands that jeopardize public safety or as part of a reforestation project, provided that the removal is in compliance with a Stream Buffer Management Plan approved by the municipal engineer, governing body, or its appointed representative.
- E. Removal or disturbance of vegetation in a manner that is inconsistent with erosion control and buffer protection.
- F. Storage of any hazardous or noxious materials.
- G. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of prescribed industry standards or the recommendations of the Camden County Conservation District.
- H. Roads or driveways, except where permitted as buffer crossings in compliance with Sections 3.A.2.(a) or 3.B.2.(b).
- I. Motor or wheeled vehicle traffic in any area not designed to accommodate adequately the type and volume.
- J. Parking lots.
- K. Any type of permanent structure, including fences, except structures needed for a use permitted in Section 3.
- L. Subsurface sewage disposal areas.
- M. Sod farming.

## 5. NONCONFORMING STRUCTURES AND USES IN THE STREAM BUFFER CONSERVATION ZONE

- A. Existing nonconforming structures or uses within Zones One or Two that are not permitted under Section 3 may be continued but shall not have the existing building footprint or uses expanded or enlarged.
- B. Discontinued nonconforming uses may be resumed any time within one year from such discontinuance but not thereafter when showing clear indications of abandonment. No change or resumption shall be permitted that is more detrimental to the Stream Buffer Conservation Zone, as measured against the intent and objectives under Section 1, than the existing or former nonconforming use.
- C. This one year time frame shall not apply to agricultural uses which are following prescribed Best Management Practices for crop rotation.

## 6. BOUNDARY INTERPRETATION AND APPEALS PROCEDURE

- A. When a landowner or applicant disputes the Zone (One or Two) boundaries of the stream buffer or the defined edge of a watercourse, surface water body, the landowner or applicant shall submit evidence to the municipality that describes the boundary, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.
- B. The municipal engineer, governing body or appointed representative shall evaluate all material submitted and shall make a written determination within 45 days, a copy of which shall be submitted to the Voorhees Township Committee and Planning Board, and landowner or applicant.
- C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the Voorhees Township Committee under the provisions this ordinance. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

## 7. INSPECTION OF STREAM BUFFER CONSERVATION ZONE

- A. Lands within or adjacent to an identified Stream Buffer Conservation Zone will be inspected by the municipal representative when:
  - 1. A subdivision or land development plan is submitted.
  - 2. (A building permit is requested.)
  - 3. A change or resumption of nonconforming use is proposed.
- B. The district may also be inspected periodically by the municipal representatives for compliance with an approved restoration plan, excessive or potentially problematic erosion or at any time when



the presence of an unauthorized activity or structure is brought to the attention of municipal officials.

## 8. MANAGEMENT OF THE STREAM BUFFER CONSERVATION ZONE

- A. Stream Buffer Management Plan - Within any municipally identified buffer area, no construction, development, use, activity, or encroachment shall be permitted unless the effects of such development are accompanied by implementation of an approved Stream Buffer Management Plan, as specified within the Subdivision and Land Development Ordinance.
1. The landowner or developer shall submit to the municipal engineer, governing body, or its appointed representative, a Stream Buffer Management Plan prepared by a landscape architect, professional engineer or other qualified professional which fully evaluates the effects of any proposed uses on the Stream Buffer Conservation Zone. The Stream Buffer Management Plan shall identify the existing conditions (vegetation, 100-year floodplain, soils, slopes, etc.), all proposed activities, and all proposed management techniques, including any measures necessary to offset disturbances to the Stream Buffer Conservation Zone. The plan shall be approved by the municipal engineer, governing body, or appointed representative as part of the subdivision and land development process.

## 9. VEGETATION SELECTION

To function properly, dominant vegetation in the Stream Buffer Management Plan shall be selected from a list of plants most suited to the stream buffer. Plants not included on the lists may be permitted by the municipal engineer, governing body, or its appointed representative when evidence is provided from qualified sources certifying their suitability. The municipality may require species suitability to be verified by qualified experts in the Camden County Conservation District, Natural Resources Conservation Service, NJ Department of Environmental Protection, the U.S. Fish and Wildlife Service, or state and federal forest agencies.

1. In Zone One, dominant vegetation shall be composed of a variety of native stream tree, shrub species, tall grasses and appropriate plantings necessary for streambank stabilization.
2. In Zone Two, dominant vegetation shall be composed of stream trees and shrubs, with an emphasis on native species and appropriate plantings necessary to stabilize the soil.
3. Disturbed areas shall be revegetated with stream buffer plants, in compliance with an approved Stream Buffer Management Plan.

Areas that cannot be revegetated shall be restored in compliance with an approved Stream Buffer Management Plan

Section 32: Add the following Section:

**152.191 Stormwater Ordinance**

**Section 1: Scope and Purpose**

**A. Policy Statement**

Flood control, groundwater recharge, and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural BMPs. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

**B. Purpose**

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for “major development,” as defined in Section 2.

**C. Applicability**

1. This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

- a. Non-residential major developments; and
- b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This ordinance shall also be applicable to all major developments undertaken by Voorhees Township.

**D. Compatibility with Other Permit and Ordinance Requirements**

Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or



ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

## Section 2: Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Planning Map” means the geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.

“CAFRA Centers, Cores or Nodes” means those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B.

“Compaction” means the increase in soil bulk density.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

A county planning agency; or

A county water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the New Jersey Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State

Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 et seq.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally critical areas” means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.

“Empowerment Neighborhood” means a neighborhood designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Major development" means any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

"Municipality" means any city, borough, town, township, or village.

"Node" means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, Voorhees Township, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred.

"Soil" means all unconsolidated mineral and organic material of any origin.

"State Development and Redevelopment Plan Metropolitan Planning Area (PA1)" means an area delineated on the State Plan Policy Map and adopted by the State Planning



Commission that is intended to be the focus for much of the state's future redevelopment and revitalization efforts.

"State Plan Policy Map" is defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

"Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

"Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

"Stormwater management measure" means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

"Tidal Flood Hazard Area" means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

"Urban Coordinating Council Empowerment Neighborhood" means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

"Urban Enterprise Zones" means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

"Urban Redevelopment Area" is defined as previously developed portions of areas:

- (1) Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- (2) Designated as CAFRA Centers, Cores or Nodes;
- (3) Designated as Urban Enterprise Zones; and

(4) Designated as Urban Coordinating Council Empowerment Neighborhoods.

"Waters of the State" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

"Wetlands" or "wetland" means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

### Section 3: General Standards

#### A. Design and Performance Standards for Stormwater Management Measures

1. Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 4. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
2. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

*Note: Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.*



#### Section 4: Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department' Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 4.F and 4.G:
  - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 4.F and 4.G may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - 2. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of Sections 4.F and 4.G to the maximum extent practicable;
  - 3. The applicant demonstrates that, in order to meet the requirements of Sections 4.F and 4.G, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through



condemnation lands not falling under D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Sections 4.F and 4.G that were not achievable on-site.

#### E. Nonstructural Stormwater Management Strategies

1. To the maximum extent practicable, the standards in Sections 4.F and 4.G shall be met by incorporating nonstructural stormwater management strategies set forth at Section 4.E into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in Paragraph 2 below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
2. Nonstructural stormwater management strategies incorporated into site design shall:
  - a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
  - b. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
  - c. Maximize the protection of natural drainage features and vegetation;
  - d. Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
  - e. Minimize land disturbance including clearing and grading;
  - f. Minimize soil compaction;
  - g. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
  - h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
  - i. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:

- (1) Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 4.E.3. below;
  - (2) Site design features that help to prevent discharge of trash and debris from drainage systems;
  - (3) Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
  - (4) When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
3. Site design features identified under Section 4.E.2.i.(2) above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 4.E.3.c below.
- a. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

c. This standard does not apply:

- (1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
  - (2) Where flows from the water quality design storm as specified in Section 4.G.1 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - (a) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
    - (b) A bar screen having a bar spacing of 0.5 inches.
  - (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in Section 4.G.1; or
  - (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.
4. Any land area used as a nonstructural stormwater management measure to meet the performance standards in Sections 4.F and 4.G shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.
5. Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management



Practices Manual. The BMP Manual may be obtained from the address identified in Section 7, or found on the Department's website at [www.njstormwater.org](http://www.njstormwater.org).

F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

1. This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.
  - a. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.
  - b. The minimum design and performance standards for groundwater recharge are as follows:
    - (1) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 5, either:
      - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
      - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
    - (2) This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to (3) below.
    - (3) The following types of stormwater shall not be recharged:
      - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be

inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

- (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

- (4) The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.

c. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 5, complete one of the following:

- (1) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
- (2) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, 10, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing

land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

(3) Design stormwater management measures so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or

(4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.

2. Any application for a new agricultural development that meets the definition of major development at Section 2 shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural development" means land uses normally associated with the production of food, fiber and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

#### G. Stormwater Runoff Quality Standards

1. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional 1/4 acre of impervious surface is being proposed on a development site. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES



permit from this requirement. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

Table 1: Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

- For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 7, or found on the Department's website at [www.njstormwater.org](http://www.njstormwater.org). The BMP Manual and other sources of technical guidance are listed in Section 7. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall

be provided to the Department at the following address:  
Division of Watershed Management, New Jersey Department  
of Environmental Protection, PO Box 418 Trenton, New  
Jersey, 08625-0418.

3. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

Where

R = total TSS percent load removal from application of both BMPs, and

A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

Table 2: TSS Removal Rates for BMPs	
Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See Section 6.C
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

4. If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.
5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction

nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in Sections 4.F and 4.G.

6. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in Section 7.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:
  - a. The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
    - (1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided. (2) Encroachment within the designated special water resource protection area under Subsection (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the



maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than 150 feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

b. All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.

c. If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the "Standards for Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:

- (1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;
- (2) Stormwater associated with discharges allowed by this section shall achieve a 95 percent TSS post-construction removal rate;
- (3) Temperature shall be addressed to ensure no impact on the receiving waterway;
- (4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;
- (5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and
- (6) All encroachments proposed under this section shall be subject to review and approval by the Department.

d. A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater

management plan. If a stream corridor protection plan for a waterway subject to Section 4.G(8) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to G.8 shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in G.8.a.(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.

- e. Paragraph G.8 does not apply to the construction of one individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

#### Section 5: Calculation of Stormwater Runoff and Groundwater Recharge

- A. Stormwater runoff shall be calculated in accordance with the following:

- 1. The design engineer shall calculate runoff using one of the following methods:

- a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or

- b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.

- 2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology at Section 5.A.1.a and the Rational and Modified Rational Methods at Section 5.A.1.b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of

the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <http://www.state.nj.us/dep/njgs/>; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey 08625-0427; (609) 984-6587.



## Section 6: Standards for Structural Stormwater Management Measures

### A. Standards for structural stormwater management measures are as follows:

1. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
2. Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch (1") spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third ( $1/3$ ) the width of the diameter of the orifice or one-third ( $1/3$ ) the width of the weir, with a minimum spacing between bars of one-inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 8.D.
3. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
4. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.
5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at Section 8.

### B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design

and performance standards established by Section 4 of this ordinance.

- C. Manufactured treatment devices may be used to meet the requirements of Section 4 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

#### Section 7: Sources for Technical Guidance

- A. Technical guidance for stormwater management measures can be found in the documents listed at 1 and 2 below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.
1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.
  2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.
- B. Additional technical guidance for stormwater management measures can be obtained from the following:
1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;
  2. The Rutgers Cooperative Extension Service, 732-932-9306; and
  3. The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil



## Section 8: Safety Standards for Stormwater Management Basins

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- B. Requirements for Trash Racks, Overflow Grates and Escape Provisions
  - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
    - a. The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.
    - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
    - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
    - d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.
  - 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
    - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
    - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
    - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft sq.
  - 3. For purposes of this paragraph 3, escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from



stormwater management basins. Stormwater management basins shall include escape provisions as follows:

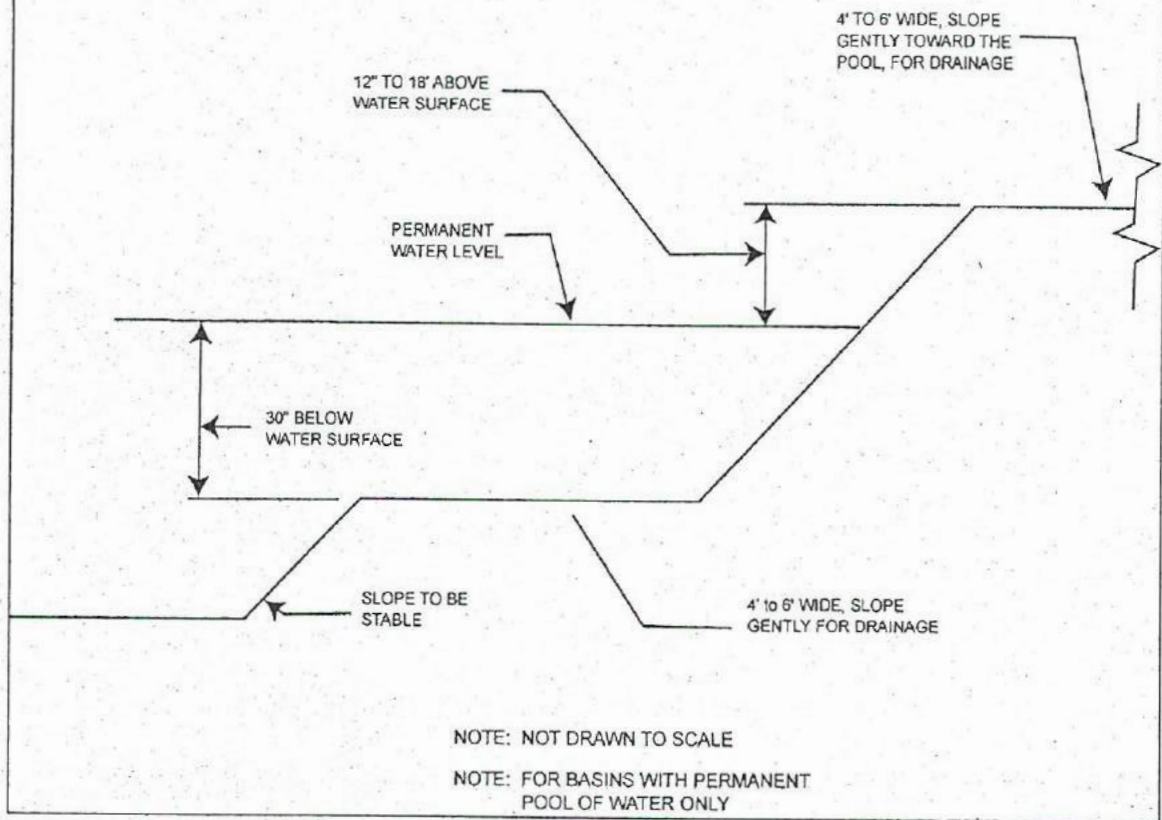
- a. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in Section 8.C a free-standing outlet structure may be exempted from this requirement.
- b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See Section 8.D for an illustration of safety ledges in a stormwater management basin.
- c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

#### C. Variance or Exemption from Safety Standards

1. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or Department) that the variance or exemption will not constitute a threat to public safety.

#### D. Illustration of Safety Ledges in a New Stormwater Management Basin

Depicted is an elevational view.



## Section 9: Requirements for a Site Development Stormwater Plan

### A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 9.C below as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 15 copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 9.C of this ordinance.

### B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

### C. Checklist Requirements

The following information shall be required:

#### 1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.



## 2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

## 3. Project Description and Site Plan(s)

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

## 4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 3 through 6 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

## 5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- a. Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

## 6. Calculations

- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this ordinance.
- b. When the proposed stormwater management control measures (e.g., infiltration basins) depends on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

## 7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 10.

## 8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipal engineer, waive submission of any of the requirements in Sections 9.C.1 through 9.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.



## Section 10: Maintenance and Repair

### A. Applicability

1. Projects subject to review as in Section 1.C of this ordinance shall comply with the requirements of Sections 10.B and 10.C.

### B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
3. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
4. If the person responsible for maintenance identified under Section 10.B.2 above is not a public agency, the maintenance plan and any future revisions based on Section 10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
6. The person responsible for maintenance identified under Section 10.B.2 above shall maintain a detailed log of all



preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.

7. The person responsible for maintenance identified under Section 10.B.2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
  8. The person responsible for maintenance identified under Section 10.B.2 above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Sections 10.B.6 and 10.B.7 above.
  9. The requirements of Sections 10.B.3 and 10.B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.
  10. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person.
- B. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

#### Section 11: Penalties

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties: A fine of \$1,000.00 for each offense.

Section 33: Revise Section 154.001 as follows:

Section (B)(1) shall be redesignated as (B)(2)

Section (B)(1)(a) shall be redesignated as (B)(1)

Section (B)(1)(b) shall be redesignated as (B)(2)(a) and the following sections shall be redesignated in sequence.

Section 34: Relocate Sections 154.002 and add to 152.187 Design Controls under a new heading.

Section 35: Add the following to Section 154.003(E)(8)(f) Off-site signs, including commercial billboards:

Except that billboards may be permitted on Route 73 subject to the following:

- (1) Compliance with all state permitting and regulations;
- (2) All lighting shall be directed onto the billboard structure;
- (3) The area underneath and around the off-premises sign structure shall include a landscaping bed containing evergreens and flowering materials;
- (4) The landscaping bed shall be continuously maintained by the property owner;
- (5) The minimum lot size shall be .5 acres and maximum lot size shall be 3.0 acres;
- (6) The minimum lot frontage shall be 100 feet and the maximum lot frontage shall be 300 feet;
- (7) The sign structure shall be a minimum of 500 feet from any residential zoning district;
- (8) It shall be the primary and only principal use on the lot;
- (9) The maximum height of the structure from grade shall be 80 feet;
- (10) The maximum size of the off-premises sign faces shall be 20 x 60 feet with a maximum area per face of 1,000 square feet;
- (11) The minimum distance between off-premises signs shall be 500 ft.;
- (12) The total number of off-premises signs permitted shall be three (3) in addition to those existing as of the effective date of this ordinance;

- (13) All off-premises signs shall be located on the west side of Rt. 73 within the first 5,000 feet of the northern Township line;
- (14) Off-premises signs shall not resemble any traffic sign;
- (15) No off-premises sign shall be located within 300 feet of an intersection;
- (16) Side yard shall be 20 feet; rear yard shall be 20 feet; front edge of the sign shall be 20 feet from the right-of-way.

Section 36: Amend Section 154.004 as follows:

Sections (B)(1)(b) and (c): eliminate "Open" and capitalize "fences"

Section (B)(1)(a): eliminate and redesignate subsequent sections

Section (B)(1)(c)(2) shall be revised by revising the second paragraph as follows:

For the purpose of this chapter the Rear Yard shall be considered to be an open space extending across the full width of the lot between the principal building and the rear lot line and point of the rear elevation closest to the side lot lines. For the purpose of this subsection DETACHED GARAGES shall not be considered part of the principal building.

Section 37: Add the following to the end of Section 154.004(B)(1)(a):

Sections 154.001(E) corner lot restrictions shall apply to this section.

Section 38: Amend Section 154.006(H): eliminate reference to "RHB, EB, and SC" and replace with MB and 04.

Section 39: Relocate Section 154.004 and add to Section 152.187.

Section 40: Add the following new subsection 154.012:

**154.012 Single-family Attached/Townhouse Developments**

In any single family attached townhouse development where there are individual lots, no habitable or elevated additions to the primary structure not indicated on the filed plan shall be permitted. Accessory structures are limited to fences and sheds to a maximum of 100 sf and height of 8 ft.



Section 41: Add the following new subsection 154.013:

**154.013 Recreational Impact Fees**

(A) Residential

The applicant shall provide the following facilities on-site:

Recreational Facilities	Number/Unit of Population
Basketball/Hockey Courts	1 per 1,000
Tennis	1 per 1,000
Baseball/Softball:	
Youth	1 per 3,000
Adult	1 per 3,000
Football/soccer	1 per 2,000
Multicourt	1 per 2,000
Tot-lot	1 per 200 (15% of total population)
Advanced play	1 per 400 (30% of total population)
Picnic areas	1 per 5,000
Trails:	
Bikeways	One (1) six (6') wide bituminous trail per three hundred (300) persons.
Jogging and Fitness Trails	One (1) mile per one thousand (1,000) people. These should be integrated into parks, active recreation areas and, where appropriate, passive recreation areas.
Open space Trails	One (1) mile per 3,000 persons.
General Use Fields	1 per 6,000
Portable Sanitary Facilities	1 per every 4 facilities (tot-lots and advanced play areas shall be calculated at 50%)

In lieu of the above the applicant may contribute a sum equal to .5% of the assessed value of units to the Township recreation/open space fund.

(B) Non-residential

The applicant must provide for community and recreation uses. This includes but is not limited to public gathering areas and facilities for public activities which are generated or could be by the uses being developed. In addition to providing spaces for these activities, ways and means shall be provided for pedestrian linkages between these uses and the public areas. Acceptable recreation and open space facilities may include but are not limited to jogging and biking paths, interpretive trails, sidewalks, multi-purpose fields, amphitheaters, gazebos, seating areas and plaza.

Design and location of these facilities shall be consistent with the overall development. In lieu thereof, the applicant may contribute a sum equal to \$2.00 per square foot of the gross floor area for the proposed square footage in the development that is the subject of the application.

Section 42: Relocate Sections 154.025-.037 to new Section 152.187 entitled Design Controls and add the following:

(1) Building Design:

- a. All buildings in a development approved as a single project shall be compatible in design as to façade material, proportionality of features, color and texture.
- b. There shall be an apparent change in features, material, color and texture for each separate user or for every 40 ft of the primary façade.
- c. The material and design elements used on the front or primary façade shall be replicated on any side or rear elevation visible to the general public from rights-of-way or adjacent properties.
- d. No more than 2/3 of the building shall be at the same setback line and the offset shall be at least equal to 10% of the average depth of the building and there shall be two separate breaks for every 100 ft of façade length.
- e. The aforementioned design regulations shall apply to all non-residential zones.

Section 43: Add the following new subsection 154.025:

**154.025 Additions and accessory uses in single family attached developments.**

- (A) No additions to the primary structure shall be permitted unless they can be accommodated within the footprint depicted on the preliminary or final plans.
- (B) Accessory uses shall be limited to fences, sheds and play equipment.

Section 44: Add the following to Sections 154.190 Parking Areas:

- (G) No temporary structure may be erected within a parking area without a zoning permit which shall review placement, circulation and access. A sketch showing necessary details and dimensions shall be required.

Section 45: Revise Section 156.034 as follows:

- (A) add to (A)(2)(b)1B
  - (1) The calculations shall be based where applicable upon the data included in the 2005 Transportation Element of the Master Plan.
- (B) Add to (A)(2)(b)2B
  - (1) The calculations shall be based where applicable upon the data included in the Stormwater Management Element of the Master Plan.

Section 46: Amend Section 156.037(A)(2)(d)(1) by adding:

Zoning Permits shall be valid for one year from date of issue.

Section 47: Add the following to Section 156.037(C)(3):

As part of the review for residential subdivisions for detached units a lot grading plan shall be submitted for each lot.

Section 48: 156.037(C) shall be amended by adding the following:

3(a) An as-built survey shall be submitted including dimensions, setbacks for all structures, parking spaces, building envelope, fencing, signage, etc.

Section 49: Add the following as Section 156.037(C)(4)(h) and 156.037(C)(7)(g):

The zoning officer may require an as-built survey to determine appropriateness of the proposal.

Section 50: Revise 156.037(C)(7) as follows:

- (1) Prior to any change of tenancy, use or ownership....

Section 51: Add the following to Section 156.037(C)(13):

Certificates of conformance for a change of ownership or tenant shall become null and void 60 days after a fire certificate is issued if settlement or occupancy is not achieved within that time. If the premises fails inspection, the applicant has thirty (30) days in which to bring the premises into compliance after which a summons may be issued.



Section 52: Eliminate Section 158.01

Section 53: Changes to be made to the Zoning Map as depicted on the map dated:

April 24, 2006 (as attached).

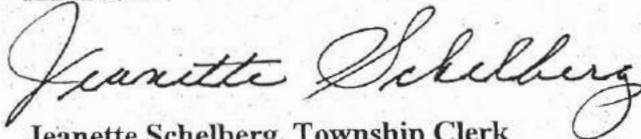
Section 54: If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 55: This ordinance will take effect upon final adoption, publication and filing of a copy of said ordinance with the Camden County Planning Board, all in accordance with the law.

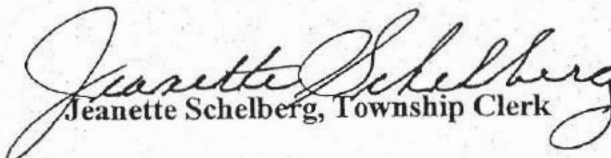
**TOWNSHIP OF VOORHEES**

  
By: Michael R. Mignogna, Mayor

**ATTEST:**

  
Jeanette Schelberg, Township Clerk

I, Jeanette Schelberg, Clerk of the Township of Voorhees, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Township Committee at their meeting of April 24, 2006, held in the Municipal Building, 620 Berlin Road, Voorhees, New Jersey.

  
Jeanette Schelberg, Township Clerk

**INTRODUCED:** February 27, 2006

**ADOPTED:** April 24, 2006