

ORDINANCE #27-2021

**AN ORDINANCE AMENDING CHAPTER 88, UNIFIED DEVELOPMENT
OF THE CODE BOOK OF THE BOROUGH OF CLAYTON**

BE IT ORDAINED by the Mayor and Council of the Borough of Clayton,
County of Gloucester and State of New Jersey that Chapter 88, Unified Development
OF THE Code Book of the Borough of Clayton is hereby amended to read as follows:

Section 1. **Chapter 88, Article III. Zoning Districts, Section 17,** HB Highway
Business Commercial District, Sub-Section A, is hereby amended to read as follows:

A. Intent.

The intent of the HB Highway Business Commercial District is to promote the development and redevelopment of the vacant land and developed properties outside of the central commercial areas of the Borough. It is intended to promote the development of larger tracts of land and to encourage the consolidation of smaller parcels. The district will permit a mix of commercial uses and will include highway-oriented and drive-in uses. The complimentary and coordinated development of adjacent properties shall be encouraged through regulation designed to control points of ingress and egress, provide for common access and drives and shared parking. Design standards will be targeted at minimizing the visual and traffic impacts of development and to improve the conditions for pedestrians.

Section 2. **Chapter 88, Article III. Zoning Districts, Section 17,** HB
Highway Business District, Sub-Section B(1) is hereby amended to read as follows:

1. Principal permitted uses on the land and in the buildings in HB District.

Section 3. **Chapter 88, Article III. Zoning District, Section 17,** HB
Highway Business Commercial District, Sub-Section B(b)(2) is hereby amended to read as follows:

2. Automobile sales.

Section 4. **Chapter 88, Article III. Zoning District, Section 17, HB**
Highway Business Commercial District, Sub-Section B(b)(3) is hereby amended to read as follows:

3. Service stations.

Section 5. **Chapter 88, Article X. Fees, Guarantees and Off-Track Improvements, Section 84. Fees, Sub-Section C. Fees and Escrows** is hereby amended to read as follows:

C. Fees and escrows. The following is a schedule of fees to be paid by the applicant upon filing an application:

(1) Development Review Committee Conceptual: major subdivision or site plan.

(a) Application fee: \$200.

(b) Professionals escrow: \$1,000.

(2) Minor subdivision: resubdivision or lot line adjustment.

(a) Application fee:

[1] Residential: \$250

[2] Commercial: \$1,000.

(b) Professionals escrow:

[1] Residential: \$500.

[2] Commercial: \$2,000.

(3) Major subdivision: preliminary and/or final.

(a) Application fee:.

[1] Residential: \$750.

[2] Commercial: \$1,500.

(b) Professionals escrow:

[1] Residential: \$1,500 < 5 acres; \$3,000 > 5 acres

[2] Commercial: \$3,000 < 5 acres; \$5,000 > 5 acres

(4) Major subdivision: amended.

(a) Application fee: \$300.

(b) Professionals fee: \$500 plus \$50 per lot.

(5) Site plan waiver.

(a) Application fee: \$250.

(b) Professionals fee: \$750.

(6) Minor site plan.

(a) Application fee: \$250.

(b) Professionals fee: \$1,500.

(7) Major site plan: preliminary.

(a) Application fee: \$300 plus \$50 per acre.

(b) Professionals fee: \$2,000 plus \$200 per acre.

(8) Major site plan: final.

(a) Application fee: \$300.

(b) Professionals fee: \$2,000 plus \$100 per acre.

(9) Major site plan: amended.

(a) Application fee: \$300.

(b) Professionals fee: \$1,000 plus \$50 per acre.

(10) Use variance (applications made under N.J.S.A. 40:55D-70d).

(a) Application fee: \$250.

(b) Professionals fee.

[1] Residential: \$1,000.

[2] Commercial: \$2,000.

(11) Bulk variance (applications made under N.J.S.A. 40:55D-70c).

(a) Application fee: \$150.

(b) Professionals fee.

[1] Residential: \$500.

[2] Commercial: \$750.

(12) Appeals (applications made under N.J.S.A. 40:55D-70a).

(a) Application fee: \$150.

(b) Professionals fee: \$500.

(13) Interpretations (applications made under N.J.S.A. 40:55D-70b).

(a) Application fee: \$100.

(b) Professionals fee: \$350.

(14) Conditional use (if subdivision or site plan approval is needed, the fees for the appropriate application shall be charged in addition to the following).

(a) Application fee: \$150.

(b) Professionals fee.

[1] Residential: \$500.

[2] Commercial: \$750.

(15) Environmental consultant review.

(a) Escrow fee: \$2,500..

(16) Zoning Permit Application

(a) Application fee: \$ 35.

(17) Certificate of nonconformity.

(a) Application fee: \$35

(18) Copies of minutes and other documents: per the Open Public Records Act (OPRA).

D. Professional fees. The engineering, traffic engineering, legal and planning escrows as set forth in the aforesaid provisions are minimum amounts representing an estimate of the anticipated costs for such services based on the hourly rates of the respective professional. The hourly rates to be charged each applicant for the services of such professionals shall be the same as those set forth in the contracts between the Borough and said professionals. These fees may need to be replenished as the application proceeds through the Board and until completion of the project. This is the minimum escrow to be maintained until project is deemed completed.

Section 6. Chapter 88, Article XI. Administration, Enforcement and Amendments, Section 89, Permits and Enforcement, Sub-Section A is hereby amended to read as follows:

A. A zoning permit shall be required prior to the erection or basic structural alteration of any building, sign, structure or portion thereof and prior to the use or change in use of any building, sign, structure or land and prior to the change or extension of any nonconforming use. This includes but is not limited to fences, swimming pools and sheds. Farm buildings that exceed the setback requirements shall be exempt from the permit requirements of this article, but all such farm buildings shall be erected in conformity with the use, area and height regulations

applicable in the district in which such farm buildings are located.

Section 7. Chapter 88, Article XI. Administration, Enforcement and Amendments, Section 89, Permits and Enforcement, Sub-Section B(2)(b) is hereby amended by adding a new Sub-Section B(2)(b)(3) to read as follows:

3. Application must include a copy of the property survey (roof top solar panels exempted) showing proposed improvements and all relative dimensions and distances of these improvements to all property lines. Fence heights and location must be included. Swimming pools shall be located only in rear yard and maintain 10' from all property lines and structures. See Exhibit "A"

Section 8. Chapter 88, Article XI. Administration, Enforcement and Amendments, Section 89, Permit and Enforcement, Sub-Section B(2)(b) is hereby amended by adding a new Sub-Section B(2)(b)(4) to read as follows:

4. All applications must include a fee of \$35.00 and all taxes must be current for application to be reviewed.

Section 9. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 10. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be

deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon formal approval by the Clayton Borough Council and publication as required by law.

BOROUGH OF CLAYTON



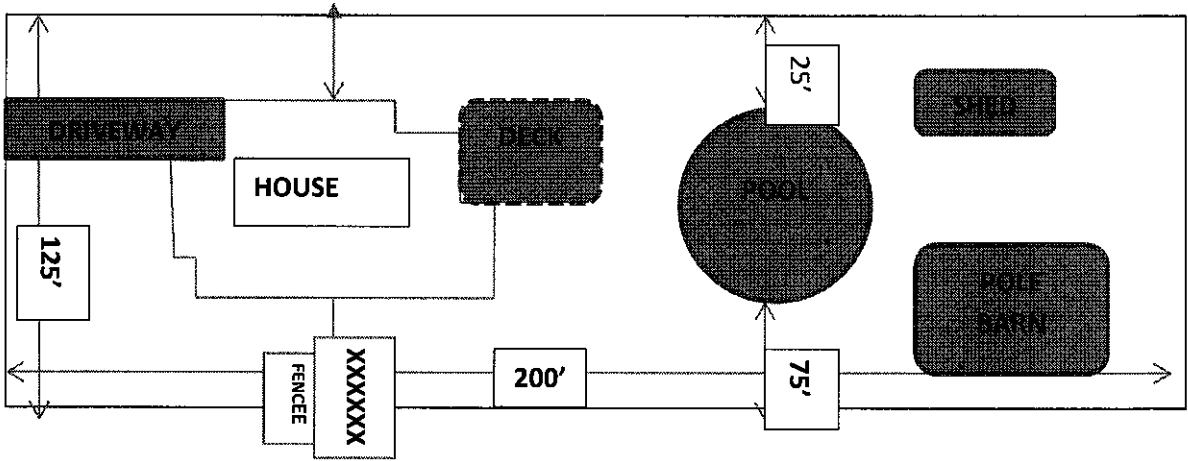
THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

EXHIBIT “A”



NOTICE OF ADOPTION

BOROUGH OF CLAYTON

ORDINANCE #27-2021

**AN ORDINANCE AMENDING CHAPTER 88, UNIFIED DEVELOPMENT OF THE
CODE BOOK OF THE BOROUGH OF CLAYTON**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on December 9, 2021.

Christine Newcomb
Borough Clerk

**BOROUGH OF CLAYTON
GLOUCESTER COUNTY, NEW JERSEY**

ORDINANCE #27-2021

**AN ORDINANCE AMENDING CHAPTER 88, UNIFIED DEVELOPMENT OF THE
CODE BOOK OF THE BOROUGH OF CLAYTON**

This Ordinance was introduced at a meeting held on the 28th day of October, 2021. It is scheduled for a public hearing and final adoption at a meeting of the Mayor and Council of the Borough of Clayton beginning at 6:30 p.m. on the 9th day of December, 2021, at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey.

The purpose of this Ordinance is to amend Chapter 88, Unified Development, Article III, Article X and Article XI of the Code Book of the Borough of Clayton.

A copy of this Ordinance can be obtained without any cost, by any member of the general public in the Borough Clerk's office within the Borough of Clayton in the Municipal Building, 125 North Delsea Drive, Clayton, New Jersey.

Christine Newcomb, Municipal Clerk
Borough of Clayton