

SOUTHAMPTON TOWNSHIP

ORDINANCE 2020-08

AN ORDINANCE OF THE TOWNSHIP OF SOUTHAMPTON REPEALING
ORDINANCE 2019-06 AND REPEALING AND AMENDING CERTAIN SECTIONS OF
CHAPTER 10 ENTITLED "MOBILE HOME AND MOBILE HOME PARKS";
CHAPTER 12 ENTITLED "LAND DEVELOPMENT" AND CHAPTER 19 ENTITLED
"PINELANDS DEVELOPMENT"

WHEREAS, on October 15, 2019, the Township Committee of the Township of Southampton approved Ordinance 2019-06 amending Chapter 19, the Pinelands Development Ordinance of the Township of Southampton, with regard to impervious coverage; and

WHEREAS, the Pinelands Comprehensive Management Plan requires that municipal master plans and land use ordinances adopted by Pinelands municipalities be certified by the Pinelands Commission (the "Commission") upon the findings, conclusions and recommendations of the Executive Director (N.J.A.C. 7:50-3.35); and

WHEREAS, the Commission has informed the Township that Ordinance 2019-06 cannot be certified in its current form and has identified required corrections and changes that must be made to certain sections of the Township Code; and

WHEREAS, the Township has requested that the Commission grant an extension on the certification of Ordinance 2019-06 in order to provide the Township Committee an opportunity to review and adopt a corrected ordinance; and

WHEREAS, the Southampton Township Zoning Board of Adjustment (the "Zoning Board") has also recommended certain changes to Ordinance 2019-06 to clarify language concerning lot clearing and lot coverage; and

WHEREAS, the Township Committee desires to amend the Code to ensure compliance with the Pinelands Comprehensive Management Plan and adhere to the guidance of the Zoning Board.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Committee of the Township of Southampton, in the County of Burlington, New Jersey, that:

1. Ordinance 2019-06 is hereby repealed.
2. Chapters 10, 12 and 19 of the Township Code are hereby amended as follows:

Section One. §10-2.5 shall be repealed in its entirety as it is not consistent with N.J.S.A. 40:55-D-1 et seq., and this section shall now be listed as "Reserved" to preserve the existing numbering system.

Section Two. Certain sections of Chapter 12: Land Development shall be repealed and amended as follows:

A. §12-3.5(f)(7). regarding maximum permitted lot clearing in the Agricultural Residential (AR) district shall be repealed in its entirety, as the predominant land development plan is cleared farmland. This section shall now be listed as “Reserved” to preserve the existing numbering system.

B. §12-3.5(f)(8) is amended to read as follows:

“Impervious Coverage
Total Lot Coverage – 20% maximum.”

C. §12-3.9(d)(7) regarding maximum permitted lot clearing in the Rural Residential (RR) district shall be repealed in its entirety, as the predominant land development plan is cleared farmland. This section shall now be listed as “Reserved” to preserve the existing numbering system.

D. §12-3.9(d)(10) is amended to read as follows:

“Impervious Coverage
Total Lot Coverage – 20% maximum.”

Section Three. Certain sections of Chapter 19: Pinelands Development shall be amended as follows:

A. §§19-2.2(c)(1)(f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard ∇ 15% maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

B. §§19-2.3(c)(1) (f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard ∇ 15% maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

C. §§19-2.4(c)(1)(f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard ∇ 15% maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

D. §§19-2.5(c)(1)(f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard ∇ 15% maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

E. §§19-2.6(c)(1)(f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard $\nless 15\%$ maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

F. §§19-2.7(c)(1)(f) and (g) are amended to read as follows:

(f) Lot clearing, including ground cover and soil disturbance: standard $\nless 15\%$ maximum, per §19-4.2.

(g) Impervious coverage: standard – 10% maximum.

G. §19-2.10. is amended to read as follows:

Adoption of Zoning Map

The zoning map prepared by Thomas J. Scangarello and Associates of Medford, New Jersey, dated September 23, 1996, last revised September, 1998 and signed by a representative of the said firm, is hereby formally adopted and made a part hereof by reference, as the official zoning map for Southampton Township, a copy of which shall be kept on file with the Township Clerk of the township.

The boundaries of the Municipal Complex (MC) Zone, as established in §19-2.7.5, shall reflect those established in Ordinance 1989-2 and certified by the Pinelands Commission so that its extent is that shown as the Pinelands Village of Vincentown. The remainder of Block 15.02, Lot 1.01 shall be delineated as part of the Agricultural Production (AP) Zone, as established in §19-2.5.

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

Section Five: This ordinance shall take effect immediately upon final passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by:
Motion seconded by:

Rafferty
Rossell

VOTE:

Committeeman Heston:	<u>Yes</u>	No	Abstain Not Present
Deputy Mayor Raftery:	<u>Yes</u>	No	Abstain Not Present
Committeewoman Rossell:	<u>Yes</u>	No	Abstain Not Present
Committeeman Young, Sr.:	<u>Yes</u>	No	Abstain Not Present
Mayor Mikulski:	<u>Yes</u>	No	Abstain Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: Raftery
 Motion seconded by: Rossell

VOTE:

Committeeman Heston:	<u>Yes</u>	No	Abstain Not Present
Deputy Mayor Raftery:	<u>Yes</u>	No	Abstain Not Present
Committeewoman Rossell:	<u>Yes</u>	No	Abstain Not Present
Committeeman Young, Sr.:	<u>Yes</u>	No	Abstain Not Present
Mayor Mikulski:	<u>Yes</u>	No	Abstain Not Present

I, Kathleen Hoffman, Township Clerk of the Township of Southampton, County of Burlington, State of New Jersey, do hereby certify that this ordinance was passed on first reading at a meeting of the Township Committee held on November 17, 2020, and will be further considered for adoption following a public hearing to be held on Dec. 15, 2020, 2020, at 6:00 p.m. at the Southampton Municipal Building.


 Kathleen Hoffman, RMC