

ORDINANCE NO. 6, 2020

AN ORDINANCE AMENDING CHAPTER 41 LAND USE PROCEDURES, ARTICLE IV APPLICATION REQUIREMENTS AND DEVELOPMENT PROCEDURES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 41 Land Use Procedures, Article IV Application Requirements and Development Procedures is hereby amended to read as follows:

§ 41-40 Informal Review of Concept Plan / Administrative Review Procedures

A. Informal Review of Concept Plan

Applicants may request an informal review of a concept plan for a development for which the developer intends to prepare and submit an application for development. If an informal review is permitted by the Land Use Board, the amount of any fees for such an informal review shall be a credit toward fees for review of the application for development. The developer shall not be bound by any concept plan for which review is requested, and the Land Use Board shall not be bound by any such review.

B. Administrative Review

Applicants may request an administrative review for minor revisions and/or additions to an existing site plan. A request for an administrative review must be accompanied by a current survey or site plan along with the application for administrative review. The application shall be limited to the changes proposed and shall provide sufficient information to fully describe the changes proposed. No more than two administrative reviews shall be granted per applicant, provided that the Land Use Board Engineer determine that the cumulative effect of the changes does not significantly alter the plan as originally approved. The Land Use Board Engineer shall determine if an administrative remedy is appropriate for each particular case and shall be empowered to grant approval in lieu of Land Use Board action, if the application is one of the following and does not require any variances or waivers:

- (1) Building addition to a non-residential use of less than 500 square feet or 15% of the total existing floor area.
- (2) Signage which conforms to the requirements of the City Code.

- (3) Change in parking of 5 spaces or 5% of the existing parking area, whichever is less provided that the changes in parking do not affect site circulation patterns.
- (4) Changes to landscaping which conform to the City Code and enhance the aesthetic appeal of properties.
- (5) Modifications or improvements to stormwater systems provided the applicant demonstrates that there are not any existing stormwater issues at the site and that the proposed modifications will not result in any off-site stormwater impacts.
- (6) Phasing or staging of improvements related to an improved site plan.
- (7) A change in use, provided that the desired use is permitted in the zone.
- (8) Other changes to a project which are deemed sufficiently minor in nature by the Land Use Board Engineer and Zoning Officer so as to not require formal approval by the Land Use Board.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>July 8, 2020</i>
<i>PUBLICATION:</i>	<i>July 13, 2020</i>
<i>PASSAGE:</i>	<i>August 12, 2020</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 8, 2020 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 12, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR