

13-012 D

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON
BY AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS**

BE IT ORDAINED by the Borough Council of the Borough of Rumson, County of Monmouth, and State of New Jersey that Chapter XXII, Development Regulations, of the Code of the Borough of Rumson is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to amend certain portions of the Development Regulations to increase certain fees, allow for retail bakeries without seating to be a permitted use, correct the height of the allowed roof elevation on Historic-Barley Point bungalows, and restrict the planting of certain plant species such as invasive bamboo.

Chapter XXII (Development Regulations) of the Code of the Borough of Rumson is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1

Chapter XXII (Development Regulations), Section 22-3 (Administration), Subsection 3.14 (Fees) shall be amended as follows:

22-3 ADMINISTRATION.

22-3.1 Planning Board. through 22-3.13 Copy to be Filed with County Planning Board.

No Change.

22-3.14 Fees.

The developer shall, at the time of filing an application, pay a non-refundable fee to the Borough of Rumson by cash, certified check, or bank draft in accordance with the current fee schedule adopted by the Borough Council on file in the Borough Clerk's Office. The fee to be paid shall be the sum of the fees for the component elements of the plat or plan. Proposals requiring a combination of approvals such as subdivision, site plan, and/or variance, shall pay a fee equal to the sum of the fee for each element. Additional fees may be assessed for extraordinary review costs not otherwise covered by this section. The amount of any fees for an informal review shall be a credit toward fees for review of the application for development. Additional fees may be assessed for extraordinary review costs not otherwise covered by this section as a refundable application escrow fee as specified herein.

- a. *Application for Development (Zoning) Permit:* \$25.00
 - 1. Construction, erection, alteration, repair, remodeling, conversion, removal or destruction of any building or structure. \$50.00
 - 2. Other Activities such as: fences, walls, generators, air conditioning units, etc. \$25.00

- b. *Minor Subdivision Approval:* through bb. *Stormwater Management and Control Fees.*

No Change.

SECTION 2

Chapter XXII (Development Regulations), Section 22-5 (Zoning District Regulations), Subsection 5.11 [Regulations Controlling the General Business Zone District(GB)] and Subsection 5.14 (Regulations Controlling the H-BP Historic-Barley Point Seasonal Residential Zone District) shall be amended as follows:

22-5 ZONING DISTRICT REGULATIONS.

22-5.1 Zoning Map and Schedule. through 22-5.10 Regulations Controlling the Professional Building (POB) Zone District.

No Change.

22-5.11 Regulations Controlling the General Business Zone District (GB).

a. *Permitted Uses.*

1. The following uses are permitted only where frontage and primary access are provided on Bingham Avenue, Center Street or River Road, or on First Street, Lafayette Street or Washington Street north of River Road:

(a) Professional office. through (c) Banks.

No Change.

(d) Retail trade limited to the following:

(1) Paint, glass, and wallpaper stores. through (15) Delicatessen/Prepared food take-out stores.

No Change.

(16) Retail Bakery without seating.

(e) Personal services limited to the following:

(1) Dry cleaners and laundry services. through (14) Tailoring shops.

No Change.

2. No Change.

b. *Required Accessory Uses.* through e. No Change.

22-5.12 Regulations Controlling the Neighborhood Business Zone (NB) District. through

22-5.13 Regulations Controlling the Public Facilities and Open Space (POS) Zone District.

No Change.

22-5.14 Regulations Controlling the H-BP Historic-Barley Point Seasonal Residential Zone District.

a. *Permitted Uses.* through d. *Conditional Uses.* No Change.

e. Zoning requirements, standards and regulations shall be in accordance with the following:

1. through 8. No Change.

9. Building Height. The height of a residential bungalow unit shall not exceed eighteen (18') feet from the finished first floor to the highest point on the roof and the highest point of the roof peak shall not be more than twenty-one (21') ~~(20')~~ feet above the minimum first floor elevation as required by the National Flood Insurance Program (FEMA).

10. through 15. No Change.

22-5.15 Mixed-Use Affordable Housing Overlay Zone. No Change.

SECTION 3

Chapter XXII (Development Regulations), Section 22-8 (Design Guidelines and Standards for Subdivisions and Site Plans), Subsection 8.4 (Design Standards—Landscaping) shall be amended as follows:

22-8 DESIGN GUIDELINES AND STANDARDS FOR SUBDIVISIONS AND SITE PLANS.

22-8.1 Purpose. through 22-8.3 Design Standards—General Site Design.

No Change.

22-8.4 Design Standards—Landscaping.

a. *Purpose.* through b. *Landscape Plan.* No Change.

c. *Site Protection and General Planting Requirements.*

1. *Topsoil Preservation.* through 7. *Planting Specifications.* No Change.

8. *Plant Species.* The plant species selected should be hardy for the particular climatic zone in which the development is located and appropriate in terms of function and size. Plant species shall not include invasive plants such as invasive bamboo and other species regulated by the State of New Jersey.

d. *Street Trees.* through h. *Street Furniture.* No Change.

22-8.5 Design Standards—Recycling and Solid Waste. No Change.

SECTION 4

All Ordinances or parts of Ordinances inconsistent with this Ordinance if held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5

The Borough Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

SECTION 6

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: November 19, 2013.

Passed and Approved:

I hereby approve of the
passing of this ordinance.

John E. Ekdahl,
Mayor

Attest:

Thomas S. Rogers,
Municipal Clerk/Administrator