**ORDINANCE NO. 3 -2017**

**OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY
OF PASSAIC AND STATE OF NEW JERSEY, TO ESTABLISH CHAPTER 69 OF THE BLOOMINGDALE BOROUGH CODE ENTITLED "SITE PLAN REVIEW AND SUBDIVISIONOF LAND", INCLUDING SECTIONS 69-1 THROUGH 69-75 AND THE CORRESPONDING APPENDIX**

**WHEREAS,** the Borough OF Bloomingdale has had certain procedures and guidelines relevant to site plan review and subdivision of land; and

**WHEREAS,** this process should be codified and made part of the Code of the Borough of Bloomingdale; and

**WHEREAS**, the Planning Board and Ordinance Review Committee has evaluated site plan review and subdivision of land policies and procedures; and

**WHEREAS**, it is therefore recommended by the administration that site plan review and subdivision of land as well as corresponding appendix should be codified by the Mayor and Council of the Borough of Bloomingdale.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

 The land use code of the Borough of Bloomingdale which was adopted as Chapter 69 of the Borough of Bloomingdale Code by the Mayor and Council on 1-227-77 as Ordinance number 3-77, amended in its entirety 12-27-79 by Ordinance number 22-79; compiled and republished by the Borough of Bloomingdale is amended through July 19, 2016 is hereby approved, adopted, ordained and enacted as land use legislation for the Borough of Bloomingdale. A summary of Chapter 69 is outlined as follows:

CHAPTER69

SITE PLAN REVIEW AND SUBDIVISION OF LAND

ARTICLE I

General Provisions

§ 69-1.

§ 69-2.

§ 69-3.

§ 69-4.

§ 69-5.

§ 69-6.

§ 69-7.

§ 69-8.

§ 69-9.

§ 69-10.

§ 69-11.

§ 69-12.

§ 69-13.

§ 69-14.

§ 69-15.

§ 69-16.

§ 69-17.

§ 69-18

Purpose. Definitions. Title.

Application for development with Board of Adjustment. Action on subdivision and site plans.

Waiver of notice and hearings. Hearings.

Notice requirements for hearings. List of property owners furnished. Environmental Commission. County Planning Board approval. Decisions.

Publication of decisions. Payment of taxes.

Citizens' Advisory Committee. Site Plan Review Advisory Board. Reserved.

Reserved.

§69-18.1. Informal review of concept plan.

§ 69-18.2. Absent Board members.

69:1

ARTICLE ll

Site Plan Approval Procedures

§69-19. Site plan approval required.

§ 69-20. Approval by Planning Board.

§ 69-21. Approval by Board of Adjustment.

§ 69-22. Hearings required.

ARTICLE III

Site Plan Details

§ 69-23. Site plan details and Checklist.

§ 69-24. Waiver of requirements.

ARTICLE IV

Improvements; Performance Guaranties

§ 69-25.

§ 69-26.

§ 69-27.

§ 69-28.

On-site improvements. Off-tract improvements. Dedication of land.

Performance guaranties for on-tract improvements.

SITE PLAN REVIEW AND SUBDIVISION

ARTICLE V

Site Plan Design Standards

§ 69-29.

§ 69-30.

§ 69-31.

§ 69-32.

§ 69-33.

§ 69-34.

§ 69-35.

§ 69-36.

§ 69-37.

§ 69-38.

Compliance required. General requirements. Traffic circulation. Drainage.

Water supply. Effects on utilities. Landscaping. Garbage and refuse. Outside storage.

Retaining walls.

§ 69-39. Sanitary sewerage facilities.

§ 69-39.1. Facilities for collection or storage of recyclables in multifamily housing developments.

ARTICLE VI

Subdivision Procedures

§ 69-40 . Application to subdivide.

§ 69-41. Waiver of notice of hearing.

§ 69-42. Minor subdivisions.

§ 69-43. Application for minor subdivision approval.

§ 69-44. Application for preliminary major subdivision approval.

§ 69-45. Application for final major subdivision approval.

§ 69-46. Major subdivision approval by Board of Adjustment.

§ 69-47. Issuance of building permits.

ARTICLE VII

Plat Details

§ 69-48. Minor subdivision details and Checklist.

§ 69-49. Preliminary approval of major subdivision details and Checklist.

§ 69-50. Final approval of major subdivision details and Checklist.

ARTICLE Vlll

Improvements

§ 69-51.

§ 69-52.

§ 69-53.

§ 69-54.

§ 69-55.

§ 69-56.

§ 69-57.

§ 69-58.

§ 69-59.

§ 69-60.

§ 69-61.

§ 69-62.

§ 69-63.

§ 69-64.

On tract improvements and guaranties. Contribution for off-tract improvements. Dedication of land.

ARTICLE IX

Design Standards

Compliance required. General regulations.

Streets, sidewalks and curbs. Blocks.

Lots.

Public use and service areas. Streams.

Storms sewers and other drainage structures. Monuments.

Street signs. Topsoil.

SITE PLAN REVIEW AND SUBDIVISION

§ 69-65.

§ 69-66.

§ 69-67.

§ 69-68.

§ 69-69.

Testing and certification. Underground utilities. Streetlighting.

Shade trees.

Sanitary sewers, manholes and appul1cnances.

ARTICLE X Miscellaneous Provisions

§ 69-70. Pending applications.

§ 69-71. Enforcement.

§ 69-72. Tolling of running of period of approval.

ARTICLE XI Repealer

§ 69-73. Repealer.

ARTICLE XII Violations

§ 69-74. Violations and penalty.

§ 69-75. Sale of land before final subdivision approval.

APPENDIX

Checklist A Site Plan or Bulk Variance

Checklist B Minor Subdivision

Checklist C Preliminary Major Subdivision Checklist D Final Major Subdivision Checklist E Use Variance

Checklist F Single-Family Residential Bulk Variance

Ordinance List for Chapter 69

General References: Uniform construction code5-See Ch. XI

Flood hazard areas- See Ch. XXX Land use procedures-See Ch. XXXlll

Drainage-See Ch. XXXI

Soil and soil removal-See Ch. XXXII

Stormwater control See Ch. XXXIA Stormwater management See Ch. XXXI Street acceptances-See Ch. XX

Official Map-See Ch. I

Sidewalk construction-Sec Ch. XX

Zoning-See Ch.92

Zoning Board of Adjustment, abolished-See Ch. XXXIII

(HISTORY: Adopted as Chapter 69 of the Bloomingdale Borough Code by the

Mayor and Borough Councill-27-77 as Ord. No.3-77; amended in its entirety 12-

27-79 by Ord. No. 22-79; compiled and republished by the Borough of Bloomingdale as amended through July 19, 2016. See the Ordinance List in the Chapter Appendix.Subsequent amendments noted where applicable.)

 **BE IT FURTHER RESOLVED**, any part of this ordinance which is inconsistent herewith are repealed as to the extent of such inconsistencies.

**NOTICE**

**NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the 3rd day of January 2017, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on the 21st day of February at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance.**

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**Jane McCarthy, RMC**

**Municipal Clerk**

BOROUGH OF BLOOMINGDALE COUNTY OF PASSAIC

ATTEST: STATE OF NEW JERSEY

By:

Jane McCarthy, Clerk Jonathan Dunleavy, Mayor