

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD AMENDING
THE UNIFIED DEVELOPMENT ORDINANCE OF THE
TOWNSHIP OF DEPTFORD TO REVISE THE BUSINESS
CENTER – 2 ZONING DISTRICT**

WHEREAS, the Township Council of the Township of Deptford, a municipal corporation in the County of Gloucester, State of New Jersey, finds that an amendment to the Unified Development Ordinance of the Township of Deptford to revise the Business Center – 2 zoning district is appropriate and will guide the development of land in the municipality in a manner which will promote the public health, safety, morals, and general welfare pursuant to the purposes of *N.J.S.A. 40:55D-2*; and

WHEREAS, the Planning Board of the Township of Deptford has adopted a Master Plan that comprehensively provides for the appropriate use, regulation and development of lands in the municipality under *N.J.S.A. 40:55D-28*; and

WHEREAS, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; and

WHEREAS, the Planning Board has determined that the revisions and amendments to the Unified Development Ordinance in this ordinance are consistent with relevant policies in the Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the regulations be so amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Deptford, in the County of Gloucester, State of New Jersey, as follows:

Section 1. Section 6, Definitions, of the Unified Development Ordinance of the Township of Deptford shall be revised to add or modify the following definitions:

AMUSEMENT GAMES – As defined in N.J.A.C. 13:3-7.9, as it may be amended or superseded.

HOTEL - A lodging facility containing overnight sleeping accommodation for transient guests for compensation which, 1) contains guest rooms or suites, each having its only access from an interior corridor, 2) contains a public lobby providing guest services 24 hours per day, 3) has full-time on-site management, 4) may contain drinking and eating establishments, shops and other ancillary uses, and 5) contains a minimum of 30 guest rooms.

INN – A lodging facility containing overnight sleeping accommodation for transient guests for compensation which, 1) contains guest rooms or suites, each having its only access from an interior corridor, 2) contains a public lobby, 3) has full-time on-site management, and 4) contains no more than 30 guest rooms.

MOTEL – A lodging facility in a building or a group of buildings containing overnight sleeping accommodation for transient guests for compensation with direct access to the outside without the necessity of passing through a lobby or internal corridor.

PAD SITE – In shopping centers and other planned commercial development, an ancillary building on a plot of land separate from the main or primary building(s) of the development, typically located at the periphery of the tract.

REGIONAL MALL DEVELOPMENT – A type of planned commercial development emphasizing retail sales and services which may contain ancillary non-commercial uses as permitted by ordinance in excess of eight hundred thousand (800,000) sf. of gross leasable area typically with two or more large “anchor” uses, mass merchandising, fashion, and apparel, that serves as a dominant shopping venue within a county.

Section 2. Section 17.1, BC-2 Business Center 2, of the Unified Development Ordinance of the Township of Deptford shall be revised in its entirety to read as follows:

§ 17.1 BC-2 Business Center 2

- A. Purpose. To provide an area in the municipality proximate to the regional highway network for multi-county commercial and mixed-use development with a strong retail component.
- B. Principal Permitted Uses. In the BC-2 district, no lot shall be used, and no structure shall be erected, altered or occupied for any purpose except the following:
 - 1. Child care centers.
 - 2. Eating and drinking places.
 - 3. Entertainment uses, including but not limited to movie theaters, indoor sports and leisure pursuits, performing arts facilities, amusement games and nightclubs.
 - 4. Financial and related service organizations including, but not limited to, banks, credit unions and stockbrokers; real estate agents and insurance agencies.
 - 5. Garden centers.
 - 6. Health care facility, medical, dental, or similar health related clinic including offices for the practice of medicine by more than one doctor and/or medical group for the examination of and/or treatment of persons as out-patients and the laboratories incidental thereto.
 - 7. Health center.
 - 8. Hotels and inns, but not to include motels.
 - 9. Planned office development. Two (2) or more buildings containing uses permitted within this district located on one or more lots; or one or more buildings containing uses located on two (2) or more lots; and designed as a planned development of related structures and uses including the provision of common access and drives, shared parking, a unified architectural and building scheme, a unified signage and graphic plan, and open space layout.

10. Planned commercial development. As above in –9, but including any use in the zoning district that includes at least three principal permitted uses in this zone.
11. Offices for general business, governmental, and professional establishments.
12. Regional mall development.
13. Retail sales and retail services to the general public.
14. Shopping centers.

C. Accessory uses and structures permitted. Any of the following accessory uses and structures shall be permitted when used in conjunction with a principal permitted use:

1. Automobile service stations including facilities for the retail sale of motor fuel for consumption by motor vehicles and convenience goods when provided on the site of an approved planned commercial development or regional mall development.
2. Conference center or rooms, business center, banquet rooms, and recreational facilities such as gyms and swimming pools when used in conjunction with a hotel.
3. Off-street parking lots and parking structures.
4. Garages to house delivery trucks and other commercial vehicles (not including unenclosed parking spaces).
5. Fences, walls and street furniture (see §54 for standards).
6. Signs (see §30 for standards).
7. Management building and sales or rental office.
8. Maintenance building.
9. Accessory uses on the same lot and customarily incidental to the principal use.

D. Conditional uses permitted. The following uses may be permitted when authorized as a conditional use by the board of jurisdiction meeting the criteria following each such use:

1. Colleges, technical, vocational, and business schools, when part of a planned commercial or regional mall development and limited to no more than twenty percent (20%) of the total floor area of the development.
2. Discount stores or clubs when part of a shopping center.
3. Low inventory automotive dealers, subject to the following criteria:
 - a. The use shall be indoor only.

- b. The use is limited to a sales floor to display and sell display and off-site inventory.
- c. The display of inventory shall be limited to twenty-five (25) vehicles.
- d. If located within the common area of the mall shall be so situated to afford interfering with normal pedestrian and mall security traffic.

E. Bulk Standards. The following area, yard, and coverage standards shall apply to uses within the BC-2 District, except for Regional Mall Development. Minimum yard and coverage requirements apply to the tract area.

- 1. Minimum tract size -- five (5) acres (tracts may consist of more than one lot)
- 2. Minimum tract size for planned office or commercial development -- twelve (12) acres
- 3. Minimum lot size -- three (3) acres.
- 4. Minimum frontage -- under fifty (50) acres, three hundred (300) feet; fifty (50) acres or more, five hundred (500) feet.
- 5. Minimum width -- under fifty (50) acres, three hundred (300) feet; fifty (50) acres or more, six hundred (600) feet.
- 6. Minimum depth -- under fifty (50) acres, three hundred (300) feet; fifty (50) acres or more, eight hundred (800) feet.
- 7. Minimum front yard for buildings in excess of forty thousand (40,000) sf. -- under fifty (50) acres, one hundred (100) feet; fifty (50) acres or more, one hundred fifty (150) feet.
- 8. Minimum front yard for buildings of twenty thousand (20,000) sf. or less -- fifty (50) feet.
- 9. Minimum side yard from an existing residential use -- one hundred (100) feet.
- 10. Minimum side yard to any other use -- fifty (50) feet.
- 11. Minimum rear yard to an existing residential use -- one hundred (100) feet.
- 12. Minimum rear yard to any other use -- fifty (50) feet.
- 13. Maximum building height - Three stories and fifty (50) feet, except that hotels located a minimum of three hundred (300) feet from a residential district may be up to six (six) stories and seventy-five (75) feet in height (measured from the closest façade).
- 14. Minimum building-to-building distance -- thirty (30) feet.
- 15. Maximum building coverage: No limitation

- 16. Maximum impervious coverage – under fifty (50) acres, sixty percent (60%); fifty (50) acres or more, seventy-five percent (75).
- 17. Accessory structures shall be subject to the same bulk requirements as principal buildings, with the following exceptions:
 - a. Fencing shall follow the requirements of §54.
 - b. Signs shall follow the requirements of §30.
 - c. Streetscape element shall follow the requirements of §31.M.
 - d. Electric vehicle charging station equipment in parking lots.
 - e. Canopies of motor fuel pumps shall be setback a minimum of thirty (30) feet from the streetline.
 - f. Guardhouses, which shall be setback sufficiently from the right-of-way to accommodate three (3) vehicles.
 - g. Utility structures, subject to the placement requirements of the respective agencies and organizations.

F. Landscaping shall be subject to the requirements of §31.

G. Trip generation. All development shall be designed to limit the allowed uses on the site to no more than the following maximum peak hour trips per acre shall be generated:

Development Tract Size (Acres)	Maximum Trip Ends per Acre ^{1,2,3}
Under 100 acres	27.0
100 acres or more	22.5

¹ - Based upon the most current edition of the ITE Trip Generation Manual for a.m., or p.m. street peak equations, whichever yields the highest overall generation.

² - If the traffic generation information supplied includes information that concludes to the satisfaction of the reviewing agency that a percentage of the peak traffic enters a limited access state or federal highway prior to affecting the level of service at an intersection which contributing roads are local or county rights-of-way, the maximum peak hour trips permitted under this section may be increased by the same percentage.

³ - Acres shall not include undevelopable land (examples: wetlands or 100-year floodplain)

- 1. Pass-by trips shall be excluded for no more than the ITE average for that use.

2. Traffic information shall include impacts on the level of service on adjacent rights-of-way and intersections for the purpose of determining fair share of improvement costs.
 3. If improvements to the existing circulation system are proposed that will ameliorate declines in level of service on adjacent rights-of-way and intersections resulting from the development, increases in the maximum trips up to an additional 10% will be permitted, provided those trips are in the level of service calculations noted above.
- H. General design requirements as required by §37. Owners of regional mall developments may submit and be approved for a coordinated sign package applying to all uses with the tract that deviates from the requirements of §30 provided the board of jurisdiction finds that it meets the purpose of promoting a desirable visual environment with good civic design and arrangement, without the need for individual variance or design exception relief.
- I. Bulk Standards for Regional Mall Development. The following area, yard, and coverage standards shall apply to uses within a regional mall development. Minimum yard and coverage requirements apply to the tract area.
1. Minimum tract size. Ninety (90) acres (tracts may consist of more than one lot).
 2. Minimum lot size – Eight (8) acres, except where the regional mall development includes a primary building and connected or immediately adjacent structures containing at least eight hundred thousand (800,000) sf. of gross leasable area, pad sites of a minimum one-half (0.5) acre shall be permitted by subdivision. .
 3. Minimum frontage – Five hundred (500) feet on an arterial road identified in the master plan.
 4. Minimum width – Six hundred (600) feet.
 5. Minimum depth – Eight hundred (800) feet.
 6. Minimum front yard for principal buildings and pad site buildings.
 - a. For buildings in excess of sixty thousand (60,000) sf. - One hundred fifty (150) feet.
 - b. For buildings of sixty thousand (60,000) sf. or less to twenty thousand (20,000) sf. – One hundred feet, except that a hotel may be located to within seventy-five (75) feet of the front property line.
 - c. For buildings less than twenty thousand (20,000) sf. to eight thousand five hundred (8,500) sf. – Twenty-five (25) feet.

- d. For buildings less than eight thousand five hundred (8,500) sf. – Fifteen (15) feet, provided that the front façade of the building facing a public street is integrated into the streetscape design requirements for color and material(s).
 7. Minimum side yard – Fifty (50) feet.
 8. Minimum rear yard – Fifty (50) feet.
 9. Maximum building height: Three stories and fifty (50) feet, except that hotels located a minimum of three hundred (300) feet from a residential district may be up to six stories and 75 feet in height (measured from the closest façade).
 10. Minimum building-to-building distance:
 - a. Where the buildings are separated by a driveway: Thirty (30) feet.
 - b. Where the buildings are separated by a public pedestrian way: Fifteen (15) feet.
 - c. Any other condition: As required by the fire code.
 11. Maximum building coverage - No limitation
 12. Maximum impervious coverage – under ninety (90) acres, sixty percent (60%); ninety (90) acres or more, seventy-five percent (75%).
 13. Accessory structures shall be subject to the same bulk requirements as principal buildings, with the following exceptions:
 - a. Fencing shall follow the requirements of §54.
 - b. Signs shall follow the requirements of §30.
 - c. Streetscape element shall follow the requirements of §31.M.
 - d. Electric vehicle charging station equipment in parking lots.
 - e. Canopies of motor fuel pumps shall be setback a minimum of thirty (30) feet from the streetline.
 - f. Guardhouses, which shall be setback sufficiently from the right-of-way to accommodate three (3) vehicles.
 - g. Utility structures, subject to the placement requirements of the respective agencies and organizations.
- J. Landscaping shall be subject to the requirements of §31.

Section 3. Repealer. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

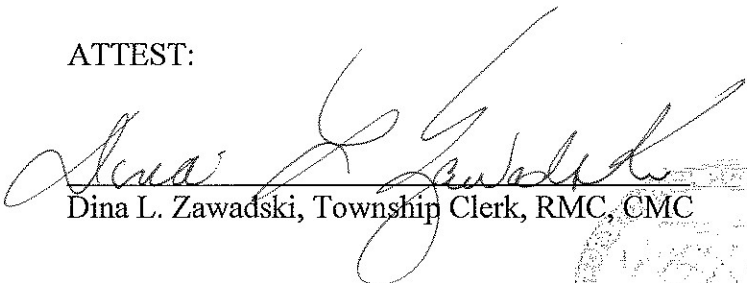
Section 4. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance, the provision which imposes the greater restriction or limitation shall control.

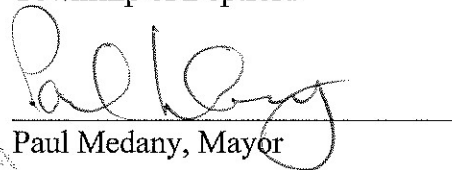
Section 5. Severability. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The governing body of the Township of Deptford declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

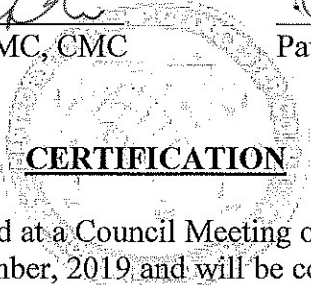
Section 6. Effective Date. This Ordinance shall take effect immediately upon passage, transmittal to the Gloucester County Planning Board, and publication according to law.

ATTEST:

Township of Deptford

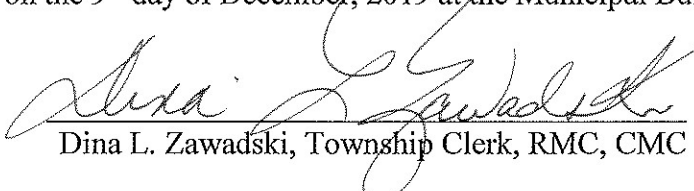

 Dina L. Zawadski, Township Clerk, RMC, CMC


 Paul Medany, Mayor



CERTIFICATION

The foregoing Ordinance was introduced at a Council Meeting of Township Council of the Township of Deptford held on the 18th day of November, 2019 and will be considered for final passage and adoption at a Council Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 9th day of December, 2019 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.


 Dina L. Zawadski, Township Clerk, RMC, CMC

RECORD OF VOTE – Introduction O.16.19					RECORD OF VOTE – Adoption O.16.19				
Council Member	Yes	No	Abstain	Absent	Council Member	Yes	No	Abstain	Absent
Medany	✓				Medany	✓			
Hufnell	✓				Hufnell	✓			
Barnshaw	✓				Barnshaw	✓			
Lamb	✓				Lamb				✓
Love	✓				Love	✓			
Schocklin	✓				Schocklin	✓			
Scott				✓	Scott				✓