

TOWNSHIP OF DEPTFORD

COUNTY OF GLOUCESTER, STATE OF NEW JERSEY

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**AN ORDINANCE OF THE TOWNSHIP OF DEPTFORD
IN GLOUCESTER COUNTY, NEW JERSEY,
AMENDING SECTIONS 8, 9 AND 62 OF THE
UNIFIED DEVELOPMENT ORDINANCE OF THE
TOWNSHIP OF DEPTFORD TO ELIMINATE THE
CLUSTERING PROVISIONS IN THE R-40 AND R-20
DISTRICTS AND THE RESIDENTIAL OPEN SPACE
ENHANCEMENT STANDARDS**

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., confers power to a municipality to regulate the use of lands within the jurisdiction of Deptford Township; and

WHEREAS, the Deptford Township Council desires to reduce the intensity of future development within the R-40 and R-20 zoning districts while preserving environmentally sensitive lands pursuant to zoning districts established in the Unified Development Ordinance; and

WHEREAS, the Planning Board of the Township of Deptford has adopted an amendment of the Land Use Plan Element of the Master Plan, pursuant to the notice and public hearing requirements of N.J.S.A. 40:55D-13 and -28 on March 8, 2006; and

WHEREAS, the Planning Board has reviewed the ordinance and found it to be consistent with the intent and purpose of the Master Plan amendment; and

WHEREAS, it has been determined by Deptford Township Council that, as applied, the "Cluster" provisions of the R-40 and R-20 districts fail to fulfill the intent of the Master Plan to provide for the preservation of environmentally sensitive lands, the creation of recreation facilities on lands suited for that purpose and the appropriate location and relationship of residential development to such open space lands; and

WHEREAS, it has been determined by Deptford Township Council that the repeal of "Cluster Development" as a permitted use in the R-40 and R-20 zoning districts would effectuate the intent and purpose of the goals and objectives of the Master Plan of the Township of Deptford; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Deptford that the Unified Development Ordinance (UDO) is hereby amended as follows:

Section I, Article III entitled, "Zoning Districts", subsection 8, entitled, "R-40 Low Density Residential District" is hereby amended by deleting subsection D entitled "Cluster Development" in its entirety.

Section II, Article III entitled, "Zoning Districts", subsection 9, entitled, "R-20 Medium Density Residential District" is hereby amended by deleting subsection D entitled "Cluster Development" in its entirety.

Section III, Article VI entitled, "Conditional Uses", subsection 62, entitled "Residential Open Space Enhancement" is hereby deleted in its entirety.

Section IV, the Township Council of the Township of Deptford hereby directs the Planning Board to prepare for the Council for its review and possible adoption such additional provisions of the Unified Development Ordinance as will effectuate provisions for the preservation of environmentally sensitive lands and open space, the establishment of recreational facilities as are necessary and prudent for the public health, safety and welfare associated with future residential development, and the appropriate relationship between such development and recreational facilities.

Section V. If any sections or provisions of this Ordinance shall be ruled invalid, such ruling shall apply only to the section or provisions ruled invalid and the remainder of this Ordinance shall be deemed valid in full force and effect.

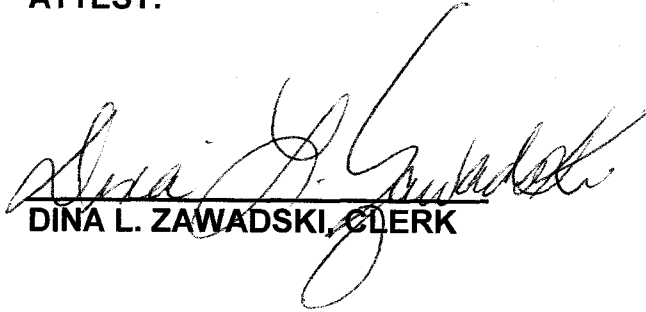
Section VI. This Ordinance shall take effect twenty (20) days after final passage and publication pursuant to N.J.S.A. 40:69A-181 and notice to the Gloucester County Planning Board within thirty (30) days pursuant to N.J.S.A. 40:55D-15b.

TOWNSHIP OF DEPTFORD

BY: 

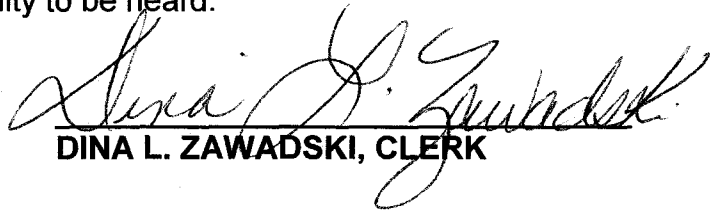
PAUL MEDANY, MAYOR

ATTEST:


DINA L. ZAWADSKI, CLERK

CERTIFICATION

The above Amended Ordinance was introduced and passed upon first reading at a meeting of the Township Council of the Township of Deptford held on the 3rd day of *April*, 2006 and will be taken up for final consideration and passage at the Regular Meeting of Mayor and Council of the Township of Deptford to be held at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey, Gloucester County, on the 1st day of *MAY*, 2006 at 7:00 P.M. or as soon thereafter as the matter can be reached at which time any person interested shall be given an opportunity to be heard.


DINA L. ZAWADSKI, CLERK