

**BOROUGH OF PALMYRA
ORDINANCE 2022-04**

**AN ORDINANCE AMENDING THE BOROUGH OF PALMYRA LAND DEVELOPMENT CODE
SECTION 158-27(B) AND THE ROUTE 73 SOUTH REDEVELOPMENT PLAN
TO PERMIT ADMINISTRATIVE REVIEW AND APPROVAL OF MINOR MODIFICATIONS AND/OR
FIELD CHANGES RELATING TO PREVIOUSLY APPROVED SITE PLANS**

WHEREAS, the governing body of the Borough of Palmyra (“Governing Body”) adopted Section 158-27(B) of the Land Use Development Code setting forth the categories of development which require site plan approval; and

WHEREAS, the Governing Body adopted the Route 73 South Redevelopment Plan, along with subsequent revisions setting forth the categories of redevelopment which require site plan approval within the Route 73 South Redevelopment Area; and

WHEREAS, it has come to the attention of the Governing Body that it would be prudent to allow for certain types of modifications to previously approved site plans, as hereinafter designated, to be the subject of applications to the Land Use Board Engineer, with the consultation and approval of the Borough Administrator, for administrative approval so as to expedite the development and redevelopment process and conserve resources of the Governing Body, Land Use Board and developers in certain situations which do not otherwise require full site plan review by the Land Use Board because of the limited nature of the proposed changes to previously approved plans; and

WHEREAS, the Governing Body adopted Ordinance 2021-05 which permitted certain revisions to previously-approved Site Plans to be approved administratively without return to the Land Use Board; and

WHEREAS, the Governing Body adopted Ordinance 2021-14 which made certain revisions to Ordinance 2021-05; and

WHEREAS, the Governing Body has determined to further amend Ordinance 2021-05 and 2021-14 to delineate the procedure for obtaining administrative review of previously-approved Site Plans.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Palmyra in the County of Burlington and State of New Jersey as follows:

1. All of the Paragraphs set forth above as recitals are incorporated herein and made a part hereof, and Ordinance 2021-05 and 2021-14 be and are amended to read as follows:

2. **Administrative Approval** – the Engineer for the Palmyra Land Use Board, in consultation with and approval of the Borough Administrator, shall be and is hereby authorized to grant administrative approval with respect to applications for development and redevelopment with respect to the following:

A. Modifications or Alterations to site plans, buildings or structures which have previously received site plan approval from the Land Use Board where the Engineer for the Land Use Board, in his or her sole discretion, determines that such alterations or modifications are minor in nature and do not implicate concerns of aesthetics, circulation, grading, drainage or other issues of concern to the Land Use Board, and:

- (i) Will conform to the bulk standards set forth in the Land Development Code or Redevelopment Plan, as amended; and
- (ii) Will not decrease the number of off-street parking or loading spaces below the number of parking or loading spaces otherwise required by the applicable provisions of the redevelopment plan or zoning ordinance, as applicable.
- (iii) Involves building addition to nonresidential use of 1,000 square feet or 15% of total existing / approved floor area, whichever is less.
- (iv) Will not result in an increase in lot coverage; or
- (v) Other changes to the site plan or project which the Land Use Board Engineer in his or her sole discretion deem sufficiently minor in nature so as not to require review by the Land Use Board.

B. The application is one which seeks approval to phase a previously approved site plan. Minor modifications to the previously approved site plan shall be permitted as part of the phasing plan provided that no such modifications shall result in a violation of any of the bulk criteria set forth in the Land Use Ordinance or Route 73 South Redevelopment Plan, as amended, and each constituent phase for which approval is sought shall provide sufficient supportive infrastructure such as, without limitation, parking, loading, driveways, onsite circulation, stormwater management and any other infrastructure which in the reasonable opinion of the Land Use Board Engineer is necessary to support that constituent phase of development.

C. All Administrative Approvals obtained through the procedures set forth in this Ordinance shall be documented by a site plan or plans setting forth such revisions signed and sealed by a licensed

engineer or architect, and signed by both the Palmyra Land Use Board Engineer and Borough Administrator, and no Administrative Approvals shall be valid without the signatures of both the Palmyra Land Use Board Engineer and the Borough Administrator.

3. The Governing Body is adopting this ordinance in an effort to expedite the approval of minor changes to approved site plans.

4. Applicants requesting administrative review for minor revisions and/or additions to a site plan shall be required to submit a site plan application. This application shall be limited to the changes proposed and shall provide sufficient information to fully describe the changes proposed. The Land Use Board Engineer shall determine if an administrative remedy is appropriate for each particular case and shall be empowered, in consultation with and the approval of the Borough Administrator, to grant approval in lieu of Land Use Board action, if the application falls within the above criteria. The filing fee for any application for administrative approval shall be identical to the site plan application fee and the required escrow deposit shall be identical to the escrow that would be required for the project as if it were the subject of a site plan application to the Land Use Board.

All other ordinances or prior portions of the Land Development Code and Route 73 South Redevelopment Plan in conflict or inconsistent with this ordinance are hereby modified to the extent of such conflict or inconsistency.

This ordinance shall take effect immediately upon final passage and publication according to law.

Approved for introduction at the regular meeting of the Borough of Palmyra Mayor and Council on **March 7, 2022** Public Notice of the second reading and public hearing was published in the Burlington County Times on **March 11, 2022**. Public Notice and second reading will be held **April 4, 2022**.

RECORDED VOTE	MOTION	SECOND	INFAVOR	AGAINST	ABSTAIN	ABSENT
MR. ALLMOND			x			
DR. CLOUD			x			
MRS. JENKINS						x
MRS. MCCANN			x			
MRS. RUSSELL	x		x			
PRESIDENT HOWARD		x	x			

MAYOR GINA RAGOMO TAIT						
---------------------------	--	--	--	--	--	--

Approved for final adoption at the Council Caucus meeting of the Borough of Palmyra Mayor and Council on **April 4, 2022** after a public hearing was held. Public Notice was given for the public hearing by being published in the Burlington County Times on March 11, 2022.

RECORDED VOTE	MOTION	SECOND	INFAVOR	AGAINST	ABSTAIN	ABSENT
MR. ALLMOND						X
MRS. CLOUD			X			
MS. LATIMORE					X	
MRS. MCCANN			X			
MRS. RUSSELL	X		X			
PRESIDENT HOWARD		X	X			
MAYOR GINA RAGOMO TAIT						

DATE OF FINAL PUBLICATION: April 7th, 2022

ATTEST:

Doretha Jackson
Municipal Clerk




SIGNED:

Gina Ragomo Tait
Mayor

