



ATLANTIC COUNTY **LAND DEVELOPMENT STANDARDS**

May 2020

ATLANTIC COUNTY LAND DEVELOPMENT STANDARDS

Adopted by the
Atlantic County Board of Chosen Freeholders
On

by
Atlantic County Ordinance No. _-____

Supersedes
The June 2002 Atlantic County Land Development Standards



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CHAPTER 100

TITLE, PURPOSE AND ADMINISTRATION



101. Short Title

This Ordinance shall be known and may be cited as the:

Atlantic County Land Development Standards (ACLDS)

102. Purpose

The purpose of this Ordinance is to:

1. Provide procedures, rules, regulations and standards for review and approval of land development applications in Atlantic County pursuant to the County Planning Act, N.J.S.A. 40: 27-1 et seq. and the Pinelands Protection Act, N.J.S.A. 13: 18A-1 et seq. and regulations promulgated thereunder.
2. Coordinate the review of land development applications with various State, regional, County and municipal regulatory bodies to ensure a comprehensive, coordinated and efficient review process.
3. Provide standards to ensure that land development throughout the County proceeds in accordance with the goals and policies of the County Master Plan and other adopted County Plans.
4. Institute standards for assessing an applicant a fair share of the cost of improvements required by the land development.

103. Administration

Pursuant to N.J.S.A. 40: 41A, the Optional County Charter Law and N.J.S.A. 40: 27-1 et seq. the County Planning Act made applicable by the Code of Atlantic County, N.J., Chapter 4-59 and this Ordinance, the Atlantic County Office of Policy, Planning and Economic Development has authority to render decisions on all applications for land development. Nonetheless and pursuant to N.J.S.A. 40: 27-6.8, the Atlantic County Office of Policy, Planning and Economic Development vests this power, with regard to site plan and subdivision applications, with the Development Review Committee of the Atlantic County Planning Advisory Board.

104. Language

1. The words "shall" and "must" are mandatory and not discretionary.
2. The words "should" and "may" are discretionary and not mandatory.
3. Words used in the singular shall include the plural and the plural shall include the singular; words used in the present tense shall include the future tense.
4. All references to the County herein shall refer to the County of Atlantic.
5. All references to Regional Planning herein shall refer to the Atlantic County Department of Regional Planning and Development.



105. Repeal of Conflicting Resolutions and Ordinances

All Resolutions or Ordinances, or parts of Resolutions or Ordinances, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

106. Validity

If any provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of this Ordinance as a whole or of any provisions hereof other than that which is specifically held to be invalid or unconstitutional.



CHAPTER 200

DEFINITIONS



201. Definitions

The following definitions shall be used to clarify the terms of this Ordinance.

Adequate Drainage Facility: The requirement of providing adequate drainage facilities and easements in accordance with the County Land Development Standards when a site plan or subdivision application will cause storm water to drain either directly or indirectly to a county road or through any drainage-way, structure, pipe, culvert or facility for which the county is responsible for the construction, maintenance or proper functioning.

Adverse Drainage Condition: The inadequacy of drainage facilities or drainage easements involving the movement of storm or surface water whether leading to, from, along and/or through a County road or drainage facility which will:

1. cause an increase in discharge from a county drainage facility; or
2. cause either flooding, erosion, silting or other damaging effect to a County road or drainage facility; or
3. cause damage to private property; or
4. cause the unsafe movement of vehicles and pedestrians

Affecting a County Drainage Facility: As determined by the County Engineer and in accordance with the Atlantic County Land Development Standards, a subdivision or site plan application that will cause storm water to drain either directly or indirectly to a county road or through any drainage-way structure, pipe, culvert or facility for which the county is responsible for the construction, maintenance or proper functioning.

Agricultural Use: The use of land for common farmsite activities, including but not limited to: production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, drainage and water management and grazing.

Applicant: The legal owner of record of the property or other individual, firm, syndicate, partnership or corporation having a proprietary interest to commence and maintain proceedings for site plan or subdivision review pursuant to municipal ordinance and this Ordinance.

If the applicant is not the owner, then a written consent to the land development application, from the owner of record, shall be provided to the County.

Area of Special Flood Hazard: Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone V, VE, V1-30, A, AO, A1 A30, AE, A99, or AH.

As-Built Plan: A plan prepared by a NJ Licensed Professional Engineer, certifying the locations, dimensions, elevations and capacities of roadway and drainage structures or facilities. The plan shall be



supplemented with a written report, which certifies that the improvements have been constructed in accordance with the standards and criteria established in the ACLDS and the DRC approved subdivision or site plan.

Auxiliary Lane: The portion of roadway adjoining the traveled way intended for speed change, storage, weaving and for other purposes supplementary to through traffic movement. Auxiliary lanes include but are not limited to:

- **Acceleration Lane:** An auxiliary lane including tapered areas, primarily for the acceleration of vehicles entering the through traffic lanes.
- **Deceleration Lane:** An auxiliary lane including tapered areas, primarily for the deceleration of vehicles leaving the through traffic lanes

Barrier-Free Design: To require access to all buildings, including their associated sites and facilities, for people with disabilities in accordance with the NJ Barrier Free Subcode N.J.A.C 5:23-7.

Base Flood: A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For zones VE and V1-30 the elevation represents the still water elevation (SWEL) plus wave effect ($BFE = SWEL + \text{wave effect}$) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Bicycle Lane: A portion of a roadway which has been designated by striping, signing and pavement markings for the preferential or exclusive use of bicyclists.

Bicycle Path: A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.

Bridge: Any structure, including supports, erected over a depression or an obstruction, such as water, highway or railway, and having a track or passageway for carrying traffic or other moving loads and having a length measured along the center of the structure of more than 20 feet.

Cartway: The actual road surface area from curblines which may include travel lanes, parking lanes and deceleration and acceleration lanes. Where there are no curbs, the cartway is that the portion between the edges of the paved or hard surface.

Clearing: Any activity which removes the vegetative surface cover including the stripping, grubbing and storage or removal of topsoil.

Coastal A Zone: The portion of the Special Flood Hazard Area (SFHA) starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V



Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coastal A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones is to be regulated the same as V Zones/Coastal High Hazard Areas.

Complete Application: An application for land development which includes all of the information and accompanying documents identified in the Administrative Complete for Review Checklist and the Minor Subdivision, Major Subdivision or Site Plan Technical Checklists

Conditional Approval: An approval of a site plan or subdivision which must meet conditions, as identified by the Development Review Committee (DRC), prior to receiving final approval.

County: The County of Atlantic, New Jersey.

County Master Plan: A composite of the written goals and policies for the physical development of the County, with the accompanying maps and descriptive and explanatory matter as prepared by Regional Planning with the advice and consultation of the County Planning Advisory Board and adopted by the County Board of Chosen Freeholders.

County Planning Act: The New Jersey County Planning Act, which is set forth at N.J.S.A. 40:27-6.1 et seq., as amended.

County Right of Way or Road Easement: An easement to the County of Atlantic of an interest of land for the purpose of installation of utilities; construction, reconstruction, widening or improving a County road, including the repair and maintenance of the County road and construction, reconstruction or alterations of facilities related to the safety, convenience or carrying capacity of the County road system or drainage facilities or for the purposes of maintaining a clear site area.

County Road System Functional Classification: The levels of classification for the County Road System are as follows:

- **Arterial Roads:** Serve to connect the collector system with County collector routes. These roads are intended for mobility (ie., moving traffic at relatively high speeds over long distances from one region to another).
- **Collector Roads:** Serve to connect the arterial system with the County minor collector and local municipal roads.
- **Minor Collector Roads:** Provide access to land uses and serve as connectors between the collector and municipal road system.

Cross Section: A diagram of the vertical cut through a road showing the median pavement, cross slope, number of traffic bearing lanes, sidewalks, curbs and roadsides.



Culvert: A closed or open conduit designed for the purpose of conveying an open channel watercourse under a road, highway, pedestrian walk, railroad embankment or other type of overhead system and having a clear span of (20) feet or less.

Curb Line: A line, whether curbing exists or not, which is the edge of the pavement or shoulder.

Curb Cut: The opening along the curb line at which point vehicles may enter or leave the roadway.

Curb Ramp: A ramp cutting through a curb which is designed and constructed to provide an accessible route for people with disabilities to safely transition from a roadway to a curbed sidewalk and vice versa.

Curb Return: Curbing along the radius of a road or driveway opening which extends from a point tangent to the adjacent traveled lane, paved shoulder or acceleration or deceleration lane to a point tangent to the road or driveway lane.

Development: Any and all subdivisions of land; the construction, conversion, structural alteration, relocation or enlargement of any building or other structure; any mining, excavation or landfilling; any use or change of use of any building or structure including the change of use of any land or extension of use of land.

Development Review Committee (DRC): The Committee established by the code of Atlantic County, consisting of the County Planning Director or, official alternate, the County Engineer or official alternate, and three (3) members of the Atlantic County Planning Advisory Board (PAB) appointed by the Chairperson who will review subdivision and site plan applications on behalf of the PAB in administering the provisions of this Ordinance and as further defined by the Code of Atlantic County.

Drainage Area: The on-site and off-site areas contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridge line.

Drainage Covenant: A written agreement, signed by the land owner, which states that responsibility for operating and maintaining a drainage facility will remain with the land owner and pass on to any successive owner.

Drainage Easement: The land required along a natural stream or water course upon which structures may not be erected and the County is given ingress and egress for the preservation of the channel and floodway and providing for the flow therein or the land required for the installation and maintenance of storm water sewers or drainage areas to safeguard the public against flood damage.

Driveway: A paved or unpaved area used for ingress or egress by vehicles from a street, road or alley to gain access to the interior of a lot or parcel of land, a building or other structure or facility.

Easement: A non-possessing limited use of private land for a specific public or quasi-public purpose.

Exemption, Letter of: A letter issued by the Atlantic County Department of Regional Planning and Development which identifies that the County Engineer, County Planner and their staff has determined



that a site plan meets the requirements of exemption from County review in accordance with the County Planning Enabling Act (40:27-6.6)

Favorable Review: The official action taken by the County on a subdivision or site plan application which identifies that application is not located along a County road and does not impact a County road or drainage facility.

Final Approval: The official action DRC taken by the County on a subdivision or site plan application after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees have been properly posted for their completion including the payment of all required fees and monetary contributions.

Final Plat: The final map and design plan of all or a portion of a subdivision, meeting all the standards and regulations of this Ordinance and the conditions established by the Development Review Committee and the Municipal Approval Authority. Plats which are to be filed with the County Clerk must comply with the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing)

Floodplain: An area consisting of the floodway and the floodway fringe. The floodway shall mean the channel of a watercourse and those areas adjoining the channel which are reasonably required to carry and discharge the floodwaters of any watercourse. Floodway fringe shall mean the area adjoining the floodway which has been or may hereafter be covered by floodwater.

Highway Occupancy Permit: The permit issued by the County Engineer in accordance with current County excavation ordinances or regulations to allow one or more driveways entering on a County road, or the construction of sidewalk, curbing, drainage, utilities or any other related work within the limits of the County right-of-way. (Code of Atlantic County N.J., as revised)

Impervious Surface: A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Infiltration: The passage of water into soil material or other permeable surfaces.

Irrevocable Letter of Credit: An agreement by a bank or other institution made at the request of an applicant and of a kind within the scope of N.J.S.A. 12A: 5-102 that the issuer will honor drafts or other demands for payment upon compliance with conditions specified in the letter of credit. Letter of credits must be irrevocable and in a form which is acceptable to County Counsel.

Lot: A designated parcel, tract or portion of land legally separated from other parcels or portions by description, such as on a subdivision plat, municipal tax map, record of survey maps or metes and bounds description.

Maintenance Guarantee: A security which is deemed acceptable by County Counsel and in an amount acceptable to County Engineer to assure that required improvements will function as designed for a period of two (2) years after date of release of a performance guarantee.

Major Subdivision: A subdivision of land that creates three (3) lots or more, excluding the remainder parcel of the original lot, or requires a new street.



Minor Subdivision: A subdivision of land not classified as a major subdivision.

Municipal Approval Authority: Any municipal official, department, agency or other body having the power of approval of land development applications.

Official County Map: The map as adopted and amended by ordinance of the Board of Chosen Freeholders, pursuant to N.J.S.A. 40: 27-5.

On-Tract Improvements: Improvements to County roads or drainage facilities, located within the property that is the subject of a development application, or within a contiguous portion of a street or other right-of-way.

Off-Tract Improvements: Improvements to County roads or drainage facilities not located on the property that is the subject of the development application nor on a contiguous portion of a street or other right-of-way.

Performance Guarantee: A security which is deemed acceptable by County Counsel and in an amount approved by the County Engineer, to insure the construction of improvements as required by the Development Review Committee.

Pinelands Application: Any application, filed with any permitting agency, for any approval, authorization or permit which is a prerequisite to initiating development in the Pinelands Area, except for an application for approval, authorization or permit for:

- A. The improvement, expansion or reconstruction within five (5) years of destruction or demolition of any single-family dwelling unit or appurtenance thereto;
- B. The improvement, expansion, construction or reconstruction of any structure accessory to a single-family dwelling;
- C. The improvement, expansion, construction or reconstruction of a structure used exclusively for agricultural or horticultural purposes;
- D. The construction, repair or removal of any sign except for the construction or replacement of any off-site commercial advertising sign;
- E. The repair of existing utility distribution lines;
- F. The installation of utility distribution lines, except for sewage lines, to serve areas which are effectively developed or development which has received all necessary approvals and permits;
- G. The clearing of less than 1500 square feet of land;
- H. The construction of any addition or accessory structure for any non-residential use or any multi-family residential structure, provided that:



- a. If the addition or structure will be located on or below an existing impervious surface, either the existing use is served by public sewers or the addition or structure will generate no wastewater flows, and said addition will cover an area of no more than 4,999 square feet; and
 - b. If the addition or structure will not be located on or below an impervious surface, said addition or structure will generate no wastewater flows and will cover an area of no more than 1,000 square feet.
- I. The demolition of any structure that is less than 50 years old.
 - J. The repair or replacement of any existing on-site waste water disposal system;
 - K. The repaving of existing paved roads and other paved surfaces, provided no increase in the paved width of said roads and surfaces will occur;
 - L. The clearing of land solely for agricultural or horticultural purposes;
 - M. Fences, provided no more than 1,500 square feet of land is to be cleared;
 - N. Above ground telephone equipment cabinets;
 - O. Tree pruning;
 - P. The following forestry activities:
 - a. Normal and customary forestry practices on residentially improved parcels of land that are five (5) acres or less in size; and
 - b. Tree harvesting, provided that no more than one cord of wood per five (5) acres of land is harvested in any one year and that no more than five (5) cords of wood are harvested from the entire parcel in any one year; and
 - c. Tree planting, provided that the area to be planted does not exceed five (5) acres in any one year, no soil disturbance occurs other than that caused by the planting activity, and no trees other than those authorized by N.J.A.C. 7:50-6.25 are to be planted; and
 - d. Forest stand improvement designed to selectively thin trees and brush, provided that no clearing or soil disturbance occurs and that the total land area on the parcel in which the activity occurs does not exceed five (5) acres in any one (1) year;
 - Q. Prescribed burning and the clearing and maintaining of fire breaks;
 - R. Normal and customary landscape plantings, unless a landscaping plan is required pursuant to N.J.A.C 7:50-6.24.
 - R. Agricultural resource extraction, provided that:



- a. All of the removed soil remains in agricultural or horticultural use within the Pinelands Area;
- b. No more than 2,000 cubic yards of soil per calendar year are removed from any parcel; or
- c. No more than 20,000 cubic yards of soil per calendar year are removed from any parcel and a Farm Conservation Plan, designed in accordance with the United States Department of Agriculture, Natural Resources Conservation Service New Jersey Field Office technical Guide, Section 4, dated May 2001, incorporated herein by reference, as amended and supplemented, is approved by the Soil Conservation District and submitted to the Pinelands Commission by the owner of the parcel, demonstrating that the proposed resource extraction is for one of the following agricultural purposes:
 - i. Agricultural irrigation ponds;
 - ii. Blueberry/cranberry agriculture site preparation and horticulture of other wetland species, provided the activity is located on wetland soils or soil types that are somewhat poorly drained or moderately drained with a seasonal high water table within 24 inches of the natural surface of the ground, as defined in the applicable county soil survey, published by the United States Department of Agriculture, Natural Resources Conservation Service, as amended and or supplemented; or
 - iii. The offsite removal of underlying soils to access underlying sand for cranberry management practices, provided that the quantity of overlying soil removed offsite does not exceed the quantity of underlying sand to be used for the management practices listed in N.J.A.C. 7:50-6.55(a)4 and the quantity of overlying soil removed offsite does not exceed that reasonably necessary to provide access to underlying sand to be utilized within a three year period.
- S. The installation of an accessory solar energy facility on an existing structure or impervious surface;
- T. The installation of a local communications facilities antenna on an existing communications or other suitable structure, provided such antenna is not inconsistent with any comprehensive plan for local communications facilities approved by the Commission pursuant to N.J.A.C. 7:50-5.4(c)6;
- U. The establishment of a home occupation within an existing dwelling unit or structure accessory thereto, provided no additional development is proposed;
- V. The change of one nonresidential use to another nonresidential use, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.
- W. The exceptions contained in A through W above shall not apply to any historic resources designated by the Pinelands Commission pursuant to N.J.A.C. 7:50-6.15.
- X. Nothing herein shall preclude any county or state agency from reviewing, in accordance with the provisions of any applicable ordinance or regulation, any proposed development which does not



require an application to the Pinelands Commission pursuant to A through W above.

Pinelands Commission: The Pinelands Commission created pursuant to Section 5 of the Pinelands Protection Act.

Pinelands Certificate of Filing: A certificate issued by the Pinelands Commission that a complete application for development has been filed in a certified municipality pursuant to N.J.A.C. 7: 50-4.34 and 4.82.

Pinelands Certificate of Completeness: A certificate issued by the Pinelands Commission which is a prerequisite to the commencement of any development within the jurisdiction of a municipality with an uncertified master plan or land use ordinance (see N.J.A.C. 7: 50-4.11 through 4.27). This document shall be entitled Certificate of Non-Completeness when the proposed development is not consistent with the requirements of the Comprehensive Management Plan.

Pinelands Certified Municipal Plan or Land Use Ordinance: Any municipal master plan or land use ordinance certified by the Pinelands Commission pursuant to N.J.A.C. 7: 50-3, Part IV as being in conformance with the minimum standards of the Pinelands Comprehensive Management Plan.

Pinelands Comprehensive Management Plan: The Comprehensive Management Plan adopted by the Pinelands Commission pursuant to Section 7 of the Pinelands Protection Act as amended.

Pinelands Development: The change or enlargement of any use, or disturbance of any land, the performance of any building or mining operation, the division of land into two or more parcels and the location or termination of rights or access or riparian rights including, but not limited to:

- A. A change in type of use of a structure or land;
- B. A reconstruction, alteration of the size or material change in the external appearance of a structure or land;
- C. A material increase in the intensity of use of land, such as an increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure or on land;
- D. Commencement of resource extraction, drilling or excavation on a parcel of land;
- E. Commencement of forest activities.
- F. Demolition of a structure or removal of trees;
- G. Deposit of refuse, solid or liquid waste or fill on a parcel of land;
- H. In connection with the use of land, the making of any material change in noise levels, thermal conditions or emissions of waste material; and



- I. Alteration, either physically or chemically, of a shore, bank or flood plain, seacoast, river, stream, lake, pond, wetlands or artificial body of water.

Pinelands Development Approval: Any approval granted by the Commission pursuant to N.J.A.C. 7: 50-4, Part II or Part IV.

Pinelands Development, Major: Any division of land into five or more lots; any construction or expansion of any housing development of five or more dwelling units; any construction or expansion of any commercial or industrial use or structure on a site of more than three acres; or any grading, clearing or disturbance of an area in excess of 5,000 square feet.

Pinelands Development, Minor: All development other than major development.

Pinelands Area: That area of Atlantic County designated as such by Section 10(a) of the Pinelands Protection Act.

Pinelands Protection Act: N.J.S.A. 13: 18A-1, et seq.

Pinelands Preservation Area: That area so designated by Section 10(b) of the Pinelands Protection Act.

Pinelands Protection Area: All land within the Pinelands Area of Atlantic County which is not included in the Preservation Area.

Pinelands Interim Rules and Regulations: The regulations adopted by the Pinelands Commission pursuant to the Pinelands Protection Act to govern the review of applications from the adoption of the regulations until the Comprehensive Management Plan took effect on January 14, 1981. These regulations were formerly codified as N.J.A.C. 7: 1G-1 et seq.

Pinelands Development Review Board: The agency responsible from February 8, 1979 until June 28, 1979 for the review of the actions on applications for development in the Pinelands Area which required approvals of other state agencies, except where the Pinelands Commission acted on applications during that time period.

Review: A review by the County Engineer, County Planner and their staff to confirm that a site plan or subdivision application that does not abut a county road or does not affect a county road or drainage facility. If appropriate, a letter of Favorable Review will be issued if the county determines that there will be no impact to a county road or drainage facility.

Review and Approval: A review by the County Engineer, County Planner and their staff of a site plan or subdivision application that abuts a county road or affects a county road or drainage facility and requires an approval by the Atlantic County Development Review Committee.

Right-of-Way: An interest, restriction or easement in an area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles, pedestrians,



improvements, public utilities, stormwater drainage facilities or other public purpose or combination thereof.

Setback: A line parallel to and a specific distance from the existing and proposed right-of-way line of a road established by local zoning ordinances which restricts the placement of buildings and structures within such distance.

Sight Triangle: Also referred to herein as a "Clear Sight Area" and being a triangular portion of land established or reserved along County roads, at street and driveway intersections, whereby the applicant, its successors and assigns maintain that nothing shall be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight vision of motorists traveling along the adjacent County road or intersection, as set forth more fully in this Ordinance. Sight triangles shall be established by easement, at intersections of two or more County roads, and by restrictive covenants at other intersections with County roads.

Siltation Basin: A temporary facility, designed in accordance with the standards adopted by the Cape-Atlantic Soil Conservation District to collect silt and eroded soil resulting from grading the area of a land development, for the purpose of limiting the deposit of silt and eroded soil in watercourses.

Site Plan: A plan that illustrates the existing and proposed land development drawn in accordance with the requirements of this Ordinance.

Stormwater Management Plan: A plan and narrative of existing and proposed stormwater management system designed in accordance with the requirements of this Ordinance.

Stormwater Retention Basin: A permanent structure designed for the permanent storage of a fixed volume of water, with subsequent gradual discharge to ground water.

Stormwater Detention Basin: A permanent structure designed for the temporary storage of storm water runoff, and the controlled release of such runoff during and after a flood or storm.

Stream, Intermittent: Surface water drainage channels with definite bed and banks in which there is not a permanent flow of water.

Stream, Major: Any watercourse which exhibits continuous water flow for twelve (12) months a year.

Street: Any street, avenue, boulevard, road, parkway, viaduct, drive or other way, which is an existing State, County or Municipal roadway, or which is shown upon a plat heretofore approved pursuant to the law, or which is approved by official action as provided by the County Enabling Act, or which is shown on a plat duly filed and recorded in the Office of the County Clerk prior to the appointment of a planning board and the grant to such board of the power to review plats; and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within street lines.

Watercourse: Any natural swale, stream, brook or river which is the natural course of storm or running



water through which water flows ordinarily and frequently but not necessarily continuously, including watercourses which have been artificially realigned or improved.

Watershed: The drainage basin, catchment, or other area of land that drains water, sediment, and dissolved materials to a common outlet at some point along a stream channel.

Wetlands: As defined by N.J.A.C. 7: 50-6.3 through 6.5.

Wetlands Soils: Those soils designated as very poorly drained or poorly drained by the Soil Conservation Service of the United States Department of Agriculture, including but not limited to Atsion, Berryland, Muck, Pocomoke, Freshwater Marsh and Tidal Marsh soil types.



CHAPTER 300

GENERAL LAND DEVELOPMENT

REGULATIONS AND PROCEDURES



301. General Policies

1. **Conformance with the County Planning Act:** The procedures and design standards herein shall apply to all land development which requires County review and/or approval pursuant to the County Planning Act (N.J.S.A. 40:27-6.2 and 6.6 et seq).
2. **Site Plan and Subdivision Submittal:** Any person intending to proceed with any development which is regulated by this Ordinance shall submit a site plan or subdivision application to the County, with the information required by this Ordinance. The municipal building official shall not issue a building permit on any development requiring County review and approval until the site plan or subdivision has been given a final approval by the DRC.
3. **Pinelands Jurisdiction:** Any person intending to proceed with development which is regulated by this Ordinance and which is located within the Pinelands Area of Atlantic County shall also be required to comply with the additional procedures set forth in Section 303.
4. **Public Right to Attend:** The public has the right to attend the meetings of the Development Review Committee (DRC) and Planning Advisory Board (PAB) in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.).

302. Application Fees

Application fees shall be paid with the submission of any site plan or subdivision application to the County. The following applies to application fees:

1. Application fees are based on the classification of the application outlined in Section 304.4 and are identified below.
 - A. Minor Subdivision. (Along a County road or impacting a County road or drainage facility)
 - i. With no proposed improvements along the County road. \$ 200.00
 - ii. With proposed improvements along the County road. \$ 300.00
 - B. Minor Subdivision (Not along a County road and not impacting a County road or drainage facility) \$ 150.00
 - C. Major Subdivision.
 - i. Not along a County road and not impacting a County road or drainage facility. \$ 150.00
 - ii. Along a County road or impacting a County road or drainage facility. \$ 300.00



D. Site Plan

- i. Not along a County road and not impacting a County road or drainage facility. \$ 150.00
- ii. Along a County road or impacting a County road or drainage facility \$ 300.00
- iii. Exempt \$ 100.00

E. Subdivision Final Plat (Sign & Seal) \$ 100.00

2. Payment of the application fee shall be in the form of a check and shall be made payable to the "Atlantic County Treasurer". Cash will not be accepted.
3. Additional review fees are not be required for revised plans which are submitted in response to comments produced by the county staff or the DRC.
4. All land development applications submitted on behalf of a municipality are exempt from submitting an application fee.

303. Pinelands Procedures

1. **Applicability of Procedures:** No person shall carry out any development regulated by this Ordinance and within the Pinelands Area of Atlantic County without obtaining approval from the DRC and the Pinelands Commission in accordance with the procedures set forth in this Ordinance. In the event of a conflict between the Pinelands Comprehensive Management Plan and a County design standard, the applicant shall notify the DRC, in writing, of the conflict and the Pinelands Design Standard shall be deemed controlling.
2. **Completeness of Application:** Before an application for any development in the Pinelands Area can be considered complete by the DRC, one of the following items must be received:
 - A. A Certificate of Filing from the Pinelands Commission issued pursuant to N.J.A.C 7:50-4.34;
 - B. A Certificate of Completeness as issued by the Pinelands Commission pursuant to N.J.A.C. 7:50-4.15 for development proposed in areas without certified local plans; or
3. **Notice Requirements to Pinelands Commission.**
 - A. **Notice of Application.** Written notification, by email or regular mail, will be given by the County to the Pinelands Commission within seven days after a determination is made by the DRC that an application for development is complete or if a determination is made by the DRC that an application which was previously filed has been modified. Said notice shall contain all the information required pursuant to N.J.A.C. 7:50 -4.35 (b).



B. Notice of Meeting or Hearing. Where a hearing on an application for development approval in the Pinelands Area is required, the County shall notify the Pinelands Commission, by email or regular mail or delivery of the same to the principal office of the Commission, at least five (5) days prior to such hearing. Said notice shall contain the information required pursuant to N.J.A.C. 7:50-4.35 (c).

C. Notice of Approvals and Disapprovals. The County shall notify the Pinelands Commission, by email or regular mail, of all approvals and disapprovals of development in the Pinelands Area, whether the approval occurs by action or inaction of the DRC or an appeal of any County decision. The County shall serve notice to the Commission within five (5) days of the approval or disapproval. Said notice shall contain the information required pursuant to N.J.A.C. 7:50 -4.35 (d).

- 4. Pinelands Review of County Approval:** Upon receipt by the Pinelands Commission of a notice of approval pursuant to Section 303.3.C above, the application for development approval shall be reviewed in accordance with the provisions of N.J.A.C. 7:50 -4.37 through N.J.A.C. 7:50 -4.42. The approval by the County shall not be effective and development shall not be carried out prior to the determination of whether the development approval will be reviewed by the Commission.

If the applicant is notified that the Commission will review the application for development, it shall not be carried out until such review has been completed and the Commission has approved or approved with conditions the proposed development and the provisions of N.J.A.C. 7:50 -4.38 (d) have been fulfilled.

Although the Pinelands Commission shall be notified of all denials of applications for development, no such denial actions are subject to further review and action by the Pinelands Commission.

- 5. Effect of Pinelands Decision on County Approval.** If the Pinelands Commission disapproves an application for development approved by the DRC, such an approval shall be revoked by the DRC and the Committee shall thereafter deny approval of the application. If the Commission approves the decision of the DRC subject to conditions, the Committee shall, within thirty (30) days, modify its approval to include all conditions imposed by the Pinelands Commission, and if final approval of the application is required, shall grant final approval only if the application for approval demonstrates that the conditions specified by the Commission have been met by the applicant.
- 6. Public Hearings:** The Pinelands Commission may participate in a hearing held in the County involving the development of land in the Pinelands Area pursuant to N.J.A.C. 7:50 - 4.36 et seq.
- 7. Public Development:** All development proposed by the County or any County agency will comply with all the requirements for public development set forth in N.J.A.C. 7: 50 - 4.51 et seq.
- 8. Pinelands Compliance:** In amending this Ordinance, the County Master Plan or any other land use ordinance, the County shall comply with all the requirements of N.J.A.C. 7: 50 - 3.20.



304. General Land Development Regulations

- 1. General Plan Preparation.** In addition to the requirements of this Ordinance, the preparation of any site plan or subdivision, including supporting documentation such as drainage calculations and a traffic impact analysis, shall be prepared in accordance with the applicable state laws governing the preparation of said plans and documentation including but not limited to:
 - A.** An Act Concerning the Practice of Professional Engineer and Land Surveyor, N.J.S.A. 45:8-27 et seq., N.J.A.C. 13:40-7.1 et seq., Engineers and Land Surveyors.
 - B.** Laws Governing the Practice of Architecture, N.J.S.A. 45:3-1 et seq. Or N.J.A.C. 13:27-6.1 et seq., Architects.
 - C.** Permissible Division of Responsibility in Submission of Site Plans and Major Subdivision Plats, N.J.A.C. 13:41-4.1 et. seq.
- 2. Pre-Application Conference.** Applicants are encouraged to meet with Regional Planning and Engineering staff, prior to a formal submission of a subdivision or site plan, to review compliance with the Atlantic County Land Development Standards. A pre-application conference can be requested to informally discuss key issues relevant to the project. A fee will not be charged for a pre-application conference and all recommendations are nonbinding upon the County.
- 3. Administrative and Technical Completeness.** Regional Planning shall, within thirty (30) working days from the date of receipt, review a land development application for administrative and technical completeness. All information identified in the Administrative Complete for Review Checklist and the Minor Subdivision, Major Subdivision or Site Plan Technical Checklists located on the County website is required for an application to be deemed complete.

If the application is determined to be incomplete, a list of the information required to make the application complete for review shall be provided.
- 4. Classification.** Regional Planning shall review an application for completeness and classify it into one of the following:
 - A.** Minor Subdivision (Along a County road or impacting a County road or drainage facility)
 - i. With no proposed improvements along the County road.
 - ii. With proposed improvements along the County road.
 - B.** Minor Subdivision (Not along a County road and not impacting a County road or drainage facility)
 - C.** Major Subdivision
 - i. Not along a County road and not impacting a County road or drainage facility.



- ii. Along a County road or impacting a County road or drainage facility.

D. Site Plan

- i. Not along a County road and not impacting a County road or drainage facility.
- ii. Along a County road or impacting a County road or drainage facility.
- iii. Exempt.

- 5. Time to Act.** Within thirty days (30) from being deemed administratively and technically complete, the DRC shall act upon the land development application in accordance with the DRC regulations and procedures established in this Ordinance.

A. Should the DRC fail to act within the thirty-day (30) period allowed by law, the land development application shall be deemed to have been approved by the DRC unless the applicant requests a time extension in accordance with this Ordinance.

B. Should the DRC fail to act within the statutory period the applicant is not released from the requirement to obtain approvals for subsequent stages of review required for the particular land development application.

C. Should revised plans or additional information be received, a new thirty (30) day review period shall begin on the date the additional information is received by the County.

- 6. Extension of DRC Review Period.** In accordance with N.J.S.A. 27:6.3 and 27:6.7, an applicant may request, in writing, a thirty (30) day time extension of review.

- 7. Types of Actions:** Once deemed administratively and technically complete for review, the DRC shall take one of the following actions, listed below, based on the regulations and procedures established in the Ordinance. All DRC actions extend to the original owner or his legal successors of record provided they shall assume all the obligations of any changes in the law which may have occurred in the interim.

A. Favorable Review.

B. Final Approval.

C. Disapproval.

D. Conditional Approval.

E. Exempt.

- 8. Notification of DRC Action.** Once the DRC acts upon a site plan or subdivision, notification



letters specifying the DRC action along with any required changes or recommendations to the plans or supporting documentation are sent to the applicant, municipal planning board secretary, plan preparer, municipal building inspector, municipal engineer, and the Pinelands Commission if the application is within their jurisdiction.

- 9. Plan Changes.** The DRC shall not issue a final approval for either a site plan or subdivision application which requires plan changes. Once a conditional or final approval has been granted by the DRC, no plan changes shall be recognized by the DRC until revised plans reflecting these changes are submitted for review and approval by the DRC. Revisions required by any other review agency shall be subject to County review and approval.

- 10. Duration of DRC Actions.** The following shall apply to the duration of a DRC action:

- A. Subdivision and Site plan applications approved by the Atlantic County Development Review Committee shall be valid for the same time period as that of the municipal planning board or zoning board of adjustment, as applicable.
- B. Any revisions to a subdivision or site plan application, following an action by the DRC, shall require a re-submission to the County and will be subject to County review and approval.
- C. If the time period for a DRC action has expired, a subdivision or site plan shall be submitted as a new application and subject to County review and approval.
- D. If a cost estimate for an approved subdivision or site plan is more than 2 years old, an updated cost estimate will be required to reflect current material and construction costs. An updated performance guarantee will also be required equal to the amount of the updated cost estimate.

- 11. Phased Development.** Site plan and subdivision development applications may be phased. A phasing plan shall be provided and shall clearly identify the improvements, lots, units or square footage planned for each phase.

DRC actions on future phased submissions shall not occur until it has been proven in writing, by the applicant, that all outstanding conditions of previous phases issued by the DRC have been fulfilled and that a final approval has been granted.

- 12. Highway Occupancy Permit (HOP).** A Highway Occupancy Permit (HOP), as identified in the Atlantic County Road Excavation Ordinance, shall be obtained from the County Division of Engineering prior to commencing construction, excavation or similar work on or adjacent to a County Road. A HOP shall not be issued unless a land development application, subject to County Review and Approval, has been approved by the DRC pursuant to this ordinance.

Nothing in the ACLDS shall be deemed to nullify or abrogate the requirements of the Atlantic County Road Excavation Ordinance.

- 13. Road Opening Moratorium.** After the completion of a County Highway Improvement Project, a



road opening moratorium shall be in place within the project limits of the road improvements. The length of the road opening moratorium shall be determined by the County Engineer in compliance with Federal, State and County statutes.

If a subdivision or site plan fronts on a road which has a completed County Highway Improvement Project and is within the moratorium period, a note shall be placed on the plan which identifies that the County road is under a road opening moratorium and the date that the road can opened.

14. Other Approvals: The applicant shall be responsible for obtaining all necessary permits and approvals required by other review agencies, including but not limited to, municipal planning and zoning boards, state agencies such as the Pinelands Commission, Department of Environmental Protection, Department of Transportation and Cape Atlantic Soil Conservation District. The applicant shall be responsible for obtaining and providing proof of other agency approval if required by the DRC.

15. Final Approval Requirements: Prior to the issuance of a final approval by the DRC, the applicant shall have submitted the following to the County, if applicable:

- A. A County approved and executed developer's agreement in accordance with the policies and procedures established in this Ordinance;
- B. A County approved cost estimate, signed and sealed by a professional engineer, for improvements within a County right-of-way or for off-tract improvements affecting a County road, bridge or drainage facility.
- C. A County approved payment in lieu of off-tract improvements in accordance with this Ordinance.
- D. A County approved and executed performance and/or maintenance guarantee.
- E. A County approved deed of easement or covenant, or any other encumbrances and easements in accordance with the policies and procedures established in this Ordinance.
- F. A County approved metes and bounds description and parcel map, signed by a licensed land surveyor, for easements and covenants that are to be dedicated to the County.

16. Changes to Plans Following DRC Approval.

All DRC approvals are based on the subdivision and site plans and supporting information submitted and reviewed at the time of the DRC approval.

Any revisions made to a subdivision or site plan, plats or supporting documents after the date of DRC approval must be submitted to the DRC for review and approval.



305. Policies and Design Principles Specific to Flood Hazard Areas (Ch. 800)

Policies and design principles found in Chapter 800 shall apply to land development subject to County review and approval and is within a flood hazard area as defined in N.J.A.C. 7:7-9.25. Flood hazard areas include, but are not limited to, those areas defined or delineated as an A or a V Zone by the Federal Emergency Management Agency (FEMA) and are subject to either tidal or fluvial flooding.

306. Traffic Impact Statements

The following criteria will be used to determine if an application to the DRC requires a Traffic Impact Statement. Traffic Impact Statements shall be prepared in accordance with Chapter 700 of this Ordinance.

1. Land development which is subject to County approval and results in 50 or more added vehicle trips during either the AM or PM peak hour based on the ITE Trip Generation Manual.
2. Land development which is subject to County approval and if one or more of the following circumstances exist.
 - A. Current traffic problems exist in the vicinity of the site;
 - B. Current or projected levels of service of the adjacent roadways will be significantly affected;
 - C. Adjacent residential neighborhoods or other sensitive areas may be affected;
 - D. Proposed site access points are located within 100 feet of other existing drives or intersections;
 - E. Public safety problems exist for vehicular or pedestrian traffic;
 - F. Other specific problems or deficiencies may be affected by the proposed development or affect the ability of the development to be adequately accommodated.
3. A Limited Traffic Study, which addresses existing and proposed site access points, may be required for land development that warrants a left or right - turn lane to satisfactorily accommodate site traffic without adversely affecting through (non-site) traffic.

307. Off-Tract Improvements

1. **Land Developments Requiring Off-Tract Improvements.** The DRC shall require the applicant, as a condition of approval, to provide for such reasonable and necessary off-tract improvements which are directly caused and necessitated by a proposed site plan or subdivision application.

The DRC may determine that a particular land development creates the need for off-tract improvements, in whole or in part, to County roads, intersections, bridges, or drainage facilities.



When such a determination is made, the DRC shall require that the applicant either install or contribute to the actual installation of off-tract improvements as a condition of land development approval.

In determining the need for off-tract improvements to be borne by the applicant, the following will be considered:

- A. The proposed land use will impact County roads or drainage facilities to such an extent that off tract improvements are directly caused and necessitated by the proposed site plan or subdivision, as determined by applicable traffic and drainage studies; and
 - B. Improvements to County facilities that are identified in the County Highway Improvement Program or other County Capital Improvement Programs; or
 - C. The proposed development has limited frontage on County roads and spot improvements of County facilities will result in traffic hazards, as determined by County Engineer; or
 - D. The proposed development is located in a growth region and a mechanism for allocating shared cost to each project for improvements to County facilities is necessary, as determined by the County Engineer; or
 - E. Improvements to County facilities that are in accordance with the County Master Plan.
2. **Determination of Pro-Rata Share of Off-Tract Improvements.** The applicant shall provide the County Engineer and Planner with a cost estimate for the pro-rata share of the required off-tract improvements. In determining the costs of the pro-rata share of improvements to be borne by the applicant, the following will be considered:
- A. **Traffic-Related Improvements:** The pro-rata share of traffic-related improvements shall be based upon the percentage relationship of highway peak-hour traffic generated by the proposed development and the total volume of anticipated traffic for each roadway segment or intersection to be improved.
 - B. **Drainage Improvements to County Facilities:** The pro-rata share of drainage improvements to County facilities shall be based upon the percentage relationship of stormwater runoff generated by the proposed development and the total volume of stormwater runoff affecting each drainage area or segment to be improved. This percentage may be modified in consideration of the coefficients of runoff for the proposed development and other areas in the drainage basin.
3. **Completion of Off-Tract Improvements.** The DRC shall require that the applicant guarantee the completion all of the required off-tract improvements prior to final approval of a land development consistent with one of the following procedures:
- A. **Payment in Lieu of Improvements:** If required by the County Engineer and the DRC, the



applicant shall provide a payment in lieu of construction of off-tract County roads and drainage improvements to cover the cost or proportionate share thereof, for the future installation of said improvements, pursuant to N.J.S.A. 40: 27 -6.2 (d) and 6.6 (d). The amount of the payment in lieu will be equal to the amount of the approved cost estimate.

The applicant shall make payment to the Atlantic County Treasurer by certified check or its equivalent. Upon receipt of all moneys, Regional Planning shall transfer these funds into a designated account for the sole purpose of maintaining funds collected by this program. The County is authorized to draw funds from the designated account upon the awarding of construction bids for the improvements to any County facility, for which a contribution has been deposited.

- B. Installation of Off-Tract Improvements.** At the discretion and option of the County Engineer, the County may enter into a Developers Agreement providing for the installation and construction of off-tract improvements by the applicant. The applicant shall post a performance guarantee in accordance with the provisions of this Ordinance in the amount equal to the amount of the approved cost estimate.

Should the applicant and County enter into a Developers Agreement for the construction of off-tract improvements, the applicant shall observe all requirements and provisions of this Ordinance and any other applicable resolutions and ordinances in the design of such improvements.

- 4. Yearly Report of Phasing of Payments or Installation of Off-Tract Improvements.** The applicant may request that the payment or installation of off-tract improvements be phased. If the phasing of the payments occurs for a time period of one (1) year or more, the applicant shall submit a yearly written report which identifies the status of the phasing of the off-tract improvements as identified in the agreement between the county and the owner. This yearly report shall be submitted by March 1st of each year and shall provide a written summary of the improvements or payments that have been made in the preceding year and the anticipated improvements or payments to be made as outlined in the agreement with the County.

308. Provision of Easements and Covenants

- 1. Right-of-Way Easement.** The purpose of a right-of-way easement is to provide an area for the construction, operation and maintenance of a County road. Accordingly, building setbacks, parking areas, detention and retention basins, sidewalks, curbing and related improvements must be designed as to not violate the intent of the right-of-way easement. The following applies:
- A.** In accordance with these standards, a right-of-way easement may be required which is in excess of the existing right-of-way limits, if one of the following conditions are met:
- i.** When the proposed development fronts along a County road which is identified for a Capital Improvement and requires a right-of-way easement in excess of the existing right-of-way width; or



- ii. When there is an established rational nexus between the proposed development and a roadway improvement for which a right-of-way easement is necessary; or
 - iii. When the proposed development requires a right-of-way easement to correct a safety, geometric, drainage or other existing or anticipated problems that affects the health, safety or welfare of the public.
- B. If additional right-of-way is to be dedicated to the County in accordance with 308.1.A, it shall be clearly dimensioned, on the subdivision or site plan, with bearings and distances and metes and bounds description prepared by and signed by a NJ Professional Land Surveyor.

The final site plan or subdivision plat must show the granted right of way easement and it shall be identified as:

“Right-of-Way Easement Dedicated to Atlantic County for Roadway Purposes.”

- C. A sample Right-of-Way Easement form can be found on the Atlantic County website. A metes and bounds description and a parcel map of the right of way easement area must be attached to the Right-of-Way easement form.

Preparation of Right-of-Way Parcel maps shall conform to the provisions of the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).

- D. In addition, if a right-of-way easement is not required or the additional right-of-way easement is different than the County right of way standard width, the County right of way standard width shall be clearly shown on the subdivision or site plan and identified as:

“Future Atlantic County Right-of-Way Standard Width”

2. **Clear Sight Area Easements and Covenants.** When a clear sight area is established at a driveway or intersection with a County road, in accordance with these standards, the DRC will require a clear sight area easement and/or clear sight area covenant as outlined below.

- A. **Clear Sight Area Easement.** For each clear sight area located at the intersection of two or more County roads, a clear sight easement shall be provided. The County Clear Sight Area Easement Form can be found on the County website.
- B. **Clear Sight Area Covenant.** For each clear sight area located at the intersection of a driveway and/or a street intersection with a County road, a clear sight covenant shall be provided. The County Clear Sight Area Covenant Form can be found on the County website.
- C. **Clear Sight Areas.** The following applies to all clear sight areas along County roads.

- i. A clear sight area shall be established by the owner of the property, at driveways and intersections with a county road in accordance with Sections 704 and 705 of this Ordinance.



- ii. The clear sight area shall be clearly shown on the subdivision plat or site plan, with bearings and distances and metes and bounds description prepared by and signed by a NJ Professional Land Surveyor.

The final site plan or subdivision plat must clearly show the clear sight area and it shall be labeled as:

“Clear Sight Area”

- iii. All objects (existing and proposed) within the clear sight area shall be clearly identified on the subdivision or site plan.
- iv. It is the responsibility of the property owner to maintain the clear sight area from any obstructions as defined in this Ordinance. There shall not be erected at any time within the clear sight area any building, structure, sign, vegetation, fence, buffer, display or other obstruction which may interfere with the view or sight of operators of vehicles or pedestrians traversing the abutting streets, roads or highways.
- v. The subdivision plat or site plan shall include the following note.

“The clear sight area shall be maintained and kept clear by the owner of the property and thereafter by its successors in title to the subject property. No permanent or temporary structure or vegetation shall be placed which will violate the intent of the clear sight area.”

- vi. A sample Clear Sight Area Easement and Covenant form can be found on the Atlantic County website. A metes and bounds description and a parcel map of the clear sight area must be attached to the Clear Sight Area Easement and Covenant form.

Preparation of the Clear Sight Area Parcel maps shall conform to the provisions of the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).

- vii. Such easements and covenants shall require the property owner and his/her successor(s) and assigns to maintain such clear sight areas, as set forth in this Ordinance.
- viii. Failure to maintain such clear sight areas shall be a violation of this Ordinance, and such easements and covenants shall authorize the County of Atlantic, or its agents, representatives or employees to enter upon and re-enter upon said lands hereinafter described, for the purposes of enforcing this Ordinance.

Nothing herein shall be deemed to limit or otherwise prevent a municipality from enforcing a clear sight area, in accordance with any agreement or provision of law.

- 3. **Drainage Easements and Maintenance Covenants:** When a development is traversed by a watercourse, surface or underground stormwater drainage way or drainage system, channel or stream and affects a County road or drainage facility, the DRC may require the dedication of a drainage easement and/or a maintenance covenant to the County.



- A. Drainage Easement.** A drainage easement shall conform substantially with the lines of such watercourse or stormwater management system or such further width or construction, or both, as will be adequate to accommodate the inspection and maintenance of the watercourse or stormwater drainage system.

The drainage easement shall be clearly shown on the survey, plan of subdivision or site plan, with bearings and distances and metes and bounds description prepared by and signed by a NJ Professional Land Surveyor.

The final site plan or subdivision map shall contain the following note:

“ Drainage Easement Dedicated to Atlantic County for Stormwater Management Purposes”

- B. Drainage Maintenance Covenant.** When drainage improvements are required in connection with any development which may affect a County road or drainage facility, a drainage maintenance covenant may be required by the County.

The property owner and his/her successor(s) and assigns shall maintain the storm water drainage improvements constructed in connection with development of land, in accordance with the Maintenance Requirements for Drainage Systems which can be found on the Atlantic County website. The stormwater maintenance schedule shall also be provided on the subdivision or site plan.

Failure to maintain such drainage improvements and covenants shall be a violation of this Ordinance. In the event the property owner or his/her successor(s) fails to maintain the stormwater management, in accordance with the drainage covenant the County of Atlantic, or its agents, representatives or employees may enter upon and re-enter upon the lands which are the subject of the covenant for the purposes of enforcing this Ordinance.

Nothing herein shall be deemed to limit or otherwise prevent a municipality from enforcing any ordinance, covenant or requirement related to maintenance of storm water drainage improvements, in accordance with any agreement or requirement of law.

- C. Drainage Easements and Maintenance Covenants Forms.** The County Drainage Easement and Drainage Maintenance Covenant Forms can be found on the Atlantic County website. A metes and bounds description and a parcel map of the drainage easement must be attached to the Drainage Easement and/or Covenant form.

Preparation of the Drainage Easement and/or Covenant Area Parcel maps shall conform to the provisions of the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).

- 4. Other Covenants, Easements and Agreements.** In accordance with this Ordinance, the DRC may require other covenants, easements and agreements, including but not limited to the improvement,



design, construction and maintenance as may be required to address development impacts to county roads and drainage facilities, or other matters regulated by these standards. Examples include but not limited to: Indemnification and Hold Harmless Agreement Concerning Permission to Use County Property, Deed to Restrict Access to a County Road, Payment In-Lieu of Performance Agreement, Developer's Agreement.

- 5. Procedures for Dedication of Easements and Covenants.** All easements and covenants shall be granted by the owner of the property which is the subject of the land development. The applicant and owner warrant by providing any deed of easement that the property will not be transferred for ninety (90) days from the date of providing the form of easement to the County. If such a transfer is anticipated, both the current owner and the equitable or anticipated owner shall sign the deed of easement or covenant.

All deeds of easement or covenants shall be submitted to Regional Planning. Following review and approval by surveying, engineering and legal staff, deeds of easement or covenants shall be sent to the County Board of Chosen Freeholders for approval.

If approved, the County Law Department shall record the easements or covenants with the Atlantic County Clerk and with the Clerk of the Board of Chosen Freeholders.

309. Cost Estimates and Performance Guarantees

- 1. Cost Estimates:** The applicant shall be responsible for identifying and determining the costs of all improvements necessary to accommodate the construction costs of any required improvements located within the County right-of-way or affecting County storm water drainage facilities as set forth in this Ordinance.

A certified Engineer's Cost Estimate setting forth these estimated costs shall be approved by Regional Planning, upon the advice of the County Engineer, prior to submission of any performance guarantee. The cost estimate shall include 10% for contingencies. A sample cost estimate is provided on the Atlantic County website.

Any cost estimate approved by the County Engineer with a value of \$5,000 or more shall include additional line items for inspections and preparation of "As-built" plans of improvements located within the County right-of-way.

If a proposed improvement in the County right-of-way was not identified in the cost estimate, but shown on the approved plan, the applicant shall be responsible for the construction of the improvement even though it was not identified in cost estimate.

- 2. Performance Guarantees:** Prior to the issuance of a final approval by the DRC, the applicant shall provide a performance guarantee in the amount of the approved engineer's cost estimate.
- A.** The performance guarantee shall be the form of a Letter of Credit or Bond. A sample Letter of Credit and Bond can be found on the County website.



- B. The amount of the performance guarantee shall not exceed 120% of the installation costs in accordance with all applicable New Jersey State laws governing public contracts or the applicant's proportionate fair share of the cost of regional improvements plus 10% percent for contingencies. If the approved engineer's cost estimate is less than five thousand dollars (\$5,000), then a performance guarantee shall not be required.

3. Release of Performance Guarantee.

- A. An applicant shall submit a written request to Regional Planning for the release of the performance guarantee after all improvements covered under the performance guarantee have been completed. See General Guidelines for As-Built Plans published by Atlantic County Engineering Department which can be found on the County website.

At a minimum this written request shall be accompanied by:

- i. A complete set of as-built construction plans (2 paper prints and 1 mylar) which are signed and sealed by a NJ Licensed Professional Engineer and NJ Licensed Professional Land Surveyor.
 - ii. A written report, prepared by a NJ Licensed Professional Engineer, which certifies that the improvements have been constructed in accordance with the standards and criteria established in the approved plan and in the ACLDS. This report shall identify any differences in the approved plans and what has been constructed as part of the performance guarantee and the impact these differences have on the County facilities.
- B. The County Engineer shall, within forty five (45) days of the request for the release of the performance guarantee, conduct a final inspection of the improvements covered by the performance guarantee.

The County Engineer shall forward a memo to Regional Planning within twenty (20) days of the date of inspection detailing the results of the inspection.

- C. If the County Engineer finds that deficiencies exist in the improvements covered by the performance guarantee or that the terms of the performance guarantee have not been met, then a detailed and itemized description of such deficiencies shall be prepared and forwarded to the applicant. The applicant shall correct such deficiencies within forty-five days from receiving notice.
- i. Upon receipt of a notice from the applicant that all deficient items have been corrected, the Division of Engineering shall re-inspect all County facilities covered by the performance guarantee.

If all deficiencies have been corrected to the satisfaction of the Division of Engineering, the County shall release the guarantee.
 - ii. Use by the County or availability of any performance guarantee by the County shall not be deemed to waive or release an applicant from its ultimate duty to complete required



improvements. Use or availability of performance guarantee funds shall not be deemed to release or waive any claim which the County may have for a deficiency or other damages related to or arising from the applicant's failure to perform.

310. Waivers and Variations from Standards

1. **Application for Waiver and Variation.** An applicant may request, to the DRC, a waiver or variation from strict compliance with the technical standards or criteria set forth herein. An application for a waiver or variance pursuant to this section shall be filed in writing with Regional Planning and shall include:
 - A. A statement of the technical standards or criteria from which a variation or waiver is sought;
 - B. A statement of the manner by which strict compliance with said technical standards or criteria would result in practical difficulties;
 - C. A statement of the anticipated results if the standards or criteria were to be followed;
 - D. A statement of feasible alternatives to the technical standards or criteria, which would adequately protect the health, safety and welfare of the intended users of occupants of the site and the public generally;
 - E. Supporting opinion of a professional engineer/architect/planner.
2. **Review of Waivers and Variations.** The DRC shall have the power to grant waivers and variations from the strict application of the requirements and standards of this ordinance. The DRC shall review all information as identified in Section 310.1 along with any testimony provided during a DRC meeting.

The DRC shall consider if strict compliance with any specific technical standards or criteria, if required, would result in an undue hardship to the applicant and that a grant of the waiver of the technical standards or criteria will not jeopardize the health, safety and welfare of the general public.

311. Appeal Process

1. Any applicant aggrieved by an action of the DRC may file an appeal in writing to the Atlantic County Planning Advisory Board in accordance with N.J.S.A. 40:27-6.9 as amended and supplemented.
2. Any person aggrieved by an action of the County Planning Advisory Board, with regard to an appeal, may file an appeal in writing to the Atlantic County Board of Chosen Freeholders within ten (10) days after the date of notice of said action by certified mail.
3. In the case of an appeal to either the Planning Advisory Board or the Freeholder Board, the following procedures shall be followed:



- A. The County Planning Advisory Board or the Freeholder Board shall consider such an appeal at a regular or special public hearing within forty-five (45) days from the date of its filing.
- B. Notice of said hearing shall be mailed at least ten (10) days prior to the hearing to the applicant, appellant where appropriate, and to each of the following public officials as deemed appropriate on a case by case basis: the municipal clerk, municipal planning board secretary, municipal building inspector, municipal zoning officer, Atlantic County Planning Advisory Board, Atlantic County Freeholder Board, and the Pinelands Commission if within its jurisdictional area.
- C. At the hearing before the Atlantic County Planning Advisory Board, the party requesting the hearing shall produce witnesses, who shall testify under oath, shall have the proceedings recorded by a stenographer, and shall forward ten copies of the transcript to Regional Planning within fifteen (15) days of the hearing.
- D. The Atlantic County Planning Advisory Board shall render a decision within thirty (30) days from the date of the hearing. Those members of the Board who were present at the hearing, or have certified to having read the transcript, may vote.
- E. When the appeal is from the Atlantic County Planning Advisory Board to the Atlantic County Board of Chosen Freeholders, the Board of Chosen Freeholders shall render a decision within thirty (30) days of the hearing. The Freeholder Board shall base its review on the record and may affirm, reverse, or modify the decision of the Planning Advisory Board.

312. Sanctions

The County Planning Director or the County Engineer may invoke the following sanctions on any land development activity which commences without prior approval of the DRC or is conducted in a matter contrary to the standards and policies stated in this Ordinance:

- 1. A County Highway Occupancy Permit for the proposed development will not be issued unless and until the conditions issued by the DRC are satisfied;
- 2. May request the municipal approval authority, New Jersey Department of Environmental Protection, the Pinelands Commission, if within their jurisdictional area, to revoke or withhold a local building permit and certificate of occupancy for the development;
- 3. May enforce performance by resort to any guarantee or other security required by the County to cover the costs of improvements specified in that portion of the plan over which the County has jurisdiction; and
- 4. May initiate appropriate actions in the courts to enforce the actions by the DRC.

CHAPTER 400
SUBDIVISION REGULATIONS AND
PROCEDURES



401. County Jurisdiction over Subdivision Applications.

Pursuant to the County Planning Enabling Act, N.J.S.A. 40: 27-6.2 thru 6.5, all subdivision of lands within Atlantic County, or any portion thereof which falls within the boundaries of Atlantic County, shall be submitted to the County for **Review**. Those subdivisions that abut a County road or affect a county road or drainage facility are subject to **Review and Approval** by the Development Review Committee.

Specifically:

1. Subdivisions subject to a **Review** include Minor and Major Subdivisions that:

- Do not Abut a County road; and
- Do not Affect a County road or drainage facility.

If, after review by the County Engineer, County Planner and their staff, it is determined that the subdivision plan does not abut a County road or affect a county road or drainage facility, a Favorable Review letter shall be issued.

2. Subdivisions subject to **Review and Approval** include Minor and Major Subdivisions that:

- Abut a County road; or
- Affect a County road or drainage facility.

The County Engineer, County Planner and their staff will review the subdivision plan in accordance with the County Land Development Standards and will make recommendations to the DRC for their consideration and action.

Review and Approval of a subdivision by the County may require any or all of the following:

- A. The requirement of adequate drainage facilities and easements when the proposed subdivision will cause storm water to drain either directly or indirectly to a county road, or through any drainage way, structure, pipe, culvert or facility for which the County is responsible for the construction, maintenance or proper functioning of. (40:27-6.2.a);
- B. The requirement of dedicating rights-of-way for any roads or drainage ways shown on the adopted County master plan or official County map. (40:27-6.2.b);
- C. The requirement of physical improvements, where a proposed subdivision abuts a County road, or where additional rights-of-way and physical improvements are deemed necessary by the DRC due to increased traffic volume, potential safety hazards, impediments to traffic flows or impacts to county drainage facilities. Such improvements shall be subject to recommendations of the county engineer relating to the safety and convenience of the travelling public and may include additional pavement widths, marginal access streets, reverse frontage and other county highway traffic design features consistent with these standards. (40:27-6.2.c);
- D. The requirement of performance guarantees and maintenance bonds for the construction of the required county drainage and road improvements. (40:27-6.2.d)



402. Classification.

Regional Planning shall review the application for Administrative and Technical completeness, as identified in Section 304.3, and classify the subdivision into one of the following:

1. Minor Subdivision (Abuts a County Road or affecting a County road or drainage facility)
 - A. With no proposed improvements along the County Road.
 - B. With proposed improvements along the County Road.
2. Minor Subdivision (Not along a County Road and not affecting a County road or drainage facility)
3. Major Subdivision (Abuts a County Road or affecting a County road or drainage facility).
4. Major Subdivision (Not along a County Road and not affecting a County road or drainage facility).

403. Compliance With New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing)

All plans to be reviewed by Regional Planning and acted upon by the DRC and recorded in the Office of the County Clerk shall be prepared in conformance with the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing)

404. DRC Action

The Atlantic County DRC shall review each subdivision application and within thirty (30) days from the date of the application being deemed Administratively and Technically Complete, issue one of the following actions:

1. Favorable Review
2. Disapproval
3. Conditional Approval
4. Final Approval

The County shall issue a report to the municipal approving authority, the applicant and if applicable the Pinelands Commission following one of the above actions taken by the County DRC.

In the event of the Disapproval of a subdivision application, a report shall be prepared which identifies the deficiencies of the subdivision application consistent with the County Land Development Standards.

In the event of a Conditional Approval of a subdivision application, a report shall be prepared which identifies the specific conditions that have to be met prior to receiving a Final Approval.



In accordance with the Municipal Land Use Law (40:55D-22b) and the County Planning Enabling Act (40:27-6.3), the municipal approval of a subdivision shall not be granted by the municipal approval authority unless said application is first approved by the County DRC or said approval is conditioned on a Favorable Review or Final Approval by the County.

In addition, a Favorable Review or Final Approval is required prior to the filing of a subdivision plat with the Office of the Atlantic County Clerk. (See Section 407 - Map Filing Requirements)

405. Submission Requirements for All Minor Subdivision Plans

All minor subdivision plans and supporting documentation shall be clear and legible and conform, at a minimum to the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing), to the items listed below and as duplicated in the Minor Subdivision Technical Checklist located on the Atlantic County website. All surveying information shall be prepared by a surveyor licensed in the State of New Jersey. All engineering information shall be certified by an engineer licensed in the State of New Jersey.

1. **Standard Size Sheet.** The plan shall be prepared on one of six standard sizes, namely 8 1/2" x 13", 11" x 17", 15" x 21", 18" x 24", 24" x 36" or 30" x 42".
2. **Scale.** A written (inches to feet) and graphic scale shall be on the plan.
3. **Key Map.** A key map shall be provided showing the location of the tract to be provided and its relationship to the surrounding properties within 1,000 feet. The intersection of at least two public streets with their names shall also be shown.
4. **USGS Topographic Map.** A USGS topographic map, at a scale of 1" = 2000', shall be provided which identifies the location of the site and includes an area within 1 mile radius of the site.
5. **Title Block.** Each plan shall include a title block which includes the title of the map, tax map sheet number, municipal block and lot numbers, name, address, license number, signature and embossed seal of land surveyor who prepared the plan, date of the original plan preparation and a box for recording plan revisions and nature of revisions.
6. **Land Survey.** A land survey in accordance with the minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors shall be provided.
7. **Dimensions and Area of Lots.** The dimensions, square footage and bearings of the existing and proposed lots shall be clearly identified.
8. **Municipal Block and Lot Designations.** The block(s) and lot(s) of all existing and proposed lots along with a copy of the municipal tax map with the property identified.



9. **North Arrow and Reference Meridian.** The north arrow and reference meridian, used for bearings on the map, shall be shown. The coordinate base, either assumed or based on the New Jersey Plane Coordinate System, shall be shown on the plat.
10. **Municipal Boundary Line.** All municipal boundary lines crossing or adjacent to the property to be subdivided shall be shown.
11. **Natural and Artificial Waterways.** All natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines shall be shown.
12. **Freshwater and Tidal Wetlands.** All freshwater and tidal wetlands and associated buffers located on the property shall be shown on the plan.
13. **Flood Hazard Areas.** The boundaries of flood hazard areas (flood way and flood fringe) located on site and within 300 feet of the site shall be shown on the plan. The 1% (100-year) and 0.2% (500-year) flood hazard areas and flood hazard type (e.g. AE, A, V, etc.) as depicted on the current FIRM or other best available data, shall be shown on the plan.
14. **Easements.** The location, size and nature of existing and proposed easements, such as road right-of-way, clear sight triangles, drainage and utility easements shall be shown and dimensioned on the plan. Right-of-way shall be dimensioned from centerline of road.
15. **Monumentation.** The plan shall clearly show all monumentation found, set and to be set. A minimum of three (3) corners distributed around the tract shall indicate New Jersey State Plane Coordinate values (NAD 1983).
16. **Municipal Zoning and Design Standards.** Municipal zoning and design standards, including but not limited lot areas and yard dimensions, shall be shown on the plan.
17. **Property Owner/Applicant.** Name and address of current property owner(s) shall be shown on plan. If owner is different from applicant, the name and address of applicant(s) shall be shown on plan.
18. **Land Surveyor Certification(s).** There shall be a certification by a New Jersey Land Surveyor on the plan as identified in the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).
19. **Municipal Engineer Certification.** There shall be a certification by the Municipal Engineer on the plan as identified in the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).
20. **Property Owner(s) Consent.** A consent to the subdivision map shall be provided in writing from all the owner(s) of the property.
21. **Municipal Clerk Certification.** The plan shall show all street, avenues, roads lanes or alley names as approved by the municipality and a certification by the Municipal Clerk that the municipal body has



approved all streets, avenues, roads, lanes or alleys as identified in the New Jersey Recordation Law N.J.S.A. 46:26B, Map Filing).

22. Minor Subdivision Abutting a County Road. When a minor subdivision abuts a County road, the DRC, Regional Planning and the County Engineer may require additional detailed information along the County road such as profiles and cross sections information on watercourses, storm drainage systems, utilities, driveways, sidewalks, curbs, wooded areas on the site and within 200 feet of the site, as required for major subdivision review under Section 406.7.

23. Atlantic County Signature Block. The Atlantic County Signature Block shall be provided on all minor subdivision plans to be signed and sealed by the County. The Atlantic County Signature Block can be found on the County website.

24. Other Information. Other information, as deemed necessary by the DRC, Regional Planning and the County Engineer, may be required in order to determine if the application meets the requirements of the ACLDS.

406. Submission Requirements for All Major Subdivision Plans

All major subdivision plans and supporting documentation shall be clear and legible and conform, at a minimum, to the items listed below and as listed in the Major Subdivision Technical Checklist located on the County website. All surveying information shall be prepared by a NJ licensed surveyor and all engineering information shall be prepared by a NJ licensed engineer. (All County Engineering Details can be found on the County website).

- 1. Minor Subdivision Information.** All information required for a minor subdivision submission as identified in Section 405.1-24.
- 2. Land Use Information:** All plan submissions shall clearly identify the following land use information, if applicable: the number of residential units proposed, the type of residential units i.e. single or multifamily and the square footage for all nonresidential uses.
- 3. Contiguous Property Owners:** The plan shall include a current list of names and addresses of property owners within 200 feet of the property, certified by the municipal tax assessor.
- 4. Cover Sheet:** All plan submissions may include a cover sheet.
- 5. Soils Types.** The plan shall indicate location and type of soils on the site.
- 6. Existing And Proposed Conditions:** At a minimum, plan submissions shall include the existing and proposed conditions of the following information:
 - A. Topography.** Topographic data shall be provided for the entire site, as well as onto adjacent properties as deemed necessary to determine the drainage and grading patterns. Elevation



contours of one (1) foot where slopes are ten percent (10%) or less and two (2) feet where slopes are ten percent (10%) or greater. Elevations shall be based on the New Jersey Geodetic Survey Control Datum (NAVD 1988).

- B. Site Conditions.** Condition of site, i.e., wooded, cleared, vacant, asphalt, etc. Plans shall indicate what will remain on-site or be removed.
- C. Landscaping.** Plans shall show landscaping on-site and within existing and proposed County rights-of-way and easements. Information relating to the mature size and the type of vegetation shall be provided.
- D. Buildings & Structures.** Plans shall show all existing and proposed structures and buildings. Finished grade elevations shall be provided at all building corners.
- E. Water Bodies.** The plans shall show water bodies including storm water management basins and water courses within 200 feet of the project site, including but not limited to streams, lakes and ponds (natural and man-made). There shall be an indication as to whether the water bodies and water courses are constant, intermittent or dry. Tidal courses shall include high tide, low tide and mean tide elevations.
- F. Driveways.** All driveways within 200 feet of the site and intersect with a County road shall be shown on the plans. Information such as type of construction, dimensions and curb radii shall also be provided.
- G. Curbing.** Plans shall show curbing located along the County road and within existing and proposed County rights-of-way and easements. All curbing within 200 feet of the property shall also be shown on the plans. Information such as type of construction, offsets from the right-of-way and the roadway centerline and dimensions shall be provided.
- H. Sidewalks.** Plans shall show sidewalks located along the County road and within existing and proposed County rights-of-way and easements. All sidewalks within 200 feet of the property shall also be shown on the plans. Information such as type of construction, dimensions, offsets from curbline shall be provided.
- I. Signs.** Location, type and details, including but not limited to, traffic control and identification signs shall be identified on site and within 200 feet of the property.
- J. Parking Areas.** The location, type of construction, and layout of all parking areas shall be shown and shall include: aisle and roadway widths, striping and traffic markings, traffic control signs and measures, parking and loading stall lengths and widths and the overall number of parking spaces.
- K. Utilities.** The location and size of all utilities (above and below ground) within the County right-of-way and the tract to be developed. Plans shall note whether a utility service extension has been granted and whether a road opening will be necessary.



L. Stormwater Management Facilities. All stormwater management facilities shall be included on the plan. Stormwater facilities shall show size of lines, direction of flow, slope, invert elevations and the location of the drainage area contributing to each stormwater facility. The path of existing or proposed emergency overflow and positive outflow for all stormwater management facilities shall be provided. The development application shall include:

- i. A stormwater management report containing all engineering design information required by Section 600 of this Ordinance which includes a written narrative and supporting calculations. All storm sewer facilities shall correspond to the submitted drainage calculations.
- ii. A stormwater maintenance schedule for all stormwater management facilities.

M. Flood Hazard Areas. The boundaries of flood hazard areas (flood way and flood fringe) located on site and within 300 feet of the site shall be shown on the plan. The 1% (100-year) and 0.2% (500-year) flood hazard areas and flood hazard type (e.g. AE, A, V, etc.) as depicted on the current FIRM or other best available data, shall be shown on the plan.

N. Streets Intersecting with a County Road. The plan shall show or be accompanied by plans, profiles and cross-sections of all streets that abut the tract and intersect with a County Road and include the information identified below:

- i. Cross-sections shall extend 100 feet beyond the proposed right-of-way of a County Road and include centerline and edge of pavement elevations and existing and proposed cross slopes.
- ii. The cross-section of any street shall clearly indicate the type and width of pavement and location of curbs, sidewalks and landscaping.
- iii. Centerline and gutterline profiles shall extend a minimum of 300 feet from the limits of the development.

7. Improvements in County Right of Way. Where there are planned improvements within a County right-of-way, a separate detailed sheet (24' X 36') at a scale 1" = 30' horizontal shall be provided. The plan shall encompass any intersections involving at least one County Road and driveways intersecting the County Road and contain the following information: **(See County Figures for additional guidance)**

- A. All stationing of elevations shall be taken at 25 foot intervals. Stationing shall continue 300 feet past project limits and 200 feet down all intersecting streets.
- B. Existing and proposed pavement and lane dimensions, elevations at the centerline, edge of travel lane and paving shoulder, gutter and top of curb. For multi-lane roads, also include elevations at all lane boundaries.
- C. Existing and proposed striping including all lane widths and dimensions, symbols, traffic control signs, traffic control devices, raised pavement markers, traffic signals and traffic signal sensing



loops shall be shown.

- D. Existing and proposed curbs, sidewalks, gutters, driveways, drainage facilities and the utilities, elevations shall be given for all existing and proposed grates, inverts and basin bottoms. The type, size and grade of pipes are to be indicated.
 - E. Plans shall provide all right of way geometry relating to the roadway being improved, including widths from centerline to the right of way line, horizontal curve data, curb offsets, pavement width, lane widths etc..
 - F. Profiles of all existing and proposed pavement features and underground utilities including road grades (slopes), vertical curve data, centerline and gutterline elevations, invert elevations, lengths, diameters, grades/slopes and types and size of pipes. Plan profile sheets shall be scaled at 1"= 30' horizontal and 1"= 3' vertical.
 - G. Cross-sections shall be provided at all critical points where road widths or construction applications change (ie. milling, reconstruction etc). Cross- sections shall be provided at each station and include station, existing and proposed elevations for centerline, edge of pavement, curbs, gutters, sidewalks, grades/slopes to right-of-way limits, proposed cross slopes for all travel lanes and shoulders.
 - H. All survey control points, base lines, offsets and bench marks shall be provided. All elevations shall be referenced to NAVD 88.
8. **Soil Erosion.** When land disturbance of more than 5,000 square feet is proposed or ditches, streams, brooks or watercourses are to be altered, developed or relocated, the method of stabilizing slopes and measures to control erosion and siltation shall be provided.
- A. Soil erosion control methods shall be subject to the standards established by Standards for Soil Erosion and Sediment Control in New Jersey adopted by the Cape-Atlantic Soil Conservation District.
 - B. The applicant shall be responsible for all costs incurred in cleaning a County Drainage facility(s) that is impacted from a project that did not provide adequate soil erosion protection techniques.
 - C. When a brook or stream is proposed to be altered, improved, or relocated or when a drainage structure is proposed in an intermittent or major stream, evidence of application or intent to submit an application to the New Jersey Department of Environmental Protection shall accompany the land development application.
9. **Other Information.** Other information, as deemed necessary by Regional Planning and the County Engineer, may be required in order to determine if the application conforms with the requirements of the ACLDS.



407. Final Plat Submission (Sign & Seal)

The County recording officer shall not accept for filing any subdivision plat unless it bears the certification of either a Final Approval or Favorable Review by the authorized county planning board officer or staff member indicating compliance with the provisions County Planning Enabling Act and standards adopted pursuant thereto.

The following requirements must be satisfied prior to obtaining any County signatures on subdivision maps to be filed in the Atlantic County Clerk's Office.

1. Obtained a Final Approval or Favorable Review from the County.
2. The subdivision plat must be prepared in conformance with the requirements of the New Jersey Recordation Law (N.J.S.A. 46:26B, Map Filing).
3. All easements and areas to be dedicated for public use must be delineated with dimensions, bearings and curve data sufficient to accurately define the location of all lines and boundaries. The area in square feet and acres is to be shown.

The proper notation, identifying the types of easements and dedicated public areas, is to be shown on the final plat.

408. Digital Submission

In addition to the required final plat submission identified in Section 407 above, the applicant shall submit the approved subdivision plans in a digital format. The County will be utilizing this information to update their Geographic Information System (GIS) coverages and databases.

The specifics on the digital submission of information are outlined in the "Atlantic County Land Development Review Digital Submission Requirements" found on the Atlantic County website.



CHAPTER 500

SITE PLAN REGULATIONS AND PROCEDURES



501. County Jurisdiction over Site Plan Applications.

Pursuant to N.J.S.A. 40:27-6.6 all site plans, excluding the exemptions listed below, shall be submitted to the County for **Review**. Those site plans along a County road or affecting county drainage facilities are subject to **Review and Approval** by the Development Review Committee for the purpose of assuring a safe and efficient county road system. Specifically:

1. Site Plans Subject to County Review and Approval. All site plans that are:

- along a County road; or
- affect a County drainage facility

shall be subject to **Review and Approval** by the Development Review Committee.

As identified in the County Planning Enabling Act (40:27-6.6.a), specific land development subject to a site plan **Review and Approval** by the DRC shall include commercial, industrial and multifamily structures containing five (5) or more units, any land development requiring an off-street parking area, and any land development producing surface runoff in excess of standards set forth in this Ordinance.

In accordance with this Ordinance, **Review and Approval** of a site plan by the County may include any or all of the following:

- A. The requirement of dedication of additional right-of-way in accordance with the Atlantic County master plan or official County map. (40:27.6.6.b);
- B. The requirement of physical improvements, subject to the recommendations of the county engineer, relating to safety and convenience of the traveling public, including drainage facilities, or other highway and traffic design features as maybe deemed necessary in accordance with this Ordinance. (40:27.6.6.c);
- C. The requirement of performance and payment guarantees and maintenance bonds for the construction of County drainage and road improvements. (40:27.6.6.d);
- D. The requirement of adequate drainage facilities and easements when, as determined by the County Engineer in accordance with this Ordinance, the site plan will cause storm water to drain either directly or indirectly to a county road or through any drainage way, structure, pipe, culvert or facility for which the county is responsible for the construction, maintenance or proper functioning. (40:27.6.6.e).

Submission requirements for site plans subject to **Review and Approval** are identified in Section 504.

The County Engineer, County Planner and their staff will review the site plan application in accordance with the Land Development Standards and will make recommendations to the DRC for their consideration and action.



2. Site Plans Subject to County Review. All site plans that are:

- not along a County road; and
- do not affect a County drainage facility

shall be subject to site plan **Review** by the County

Submission requirements for site plans subject to County **Review** shall include, at a minimum, a completed application form, review fee and one (1) copy of the site plan along with supporting information for the County staff to determine if the site plan impacts a County road or drainage facility.

If, after review by the County Engineer, County Planner and their staff, it is determined that the site plan does not abut a County road and will have no impact to a county road or drainage facility, a Favorable Review letter will be issued.

3. Site Plans Exempt from County Review. The following land development is exempt from County site plan review.

- A. Single family dwelling unit.
- B. Land development not along a County road and includes less than one (1) acre of impervious coverage.

Submission requirements for site plans limited to County **Review** shall include a completed application form, review fee and one (1) copy of the site plan along with supporting information for the County staff to determine if the site plan is exempt from County review.

If after review by the County Engineer, County Planner and their staff, it is determined that the site plan meets the requirements for exemption from County review, a Letter of Exemption will be issued.

502. Classification

Regional Planning shall review the application for Administrative and Technical Completeness, as outlined in Section 304.3 and classify it into one of the following:

1. Site Plan

- A. Not along a County Road and not affecting a County drainage facility;
- B. Along a County Road or affecting a County drainage facility;
- C. Exempt from County Review.



503. DRC Action

The DRC shall, within thirty (30) days from the site plan being deemed Administratively and Technically Complete, or within the legally extended time, issue one of the following actions:

1. Favorable Review.
2. Disapproval.
3. Conditional Approval.
4. Final Approval.
5. Exemption

The County shall issue a report to the municipal approving authority, the applicant and if applicable the Pinelands Commission following one of the above actions taken by the County DRC.

In the event of the Disapproval of a subdivision application, a report shall be prepared which identifies the deficiencies of the subdivision application as identified in the County Land Development Standards.

In the event of a Conditional Approval of a subdivision application, a report shall be prepared which identifies the specific conditions that have to be met prior to receiving a Final Approval.

504. Submission Requirements for Site Plan Review and Approval.

All site plans and supporting documentation shall be clear and legible and conform, at a minimum, to the items listed below and as listed in the Site Plan Technical Checklist located on the County website. All surveying details shall be prepared by a surveyor licensed in the State of New Jersey. All engineering details shall be certified by an engineer licensed in the State of New Jersey. (All County Engineering Details can be found on the County website).

1. **Standard Size Sheet.** The plan shall be prepared on one of six standard sizes, namely 8 1/2" x 13", 11" x 17", 15" x 21", 18" x 24", 24" x 36" or 30" x 42".
2. **Scale.** A written (inches to feet) and graphic scale shall be on the plan.
3. **Key Map.** A key map shall be provided showing the location of the tract to be provided and its relationship to the surrounding properties within 1,000 feet. The intersection of at least two public streets with their names shall also be shown.
4. **USGS Topographic Map.** A USGS topographic map, at a scale of 1"=2000', shall be provided which identifies the location of the site and includes an area within 1 mile radius of the site.



5. **Title Block.** Each plan shall include a title block which includes the title of the map, tax map sheet number, municipal block and lot numbers, name, address, license number, signature and embossed seal of land surveyor who prepared the plan, date of the original plan preparation and a box for recording plan revisions and nature of revisions.
6. **Land Survey.** A land survey in accordance with the minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors shall be provided. The date of the land survey shall be shown.
7. **Dimensions and Area of Lots.** The dimensions, square footage and bearings of the existing and proposed lots shall be clearly identified.
8. **Municipal Block and Lot Designations.** The block(s) and lot(s) of all existing and proposed lots along with a copy of the municipal tax map with the property identified.
9. **Land Use Information:** Plans shall clearly identify the existing and proposed land use for the proposed development.
10. **Property Owner/Applicant.** Name and address of current property owner(s) shall be shown on plan. If owner is different from applicant, then name and address of applicant shall be shown on plan.
11. **Property Owner(s) Consent.** A consent to the site plan shall be provided in writing from all the owner(s) of the property.
12. **Contiguous Property Owners:** The plan shall include a current certified listing, by the municipal tax assessor, identifying the names and addresses of property owners within 200 of the property.
13. **North Arrow and Reference Meridian.** The north arrow and reference meridian, used for bearings on the map, shall be shown. The coordinate base, either assumed or based on the New Jersey Plane Coordinate System (NAD 1983), shall be shown on the plat.
14. **Municipal Boundary Line.** All municipal boundary lines crossing or adjacent to the property shall be shown.
15. **Natural and Artificial Waterways.** All natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines shall be shown.
16. **Freshwater and Tidal Wetlands.** All freshwater and tidal wetlands and associated buffers located on the property shall be shown on the plan.
17. **Easements.** The location, size and nature of existing and proposed easements, such as road right-of-way, clear sight triangles, drainage and utility easements shall be shown and dimensioned.



- 18. Monumentation.** The plan shall clearly show all monumentation found, set and to be set. A minimum of three (3) corners distributed around the tract shall indicate New Jersey State Plane coordinate values (NAD 1983).
- 19. Local Zoning and Design Standards.** Local zoning and design standards, including but not limited to minimum rights of way, lot areas and yard dimensions, shall be shown on the plan.
- 20. Soils Types.** The plan shall indicate location and type of soils on the site with USDA Soil Survey map with the site delineated.
- 21. Soil Borings.** The plan shall identify the location of soil borings performed on site with soil log information which includes estimated depth to seasonal high water table along with descriptions of soils encountered.
- 22. Existing And Proposed Conditions:** At a minimum, plan submissions shall include the existing and proposed conditions of the following information:
- A. Topography.** Topographic data shall be provided for the entire site, as well as onto adjacent properties as deemed necessary to determine the drainage and grading patterns. Elevation contours of one (1) foot where slopes are ten percent (10%) or less and two (2) feet where slopes are ten percent (10%) or greater. Elevations shall be based on the New Jersey Geodetic Survey Control Datum (NAVD 1988).
 - B. Site Conditions.** Condition of site, i.e., wooded, cleared, vacant, asphalt, etc. Plans shall indicate what will remain on-site or be removed.
 - C. Landscaping.** Plans shall show landscaping on-site and within existing and proposed County rights-of-way and easements. Information relating to the mature size and the type of vegetation shall be provided.
 - D. Buildings & Structures.** Plans shall show all structures and buildings. The plan shall indicate if they shall remain or be removed. Finished grade elevations shall be provided at all building corners.
 - E. Water Bodies.** The plans shall show water bodies including storm water management basins and water courses within 200 feet of the project site, including but not limited to streams, lakes and ponds (natural and man-made). There shall be an indication as to whether the water bodies and water courses are constant, intermittent or dry. Tidal courses shall include high tide, low tide and mean tide elevations;
 - F. Driveways.** All driveways within 200 feet of the site and intersect with a County road shall be shown on the plans. Information such as type of construction, dimensions and curb radii shall be provided.



- G. Curbing.** Plans shall show curbing located along the County road and within existing and proposed County rights-of-way and easements. All curbing within 200 feet of the property shall also be shown on the plans. Information such as type of construction, offsets from the right-of-way and the roadway centerline and dimensions shall be provided.
- H. Sidewalks.** Plans shall show sidewalks located along the County road and within existing and proposed County rights-of-way and easements. All sidewalks within 200 feet of the property shall also be shown on the plans. Information such as type of construction, dimensions, offsets from curblines shall be provided.
- I. Signs.** Location and type of signs, including but not limited to, traffic control and identification signs shall be identified on site and within 200 feet of the property. A detail shall be shown on the plan which provides dimensions of the signs.
- J. Parking Areas.** The location, type of construction, and layout of all parking areas shall be shown and shall include: aisle and roadway widths, striping and traffic markings, traffic control signs and measures, parking and loading stall lengths and widths and the overall number of parking spaces.
- K. Utilities.** The location and size of all utilities (above and below ground) within the County right-of-way and the tract to be developed. Plans shall note whether a utility service extension has been granted and whether a road opening will be necessary.
- L. Stormwater Management Facilities.** All stormwater management facilities within the drainage area, on site or along the County road shall be included on the plan. Stormwater facilities shall show size of lines, direction of flow, slope, invert elevations and the location of the drainage area contributing to each stormwater facility. The path of existing or proposed emergency overflow and positive outflow for all stormwater management facilities shall be provided. The development application shall include:
- i.** A stormwater management report shall be submitted containing all engineering design information required by Section 600 of this Ordinance which includes a written narrative and supporting calculations. All storm sewer facilities shall correspond to the submitted drainage calculations.
 - ii.** A stormwater maintenance schedule for all stormwater management facilities.
- M. Flood Hazard Areas.** The boundaries of flood hazard areas (flood way and flood fringe) located on site and within 300 feet of the site shall be shown on the plan. The 1% (100-year) and 0.2% (500-year) flood hazard areas and flood hazard type (e.g. AE, A, V, etc.) as depicted on the current FIRM or other best available data, shall be shown on the plan.
- N. Streets Intersecting with a County Road.** The plan shall show or be accompanied by plans, profiles and cross-sections of all streets that abut the tract and intersect with a County Road.



- i. Cross-sections shall extend 50 feet beyond the proposed right-of-way of a County Road and include centerline and edge of pavement elevations and existing and proposed cross slopes for all travel lanes and shoulders.
- ii. The cross-section of any street shall clearly indicate the type and width of pavement and location of curbs, gutters, sidewalks and landscaping.
- iii. Centerline and gutterline profiles and plan elevations shall extend a minimum of 300 feet from the limits of the development.

23. Improvements in County Right of Way. Where there are planned improvements within the County's right-of-way, a separate detailed sheet at a scale 1"=30' horizontal shall be provided. The plan shall encompass any intersections or driveways intersecting the County Road and contain the following information: **(See County details for additional guidance)**

- A. All stationing of elevations shall be taken at 25 foot intervals. Stationing shall continue 300 feet past project limits and 200 feet down all intersecting streets.
- B. Existing and proposed pavement and lane dimensions, elevations at the centerline, edge of travel lane and paving shoulder, gutter and top of curb. For multi-lane roads, also include elevations at all lane boundaries;
- C. Existing and proposed striping including all lane widths and dimensions, symbols, traffic control signs, traffic control devices, raised pavement markers, traffic signals and traffic signal sensing loops shall be shown.
- D. Existing and proposed curbs, sidewalks, gutters, driveways, drainage facilities and the utilities, elevations shall be given for all existing and proposed grates, inverts and basin bottoms. The type, size and grade of pipes are to be indicated.
- E. Plans shall provide all right of way geometry relating to the roadway being improved, including widths from centerline to the right of way line, horizontal curve data, curb offsets, pavement width, lane widths etc..
- F. Profiles of all existing and proposed pavement features and underground utilities including centerline and gutterline elevations, road grades (slopes), vertical curve data, invert elevations, lengths, diameters, grades/slopes and types and size of pipes. Plan profile sheets shall be scaled at 1" = 30' horizontal and 1" = 3' vertical.
- G. Cross-sections shall be provided at all critical points where road widths or construction applications change (ie. milling, reconstruction etc). Cross- sections shall be provided at each station and include station, existing and proposed elevations for centerline, edge of pavement, curbs, gutters, sidewalks, grades/slopes to right-of-way limits, proposed cross slopes for all travel lanes and shoulders.



H. All survey control points, base lines, offsets and bench marks shall be provided. All elevations shall be referenced to NAVD 88.

24. Soil Erosion. All proposed soil erosion and sediment control measures shall be consistent with the following:

- A. Soil erosion control methods shall be subject to the standards established by Standards for Soil Erosion and Sediment Control in New Jersey adopted by the Cape-Atlantic Soil Conservation District.
- B. The applicant shall be responsible for all costs incurred in cleaning any affected County Drainage facilities when inadequate erosion protection techniques are used.
- C. When a brook or stream is proposed to be altered, improved, or relocated or when a drainage structure is proposed in an intermittent or major stream, evidence of application or intent to submit an application to the New Jersey Department of Environmental Protection shall accompany the land development application.

25. Atlantic County Signature Block. The Atlantic County Signature Block shall be provided on all site plans to be signed and sealed by the County. The Atlantic County Signature Block can be found on the County website.

26. Other Information. Other information, as deemed necessary by Regional Planning, the County Engineer or the Development Review Committee, may be required in order to determine if the application conforms with the requirements of the ACLDS.

505. Digital Submission

In addition to the required final site plan submission requirements the applicant shall submit the site plan in a digital form. The County will be utilizing this digital information to update their Geographic Information System (GIS) coverages and databases.

The specifics on the digital submission requirements is outlined in the “Atlantic County Land Development Review Digital Submission Requirements” found on the Atlantic County website.



CHAPTER 600

STORMWATER MANAGEMENT REGULATIONS AND PROCEDURES



601. General Policies

1. **Jurisdiction:** Pursuant to N.J.S.A. 40: 27-6.2a and N.J.S.A. 40:27-6.6e all land development which will cause storm water to drain either directly or indirectly to a County road or through any drainageway, structure, pipe, culvert or facility for which the County is responsible for the construction, maintenance or proper functioning shall provide a stormwater management plan in accordance with the standards and criteria established in this Ordinance.
2. **Requirements.** Stormwater drainage improvements shall be required to provide sufficient design and capacity to satisfactorily accommodate the anticipated impact upon a County road or County maintained drainage facility from the increased runoff created by any land development.

In the Pinelands area, the standards of N.J.A.C. 7:50-6, Part VIII, Of the Comprehensive Management Plan for stormwater drainage improvements shall be met.

3. **Waivers.** The applicant may request a waiver from strict compliance with the Stormwater Management Regulations and Procedures herein established as outlined in Section 310. The DRC may waive or adjust individual standards as may be reasonable and within the general purpose of this Ordinance.

602. General Standards and References

It is not practical to show all possible stormwater design standards in this section. Therefore, standards from the following references shall be considered in the planning and design of all stormwater management systems affecting County highways, bridges, drainageways, and related structures and facilities.

1. *Residential Site Improvement Standards* of the New Jersey (Chapter 7) Administrative Code, Title 5 Chapter 21, except where modified by the County. (Note: Where reference is made to approvals by the Municipal Engineer, a municipal agency, Municipal Attorney, or similar reference, it shall mean the County Engineer, County agency, County Counsel etc.)
2. Construction practices shall conform to *Standards for Soil Erosion and Sediment Control in New Jersey*, NJAC 2:90-1, as administered by the New Jersey Department of Agriculture.
3. Highway drainage structures shall be designed, where applicable, in accordance with the *Design Manual-Roadway*, New Jersey Department of Transportation.
4. Inlets, catch basins, and manholes shall be designed in accordance with the *Standard Specifications for Road and Bridge Construction*, New Jersey Department of Transportation.
5. *Urban Hydrology for Small Watersheds*, Technical Release No. 55 (TR-55), U.S., Department of Agriculture, Soil Conservation Service, Engineering Division.
6. Design and Construction of Urban Stormwater Management Systems, ASCE Manuals and Reports



of Engineering Practice No. 77.

7. Green Infrastructure Guidance Manual for New Jersey, Rutgers Cooperative Extension Water Resources Program.

603. Stormwater Management Techniques

1. **Techniques.** The following techniques may be appropriately utilized regarding stormwater management:

- Detention Basins
- Perforated Pipe within Stone Trench
- Retention Basins
- Grassed Swales and Vegetative Areas
- Infiltration Facilities
- Concrete Lattice Block Surfacing
- Seepage Pits
- Decreased Impervious Area Coverage

Proposed stormwater management techniques are not limited to the ones listed above. If an alternate system is proposed, sufficient rationale for using that system shall be provided. The use of other control methods not listed above shall be subject to the review and approval by the County Engineer and DRC.

Stormwater management techniques shall be tailored to specific site characteristics such as depth to seasonal high groundwater, soil types and topography.

604. Stormwater Management Plan Report

A written report shall accompany the Stormwater Management Plan and shall include the following items:

1. A narrative summarizing the methods proposed to accommodate stormwater runoff to and from the site. Any impacts to a county stormwater management facility shall be addressed in this narrative.
2. A summary narrative and table comparing pre-development and post development rates and volumes for the 2, 10, 50 and 100-year storm events.
3. Drainage calculations for existing and proposed conditions, drainage design plans depicting



existing and proposed information, and supporting documentation such as watershed subarea data, worksheets, hydrograph data, drainage area map (on-site and off-site), stormwater facilities plans including profile and cross section details, structure elevations including pipe inverts (inflow and outflow), grate, spillway top of embankment, soil boring logs and locations; stormwater management basin maintenance plan narrative, construction schedule, analysis of existing County facilities to accommodate proposed development.

4. A downstream analysis and impact statement shall be prepared and submitted for review, if requested by the County Engineer.

605. General System Design Requirements

1. Stormwater management plans and facilities shall be designed to accommodate runoff from the development of the site for the 2-year, 10-year, 50-year, and 100-year storm events so that pre-development peak flow rates and volumes that impact on downstream properties, watercourses, and/or drainage systems are not increased.
2. Existing drainage problems affecting the County roads and drainage facilities shall be addressed in the proposed development area even if there is no change or a decrease in impervious cover from pre-development and post-development.
3. Stormwater runoff or natural drainage water shall not be diverted as to overload existing drainage systems, cause flooding or erosion, or create the need for additional drainage facilities on other property.
4. Stormwater management plans shall consider the natural drainage water which originates not only within the development boundaries but which also originates from the total natural watershed. Drainage calculations shall be computed to include the entire portion of the watershed.
5. Stormwater management facilities designed as an infiltration basin shall provide for the bottom of the basin to be a minimum of two (2) feet above the elevation of the seasonally high water table.
6. At least one soil boring and soil log shall be provided for each stormwater management facility. All soil borings are to extend at least five (5) feet below the bottom of the proposed stormwater management facility.

For stormwater management facilities having a surface area greater than one-half acre, additional soil borings are required at a rate of one boring for every one-half acre.

Soil borings shall be provided at a rate of one per 150 linear feet of swale or trench for all linear stormwater management facilities such as stone trenches.

The soil logs shall include the following information:

- A. Description of soil depth below existing surface.



- B. Estimated depth to seasonal high groundwater.
 - C. Depth of groundwater, if encountered.
 - D. Soil percolation rates.
7. New stormwater management basins side slopes for earthen dams, embankments or berms shall not exceed 3 horizontal to 1 vertical.
 8. To the maximum extent practical, all stormwater management basins should have length to width ratios of at least 2 to 1 for the distance between the basin inflow and its outflow.
 9. Stormwater management facilities, where emergency overflow cannot be provided must be sized to at least accommodate the 100 year storm.
 10. Discharge outlets from stormwater detention basins shall be designed to normally operate without a manual, electric, or mechanical controls. Outlet pipes shall have a minimum diameter of 12 inches; however outlet flow limiting devices having a minimum diameter of six inches may be incorporated into the outlet structure. Trash racks shall be installed at the intake to the outlet from the stormwater management basin if the intake has a diameter of 12 inches or greater.
 11. Energy dissipaters shall be provided at all inflow and outflow locations to reduce water velocity and soil erosion. All pipe ends shall be designed with an appropriate headwall.
 12. Positive outflow to an existing drainage system or stream shall be provided for all stormwater detention and retention facilities which may affect County roads or drainage. Such outflow shall not be directed across pedestrian walkways or roadway border areas by overlay and flow.
 13. No pipe size in the County storm drainage system shall be less than 15" in diameter.
 14. Materials used in construction of storm sewers within existing or proposed County right-of-way shall be reinforced concrete pipe, ductile iron, or, when approved by the County Engineer, corrugated polyethylene, and corrugated aluminum.
 15. Construction of storm sewers within the County right-of-way should not be laid directly beneath the curb line when extending sewers parallel with the roadway in order to avoid, if possible, potential curb or gutter settlement as well as potential shallow cover concerns when the curb is installed.
 16. Appropriate soil erosion and sediment control measures shall be incorporated into the design of the stormwater management facilities.
 17. All development, except lands within the Pinelands Area, shall adhere to requirements of the New Jersey Department of Environmental Protection regarding wetland areas and their related buffer and/or transition areas as regulated under the Wetlands Act of 1970 and the Freshwater Wetlands Protection Act. Development within the Pinelands Area shall adhere to the requirements of the



Pinelands Commission.

606. Stormwater Management within Pinelands Area

In addition to the standards of the County, the stormwater management facilities in the Pinelands Area shall be designed to comply with the requirements and standards of the New Jersey Pinelands Comprehensive Management Plan, as administered by the Pinelands Commission.

1. Drainage calculations shall be provided which demonstrate conformance with the standards of N.J.A.C. 7:50-6.84 of the Comprehensive Management Plan and describe any deviations from County standards.
2. In any Pinelands Area, no development within wetlands or within three-hundred feet of wetlands is permitted unless the developer can demonstrate that the development will not result in an adverse impact on wetland areas as determined by the Pinelands Commission.

607. Water Quality

1. Stormwater management shall provide for the control of a water quality design storm. The water quality design storm shall be defined as the one-year frequency S.C.S. Type III, 24-hour storm or 1.25 inches of rainfall falling uniformly in two hours.
2. In addition to addressing water quantity generated by development, a stormwater management system shall also prevent, to the greatest extent feasible, an increase in nonpoint pollution.
3. The water quality storm shall be controlled by best management practices. These include, but are not limited, the following:
 - A. In "dry" detention basins serving residential development, provisions shall be made to ensure that the runoff from the water quality design storm is retained, such that not more than 90 percent will be evacuated prior to 18 hours.
 - B. In "dry" detention basins serving non-residential development, provisions shall be made to ensure that the runoff from the water quality design storm is retained, such that not more than 90 percent will be evacuated prior to 36 hours.
 - C. Retention time shall be considered a brim-drawdown time and therefore shall begin at the time of peak storage. The retention time shall be reduced in any case that would require an outlet size diameter of three inches or less. (Therefore, three inch diameter orifices shall be the minimum allowed. The minimum is only for water quality outlets).
 - D. In permanent ponds or "wet" basins the volume of permanent water is at least three times the volume of runoff produced by the water quality design storm.



- E. Infiltration practices such as dry wells, infiltration or retention basins, infiltration trenches and buffer strips may be used to satisfy this requirement, provided they produce zero runoff from the water quality design storm and allow for complete infiltration within 72 hours.

608. Cost Estimate and Performance Guarantee

1. Prior to final approval being issued, the applicant shall provide the following:
 - A. A construction cost estimate for the storm water management facilities approved by the DRC. If additional construction is proposed, as part of the approval process, these costs shall be combined into one cost estimate.
 - B. A performance guarantee in the amount of the cost estimate approved by the County.

609. Inspections

1. The County Engineer shall inspect all stormwater management facilities approved by the DRC and to be accepted and maintained by the County or covered under a County drainage covenant.
2. The County reserves the right to inspect all stormwater management facilities that will drain stormwater to a County owned right of way or facility owned or maintained by the county.
3. For all stormwater management facilities approved by the DRC and to be accepted and maintained by the County or covered under a County drainage covenant, the applicant's engineer shall provide a certification that the facility has been built in accordance with the plans and specifications of the approved plans and as-built construction plans for the drainage facility have been submitted.

610. Maintenance

1. A stormwater maintenance schedule shall be required, as part of any subdivision or site plan application, which is subject to review and approval by the DRC. At a minimum, the stormwater maintenance schedule shall include the following:
 - A. The party responsible for the maintenance of the stormwater facility;
 - B. Type and frequency of maintenance required. All basins shall be cleaned initially upon stabilization of landscaped areas. Cleaning shall consist of the dredging and removal of all silts and fines from the bottom and side slopes of the basin;
 - C. Equipment required for the maintenance of said facility;
 - D. Cost of such maintenance.



2. The construction schedule for the completion of the stormwater management basins and the development shall include phases which address protection of the basin from erosion and sediment generated during construction of the development, as well as the removal of sediment from the basin and other structures during construction and after development.
3. A clear accessway of fifteen (15) feet shall be provided to all stormwater facilities (basins) for the purpose of assuring vehicular access for maintenance activities and shall be at a slope no greater than 10:1.
4. In the event that the stormwater management system becomes a danger to the public health or safety, or if it is in need of maintenance, the County shall notify, in writing, the responsible party by certified mail. The responsible party shall have fourteen days to perform such maintenance and repair the facility subject to the review and approval of the County Engineer. If the responsible party either refuses to repair or conducts such repair in a manner unacceptable to the County Engineer, the County may immediately proceed with the repair or maintenance of the facility and bill the costs thereof to the responsible party.
5. For applications in the Pinelands Area, the stormwater maintenance requirements of N.J.A.C. 7:50-6.84(a)6vii of the Comprehensive Management Plan shall also apply.

611. Drainage Covenant

1. A drainage covenant may be required by the DRC if a County road or drainage facility is incorporated into the stormwater management plan of a site plan or subdivision application. The drainage covenant shall conform with the Declaration of Covenants and Restrictions for Drainage Structures found on the County website.

612. Use of County Right-of-Way and Drainage Facilities

1. **County Right-of-Way:** No proposed drainage facilities, or parts thereof, shall be located within either an existing or proposed County right-of-way or easement without the permission of the County Engineer.
2. **Drainage Facilities Owned and Maintained by the County:** Prior to the utilization of a County owned and maintained drainage facility, applicants must receive approval from the DRC, with the recommendation of the County Engineer. The applicant's request to use or expand use of a County owned or maintained drainage facility must be made in writing addressed to the County Engineer.

613. Drainage Easements

1. A drainage easement may be required to permit access to operate and maintain a stormwater facility.
2. All drainage easements shall be clearly identified and be labeled with bearings and distances prepared by a professional land surveyor. The drainage easement shall be a minimum of twenty (20) foot wide.



614. Procedures for Utilizing a County Drainage Facility to Accommodate Site Generated Runoff

1. The following information shall be submitted for developments that utilize a county drainage facility to accommodate site generated runoff.
 - A. The existing and proposed flow and volume discharging into the County owned and maintained drainage facility.
 - B. A determination as to whether or not the existing County drainage facility would need to be enlarged.
 - C. The rationale for proposed use of the County facility.
 - D. Identification of all permits required as a result of the proposed utilization. The applicant shall be responsible for obtaining all necessary permits, prior to receiving a final approval by the DRC.
 - E. Signed and sealed design plans prepared by a Professional Engineer licensed in the State of New Jersey, and signed and sealed survey plan by a New Jersey Professional Land Surveyor of the property to be improved.
 - F. An Engineering cost estimate in accordance with Section 309 of this Ordinance.
2. In determining whether or not to permit the utilization of a County owned and maintained drainage facility, the County Engineer shall consider existing and proposed flows, condition and capacity of the existing system, existing drainage problems, site topography, soils, depth to seasonal high water table, municipal requirements, and the condition and capacity of the existing or proposed County drainage facility.

615. Off-Site Discharge of Stormwater

1. In the event that the applicant proposes to discharge, by pipe, swale, sheet flow or any other means, storm water from the development site to, over, or through any other off-site point, then it shall be the responsibility of the applicant to demonstrate that such stormwater discharges are consistent with the rate and general directions of pre-development natural storm water flows.
2. All easements deemed necessary by the County to utilize off site property for stormwater discharges must be obtained by the applicant.

616. Procedures for Improving County Bridges and Culverts

1. Where a proposed development affects an existing bridge or culvert and the existing structure has adequate waterway area and is not scheduled for replacement, the applicant shall widen the culvert to the width of the proposed right-of-way and bridge to planned curb-to-curb pavement



width plus an additional ten (10) feet for roadside border area.

2. If the culvert or bridge is scheduled for early replacement or is of such construction that widening is impractical in the opinion of the County Engineer, the applicant shall design and construct a new schedule in accordance with Chapter 600 of this Ordinance.
3. Plans for proposed work shall have the approval of the County Engineer and from all other agencies having jurisdictional review authority.

The County Engineer upon approving plans and reviewing the Design Engineer's Construction Cost Estimate, will set the amount of a guarantee to be posted with the County in order to ensure the satisfactory completion of work.

Material testing shall be provided by the applicant during construction and results shall be supplied to the County Engineer from a certified testing laboratory within two weeks after facility installation and prior to release of the performance guarantee.

Upon acceptance of the improvement by the County Engineer and the posting of a two year maintenance guaranty, the performance guaranty may be released.



CHAPTER 700

GENERAL DESIGN STANDARDS



701. Acceptable Design Sources

It is not practical to show all possible design standards in this Section. Therefore, standards from the current editions of the following publications shall be considered by Regional Planning and Division of Engineering. (All County Details identified in this section can be found on the County website)

1. United States Department of Transportation Federal Highway Administration *Manual on Uniform Traffic Control Devices For Streets and Highways*, United States Government Printing Office, Washington, D.C.
2. Institute of Transportation Engineers Trip Generation, Institute of Transportation Engineers, Washington, D.C.
3. Institute of Transportation Engineers *Parking Generation*, Institute of Transportation Engineers, Washington, D.C.
4. Stover, Vergil, G., and Koepke, Frank, J., *Transportation and Land Development*, Prentice Hall, Englewood Cliffs, New Jersey.
5. New Jersey Department of Transportation *Standard Specifications for Road and Bridge Construction*.
6. New Jersey Department of Transportation *Design Manual-Roadway*.
7. American Association of State Highway and Transportation Officials, *A Policy on Geometric Design of Highways and Streets*.
8. Leisch, Jack E. and Associates for Transportation Design Techniques, Incorporated. *Turning Vehicle Templates*.
9. New Jersey Department of Transportation *Bicycle Compatible Roadway and Bikeway Planning and Design Guidelines*.
10. New Jersey Department of Transportation *Survey Manual* - 2014.
11. *AASHTO Guide for the Development of Bicycle Facilities* - 2012
12. *Pine Barrens Byway Corridor Management Plan* - April 2009.
13. Rutgers Cooperative Extension Water Resources Program *Green Infrastructure Guidance Manual for New Jersey* - 2016

702. Off-Street Parking and Loading

Any land development subject to County review and approval shall provide on its lot the number of off-street parking and loading and unloading spaces required by the zoning, subdivision, site plan or other ordinance of the municipality in which the land development is to be located. In addition to local



requirements, the following criteria are to be accounted for in the design of off-street parking and loading facilities for developments subject to review and approval by the County.

1. Off-street parking facilities shall be designed to prevent the storage of any vehicles upon any portion of the existing or future County right-of-way, including the sidewalk area, and within any portion of an entrance driveway or driveway lane that is within twenty (20) feet of the county right of way.
2. Off-street parking facilities shall be designed to permit all vehicles to maneuver from an access driveway, aisle or parking space without encroaching upon any portion of the existing or future County right-of-way, including the sidewalk area.
3. Off-street parking facilities shall be designed to permit all vehicles to turn around on the site to prevent the necessity of any vehicle having to back onto the County road from the site.
4. Sufficient reservoir space shall be provided at the entrance drive to prevent queued entering vehicles from spilling back across the existing or future right-of-way of the County road, including the sidewalk area.
5. Entrance and exit lanes shall be clearly signed in order to prevent driver confusion.
6. No part of any off-street truck loading or unloading space shall be located within the right-of-way of any County road. On-site truck loading berths shall be designed in accordance with the current edition of the ITE's Transportation and Traffic Engineering Handbook.
7. Off-street truck loading and unloading spaces shall be located and designed to permit any truck to maneuver from a driveway into and out of such spaces without encroaching upon any existing or future County-owned right-of-way, including the sidewalk area.
8. The truck-circulation patterns shall be designed to avoid interference with automobile and pedestrian movements or with high-turnover parking. Truck loading docks shall be located away from areas of pedestrian movement and screened from view of parking areas, adjacent properties or adjacent streets.
9. Parking stalls shall be a minimum of 9 feet wide by 18 feet long.
10. The DRC may require the applicant to enter into a shared parking agreement if adequate off-street parking cannot be provided on-site. The applicant must prove that the shared parking facility has an adequate number of additional parking spaces and is available during non-conflicting hours of operation. A copy of the shared parking agreement shall be submitted to the County for review prior to final approval by the DRC.
11. Off-street parking areas and driveways for residences or residential uses shall also be designed to prevent vehicles from backing onto a County road.
12. Electric vehicle charging stations should be incorporated into site designs where appropriate.



703. Barrier-Free Design for Off-Street Parking

The intent of the Land Development Standards is to review all development within Atlantic County in accordance with the requirements of the Americans with Disabilities Act.

1. The number of parking spaces for individuals with disabilities shall be in accordance with the New Jersey Uniform Construction Code (N.J.A.C. 5:23-7) or the Americans with Disabilities Act, as applicable.
2. Parking spaces for individuals with disabilities shall be located as close as possible to elevators, ramps, walkways and the accessible entrance(s) they serve. They shall be no more than 200 feet from an accessible entrance.
3. Parking spaces for individuals with disabilities shall be as level as possible with surface slopes not exceeding 1:48 (1/4 inch per foot) in any direction.
4. Each parking space shall be marked with an R7-8 sign from the Manual of Uniform Traffic Control Devices displaying the International Symbol of Accessibility.
5. Parking spaces for individuals with disabilities shall be a paved surface that is suitable for wheeling and walking. Such parking spaces shall allow room for individuals in wheelchairs or individuals on braces and crutches to get in and out of either side of a vehicle.
6. Curb cut ramps shall be provided to permit individuals with disabilities access from the parking area to the parking lot.

704. Driveway Standards

1. **Driveway Location:** All ingress and egress driveways onto a County road shall be located to allow the greatest degree of safety to both pedestrian and vehicular traffic on the County road.

A. Access to a County Road: When a project site abuts both a County road and either a municipal or internal street, the driveway access shall be from the municipal or internal street. Those lots fronting on both a County road and either a municipal or internal street may be deed restricted to prohibit access onto the County road.

The following note shall be on the plan.

"Proposed Lot (s) _____, Block(s) _____ is (are) to be deed restricted to prohibit access onto County road _____."

In addition to the note on the plans, deeds describing this access restriction are to be reviewed and approved by the County prior to receiving final approval by the DRC.

B. Access to Two or More County Roads: When a project site abuts two or more County roads, access shall be from the County road with the lower functional classification unless other



access standards preclude placement of a drive at this location.

C. Minimum Distance Between a Driveway and a Street Intersection.

- i. The edge of a driveway for uses other than a single-family residential dwelling shall be located a minimum of seventy-five (75) feet from the right-of-way line of a street intersection. (See Figure 21)
- ii. The edge of a driveway for a single-family residential use shall be no closer than twenty-five (25) feet from the right-of-way line of a street intersection. (See Figure 21)

D. Minimum Distance Between Adjacent Driveways.

- i. Where two or more driveways connect a single site to any one County road, a minimum clear distance of fifty (50) feet measured along the curb line of the tangents of the proposed driveway curb radii shall be provided. (See Figure 21)

E. Minimum Distance Between a Driveway and a Property Line.

- i. The edge of a driveway for uses other than a single-family residential dwelling shall be located a minimum of twenty-five (25) feet from a property line. (See Figure 21)
- ii. The edge of a driveway for a single-family residential use shall be located a minimum of ten (10) feet to the property line or twenty (20) feet from an existing or proposed adjacent driveway. (See Figure 21)

F. Opposing Driveway Intersections:

- i. Opposing driveway intersections along county roads for uses other than a single family dwelling shall be located directly across from each other.
- ii. If conditions prohibit locating a proposed driveway intersection directly opposite an existing or proposed intersection along a county road, the offsets between the existing and proposed intersection shall be a minimum of one-hundred and fifty (150) feet. (See Figure 10).

2. Driveway Design: Driveways shall be designed to adequately accommodate the volume and normal character of vehicles anticipated to be attracted to the development. The acceptable ranges for both curb radii and driveway widths are shown in Figure 11, In addition,

- A. Driveways shall be designed to allow no backing of vehicles onto the county right-of-way.
- B. Depressed curbing may be required across driveway openings in order to promote the continual flow of street stormwater runoff. Depressed curbing shall be in accordance with Figure 2 & Figure 22.



- C. Driveways shall intersect the County road at an angle as near ninety (90) degrees as site conditions permit, and in no case shall be less than seventy-five (75) degrees.
 - D. Driveway radii shall be designed to accommodate anticipated vehicles utilizing the site. Truck turning templates must be shown on plan to demonstrate that the proposed driveway radii will accommodate vehicle movements entering and exiting the site.
3. **Number of Driveways Accessing a County Road:** The number of driveways shall be determined by existing site conditions and ensuring safe and efficient for both pedestrian and vehicular traffic on the County road and the following:
- A. Access to a County road from a single family residential dwelling shall be limited to one driveway per lot.
 - B. The number of driveways permitted to access a county road from a non- residential use shall conform to **Table 1 - Number of Access Drives Permitted**.
 - C. In higher density, more urbanized or village areas, the DRC encourages the design of common accesses or marginal service roads to minimize the number of intersections from which traffic movements are made along the County road.

Table 1 - Number of Access Drives Permitted

Length of Frontage	Number of Driveways
150 feet or Less	1
Greater than 150 - but Less than 300'	2
300' or More	To Be Determined By the DRC

4. **Clear Driveway Sight Area:** A clear driveway sight area, also known as a driveway sight triangle, shall be provided at all driveways that intersect with a County Road. The following applies:
- A. A clear driveway site area shall be in conformance with the standards set forth in the American Association of State Highway and Transportation Officials (AASHTO), Geometric Design of Highways and Streets, as revised. Supporting calculations, prepared by a Professional Engineer, shall be provided.
 - B. The clear driveway sight area shall be based on the posted speed limit along the County Road plus 5 miles per hour.
 - C. The clear driveway sight area is to be maintained and kept clear by the owner of the property as identified in Section 308.2.
 - D. Driveways that provide access to a single family home are exempt from providing a clear driveway sight triangle.



5. **Driveway Surfacing:** All driveway aprons shall be paved from the existing or proposed edge of pavement back to the existing or proposed right-of-way line. Paving within this area shall comply with the County paving specifications as detailed in **Figure 6 & 17**.
 - A. The County Engineer may require additional paving or reinforced concrete driveway depending upon expected vehicular traffic.
6. **Driveway Maintenance:** All driveways shall be maintained by the property owners served by the driveway(s).
7. **Additional Details:** Where applicable, **Figures 2, 17, 21 and 22** should be applied when designing driveways onto a county road.

705. Intersection Standards

1. **Intersection Location:** All intersections with a County road shall, given the physical constraints of the site, be located to afford maximum safety to the traveling public.
 - A. At no time shall a proposed road intersection be located within two-hundred (200) feet of a rotary, ramp of an interchange or a bridge.
 - B. Opposing intersections along county roads shall be located directly across from each other.
 - C. If conditions prohibit locating a proposed intersection directly opposite an existing intersection along a county road, the offsets between the existing and proposed intersection shall be a minimum of one-hundred and fifty (150) feet. **See Figure 10.**
2. **Intersection Design:** Intersecting streets shall be constructed so that the centerline of the intersecting street is perpendicular to the centerline of the County road. At no point shall the angle of intersection be less than seventy-five (75) degrees. Intersections involving a County road shall be designed in accordance with **Figure 11**.
 - A. **Right-of-Way Radii:** The right-of-way radii at intersections where either one or both roads are County Roads shall be in accordance with **Figure 11**.
 - B. **Right-of-Way Dedication at Intersections:** Where any road intersects a County road, the County right-of way may be increased by up to twenty feet (20) on both roads for the distance of two-hundred and fifty (250) feet from the intersection of the two centerlines. This additional right-of-way may be required to ensure adequate land for the construction of additional travel and turning lanes, shoulders and for the location and relocation of utilities and traffic control devices.
3. **Intersection Clear Sight Area:** Intersection clear sight areas, also known as an intersection sight triangle shall be provided at all intersections involving a County road. The following applies:



- A. An intersection clear site area shall be in conformance with the standards set forth in the American Association of State Highway and Transportation Officials (AASHTO), Geometric Design of Highways and Streets, as revised. Supporting calculations, prepared by a Professional Engineer, shall be provided.
 - B. The intersection clear sight area shall be based on the posted speed limit on the County Road plus 5 miles per hour.
 - C. The intersection clear sight area is to be maintained and kept clear by the owner of the property as identified in Section 308.2.
4. **ADA Accommodations:** Intersection design should conform to the requirements of the Americans with Disabilities Act to provide reasonable accommodations. Ramps, sidewalks, pavement markings, signage, signals, pedestrian scale lighting and other design elements should be incorporated as needed.
5. **Additional Intersection Details.** Where applicable, Figures 7, 10, 11, 15, 16 & 18 should be used when designing intersections along a County road.

706. Access Control for Intersections

If warranted, the Development Review Committee may require one or more of the following improvements along a County road in order to facilitate the safe and efficient movement of vehicular and pedestrian traffic.

1. **Traffic Signal** The DRC may require the installation of a new traffic signal or modification of an existing signal at the intersection of a County road when a subdivision or site plan application will generate a significant increase in traffic volume, create a traffic safety hazard or other situations sufficient to warrant a traffic signal. All traffic signals must be warranted and shall be designed in accordance with the Manual on Uniform Traffic Control Devices, latest edition, (MUTCD)

In accordance with the MUTCD, a traffic signal warrant study shall be prepared to determine whether a traffic signal device or modification of an existing traffic signal is justified. In addition, the design engineer is required to provide a recommendation that if warranted, the signalization is based on their analysis and investigation and that the signalization is in the best interest of safety and the expeditious movement of traffic.

The design engineer shall obtain NJDOT's approval that a traffic signal is warranted prior to starting the design of the traffic signal. The Development Review Committee will require that the applicant prepare and have approved by the County Engineer and the New Jersey Department of Transportation all necessary plans and specifications for the traffic signal.

The applicant/developer shall be responsible for and bear the expense of securing such approvals as may be required including the bonding and the costs of installation of the traffic signal in accordance with approved plans.



2. **Traffic Control Devices:** In accordance with the Manual on Uniform Traffic Control Devices, latest edition, (MUTCD), the DRC may require the installation of traffic control devices such as specific directional, regulatory or advisory signs, signals, channelization, traffic striping or raised pavement markings at designated locations on the site or in the County right-of-way. Material specifications for traffic control devices are to be in accordance with the NJDOT's Standard Specifications for Road and Bridge Construction, latest edition.
3. **Auxiliary Lanes:** Widening of the County road, construction of shoulders and auxiliary lanes (acceleration/deceleration, turning) lanes may be required by the DRC. Factors governing this determination shall include roadway classification, current and anticipated traffic volume, speed on the County road, safety concerns or conditions and the character and volume of traffic on the street or road. Auxiliary lanes shall be in accordance with **Figure 16 and Figure 18.**

If warranted the following auxiliary lanes shall be provided:

- A. **Right-Turn Deceleration Lane.** A right-turn deceleration lanes shall be provided for all developments along those County Roads classified as "Arterial" in the Official County Map Right-Of-Way Standards in the County Master Plan.
- B. **Left-Turn Storage Lane:** A left-turn storage lane shall be provided when the proposed development meets the warrant for a left-turn storage lane as described by Highway Research Record Number 211.

The DRC may also determine that safety conditions warrant a left-turn storage lane after review of accidents in the past three years, existing traffic volumes, speed limits, sight distances and roadway alignment.

4. **Marginal Service Road:** The DRC may require a marginal service road that runs parallel to a higher order street which provides access to abutting properties and separation from through traffic. It may be designed as a residential access street or minor collector as anticipated daily traffic dictates.
5. **Common Driveways or Common Access Roads:** Common driveways or common access roads shall be provided for those lots fronting a County road and not having access to a municipal street.
6. **Limited Access:** Access to a county road may be limited to right turn in/right turn out movements, one-way entrances or exits or similar types of turning restrictions.
7. **Pedestrian and Bicycle Accommodations:** Pedestrian and bicycle scale signals should be incorporated where feasible. Any intersection with sidewalk connections to residential neighborhoods and commercial or other destinations should include pedestrian actuated call buttons that conform to ADA standards. For intersections where bike lanes are present, consideration should be given to providing priority signals for cyclists.



8. **Other Improvements:** Other improvements may be deemed necessary, by the DRC, for the safe and efficient operation of an existing or proposed County intersection.

707. Curb and Curb with Gutter

Each land development subject to County approval may be required to install curb or curb with gutter for stormwater management purposes, protection of vehicular and pedestrian traffic, and delineation and protection of the pavement edge.

1. **Requirements.** Curb and curb with gutter may be required to:
 - A. Channelize vehicular traffic;
 - B. Maintain existing stormwater flow or correct an existing drainage problem;
 - C. Match and maintain the continuity of curbing on adjacent property.
 - D. Protect pedestrians when sidewalk exists or is to be installed.
2. **Standards:** All curb and curb and gutter to be installed within a County right-of-way shall conform to the standards and specifications below:
 - A. Curb offsets shall be based on those identified in **Table 2: County Roadway Standards** and the existing conditions in the area.
 - B. Concrete Curb and Gutter shall be constructed in accordance with **Figure 3**.
 - C. Concrete vertical curb shall be constructed in accordance with **Figure 1**.
 - D. Where drainage inlets are constructed but curb is not required, curbing must be provided at least ten (10) feet on each side of the inlet, set back a minimum of one (1) foot from the pavement edge.
 - E. Where applicable, depressed curb shall be constructed in accordance with **Figure 2**.
 - F. At curbed intersections, depressed curbs and ramps shall be provided within the sidewalk or pedestrian island to comply with the Americans with Disabilities Act. **See Figures 15, 19 & 20.**
 - G. In order to protect the safety of vehicular or pedestrian traffic, white concrete curb shall be installed when so directed by the DRC.



Table 2 - County Roadway Standards

	2 Lane Road	3 Lane Road	4 Lane Road	5 Lane Road
ROW from CL	30 feet	36 feet	42 feet	48 feet
Curb Offset from CL	20 feet	26 feet	32 feet	38 feet
Desirable Lane Striping Dimensions from CL	12 foot lane 8 foot shoulder (10 foot border)	6 foot lane 12 foot lane 8 foot shoulder (10 foot border)	12 foot lane 12 foot lane 8 foot shoulder (10 foot border)	6 foot lane 12 foot lane 12 foot lane 8 foot shoulder (10 foot border)

Notes:

1. Widths of auxiliary lanes have not been incorporated into this table.
2. Widths of bicycle lanes are not incorporated into this table.
3. For sites where a left turn lane is proposed, the applicant may be required to improve roadway conditions on both sides of the road.

708. Sidewalks

Since the County of Atlantic does not assume any responsibility for the maintenance of sidewalks, sidewalks will not be required by the DRC, except if it is determined by the DRC that sidewalk is required to protect pedestrian traffic while facilitating vehicular traffic.

Sidewalks may be installed within a County right-of-way if it is required by any zoning, subdivision, site plan or other ordinance of the municipality in which the land development is located. If sidewalk is required, curb will also be required to be installed alongside the sidewalk consistent with applicable standards.

If applicable, site plan and subdivision applications shall provide ADA accessible sidewalks and ramps and demonstrate connections to existing sidewalks or pedestrian destinations within close proximity to the site. If a development is within 1,000 feet of a transit stop, coordination should be made to provide access in a manner consistent with NJ Transit and ADA standards.

The DRC may determine that the installation of sidewalk would create an unsafe drainage, vehicular or pedestrian condition, as such, the sidewalk may not be allowed to be installed within the County right of way.

All sidewalks to be installed within a County right of way shall conform to **Figures 4, 5, 14, 15 & 20.**

709. Complete Streets Details and Specifications

1. **Bicycle Lane Specifications** - The development of bicycle lanes and facilities should be designed



in accordance with the New Jersey Department of Transportation *Bicycle Compatible Roadway and Bikeway Planning and Design Guidelines*, the 2012 AASHTO *Guide for the Development of Bicycle Facilities*, or other best practices. At a minimum, bicycle lanes should be:

- Five (5) feet wide when against a curb or adjacent to a parking lane
- Four (4) feet wide when adjacent to a curb and the curb includes a 1-2 foot gutter pan.

Wider lanes are recommended on roads with higher rates of speed and traffic volumes, and wherever feasible.

2. **Municipal Complete Streets Standards** - A number of municipalities in Atlantic County have adopted Municipal Complete Streets standards. Where applicable, these standards may be applied to developments along County Roads.
3. **Pedestrian Facilities** - As outlined in sections 705, 706, and 708, pedestrian and ADA accommodations should be provided as part of intersection and sidewalk design. In developed areas with walkable destinations, existing sidewalks should be enhanced and expanded where feasible. In addition, pedestrian scale lighting, signage, street furniture (benches, garbage cans, etc.) and landscaping should be integrated into the site frontage and/or right of way subject to a maintenance agreement with the municipality.

710. General Development Details and Specifications

1. **Bicycle Routes:** The DRC may require an additional widening of pavement along those roadways designated as bicycle routes in the Atlantic County Bicycle Master Plan, in accordance with New Jersey Department of Transportation Bicycle Design Guidelines.
2. **Pavement Design:** Pavement design within a County right-of-way shall conform to the minimum standard pavement specifications in **Figure 6**.
3. **Widening of County Road:** At a minimum, any widening of a County road shall be in accordance with **Figures 7, 15, 16 & 18** and **Table 2**.
4. **Right-of-Way and Cartway/Shoulder Widths:**
 - A. The County may require right-of-way and cartway widths of a new or widened road that is the continuation of an existing road to be at least the same width as the existing road.
 - B. The right-of-way width shall be sufficient width to accommodate future development, as identified in the Official County Map of Right Of Way Standards and Functional Classifications found in Appendix A of the 2018 Atlantic County Master Plan and in accordance with **Figures 7, 15, 16 & 18** and **Table 2**.



- C. Where turning lanes are needed based on safety or capacity, additional right-of-way width, shall be required including that required for pavement length and width, borders width and utility provisions.

5. Public Utilities

- A. The applicant/developer shall be responsible for and bear the expense of the relocation of existing utility poles, light standards, fire hydrants or other utilities within the County right-of-way. When utilities are to be relocated a note shall be added to the plans as follows: "The applicant/developer shall be responsible for and bear the expense of the relocation of utilities within the County right-of-way"
 - B. The applicant/developer shall be responsible to coordinate the relocation of the utilities with the respective utility companies. In addition, the applicant/developer shall obtain a written estimate from the utility companies for the costs of relocating utility poles within the County right of way. The written estimate from all utility companies shall be attached and added into the cost estimate.
 - C. All above ground utilities shall be located behind the curb line.
 - D. All existing and proposed underground utilities within the County right of way shall be clearly shown on the plan along with limits of road restoration as identified in **Figure 13**.
6. **Private Utilities:** Private utilities shall not be permitted in the County Right-of-Way absent a detailed showing of necessity and special circumstances as outlined in N.J.A.C. 16:25-11.3. In addition, a licensing agreement outlining the terms of ownership and maintenance of such utility lines shall be required prior to installation.
7. **Pine Barrens Scenic Byway:** Any development on a road under County jurisdiction that is also recognized as part of the Pine Barrens Scenic Byway should refer to the Pine Barrens Corridor Management Plan for additional design specifications. The Pine Barrens Scenic Byway Map can be found on County Website.

711. Traffic Impact Studies

All traffic impact studies submitted to Regional Planning shall be prepared in accordance with the applicable guidelines of Traffic Access and Impact Studies for Site Development-A Recommended Practice, Institute of Transportation Engineers, Washington, D.C., 1991. Additions to the following requirements may be made by Regional Planning and relief from these requirements may be granted by Regional Planning upon a written request by the study preparer.

- 1. **Scope of Study:** The scope of the traffic impact study will be consistent with the guidelines of ITE's Traffic Access and Impact Studies for Site Development - A Recommended Practice Chapter 2, subject to approval by Regional Planning. It is strongly recommended that the traffic impact study preparer confirm the scope of work with Regional Planning prior to undertaking the study.



- A. Locations:** At a minimum, all existing and proposed site access points, significant intersections and the nearest signalized intersection on each street serving the site if within one mile of the site shall be included in the study.
- B. Peak Periods:** AM and PM peak periods shall be studied, along with Saturday peak periods for retail commercial projects.
- C. Study Horizon:** The following time horizons shall be used for analysis of peak period conditions at all study locations.
- i. Existing Conditions.**
 - ii. Future "No-build" conditions,** i.e., all background and other proposed development traffic (Section 710.2D.2) and not including traffic generated by the proposed subject development.
 - iii. Future "Build" conditions,** i.e., "No-build" conditions plus development traffic.
- 2. Content of Study:** The content of the traffic impact study shall be consistent with the applicable guidelines of ITE's *Traffic Access and Impact Studies for Site Development - A Recommended Practice, Chapter 10*.
- A. Executive Summary:** The traffic impact study shall include an executive summary outlining the purpose of the report and study objectives and a description of the site location and study area, proposed development, principal findings, conclusions and recommendations.
- B. Existing Conditions:** The existing conditions inventory shall include at a minimum, peak-period turning movement counts, adjustment factors, if applicable, roadway geometry and traffic control devices, including those at nearby intersections or driveways, transit service and other deemed important by the study preparer or required by the Office of Policy, Planning and Economic Development. Volume-capacity analysis of existing conditions may be provided here, or in the Analysis section of the study, at the preparer's discretion.
- C. Proposed Development:** The study shall provide a general description of major proposed developments in the vicinity of the site and a detailed description of the subject site, including land use and intensity, location, site characteristics, timing and phasing (if applicable).
- D. Future Conditions:** The traffic impact study shall include a description of anticipated future land use, road network and traffic conditions consistent with the applicable guidelines of ITE's *Traffic Access and Impact Studies for Site Development - A Recommended Practice* and shall include, at a minimum, the following information:
- i. Transportation System:** Committed or reasonably anticipated changes to the local roadway or mass transit network shall be incorporated into the analysis (Sec.711.2E).
 - ii. Non-site Traffic:** Non-site "background" traffic forecasts shall be provided and shall be



consistent with the applicable provisions of ITE's *Traffic Access and Impact Studies for Site Development - A Recommended Practice, Chapter 4*.

iii. Site Traffic: Site traffic forecasts shall be provided and be consistent with the applicable guidelines of ITE's Traffic Access and Impact Studies for Site Development - A Recommended Practice, Chapter 5 and 6, Site Traffic Generation and Site Traffic Distribution and Assignment.

E. Traffic Analysis: All study locations shall be analyzed for all peak periods in accordance with ITE's *Traffic Access and Impact Studies for Site Development - A Recommended Practice, Chapter 7*. This section shall include an evaluation of intersection and link capacity, safety, sight distance, parking and on-site circulation as they relate to the operation of all driveways intersection a County road.

F. Improvement Analysis: The traffic impact study shall include recommendations for improvements required under "Build" conditions to achieve the level of service standards described in this section.

i. Signalized intersection standards for County road approaches anticipated to operate under "No-build" conditions at:

- a. LOS A or B, deterioration to LOS C will be allowed in the "Build" condition;
- b. LOS C or D, deterioration of one-half of LOS D (7.5 seconds) will be allowed in the "Build" condition provided that the "Build" LOS remains at D or better (less than 40.0 seconds);
- c. LOS E or F, no deterioration will be allowed. Delay shall be used to compare "No-build" and "Build" conditions when the "No-build" volume/capacity ratio is less than or equal to 1.2. Volume/capacity ratio shall be used to compare the "No-build" and "Build" conditions when the "No-build volume/capacity ratio exceeds 1.2.

i. Unsignalized Intersection Standards: All unsignalized intersections or site access points anticipated to operate a LOS E or F under "Build" conditions shall be subject to an analysis of signalization or other mitigation techniques. The analysis shall consider such factors as traffic signal warrants, impacts on major street progression or other factors deemed relevant by the analyst or Regional Planning.

G. Certification: All traffic impact studies submitted to Regional Planning shall be signed and sealed by a Professional Planner or Professional Engineer licensed by the State of New Jersey.



712. Sustainability and Resiliency

1. **Green Infrastructure:** All developments within the County are encouraged to incorporate green infrastructure design standards. For examples and engineering diagrams, refer to the Rutgers Cooperative Extension Water Resources Program Green Infrastructure Guidance Manual for New Jersey.
2. **Building and Site Efficiency:** Developments within the County are encouraged to design buildings and sites for maximum energy efficiency and water conservation. The use of energy efficient lighting fixtures, programmable building systems, efficient heating, ventilation, and cooling systems, and renewable energy is encouraged.
3. **Landscaping:** Native, and salt and drought resistant plants should be used wherever possible. Landscape design should consider maintenance and watering demands and opt for low- maintenance alternatives to turf lawns where feasible. Coastal areas should consider salt and wind tolerance of proposed plantings and select species and choose layouts accordingly. Information about native plant species in Atlantic County is provided on the Atlantic County website.
4. **Minimum Widths of Maintenance Zones along a County Right-of-Way.** The following criteria shall be considered when determining the minimum right of way easement width along a County right of way.
 - A. **For County Routes within the Pinelands Area:** Road infrastructure improvements shall follow the procedures set forth in the Memorandum of Agreement (MOA) between Atlantic County and the New Jersey Pinelands Commission and the appended "Mowing and Maintenance Best Management Practices for Pine Barrens Roadside Plant Communities." The Pineland's Best Management Practices include the following requirements for roadside improvements and landscape maintenance zone minimum widths within the Right-of-way:
 - i. A regular-mow zone shall be provided within 8 feet from the outside edge of the travel lane except in areas that are known to contain rare plant populations which shall be treated as a Dormant-Season Mow Zone as described in ii below. The purpose of the regular mow zone is to provide safe emergency vehicle pull-off areas and to allow road maintenance activities including maintenance of drainage swales and access to utilities. This zone may be wider than 8 feet where drainage swales or utilities are set farther back from the roadway.
 - ii. A dormant-season mow zone shall be defined by the edge of the regular mow zone and the undisturbed zone. The widths of the dormant-season mow zones vary and these zones are kept free of all woody plants that present potential hazards to drivers. Where intersection sight lines extend into the dormant-season mow zone, vegetation that is likely to obstruct such sight lines must be maintained below 30 inches at all times. The dormant-season mow zone is mowed no more frequently than one time each year between December 1st and March 31st.



- iii. An undisturbed zone shall begin at the tree line of adjacent forest cover and defines the limit of the dormant-season mow zone.

B. For County Routes designated as a Pine Barrens Scenic Byway outside of the Pinelands Area:

The clearing and grading of woodlands and native vegetation shall be kept to the minimum amount necessary to provide fire protection and reduce hazards to vehicular traffic along county right-of-ways, as deemed appropriate by the county engineer.



CHAPTER 800 DEVELOPMENT WITHIN FLOOD HAZARD AREAS



801: General Policies and Design Principles

The policies and design principles identified in this section apply to any land development and improvements, subject to County review, that are located within a flood hazard area as defined in N.J.A.C. 7:7-9.25. Flood hazard areas include, but are not limited to, those areas defined or delineated as an A or a V Zone by the Federal Emergency Management Agency (FEMA).

To assist with identifying County roads or drainage facilities within a flood hazard area the following maps are provided on the County website. These maps are titled Flood Hazard Areas, County Roadway Depth Below Base Flood Elevation (BFE), NJ Coastal Flooding Exposure (Current), NJ Coastal Flooding Exposure (2050) and NJ Coastal Flooding Exposure (2100).

General policies include:

Avoid new development in a flood hazard area. Encroachments within a flood hazard area shall be prohibited unless a certification by a professional engineer or architect is provided demonstrating that an encroachment shall not result in any increase in the base flood elevation.

All development shall be consistent with the need to minimize flood damage while maintaining the natural and beneficial functions of a flood hazard area.

All development shall provide adequate drainage to reduce exposure to flood hazards.

802: Enhanced Submission Requirements for Site Plans and Subdivisions.

1. In addition to the submission requirements identified in the site plan and subdivision checklists, an application for land development which is located within a flood hazard area shall include the following information:
 - A. A note shall be provided on the plan which identifies the Flood Hazard Zone, the Base Flood Elevation (BFE) and Flood Insurance Rate Map (FIRM) panel number.
 - B. Identify lowest floor elevations based on the datum used on the Flood Insurance Rate Map.
 - C. Identify location of and elevations of all utilities, including heating and electrical equipment.
 - D. A description of how utilities will be protected from flood waters.
 - E. Identify if any structures have a basement or enclosure below the lowest floor and if so include detailed drawings showing foundation openings to allow passage of floodwaters.
 - F. Description of construction materials to be used below the base flood elevation.
 - G. An advisory note shall be provided which identifies that development within a flood hazard area may be subject to additional floodplain management regulations.



- H. An advisory note shall be added to the final site plan and final plat which identifies that development within a flood hazard area will require an elevation certificate and the need to purchase flood insurance.

803: Enhanced Transportation Infrastructure Standards

1. County Roadway and Drainage Infrastructure.

The following provisions apply to county roadway and drainage improvements located within a flood hazard area. Design new infrastructure and adapt existing infrastructure to be resilient to both high and low frequency flooding events. Recommended standards include the following:

- A. Require the surface of new streets to be elevated to or above the base flood elevation.
- B. Prohibit any portions of a new driveway or intersection below the 100 year flood elevation.
- C. Size culverts and bridges to a 100-year storm frequency.
- D. Incorporate green infrastructure and low-impact development techniques in both stormwater management and roadway design. Techniques might include bioswales and enhanced roadway infiltration ditches. The Green Infrastructure Manual for New Jersey or NJDEP best management practices should be consulted for storm water management and roadway design techniques.
- E. Creation of a variable width, naturally vegetated buffer system along all drainage ways that also encompasses critical environmental features such as steep slopes, and wetlands.

804 : Enhanced Building Design Standards for Elevation and Floodproofing

1. County review should ensure that municipal requirements provide sufficient resiliency. If the Design Flood Elevation (DFE) does not adhere to **Table 3**, a recommendation shall be made to the municipal approving authority to require compliance with these standards.

Table 3: Freeboard Requirements Above Base Flood Elevation

Building Type	Zone X	Zone A	Zone V
Residential Structures	+ 1 ft	+ 1 ft	+ 2 ft
Building and other structures with school or day-care facilities; and other nonessential facilities	+ 1 ft	+ 1 ft	+ 2 ft
Essential facilities	+ 1 ft	+ 2 ft	+ 3 ft
Buildings and other facilities that manufacture, process, handle, store, use or dispose of hazardous materials	+ 1 ft	+ 2 ft	+ 3 ft



The 2011, Coastal Construction Manual, Fourth Edition (FEMA P-55) prepared by FEMA should be consulted for development located within the coastal areas of Atlantic County.

2. Floodproofing

A. Wet Floodproofing and Flood Openings Standards

- i. Flood openings must allow automatic inflow and outflow of water to minimize pressure on walls and must also allow water levels within the enclosure to rise and fall at the same rate as those outside.
- ii. One square inch of flood vent are shall be provided per one square foot of enclosed floor area.
- iii. Vents must be located on at least two sides of the enclosed area.
- iv. The bottom of each vent opening may not be located more than 12 inches above the interior floor or the exterior grade immediately below the opening, whichever is higher.
- v. Screens, grates, grills or other covers or devices must be free moving and must not resist or impede automatic flow of floodwater.
- vi. All wet floodproofed areas must use materials designed to withstand contact with floodwaters.

B. Dry Floodproofing Standards

- i. Use for non-residential buildings or portions of buildings in "A" or "AE" zones.
- ii. Dry floodproofing measures are not permitted in the "V" zone.
- iii. All buildings that use dry floodproofing must provide the required FEMA Floodproofing Certificate.
- iv. Where possible, use automatic or "passive" floodproofing measures.

805 : Enhanced Parking Standards

1. Surface parking shall be designed to reduce the overall amount of impervious area by utilizing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and "banking" or "phasing" parking lot construction to avoid over-building parking lots.
2. Utilize permeable pavement or pavers in parking stalls and around perimeter of parking lots to reduce sheet flow and improve onsite storm water retention.



806 : Enhanced Landscaping Standards

1. Create a variable width, naturally vegetated buffer system along all drainage ways that also encompasses critical environmental features such as steep slopes, and wetlands.
2. Minimize clearing and grading of woodlands and native vegetation to the minimum amount needed to build lots, allow access, and provide fire protection.
3. Conserve trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native plants.

807 : Enhanced Energy and Utility Resiliency Standards

1. Utility easements shall be located outside flood hazard areas wherever possible.
2. Critical facilities, utilities, backup generators, and other essential buildings or installations should be located outside the 500-year floodplain where possible.
3. Utility transmission lines containing toxic or flammable materials shall be buried to a depth at least below the calculated maximum depth of scour for a 100-year flood, especially in velocity floodplain areas.

