

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL  
ORDINANCES OF THE CITY OF NEW BRUNSWICK,  
TITLE 16 "LAND DEVELOPMENT CODE"**

**BE IT ORDAINED** by the New Brunswick City Council, as follows:

**SECTION I**

Title 16, Chapter 16.24, Section 16.24.070, "**Site plan exemption**" is hereby amended to read as follows:

- A. No site plan application and approval is required prior to the issuance of a building permit or a certificate of occupancy for any of the following types of development:
1. Interior alterations provided that no expansion of a nonconforming use results from same;
  2. Erection or placement of signage which is in conformance with the provisions of the city's zoning ordinance;
  3. Single-family and two-family dwellings and accessory structures to such uses;
  4. Changes in use in which the use is permitted and parking for the use is provided on the subject site in conformance with the city's zoning ordinance;
  5. Accessory structures limited to one hundred sixty (160) square feet in size and further provided that no such structure exceeds twelve (12) feet in height; and
  6. Façade changes and renovations that do not expand the building coverage, impervious coverage, floor area or building height; and
  7. Cellular antennas and equipment erected or modified in the public right of way; and
  8. Rooftop cellular antennas and equipment provided they are a minimum of ten (10) feet from the roof edge, no higher than fifteen (15) feet higher than the base of the roof, and no variance conditions are created.
- B. Notwithstanding the above, prior to the issuance of a building permit or a certificate of occupancy, the administrative officer shall obtain an opinion from the technical advisory committee that the proposed development will not have any adverse impacts upon drainage, any public improvements or the surrounding area.

**SECTION II**

Title 16, Chapter 16.24, Section 16.24.080, "**Minor site plan**" is hereby amended to read as follows:

Approval by the minor site plan committee of the planning board of a minor site plan application prior to the issuance of a building permit or certificate of occupancy is required for the following types of development:

- A. Additions to buildings or structures or the construction of accessory buildings or accessory structures which would result in an increase of less than ten (10) percent to the existing gross floor area of the building(s) on the lot and further provided that the addition will not require an increase of greater than ten (10) percent to the existing number of parking spaces on site. Be it further provided that the proposed development must comply with all existing zoning requirements.
- B. Cellular antennas and equipment that fail to meet the site plan exemption criteria located at Section 16.24.070 may seek approval via minor site plan review as long as no variance conditions are created. They must be screened from view to the satisfaction of the Minor Site Plan Committee.
- C. Parking lots that are modifying their number of parking stalls, circulation, size, or any other change that is a typical change to parking lots, provided the parking lot is smaller than ten thousand (10,000) square feet.

**SECTION III**

Title 16, Chapter 16.24, Section 16.24.265, "Fee schedule for waivers and requests" is hereby created as follows:

Waiver/Request	Fee
Request for Waiver of Site Plan	\$150
Special Meeting	\$1,500

**SECTION IV**

**SEVERABILITY:**

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

**SECTION V**

**REPEALER:**

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION VI**

**EFFECTIVE DATE:**

This Ordinance shall become effective 20 days following final adoption and publication as required by law.

ADOPTED ON FIRST READING  
DATED: May 20, 2020

  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING  
DATED:

\_\_\_\_\_  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2020.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
CITY ADMINISTRATOR

\_\_\_\_\_  
CITY ATTORNEY

TKS/kc

COUNCILMEMBER	V	N	NV	AB	COUNCILMEMBER	V	N	NV	AB
EGAN					ANDERSON, PRES				
ESCHBAR									
FLEMING									

FIRST READING: VOTE ON MAY 20, 2020 M=MOVED S=SECOND NV=NO VOTE AB=ABSENT

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 17 "ZONING"

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 17, Chapter 17.03, Section 17.03.270, "Rooftop cellular antennas and equipment" is hereby created as follows:

- A. Roof top cellular antennas are permitted as an accessory structure on all building and structures that are equal to or greater than forty (40) feet in height, provided that the principal use of the property is a permitted use in that zone.
B. Façade mounted cellular antennas and equipment are prohibited unless permitted in the underlying zoning.

SECTION II

Title 17, Chapter 17.08, Section 17.08.030, "Permits and approvals" is hereby amended to ADD the following:

- E. Driveways
1. Zoning Permits for driveways for Single- and Two-Family homes will be charged a fee equal to double the standard Single- and Two- Family Residential Zoning Permit Fee.

SECTION III

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION IV

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION V

EFFECTIVE DATE:

This Ordinance shall become effective 20 days following final adoption and publication as required by law.

ADOPTED ON FIRST READING
DATED: May 20, 2020

[Signature]
COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED:

COUNCIL PRESIDENT

Table with columns for Council Member names (EGAN, ESCOBAR, FLEMING) and voting status (Y, N, NV, AB) for First Reading (MAY 20, 2020) and Second Reading (NO VOTE ABSENT).

ATTEST:


\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS      DAY OF      , 2020.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
\_\_\_\_\_  
CITY ADMINISTRATOR

  
\_\_\_\_\_  
CITY ATTORNEY

TKS/kc