

ORDINANCE #2366

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21 – THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF OCEAN ADDRESSING VARIOUS FEES

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

Chapter 21, the Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented as follows

ARTICLE III LAND USE PROCEDURES

21-7 Purpose.

It is the intent of this section that the procedural requirements of the Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) govern the Land Use and Development Procedures of the Township of Ocean. There are, however, several instances where the MLUL requires a municipality to make choices among alternatives. This chapter identifies the choices made by the Township of Ocean. The Municipal Land Use Law should be referenced for all other provisions. (Adopted 1-8-92 by Ord. No. 1564)

21-8 Requirements for Submittal of Application for Development.

An application for development, as defined in the Municipal Land Use Law, shall be required as provided for in this chapter. (Adopted 1-8-92 by Ord. No. 1564, amended 3-19-97 by Ord. No. 1770)

21-9 Fees.

The Municipal Agency shall charge fees as set forth hereinafter which shall be non-refundable and which shall be for the purpose of offsetting in-house administrative, clerical, and technical costs, exclusive of expenses for professional consultants, such as legal, planning, engineering, and other professional fees, costs, and expenses. Such professional fees shall be designated as escrow fees and as referred to hereinafter.

The Township shall furnish a copy of the fee schedule upon request.

a. Site Plans.

<u>Acres</u>	Preliminary	<u>Per Acres</u>
0-2	\$1,000.00	\$1,000.00
2-10	\$1,800.00 plus	\$1,000.00
10-25	\$5,000.00 plus	\$ 800.00
25-100	\$8,000.00 plus	\$ 700.00
100 & up	\$15,500.00 plus	\$ 600.00

	Final	
Acres		Per Acres
0-2	\$500.00	\$500.00
2-10	\$700.00 plus	\$700.00
10-25	\$1,700.00 plus	\$600.00
25-100	\$2,800.00 plus	\$575.00
100 & up	\$6,600.00 plus	\$550.00
Amended Site Plan		\$1,500.00
Minor Site Plan		\$1,500.00
Minor Site Plan Subcommittee Review if required by the Planning Administrator		\$750.00
Extension of Site Plan Approval pursuant to N.J.S.A. 40:55d-52 40:55D-52		\$1,500.00
Trash and Recyclables Materials Storage Area		\$500.00
Flag Pole Plan		\$150.00
Administrative Approvals for façade changes (Section 21-6, Site Plan Minor) and Roof Structures (subsection 21-20.18)		\$500.00

WAIVER:

The site plan fee may be waived by the Township Council by resolution upon application by non-profit corporations devoted to recreational purposes under Title 15 of the Revised General Statutes of New Jersey and applications by the Fire Districts and Sewerage Authority within the Township of Ocean.

b. Subdivisions

Classification (Required on all Subdivisions)		\$500.00
Amended Subdivision		\$850.00
Minor (2 to 4 lots)	\$1,000.00 plus	\$250.00 per lot
Major Preliminary	\$ 850.00 plus	\$250.00 per lot
Final	\$ 500.00	\$250.00 per lot

c. Variances

	N.J.S.A. 40:55D-68	(Certification of Use)	\$1,500.00
	N.J.S.A. 40:55D-68	(Appeals)	\$1,500.00
	N.J.S.A. 40:55D-68	(Interpretations)	\$1,500.00
	N.J.S.A. 40:55D-68	(Hardship)	
		Single Family Residential	\$1,500.00
		All Others	\$1,500.00
	N.J.S.A. 40:55D-70d	(Use)	
		Single Family residential, per unit	\$1,500.00
		Multi-family residential/ Townhouse, per unit	\$1,500.00
		Commercial and Industrial	\$1,500.00
d.	Conditional Uses		\$1,500.00
e.	Official Map Appeals		\$1,000.00
f.	Appeals to Governing Body		\$1,000.00
g.	Certified List of Property Owners		\$ 35.00
h.	Whenever an application for development shall include more than one request or action, the total accumulated fees of each separate action shall be charged.		
i.	Professional Review Fees. The Municipal Agency may require the payment of fees into an escrow account for the purpose of reimbursing the Township for direct fees, costs, charges and expenses of professional consultants retained by or on behalf of the Township, its boards, or agencies and employees and staff of the Township, its boards or agencies in reviewing and testifying and/or assisting the Township in the processing of applications pursuant to the ordinances of the Township and/or assisting the Township in the evaluation, planning, and proper design of municipal services and facilities in order to meet the needs of the proposed project. Such escrow account will be based upon the following schedules:		

Site Plans:

Major (Preliminary and/or Final)

Total Initial Escrow Fee

ACRE	0-2	\$ 3,500.00
	2-10	\$ 5,000.00
	10-25	\$ 7,000.00
	25-100	\$11,000.00

100 & up	\$15,000.00
Minor Site Plan	\$ 2,500.00
Minor Site Plan Subcommittee Review if required by the Planning Administrator	\$ 1,500.00
Amended Site Plan	\$ 1,500.00
Extended Site Plan Approval (Pursuant to N.J.S.A. 40:55D-52)	\$ 1,000.00

Subdivision:

Amended Subdivision:	\$ 1,500.00
Minor (2 to 4 lots)	\$ 2,500.00
Major (5 to 12 lots)	\$ 3,500.00
(13 to 24 lots)	\$ 4,500.00
(25 to 50 lots)	\$ 5,500.00
(51 and up)	\$11,000.00
N.J.S.A. 40:55D-67 (Conditional Use)	\$ 1,500.00
N.J.S.A. 40:55D-68 (Certification of Use)	\$ 1,500.00
N.J.S.A. 40:55D-70a (Appeals)	\$ 1,500.00
N.J.S.A. 40:55D-70b (Interpretations)	\$ 1,500.00
N.J.S.A. 40:55D-70c (Bulk Variance) Non-residential	\$ 1,500.00
N.J.S.A. 40:55D-70d (Use Variance)	\$ 2,500.00

No professional reviews will be undertaken until the escrow has been established. If, in the judgment of the Planning Board or Board of Adjustment, additional funds are required after 75 percent of the original escrow account has been exhausted, these monies shall be paid to the appropriate account or accounts.

- j. Inspection of Improvements. The fee for inspection for improvements for site plans, subdivisions, and single lot residential development shall be calculated at the rate of 5 percent of the cost of the improvement or \$500.00 whichever is greater.

For those developments for which fees are \$10,000.00 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited by a developer shall be 25 percent of the fees. When the balance on deposit drops to 10 percent of the fee because the amount deposited by the developer has been reduced by the amount paid to the Municipal Engineer for inspection, the developer shall make additional deposits of 25 percent of the fees. The Municipal Engineer shall not perform any inspections if sufficient funds to pay for those inspections are not on deposit.

k. Special Meetings for Planning Board and Board of Adjustment.

If the Board of Adjustment or Planning Board is requested to, and decides to hear an application at one or more special meetings, the applicant(s) shall pay an additional three thousand five hundred (\$3,500.00) dollars for each special meeting at which the matter is heard.

Should a requested special meeting be held at any location other than in the Public Meeting Room at Town Hall, the applicant(s) shall be responsible for any and all additional expenses incurred by the Township of Ocean as a result of having to re-locate said meeting. The amount of such costs shall be provided to the applicant and shall be paid, in escrow, prior to the scheduling of said special meeting. (Amended 8-9-16 by Ord. No. 2277)

l. Conceptual Review. At the request of a developer, the Planning Board shall grant an informal review of a concept plan for development for which the developer intends to prepare and submit an application for development. The fees for such an informal review are:

Application Fee	\$500.00
Escrow and Professional Review	\$500.00

The amount of any fees for such an informal review shall be a credit toward fees for review of the application for development if applied for within 180 days of such an informal review.

m. Legal Reviews by Township Attorney.

Guarantee Review:	per review
Review of performance guarantee by Township Attorney	\$250.00
Review of maintenance guarantee by Township Attorney	\$250.00
Guarantee Review:	per review
Preparation of performance guarantee by Township Attorney	\$500.00

Preparation of extension to developer's agreement \$150.00

Miscellaneous review \$250.00
Master Deed, Certificate of Incorporation, Bylaws, Unit Deeds, etc.

n. Site Plan Charges Computation. In cases where only a portion of a parcel or site are to be involved in the proposed site plan, the site area a charge shall be based upon an area extending 20 feet outside the limits of all construction, including grading and landscaping as well as all other areas of the site the Township Engineer believes are reasonably affected by the development application. The 20 feet around the disturbed area shall not extend beyond the property lines. The Township may still require reasonable improvements and upgrading to the portions of the site not within the disturbed or affected areas.

o. Reviews and Inspections by the Township Engineer

1. Grading Plans

Structures over 200sf including but not limited to Pools/Tennis Courts/Sports Courts/additions/decks/patios

\$350.00	for the original submittal and site visit
\$75.00	for each re-submittal or re-inspection
\$250.00	for the final as-built submittal and site visit
\$75.00	for each final as-built re-submittal or re-inspection

Single Lot, Residential

\$350.00	for the original submittal and site visit
\$75.00	for each re-submittal or re-inspection
\$300.00	for the final as-built submittal and site visit
\$75.00	for each final as-built re-submittal or re-inspection

2. Miscellaneous Inspections

\$150.00	Driveways with new curb cuts or aprons
\$150.00	Curb Installation
\$150.00	Sidewalk Installation in Tight of Way
\$75.00	for each re-inspection

p. Zoning Permits. Zoning Permits shall be required for the following items:

Single Family Homes	\$150.00
Single Family Additions	\$100.00
Inground Pools (w/ fence)	\$100.00

Above Ground Pools/spas/hot tubs	\$75.00
Fences	\$75.00
Demolition	\$75.00
Dumpsters/Storage Containers/ PODS	\$75.00
Decks	\$75.00
Sheds/Driveways/Patios/Pads	\$75.00
Generators/AC Condensers	\$75.00
Commercial Building	\$250.00
Commercial addition	\$150.00
Tenant Fit Up/Interior Renovations	\$150.00
Signage	\$100.00
Commercial Accessory Structures/Buildings	\$150.00

q. Zoning Letters.

Residentially-Zoned Property	\$150.00
All Others	\$250.00

r. Stormwater Detention and Retention Systems. Fees for inspection and management of stormwater detention and retention systems shall be as listed in Schedule I Stormwater Management Fund Calculation as provided at the end of subsection 21-55.14

s. All Zoning application fees are non-refundable.

Record of Vote	Deputy Mayor Napolitani	Councilman Acerra	Councilwoman Donlon	Councilman Fisher	Mayor Siciliano
Motion To Approve		X			
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

CERTIFICATION

I hereby certify that this is a true copy of an Ordinance adopted by the Township of Ocean Governing Body at their meeting held on **September 23, 2021**

Jessie M. Joseph
 Jessie M. Joseph, RMC/CMC
 Deputy Township Clerk