

ORDINANCE 06-2024

**BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

ORDINANCE AMENDING CHAPTER 89 “LAND USE”, ARTICLE V “APPLICATION, REVIEW AND APPROVAL PROCEDURES”, SECTION 89-14 “ALL OTHER APPLICATIONS FOR DEVELOPMENT” AND SECTION 89-15 “APPLICATION DETAILS” INCORPORATING THE COMPLETE STREETS CHECKLIST AS A REQUIRED SUBMITTAL WITH THE BOROUGH’S PLANNING AND ZONING BOARD APPLICATION

WHEREAS, the Borough Code requires applications for development involving subdivision, site plan, or conditional use approvals (“Land Use Development”) to be filed with either the Planning Board or Zoning Board of Adjustment and to be made upon forms provided by and filed by each applicable Board’s Administrative Secretary

WHEREAS, the Borough Council adopted Ordinance 12-2019 codifying the creation of the Complete Streets Committee at Sections 7-99 and 7-100 of the Borough Code (the “Complete Streets Ordinance”), which was previously created by Resolution 99-2018 of the Borough Council; and

WHEREAS, the Complete Streets Ordinance also codified the Complete Streets Policy into Section 7-101 of the Borough Code, which in part, requires the Planning Board and Zoning Board of Adjustment, along with their respective planning and engineer professionals to incorporate the Complete Streets policy into their review and recommendations of Land Use Development applications before each respective Board; and

WHEREAS, the Borough has encountered applicants for Land Use Development that have refused to submit the Complete Streets Checklists with their development applications and the Borough Council wants to ensure that the Complete Streets Checklist is a required submittal with any Land Use Development application.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 89 “Land Use”, Article V “Application, Review and Approval Procedures” Sections 89-14 “All Other Applications for Development” and 89-15 “Application Details” as follows:

[additions are marked as underlined and deletions are marked through strike-out]

§ 89-14

- A. All applications for development other than those specified in §89-13A shall be made upon forms provided by and filed with the Administrative Secretary which amongst all other requirements shall include the Complete Streets Checklists approved by §7-101 (E) of the Borough Code.

(B-E). No changes.

§89-15 Application Details

- A. Required documents. The following shall be required for an application to be complete:

(1). A completed application for development form as provided to the applicant by the Administrative Secretary, which shall include amongst all other requirements the Complete Streets Checklists approved and set forth at §7-101 (E) of the Borough Code. Each and every item on the form will be filled in using “none” or “not applicable where appropriate.

(2-10) No changes.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

DATE INTRODUCED: MAY 8, 2024
DATE ADOPTED: MAY 22, 2024

APPROVED:

ATTEST:

ANTHONY TALERICO, JR., MAYOR
Date:

KATHLEEN MUSCILLO, DEPUTY MUNICIPAL CLERK
Date: