

# *City of Somers Point* **Ordinance**

## **Ordinance No. 30 of 2023**

### **An Ordinance Amending Section 114-50A (1) in the HC-1 Zoning District Landscaping and Fences in Reference to Planting Requirements**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the City of Somers Point works to continuously to promote sustainability; and

**WHEREAS**, many landscaping features and plantings are a major factor in the effort to ensure sustainability in the environment; and

**WHEREAS**, the City of Somers Point desires that all new development and/or redevelopment projects contribute to the sustainability efforts in a reasonable and equitable manner.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Somers Point, County of Atlantic, and State of New Jersey as follows:

#### **SECTION 1:**

Chapter 114, Article VIII, Section 114-50A, subparagraph (1) is hereby amended and supplemented to include the following provision:

(1) Canopy species a minimum of eight (8) feet at planting shall be installed on site in accordance with the planting specifications and list of suggested species available from the City Construction Official according to the following planting schedule:

<u>TOTAL SITE DISTURBANCE</u> <u>PROPOSING</u> <u>PROPOSED:</u>	<u>PLANTING REQUIREMENTS:</u>	<u>EXAMPLE: PROJECT</u>
Up to 10,000 SF	Two (2) trees per every 1,000 SF of site disturbance	20 Trees (0 - 10,000 SF)
10,000 – 30,000 SF	One (1) tree per every 2,000 SF of site disturbance	10 Trees (10,000 - 30,000 SF)
Over 30,000 SF	One (1) tree per every 5,000 SF of site disturbance	<u>2 Trees (30,000 - 40,000 SF)</u>
		<u>32 Trees- Total Requirement</u>

Should the required tree plantings not be able to be completed on site due to specific conditions, plantings shall be completed by the Applicant on City-owned property with the

# *City of Somers Point*

## **Ordinance**

approval of the reviewing Board. Plantings on City property shall be completed in consultation with City Council and the City Administrator with recommendations from the reviewing Board, Environmental Commission and City Engineer, and meet all district- specific requirements including coverage by applicable performance/maintenance guarantees. Any planting on Recreation property must be approved by the Recreation Commission. All planting will be coordinated with the Director of Public Works.

In lieu of completing required tree plantings on City-owned lands, an Applicant may also provide a lump sum payment into the City's Tree Preservation Fund at a rate determined by City Council based on average tree purchase and planting rates at the time. This payment shall be made concurrently with the deposit of the requisite Performance Guarantee for project improvements."

### **SECTION 2:**

All other provisions of Chapter 114 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

### **SECTION 3:**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

### **SECTION 4:**

Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

### **SECTION 5:**

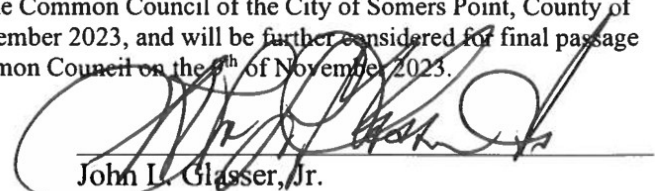
This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

First Reading: 11/9/2023  
Publication: 11/22/2023  
Final Passage: 12/14/2023  
Publication: 12/20/2023

The within Ordinance was introduced at a meeting of the Common Council of the City of Somers Point, County of Atlantic and State of New Jersey held on the 9<sup>th</sup> of November 2023, and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on the 9<sup>th</sup> of November 2023.

Date

12/14/23

  
John I. Glasser, Jr.  
Mayor