

Ordinance No. 20-2004

An ordinance of the Mayor and Board of Alderman of the Town of Dover, County of Morris and the State of New Jersey amending Chapter 236, LAND USE AND DEVELOPMENT, ARTICLE IV, Zoning, by creating Chapter 236-21.2 entitled "STEEP SLOPE DEVELOPMENT RESTRICTIONS".

BE IT ORDAINED by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

Section 1

Chapter 236, Land Use and Development, Article IV, Zoning, is amended by adding the following Chapter:

§ 236-21.2. Steep Slope Development Restrictions.

A. Steep Slope Areas Defined.

- (1) *Critical slope areas* are those previously undeveloped areas having a grade of 25% or greater, as calculated by the methodology contained in B(1) of this chapter.
- (2) *Moderate slope areas*: are those previously undeveloped areas having a grade of 15% or more, but less than 25%, as calculated by the methodology contained in B(1) of this chapter.

B. Slope Areas Methodology and Restrictions

- (1) Methodology.
 - (a) The method of determining slopes classified as *moderate* and *critical* shall be based upon two-foot contours and measured over a distance having a minimum change in vertical elevation of 2 feet. A plan and calculations prepared by a licensed professional engineer or land surveyor shall be submitted to determine the extent of *moderate* and *critical* slope areas. Said plan shall be clearly and legibly drawn or reproduced at a scale of no less than one inch equal to 30 feet for tracts of one (1) acres or less and no less than one inch equal to 50 feet for tracts greater than one (1) acre. All topography and elevations shall be related to a bench mark noted on the plan and wherever possible shall be based on the United States Geological Survey mean sea level data. Existing contours of the site under review shall be presented at no greater than two-foot intervals.
 - (b) The permitted of lot coverage and building coverage of any site shall be calculated by excluding all *critical* slopes and 50% of the *moderate* slopes from the lot area.

(2)Development restrictions.

- (a)There shall be no site disturbance, no structures and no impervious coverage permitted within critical slope areas. Excluded from this limitation are utility improvements, both public and privately controlled, such as electric, telephone, cable lines, potable water, sanitary and storm sewer lines, driveways, utilities and roads, both public and private. Driveways however, any must be designed and constructed with a maximum grade of 15% at any point and disturb no more than 25 feet of width parallel to the driveway. Utility crossings within critical slopes shall be located to fall within the driveway disturbance area where possible in order to minimize critical slope disturbance.
- (b)Within *moderate* slope areas, no more than 50% of the rate of coverage for each developable lot(s), pursuant to the applicable zone district standards, may be utilized for building and/or lot coverage. For example, in a residential zone district which permits a maximum of 65% lot coverage and 25% building coverage for each developable parcel, no more than 32.5% of that area classified as *moderate* slope may be improved with impervious coverage and no more than 12.5% of that area classified as *moderate* slope may be improved with building coverage.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.


Section 3

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

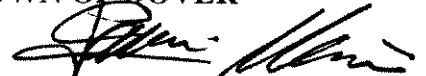
This ordinance shall take effect immediately upon final publication as provided by law.

ATTEST: 7/13/04



Paul McDougall, Clerk/Administrator

TOWN OF DOVER



Javier Marin, Mayor