

**CITY OF NORTHFIELD, NJ
ORDINANCE NO. 14-2025**

**AMENDING CHAPTER 215 OF THE CITY CODE, LAND USE AND
DEVELOPMENT – CHAPTERS 215-9, 215-92 AND 215-95**

ARTICLE III ADMINISTRATIVE PROCEDURES

§ 215-9. Certificates and permits.

A. Development permit.

- (1) Development permits shall hereafter be secured from the administrative officer (Zoning Officer) prior to:
 - (a) Filing of (or recording a deed of) or resubdivision of any land.
 - (b) Application for and/or issuance of any building permit.
 - (c) The erection, construction, alteration, repair, remodeling, conversion, moving, removal or destruction of any building or structure.
 - (d) Application for and/or issuance of any permit for a new or expanded or relocated sign.
 - (e) Application for and/or issuance of any permit for erection, construction, relocation, alteration, extension, replacement, enlargement or other modification of a fence or any part thereof in conjunction with any non-farm use.
 - (f) Any change in use or occupancy (as herein defined) of any building, structure or land.
 - (g) Any alteration exceeding 1,000 square feet in the natural condition of any undeveloped parcel of land, including but not limited to the alteration of drainage patterns, removal of soil, regrading, and removal of trees and ground cover provided.
 - (h) Any use of any portion of any parcel of land for any activity regulated by this chapter.
 - (i) The construction of any site improvement either above or below ground.
 - (j) The issuance of any certificate of occupancy where no building permit was previously required.
 - (k) The excavation, removal, or addition of soil or fill exceeding 10 cubic yards to or from any site.

- (l) Establishment of a home occupation.
 - (m) Establishment of a group family home.
- (2) Prior to issuance of a development permit, the applicant shall have secured, where applicable, other required permits, including, but not limited to:
- (a) Access permit from the New Jersey Department of Transportation and/or Atlantic County Engineering Department.
 - (b) Drainage permits from the New Jersey Department of Transportation.
 - (c) Stream encroachment permit from the New Jersey Department of Environmental Protection.
 - (d) Coastal Area Facilities Review Act (CAFRA) permit from the New Jersey Department of Environmental Protection.
 - (e) Wetlands permit from the New Jersey Department of Environmental Protection.
 - (f) Riparian construction permit from the New Jersey Department of Environmental Protection.
 - (g) Required permits from the U.S. Army Corps of Engineers and U.S. Coast Guard.
 - (h) Sewerage and/or industrial waste treatment permit from the New Jersey Department of Environmental Protection.
 - (i) Land disturbance permit from the Cape Atlantic Area Conservation District.
- (3) Prior to the issuance of a development permit, the applicant shall have secured all approvals required by this chapter and shall have met any and all conditions of any municipal agency approval.
- B. Certificates as to approval of subdivision of land.
- (1) The prospective purchaser, prospective mortgagee, or any other person interested in any land which forms part of a subdivision or which formed part of such a subdivision three years preceding the effective date of N.J.S.A. 40:55D-1 et seq., may apply in writing to the administrative officer (Zoning Officer) for issuance of a certificate certifying whether or not such subdivision has been approved by the Planning Board. Such application shall contain a diagram showing the location and dimension of the land to be covered by the certificate and the name and the owner thereof.

- (2) The administrative officer (Zoning Officer) shall make and issue such certificate within 15 days after the receipt of such written application and the fees therefor. Said officer shall keep a duplicate copy of each certificate, consecutively numbered, including a statement of the fee charged, in a binder as a permanent record of his office.
- (3) Each such certificate shall be designated as "Certificate as to Approval of Subdivision of Land," and shall certify:
 - (a) Whether there exists in the City a duly established Planning Board and whether there is an ordinance controlling subdivision of land adopted under the authority of N.J.S.A. 40:55D-1 et seq.
 - (b) Whether the subdivision, as it relates to the land shown in said application, has been approved by the Planning Board, and, if so, the date of such approval and any extensions and terms thereof, showing the subdivision of which the lands are a part is a validly existing subdivision.
 - (c) Whether such subdivision, if the same has not been approved, is statutorily exempt from the requirement of approval as provided by N.J.S.A. 40:55D-1 et seq.
- (4) The administrative officer (Zoning Officer) shall be entitled to demand and receive for such certificate issued a reasonable fee not in excess of those provided in N.J.S.A. 54:5-14 and 54:5-15 in accordance with § 215-17. The fees so collected by such official shall be paid to the City.
- (5) Any person who shall acquire for a valuable consideration an interest in the lands covered by such certificates of approval of a subdivision in reliance upon the information therein contained shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the City pursuant to the provisions of N.J.S.A. 40:55D-55.
- (6) Any such application addressed to the City Clerk shall be deemed to be addressed to the proper designated officer and the City shall be bound thereby to the same extent as though the same was addressed to the designated official.
- (7) Every certificate issued shall also state on its face, in bold type, that:

"THIS CERTIFICATE IS SUBJECT TO CHANGES IN THE NORTHFIELD CITY LAND USE AND DEVELOPMENT ORDINANCE AS PROVIDED IN § 215-14 OF SAID ORDINANCE.

THIS CERTIFICATE DOES NOT SIGNIFY CONSTRUCTION CODE REVIEW OR BUILDING APPROVAL AND DOES NOT CONSTITUTE AUTHORIZATION TO UNDERTAKE ANY WORK WITHOUT SUCH

REVIEW AND APPROVAL WHERE EITHER IS REQUIRED.

BEFORE ANY STRUCTURE TO WHICH THIS CERTIFICATE IS APPLICABLE MAY BE OCCUPIED OR USED FOR ANY PURPOSE, A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED.

THIS CERTIFICATE DOES NOT SUBSTITUTE FOR A BUILDING PERMIT, MERCANTILE LICENSE, CERTIFICATE OF OCCUPANCY OR ANY ADDITIONAL LOCAL, STATE OR FEDERAL PERMITS WHICH MAY BE REQUIRED."

- C. Soil erosion and sediment control plan certification. Where required, a soil erosion and sediment control plan certification shall be obtained from the Cape Atlantic Area Conservation District prior to subdivision or the erection of any structure or the alteration of the existing grade on any lot. No such certification shall be valid until a development permit shall have first been issued for the subdivision, building, structure or use.
- D. Building permit. No building or structure shall be erected, restored, added to, or structurally altered until a permit therefor has been issued by the Construction Official. All applications for such permits shall be in accordance with the requirements of the New Jersey State Uniform Construction Code. No building permit shall be issued unless the applicant shall have first secured a development permit.
- E. Location survey. A location survey drawn by a licensed professional land surveyor shall be furnished to the Construction Official no later than the time of completion of the foundation of any structure being erected as proof that the location of such structure being erected conforms to the approved site plan or the building line requirements of this chapter of exempted site plan approval.
- F. Certificate of occupancy.
 - (1) Development permit required. No certificate of occupancy shall be issued for the use of any building, structure or land unless a development permit shall have first been issued for the use of such building, structure, or land.
 - (2) New uses. No building, structure or land shall be occupied or used until such time as a certificate of occupancy is issued by the Construction Official.
 - (a) Such certificates shall be issued upon application by the owner, prospective occupant, or purchaser only after the Construction Official determines that the facts represented on the application are correct and that the building, structure or use is in conformance with the provisions of the Uniform Construction Code and other codes and ordinances affecting construction and

occupancy.

- (b) A temporary certificate of occupancy may be issued pursuant to the provisions of this chapter, including specifically, but not limited to § 215-77, for any structure or use for which site plan approval has been secured, but not all conditions of approval have been complied with.
- (3) Existing uses at the time of passage of this chapter. Upon written request from the owner, tenant, occupant, or purchaser under contract, the Construction Official, after inspection, shall issue an occupancy permit for a use legally existing at the time this chapter is made effective, certifying the extent and kind of use and whether any such existing use conforms with the provisions of this chapter.
- (4) Change of use. Whenever there occurs a change in the occupancy or use (as herein defined) of a nonresidential building, structure and/or land, a new certificate of occupancy shall be applied for to ensure compliance with all applicable codes and ordinances. The Construction Official may issue that such change in occupancy or use is not a "change in use" as herein defined and determines, therefore, that a development permit is not required, provided that the applicant has met the requirements of the applicable regulations.
- (5) Scope of certificate of occupancy. The certificate of occupancy shall contain sufficient information as to the extent and kind of use or uses, such that any future investigation of the premises would disclose the extent to which a use was altered. It shall also indicate whether such use is a permitted or nonconforming use and the extent to which the use does not conform to the provisions of this chapter.
- (6) Improvement required. No permanent certificate of occupancy shall be issued until all required improvements have been installed in accordance with the provisions of this chapter. A temporary certificate of occupancy may be issued to permit occupancy for a period not to exceed one year. If at the end of that period the required improvements have not been completed, the occupancy permit becomes null and void and the owner may be subject to the penalties herein defined by this chapter.

ARTICLE VIII DESIGN STANDARDS AND IMPROVEMENT SPECIFICATIONS

§ 215-92. Driveways and access aisles.

- A. All entrance and exit driveways to public streets shall be located to afford maximum safety to traffic on the public streets.
- B. Whenever possible, any exit driveway or driveway lane shall be so designed

with regard to profile, grading, and location to permit the following recommended sight distance measured in each direction along the public street. The measurement shall be from the existing driveway immediately outside of the right-of-way line.

Allowable Speed on Municipal Street (mph)	Required Sight Distance (feet)
25	150
30	200
35	250
40	300
45	350
50	400

C. The dimensions of driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to be attracted daily onto the land development for which a site plan is prepared.

(1) Driveway dimensions. The required minimum and maximum dimensions for driveways are indicated in the following table: **[Amended 10-18-1988 by Ord. No. 18-1988]**

	One-Way Operation		Two-Way Operation	
	Curb Line Opening (feet)	Driveway Width (feet)	Curb Line Opening (feet)	Driveway Width (feet)
Commercial and industrial	30 to 50	30 to 34	30 to 50	30 to 46
Service station	30 to 36	30 to 36	30 to 36	30 to 36

(a) Driveways serving large volumes of traffic shall be required to utilize high to maximum dimensions.

(b) Driveways serving low traffic volumes shall be permitted to use low to minimum dimensions.

(2) Number of driveways. The number of driveways provided from a site directly to any one municipal street shall be recommended as follows:

Length of Site Frontage (feet)	Recommended Number of Driveways
100 or less	1

More than 100 to 800

2

Over 800

To be specified by the municipal agency
upon receipt of advice of the City Engineer

- D. No driveway to or from a parking area shall be located closer than 100 feet to the nearest right-of-way line of an intersection collector or arterial street. However, no major use such as a shopping center or office complex, which in the opinion of the municipal agency will generate large traffic volumes, shall be located closer than 200 feet to the nearest right-of-way line of an intersection of a collector or arterial street.
- E. No part of any driveway from a nonresidential parking area may be located within the minimum side yard setback area required in the Schedule of Yard, Area and Building Requirements;¹ however, upon application to the municipal agency and approval of the design by the Board Engineer, the municipal agency may permit a driveway serving two or more adjacent sites to be located on or within 10 feet of a side property line between the adjacent sites.
[Amended 12-12-1989 by Ord. No. 20-1989]
- F. Driveway angle, one-way operation. Driveways used by vehicles in a one-way direction of travel (right turn only) shall not form angles smaller than 45° with the public street, unless acceleration and deceleration lanes are provided.
- G. Driveway angle, two-way operation. Driveways used for two-way operation will intersect the public street at any angle as near 90° as site conditions will permit, and in no case shall the angle be less than 60°.
- H. Parking areas for 25 or more cars and access drives for all parking areas on arterial highways shall provide curbed return radii of not less than 15 feet for all right-turn movements and left-turn access from one-way streets and concrete aprons on entrance and exit drives.
- I. Parking areas for fewer than 25 cars may utilize concrete aprons without curb returns at entrance and exit drives which are not located on a minor arterial or principal arterial highway.
- J. Access drives for single- and two-family dwellings shall utilize concrete aprons without curb returns, regardless of size or location.
 - (1) Such drives shall have a minimum width of 10 feet and a maximum width of 12 feet ~~when they provide access to a one-car garage (or when there is no garage); or a maximum width of 24 feet, when they provide access to a two-car (or larger) garage;~~ subject to impervious lot coverage limitations /. requirements.
 - (2) Concrete aprons shall be paved as provided by § 215-89 of this chapter.
 - (3) Stone driveway beyond the required concrete apron area shall be six inches deep

consisting of a four-inch compact gravel level above the subsoil and a two-inch level of three-eighths-inch or three-fourths-inch chip granite stone placed thereon. There shall be placed a sheet(s) of polypropylene between the four-inch compact gravel and the subsoil. **[Amended 11-13-1990 by Ord. No. 15-1990]**

- (4) Driveways and access aisles may use pervious paving materials to minimize stormwater runoff and promote groundwater recharge, as approved by the Municipal Engineer. **[Added 5-22-2007 by Ord. No. 7-2007]**
- K. The maximum curb depression width for single dwellings shall be the driveway width plus four feet, but not more than 25 feet.
 - (1) For all other uses, the maximum curb depression width shall be the driveway width plus 10 feet, but not more than 35 feet.
 - (2) All concrete should be constructed as provided by the appropriate section of this chapter.
- L. Where a driveway connecting to a public street serves traffic from parking areas of a major traffic generator, acceleration and/or deceleration lanes may be required in accordance with the Geometric Design of Rural Highways 1965, American Association of State Highway and Transportation Officials.
- M. The number of driveways, in such locations and of such widths, as shall be certified by the engineering official having jurisdiction over road design to be necessary and proper in order to achieve compatibility with the road design in view of the site conditions shall be permitted and shall be deemed to constitute compliance herewith.
- N. If the road to which the driveways connect is a City street, the certifying official shall be the City Engineer; if a county road, the certifying official shall be such County Engineer as may be in charge of road design; If a state road, the certifying official shall be such official of the New Jersey Department of Transportation division, bureau or other unit in charge of road design for that road.
- O. Width and type of aisles.
 - (1) Aisles from which cars directly enter or leave parking spaces shall not be less than:
 - (a) For perpendicular parking: 25 feet wide.
 - (b) For 60° angle parking: 20 feet wide.
 - (c) For 30° angle parking: 18 feet wide.
 - (d) For 45° angle parking: 18 feet wide.

- (e) For all aisles allowing two-way traffic: 25 feet wide.
- (2) Only angle parking stalls or parallel parking stalls shall be used with one-way aisles.

§ 215-95. Fences, hedges and walls.

- A. Fences, hedges and walls hereafter erected, altered or reconstructed in any zone in the City shall not exceed six feet in height above ground level except as follows:
 - (1) Hedges, walls, and fences, which are not open fences as defined in this chapter, located in a front yard, or within 50 feet of any river, stream, or other body of water, shall not exceed 36 inches in height.
 - (2) In any commercial or office zone, fences not exceeding eight feet in height may be erected in the rear or side yard areas and behind the building setback line.
 - (3) On park, recreation or school properties, open wire fences not exceeding eight feet in height may be erected in the rear or side yard areas and behind the building setback line.
 - (4) Fences specifically required by other provisions of this chapter and other City and state regulations.
 - (5) In a residential district, no fence or wall shall exceed three feet in height in the required front yard or in the area in front of the building, whichever is greater. This shall also apply along the sides of the front yard.
- B. All fences must be erected within the property lines, and no fence shall be erected so as to encroach upon a public right-of-way.
- C. Razor wire, canvas or cloth fences and fencing construction are prohibited in all zones in the City.
- D. All supporting members of a fence shall be located on the inside of the fence, and if erected along or adjacent to a property line, the supporting members of the fence shall face the principal portion of the tract of land of the property upon which the fence is erected.
- E. All fences must also comply with the provisions of the City Building Code except where in conflict with the technical provisions of this section.
- F. Tennis court fences, baseball and softball backstops and spectator protective fencing are exempt from the requirements of this section, provided they are not located within any required yard area. Located outside of any required yard area, they are subject to the height limitations of the particular zone district.

- G. Fences which are painted shall be painted in only one color, harmonious with the surrounding area. Multicolored fences are prohibited.
- H. Fences shall be erected in a manner so as to permit the flow of natural drainage, shall not cause surface to be blocked or dammed to create ponding and shall comply with § 215-52.
- I. Before any fence or wall is erected, a building permit must be obtained. The request for permits shall be accompanied by a plan, to show the height and location of the proposed fence or wall in relation to all other structures or building, and in relation to all streets, lot property lines and yards, and type and design of fencing materials utilizing a survey of the property or copy of the Tax Map
- J. Except where specifically prohibited, nothing herein shall be construed to prohibit the use of hedges, trees and other planting anywhere on a lot.
- K. Restrictions herein contained shall not be applied so as to prohibit the erection of a wall for the purpose of retaining earth.
- L. Fencing shall be maintained in a structurally sound manner and in good repair. Any damage, weathering, or non-approved alterations shall be corrected or repaired to original standards.

SEVERABILITY

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

REPEAL OF PRIOR ORDINANCES

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

EFFECTIVE DATE

This ordinance shall take effect after final passage and publication as provided by law.

Mary Canesi, RMC
Municipal Clerk

Erland Chau
Mayor

The above Ordinance was passed on first reading at a Regular Meeting of the Common Council of the City of Northfield, New Jersey on the 2nd day of September 2025, and pursuant to N.J.S.A. 40:55D-26, will be referred to the City of Northfield Planning Board for review; the matter will be taken up for a second reading, public hearing and final passage at a meeting of said Council held on October 7, 2025, at 7:00pm, in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:	September 2, 2025
REFERRAL TO PLANNING BOARD:	September 3, 2025
PUBLICATION:	September 6, 2025
SECOND READING:	October 7, 2025
PUBLICATION:	October 11, 2025