

**\*\*\*ADOPTED AUGUST 7, 2023\*\*\***

**DELANCO TOWNSHIP**

**ORDINANCE 2023-11**

**AN ORDINANCE AMENDING CHAPTER 110 OF THE  
CODE OF THE TOWNSHIP OF DELANCO TO MODIFY  
AND AMEND THE I-3 (MODIFIED INDUSTRIAL) ZONE  
AND RELATED PROVISIONS**

**WHEREAS**, the Township of Delanco, by Ordinance 2023-10, adopted on July 5, 2023, created a new I-3 (Modified Industrial) Zone; and

**WHEREAS**, as part of the referral process under the Municipal Land Use Law, the Delanco Township Joint Land Use Board, in finding Ordinance 2023-10 consistent with the Master Plan, made certain recommendations to address various items within the Code and their application under the new I-3 Zone; and

**WHEREAS**, the Township has reviewed and desires generally to amend the I-3 Zone at Chapter 110-37 and such other sections of the Code as may be necessary, in order to better govern and regulate the I-3 Zone; and

**WHEREAS**, the Township Committee of the Township of Delanco finds these amendments to the Code to be in the best interests of the health, safety and welfare of the residents of the Township.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Township Committee of the Township of Delanco, State of New Jersey Chapter 110 is hereby amended as follows:

**SECTION 1.** Chapter 110-39.1 governing the Specialized Health Overlay District is hereby amended at Section A as follows:

- A. Purpose. The Specialized Health Overlay District shall be an overlay district for a limited portions of the I-2 and I-3 Industrial Districts. It shall permit and govern, as conditional uses, residential medical detoxification centers and behavioral health care facilities, with related provisions.

**SECTION 2.** Chapter 110-15 governing Landscape Buffer Areas is hereby amended at Section D as follows:

- D. Required landscape buffer areas.  
(...)

Zoning District	Landscape Buffer Area Required
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I-3

The minimum landscape buffer shall be at least 30 feet wide along side and rear yards adjacent to a residential use or zone, and an additional one foot of buffer shall be required for each 1,000 square feet of building area to a maximum of 50 feet. The buffer will consist of coniferous evergreen trees and shrubs planted in masses averaging 12 feet on center and shall be supplemented with shade trees and ornamental trees to create a complete visual screen. Planted berms shall be incorporated in the buffer area to provide an enhanced immediate screen.

Where the adjacent use or zone is nonresidential, landscaping shall be provided in all yards, with minimum planted areas of at least 20 feet wide in the front yard and 15 feet in side and rear yards. Buffers must provide an effective screen when fully matured; planted berms shall be incorporated into all site plans.

**SECTION 3.** Chapter 110-10 governing Conditional Uses is hereby amended as follows:

**§110-10. Conditional uses.**

The following uses shall be conditionally permitted when all specific requirements for each respective conditional use set forth herein have been met:

B. Automobile and truck leasing facilities in the I-1, ~~I-2,~~ or I-3 Zoning Districts.

C. Automobile service stations and automotive repair services and garages in the C-1, C-2, ~~I-1,~~ or I-3 Zoning Districts.

D. Automobile wash in the I-1, ~~I-2,~~ or I-3 Zoning Districts.

F. Body shops in the I-1, ~~I-2,~~ or I-3 Zoning Districts.

G. Cellular communications towers and antennas facilities.

...

(2) Restricted to I-2 and I-3 Industrial Zones...

J. Construction contractor storage yards, offices and shops. Registered truck, trailer or motor vehicle storage yards for commercial purposes accessory to a permitted use in the I-1, ~~and I-2,~~ and I-3 Zones.

Q. New and used automobile and truck sales and dealerships in the C-3, I-1, ~~I-2,~~ or I-3 Zoning Districts.

**SECTION 4.** Chapter 110-37 governing the I-3 Modified Industrial District is hereby amended by adding subsection “E” as follows:

E. Conditional uses. Conditional uses shall be governed and permitted as set forth in Chapter 110-10 governing “Conditional Uses.”

**SECTION 5.** Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

**SECTION 6.** Severability. If the provision of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 7.** After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral a report, including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**SECTION 8.** After introduction, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance in its entirety or by title and summary at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality, together with a notice of the introduction thereof, the time and place when and where it will be further considered for final passage. The publication shall include a clear and concise statement prepared by the Clerk setting forth the purpose of this Ordinance and a time and place when and where a copy of this Ordinance can be obtained without cost by any member of the general public. The publication shall be at least one week prior to the scheduled hearing.

**SECTION 9.** If adopted, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance, in its entirety or by title and summary, together with a notice of the date of passage or approval, at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality.

**SECTION 10.** If adopted, the Township Clerk, in accordance with N.J.S.A. 40:55D-16, shall forward a copy of this Ordinance to the County Planning Board for filing.

**SECTION 11.** Effective Date. This Ordinance shall be effective upon proper passage and approval in accordance with the law.