

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2011 - 6**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 163, "SITE PLAN REVIEW",
OF THE CODE OF THE BOROUGH OF PENNINGTON,
COUNTY OF MERCER, STATE OF NEW JERSEY**

**Article II
General Provisions**

WHEREAS, Borough Council seeks to amend the requirements for site plan review under Chapter 163 of the Code of the Borough of Pennington;

WHEREAS, the proposed amendment would obviate site plan review for a rear addition of less than 150 square feet for a one story addition or 300 sq. ft. for a two-story addition to a commercial structure in a commercial zone, provided that no variances are required and there is no impact on site circulation;

NOW THEREFORE, BE IT ORDAINED, by Borough Council of the Borough of Pennington, as follows:

1. Section 163-4 of the Code of the Borough of Pennington, concerning requirements and exceptions for site plan approvals, is amended to read as follows:

Prior to the issuance of a building permit or certificate of occupancy for any new structure other than a single-family dwelling, addition to an existing non residential structure, conversion of a one- or two-family dwelling to three or more units or for any new multifamily structure or use, a site plan shall be reviewed and approved by the Planning Board or, where appropriate, by the Board of Adjustment. No site plan review shall be required for **(a)** a change in occupancy or use of any nonresidential structure where the Borough Zoning Officer has determined that the new use is permitted either by reason of Chapter 215, Zoning, or because of prior Planning Board or Zoning Board approval, and will not [intensity] intensify site traffic circulation, required parking, or endanger the general health, safety and public welfare; or **(b) a rear addition of less than 150 square feet for a one story addition or 300 sq. ft. for a two-story addition to a commercial structure in a commercial zone, provided that no variances are required and there is no impact on site circulation.**

2. This Ordinance shall take effect upon passage and publication as provided by law.

Introduced: April 4, 2011

Advertised: April 14, 2011

Public Hearing: May 2, 2011

Adoption: May 2, 2011

Final Publication: May 12, 2011

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor