

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE No. 612-2022

**AN ORDINANCE AMENDING ORDINANCE 606-2022, AS AMENDED, CHAPTER 26 OF THE
CODE OF THE BOROUGH OF WOODBINE**

WHEREAS, on December 14, 2022 the Land Use Board considered certain additional changes to the Municipal Land Use Laws, Chapter 26 of the Code of the Borough of Woodbine, more particularly Chapter 26, Section 26-4.12 entitled Light Industrial Manufacturing (LIM) and recommending an amendment to the proposed zoning ordinance to remove asphalt manufacturing facility as a permitted use within the (LIM) at section 26-4.12 a. 2 (g) and to amend and supplement Chapter 26, Section 26-4.12 a 5 to set forth asphalt manufacturing facility and concrete manufacturing facility as conditional uses and standards within the LIM; and

WHEREAS, the Land Use Board further recommended the following lots be relocated from the existing R-1 Residential Moderate Density zone into the LIM Light Industrial zone due to their proximity to the existing railroad lines and the Cape May County Secure Sanitary Landfill facility:

Block 111, Lot 10 owned by: Cape May County MUA

Block 111, Lot 11 owned by: Borough of Woodbine

Block 121, Lot 2 owned by: Borough of Woodbine

Block 122, Lot 1 owned by: Borough of Woodbine

WHEREAS, the Borough Council of the Borough of Woodbine finds it to be in the best interest of the Borough to adopt the findings and recommendations of the Land Use Board as outlined in their recommendation and hereby adopts the findings and conclusions as set forth therein as if set forth herein in their entirety.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Woodbine, situate in the County of Cape May, State of New Jersey, as follows: Ordinance 606-2022 as amended, Chapter 26 of the Code of the Borough of Woodbine be and is hereby amended as follows:

1. CHAPTER XXVI ZONING, Section 26-4.12 a 2 (g) Asphalt manufacturing facility shall be deleted.
2. CHAPTER XXVI ZONING Section 26-4.12 a 5 (c) and (d) shall be added as follows:
 - (c) Asphalt manufacturing facility in accordance with the standards set forth below:
 1. Bulk Standards, (minimum unless stated maximum)
 - (a) Lot Area – 30 acres
 - (b) Lot width – 200 feet
 - (c) Lot depth – 200 feet
 - (d) Front yard setback – 150 feet
 - (e) Side yard setback – 100 feet
 - (f) Rear yard setback – 100 feet
 - (g) Building coverage (all) – 60% (maximum)
 - (h) Building height – 35 feet (maximum)
 2. Buffer Areas
 - (a) Buffer areas are required between the lot's (site's) property boundaries and any residential use or district, and as otherwise required in this chapter. Buffer areas shall comply with the standards of 26-35.1.
 3. The layout of the facility shall be developed and operated so that the entire operation is conducted on one side of a State, County or Municipal road, highway or railroad so that there is no regular crossing of the above roads, highways or railroads.

4. As a part of Site Plan Review, as provided at 26-61, the design professional shall have evaluated the access routes to and from the proposed facility and a written report of the construction and life expectancy of the existing roadways, and provide a cost analysis to provide and upgrade of those roads.
5. As a part of the required Site Plan Review, an Environmental Evaluation as provided at 26-61.4f shall be provided.
6. The facility shall be of a permanent nature and contain, as a minimum, a physical office and maintenance building, containing bathroom facilities, hand and eyewash stations
7. The operations shall provide for paving the on-site travelled ways and daily sweeping of the access roads and travelled ways so as to minimize airborne dust and pollution.
8. Stormwater Management. In accordance with the provisions of Chapter XXI (Stormwater Control).
9. On-site operational and directional signs shall be provided.
10. No on-site crushing of aggregates (concrete /asphalt) will be permitted.
11. All vehicles operating on-site shall be equipped with “Quiet” back up alarms.
12. All vehicles operating on-site will be washed daily at an on-site washing facility with capability of using recycled water and a water containment structure.
13. The hours of operation shall be from 7:00 am to 5:00 pm, Monday through Friday.
14. Trash enclosure shall be provided for solid waste and recyclables.
15. All lighting will address Glare as provided at 26-35.3
16. Heat must be addressed as provided at 26-35.4
17. Noise must be addressed as provided at 26-35.5

18. Storage and Waste disposal must be addressed as provided at 26-35.6.
19. Vibrations must be addressed as provided at 26-35.7.
20. Dust and smoke must be addressed as provided at 26-35.8.
21. Odor must be addressed as provided at 26-36.9.
22. Electric or electronic equipment must be addressed as provided at 26-35.1
23. Site Grading as provided at 26-35.11 must be addressed.
24. Signs as must be addressed provided at 26-36.

(d) Concrete manufacturing facility in accordance with the standards set forth below:

1. Bulk Standards, (minimum unless stated maximum)
 - (a) Lot Area – 30 acres
 - (b) Lot width – 200 feet
 - (c) Lot depth – 200 feet
 - (d) Front yard setback – 150 feet
 - (e) Side yard setback – 100 feet
 - (f) Rear yard setback – 100 feet
 - (g) Building coverage (all) – 60% (maximum)
 - (h) Building height – 35 feet (maximum)

2. Buffer Areas
 - (a) Buffer areas are required between the lot's (site's) property boundaries and any residential use or district, and as otherwise required in this chapter. Buffer areas shall comply with the standards of 26-35.1.
3. The layout of the facility shall be developed and operated so that the entire operation is conducted on one side of a State, County or Municipal road, highway or railroad so that there is no regular crossing of the above roads, highways or railroads.
4. As a part of Site Plan Review, as provided at 26-61, the design professional shall have evaluated the access routes to and from the proposed facility and written report of the construction and life expectancy of the existing roadways, and provide a cost analysis to provide and upgrade of those roads.
5. As a part of the required Site Plan Review, an Environmental Evaluation as provided at 26-61.4f shall be provided.
6. The facility shall be of a permanent nature and contain, as a minimum, a physical office and maintenance building, containing bathroom facilities, hand and eyewash stations
7. The operations shall provide for paving the on-site travelled ways and daily sweeping of the access roads and travelled ways so as to minimize airborne dust and pollution.
8. Stormwater Management. In accordance with the provisions of Chapter XXI (Stormwater Control).
9. On-site operational and directional signs shall be provided.
10. No on-site crushing of aggregates (concrete /asphalt) will be permitted.
11. All vehicles operating on-site shall be equipped with "Quiet" back up alarms.
12. All vehicles operating on-site will be washed daily at an on-site washing facility with capability of using recycled water and a water containment structure.

13. The hours of operation shall be from 7:00 am to 5:00 pm, Monday through Friday.
14. Trash enclosure shall be provided for solid waste and recyclables.
15. All lighting will address Glare as provided at 26-35.3
16. Heat must be addressed as provided at 26-35.4
17. Noise must be addressed as provided at 26-35.5
18. Storage and Waste disposal must be addressed as provided at 26-35.6.
19. Vibrations must be addressed as provided at 26-35.7.
20. Dust and smoke must be addressed as provided at 26-35.8.
21. Odor must be addressed as provided at 26-36.9.
22. Electric or electronic equipment must be addressed as provided at 26-35.10.
23. Site Grading as provided at 26-35.11 must be addressed.
24. Signs as must be addressed provided at 26-36.

BE IT FURTHER ORDAINED the following lots be deleted from the existing:

CHAPTER XXVI ZONING Section 26, 4.5, (R-1) Residential Moderate Density zone
and added to:

CHAPTER XXVI ZONING Section 26, 4.12 (LIM) Light Industrial zone:

Block 111, Lot 10 owned by: Cape May County MUA

Block 111, Lot 11 owned by: Borough of Woodbine

Block 121, Lot 2 owned by: Borough of Woodbine

Block 122, Lot 1 owned by: Borough of Woodbine

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent with this Ordinance, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by any court of competent jurisdiction, the balance thereof not deemed unenforceable shall remain in full force and effect.