

ARTICLE XXIV
STEEP SLOPE ORDINANCE

55-361. PURPOSE. [Added 10-19-09 by Ord. No. 2009-31]

The purpose of this ordinance is to regulate the intensity of use in areas of steeply sloping terrain in order to limit soil loss, erosion, excessive stormwater runoff, the degradation of surface water and to maintain the natural topography and drainage patterns of land.

55-362. BACKGROUND. [Added 10-19-09 by Ord. No. 2009-31]

Disturbance of steep slopes results in accelerated erosion processes from stormwater runoff and the subsequent sedimentation of water bodies with the associated degradation of water quality and loss of aquatic life support. Related effects include soil loss, changes in natural topography and drainage patterns, increased flooding potential, further fragmentation of forest and habitat areas, and compromised aesthetic values. It has become widely recognized that disturbance of steep slopes should be restricted or prevented based on the impact disturbance of steep slopes can have on water quality and quantity, and the environmental integrity of landscapes.

55-363. APPLICABILITY. [Added 10-19-09 by Ord. No. 2009-31]

This ordinance shall be applicable to minor and major site plans and subdivisions on a steep slope within the Township of Barnegat.

55-364. DEFINITIONS. [Added 10-19-09 by Ord. No. 2009-31]

DISTURBANCE — The placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

IMPERVIOUS SURFACE — Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

REDEVELOPMENT — The construction of structures or improvements on areas which previously contained structures or other improvements.

STEEP SLOPES — Any slope equal to or greater than twenty percent (20%) percent as measured over any minimum run of ten (10) feet. Steep slopes are determined based on contour intervals of two (2) feet or less.

55-365. DESIGNATION OF AREAS. [Added 10-19-09 by Ord. No. 2009-31]

The percent of slope (rise in feet per horizontal distance) shall be established by measurement of distance perpendicular to the contour of the slope. The percent of slope shall be calculated for each two-foot contour interval. For example, any location on the site where there is a one-foot rise over a 10-foot horizontal run constitutes a ten percent (10%) slope; a 1.5 foot rise over a 10-foot horizontal run constitutes a fifteen percent (15%) slope; a two-foot rise over a 10-foot horizontal run constitutes a twenty percent (20%) slope.

55-366. STEEP SLOPE LIMITS. [Added 10-19-09 by Ord. No. 2009-31]

For steep slopes any disturbance shall be prohibited except as provided below:

- A. Redevelopment within the limits of existing impervious surfaces; for example, redevelopment within the footprint of existing impervious cover should be allowed to support efforts to revitalize development that has fallen into disrepair.
- B. New disturbance necessary to protect public health, safety or welfare, or to provide an environmental benefit, such as remediation of a contaminated site.

The applicant shall demonstrate through site plans depicting the proposed development and topography that new disturbance is not located in areas with a twenty percent (20%) or greater steep slope.

55-367. COMPLIANCE. [Added 10-19-09 by Ord. No. 2009-31]

The applicant or designated representative shall be responsible for the initial determination of the presence of a steep slope on a site, and for identifying the steep slope on any plan submitted to the approving authority of Barnegat Township in conjunction with a development application. This initial determination shall be subject to review and concurrence of the Planning or Zoning Board engineer or the Municipal Engineer.

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