

CHAPTER 21

RESIDENTIAL SITE IMPROVEMENT STANDARDS

Authority

N.J.S.A. 40:55D-40.4.

Source and Effective Date

R.2002 d.197, effective May 30, 2002.
See: 33 N.J.R. 3391(a), 34 N.J.R. 2311(b).

Expiration Date

Chapter 21, Residential Site Improvement Standards, expires on May 30, 2007.

Chapter Historical Note

Chapter 21, Uniform Standards Code for Mobile Homes, was adopted pursuant to authority of N.J.S.A. 52:2D-25.1 et seq. and was filed and became effective December 7, 1972, as R.1972 d.248. See: 4 N.J.R. 260(f), 5 N.J.R. 7(a).

Chapter 21, Uniform Standards Code for Mobile Homes, was amended by R.1974 d.275, effective January 1, 1975. See: 6 N.J.R. 343(a), 6 N.J.R. 427(b); and R.1975 d.166, effective July 1, 1975. See: 7 N.J.R. 200(a), 7 N.J.R. 306(a).

Chapter 21, Uniform Standards Code for Mobile Homes, was repealed by R.1982 d.7, effective February 1, 1982. See: 13 N.J.R. 717(a), 14 N.J.R. 142(a).

Chapter 21, Residential Site Improvement Standards, was adopted as R.1997 d.5, effective January 6, 1997 (operative June 3, 1997). See: 28 N.J.R. 2671(a), 28 N.J.R. 3491(a), 29 N.J.R. 159(a).

The name of Subchapter 1, General Provisions, was changed to General Guidelines by Administrative Correction. See: 29 N.J.R. 2816(a).

Petition for Rulemaking. See: 32 N.J.R. 2621(b).

Chapter 21, Residential Site Improvement Standards, was readopted as R.2002 d.197, effective May 30, 2002. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL GUIDELINES

- 5:21-1.1 Title; division into subchapters
- 5:21-1.2 Authority
- 5:21-1.3 Intent and purpose
- 5:21-1.4 Definitions and abbreviations
- 5:21-1.5 Scope and applicability
- 5:21-1.6 Development over limestone geologic formations
- 5:21-1.7 Administration and enforcement
- 5:21-1.8 Approval
- 5:21-1.9 Violations
- 5:21-1.10 Operative date
- 5:21-1.11 Validity

APPENDIX. NEW JERSEY MUNICIPALITIES—LIMESTONE AREAS

SUBCHAPTER 2. APPLICATION AND REVIEW PROCEDURES

- 5:21-2.1 Application and review procedures
- 5:21-2.2 Application form and checklist (Reserved)

SUBCHAPTER 3. EXCEPTIONS, WAIVERS, AND SPECIAL AREA STANDARDS

- 5:21-3.1 Exceptions
- 5:21-3.2 Waiver request
- 5:21-3.3 Waiver review
- 5:21-3.4 Appeal of waiver decisions
- 5:21-3.5 Special area standards
- 5:21-3.6 Agreement to exceed standards
- 5:21-3.7 Public meetings
- 5:21-3.8 Changes to the standards

SUBCHAPTER 4. STREETS AND PARKING

- 5:21-4.1 Street hierarchy
- 5:21-4.2 Cartway width
- 5:21-4.3 Curbs or curbs and gutters
- 5:21-4.4 Shoulders
- 5:21-4.5 Sidewalks and graded areas
- 5:21-4.6 Bikeways
- 5:21-4.7 Utility areas
- 5:21-4.8 Right-of-way and cartway
- 5:21-4.9 Street grade and intersections
- 5:21-4.10 Pavement
- 5:21-4.11 Street and site lighting (Reserved)
- 5:21-4.12 Underground wiring
- 5:21-4.13 Street and traffic signs
- 5:21-4.14 Parking: number of spaces
- 5:21-4.15 Parking space size
- 5:21-4.16 Parking areas
- 5:21-4.17 Curb construction standards
- 5:21-4.18 Sidewalks and bikeways construction standards
- 5:21-4.19 Street grade, intersections, pavement, and lighting construction standards
- 5:21-4.20 Curves

SUBCHAPTER 5. WATER SUPPLY

- 5:21-5.1 Water supply system
- 5:21-5.2 Capacity
- 5:21-5.3 System design and placement
- 5:21-5.4 Fire hydrants

APPENDIX. HARDY-CROSS METHOD

SUBCHAPTER 6. SANITARY SEWERS

- 5:21-6.1 Sanitary sewer system
- 5:21-6.2 System planning, design, and placement

SUBCHAPTER 7. STORMWATER MANAGEMENT

- 5:21-7.1 Stormwater management: scope
- 5:21-7.2 Stormwater calculations: runoff estimation techniques
- 5:21-7.3 Design of runoff collection system
- 5:21-7.4 Inlets, catch basins, manholes and outlets
- 5:21-7.5 Stormwater management: quantity control
- 5:21-7.6 Stormwater management: water quality
- 5:21-7.7 Recharge
- 5:21-7.8 Detention basins and other stormwater management facilities
- 5:21-7.9 Maintenance requirements

APPENDIX A. CORRUGATED METAL PIPE STANDARDS

APPENDIX B. DEP STORMWATER MANAGEMENT RULES REFERENCED IN N.J.A.C. 5:21-7

SUBCHAPTER 8. REFERENCED STANDARDS

- 5:21-8.1 Referenced standards

SUBCHAPTER 1. GENERAL GUIDELINES

Law Reviews and Journal Commentaries

New Residential Site Improvement Standards. Thomas F. Carroll, III. 188 N.J.L.J. 18 (1997).

5:21-1.1 Title; division into subchapters

(a) These rules shall be known as the "New Jersey Residential Site Improvement Standards" and are referred to herein as "the rules."

(b) This chapter consists of the following subchapters:

1. "General Provisions," which may be cited throughout the rules as N.J.A.C. 5:21-1 and when referred to in subchapter 1 of this chapter, may be cited as "this subchapter."

2. "Application and Review Procedures," which may be cited throughout the rules as N.J.A.C. 5:21-2 and when referred to in subchapter 2 of this chapter, may be referred to as "this subchapter."

3. "Exceptions, Waivers, and Special Area Standards," which may be cited throughout these rules as N.J.A.C. 5:21-3 and when referred to in subchapter 3 of this chapter, may be referred to as "this subchapter."

4. "Streets and Parking," which may be cited throughout these rules as N.J.A.C. 5:21-4 and when referred to in subchapter 4 of this chapter, may be referred to as "this subchapter."

5. "Water Supply," which may be cited throughout these rules as N.J.A.C. 5:21-5 and when referred to in subchapter 5 of this chapter, may be referred to as "this subchapter."

6. "Sanitary Sewers," which may be cited throughout these rules as N.J.A.C. 5:21-6 and when referred to in subchapter 6 of this chapter, may be referred to as "this subchapter."

7. "Stormwater Management," which may be cited throughout these rules as N.J.A.C. 5:21-7 and when referred to in subchapter 7 of this chapter, may be referred to as "this subchapter."

8. "Referenced Standards," which may be cited throughout these rules as N.J.A.C. 5:21-8 and referred to in subchapter 8 of this chapter, may be referred to as "this subchapter."

5:21-1.2 Authority

These rules are promulgated by the Commissioner of the Department of Community Affairs pursuant to the authority of P.L. 1993, c.32 (N.J.S.A. 40:55D-40.1 et seq.)

5:21-1.3 Intent and purpose

(a) It is the intent and purpose of these rules:

1. To reduce the multiplicity of standards for residential subdivisions and site improvements which currently exists in this State in order to eliminate unnecessary increases in the cost of housing where there are noncommensurate gains in the protection of public health and safety;

2. To avoid unnecessary cost in the construction process, and to provide site improvement standards that are both sound and cost effective;

3. To ensure predictability in the site improvement standards applicable to residential construction;

4. To provide for development reviews of residential projects that are based, to the greatest extent possible, upon sound objective site improvement standards rather than upon discretionary design standards;

5. To streamline the development approval process and improve the efficiency of the application process by providing a uniform set of technical site improvement standards for land development;

6. To provide the widest possible range of design freedom and promote diversity through performance-oriented site improvement standards; and

7. To separate the policy-making aspects of development review from the making of technical determinations.

5:21-1.4 Definitions and abbreviations

The following words, terms, and abbreviations, when used in this chapter, shall have the following meanings, unless the context clearly indicated otherwise. Where a word or term is defined in this chapter and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), then the definition of that word or term found in the Municipal Land Use Law shall govern. Words and terms found in the Municipal Land Use Law, and defined here for convenience, have been designated by the use of "(MLUL)" following their meaning.

"AASHTO" means American Association of State Highway and Transportation Officials.

"ABS" means acrylonitrile-butadiene-styrene.

"ACI" means American Concrete Institute.

"Administrative Officer" means the clerk of the municipality, unless a different municipal official or officials are designated by ordinance or statute. (MLUL).

"ADT" (see average daily traffic.)

"Aisle" means the traveled way by which cars enter and depart parking spaces.

"Alley" means a service road that provides a secondary means of access to lots.

"ANSI" means American National Standards Institute.