

PART I  
LAWRENCE TOWNSHIP  
LAND SUBDIVISION ORDINANCE  
Adopted May 19, 1954

PART II  
ZONING ORDINANCE  
Adopted December 20, 1950  
And As Amended to January, 1954

OF LAWRENCE TOWNSHIP  
Mercer County, N. J.

Price 50c



**PART I**  
**LAND SUBDIVISION ORDINANCE**

Adopted May 19, 1954

**Article I. Authorization and Application**

This ordinance is subject to and limited by the provisions of Revised Statutes of New Jersey 40:55-1.1 through 40:55-1.29 from which its authority is derived.

**Article II. Planning Board Approval of Subdivisions Required**

Whoever subdivides or resubdivides any land in Lawrence Township into two or more lots, sites or other divisions for the purpose, whether immediate or future, of sale or building development shall obtain the approval thereof of the Township Planning Board before proceeding with the sale or other disposal of any of the land so subdivided or resubdivided or with filing same with the County Clerk for the purpose of recording. Excepted from this requirement shall be the division of land for agricultural purposes into parcels of three acres or larger when no new streets or roads are involved.

Further, no building permit shall issue for the construction of a building fronting on any street or road which does not exist or which is not recorded in the office of the County Clerk at the time of this enactment unless and until such street or road has been approved by the Township Planning Board or unless appeal is made to the Board of Adjustment as provided in Revised Statutes of New Jersey 40:55-1.40.

**Article III. General Procedure**

1. *Application for Approval of a Subdivision*—Application for approval of a subdivision shall be made in writing by the owner or his agent and shall be accompanied by a plat or map showing the proposed subdivision in the form and with the information specified below, together with the further specified documents and information. Such application and the accompanying plat and other information and materials shall be handed to the Township Clerk who shall stamp thereon the date of submission thereof and immediately advise the Secretary of the Planning Board of their receipt and transmit to him all the maps and other materials relating thereto. To be considered at the next regular meeting of the Planning Board, an application shall be in the hands of the Township Clerk not less than 10 days before the date of such meeting.

2. *Method of Plat Presentation*—Before final approval of a plat shall be considered by the Planning Board, the plat shall first be submitted to the Board

in preliminary form to be known as the "Preliminary Plat." The preliminary plat shall show and shall be accompanied by the information specified under Article IV. The preliminary plat shall be acted upon by the Planning Board within a reasonable time. It is not required but is suggested that, in the interests of time and expense saving, the subdivider discuss his intentions with the Planning Board prior to preparation of the preliminary plat. Simultaneously with submitting a preliminary plat to the Township Planning Board for its consideration, the owner or his agent shall likewise submit a copy of the plat to the County Planning Board for its review and approval. The Township Planning Board shall take no action upon a preliminary plat until having received the report of the County Planning Board in respect thereto. Prior to action upon a preliminary plat, the Township Planning Board shall give a hearing in respect thereto to all parties in interest. The Subdivider shall cause a notice of such hearing to be published in a newspaper of general circulation in the Township not less than 10 days prior to the hearing. In addition, the subdivider shall mail, by registered mail, notice of such hearing, at least 5 days prior thereto, addressed to the owners, as their names appear on the Township tax record, of adjoining property and of property directly across the street or streets from the property involved. The notice of hearing shall contain a brief description of the property involved, a statement of its location, a list of maps to be considered, and a summary statement of matters to be heard. Satisfactory evidence of having conformed to the above requirements as to publishing and mailing notice of hearing shall be certified to the Planning Board by the subdivider. A record of such a hearing shall be kept by the Planning Board and shall become a public record.

Upon approval of the preliminary plat by the Township Planning Board, the subdivider may proceed with preparation of the "Final Plat". The final plat shall be in the form, and shall contain and be accompanied by the information, specified under Article V. The final plat and all the materials relating thereto shall be submitted to the Township Clerk who shall stamp thereon the date of submission, immediately advise the Secretary of the Planning Board of the receipt thereof, and transmit all the maps and other materials to him. For consideration at the next subsequent meeting of the Planning Board the final plat shall have been submitted to the Township Clerk not less than 5 days prior to the date thereof. The Planning Board shall take action upon the final plat within forty-five days after its submission for approval or within such further time as may be agreed by the owner or his agent. Otherwise, such plat shall be deemed to have been approved, and the certificate of the Township Clerk indicating the date of submission of the plat for approval and the fact of the Planning Board's having failed to take action within the specified time shall be sufficient evidence of the approval herein required, in lieu of the

written endorsement of approval by the Planning Board.

If the Planning Board disapproves a preliminary or a final plat, the findings and reason for such action shall be stated on the records of the Board, and the applicant shall be given a copy.

If the owner of any land proposed to be subdivided, or any other party in interest, shall be aggrieved by the action of the Planning Board, appeal to the Township Committee may be taken within ten days after the date of such action. After public hearing, upon notice to all parties in interest, the Township Committee may affirm or reverse the action of the Planning Board by a recorded majority vote of its membership. The findings and reasons for the disposition of the appeal shall be stated on the records of the Township Committee, and the applying party shall be given a copy.

3. *Effect of Preliminary Plat Approval*—Planning Board approval of the preliminary plat shall confer upon the applicant the following rights for a three-year period from the date of the approval:

- a. That the general terms and conditions under which the preliminary approval was granted will not be changed.
- b. That the said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

4. *Effect of Final Plat Approval*—Approval by the Planning Board of a final plat showing a new street or streets or the resubdivision of land along a mapped street shall expire ninety days from the date of such approval, unless within the period such plat shall have been duly filed by the owner or his agent with the County Clerk. For good cause shown, the Township Committee may extend the time for plat filing for an additional period not to exceed ninety days.

#### **Article IV. The Preliminary Plat—Required Form and Content and Processing**

1. *Scale*—The preliminary plat shall be at a scale of not less than 1 inch equals 100 feet.

2. *Number of Copies*—The written application to the Planning Board for approval of a preliminary plat shall be accompanied by 5 black and-white prints of the plat, and three copies of all other required information.

3. *Information to be Shown on the Preliminary Plat*—The preliminary plat shall show:

- a. Property lines of the land to be subdivided; the names of the owners of all immediately adjacent unplatted land; the location and right-of-way widths of all streets and roads within 400 feet of any part of the land proposed to be subdivided; and indication of the gross area of the land to be subdivided.

- b. A key map at a scale of not less than 1 inch equals 800 feet showing the relation of the property to adjoining property and to all streets and roads existing within 1,000 feet of any part of the property to be subdivided.

c. Contours at vertical intervals of 5 feet or less for land with an average slope of 10 per cent or greater, and at vertical intervals of 2 feet for land of lesser average slope; all existing water courses; tree masses, and isolated trees with a diameter of 10 inches or more; existing buildings, underground utilities, and all other significant existing features. However, contours need not be shown for subdivisions with a gross area of less than 10 acres and involving no new streets or roads, unless specifically requested by the Planning Board.

d. All proposed streets and alleys, parks, playgrounds, and other public areas or easements; proposed building setback lines for each street; and lot lines and approximate lot dimensions.

e. Name of the property owner and his agent, if any; the name of the surveyor responsible for the property survey; the name of the person responsible for the site plan; and the date of the survey and of the plan.

4. *The Preliminary Plat Shall be Accompanied by—*

a. Tentative center line profiles for all new streets or roads shown on the plat.

b. A plan for surface drainage of the land proposed to be subdivided.

5. *Planning Board Procedure—*The Planning Board shall give careful study to the preliminary plat, taking into consideration the requirements of the community and the best use of the land to be subdivided together with its prospective character, whether residential, business or industrial. Special attention shall be given to such internal improvements and conditions as street widths and arrangement, traffic circulation, surface drainage and sanitation and lot sizes and arrangement; and to such neighborhood and community requirements as those of school grounds, parks and play grounds, and main thoroughfare widths and locations. In these and other respects, the subdivision plan shall conform to the Township Master Plan, if and when prepared and adopted by the Planning Board, and to such other development proposals for the areas as may have been prepared by the Board. Before taking action upon a preliminary plat the Planning Board or its authorized representative shall view the land proposed to be subdivided.

6. *Disposal of Preliminary Plat After Approval—* Upon approval of a preliminary plat by the Planning Board, the Board shall endorse four prints of the plat to that effect, indicating the date of approval. Such modifications of the original plat as may be required by the Planning Board as conditions for approval shall likewise be shown on the four endorsed prints of the plat; and attached to each print shall be a written statement of other conditions for approval, if any. One of the endorsed prints of the plat shall be returned to the subdivider; one shall be transmitted to the County Planning Board; one shall be retained by the Planning Board; and one shall be filed with the Township Clerk.

## Article V. The Final Plat—Required Form and Content and Processing

1. *Scale and Size*—The final plat shall be drawn on tracing cloth, at a scale of not less than 1 inch equals 50 feet. If the final plat is drawn in two or more sections it shall be accompanied by a key map showing the location of the several sections. The plat, and each section thereof if the plat is drawn in sections, shall be of one of the two standard sizes: 24 inches by 36 inches and 15 inches by 21 inches.

2. *Boundary Survey*—The boundary of the tract contained in the final plat shall be determined by an accurate survey which must be balanced, referred to at least two permanent monuments (if reasonably accessible as to be determined by the Township Engineer) and closed within an error of one in three thousand.

3. *Conformity to Preliminary Plat*—The final plat shall in all respects conform to the preliminary plat as approved by the Planning Board and to any other requirements the Planning Board may have indicated as conditions for preliminary-plat approval.

### 4. *Information to be Shown on the Final Plat*—

a. The full plan of development including street and alley lines and widths, building setback lines, and areas such as parks, playgrounds and school grounds to be dedicated to or reserved for public purposes.

b. Easements or rights-of-way, if any, for public services and utilities, with notation of any limitations on such easements or rights-of-way.

c. The names of adjoining subdivisions, if any, and the book and page where recorded.

d. Dimensions of tangents, radii, arcs and chords, and central angles, for all center-line curves on streets, and at all street corners.

e. All bearings and boundary-line dimensions for every lot and for every area proposed to be dedicated to or reserved for a public purpose.

f. Location of all monuments which monuments shall be referenced to at least two permanent coordinated monuments where such exist within a reasonable distance of the land to be subdivided, as to be determined by the Township Engineer.

g. A title which shall include the name of the subdivision, the name of the owner or his agent, and the name of the certifying engineer or surveyor.

h. A certification by the engineer making such plat to the effect that the plat is correct in all engineering respects; and a statement duly acknowledged before some officer authorized to take acknowledgment of deeds, signed by the owner or owners of the property, to the effect that the subdivision shown thereon is made with his or their free consent and is in accordance with his or their desires.

i. Additional information as prescribed by Chapter 23 of Title 46 of the Revised Statutes as amended or supplemented.

### 5. *Documents and Information to Accompany the*

*Final Plat—*

a. A certificate of title showing the ownership of the land to be vested in the applicant for plat approval.

b. A copy of any private restrictions to be placed on the property or any part thereof, conditional to sale.

c. Street profiles for all new streets, showing grades approved by the Township Engineer.

d. A plan or plans for surface-water drainage facilities and underground utilities, if such are to be installed.

e. Such performance bonds or other surety as may be required under Item 3 of Article IV.

6. *Other Standards*—The final plat shall otherwise conform to the standards prescribed by Chapter 23 of Title 46 of the Revised Statutes.

7. *Endorsement of Approval*—Upon approval of a final plat by the Township Planning Board such approval shall be indicated by a statement to that effect appearing on the plat and signed by the Chairman and Secretary of the Board. The endorsement of approval by the County Planning Board shall likewise appear on the plat.

8. *Copies of the Final Plat to be Supplied*—The subdivider or his agent shall supply three copies of the final plat on tracing cloth or linaura cloth, of which one shall be kept in the files of the Township Planning Board; one in the files of the Township Engineer; and the other, supplied to the County Planning Board.

## Article VI. Plats Exempted from Standard Procedures

1. *Subdivisions Having an Area of Five Acres or Less*—The following modified procedures and requirements may apply to subdivisions of properties with an area not exceeding five acres when: No new streets or roads are involved, and the tract being subdivided is not adjoined by other unplatted land in the same ownership.

a. *Submission*—Only one plat submission shall be required and the plat thus submitted shall be considered in all respects as the final plat, subject to the same endorsement of approval as any other final plat. However, to expedite plat approval, the subdivider may submit his intentions to the Planning Board for review prior to preparation and submission of his final plat.

b. *Form and Content of Plat*—The plat shall show the same engineering information as is required under paragraph 3, Article V, of this ordinance. And the same number of copies of the plat shall be supplied to the Planning Board as are required under paragraph 8 of Article V.

2. *Dividing a Property Into Not More Than Three Parcels*—In case of a land division involving no new street or road, and (a) setting one or two building lots aside from a property with an area of 10 acres or more, or (b) the resubdivision of an existing lot into not more than three parcels, deed descriptions of the lots

to be thus created, accompanied by a sketch map showing lot dimensions and the relation of lots to the street or streets upon which they front, shall be sufficient for consideration for approval by the Planning Board. Five copies of such deed descriptions shall be supplied to the Board. Planning Board approval endorsed upon the deed descriptions shall have the same effect for purposes of recording of deeds as Planning Board endorsement of approval on a final plat.

3. *Notice and Hearing*—The Planning Board is hereby empowered to waive full notice and hearing on any action relating to a subdivision or resubdivision subject to the provisions of this Article.

## Article VII. Development Standards and Requirements

1. *Requirements in Subdivision Plan*—Street and lot arrangement and other subdivision features shall meet the following minimum requirements:

a. The plat shall conform to such plan or plans for the land being subdivided and its general locality as may have been prepared and adopted by the Township Planning Board.

b. All streets or roads which are so designed or situated as to become parts of the major thoroughfare system of the Township, as may have been indicated by the Township Planning Board, shall be coterminous with adjoining links in said system and shall be at the same or greater widths. Minor streets should be so arranged as to discourage fast driving and use by through traffic.

c. All new traffic streets or roads shown on the Township Master Plan shall have right-of-way widths of not less than 60 feet, and greater widths may be required when warranted by anticipated traffic volumes. All other streets shall have right-of-way widths of not less than 50 feet except, in the case of cul-de-sacs and other streets of similar nature, the Board may approve rights-of-way of lesser widths. When a subdivision fronts on an existing street or road of insufficient width, the Board may require the subdivider to cede a sufficient strip along such frontage to enable the necessary widening of his side of the existing street or road. Whenever practicable, frontage upon major arterial streets and highways designed for fast and heavy traffic shall be developed with a minimum of direct access upon the main traveled way by: (1) introduction of marginal service roads; or (2) reversing the frontage and providing a planted buffer strip between the highway and the rears of lots; or (3) other such means. Land fronting on other main streets and roads shall be developed generally with the long way of blocks running parallel to the main street or road.

d. Ordinarily, blocks (the distance between street intersections) shall be not less than 600 feet or more than 1,200 feet in length, and not less than 200 feet or more than 350 feet in width.

e. Street grades shall not exceed 4 per cent on main



traffic streets and 10 per cent on all other streets. All streets shall have sufficient gradient for proper surface drainage and in no case shall the grade be less than  $\frac{1}{2}$  of 1 per cent.

f. Lots shall have an area, width and depth sufficient to satisfy the minimum requirements of the Township zoning ordinance and the Planning Board may urge upon the subdivider greater lot sizes and dimensions when seeming to the mutual advantage of the subdivider and the community. All lots shall be adaptable to the intended purpose without danger to health or peril from flood, erosion or other menace.

g. For all rectangular lots, and for all other lots when practicable, side lines shall be at right angles to the streets upon which the lots face or radial to curved-street lines.

h. Alleys not less than 20 feet in width or other access facilities may be required at the rears of all lots designed for business uses, and off-street parking space may be required in convenient relation to lots or areas intended to be developed or sold for such uses.

i. *Other Street-Design Standards*—(1) Street intersections shall be as nearly at right angles as possible; (2) street jogs with center-line offsets of less than 125 feet shall not be permissible; (3) a tangent of not less than 100 feet shall be introduced between reverse curves on all main and secondary thoroughfares; (4) all changes in grade shall be connected by vertical curves of sufficient radius to provide smooth transition; and (5) cul-de-sacs shall not exceed 500 feet in length and shall be provided with a turn-around at the end, having a radius of not less than 50 feet.

j. *Utility and Drainage Easements and Retention of Natural Features*—

(1) In large-scale developments, easements along rear lot lines, for the installation of utilities, may be suggested or required. Such easements, if provided, shall be not less than 15 feet wide and their locations shall be approved by the municipal or private agency or agencies concerned.

(2) Where a subdivision is traversed by a water course or stream to be kept permanently open, there shall be provided a storm water or drainage flow easement of width sufficient for such purposes at all anticipated volumes of water flow.

(3) Natural features such as trees, streams and views shall be preserved to every practicable extent in all subdivision design and development.

k. No plat showing lots smaller than 20,000 square feet in area shall be approved if inaccessible to sewers, unless: (a) served by public water supply or (b) the subdivider or his agent enters into agreement with the Township to make the necessary sewer extensions or to provide other collective sewage-disposal facilities approved by the State Department of Health.

l. In appropriate cases, the Planning Board may require reservation of such needed public lands as these for parks, playgrounds and school-grounds for a period of one year following the date of final plat approval,

pending action by the appropriate public agency toward accepting or acquiring such land or lands for public use. And the Board may urge upon the subdivider the free dedication of such land or lands to public purposes as of economic advantage to the subdivider. A subdivider or his agent shall not sell land or lots in relation to a plat showing land or lands for public use unless it is clearly indicated on the plat whether such land is permanently dedicated to the indicated public purpose or is temporarily reserved for such purpose conditional upon its acquisition by the appropriate public agency.

m. No plat showing reserve strips controlling the access to public ways shall be approved unless the control and disposal of such reserve strips are given to the Township under conditions meeting the approval of the Planning Board. And no half streets at property boundaries shall be acceptable.

n. Building setback lines of a depth approved by the Planning Board shall be established for each street and shown on the final plat. In no case shall the depth of such setbacks be less than the front yard or building setbacks required under the zoning ordinance or any other Township ordinance.

2. *Monumenting*—Permanent monuments of a type specified under Chapter 23, Title 46 of the Revised Statutes as amended and supplemented shall be installed in the manner and in the locations prescribed by said Act, and in such other locations as may be indicated by the Township Engineer.

3. *Installation of Public Improvements*—Before proceeding to sell lots in any subdivision approved consequent to this enactment, the subdivider or his agent shall improve or shall agree to improve the street or streets upon which such lots front, by: grading and surfacing the roadways, placing curbs and/or gutters or equivalent provisions for surface drainage, installing drains and conduits where required, and laying a sidewalk or sidewalks when specified by the Planning Board. Further in the public interest, the Planning Board may similarly require the installation of water mains, storm sewers, sanitary sewers, street-lighting standards, street signs and similar improvements, and the planting of shade trees. All such installations shall be in location and in accordance with specifications approved by the Township Engineer.

No final plat shall be finally approved by the Planning Board until the completion of all such required improvements has been certified to the Board by the Township Engineer, unless the subdivision owner or owners shall have filed with the Township Committee a performance bond sufficient in amount to cover the cost of all such improvements as estimated by the Planning Board or by such other Township agency or department as may be indicated by the Board, and assuring the installation of such improvements by or before an agreed date. Such performance bond shall be issued by a bonding or surety company approved by the Township Committee, and the bond shall be ap-

proved by the Township Attorney as to form, sufficiency and execution. Such performance bond shall run for a period to be fixed by the Planning Board. But, in no case, for a term of more than three years. However, with the consent of the owner and the surety, the Township Committee may by resolution extend the term of such performance bond for an additional period not to exceed three years. The amount of the performance bond may be reduced by the Township Committee by resolution when portions of the required improvements have been installed.

If the required improvements have not been installed in accordance with the performance bond, the obligor and surety shall be liable thereon to the Township for the reasonable cost of the improvements not installed and upon receipt of the proceeds thereof the Township shall install such improvements.

Certification to the Planning Board and to the Township Committee that funds sufficient to cover the cost of all required improvements have been placed in escrow for that purpose shall serve in lieu of a performance bond.

Similarly, a performance bond may be accepted as surety for the installation of monuments as required under item 2 above.

#### **Article VIII. Administration**

The provisions contained herein shall be regarded as the minimum requirements for the protection of the public welfare. However, if the subdivider or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one or more of these regulations is impracticable or will exact undue hardship, then the Planning Board may permit such variance or variances as may be reasonable and within the general purpose and intent of the regulation or regulations involved.

#### **Article IX. Penalties**

Whoever transfers or sells or agrees to sell, as owner or agent, any land which forms a part of a subdivision requiring approval by the Planning Board under this ordinance, prior to Planning Board approval thereof, shall be subject to a fine not to exceed two hundred dollars (\$200) or to imprisonment for not more than thirty days and each parcel, plot or lot so disposed shall be deemed a separate violation.

In addition to the foregoing, if the streets in the subdivision are not such that a structure on said land in the subdivision would meet the requirements for a building permit, the Township may take the further remedial civil action or actions provided by law.

#### **Article X. Certificate of Planning Board Approval**

The prospective purchaser, prospective mortgagee, or any other person interested in any land which forms

a part of a subdivision or which, since the thirteenth day of June, 1951, formed part of such a subdivision, may apply in writing to the Township Clerk for the issuance of a certificate certifying whether or not such subdivision has been approved by the Planning Board, or, during the period prior to creation of the Planning Board, by the Township Committee. Such certificate and its issuance shall be in accordance with the provisions of law pertaining thereto. A fee of \$2.00 shall be charged for each certificate issued.

#### **Article XI.**

This ordinance shall be known and cited as the LAWRENCE TOWNSHIP LAND SUBDIVISION ORDINANCE.

#### **Article XII.**

The governing body may by ordinance provide for the reference of any other matter or class of matters to the planning board before final action thereon by any municipal public body or municipal officer having final authority over such matter.

## PART II

### Zoning Ordinance of Lawrence Township Mercer County, N. J.

Adopted December 20, 1950 and as Amended

#### Section 1—Purpose.

Whereas the Township Committee of Lawrence Township deem it necessary to the promotion of health, safety, morals, and the general public welfare of Lawrence Township to regulate therein the use, size, and location of buildings and other structures; the size and location of yards and other open spaces in relation to buildings; and the use of land, the following districts are hereby created; and the following regulations are hereby established to accomplish that purpose and shall hereafter apply.

#### Section 2—Districts Created.

For the purposes of this ordinance the Township of Lawrence is divided into the following eight classes of districts:

- Rural "A" Districts
- Rural "B" Districts
- Residence "A-1" Districts
- Residence "A-2" Districts
- Residence "B" Districts
- Business Districts
- Shopping Center Districts
- Industrial Districts

The boundaries of these districts and classes of districts are hereby established on a map entitled "Revised Zoning Map for Lawrence Township," which map accompanies and is hereby declared to be a part of this ordinance.

Where a district boundary line as appearing on the Revised Zoning Map divides a lot in a single ownership, existing at the time of this enactment, the use authorized on, and the district requirements of, the less restricted portion of such lot shall be construed as extending into the remainder of the lot for a distance not to exceed 35 feet beyond the district boundary line.

#### Section 3—Definitions.

Certain words and terms used in this ordinance are defined for the purposes thereof, as follows:

*Accessory Building*—A building the use of which is customarily incidental to that of a dwelling and which is located on the same lot as that occupied by the main building.

*Accessory Use*—A use customarily incidental to the use of a building for dwelling purposes, and including:

- (1) The office or studio of a physician or surgeon, dentist, artist, musician, lawyer, architect, teacher, or other like professional person, residing on the premises, provided that there are no more than two paid

assistants and that there is no advertising display, visible from the street, other than a small professional name plate;

(2) Customary home occupations such as millinery and dressmaking, provided (a) there is no display of goods visible from the street, (b) no exterior advertising other than a small announcement sign, and (c) such occupation is conducted in the main building, by a person residing therein, with not more than one employee, and does not occupy more than one-third of the total above-ground floor area thereof;

(3) A work-shop other than a public garage or automobile repair shop, with not more than one employee and operated by a person residing on the premises, provided there is no display of goods visible from the street, and no advertising other than a small identification sign, and provided no part of the shop extends forward of the rear half of the lot unless operated within the dwelling.

*Alley*--A public thoroughfare having a right-of-way width of 20 feet or less.

*Alteration of Building*--Any change in supporting members of a building except such change as may be required for its safety, any addition to a building, any change in use from one district classification to another, or removal of a building from one location to another.

*Block*--The length of a street between two street intersections. Where street intersections are at intervals greater than 1200 feet, 1200 feet shall be considered the length of block for purposes of this ordinance.

*Boarding and Rooming House*--A dwelling, other than a hotel, wherein more than three people are sheltered or fed for profit.

*Center Line of Street or Road*--A line midway between and parallel to the two street or road property lines, or as otherwise defined by the Township Committee.

*Change of Use*--Any change of use of land or of a building from that of one district classification to another as defined by this ordinance.

*Clubhouse*--A building to house a club or social organization not conducted for profit and which is not an adjunct to or operated by or in connection with a public tavern, cafe, or other public place.

*Corner Lot*--A lot fronting on two streets at their intersection.

*Courts*--A court is an unoccupied open space other than a yard. An outer court is one which extends to the street or to the front or rear yard. An inner court is any other court.

*Front Street*--The street upon which the majority of lots within a block are fronted or any street so designated by the Township Committee.

*Front Yard*--Space between the building line or front main wall of a building and the front property line.

*Height of Building*—The vertical distance measured from the average ground level at the sides of the building to the extreme high point of the building exclusive of chimneys and similar fixtures.

*Hotel*—"Hotel" shall mean a public inn, in which there are more than six sleeping rooms, without provision for cooking in any individual room or suite.

*Living-Space Floor Area*—Floor area for general-living purposes, measured from the exteriors of the main walls of the dwelling. The floor of finished attic space having a ceiling height of not less than 7 feet and sloping to a height at the eaves of not less than 4 feet may be counted as living space. The floor of a basement or cellar, a garage, a porch, or similar part of or attachment to a dwelling shall not be counted as living space.

*Lot*—A parcel of land occupied by or which may be occupied by a building and its accessory building or buildings and including the yards and other open spaces required by this ordinance, or the land shown as a separate lot or parcel on the records of Mercer County.

*Multi-Family Dwelling*—Any building under a single roof, designed for occupancy by two or more households living as families.

*Open Porch*—A porch open on three sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.

*Private Garage*—A garage not conducted as a business or used for the storage of more than one commercial vehicle which shall be owned by a person residing on the premises.

*Public Garage*—A garage conducted as a business. The rental of storage space for more than two cars or for a commercial vehicle not owned by a person residing on the premises shall be deemed a business use.

*Rear Yard*—An open space on the same lot with a building, between the rear wall of the building and the rear line of the lot, and unoccupied except for accessory buildings and open porches which, in the aggregate, shall occupy not more than 35 per cent of the area.

*Row Houses*—Three or more attached houses in a row with party walls and not exceeding two and one-half stories in height.

*Semi-Fireproof Construction*—For the purposes of this ordinance "semi-fireproof construction" shall be considered to be that construction in which all bearing walls, supporting members and exterior walls are made of masonry, concrete, steel or other equally fire-resistant material.

*Side Yard*—An open unobstructed space on the same lot with a building between the building and the side line of the lot and extending through from the front to the rear yard, into which space there is no extension

of building parts other than eaves with an overhang of not more than two feet, rain-water leaders, window sills, and other such fixtures; open steps for a distance not exceeding 4 feet; and bay windows not more than 12 feet wide, at one floor level only, and for a distance not exceeding 2 feet.

*Single-Family Dwelling*—A detached house designed for the use of a single household, including two or more people living as a family, and wherein not more than three people are sheltered or fed for profit. A trailer or trailer cabin as defined herein shall not be considered a dwelling within the meaning of this ordinance.

*Story*—"Story" shall mean that part of a building, included between any floor and the floor or roof next above.

*Street*—A thoroughfare publicly or privately owned, open to general public use and having a right-of-way width greater than 20 feet.

*Street Line*—A street line is the right-of-way line of a street as indicated by dedication or by deed of record.

*Tourist Home*—A private residence in which overnight accommodations are provided for not more than 10 transient paying guests.

*Trailer or Trailer Cabin*—A vehicle with or without its own motive power, equipped for or used for living purposes, and mounted on wheels or designed to be so mounted and transported.

*Terms*—The present tense shall include the "future"; the singular number shall include the "plural"; and the plural the "singular." The word "shall" is always mandatory.

#### Section 4-A—Rural "A" Districts.

##### (a) Permitted Buildings, Structures and Uses.

In Rural "A" Districts no building or other structure and no land shall be used, and no building or other structure shall be built, altered or erected to be used, for any purpose other than that of:

1. A single-family dwelling and its accessory buildings and uses.

2. A church, public library, public school, private school and its usual appurtenances including essential servicing facilities and dormitory or other residential quarters for students and for teaching staff and other school employees and their families, a public park or playground, a standard golf course and its usual appurtenances, a private playground or other recreational area not conducted for profit and a building for municipal purposes.

3. Any form of agriculture or horticulture with the following limitations: (1) it shall be prohibited to keep more than 10 hogs except as a part of a general farming operation on a property of 50 acres or more; (2)



not more than 100 fowl of all kinds or more than 2 head of farm livestock may be kept in a building any part of which is closer to a side property line than 100 feet or closer to any Residence District line than 200 feet or closer to a dwelling on an adjoining premises than 200 feet; and (3) no fowl and no farm livestock, in any number, may be kept in a building any part of which is closer to a side or rear property line than 30 feet or closer to a dwelling on an adjoining premises than 100 feet.

4. The storage, processing and sale of farm products on a property where produced.

5. Other buildings, structures and uses as provided by paragraphs (a), (b), (i) and (p) of Section 10 of this ordinance.

### (b) Yard, Area and Height Provisions.

*Front Yards*—No building or part of building exclusive of open porches, steps or overhanging eaves and corinices shall extend nearer than 75 feet to the side line or nearer than 100 feet to the center line, whichever may be greater, of a street or road. This, however, shall not apply to require that a dwelling be placed more than 20 feet back of the main front wall of a building already existing on the same side of the street or road and within 100 feet of the building to be erected. Building set backs otherwise established by paragraph (q) of Section 10 of this ordinance or by the Township Planning Board incident to plat approval, in excess of the above, shall have precedence.

*Rear Yards*—There shall be a rear yard with a depth of not less than 35 feet.

*Side Yards*—There shall be two side yards with a total width of not less than 80 feet except that, for each foot a lot existing at the time of this enactment is less than 140 feet wide, the total width of the two side yards may be reduced by 1 foot to a total width of not less than 35 feet. The width of the narrower of the two side yards shall be not less than one-third the total width of the two side yards.

*Area Per Dwelling and Lot Dimensions*—The minimum land area per dwelling (building lot) shall be 60,000 square feet and the minimum width of lot at the front building line shall be 200 feet. The above, however, shall not prevent the erection of a dwelling upon a lot, existing at the time of this enactment and not adjoining another unoccupied lot or other unoccupied land in the same ownership, having an area of not less than 15,000 square feet and a width of not less than 80 feet.

*Height*—There shall be no limitation upon the height of buildings except that, for each foot the height of a building exceeds 35 feet, the total width of the two side yards shall be increased by 4 feet.

**(c) Location of Cess-Pools and Septic Tanks.**

No cess-pool or septic tank or septic tank tile field, or any part thereof, shall be placed closer to any property line than 10 feet or closer to a well on an adjoining premises than 100 feet. No well shall be placed closer to any side or rear property line than 25 feet.

**(d) Private Garages, Barns and Other Outbuildings.**

No garage, barn or other outbuilding shall be placed closer to a side or rear property line than 10 feet. No detached garage or other outbuilding shall be placed closer to a front building line than 60 feet or nearer to a side-street line than a distance equal to a half the width of the lot up to a distance which need not exceed 75 feet. However, the above shall not prevent the construction of a garage as a structural part of a dwelling, provided the walls of a garage so constructed are taken as the main walls of the dwelling in measuring the required front, side and rear yards.

A garage or other outbuilding may not be used as a dwelling except by a person or persons employed on the premises and by the family of a person so employed.

**Section 4-B—Rural "B" Districts.**

**(a) Permitted Buildings, Structures and Uses.**

Buildings and other structures and uses permitted in Rural "B" Districts shall be the same as those permitted in Rural "A" Districts.

**(b) Yard, Area and Height Provisions.**

*Front Yards*—Requirements shall be the same as for Rural "A" Districts except that, in Rural "B" Districts, the building setback shall be 60 feet from the side line or 85 feet from the center line, whichever is greater, of the street or road.

*Rear Yards*—Requirements shall be the same as for Rural "A" Districts.

*Side Yards*—There shall be two side yards with a total width of not less than 60 feet except that, for each foot a lot existing at the time of this enactment is less than 120 feet wide, the total width of the two side yards may be reduced by 9 inches to a minimum total width of not less than 30 feet. The width of the narrower of the two side yards shall not be less than one-third of the total width of the two side yards.

*Area Per Dwelling and Lot Dimensions*—The minimum land area per dwelling (size of building lot) shall be 30,000 square feet and the minimum width of lot at the front building line shall be 150 feet. The above, however, shall not prevent the erection of a dwelling upon a lot, existing at the time of this enactment and

not adjoining another unoccupied lot or other unoccupied land in the same ownership, having an area of not less than 15,000 square feet and a width of not less than 80 feet.

*Height*—Requirements the same as for Rural "A" Districts.

**(c) Location of Cess-Pools and Septic Tanks.**

Requirements the same as for Rural "A" Districts.

**(d) Private Garages, Barns and Other Outbuildings.**

Requirements the same as for Rural "A" Districts.

**Section 5—Residence "A-1" Districts.**

**(a) Permitted Buildings, Structures and Uses.**

In Residence "A-1" Districts no building or other structure shall be used, or built, altered or erected to be used, and no land shall be used for any purpose other than that of:

1. A single-family dwelling and its customarily accessory buildings and uses.

2. A church, public school, golf course and its usual appurtenances, and a public park or playground, and a building for municipal purposes.

3. A private school and its usual appurtenances including all essential servicing facilities and dormitory or other residential quarters for students and for teaching staff and other school employees and their families.

4. Any form of agriculture or horticulture, including the sale and processing of products on the property where produced except:

(1) The keeping of hogs and goats.

(2) The keeping of other farm livestock unless within a building no part of which is closer to any property line than 150 feet.

(3) The keeping of more than 50 fowl and the keeping of fowl in any number unless within a building or other enclosure, no part of which is closer to any property line than 25 feet or closer to a dwelling on other premises than 100 feet.

(4) Commercial greenhouses unless using anthracite coal or other non-smoke-producing fuel for heating purposes and unless placed 50 feet or more from all property lines; and the sale of horticultural products or accessories unless produced on the premises.

5. Other buildings, structures and uses as provided by paragraphs (a), (i) and (p) of Section 10.

**(b) Yard, Area and Height Provisions.**

*Front Yards*—No building or part of building other than steps, open porches, overhanging eaves and cornices, shall extend nearer to a front street line than

the average distance of setback of the nearest buildings, other than accessory buildings, within 100 feet on each side of said building and fronting on the same side of the street, except that in no instance shall a building be placed closer to a front street line than 20 feet or required by the above to be placed more than 20 feet back of the front main wall of a building existing within 100 feet thereof. When only one building exists on the same side of the street with the building to be erected and within 100 feet thereof, the building setback shall be the average between the setback of the existing building and 40 feet. When no building or buildings exist within 100 feet of and on the same side of the street with the building to be erected, the setback at the front shall be not less than 40 feet. In the case of a corner lot, any building other than a detached garage or other outbuilding may be placed to within 20 feet of the side-street property line.

Building setback lines specifically established otherwise for certain streets or roads by paragraph (q). Section 10, of this ordinance or by other act of the Township Committee or by the Township Planning Board incident to plat approval shall have precedence over the above.

*Rear Yards*—There shall be a rear yard with a depth of not less than 35 feet. When a building extends through from street to street, the front yard restrictions shall be observed on both streets.

*Side Yards*—There shall be two side yards with a total width of not less than 24 feet except, for each foot a lot existing at the time of this enactment is less than 70 feet wide, the total width of the two side yards may be reduced by 9 inches to a total width of not less than 16 feet. For a non-residential structure other than a garage or other outbuilding there shall be two side yards with a total width of not less than 50 feet and, for each foot the height of such a structure exceeds 35 feet, the total width of the two side yards shall be increased by 2 feet. The width of the narrowest of the two side yards shall not be less than one-third the total width of the two side yards and no side yard shall be less than 8 feet wide.

*Height*—There shall be no limitation upon the height of buildings or other structures.

*Lot Area and Dimensions*—The minimum lot area per dwelling unit shall be 15,000 square feet and the minimum width of lot measured at the front building line shall be 100 feet, except that this shall not apply to prevent the erection of a dwelling on a lot existing at the time of this enactment, having an area of not less than 6,000 square feet and a width of not less than 60 feet, if such lot is not adjoined by other vacant property in the same ownership. Where neither sanitary sewer services nor public water services are accessible or officially authorized and to be utilized, the minimum size of residential lots shall be 20,000 square feet and the minimum width of lots measured at the front building line shall be 120 feet. Where public

water services only are accessible or officially authorized and to be utilized, the minimum size of residential lots shall be 15,000 square feet and the minimum width of lots shall be 100 feet. Privately installed and maintained sewer and/or water services, approved by the State Board of Health, shall be considered as satisfying the above requirements in lieu of publicly installed and maintained sewer and/or water services.

**(c) Private Garages and Other Out-Buildings.**

No private garage or other outbuilding shall be placed closer to a side or rear property line than 3 feet and, if the building is of frame construction, this distance shall be increased to 6 feet. For each foot the height of such a building exceeds 15 feet, the offset from the side and rear property lines shall be increased by 6 inches. No detached garage or other outbuilding shall be closer to a front building line than 40 feet or closer to a side-street property line than a distance equal to half the width of the lot up to a distance that need not exceed 50 feet. The above, however, shall not prevent the building of a common or joint garage on adjoining lots or prevent the construction of a garage as a structural part of a dwelling, and a one-story garage so constructed may extend into a rear yard for the entire width or depth of the structure, and may extend into a side yard for a distance not to exceed 4 feet provided it has no window openings at the side, does not exceed 14 feet in height and does not extend nearer to a side lot line than 7 feet.

No garage or other outbuilding shall be used for dwelling purposes except by a person or persons employed on the premises and when no part of the building is closer to a side or rear property line than 20 feet.

**(d) Location of Cess-Pools and Septic Tanks.**

The requirements for the location of cess-pools and septic tanks shall be the same as for "Rural Districts."

**Section 6—Residence "A-2" Districts.**

**(a) Permitted Buildings, Structures and Uses.**

Buildings and other structures and uses permitted in Residence "A-2" Districts are all those permitted in Residence "A-1" Districts, and multi-family dwellings as provided by Paragraph (f) of Section 10.

**(b) Yard, Area and Height Provisions.**

*Front Yards*—Front-yard requirements shall be the same as for Residence "A-1" Districts except (1) when no building exists within 100 feet of the building to be erected, the setback at the front shall be not less than 30 feet; (2) when one building exists within

100 feet of the building to be erected, the building setback shall be the average between the setback of the existing building and 30 feet; and (3) any building other than a private garage or other out-building to be erected on a corner lot may be placed to within 16 feet of the side-street lot.

*Rear Yards*--Rear-yard requirements shall be the same as for Residence "A-1" Districts.

*Side Yards*--There shall be two side yards with a total width of not less than 16 feet except that for each foot a lot existing at the time of this enactment is less than 50 feet wide, the total width of the two side yards may be reduced by one foot to a total width of not less than 12 feet. The width of the narrowest of the two side yards shall not be less than 6 feet.

Side yards for non-residential structures shall be the same as for Residence "A-1" Districts.

*Height*--Height provisions shall be the same as for Residence "A-1" Districts.

*Lot Area and Dimensions*--The minimum lot area per dwelling unit shall be 6,500 square feet and the minimum width of lot measured at the front building line shall be 60 feet, except that this shall not apply to prevent the erection of a dwelling on a lot existing at the time of this enactment, having an area of not less than 5,000 square feet and a width of not less than 50 feet, if such lot is not adjoined by other vacant property in the same ownership. In the absence of sewer and/or water services the same lot areas and widths shall be required as are required in Residence "A-1" Districts.

**(c) Private Garages and Other Out-Buildings.**

Requirements shall be the same as for Residence "A-1" Districts, except that, for an attached garage extending into a required side yard under the conditions prescribed for such extensions, the minimum offset from the side lot line shall be 6 feet instead of 7 feet.

**(d) Location of Cess-Pools and Septic Tanks.**

Requirements shall be the same as for Rural Districts.

**Section 7--Residence "B" Districts.**

**(a) Permitted Buildings, Structures and Uses.**

In Residence "B" Districts no building or other structure shall be used or built, altered, or erected to be used, and no land shall be used for any purpose other than that of:

1. A building, structure, or use permitted in a Residence "A-1" or a Residence "A-2" District.
2. Two-family and multi-family dwellings.

**(b) Yard, Area, and Height Provisions.**

*Front Yards*—Required front yards shall be the same as for Residence "A-1" Districts except, when the building setback is not governed by existing building or buildings, the setback at the front shall be not less than 25 feet, and 25 feet instead of 40 feet shall be used for determining the average for setback when only one building exists within 100 feet of the building to be erected. Treatment of corner lots shall be the same as for Residence "A-2" Districts.

*Rear Yards*—Rear yard requirements shall be the same as for Residence "A-2" Districts except, when a lot existing at the time of this enactment is less than 100 feet deep, the depth of the rear yard may be decreased by 6 inches for each foot of difference to a total depth of not less than 25 feet.

*Side Yards*—There shall be two side yards with a total width of not less than 14 feet, except that when a lot existing at the time of this enactment is less than 50 feet wide, the total width of the two side yards may be reduced by 6 inches for each foot of difference to a total width of not less than 12 feet.

Additional side-yard requirements for two-family and multi-family dwellings and for row houses shall be as follows:

1. For two-family dwellings and for multi-family dwellings up to and including eight-family capacity the total width of the two side yards shall be increased by 4 feet for each family additional to one to be accommodated.

2. For multi-family structures in excess of 8-family capacity the total width of the two side yards shall be increased in proportion to the depth and width of the structures as follows: (1) For each foot the depth of the building exclusive of one-story extensions not more than 20 feet deep, exceeds 50 feet, the total width of the two side yards shall be increased by 2 feet; and (2) for each foot the width of the building exclusive of steps and open porches exceeds 60 feet, the total width of the two side yards shall be increased by 6 inches; provided, however, the total width of the two side yards as calculated under this schedule shall not be less than that required under schedule 1 above, for multi-family dwellings up to and including 8-family capacity.

Side-yard space in excess of a total of 60 feet accumulated under schedule 2 above may be applied as additional width or widths for one or more outer courts having base dimensions to start with not less than 36 feet wide and 38 feet deep.

Side-yard requirements for non-residential structures shall be the same as for Residence "A-1" Districts. The width of the narrowest side yard shall not be

less than one-third the total width of the required two side yards, and no side yard shall be less than 6 feet wide.

*Height*—No dwelling shall exceed two and a half stories or 35 feet in height.

*Lot Area and Dimensions*—The minimum lot area per dwelling unit shall be as follows: for single-family dwellings, 6,500 square feet; for two family dwellings, 4,000 square feet; and for dwellings containing three or more dwelling units, 3,000 square feet. The minimum width of lot measured at the front building line shall be 60 feet. The above, however, shall not apply to prevent the erection of a single-family dwelling on a lot existing at the time of this enactment, having an area of not less than 5,000 square feet and a width of not less than 50 feet, if such lot is not adjoined by other vacant property in the same ownership. In the absence of sewer and/or water services, the same lot areas and widths shall be required as are required in Residence "A-1" Districts.

**(c) Private Garages and Other Out-Buildings.**

Requirements shall be the same as for Residence "A-1" Districts, except that, for an attached garage extending into a required side yard under the conditions prescribed for such extensions, the minimum offset from the side lot line shall be 6 feet instead of 7 feet.

**(d) Location of Cess-Pools and Septic Tanks.**

Requirements shall be the same as for Residence "A-1" Districts.

**Section 8—Business Districts.**

**(a) Permitted Buildings, Structures and Uses.**

The Business Districts are primarily for the conduct of retail trade and general business. Buildings and other structures and uses permitted therein are: all those permitted in Residence Districts "A-1" "A-2," and "B"; stores, shops and business offices; hotels, theaters and newspaper offices; public garages and gas-filling stations, subject to the provisions of Paragraph (h) of Section 10; signs and billboards, subject to the provisions of Paragraph (i) of Section 10; tourist cabins or motels, subject to the provisions of Paragraph (d) of Section 10; and all other buildings, structures and uses except the following which are specifically prohibited:

1. Any process of manufacture, assembly or treatment which is not clearly incidental to a retail business conducted on the premises; or which normally constitutes a nuisance by reason of odor, dust or smoke, or



which constitutes an unusual fire hazard.

2. Slaughtering poultry and animals rendering lard and other fats and meat smoking, and the cooking of animal foods, whether or not the same is incidental to a retail business.

3. Repair or machine shops, other than public garages, employing more than 5 persons.

4. Laundries and dyeing and cleaning works employing more than 10 persons in these processes.

5. The bulk storage of explosives, and the storage of crude oil or any of its volatile products or other inflammable liquids in aboveground tanks with unit

6. Lumber and coal yards and building material and construction-equipment storage yards.

7. Commercial warehouses; junk yards; automobile capacity greater than 550 gallons.

wrecking yards; the storage, baling or treatment of junk, iron, rags, bottles or scrap paper; and the storage of second-hand lumber or other building materials for resale, except in established lumber yards.

8. Trailer camps.

9. All buildings, structures and uses prohibited in the Industrial Districts.

#### (b) Yard, Area and Height Requirements.

*Front Yards*—Required front yards shall be the same as for the Rural or Residence District abutting. If a Business District is abutted by more than one such class of district, the front yard requirements of the less-restricted district shall apply throughout the Business District frontage; provided, however, when a Business District boundary line divides a block which is otherwise rural or residential, the same front yards shall be required in the business portion of the block as are required in the adjoining Rural or Residence District. "Abutting" means joining at the side and shall apply whether or not a street intervenes. However, when one-half or more of the frontage within a block (one side of the street between two street intersections) is already occupied by buildings in business or other commercial usage, the building setback shall be the average of the setbacks of the existing business and/or commercial structures within the block, except that this shall not apply to require a building or other structure to be placed more than 25 feet back from a street property line or more than 10 feet back from the front main wall of the nearest building existing within 100 feet of the building to be erected.

Building setback lines established by Paragraph (q) Section 10, of this ordinance shall have precedence over the above.

*Rear Yards*—When a lot in a Business District adjoins a Rural or Residence District at the rear, the same rear yard shall be required as is required for the adjoining district. Otherwise, there shall be a rear yard at least 10 feet deep, unobstructed by buildings or other structures and, if a building is used in whole or in part for dwelling purposes other than by a jan-

itor or caretaker without family, the rear yard shall have a depth of not less than 20 feet. However, no rear yard shall be required on a corner lot (when not adjoining a Residence or Rural District) nearer to a side-street line than 50 feet. Required rear-yard depth in excess of 10 feet may be measured from the center of a public alley. In the case of a building extending through from street to street, the front-yard requirements shall be observed on both streets.

*Side Yards*—For buildings to be used solely for dwelling purposes, side yards shall be the same as required for Residence "B" Districts. For buildings designed wholly or partially for the conduct of business or for other non-residential purposes, no side yards shall be required except:

1. As required under Paragraph (c) of this Section for buildings of other than semi-fireproof construction.
2. When a lot in a Business District adjoins a lot in a Rural or Residence District, at the side, a side yard shall be provided on the rural or residential side of the business lot, with a width not less than one-half the total width of the two side yards required in the adjoining Rural or Residence District.
3. In the case of a building conforming to the provisions of Paragraph (c) of this Section but designed or intended for residential use of 66 per cent or more of its total above-ground floor area, the same side yards shall be required as are required in Residence "B" Districts, except that this shall not apply to a side wall without opening or openings into a room or rooms to be used for dwelling purposes, and such side yards may be established at any floor level provided the side walls at all lower levels are unpierced party walls.

However, nothing in this paragraph or in Paragraph (c) of this Section shall be construed to require an exterior side yard on a corner lot, in relation to a building or portion of building designed or used for non-dwelling purposes, unless to conform to a building setback line specifically established by Paragraph (h), Section 10 of this ordinance or otherwise specifically fixed by law.

*Height*—No building shall exceed 3 stories or 40 feet in height.

*Lot Area and Dimensions*—The required areas and widths of residential lots, with or without sewer and/or water services, shall be the same as are required in Residence "B" Districts.

#### **(c) Semi-Fireproof Construction.**

All buildings constructed or erected in a Business District shall be of semi-fireproof construction as defined herein, except when conforming to the side and rear yard requirements of Residence "B" Districts.

#### **(d) Location of Cess-Pools and Septic Tanks.**

Requirements shall be the same as for Rural Districts.

## Section 8-A—Shopping Center Districts.

### (a) Purpose and Intention.

Shopping-Center Districts are for retail shopping centers developed and built in accordance with a uniform plan and conforming to the general requirements and specifications written below. Upon application by the developer or developers, the Township Committee will consider the creation of a shopping-center district or shopping-center districts, after public hearing and after approval thereof by the Township Planning Board. However, it shall not be mandatory upon the Township Committee to approve an application for the creation of such a shopping-center district even though conforming to all the requirements of this Section. Other determining factors will include such things as the probable effect of the development upon traffic conditions and the appropriateness of the development to the locality and the neighborhood in which it is proposed to be placed.

### (b) Permitted Buildings, Structures and Uses.

There shall be permitted in Shopping-Center Districts all buildings and other structures and uses permitted in Business Districts, except dwellings, trucking terminals, outdoor moving-picture theatres, motels, repair shops, public garages, laundries other than laundromats, dyeing and cleaning works, and signs larger than 8 square feet other than those advertising a business conducted on the premises. Other prohibited uses shall be the same as for Business Districts.

### (c) General Requirements and Specifications.

For establishment under this Section a Shopping-Center District shall meet the following requirements:

1. *Area.* The minimum area for development shall be 15 acres, and assured initial construction shall comprise not less than 50 per cent of the total planned development as measured in terms of the bulk and value of the buildings planned to be built.
2. *Plan.* The development shall be in accordance with a uniform plan and architectural scheme approved by the Township Committee and by the Township Planning Board, and creation of the District shall be conditional upon such approvals.
3. *Entrances Upon Streets and Highways.* All vehicular entrances upon State and County roads shall be approved by the State or the County Highway Engineer, as the case may be.
4. *Off-Street Parking.* Off-street automobile parking space shall be provided on the premises, with an area not less than three times the area of the total building floor space to be contained within the development, ex-

clusive of floor space used for storage and other inactive purposes.

5. *Boundary Treatment.* No building shall be placed closer to any street or road property line than 100 feet or closer to any other property line than 200 feet. No parking space shall extend nearer to a street or road property line, or nearer to any other property line than 50 feet, and the boundary strips along side and rear property lines shall be appropriately and densely planted with trees and shrubbery for a depth of not less than 50 feet. However, where a Shopping-Center District is directly adjoined by a Business or an Industrial District or a railroad, buildings may extend to within 50 feet of the boundary line; parking space may extend to the boundary line; and the planting strip may be omitted. And where the boundary is a waterway, the planting strip may be otherwise landscaped.

6. *Yard and Height Requirements.* There shall be no yard requirements other than those specified in item 5 above; and there shall be no restriction on the height of buildings.

7. *Semi-Fireproof Construction.* All buildings erected in Shopping-Center Districts shall be of semi-fireproof construction as defined herein.

## Section 9—Industrial Districts.

### (a) Permitted Buildings, Structures and Uses.

The Industrial Districts are primarily for heavy commerce and wholesale trade and light manufacturing. Buildings or other structures and uses permitted therein are: All those permitted in the Business Districts; coal and lumber yards and building-material storage yards; laundries without limit as to size, and cleaning and dyeing works without limit as to size when constructed and operated under fire safety conditions approved by the Township Fire Chief; repair and machine shops without limit as to size; bottling works and bakeries and wholesale markets; all processes of assembly, manufacture or treatment and all other buildings and use except the following which are specifically prohibited:

1. Any process of assembly, manufacture, or treatment constituting a nuisance by reason of smoke, odor, dust or noise, and including but not limited to such things as foundries, boiler works, and blast furnaces; the manufacture or refining of asphalt; the manufacture or processing of cork, fertilizer, linoleum, or oil-cloth, and glue or gelatin; the tanning and/or storage of raw hides and skins; abattoirs or slaughter-houses; and the manufacture of paint oil and varnish. This, however, shall not apply to exclude an industry, whether or not specifically mentioned, if such industry after supplying satisfactory evidence to the Board of Adjustment is certified by that Board to be free of the nuisance characteristics typical of its kind by reason

of special design of structure or innovation in processes or like circumstances.

2. Any process of assembly, manufacture, or treatment constituting a hazardous use including but not limited to such things as the manufacture or bulk storage of fireworks and explosives and the manufacture or storage of illuminating gas and other explosive or poisonous gases except as may be necessary and incidental to a permitted industrial process.

3. The storage of crude oil or any of its volatile products or other highly inflammable liquids in above-ground tanks with unit capacity greater than 550 gallons unless such tanks up to and including 10,000-gallon capacity are placed not less than 50 feet from all property lines, unless all such tanks of more than 10,000 gallons capacity are placed not less than 100 feet from all property lines, and unless all such tanks with a capacity of 10,000 gallons or more are properly dyked with a dyke or dykes having a capacity equal to one and a half times the capacity of the tank or tanks surrounded.

4. The generation of power unless with the use of smokeless fuels or with the use of approved and effective smoke and fly-ash elimination equipment.

5. Junk yards and automobile disassembly plants unless conducted entirely within a building; and the storage of second-hand building materials for re-sale except in established lumber or building material yards.

6. The storage, bailing, or treatment of junk, iron, rags, bottles, or scrap paper except entirely within a building.

#### **(b) Yard, Area and Height Provisions.**

*Front Yards*—Required front yards shall be the same as for the Residence "B" Districts.

*Rear and Side Yards*—Required rear and side yards shall be the same as for the Business Districts.

*Height*—There shall be no limitation upon the height of buildings.

*Lot Area and Dimensions*—The required areas and widths of residential lots, with or without sewer and/or water services, shall be the same as are required in Residence "B" Districts.

#### **(c) Semi-Fireproof Construction.**

Requirements shall be the same as for the Business District.

#### **(d) Location of Cess-Pools and Septic Tanks.**

Requirements shall be the same as for the Rural Districts.

### **Section 10—Exceptions and Special Provisions.**

#### **(a) Special Uses Permitted.**

After public notice and hearing and under the con-

ditions set forth below, the Board of Adjustment as hereinafter created may authorize the issuance of a permit for any of the following buildings and uses:

1. *In a Rural District or in any Residence District:*

(1) A nursing home or hospital for other than mental diseases.

(2) A clubhouse without features likely to occasion a nuisance in a residential neighborhood by reason of noise or other objectionable characteristics.

(3) A bus passenger station.

(4) An electric sub-station, gas-district governor station, telephone exchange, radio transmission facilities, or other public-utility building, structure or use except an office building, garage, storage yard, repair shop, or facilities for the manufacture or storage of illuminating gas.

(5) A tourist home and a rooming or boarding house.

2. *In a Rural District:*

(1) A cemetery, a rock quarry, animal hospital and a riding academy, and the excavation of clay, sand and gravel and other earths and minerals.

(2) An air-landing field and its necessary appurtenances.

3. *In a Rural or Residence "A-1" or "A-2" District:*

(1) The alteration of a single-family dwelling existing at the time of this enactment, for occupancy by two or more families provided—(a) there are no exterior alterations of the building other than as may be required for purposes of safety; (b) there is provision for off-street automobile parking or storage in accordance with paragraph (m) of this Section of this ordinance; and (c) the cubical contents of the building after alteration amounts to no less than 8,000 cubic feet per dwelling unit. For the purposes of this clause, "cubical content" shall not include basement or unfinished attic space or the space in an attached garage.

Such special permits, however, may be authorized by the Board of Adjustment only upon satisfaction in each instance of such conditions as to the general character, height and use of structure, as to the provision of surrounding open space and treatment of the grounds, as to the general fitness of the structure or use to its proposed location, as to provisions for off street automobile parking or storage, and as to street capacity and use as, in the opinion of the Board, may be necessary to safeguard public health comfort and convenience, and as may be required for preservation of the general character of the neighborhood in which such building is to be placed or such use is to be conducted.

All public utility structures and uses as defined under 1 (4) of this paragraph, existing at the time of this enactment, shall be regarded as conforming uses and may be continued, altered and enlarged, on present premises, without limit.

**(b) Additional Special Uses and Structures Permitted in Rural Districts.**

After public notice and hearing, the Board of Adjustment may authorize the issuance of a permit for any of the following buildings and uses in a Rural District.

Tourist cabins or motor courts or motels subject to the provisions of Paragraph (d) of this Section, provided the proposed location of such tourist cabins or motor court or motel is not closer than 1,000 feet to the boundary of any Residence District established by this ordinance, the establishment is located on a property with an area of not less than 5 acres, no cabin or other structure is placed closer to any street or road or other property line than 100 feet, and no retail business other than a restaurant is operated in connection with such establishment.

**(c) Trailers and Trailer Camps.**

No automobile trailer shall be parked and occupied in any district for more than 48 hours except upon permit issued by the Zoning Officer. Such a permit may be issued for a period not to exceed 30 days and is not renewable. Not more than one trailer shall be parked and occupied for a period of more than 48 hours on any single premises.

**(d) Tourist Cabins and Motor Courts or Motels.**

Tourist cabins and motor courts or motels, where allowable under this ordinance, shall conform to the following specifications: (1) no cabin or court or part thereof to be placed closer to any street or road line than the established building line or closer than 30 feet to any other property line; (2) the space between detached cabins, at the side, to be not less than 20 feet, and the space between rows of cabins, whether attached or detached, at the front or rear, to be not less than 60 feet; (3) automobile parking space sufficient to accommodate the cars of all guests to be provided on the premises and back of the established building line or lines; (4) every cabin or rental space to be supplied with its individual running water and toilet facilities; and (5) satisfactory sewage-disposal facilities, including in appropriate cases, a properly constructed cess-pool or septic tank with tile field, no part of which is closer than 100 feet to a well used for potable water supply or closer to any property line than 25 feet.

Tourist cabins and motor courts or motels to be located in a Rural District shall conform to the further requirements of Paragraph (b) of this Section.

**(e) Yard Exceptions.**

*1. For Large-Scale Housing Developments:*

Upon presentation to the Board of Adjustment of a site plan showing the location of buildings, streets and yards and other open spaces, for the unified develop-

ment of an area bounded on all sides by streets or park or other permanent public open space, and after submission thereof to the Township Planning Board for report thereon, the Board of Adjustment may waive all side and rear yard requirements, and all front yard requirements except for frontage upon streets and roads shown as main thoroughfares on the Township Master Plan, with respect to such development and may direct the Zoning Officer to issue permits in accordance with the approved plan thereof, provided: (1) open space equal to or greater than that required under the yard restriction of the district in which the proposed development is to be located is otherwise furnished within the tract in such manner as to provide equally good access of light and air to individual dwellings; and (2) the total coverage of the net land area (area exclusive of streets) by buildings shall not exceed 15 per cent in a Rural or Residence "A" District, or 20 per cent in any other district.

*2. For Residential Lots on Steep Slopes:*

Where the topography is such that access to a private garage built back of a front building setback line required by this ordinance is impracticable, it shall be permissible to place such a building, not exceeding one-story in height, within the front yard space, provided (1) no part of the structure extends above the first-floor level of a dwelling on an adjoining premises and within 100 feet thereof or, if no such dwelling exists within such specified distance, no part of the structure extends more than 4 feet above the mean ground level of the lot on which it is to be erected, at the established building setback line, and (2) no part of the structure extends nearer to the street property line than 6 feet.

*3. For Closely-Built-Up Areas:*

In the case of a lot, existing at the time of this enactment, 40 feet or less wide and pocketed by buildings existing on the two lots adjoining at the side, and both lots being in other ownership, it shall be permitted to build a single-family dwelling upon such lot without requirement of side-yards wider than the respective adjacent side-yards existing on the adjoining lots.

*4. For Exceptionally Shallow Lots:*

In the case of lots existing at the time of this enactment having a depth of less than 85 feet, and when there are ten or more such lots in a row without an intervening street, the depth of the otherwise required front yards may be reduced to 15 feet and the depth of the otherwise required rear yards may be reduced to 20 feet.

**(f) Multi-Family Dwellings in Residence "A-2" Districts.**

After public notice and hearing, and after reference to the Township Planning Board for report thereon, the Board of Adjustment may authorize the issuance of a permit or permits for the construction of a multi-fam-



ily dwellings not more than 2½ stories and 35 feet in height, as integral parts of a large-scale housing project, in a Residence "A-2" District, provided: (1) the area for development is not less than 10 acres and, when fronting upon an existing street or a street of record, the area extends throughout the block from intersecting street to intersecting street; (2) the total coverage of the net land area (area exclusive of streets) by buildings does not exceed 16 per cent; (3) the number of dwelling units per net acre does not exceed 16; (4) the same front yards are provided as are required for other buildings in the Residence "A-2" Districts, and the same provisions are observed in respect to the location of garages and other out-buildings; and (5) garage or other satisfactory automobile storage space is provided on the premises, sufficient to accommodate one car for each dwelling unit contained within the development. The regularly required side and rear yards may be waived for a development meeting the above specifications.

**(g) Frontage Upon Street.**

No dwelling shall be placed directly in front of or directly behind another dwelling on the same premises and within 200 feet thereof unless both dwellings have an unobstructed view to and frontage upon a street or other public way. "Directly in front of or directly behind another dwelling" means placing more than one-half the breadth of the building in such position.

**(h) Public Garages and Motor Vehicle Service Stations.**

No public garage repair space shall have an opening in roof or walls, closer to any side property line than 15 feet.

No public garage or motor vehicle service station, or private garage accommodating more than five cars, shall have a vehicular entrance closer than 200 feet to an entrance to a school, church, theatre, hospital, public park, playground, or fire station; and said measurement shall be taken as the shortest distance between such entrances—across the street if the entrances are on opposite sides of the street, and along the street frontage if both entrances are on the same side of the street or within the same block.

All motor vehicle service stations shall be so arranged, and all gasoline pumps shall be so placed, as to require all servicing on the premises and outside the public way; and no gasoline pump shall be placed closer to any property line than 15 feet.

**(i) Signs and Billboards.**

No stationary signs or billboards shall be permitted in any Rural or Residence District, except: customary professional signs and rooming and boarding house signs and all other accessory-use signs no larger than 2 square feet; tourist-home signs not larger than 4 square feet; real estate signs not larger than 8 square

feet, when placed on properties offered for sale or rent; signs of an appropriate size identifying a building or use permitted under this ordinance; and signs incident to legal process and necessary to the public welfare.

There shall be no limitation upon the size and character of signs and billboards in Business and Industrial Districts other than:

1. No sign or billboard shall extend more than 5 feet over a sidewalk or other public way.

2. No sign or billboard shall be placed on the roof of a building or extend more than 4 feet above the building or portion of building to which it is attached. This, however, shall not prevent painting a sign directly on the roof of a building, to be seen from the air.

3. No free-standing sign or billboard shall have less than 3 feet of open space at the bottom, extending its entire length. Latticing shall be considered as serving the purpose of such open space.

4. No free-standing sign or billboard larger than 40 square feet shall be placed closer than 200 feet to the center-line intersection at a street intersection where there is no already-existing obstruction of view between such street intersection and such sign location.

5. In matters of setback from street, and in all other respects, stationary signs larger than 8 square feet shall be regarded as buildings or structures within the meaning of this ordinance. Advertising display upon a barn or other surface shall be regarded as counting within the above regulations.

#### **(j) Fire Escapes.**

Nothing herein contained shall prevent the projection of an open, fireproof fire escape or stairway into a rear or side yard for a distance not to exceed 8 feet.

#### **(k) Height Exceptions.**

1. Except as provided below, under part (2) of this paragraph, nothing in this ordinance shall be interpreted to limit or restrict the height of a church spire, radio or wireless station, belfry, clock tower, chimney flue, water tank, elevator bulkhead, stage tower, scenery loft, or similar structure.

2. No building or part of building, or other structure, to be located within 1,500 feet of either end of an airstrip or runway in an approved airport or landing field, and within 250 feet of the center line of the airstrip extended, shall exceed a height of 30 feet above the level of the nearest part of the airstrip.

#### **(l) Non-Conforming Uses.**

##### *1. Continuation Thereof:*

All building structures and uses not conforming to the regulations of the district in which they are located, at the time of this enactment, shall be known and regarded as "non-conforming."

A non-conforming building or use may be continued and may be changed to another non-conforming use of the same or a more-restricted classification, but no ad-

ditions or extensions of such building or use shall be made, exceeding: (1) 25 per cent of the occupied floor area; or (2) 25 per cent of the cubical contents of the building or buildings as existing at the time of this enactment; or (3) 25 per cent of the service capacity or of the land occupied if the use is conducted all or partially in the open; and provided further that, subsequent to such extension or addition to a non-conforming building or use, there shall be no further additions or extensions except in accordance with the regulations of the district in which such building or use is located.

*2. Reversion Thereof:*

If a non-conforming building or use is subsequently changed to a conforming use, it shall not again be altered or used except in accordance with the regulations of the district in which it is located. If a non-conforming building is destroyed by fire, explosion, or other like cause, to the extent of 75 per cent or more of either its value or its bulk, it shall not be rebuilt or reconstructed except in conformity with the regulations of the district in which it is located. The vacation of a non-conforming building or use for a consecutive period of 3 years shall be regarded as a permanent vacation and, thereafter, the building shall not be reoccupied except in conformity with the regulations of the district in which it is located, and the use may not be resumed.

*3. Non-Conformance in Required Yard Space Only:*

None of the above limitations shall apply to a building or other structure which is non-conforming only in respect to required yard spaces, except that no building or other structure shall be altered, added to, or reconstructed to extend further into an already-deficient front, rear or side yard.

**(m) Required Off-Street Automobile Parking or Storage Space.**

In addition to the off-street automobile parking or storage space requirements contained elsewhere in this ordinance, the following off-street parking provisions shall be required in relation to any of the following buildings or uses hereafter erected or established in any district.

1. For theatres, auditoriums and other places of public assemblage, except schools and churches—one parking space for each 5 seats.
2. For hospitals—one parking space for every two patients of planned capacity.
3. For hotels—one parking space for every one-and-a-half rooms.
4. For restaurants and taverns—one parking space for every four seats in excess of twelve.
5. For retail stores—one parking space for every 400 square feet of gross floor area in excess of 800 square feet.
6. For office buildings—one parking space for every

800 square feet of gross floor area in excess of 1,000 square feet.

7. For commercial establishments, and for industries employing more than 10 persons—sufficient space to accommodate the cars of all persons employed on the premises and regularly having business thereon, but in no case less than one parking space for every three employees.

8. For dwellings, one space for each dwelling unit whatever the dwelling type, whether single-family or multi-family.

Such parking or storage space may be provided within the building or elsewhere on the premises or on other premises and within 1,000 feet of the main entrance to the building or other establishment to be served. If the parking space is provided in the open, the required gross area per car shall be 200 square feet. Two or more establishments may join in meeting the above requirements by providing parking space in common equal to the total requirements of all those participating.

#### **(n) Permanence of Yards and Other Required Open Spaces.**

No space applied or necessary under this ordinance to satisfy the yard area or frontage requirements in relation to any building, whether now or subsequently built, shall be counted as a part of a required open space in relation to any other building.

#### **(o) Courts and Access of Light and Air To Dwelling Rooms.**

When courts are provided for the purpose of furnishing light and air to rooms to be used for dwelling purposes, the least dimensions of such courts shall be as follows:

*Outer Courts*—No outer court shall be less than 6 inches wide for each foot of its height above the sill of the lowest window served by it, and in no case shall a court be less than 8 feet wide. No outer court shall have a depth greater than twice its width.

*Inner Courts*—No inner court shall be less than 9 inches wide for each foot of its height above the sill of the lowest window served by it, and in no case shall such a court be less than 12 feet wide.

*Access of Light and Air to Dwelling Rooms*—Every room to be used for dwelling purposes shall have an opening or openings upon a court or other open space, amounting to not less than 15 square feet of window space for each 100 square feet of floor area or fraction thereof.

#### **(p) Temporary Permits.**

Temporary permits may be authorized by the Board of Adjustment for a period not to exceed one year, for non-conforming uses incident to housing and construction projects and including such structures and uses as storage of building materials and machinery, the pro-

cessing of building materials, and a real estate office located on the tract being offered for sale; provided, such permits are issued only upon agreement by the owner to remove the structure or structures upon expiration of permit. Such permits are annually renewable for a period not to exceed three years.

**(q) Special Building Setback Lines Established.**

Whenever greater than the building setbacks established as required front yard depths under the foregoing sections of this ordinance, the building setbacks for certain streets and sections of streets shall be as follows:

Street	Setback from Street Center Line	Right-of-Way Widths	
		Existing	Ultimate
ALLEN LANE, from Brunswick Pike to point 600' north of said Pike .....			
BRUNSWICK PIKE (U.S. Route 1), From the Shabakunk Creek Bridge eastward to Township Line.	50'	33'	66'
All Residential and Business frontage .....	125'	100'	—
All Industrial frontage ...	150'	100'	—
DARRAH LANE, Princeton Ave. to State Route 27 ..	50'	33'	66'
DRIFT AVE., Eggert Crossing Road to Manitee Ave..	50'	40'	60'
ELDRIDGE AVE., Reading Railroad to State Route 27	50'	40'	60'
EWINGVILLE-LAWRENCEVILLE ROAD ..			
From Lawrenceville-Pennington Rd. to bend approximately 1,800 feet west of said road .....	55'	33'	66'
FACKLER ROAD, From State Route 27 to Princeton Ave. ....	55'	33'	66'
FEDERAL CITY ROAD, From Township Line to Lawrenceville - Pennington Rd. and from Cold Soil Rd. to bend approximately 3,200 feet west of said Road .....	55'	33'	66'
JOHNSON ROAD, From Princeton Ave. to point 450' south of said ave. ...	50'	33'	66'

LAWRENCEVILLE-			
BAKER BASIN RD.,			
(a) From Princeton Ave. to point 800' south of said Avenue .....	75'	50'	120'
(b) From State Route 27 to Lewisville Rd. ....	50'	50'	60'
LEWISVILLE RD., From Lawrenceville-Baker Basin Rd. to Princeton Ave. ...	50'	33'	60'
PRINCETON AVENUE., From Lawrenceville Rd. east to Township Line ...	50'	66'	66'
ROSEDALE ROAD, From Carter Rd. to Township Line .....	75'	33'	80'
SPRUCE STREET, Princeton Ave. to Shabakunk Creek .....	50'	60'	66'
VAN KIRK ROAD, From Carter Rd. to bend approximately 3,000' west of said Road .....	55'	33'	66'

**(r) Minimum Size of Dwellings.**

The minimum living-space floor area, as defined herein, for detached and semi-detached dwellings in the several classes of districts shall be as follows:

- (1) In Rural "A" and "B" Districts and in Residence "A-1" Districts—768 square feet of first-floor area and a total of 1,500 square feet for a one-and-a-half or a two-story dwelling and 1,200 square feet for a one-story dwelling.
- (2) In any other District—a total floor area of 768 square feet.

**Section 11—Administration.**

**(a) Interpretation.**

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum of public safety, convenience, prosperity, and the general welfare.

**(b) Enforcement.**

The provisions of this ordinance shall be enforced by the Building Inspector, hereafter called the Zoning Officer. It shall be the duty of the Zoning Officer to keep a record of all applications for permits and a record of all permits issued with a notation of all special conditions involved. He shall file and safely keep copies of all plans submitted, and the same shall form a part of the records of his office and shall be available for the use of the Township Committee and other officials of Lawrence Township.

**(c) Zoning Permits.**

Zoning permits shall hereafter be secured from the Zoning Officer prior to construction, erection, or altera-

tion of any building or part of building, costing more or having a value of more than \$100.00, and of any stationary sign or billboard greater than 40 square feet in size and prior to any change in the use of land as defined herein. All requests for zoning permits shall be made in writing by the owner or his authorized agent and shall include a statement of the use or intended use of the building or structure and shall be accompanied by a plan drawn to scale and dimensioned, showing the proposed building in its exact relation to lot and street lines and by a written statement from the Township Engineer, or other satisfactory evidence, to the effect that the line of the bounding street or streets has been accurately located and staked on the ground. A building permit issued in accordance with the Township Building Code shall satisfy the purposes of a zoning permit, upon satisfaction of the further conditions and requirements set forth in this ordinance.

**(d) Occupancy Permits.**

No building hereafter constructed, erected or altered shall be occupied or used in whole or in part for any use whatsoever, and no change in the use of land or in the use of any building or part thereof shall hereafter be made, until an Occupancy Permit has been issued by the Zoning Officer, certifying that the building or use complies with the provisions of this ordinance. Such occupancy permits shall be granted or denied within 10 days from date of written application therefor.

**(e) Special Permits.**

The Zoning Officer may issue special permits, upon authorization of the Board of Adjustment, in accordance with Paragraphs (a), (b), and (p) of Section 10 of this ordinance.

**(f) Amendments.**

The Township Committee may from time to time, on its own motion or on petition, after public notice and hearing, amend, supplement or change the regulations and the districts herein established and adopt rules and regulations for the purpose of interpreting and carrying this ordinance into effect. Prior to final action upon a proposed amendment to or change in this ordinance, the Township Committee shall refer such proposed amendment or change to the Township Planning Board for approval, disapproval or suggestions. And the Planning Board shall make its report thereon to the Township Committee within 45 days of the receipt thereof or within such extended time as the Township Committee may, in a specific case, grant to the Planning Board. Failure of the Planning Board to make its report to the Township Committee upon a proposed amendment or change thus referred to it, within 45 days or within such extended time as may have been granted to the Board by the Township Committee, shall have the same effect as approval thereof.

**(g) Public Notice and Hearing.**

Due public notice and hearing as required by this ordinance shall be interpreted as being the same as applies to all other ordinances of Lawrence Township.

**(h) Board of Adjustment.**

A Board of Adjustment of five members, none of whom shall hold an elective office or position under the municipality, is hereby created, to be appointed by the Township Committee. The initial members shall be appointed for terms of one, two, three, four and five years, respectively, and, subsequently, members shall be appointed for terms of three years as successive vacancies occur. The members of the Board of Adjustment created by prior ordinance shall continue in office, but their terms of office shall be readjusted to conform to this ordinance. All members of the Board of Adjustment are removable for cause by the Township Committee upon written charges and after public hearing.

The Board of Adjustment shall adopt such rules and regulations as it may deem necessary to govern its procedure. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman of the Board or, in his absence, the Acting Chairman, shall have power to issue subpoenas for the attendance of witnesses and the production of records and may administer oaths. Upon the failure of any person to answer in response to a subpoena of such officer, application may be made to the Superior Court or to any Judge thereof, for an order compelling the attendance of such witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, or board of the Township of Lawrence affected by any decision of the Zoning Officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Zoning Officer and with the Board of Adjustment a notice of appeal specifying the grounds therefor. The Zoning Officer shall forthwith transmit to the Board all the papers constituting the records upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action in respect to which the decision appealed from was made, unless the Zoning Officer certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a



restraining order which may be granted by the Board of Adjustment or by the Superior Court on application and on notice to the Zoning Officer and on due cause shown.

The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, giving due notice thereof to the appellant. Said appellant shall thereupon at least five days prior to the time appointed for said hearing, give personal notice to all owners of property within 200 feet of the property to be affected by said appeal. Such notice shall be given either by handing a copy thereof to the said property owners or by leaving a copy thereof at the usual place of abode of said property owners, if said owners are occupants of the property affected by such appeal or are residents of Lawrence Township.

Whenever said owners are non-residents of the Township, such notice may be given by sending written notice thereof by registered mail to the last known address of the property owner or owners as shown by the most recent tax lists of the Township. Where the owners are partnerships, service upon any partner as outlined above shall be sufficient, and where the owners are corporations, service upon any officer as set forth shall be sufficient. Said appellant shall by affidavit present satisfactory proof to the said Board of Adjustment at the time of the hearing that the said notices have been duly served as aforesaid. Upon the hearing any party may appear in person or by agent or by attorney.

Whenever an appeal shall be taken to the Board of Adjustment, said Board shall render its decision upon such appeal within 60 days from the date of the hearing upon such appeal, and, in any event, within 90 days from the date of the filing of the appeal as herein provided, and, upon failure to do so, such appeal at the expiration of such time shall be deemed to be decided adversely to the applicant in the same manner as though the said Board had rendered a decision to that effect.

In the matter of appeals and other things referred to it the Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, or refusal made by an administrative official or agency based on or made in the enforcement of this ordinance.
2. To authorize the issuance of permits for special exceptions and decide other matters, as specifically provided by this ordinance, and to hear and decide requests for interpretation of the zoning map.
3. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of this ordi-

nance would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property to authorize, upon appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and the zoning ordinance.

4. To recommend in particular cases and for special reasons to the Township Committee the granting of a variance to allow a structure or use in a district restricted against such structure or use. Whereupon the Township Committee may, by resolution, approve or disapprove such recommendation. If such recommendation shall be approved by the Township Committee then the Zoning Officer shall forthwith issue a permit for such structure or use.

**(i) Violations and Penalties.**

Violation of any provision of this ordinance by any owner or lessee or other person shall constitute disorderly conduct, and each twenty-four hours violation shall be deemed a separate offense punishable by imprisonment not to exceed thirty days or a fine not to exceed one hundred dollars or both such fine and imprisonment.

**Section 12—Validity.**

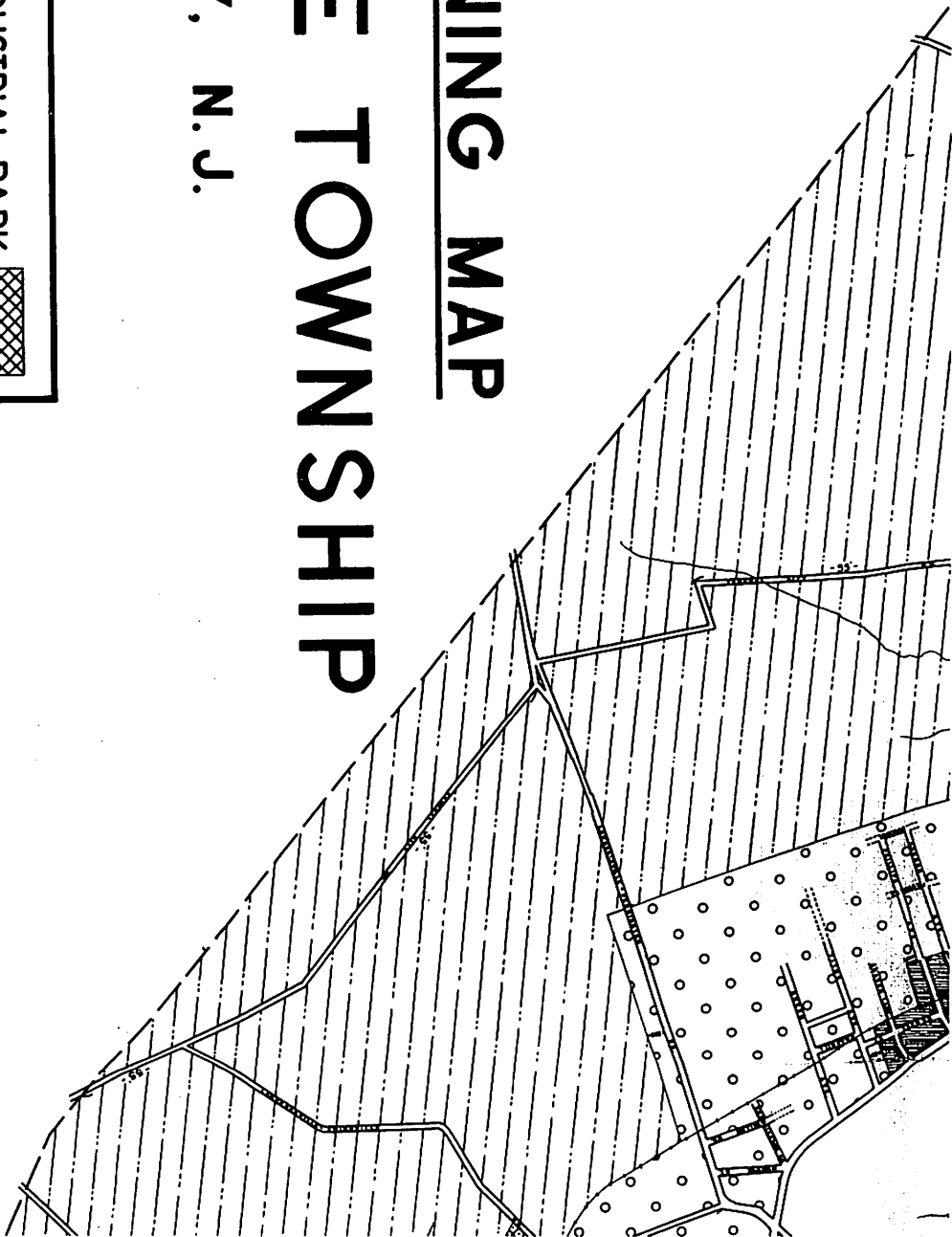
If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance. The Township Committee hereby declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**Section 13—Short Title.**

This ordinance shall be known and may be cited as the "Zoning Ordinance of Lawrence Township, Mercer County, N. J."

**Section 14—Repeal of Conflicting Ordinances.**

An ordinance entitled "An ordinance to limit and restrict to specified districts or zones, and regulate therein, buildings and structures, according to their construction and nature and extent of their use in Lawrence Township," adopted March 4, 1931, and the amendments thereto and supplements thereof and all other ordinances and parts of ordinances of the Township of Lawrence in conflict herewith are hereby expressly repealed.



# REVISED ZONING MAP

# LAWRENCE TOWNSHIP

MERCER COUNTY, N. J.

## DISTRICTS

RURAL "A"		INDUSTRIAL PARK	
RESIDENCE "A-1"		INDUSTRIAL PARK LIMITED	
RESIDENCE "A-2"		INDUSTRIAL PARK RESEARCH	
RESIDENCE "B"		INDUSTRIAL PARK SHOPPING CENTER	
BUSINESS			
INDUSTRIAL			
RURAL "B"			

THIS MAP IS A PART OF THE ZONING ORDINANCE FOR LAWRENCE TOWNSHIP, NEW JERSEY.

ATTEST:

*John J. Smith*  
 CHAIRMAN OF THE TOWNSHIP COMMITTEE

REVISIO TO A TANDARD P...  
 OCTOBER 1954  
 JANUARY 1955  
 MARCH 1956  
 APRIL 1957  
 MAY 1958  
 JUNE 1959  
 JULY 1960

SPECIAL BUILDING SETBACKS ESTABLISHED BY ORDINANCE FROM CENTER OF STREET ON ROAD INDICATED



0 0 600 1200 1800 2400 3000 3600  
SCALE IN FEET