

# Land Development Ordinance

Township of Lawrence  
Mercer County, New Jersey

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SECTION 100

TITLE AND PURPOSE

101 TITLE

A comprehensive Ordinance regulating and limiting the uses of land and the uses and locations of buildings and structures; regulating and restricting the height and bulk of buildings and structures and determining the area of yards and other open spaces; regulating and restricting the density of population; dividing the Township of Lawrence into districts for such purposes; adopting a map of said township showing boundaries and the classification of such districts; establishing rules, regulations and standards governing the subdivision of land within the township; establishing a Planning Board and a Board of Adjustment; and prescribing penalties for the violation of its provisions.

102 SHORT TITLE

The short form by which this Ordinance may be known shall be "THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF LAWRENCE."

103 PURPOSE

The Ordinance is adopted pursuant to N. J. S. A. 40:55D-1, et. seq., in order to promote and protect the public health, safety, morals and general welfare, and in furtherance of the following related and more specific objectives:

To secure safety from fire, flood, panic and other natural and manmade disasters;

To provide adequate light, air and open space;

To ensure that the development of the Township of Lawrence does not conflict with the development and general welfare of neighboring municipalities, the county and the state as a whole;

To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, and preservation of the environment;

To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;

To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements;

To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;

To promote a desirable visual environment through creative development techniques and good civic design and arrangements;

To promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land;

To encourage senior citizen community housing construction consistent with provisions permitting other residential uses of a similar density in the same zoning district;

To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

104 INTERPRETATION OF STANDARDS

The provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or resolutions, the provisions of this Ordinance shall control. Where other laws, rules, regulations or resolutions require greater restrictions than are imposed or required by this Ordinance, the provisions of such other laws, rules, regulations or restrictions shall control.

105 PROHIBITED USES

All uses not expressly permitted in this Ordinance are prohibited.

106 TIME OF COMPLIANCE

All applicable requirements shall be met at the time of erection, enlargement, alteration, moving or change in use of the principal use and shall apply to the entire structure or structures whether or not the entire structure or structures were involved in the erection, enlargement, alteration, moving or change in use.

## SECTION 200

### DEFINITIONS AND DESCRIPTIONS

#### DEFINITIONS

For the purposes of this Ordinance, certain phrases and words are herein defined as follows: Words used in the present tense include the future; words used in the singular number include the plural number and vice versa; the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used; the word "lot" includes the words "plot", "premises" and "tract"; the word "building" includes the words "structure", "dwelling" or "residence"; the word "shall" is mandatory and not discretionary. Any word or term not defined herein shall be used with a meaning of standard usage. Moreover, whenever a term is used in the Ordinance which is defined in N.J.S.A. 40:55D-1, et. seq., such term is intended to have the meaning as defined in N.J.S.A. 40:55D-1, et. seq., unless specifically defined to the contrary in this Ordinance.

Accessory Building, Structure or Use: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.

Administrative Officer: The Community Development Director of Lawrence Township, Mercer County, New Jersey.

Adverse Effect: Conditions or situations creating, imposing, aggravating or leading to impractical, unsafe or unsatisfactory conditions on a subdivided property or off-tract property such as, but not limited to, improper circulation and drainage rights-of-way as defined in R.S. 40:55-1.2, as amended, inadequate drainage facilities, insufficient street widths, unsuitable street grades, unsuitable street locations to accommodate prospective traffic or coordinate and compose a convenient system, locating lots in manner not adaptable for the intended purposes without danger to health or peril from flood, fire, erosion or other menace, providing for lots of insufficient size and neither providing nor making future allowance for access to the interior portion of the lot or for other facilities required by this Ordinance.

Alterations or Additions, Structural: Any change in or additions to the supporting members of a building such as walls, columns, beams, girders, posts or piers.

Applicant: The landowner or the agent, optionee, contract purchaser or other person authorized to act for and acting for the landowner submitting an application under this Ordinance.

Application for Development: The application or appeal forms and all accompanying documents required by this Ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or N.J.S.A. 40:55D-36.

Basement: That portion of a building which is partly below and partly above grade, and having at least one-half ( $\frac{1}{2}$ ) its height above grade.

Bedroom: A room planned or used primarily for sleeping.

Billboard: Any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes other than that on a building or its grounds.

Building: Any structure or extension thereof or addition thereto having a roof supported by such things as columns, posts, piers or walls and intended for the shelter, business, housing or enclosing of persons, animals or property.

Building Coverage: The square footage or other area measurement by which all buildings occupy a lot as measured on a horizontal plane around the periphery of the facades and including the area under the roof of any structure supported by columns, but not having walls, as measured around the outside of the outer most extremities of the roof above the columns.

**Building Height:** The vertical distance measured to the highest point from the mean elevation of the finished grade at the foundation along the side(s) of the building facing a street or to the street line, whichever is closer to the foundation. In all cases where this Ordinance provides for height limitations by reference to a specified height and a specified number of stories, the intent is to limit height to the specified maximum footage and the specified number of stories within said footage.

**Camper:** 1) A self-propelled, vehicular structure built as one unit on a chassis and designed for temporary living for travel, recreation, vacation or other short-term uses which may contain cooking, sleeping, and sanitary facilities.

2) An immobile structure containing cooking and sleeping facilities for travel, recreation, vacation or other short-term use and designed to be attached to the body of another vehicle for transporting from one location to another.

3) A portable, vehicular structure built on a chassis, designed for camping, the body of which is basically rectangular with a flat top not more than four feet above the surface of the ground. The camper is designed to have a temporary tent erected above the four-foot level for camping activities.

4) A portable structure built on a chassis, designed for towing and as a temporary dwelling for travel, recreation, vacation and other short-term uses and having an outside body width not exceeding eight feet and a length not exceeding 30 feet, and which may contain cooking, sleeping and sanitary facilities.

**Cartway:** The hard or paved surface portion of a street customarily used by vehicles in the regular course of travel. Where there are curbs, the cartway is that portion between the curbs. Where there are no curbs, the cartway is that portion between the edges of the paved or graded width.

**Common Property:** A parcel or parcels of land or an area of water, or a combination of land and water, together with the improvements thereon and designed and intended for the ownership, use and enjoyment shared by the residents and owners of the development. Common property may contain such complementary structures and improvements as are necessary and appropriate for the benefit of the residents and owners of the development.

**Conditional Use:** A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as specified in this Ordinance.

**Construction Official:** The Building Inspector of the Township of Lawrence, Mercer County, New Jersey.

**Development:** The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or any mining, excavation of landfill, and any use or change in use of any building or other structure or land or extension of use of land, for which permission may be required.

**Drainage and Utility Right-of-Way:** The lands required for the installation and maintenance of storm water and sanitary sewers, water pipes or drainage ditches and other utilities, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

**Dwelling Unit:** A room or series of connected rooms designed for permanent residency containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The dwelling unit shall be self-contained and shall not require the use of outside stairs, passing through another dwelling unit or other indirect route(s) to get to any portion of the dwelling unit, nor shall there be shared facilities with another housekeeping unit.

**Detached Single-Family:** A building physically detached from other buildings or portions of buildings which is occupied or intended to be occupied for residence purposes by one housekeeping unit and which has its own sleeping, sanitary and general living facilities.

**Garden Apartment:** A building containing a minimum of six (6) dwelling units and not exceeding two and one-half ( $2\frac{1}{2}$ ) stories in height.



**Two-Family:** A building containing two (2) dwelling units only, each having entrances on the first floor, intended for residential occupancy by two housekeeping units, each living independently of each other and each with its own sleeping, cooking and sanitary facilities. The dwelling units shall be entirely separated from one another by vertical walls or horizontal floors, unpierced except for access to outside or to a common basement.

**Townhouse:** One (1) dwelling unit of at least four (4), but no more than eight (8), connected dwelling units where each dwelling unit is compatibly designed in relation to all other units, but is distinct by such design features as width, setback, roof design, color, exterior materials and other features, singularly or in combination. Each dwelling unit may be a maximum of two and one-half (2½) stories in height, but nothing in the definition shall be construed to allow one (1) dwelling unit over another.

**Easement:** A use or burden imposed on real estate by deed or other legal means to permit the use of land by the municipality, public, a corporation, or particular persons for specific uses.

**Ewing-Lawrence Sewerage Authority (ELSA):** A public body created pursuant to the Sewerage Authorities Law C-138, P.L. 1946, as may be amended, to acquire, construct, maintain, operate or improve works for the collection, treatment, purification or disposal of sewage and other wastes within the Township of Lawrence.

**Farm:**

**Principal Uses:** A lot of at least five (5) acres used for the growing and harvesting of crops and the raising and breeding of certain animals, including truck farms, fruit farms, nurseries and greenhouses, dairies and livestock produce.

**Accessory Uses:** Buildings incidental to farms such as barns and packing, grading and storage buildings for produce raised on the premises; buildings for keeping of poultry and permitted livestock; and garages for the keeping of equipment and trucks used in farm operations.

**First Floor Area:** The residential portion of a dwelling unit, excluding basements, garages, carports and breezeways, measured by using the outside dimensions of the residential portion of the building. For a split-level, bi-level or tri-level dwelling, the area shall be considered to be the sum of the areas of two adjoining levels, excluding basements and garages, provided both levels are connected by permanent, built-in stairs in the interior of the building.

**Flood Plain:** The relatively flat area adjoining a water channel which has been or may be covered by flood water of the channel, including the following components:

**Floodway:** The river or other watercourse and the adjacent land area that must be reserved in order to discharge the design flood without cumulatively increasing the water surface elevation more than one (1) foot.

**Flood Hazard Area:** Land in the flood plain subject to a one percent (1.0%) or greater chance of flood in any given year.

**Flood Fringe Area:** The portion of the flood hazard area outside of the floodway.

**Grade:** The slope of a road, path, driveway, swale or other surface or the average finished ground elevation adjoining a building at project completion.

**Golf Course:** A tract of seventy-five (75) or more acres containing a full-size, professional golf course at least eighteen holes in length, together with appropriate accessory uses and structures such as club houses, dining and refreshment facilities, driving ranges and miniature golf courses, providing the operation of such are incidental and subordinate to the operation of the golf course.

**Gross Floor Area:** The area measured by using the outside dimension of the building, excluding the area of a garage, attic, open porch or patio. Only those floor areas which have a ceiling height as prescribed by the Township Building Code for residential uses and those floor areas either having a ceiling height of eight (8) feet or more or used for storage space in non-residential uses shall be included in the gross floor area.

**Home Occupation:** An occupation conducted entirely within a detached dwelling unit, which occupation is clearly incidental and secondary to the use of the lot for residential purposes. Such occupations shall be conducted solely by the residents of the detached dwelling except that no more than two (2) persons not residents of the building may be employed and provided also that no more than 450 square feet shall be used for such purpose; that no display of products shall be visible from the street; that the residential character of the lot and building shall not be changed; that no occupational sounds shall be audible outside the building; that no equipment shall be used which will cause interference with radio and television

reception in neighboring residences, that the home occupation does not reduce the parking or yard requirements of the detached dwelling; and that there is no exterior evidence of the home occupation other than one (1) name plate sign identifying the home occupation, not exceeding four (4) square feet in area, either attached or free-standing and set back at least fifteen (15) feet from the street right-of-way. Examples of permitted uses include sales of clothing, cosmetics, ceramics, coins, etc.; however, studios for karate or dance instruction or similar activities are specifically not considered a "home occupation."

**Home Professional Office:** An office maintained in a residential district incidental to and part of the residential detached dwelling on the lot. Such office shall be conducted solely by resident occupants of the detached dwelling except that no more than two (2) persons not residents of the building may be employed and provided also that no more than 900 square feet or an area equivalent to the first floor area of the building, whichever is smaller, shall be used for such purpose; that the residential character of the lot and building shall not be changed; that no occupational sounds shall be audible outside the building; that no equipment shall be used which will cause interference with radio and television reception in neighboring residences; that the professional office does not reduce the parking and yard requirements of the detached dwelling; and that there is no exterior evidence of the professional office other than one (1) name plate sign identifying the home office, not exceeding four (4) square feet in area, either attached or free-standing and set back at least fifteen (15) feet from the street right-of-way. For purposes of this Ordinance, professional home offices shall be limited to those of a doctor, dentist, architect, engineer, accountant, lawyer, teacher or similar professional occupation. Studios for karate or dance instruction or similar activities are specifically not considered a "home professional office."

**Hotels and Motels:** A building or group of buildings consisting of individual sleeping units designed for transient travelers and not for permanent residency.

**Housekeeping Unit:** One or more persons living together in one dwelling unit on a non-seasonal basis and sharing living, sleeping, cooking and sanitary facilities on a non-profit basis.

**Loading Space:** An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading, with fifteen (15) feet of vertical clearance.

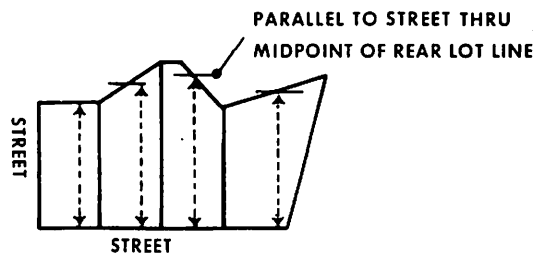
**Lot:** Any parcel of land separated from other parcels or portions as by a subdivision plat or deed of record, survey map or by metes and bounds, except that for purposes of this Ordinance, contiguous undersized lots under one ownership shall be considered one lot and except further that no portion of an existing public street shall be included in calculating the lot boundaries or areas.

**Lot Area:** The area contained within the lot lines of a lot not including any portion of a street right-of-way.

**Lot, Corner:** A lot on the junction of and abutting two or more intersecting streets where the interior angle of intersection does not exceed 135 degrees. Each corner lot shall have two (2) front yards, one (1) side yard and one (1) rear yard, the side and rear yard to be designated at the time of application for a construction permit.

**Lot Depth:** The shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line.

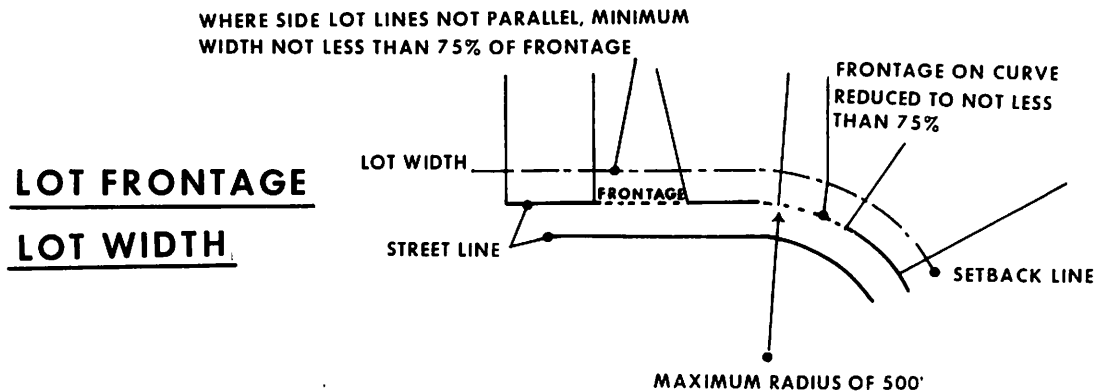
### LOT DEPTH



**Lot Frontage:** The horizontal distance between side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except that on curved alignments with an outside radius of less than five hundred (500) feet, the minimum distance between the side lot lines measured at the street line shall not be less than seventy-five (75) percent of the required minimum lot width. In the case of a corner lot, either street frontage which meets the minimum frontage required for that zone may be considered the lot frontage.

**Lot, Interior:** A lot other than a corner lot.

**Lot Width:** The straight and horizontal distance between side lot lines at setback points on each side lot line measured an equal distance back from the street line. The minimum lot width shall be measured at the minimum required building setback line. Where side lot lines are not parallel, the minimum lot width at the setback line shall not be less than seventy-five (75) percent of the minimum lot frontage for the zoning district in which the lot is located.



**Maintenance Bond:** Any security acceptable to the governing body to assure the maintenance of duly approved improvements installed by the developer after the final acceptance of the improvement and in accordance with this Ordinance.

**Master Plan:** A composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the Planning Board.

**Mean Elevation:** The average of the ground level measurements computed at the four (4) extreme corner points of any existing or proposed building.

**Municipal Agency:** The Planning Board, Board of Adjustment or governing body, or any agency created by or responsible to one or more municipalities, when acting pursuant to N. J. S. A. 40:55D-1, et seq.

**Non-Conforming Buildings or Structures:** A building or structure which in its location upon a lot or in its size, does not conform to the regulations of this Ordinance for the zone in which it is located.

**Non-Conforming Lot:** A lot of record which does not have the minimum width, frontage or depth or contain the minimum area for the zone in which it is located.

**Non-Conforming Use:** A use occupying a building, structure or lot which does not conform with the use regulations for the zone in which it is located.

**Off-Site:** Located outside the lot lines of the lot in question but within the property (of which the lot is a part) which is the subject of a development application or contiguous portion of a street or right-of-way.

**Off-Tract:** Not located on the property which is the subject of a development application or on a contiguous portion of a street or right-of-way.

**On-Site:** Located on the lot in question.

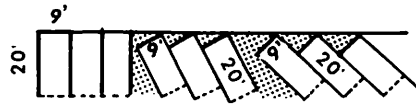
**On-Tract:** Located on the property which is the subject of a development application or on a contiguous portion of a street or right-of-way.

**Open Space Organization:** An incorporated, non-profit organization operating in a Planned Development under recorded land agreement through which a) each owner is automatically a member; b) each occupied dwelling unit is automatically subject to a charge for a proportionate share of the expenses for the organization's activities and maintenance, including any maintenance costs levied against the association by the township; and c) each owner and tenant has the right to use the common property.

**Parking Space:** An area of not less than nine (9) feet wide by twenty (20) feet in length, either within a structure or in the open, for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights-of-way, except that nothing shall prohibit private driveways for detached dwelling units from being considered off-street parking areas provided that no portion of such private driveway within the right-of-way line of the street intersected by such driveway shall be considered off-street parking space. The area is intended to be sufficient to accommodate the exterior extremities of the vehicles, whether in addition thereto wheel blocks are installed within this area

to prevent the bumper from over-hanging one end of the parking space. The width and length of each space shall be measured perpendicular to each other regardless of the angle of the parking space to the access aisle or driveway.

## PARKING SPACE



Performance Guarantee: Any security in accordance with the requirements of this Ordinance which may be accepted in lieu of a requirement that certain improvements be made including performance bonds, escrow agreements and other similar collateral or surety agreements.

Permitted Use: Any use of land or buildings as permitted by this Ordinance.

### Planned Developments:

Residential Cluster Development: An area to be developed as a single entity according to a plan containing residential housing units which have a common open space area as an appurtenance.

Planned Neighborhood Development: An area to be developed as a single entity according to a plan containing one or more residential clusters which may include commercial or public or quasi-public uses all primarily for the benefit of the development.

Planned Community Development: An area to be developed as a single entity according to a plan containing one or more planned neighborhoods and including a mixture of residential and commercial uses.

Planned Unit Development: An area to be developed as a single entity according to a plan containing mid-rise buildings and including a mixture of residential and commercial uses.

Plat means the map of a subdivision or site plan and is used interchangeably in the ordinance with "Plan".

- a. Sketch Plat: The sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification and meeting the requirements of this Ordinance.
- b. Preliminary Plat: The preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the Planning Board for Planning Board consideration and preliminary approval and meeting the requirements of this Ordinance.
- c. Final Plat: The final map of all or a portion of the subdivision or site plan which is presented to the Planning Board for final approval in accordance with these regulations.

Principal Use: The main purpose for which a lot or building is used.

Public Purpose Uses: The use of land or buildings by the governing body of the township or any officially created authority or agency thereof.

Repair Shop, Body: The land and buildings designed and used for the structural and/or cosmetic repair and the incidental mechanical repair of passenger or commercial vehicles. No shop in which a substantial portion of the structural and/or cosmetic body repair work done is on vehicles owned by the operator or owner of such shop, or leased or rented to such operator or owner of such shop, or leased or rented to such operator or owner, shall qualify as a body repair shop under this definition.

Repair Shop, Mechanical: The land and buildings designed and used predominantly for the mechanical repair of passenger or commercial vehicles. No shop in which a substantial portion of the mechanical repair work done is on vehicles owned by the operator or owner of such shop, or leased or rented to such operator or owner, shall qualify as a mechanical repair shop under this definition.

Residential Agriculture: The growing and harvesting of plant life and the keeping of farm animals for the enjoyment of the residents on the property and not primarily for commercial purposes. A small roadside

produce stand associated with the residential agricultural use shall be permitted provided that all of the produce offered for sale is grown on the property; that the produce is not grown primarily for commercial purposes; that the stand is not furnished with permanent heating facilities; that the floor area of the stand does not exceed one hundred (100) square feet; that the stand is set back from all street cartways and side property lines at least fifteen (15) feet; and that sufficient on-site off-street parking is provided. One unlighted sign not exceeding four (4) square feet in area shall be permitted and shall be either attached flat against the front facade of the stand or free-standing. If free-standing, the sign shall not exceed ten (10) feet in height; shall be located to achieve the greatest sight distance for on-coming traffic; and shall be set back at least ten (10) feet from the edge of the cartway.

**Restaurant:** Any establishment, however designated, at which food is sold primarily for consumption on the premises. However, a snack bar or refreshment stand at a public or community swimming pool, playground, golf course, playfield or park, operated solely by the agency or group operating the recreational facility and for the convenience of patrons of the facility, shall not be deemed to be a restaurant.

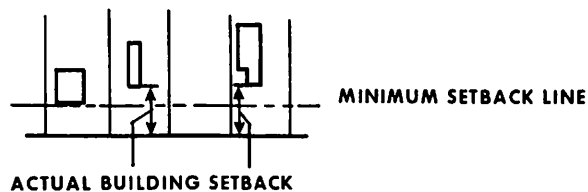
**Restaurant, Drive-In:** Any restaurant, refreshment stand, snack bar, dairy bar, hamburger stand or hot dog stand where food is served primarily for consumption at counters, stools or bars outside the building or primarily for consumption in automobiles parked on the premises whether brought to said automobiles by the customer or by employees of the restaurant, regardless of whether or not additional seats or other accommodations are provided for customers inside the building. All such drive-in restaurants and refreshment stands are specifically prohibited in all districts.

**Resubdivision:** The further division of a lot or the adjustment of a lot line or lot lines.

**Service Station:** Lands and buildings providing for the sale of fuel, lubricants and automotive accessories. Maintenance and minor repairs for motor vehicles may be provided, but no body repairs or painting or the extended storage of inoperable or wrecked vehicles shall be permitted.

**Setback Line:** A line drawn parallel with a street line or lot line and drawn through the point of a building nearest to the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line or the lot line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

## **SETBACK LINE**



**Shopping Center:** A group of commercial establishments built on one tract that is planned and developed as an operating unit; it provides on-site parking in definite relationship to the type and total size of the stores. The commercial establishments may be located in one or several buildings, attached or separated.

**Sight Easement at Intersection:** A triangular shaped area established in accordance with the requirements of this Ordinance in which no grading, planting or structure shall be erected or maintained, except for street signs, fire hydrants and light standards.

**Sign:** Any building or structure or portion thereof on which any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person or product when the same is placed in view of the general public.

**Site Plan:** A development plan of one or more lots on which is shown (1) the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes and waterways, (2) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices, and (3) any other information that may be reasonably required in order to make an informed determination concerning the adequacy of the plan in accordance with the requirements of this Ordinance.

**Site Plan Review:** The examination of the specific development plans for a lot. Wherever the term "Site Plan Approval" is used in this ordinance, it shall be understood to mean a requirement that the site plan be reviewed and approved by the Board.

**Story:** That portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling next above it. For the purpose of this Ordinance, the interior of the roof shall not be considered a ceiling. A half story is the area under a pitched roof at the top of a building, the floor of which is at least four (4) feet, but no more than six (6) feet, below the plate.

**Street:** Any street, avenue, boulevard, road, parkway, viaduct, drive or other way 1) which is an existing state, county or municipal roadway, or 2) which is shown upon a plat heretofore approved pursuant to law, or 3) which is approved by N. J. S. A. 40:55D-1, et seq., or 4) which is shown on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats; and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line.

**Street Line:** The edge of the existing or future street right-of-way, whichever would result in the widest right-of-way, as shown on the adopted Master Plan or Official Map, forming the dividing line between the street and a lot.

**Structure:** Anything constructed, assembled or erected which requires location on the ground or attachment to something having such location on or in the ground, including buildings, fences, tanks, towers, signs, advertising devices and swimming pools.

**Subdivisions:** The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this Ordinance if no new streets are created: 1) divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the Chairman to be for agricultural purposes where all resulting parcels are five (5) acres or larger in size; 2) divisions of property by testamentary or intestate provisions; 3) divisions of property upon court order; and 4) conveyances so as to combine existing lots by deed or other instrument. The term "subdivision" shall also include the term "resubdivision."

**Minor Subdivision:** Any division of land containing an aggregate of not more than three (3) lots (two new lots and the remaining parcel), each fronting on an existing street or streets; not involving any new street or the installation of any street improvements or the extension of township facilities; not involving any street(s) requiring additional right-of-way width as specified in the Master Plan or Official Map and the street requirements of this Ordinance, unless such additional right-of-way width, either along one (1) or both sides of said street(s), as applicable, shall be deeded to the township or to the appropriate governmental authority prior to classification as a minor subdivision; not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision of the Master Plan, Official Map, or this Ordinance; not being a further division of an original tract of land for which previous minor subdivision(s) have been approved by the township within the past two (2) year time period from the date of the current application and where the combination of the proposed and approved minor subdivision(s) constitutes a major subdivision; and not being deficient in those details and specifications required of minor subdivisions as specified in this Ordinance. The original tract of land shall be considered any tract in existence at the time of the adoption of the Ordinance of which this is a revision as shown on the township tax maps. Any readjustment of lot lines resulting in no new lots shall be classified as a minor subdivision.

**Major Subdivision:** Any division of land not classified as a minor subdivision.

**Swimming Pool, Portable:** Portable pools shall not be subject to the requirements of this Ordinance and are those pools which are not otherwise permanently installed; do not require water filtration, circulation and purification; do not exceed a water surface of one hundred (100) square feet; and do not require braces or supports.

**Swimming Pool, Private Residential:** Private residential swimming pools shall mean and include artificially constructed pools, whether located above or below the ground, having a depth of more than eighteen (18) inches and/or a water surface of one hundred (100) square feet or more; designed and maintained for swimming and bathing purposes by an individual for use by members of his household and guests and which

is located on a lot as an accessory use to a detached dwelling and shall include all buildings, structures, equipment and appurtenances thereto.

Private residential swimming pools shall be further classified into types in accordance with their particular use and shall meet the appropriate design standards as set forth by the National Swimming Pool Institute.

**Swimming Pool, Commercial:** Commercial swimming pools shall mean and include all pools associated with other than detached single-family and two-family dwellings. Commercial swimming pools shall be further classified into types in accordance with their particular use and shall meet the appropriate design standards as set forth by the National Swimming Pool Institute.

**Township:** Township of Lawrence, Mercer County, New Jersey.

**Tract:** An area of land composed of one or more lots adjacent to one another, having sufficient dimensions and area to make one parcel of land meeting the requirements of this Ordinance for the use(s) intended. The original land area may be divided by one existing public street and still be considered one tract provided that the street is not an arterial or collector road and that a linear distance equal to more than seventy-five (75) percent of the frontage of the side of the street having the larger street frontage lies opposite an equivalent linear distance of street frontage on the other side of the street.

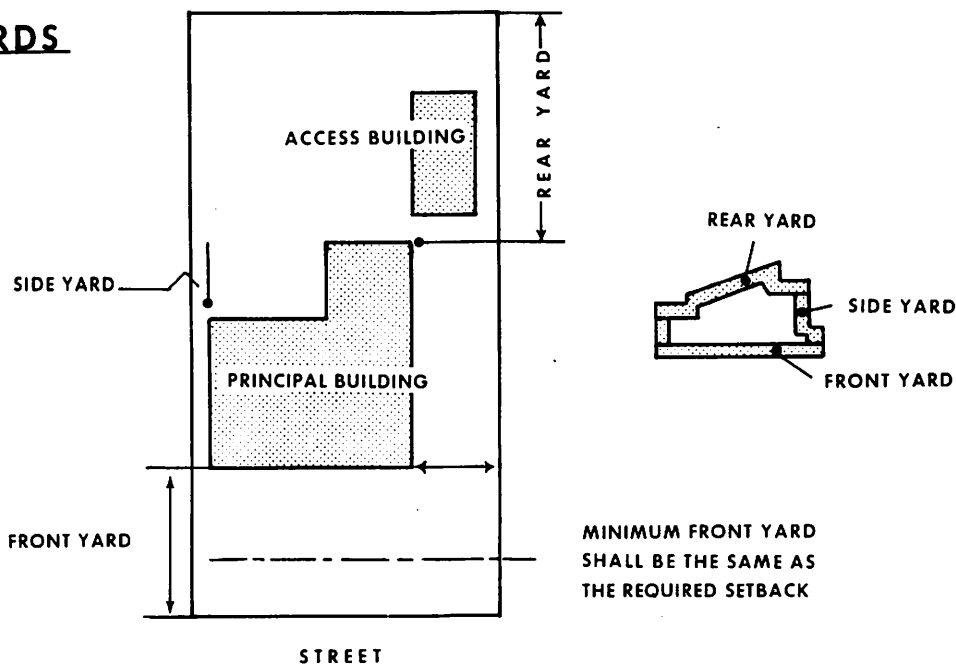
**Variance:** A departure from the terms of this Ordinance authorized by the appropriate municipal agency in accordance with N.J.S.A. 40:55D-1, et. seq.

**Yard, Front:** An open space extending across the full width of the lot and lying between the street line and the closest point of the principal building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the tangent lines of curved street lines. The minimum required front yard shall be the same as the required setback.

**Yard, Rear:** An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the tangent of curved rear lot lines.

**Yard, Side:** An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the principal building on the lot. The width of the required side yard shall be measured horizontally and at right angles to either a straight side line or the tangent lines of curved side lot lines.

## YARDS



SECTION 300

ZONING DISTRICTS AND ZONING MAP

301 ZONING DISTRICTS

For the purpose of this Ordinance, the Township of Lawrence is hereby divided into seventeen (17) districts as follows:

<u>Symbol</u>	
R-120	Low Density Rural Residential
R-80	Low Density Single Family Residential
R-60	Low Density Residential
R-30	Medium Density Residential
R-15	Medium Density Residential
R-9	High Density Residential
R-7.5	High Density Residential
A/T	Apartment/Townhouse Multiple-Family Residential
NC	Neighborhood Commercial
HC	Highway Commercial
GC-1	General Commercial
GC-2	General Commercial
SC	Shopping Center Commercial
OC	Office Commercial
RD	Research Development
I	Industrial
R-120/SI	Low Density Residential/Special Industrial
FP	Flood Plain

302 ZONING MAP

The boundaries of these zoning districts are established on the map entitled "Zoning Map of the Township of Lawrence," dated January, 1979, which accompanies and is hereby made part of this Ordinance, except that the "FP" areas will be determined at the time of site plan or subdivision review, in accordance with Section 412 and other applicable provisions of this Ordinance.

303 INTERPRETATION OF BOUNDARIES

Zoning district boundary lines are intended to follow street centerlines, railroad rights-of-way, streams and lot or property lines as they exist on lots of record at the time of enactment of this Ordinance unless otherwise indicated by dimensions on the Zoning Map. Any dimensions shown shall be in feet and measured horizontally and, when measured from a street, shall be measured from the street right-of-way line even if the centerline of that street is used for the location of a zoning district line. The exact location of any disputed zoning district boundary line shall be determined by the Board of Adjustment. The zoning standards, controls and designations apply to every structure, lot and use within each district and the district lines extend vertically in both directions from ground level.

304 DIVISION OF A LOT IN SINGLE OWNERSHIP

Where a zoning district boundary line divides a lot other than by following a stream or street, any use permitted in either district may be extended not more than twenty (20) feet into the adjacent district. A use permitted in the zoning district so extended shall thereafter be a permitted use in the extended area. A zoning district line, however, shall be altered only once by utilizing this section of the Ordinance after which the lot use shall be governed by the regulations of the zoning district in which it is located after the zoning district boundary line adjustment.



SECTION 400

DISTRICT REGULATIONS

401 No building shall hereafter be used, erected, altered, converted, enlarged, added to, moved or reduced, wholly or in part, nor shall any land be designed, used or physically altered for any purpose or in any manner except in conformity with this Ordinance. Where a lot is formed from part of a lot already occupied by a building, any subdivision shall be effected in such a manner as not to impair any of the requirements of this Ordinance with respect to the existing building and all yard and other open space in connection therewith and so that all resulting lots have adequate dimensions consistent with the requirements of the zoning district in which they are located and so that all lots have frontage on a street.

402 "R-120" LOW DENSITY RURAL RESIDENTIAL  
"R-80" LOW DENSITY SINGLE FAMILY RESIDENTIAL

A. Purpose

These areas have been established primarily in recognition of the inherent physical limitations imposed by geological formations and soil characteristics and the recognized need to protect the potable water supply from contamination from septic effluent. Most of the designated lands are without existing or imminent services of public sewers or public water supplies. However, increased densities and the clustering of single-family detached dwellings on smaller individual lot sizes is allowed upon the provision of public sewerage facilities.

The major types of activities proposed for these areas include farming, recreation and low density single-family home construction. The minimum lot sizes for residential development without public sewerage facilities are 120,000 square feet for the "R-120" areas and 80,000 square feet for the "R-80" areas. If public sewerage facilities are provided, the minimum lot sizes may be reduced to 80,000 square feet for the "R-120" areas and 40,000 square feet for the "R-80" areas. Additionally, a clustering alternative is permitted on seweraged tracts of land at least twenty-five (25) acres in size. The clustering alternative will not increase the number of single-family homes that may be constructed on the land, but will permit the reduction of individual lot sizes to a minimum of 50,000 square feet in the "R-120" areas and 25,000 square feet in the "R-80" areas. The remaining lands not designated for housing lots and streets will be established for recreational, open space or conservation purposes.

Finally, in addition to the agricultural and low density residential uses, the "R-120" and "R-80" areas permit research enterprises, such as Squibb and the Educational Testing Service, as "conditional uses" on tracts of land at least two hundred (200) acres in area.

B. Principal Permitted Uses On The Land And In Buildings

1. Farms.
2. Detached dwelling units.
3. Public playgrounds, conservation areas, parks and public purpose uses.
4. Churches.
5. Public and private day schools of elementary and/or high school grade, not operated for profit.
6. Golf courses.
7. Residential Clusters in accordance with the provisions specified in Section 603 of this Ordinance.
8. Research Complexes as Conditional Uses under R. S. 40:55-39(b). (See Section 601 for standards).

C. Accessory Uses Permitted

1. Private residential swimming pools (see Section 516 for standards).
2. Private residential tool sheds not to exceed fifteen (15) feet in height.

3. Boats on trailers and campers to be parked or stored only and located in rear or side yards only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situated on a lot.

4. Tennis courts and other usual recreational facilities.
5. Off-street parking and private garages.
6. Fences and walls (see Section 504).
7. Signs.
8. Residential agriculture.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height and 2.5 stories except that churches shall not exceed fifty-five (55) feet in height and except further as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	With Individual Sewerage Facilities				With Public Sewerage Facilities	
	Detached Dwellings "R-120" District	Detached Dwellings "R-80" District	Churches and Schools	Golf Courses	Detached Dwellings "R-120" District	Detached Dwellings "R-80" District
<u>Principal Building Minimum</u>						
Lot area	120,000 sq. ft.	80,000 sq. ft.	5 ac.	75 ac.	80,000 sq. ft.	40,000 sq. ft.
Lot frontage	250'	200'	300'	100'	200'	150'
Lot width	250'	200'	300'	600'	200'	150'
Lot depth	300'	250'	600'	1000'	250'	200'
Side yard (each)	50'	40'	100'	200'	40'	30'
Front yard	100'	75'	100'	200'	75'	50'
Rear yard	100'	75'	100'	200'	75'	50'
<u>Accessory Building Minimum</u>						
Distance to side line	50'	30'	50'	50'	30'	20'
Distance to rear line	50'	30'	50'	50'	30'	20'
Distance to other building	10'	10'	50'	50'	10'	10'
<u>Maximum</u>						
Building coverage of principal bldg.	10%	10%	8%	1%	10%	10%
Building coverage of accessory building(s)	5%	5%	2%	0.5%	5%	5%

F. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within six (6) feet of any property line. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Dwelling units shall each provide two (2) spaces per dwelling unit.
2. Churches shall provide one (1) space per every five (5) permanent seats. (One seat shall be considered 22 inches in calculating the capacity of pews or benches.)

3. Schools shall provide one (1) space per employee for grades kindergarten through tenth grades, two and one-half (2.5) spaces per employee for grades eleven and twelve, and in all cases sufficient space for school bus loading and unloading.

4. Golf courses and public utilities shall provide sufficient spaces and maneuvering area to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.

5. See Section 509 for additional standards.

G. Permitted Signs

1. Churches and schools: One (1) free-standing sign not exceeding twenty (20) square feet in area and ten (10) feet in height and set back at least twenty-five (25) feet from all street rights-of-way and lot lines plus one (1) attached sign not exceeding twenty-five (25) square feet in area.

2. Golf courses: one (1) free-standing sign not exceeding twelve (12) square feet in area and ten (10) feet in height and set back at least twenty-five (25) feet from all street rights-of-way and lot lines.

3. See Section 514 for additional standards.

403 "R-60" LOW DENSITY RESIDENTIAL  
"R-30" MEDIUM DENSITY RESIDENTIAL  
"R-15" MEDIUM DENSITY RESIDENTIAL

A. Purpose

These areas have been established primarily in recognition of the existing densities of residential development within specified areas of the township. In those instances where there is existing competition between residential and commercial uses, the areas have been designated residential with the intent of stabilizing the residential areas and preventing deterioration which can grow from neighboring nuisances such as high traffic volumes.

The "R-60," "R-30" and "R-15" areas permit the construction of single-family homes on individual lots of 60,000 square feet, 30,000 square feet and 15,000 square feet respectively. The "R-60" district permits the reduction of the individual lot size to 40,000 square feet if public sewerage facilities are provided. Additionally, a clustering alternative is provided in each district area on seweraged tracts of land at least twenty-five (25) acres in size. The clustering alternative does not increase the number of single-family homes that may be constructed on the land, but does permit the reduction of individual lot sizes to a minimum of 25,000 square feet in the "R-60" areas, 18,000 square feet in the "R-30" areas and 11,000 square feet in the "R-15" areas. The remaining lands not designated for housing lots and streets will be established for recreational, open space or conservation purposes.

Since certain of the vacant parcels within the "R-15" areas are located within close proximity to recreational, public transit, commercial and health care facilities required for the location of senior citizen housing, such housing is permitted as a "conditional use" in accordance with specific locational, land use design and financing criteria.

B. Principal Permitted Uses On The Land And In Buildings

1. Farms.
2. Detached dwelling units.
3. Public playgrounds, conservation areas, parks and public purpose uses.
4. Churches.
5. Public and private day schools of elementary and/or high school grade, not operated for profit.
6. Golf courses.
7. Residential Clusters in accordance with the provisions specified in Section 603 of this Ordinance.

8. Senior citizen housing in the "R-15" District only as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards).

C. Accessory Uses Permitted

1. Private residential swimming pools (see Section 516 for standards).
2. Private residential tool sheds not to exceed fifteen (15) feet in height.
3. Boats on trailers and campers to be parked or stored only and located in rear or side yards only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situated on a lot.
4. Tennis courts and other usual recreational facilities.
5. Off-street parking and private garages.
6. Fences and walls (see Section 504).
7. Signs.
8. Residential agriculture.
9. Home professional offices.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height and 2.5 stories except that churches shall not exceed fifty-five (55) feet in height and except further as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	With Individual Sewerage Facilities				With Public Sewerage and Water Facilities		
	Detached Dwellings "R-60," "R-30" & "R-15" Districts	Churches	Schools	Golf Courses	Detached Dwellings "R-60" District	Detached Dwellings "R-30" District	Detached Dwellings "R-15" District
<u>Principal Building Minimum</u>							
Lot area	60,000 sq ft	40,000 sq ft	5 ac	75 ac	40,000 sq ft	30,000 sq ft	15,000 sq ft
Lot frontage	175'	150'	300'	100'	150'	125'	100'
Lot width	175'	150'	300'	600'	150'	125'	100'
Lot depth	225'	200'	600'	1000'	200'	150'	120'
Side yard (each)	35'	40'	100'	200'	30'	20'	15'
Front yard	60'	50'	100'	200'	50'	45'	40'
Rear yard	60'	50'	100'	200'	50'	45'	40'
<u>Accessory Building Minimum</u>							
Distance to side line	20'	40'	50'	50'	15'	10'	10'
Distance to rear line	20'	40'	50'	50'	15'	10'	10'
Distance to other building	10'	30'	50'	50'	10'	10'	10'
<u>Maximum</u>							
Building coverage of principal bldg.	10%	8%	8%	1%	10%	11%	12%
Building coverage of accessory building(s)	5%	2%	2%	0.5%	5%	5%	5%

F. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within six (6) feet of any property line. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Dwelling units shall each provide two (2) spaces per dwelling unit.
2. Churches shall provide one (1) space per every five (5) permanent seats. (One seat shall be considered 22 inches in calculating the capacity of pews or benches.)
3. Schools shall provide one (1) space per employee for grades kindergarten through tenth grades, two and one-half (2.5) spaces per employee for grades eleven and twelve, and in all cases sufficient space for school bus loading and unloading.
4. Golf courses shall provide sufficient spaces and maneuvering area to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.
5. Home professional offices shall provide one (1) space per one hundred (100) square feet of gross floor area or fraction thereof devoted to the professional home office.
6. See Section 509 for additional standards.

G. Permitted Signs

1. Churches and schools: One (1) free-standing sign not exceeding twenty (20) square feet in area and ten (10) feet in height and set back at least twenty-five (25) feet from all street rights-of-way and lot lines plus one (1) attached sign not exceeding twenty-five (25) square feet in area.
2. Golf courses: One (1) free-standing sign not exceeding twelve (12) square feet in area and ten (10) feet in height and set back at least twenty-five (25) feet from all street rights-of-way and lot lines.
3. See Section 514 for additional standards.

404 "R-9" HIGH DENSITY RESIDENTIAL  
"R-7.5" HIGH DENSITY RESIDENTIAL

A. Purpose

These areas have been established primarily in recognition of the existing densities of residential development within specified areas of the township. In those instances where there is existing competition between residential and commercial uses, the areas have been designated residential with the intent of stabilizing the residential areas and preventing deterioration which can grow from neighboring nuisances such as high traffic volumes. A significant amount of the vacant acreage available for development within these designated areas are individual lots intermixed with developed parcels.

The "R-9" and "R-7.5" areas permit the construction of single-family homes on individual lots of 9,000 square feet and 7,500 square feet respectively. Additionally, the construction of two-family dwellings on individual lots 15,000 square feet in the "R-9" areas and 12,000 square feet in the "R-7.5" areas is also permitted. It is the specific intent of the two-family alternative that each lot and structure will be individually owned and that the structure will be designed with both a principal dwelling unit for the residence of the property owner and a second dwelling unit which may be offered by the property owner for rent.

In addition to the foregoing land use provisions, certain other uses are provided which recognize the unique characteristics of these areas of the township:

1. In those particular locations where the "R-9" or "R-7.5" areas abut U.S. Route 1, professional office uses are permitted, either by conversion of existing residential structures or new construction.

2. Since certain of the vacant parcels within the "R-7.5" and "R-9" areas are located within close proximity to recreational, public transit, commercial and health care facilities required for the location of senior citizen housing, such housing is permitted as a "conditional use" in accordance with specific locational, land use design and financing criteria.

B. Principal Permitted Uses On The Land And In Buildings

1. Detached dwelling units.
2. Two-family dwelling units.
3. Public playgrounds, conservation areas, parks and public purpose uses.
4. Churches.
5. Public and private day schools of elementary and/or high school grade, not operated for profit.
6. Senior citizen housing as Conditional Uses under N. J. S. A. 40:55D-67 (See Section 601 for standards).
7. Professional office uses on lots abutting U. S. Route 1 north of the "Brunswick Circle" as Conditional Uses under N. J. S. A. 40:55D-67 (See Section 601 for standards).

C. Accessory Uses Permitted

1. Private residential swimming pools (See Section 516 for standards).
2. Private residential tool sheds not to exceed fifteen (15) feet in height.
3. Boats on trailers and campers to be parked or stored only and located in rear or side yards only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situated on a lot.
4. Tennis courts and other usual recreational facilities.
5. Off-street parking and private garages.
6. Fences and walls (see Section 504).
7. Signs.
8. Residential agriculture.
9. Home professional offices.
10. Home occupations.

**D. Maximum Building Height**

No building shall exceed thirty-five (35) feet in height and 2.5 stories except that churches shall not exceed fifty-five (55) feet in height and except further as provided in Section 602 of this Ordinance.

**E. Area And Yard Requirements**

	<u>With Individual Sewerage Facilities</u>			<u>With Public Sewerage and Water Facilities</u>			
	Detached Dwellings "R-9" & "R-7.5" Districts	Churches	Schools	Detached Dwellings "R-9" District	Detached Dwellings "R-7.5" District	Two-Family Dwellings "R-9" District	Two-Family Dwellings "R-7.5" District
<b>Principal Building Minimum</b>							
Lot area	60,000 sq ft	40,000 sq ft	5 ac	9,000 sq ft	7,500 sq ft	15,000 sq ft	12,000 sq ft
Lot frontage	175'	150'	300'	75'	60'	100'	100'
Lot width	175'	150'	300'	75'	60'	100'	100'
Lot depth	225'	200'	600'	100'	90'	120'	100'
Side yard (each)	35'	40'	100'	10'	10'	15'	15'
Front yard	60'	50'	100'	30'(1)	30'(1)	35'(1)	35'(1)
Rear yard	60'	50'	100'	35'	35'	40'	35'
<b>Accessory Building Minimum</b>							
Distance to side line	20'	40'	50'	10'	10'	10'	10'
Distance to rear line	20'	40'	50'	10'	10'	10'	10'
Distance to other building	10'	30'	50'	10'	10'	10'	10'
<b>Maximum</b>							
Building coverage of principal bldg.	10%	8%	1%	25%	30%	25%	25%
Building coverage of accessory building(s)	5%	2%	0.5%	5%	5%	5%	5%

(1) 30 feet or the same as the average setback of existing structures on the same side of the block between two intersecting streets but not less than 20 feet.

**F. Minimum Off-Street Parking**

Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within six (6) feet of any property line. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Dwelling units shall each provide two (2) spaces per dwelling unit.
2. Churches shall provide one (1) space per every five (5) permanent seats. (One seat shall be considered 22 inches in calculating the capacity of pews or benches.)
3. Schools shall provide one (1) space per employee for grades kindergarten through tenth grades, two and one-half (2.5) spaces per employee for grades eleven and twelve, and in all cases sufficient space for school bus loading and unloading.
4. Home professional offices shall provide one (1) space per one hundred (100) square feet of gross floor area or fraction thereof devoted to the professional home office.

5. Home occupations shall provide one (1) space per two hundred (200) square feet of gross floor area or fraction thereof devoted to the home occupation.

6. See Section 509 for additional standards.

G. Permitted Signs

1. Churches and schools: One (1) free-standing sign not exceeding twenty (20) square feet in area and ten (10) feet in height and set back at least twenty-five (25) feet from all street rights-of-way and lot lines plus one (1) attached sign not exceeding twenty-five (25) square feet in area.

2. See Section 514 for additional standards.

405 "A/T" APARTMENT/TOWNHOUSE MULTIPLE-FAMILY RESIDENTIAL

A. Purpose

The "A/T" areas have been designated in recognition of the existing multiple-family development throughout Lawrence Township as well as to provide additional land for the construction of housing at relatively high densities.

B. Principal Permitted Uses On The Land And In Buildings

1. Garden Apartments (see Section 604 for additional standards).

2. Townhouses (see Section 605 for additional standards).

3. Any development incorporating both garden apartments and townhouses must allow that no more than sixty-five (65) percent of all dwelling units are either garden apartments or townhouses.

C. Accessory Uses Permitted

1. Private residential swimming pools (see Section 516 for standards).

2. Off-street parking and private garages.

3. Fences and walls (see Section 504).

4. Signs.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height and 2.5 stories except as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

1. The minimum tract size shall be ten (10) acres. A minimum of three hundred (300) feet of frontage on one existing public street shall be required. All plans shall delineate the boundaries of the portion(s) of the tract devoted to each use.

2. Land area equal to at least two hundred fifty (250) square feet for each dwelling unit shall be specified on the site plan and improved by the developer as active recreation areas for use by the residents of the development. Such areas shall be an integral part of the development and each shall be at least one-half ( $\frac{1}{2}$ ) acre in size, at least one hundred (100) feet wide and have a grade less than five (5) percent. Recreational facilities shall include residential swimming pool(s) and regulation doubles tennis court(s) or for developments where a swimming pool or tennis court are not feasible, the Planning Board may permit other recreational facilities to be constructed in lieu of and as alternative equivalents of the aforesaid pool and tennis facilities, provided they are equal to or greater in value than such pool and tennis court and would seem to be appropriate substitutes thereof.

3. See Section 603 F. for additional standards concerning open space requirements.

F. Density

No development shall exceed ten (10) dwelling units per acre.



G. Minimum Off-Street Parking

1. Two (2) spaces for each apartment or townhouse dwelling unit.
2. See Section 509 for additional standards.

H. Permitted Signs

1. Each development may have one (1) sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign(s) shall not exceed ten (10) feet in height, shall be set back from the street rights-of-way and driveways at least thirty (30) feet, shall be set back from any property line a minimum of fifty (50) feet, shall not exceed an area of twenty-five (25) square feet and shall be used only to display the development's name.

2. See Section 514 for additional standards.

406 "NC" NEIGHBORHOOD COMMERCIAL  
"HC" HIGHWAY COMMERCIAL

A. Purpose

The "NC" areas provide locations within Lawrence Township where retail and service establishments may be located for the convenience needs of the immediately surrounding residential areas. The types of uses in these areas include local grocery stores, delicatessens, meat markets, luncheonettes, drug stores, newspaper and magazine stores, barber and beauty shops, and banks.

The "HC" areas provide locations in the township where highway oriented services can be situated. Included in the zoning controls are requirements to mitigate the elements of traditional highway development which have created what is unflatteringly known as "commercial strip development." The ordinance provisions discourage the incremental growth of marginal land uses and specify controls to insure proper access and attention to site planning details such as lighting, signs, circulation patterns and buffer areas.

B. Principal Permitted Uses On The Land And In Buildings

1. Retail sales of goods and services.
2. Garden centers engaged in the retail sales of living plant material and related garden equipment. Outside storage, sale or display areas shall not exceed four (4) times the building coverage and shall be used only for the storage, sale and display of living plant material.
3. Banks, including drive-in facilities.
4. Offices and office buildings.
5. Restaurants, bars, taverns and night clubs in the "HC" District only.
6. Automobile sales through franchised new car dealers in the "HC" District only.
7. Motels in the "HC" District only as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)
8. Car washes in the "HC" District only as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)
9. Service stations in the "HC" District only as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)
10. Public utility uses in the "HC" District only as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)
11. Commercial Parks in the "HC" District only on tracts of land at least ten (10) acres in area comprised of the preceding uses.
12. Hotels in the "HC" District only on Route 1 north of the Interstate 295/Route 1 interchange as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)

C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.

5. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	Individual Uses "NC" District	Individual Uses "HC" District	Commercial Park Uses "HC" District
<u>Principal Building</u>			
<u>Minimum</u>			
Lot area	5,000 sq. ft.	40,000 sq. ft.	30,000 sq. ft.
Lot frontage	50'	200'	150'
Lot width	50'	200'	150'
Lot depth	90'	175'	125'
Side yard (each)	(1)	25'	20'
Front yard	25'	75'	50'
Rear yard	25'	60'	40'
<u>Accessory Building</u>			
<u>Minimum</u>			
Distance to side line	5'	20'	15'
Distance to rear line	5'	20'	15'
Distance to other bldg.	5'	20'	15'
<u>Maximum</u>			
Combined building coverage of principal building and accessory building(s)	60%	25%	25%

- (1) In order to encourage an end product which provides parking, access and architectural continuity even where development occurs piecemeal and with diverse ownership, buildings may be attached and may be built to the interior side line(s) in order to be attached. Attached buildings may include two (2) walls which must be keyed to each other. Where buildings are built to both side lot lines, the site plan shall be accompanied by appropriate legal material and plans showing properly located loading spaces and trash receptacles with permitted access across adjacent properties. If structures are not attached or if the property abuts a residential zone or existing residential use, the side yard(s) shall be at least ten (10) feet.

F. General Requirements

1. Any principal building may contain more than one (1) use and/or organization provided that the total building coverage of the combined activities does not exceed the maximum building coverage specified for the district and, further, that each activity occupies a minimum gross floor area of 750 square feet.

2. In the "HC" District, at least the first fifteen (15) feet adjacent to any street line and eight(8) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.

3. Excepting for garden centers, no merchandise, products or similar materials or objects shall be displayed or stored outside.

4. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes.

5. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition.

6. A minimum buffer area of twenty (20) feet in width in the "HC" District and ten (10) feet in width in the "NC" District shall be provided along any common property line with a residential district or residential use. (See Section 804 B. 17. for additional standards).

#### G. Minimum Off-Street Loading

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.

2. Individual uses shall provide one (1) space for the first five thousand (5,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional seven thousand (7,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.

3. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading areas provided the container in no way interferes with or restricts loading and unloading functions.

#### H. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Retail and service activities shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area.

2. Garden centers: Parking shall be provided at the ratio of six (6) spaces per one thousand (1,000) square feet of gross floor area of buildings plus one-half (0.5) space per one thousand (1,000) square feet of outside storage, sale or display area.

3. Banks and offices shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area. Additionally, drive-in banks shall provide room for at least twelve (12) automobiles per drive-in window for queuing purposes.

4. Restaurants, bars, taverns and night clubs shall provide a minimum of one (1) space for every three (3) seats, but in all cases a sufficient number of spaces to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.

5. Automobile sales: Ten (10) spaces for customer convenience separated from vehicular displays and not used by employees.

6. See Section 509 for additional standards.

I. Permitted Signs

1. Local retail and service activities, garden centers, banks, office buildings, restaurants, bars, taverns and night clubs may have one (1) sign either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least twenty-five (25) feet from all street and lot lines in the "HC" District and twenty (20) feet from all street and lot lines in the "NC" District. Where an individual activity has direct access from the outside, a sign not exceeding four (4) square feet identifying the name of the activity may also be attached to the building at the entrance to the activity.

2. See Section 514 for additional standards.

407 "GC-1" GENERAL COMMERCIAL  
"GC-2" GENERAL COMMERCIAL

A. Purpose

The "GC" areas allow a wide spectrum of commercial activities not necessarily associated with highway access and the traveling public. Uses for these areas include retail and service establishments as well as offices, limited manufacturing operations and warehousing enterprises. The standards applied to these areas require maximum attention to proper site design including the location of structures, parking areas and proper ingress and egress as well as the development of a compatible architectural and landscaping design. The "GC" areas are separated into "GC-1" and "GC-2" Districts based upon the prevailing lot sizes, character of uses and the ability to provide buffer and landscaped areas.

B. Principal Permitted Uses On The Land And In Buildings

1. Retail sales of goods and services.
2. Offices and office buildings.
3. Restaurants, bars, taverns and night clubs.
4. Automobile sales through franchised new car dealers.
5. Construction enterprises, vehicle repair garages and body shops.
6. Manufacturing plants of a type which carry on processes within completely enclosed buildings including the manufacture, assembly or treatment of products from previously prepared materials.
7. Wholesale distribution centers and warehouses.
8. Service stations as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)
9. Public utility uses as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)

C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.
5. Outside storage areas restricted to vehicles.
6. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided

said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

**D. Maximum Building Height**

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

**E. Area And Yard Requirements**

	<u>"GC-1" District</u>	<u>"GC-2" District</u>
<u>Principal Building Minimum</u>		
Lot area	30,000 sq. ft.	40,000 sq. ft.
Lot frontage	150'	200'
Lot width	150'	200'
Lot depth	125'	175'
Side yard (each)	20'	25'
Front yard	50'	75'
Rear yard	40'	60'
<u>Accessory Building Minimum</u>		
Distance to side line	15'	20'
Distance to rear line	15'	20'
Distance to other building	15'	20'
<u>Maximum Combined building coverage of principal building and accessory building(s)</u>	40%	30%

**F. General Requirements**

1. Any principal building may contain more than one (1) use and/or organization provided that the total building coverage of the combined activities does not exceed the maximum building coverage specified for the district and, further, that each activity occupies a minimum gross floor area of 750 square feet.
2. At least the first twenty (20) feet adjacent to any street line and ten (10) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.
3. No merchandise, products, equipment or similar material or objects shall be displayed or stored outside except that, subject to approval by the Planning Board, uses may have an outside storage area for vehicles provided such outside storage area does not exceed twenty (20) percent of the lot area and is located in the rear yard only. The area shall be enclosed entirely by a fence, wall, plant material or combination thereof in order to provide a visual barrier between the storage areas and any street or property line.
4. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes.
5. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition.
6. A minimum buffer area of twenty (20) feet in width in the "GC-1" District and forty (40) feet in the "GC-2" District shall be provided along any common property line with a residential district or residential use. (See Section 804 B. 17. for additional standards.)

G. Minimum Off-Street Loading

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.

2. Each use shall provide one (1) space for the first five thousand (5,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional seven thousand (7,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.

3. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions.

H. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Retail and service activities shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area.

2. Offices shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area.

3. Restaurants, bars, taverns and night clubs shall provide a minimum of one (1) space for every three (3) seats, but in all cases a sufficient number of spaces to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.

4. Automobile sales: Ten (10) spaces for customer convenience separated from vehicular displays and not used by employees.

5. Construction enterprises, vehicle repair garages, body shops, manufacturing plants, wholesale distribution centers and warehouses:

a. One (1) space for every one thousand (1,000) square feet or fraction thereof of floor area used for inside storage and warehousing plus one (1) space for every seven hundred (700) square feet or fraction thereof of floor area used for manufacturing, repair or body work plus one (1) space for every two hundred (200) square feet or fraction thereof of floor area used for offices.

b. In addition, one (1) space for every vehicle owned and/or operated by the use operating from the site shall be provided.

6. See Section 509 for additional standards.

I. Permitted Signs

1. Local retail and service activities, office buildings, restaurants, bars, taverns, night clubs, construction enterprises, vehicle repair garages, body shops, manufacturing plants, wholesale distribution centers and warehouses may have one (1) sign either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least thirty (30) feet from all street and lot lines. Where an individual activity has direct access from the outside, a sign not exceeding four (4) square feet identifying the name of the activity may also be attached to the building at the entrance to the activity.

2. See Section 514 for additional standards.

408 "SC" SHOPPING CENTER COMMERCIAL

A. Purpose

The "SC" areas are designated in recognition of the existing three (3) shopping centers in the township. No additional shopping centers are permitted.

B. Principal Permitted Uses On The Land And In Buildings

1. Retail sales of goods and services.
2. Restaurants, bars and taverns.
3. Department stores.
4. Banks, including drive-in facilities.
5. Offices and office buildings.
6. Theaters, bowling alleys and other indoor recreational activities.
7. Motels as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for additional standards.)
8. Service stations as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for additional standards.)
9. Shopping centers comprised of the preceding uses.
10. Public utility uses as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for additional standards.)

C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.
5. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

**E. Area And Yard Requirements**

	<u>Individual Uses</u>	<u>Shopping Centers</u>
<u>Principal Building</u> <u>Minimum</u>		
Lot area	40,000 sq. ft.	40 ac.
Lot frontage	200'	500'
Lot width	200'	500'
Lot depth	175'	1,000'
Side yard (each)	25'	100'
Front yard	75'	75'
Rear yard	60'	100'
 <u>Accessory Building</u> <u>Minimum</u>		
Distance to side line	20'	100'
Distance to rear line	20'	100'
Distance to other building	20'	(1)
 <u>Maximum</u> Combined building coverage of principal building and accessory building(s)	25%	30%

- (1) All buildings shall be separated by a minimum of twenty-five (25) feet provided such separation is to be used solely for pedestrian circulation. All buildings shall be separated by a minimum of fifty (50) feet when any part of such separation is to be used for parking or vehicular circulation. However, the separation requirements should not be construed to prohibit covered pedestrian walkways when the roof or covering of such walkway extends between the buildings.

**F. General Requirements**

1. Any principal building may contain more than one (1) use and/or organization provided that the total building coverage of the combined activities does not exceed the maximum building coverage specified for the district and, further, that each activity occupies a minimum gross floor area of 750 square feet.

2. At least the first twenty-five (25) feet adjacent to any street line and ten (10) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.

3. No merchandise, products, equipment or similar material or objects shall be displayed or stored outside except as approved by the Planning Board. The area shall be enclosed entirely by a fence, wall, plant material or combination thereof in order to provide a visual barrier between the storage areas and any street, residential zoning district or parking area.

4. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes.

5. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition. In any case, no less than fifteen percent (15%) of the total lot area shall be landscaped.

6. A minimum buffer area of twenty-five (25) feet in width shall be provided along any common property line with a residential district or residential use (see Section 804 B. 17.).

**G. Minimum Off-Street Loading**

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.



2. Individual uses shall provide one (1) space for the first five thousand (5,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional seven thousand (7,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.

3. Shopping center proposals shall be reviewed on a case-by-case basis to establish the adequacy of proposed loading facilities.

4. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions.

#### H. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Retail and service activities and shopping centers shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area.

2. Restaurants, bars and taverns shall provide a minimum of one (1) space for every three (3) seats, but in all cases a sufficient number of spaces to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.

3. Department stores: Parking shall be provided at the ratio of seven (7) spaces per one thousand (1,000) square feet of gross floor area.

4. Banks and offices shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area. Additionally, drive-in banks shall provide room for at least twelve (12) automobiles per drive-in window for queuing purposes.

5. Theaters shall provide one (1) space for every four (4) seats.

6. Bowling alleys shall provide four (4) spaces per bowling lane.

7. Other indoor recreational activities shall provide parking as determined by the Board.

8. Hotels and motels shall provide one and one-quarter (1.25) spaces per room.

9. See Section 509 for additional standards.

#### I. Permitted Signs

1. Individual local retail and service activities, restaurants, bars, taverns, department stores, banks, theaters, bowling alleys, other indoor recreational activities, office buildings, hotels and motels, may have one (1) sign either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least twenty-five (25) feet from all street and lot lines. Where an individual activity has direct access from the outside, a sign not exceeding four (4) square feet identifying the name of the activity may also be attached to the building at the entrance to the activity.

2. Each shopping center may have one (1) free-standing sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign shall not exceed a height of twenty-five feet, shall be set back from the street rights-of-way and driveways at least fifty (50) feet, shall be set back from any property line a minimum of one hundred (100) feet and shall not exceed an area of one hundred fifty (150) square feet.

a. Where uses share a common walkway, each use served by the walkway may have one (1) additional sign which shall be either attached flat against the building or be suspended in

perpendicular fashion from the roof over the common walkway. Suspended signs shall be no closer than eight (8) feet at their lowest point to the finished grade level below them. No such sign shall exceed ten (10) square feet in area.

b. All signs in a shopping center shall conform in character with all other signs in the complex and shall blend with the overall architectural scheme of the shopping center.

3. See Section 514 for additional standards.

409 "OC" OFFICE COMMERCIAL

A. Purpose

The "OC" area is provided in recognition of the unique opportunities and constraints presented by the land characteristics at Franklin Corner. The area has already been developed with office uses including office buildings and banks, and such uses are appropriate in the context of the freeway right-of-way, the existing residential structures bordering Franklin Corner Road and the residential characteristics of the traffic flow along the road.

B. Principal Permitted Uses On The Land And In Buildings

1. Public playgrounds, conservation areas, parks and public purpose uses.
2. Offices and office buildings.
3. Banks, including drive-in facilities.
4. Office Parks on tracts at least fifteen (15) acres in area comprised of the preceding uses.
5. Public utility uses as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for additional standards).

C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.
5. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

D. Maximum Building Height

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	<u>Individual Uses</u>	<u>Office Park Uses</u>
<u>Principal Building</u>		
<u>Minimum</u>		
Lot area	5 ac.	3 ac.
Lot frontage	400'	300'
Lot width	400'	300'
Lot depth	400'	300'
Side yard (each)	75'	50'
Front yard	125'	100'
Rear yard	75'	50'
<u>Accessory Building</u>		
<u>Minimum</u>		
Distance to side line	75'	50'
Distance to rear line	75'	50'
Distance to other building	50'	50'
<u>Maximum</u>		
Combined building coverage of principal building and accessory building(s)	25%	25%

F. General Requirements

1. Any principal building may contain more than one use or organization. Any lot may contain more than one principal building provided that the minimum lot size is at least ten (10) acres and that all land coverage requirements of this Ordinance are met.
2. At least the first twenty-five (25) feet adjacent to any street line and fifty (50) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.
3. No merchandise, products, waste, equipment or similar material or objects shall be displayed or stored outside.
4. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition. In any case, no less than twenty-five percent (25%) of the total lot area shall be landscaped.
5. A minimum buffer area of twenty-five (25) feet in width shall be provided along any common property line with a residential district or residential use (see Section 804 B. 17.).

G. Minimum Off-Street Loading

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.
2. Each activity shall provide one (1) space for the first eight thousand (8,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional ten thousand (10,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.
3. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions.

#### H. Minimum Off-Street Parking

Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together.

1. Offices and banks shall provide parking at the ratio of five (5) spaces per one thousand (1,000) square feet of gross floor area. Additionally, drive-in banks shall provide room for at least twelve (12) automobiles per drive-in window for queuing purposes.
2. See Section 509 for additional standards.

#### I. Permitted Signs

1. Each permitted use may have one (1) sign either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least thirty (30) feet from all street and lot lines. Where an individual activity has direct access from the outside, a sign not exceeding four (4) square feet identifying the name of the activity may also be attached to the building at the entrance to the activity.
2. See Section 514 for additional standards.

### 410 "RD" RESEARCH DEVELOPMENT

#### A. Purpose

The "RD" areas are proposed for the location of research uses as well as office activity. The designated areas provide excellent road access with convenient proximity to the Princeton Pike/I-295 interchange. However, the areas are also adjacent to existing and proposed low and medium density residential development. It is intended that any "RD" development be compatible with the residential surroundings.

In an effort to maintain the existing character of the area, while at the same time providing flexibility for land development, different minimum lot sizes are permitted within the "RD" areas dependent upon their particular location. Specifically, all lots either fronting upon or west of Princeton Pike shall be at least ten (10) acres in area and all other lots shall be at least five (5) acres in area. Additionally, a landscaped strip shall be provided on the five (5) acre minimum lots where such lots abut larger lots fronting upon Princeton Pike.

#### B. Principal Permitted Uses On The Land And In Buildings

1. Public playgrounds, conservation areas, parks and public purpose uses.
2. Office buildings containing a minimum of 20,000 square feet of floor area.
3. Research and engineering activities involving scientific investigation, engineering study, product development and similar activities not involving the manufacturing, sale, processing, warehousing, distribution or fabrication of material, products or goods except as incidental to the principal permitted uses.
4. Public utility uses as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for standards.)

#### C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.

5. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

6. Employee cafeterias as part of a principal building or as the entire use of an accessory building, provided the cafeteria is limited in service to the employees of the principal use designated on the site plan as approved by the Board.

D. Maximum Building Height  
No building shall exceed forty-five (45) feet and three (3) stories in height except as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	<u>Lots Fronting Upon Or West Of Princeton Pike</u>	<u>Other Lots</u>
<u>Principal Building</u>		
<u>Minimum</u>		
Lot area	10 ac.	5 ac.
Lot frontage	600'	400'
Lot width	600'	400'
Lot depth	400'	400'
Side yard (each)	100'	75'
Front yard	150'	125'
Rear yard	100'	75'
 <u>Accessory Building</u>		
<u>Minimum</u>		
Distance to side line	100'	75'
Distance to rear line	100'	75'
Distance to other building	50'	50'
 <u>Maximum</u>		
Building coverage of principal building	25%	25%
Building coverage of accessory building(s)	5%	5%

F. General Requirements

1. At least the first one hundred (100) feet adjacent to any street line and fifty (50) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.

2. No merchandise, products, waste, equipment or similar material or objects shall be displayed or stored outside.

3. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition. In any case, no less than thirty-five percent (35%) of the total lot area shall be landscaped.

4. A minimum buffer area of twenty-five feet in width shall be provided on all lots not fronting upon Princeton Pike along any common property line with lots which do front on said road. Additionally, a minimum buffer area of twenty-five feet in width shall be provided along any common property line with a residential district or residential use (see Section 804 B. 17.).

G. Minimum Off-Street Loading

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.

2. Each activity shall provide one (1) space for the first ten thousand (10,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional fifteen thousand (15,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.

3. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions.

H. Minimum Off-Street Parking

1. One (1) space for every one thousand (1,000) square feet or fraction thereof of floor area used for inside storage plus one (1) space for every seven hundred (700) square feet or fraction thereof of floor area used for research or engineering plus one (1) space for every two hundred (200) square feet or fraction thereof of floor area used for offices.

2. In addition, one (1) space for every vehicle owned and/or operated by the use operating from that site shall be provided.

3. See Section 509 for additional standards.

I. Signs

1. Office buildings, research and engineering activities shall be permitted one (1) sign not larger than the equivalent of five (5) percent of the area of the front wall of the building or seventy-five (75) square feet, whichever is smaller. If attached, the sign shall be attached flat against the building and shall not be higher than the roof line; if free standing, the sign shall not exceed ten (10) feet in height and shall be set back from all street rights-of-way and lot lines at least forty (40) feet.

2. See Section 514 for additional standards.

411 "I" INDUSTRIAL  
"R-120/SI" LOW DENSITY RESIDENTIAL/SPECIAL INDUSTRIAL

A. Purpose

The "I" areas permit a full spectrum of industrially related uses including warehouses and wholesale distribution centers. The designated areas are of a size to encourage site design flexibility and to require any development proposal to be located in a manner enhancing an overall plan, whether done cumulatively or as one total development proposal. Incentives for the development of "industrial parks" of at least twenty-five (25) acres in area are provided.

The "R-120/SI" area recognizes the unique combination of environmentally fragile lands and the existing industrial uses which have characterized the area. Single-family home construction is permitted on lots a minimum of 120,000 square feet in size and industrial uses, as provided in the "I" areas, are permitted on lots at least five (5) acres in size.

B. Principal Permitted Uses On The Land And In Buildings

1. Offices and office buildings.

2. Industrial plants of a type which carry on processes within completely enclosed buildings including the manufacture, assembly or treatment of products.

3. Wholesale distribution centers and warehouses.
4. Industrial Parks on tracts of land at least twenty-five (25) acres in area comprised of the preceding uses.
5. Detached dwellings in the "R-120/SI" District only in accordance with the requirements specified for detached dwellings in the "R-120" District.
6. Public Utility uses as Conditional Uses under N. J. S. A. 40:55D-67. (See Section 601 for additional standards).

C. Accessory Uses Permitted

1. Off-street parking.
2. Fences and walls (see Section 504).
3. Signs.
4. Garages, storage buildings and tool sheds.
5. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.
6. Employee cafeterias as part of a principal building or as the entire use of an accessory building, provided the cafeteria is limited in service to the employees of the principal use designated on the site plan as approved by the Board.

D. Maximum Building Height

No building shall exceed forty-five (45) feet and three (3) stories, except as provided in Section 602 of this Ordinance.

E. Area And Yard Requirements

	<u>Non-Residential Uses "R-120/SI" District</u>	<u>Individual Uses "I" District</u>	<u>Industrial Park Uses "I" District</u>
<u>Principal Building</u>			
<u>Minimum</u>			
Lot area	5 ac.	5 ac.	3 ac.
Lot frontage	300'	300'	250'
Lot width	300'	300'	250'
Lot depth	300'	300'	250'
Side yard (each)	75'	75'	50'
Front yard	125'	125'	100'
Rear yard	75'	75'	50'
<u>Accessory Building</u>			
<u>Minimum</u>			
Distance to side line	50'	50'	40'
Distance to rear line	50'	50'	40'
Distance to other building	50'	50'	40'
<u>Maximum</u>			
Building coverage of principal building	30%	30%	30%
Building coverage of accessory building(s)	5%	5%	5%

F. General Requirements

1. At least the first fifty (50) feet adjacent to any street line and twenty-five (25) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.
2. No merchandise, products, waste, equipment or similar material or objects shall be displayed or stored outside unless specifically approved as part of a site plan submission.
3. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes.
4. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings and maintained in good condition. In any case, not less than thirty percent (30%) of the total lot area shall be landscaped.
5. A minimum buffer area of forty (40) feet in width shall be provided along any common property line with a residential district or residential use (see Section 804 B. 17.).

G. Minimum Off-Street Loading

1. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area(s) at the side or rear of the building. Each space shall be at least 15 x 40 feet. There shall be no loading or unloading from the street.
2. Each activity shall provide one (1) space for the first eight thousand (8,000) square feet of gross floor area or fraction thereof in each building and one (1) additional space for each additional ten thousand (10,000) square feet of gross floor area or fraction thereof. Loading area requirements may be met by combining the floor areas of several activities taking place under one roof and applying the above ratios.
3. There shall be at least one trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions.

H. Minimum Off-Street Parking

1. One (1) space for every one thousand (1,000) square feet or fraction thereof of floor area used for inside storage and warehousing plus one (1) space for every seven hundred (700) square feet or fraction thereof of floor area used for manufacturing or research and testing plus one (1) space for every two hundred (200) square feet or fraction thereof of floor area used for offices.
2. In addition, one (1) space for every vehicle owned and/or operated by the use operating from that site shall be provided.
3. See Section 509 for additional standards.

I. Signs

1. Office buildings, industrial and manufacturing plants, wholesale distribution centers and warehouses shall be permitted one (1) sign not larger than the equivalent of five (5) percent of the area of the front wall of the building or seventy-five (75) square feet, whichever is smaller. If attached, the sign shall be attached flat against the building and shall not be higher than the roof line; if free-standing, the sign shall not exceed ten (10) feet in height and shall be set back from all street rights-of-way and lot lines at least forty (40) feet.
2. Each industrial park may have one (1) free-standing sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250)



feet of unbroken frontage. Such sign shall not exceed a height of twenty (20) feet, shall be set back from the street rights-of-way and driveways at least fifty (50) feet, shall be set back from any property line a minimum of one hundred (100) feet, shall not exceed an area of one hundred (100) square feet, and shall be used only to display the development's name.

3. See Section 514 for additional standards.

#### 412 "FP" FLOOD PLAIN

##### A. Purpose

The purpose of these regulations is to encourage only that development of flood prone areas which 1) are appropriate in light of the probability of flood damage and the need to reduce flood losses, 2) represents an acceptable social and economic use of the land in relation to the hazards involved, 3) does not increase the danger to human, plant or animal life, 4) provides that no decreases in the amount of available storage for flood waters within the flood plain results from any development and, conversely, to discourage all other development. This zone is created in recognition of the increased threat, severity, and frequency of floods expected to result from continued development. It is intended to retain areas adjacent to streams and rivers free from structures and other obstructions to the water flow during periodic rises in the water level.

This district is intended to protect flood plains so that flood water may have a natural course to follow, that the water course is not constricted or altered in a manner that will increase water velocities or create a dam, that the water level may rise without danger to persons, animals or property, that the water level may rise and cover larger land surfaces for the purposes of greater water percolation and recharging of the underground water supply and that a park-like network is developed throughout the township along these water courses.

##### B. Definitions

1. Appeal: A request for a review of the Municipal Engineer's interpretation of any provision of this ordinance or a request for a variance from the Planning Board.

2. Channel: The bed, and banks, of the water courses located within the boundaries of the Township of Lawrence which convey the normal flow of said water courses most of the time.

3. Design Flood: The relative size or magnitude of a flood, expressed as a design discharge in cubic feet per second; which is developed from hydrologic criteria, represents a major flood of reasonable expectancy, reflects both flood experience and flood potential, and is the basis of the delineation of the floodway and the flood hazard area and of the water surface elevation thereof.

4. Design Flood Profile: The elevations of the water surface of the floodway design flood and the flood hazard area design flood.

5. Development: Any man-made change to improve or unimprove real estate including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of the special flood hazard.

6. Flood Elevation Determination: A determination of the water surface elevations of the design flood, i. e., the flood level that has a one (1.0) percent or greater chance of occurrence in any given year.

7. Flood Fringe Area: The portion of the flood hazard area outside of the floodway.

8. Flood Hazard Area: Land in the flood plain subject to a one (1.0) percent or greater chance of flood in any given year.

9. Flood Hazard Boundary Map: An official map of the township on which the boundaries of the flood area having special hazards have been designated.

10. Flood Insurance Map: An official map of the township on which has been delineated the special flood hazard areas in the township for flood insurance purposes.

11. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry areas from:

a. Inland or tidal waters; and,

b. The unusual and rapid accumulation or run-off of surface water from any source.

12. Flood Plain: The relatively flat area adjoining a water channel which has been or may be covered by flood water of the channel.

13. Flood Plain Management Regulations: The term describes such state or local regulations, in any combination thereof, which provides standards for the purpose of flood damage prevention and reduction.

14. Floodway: The river or other watercourse and the adjacent land area that must be reserved in order to discharge the design flood without cumulatively increasing the water surface elevation more than two tenths (0.2) foot.

15. Habitable Floor: Any floor including the basement, useable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

16. New Construction: Structures for which the start of construction commenced on or after the effective date of this ordinance.

17. New Jersey Floodway Design Flood: The discharge from a flood having a one (1.0) percent chance of being equalled or exceeded in any given year.

18. New Jersey Flood Hazard Area Design Flood: The discharge resulting from a flood having a one (1.0) percent chance of being equalled or exceeded in any given year plus twenty-five (25) percent.

19. Structure: For flood plain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground. For insurance coverage purposes, "structure" means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site. For the latter purpose, the term includes a building while in the course of construction, alterations or repair but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such material or supplies are within an enclosed building on the premises.

20. Substantial Improvements: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:

a. Before the improvement or repair is started; or,

b. If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1) Any project for improvement of a structure to comply with the existing state or local health, sanitary or safety code specifications which is solely necessary to assure safe living conditions; or,

2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

21. Variance: A grant of relief by the Planning Board from the requirements of this section of the Ordinance which permits construction in a manner otherwise prohibited by this section of the Ordinance because enforcement would result in unnecessary hardship.

C. Basis For Establishing Flood Plain Areas

The following reports and maps (and other sources of information, as deemed appropriate by the Municipal Engineer) shall be used to specify floodway and flood fringe areas or channels in the township:

1. Soil Survey of Mercer County, New Jersey, U. S. Department of Agriculture Soil Conservation Service, January, 1972.
2. HUD-FIA Flood Hazard Boundary Map.
3. Flood hazard Analyses for Assunpink Creek, Miry Run, Shipetaukin Creek and Sand Run, prepared by the U. S. D. A. Soil Conservation Service, Somerset, New Jersey, July, 1976 and associated work maps.
4. Flood Plain Information Report for Shabakunk Creek, West Shabakunk Creek and Little Shabakunk Creek, Mercer County; Department of the Army Corps of Engineers, Philadelphia, September, 1973.
5. Delineation of Flood Hazard Areas, Raritan River Basin, Report No. 6, Stony Brook; New Jersey Department of Environmental Protection, September, 1972.
6. Mercer County Comprehensive Plan, Volume 2, "General Physical Conditions of Mercer County;" September, 1969.
7. Applicable reports by the New Jersey Department of Environmental Protection's Division of Water Resources, under authority of Chapter 19, Public Laws of 1962, as published.
8. Lawrence Township Master Drainage Maps.

D. Site Plan Review

All proposals for any development within flood plain areas shall require site plan approval by the Planning Board in accordance with Section 800 of this Ordinance; provided, however, that where a plan does not include the construction of permanent building structures but, instead, includes work such as grading, landscaping, work associated with agricultural uses, and similar uses, and where, in the opinion of the Administrative Officer, the proposed work is of such a minor nature that Planning Board review is not required, a site plan approval by the Planning Board may be waived. In any case, all other requirements of this section shall apply.

Fees shall be paid as provided for site plans in Section 900 of this Ordinance and public notice of public hearings shall be given as stipulated for site plans in Section 706 E. of this Ordinance. In addition to the applicable information required for preliminary site plan approval stipulated in Section 804 B. of this Ordinance, the following additional information shall be provided:

1. Proposed finished grade elevations at the corners of any structure or structures;
2. The extent of proposed or previous filling, cutting or regrading of the land, if any;
3. The location, type, and size of all existing and proposed erosion and siltation control measures, such as slope protection, soil stabilization, sedimentation basins, sediment trap headwalls and aprons.
4. Proof of stream encroachment lines (floodway) obtained from the Department of Environmental Protection. Should this information not be available through the Department of Environmental Protection, it is required that the applicant submit a floodway delineation for the reach of the stream involved with all required engineering data to the Municipal Engineer for review and approval.
5. The applicant should be prepared to present evidence that the proposal:
  - a. Has an inherent low flood damage potential.
  - b. Either acting alone or in combination with existing or future uses will not obstruct flood flows or increase flood heights and/or velocities or reduce ground absorption or storage volume of storm water.

c. Does not affect adversely the water carrying or storage capacity of channel floodway or flood fringe area.

d. Does not increase local run-off and erosion and provides proper drainage of the area to an existing adequate water course or drainage system.

e. Does not unduly stress or degrade the natural environment of the flood plain or degrade the quality of surface water or the quality or quantity of ground waters.

f. Does not require channel modification or relocation.

g. Is set forth in this Ordinance as a permitted use.

h. Is not a prohibited use in that portion of the flood plain where proposed to be located.

6. Where required by the Planning Board and/or the Municipal Engineer, the applicant shall furnish information relating to subsurface conditions based on percolation tests and soil borings or probes. Test borings or probes shall be performed by a licensed professional engineer and shall be in accordance with acceptable engineering standards and practices. Written notification of intention to conduct such a test shall be forwarded to and received by the Municipal Engineer at least two (2) working days prior to testing. A detailed report of the test shall be submitted to the Planning Board and the Municipal Engineer for review.

E. Uses In Channels, Floodways And Flood Fringe Areas

1. Prohibited Uses

No person shall hereafter engage in, cause or permit other persons to engage in prohibited uses within a delineated flood plain. The following uses shall be prohibited:

a. Placing, depositing, or dumping any vehicles, solid waste, garbage, refuse, trash, rubbish or debris.

b. Dumping or discharging untreated domestic sewerage or industrial waste, either solid or liquid.

c. Storage or disposal of pesticides.

d. Storage or processing of materials that are in time of flooding buoyant, flammable or explosive.

e. The storage or processing of hazardous materials that could be injurious in time of flooding to human, animal or plant life.

2. Permitted Uses In Channels

Within any channel, structures may be erected, enlarged, expanded and externally altered and fill, excavation or other improvements or changes may be permitted only in connection with stream improvements and stabilization, which improvements or changes shall have the approval of the State Department of Environmental Protection, the Mercer County Planning Board, the Lawrence Township Planning Board and the Lawrence Township Municipal Engineer.

3. Permitted Uses In Floodways

Within any floodway area structures may be erected, enlarged, expanded, and externally altered and fill, excavation or other improvements or changes may be permitted only in connection with stream improvements and stabilizing, which improvements or changes shall have the approval of the State Department of Environmental Protection, the Mercer County Planning Board, the Lawrence Township Planning Board and the Lawrence Township Municipal Engineer. The accepted practices of soil husbandry and farming as well as recreational uses in the nature of parks, wildlife preserves, play yards, picnic areas, golf courses and boat landings shall be permitted in accordance with the issuance of a permit as provided in this ordinance. Any proposed use involving removal of trees shall be undertaken in accordance with the approval of the Municipal Engineer. Material, equipment or vehicles related and used in conjunction with a permitted use shall not be parked or stored in the floodway area.

4. Permitted Uses In The Flood Fringe Areas

Within any flood fringe area, structures may be constructed, enlarged, expanded, externally altered or modified and fill, excavation and other improvements may be permitted only after issuance of a permit and further subject to the conditions set forth by the Lawrence Township Planning Board and the Lawrence Township Municipal Engineer.

F. Conditions Of Approval

The Planning Board may impose such conditions on permitted uses as it deems appropriate in order to promote the public safety, health and welfare, protect public and private property, wildlife and fisheries and to preserve, protect and enhance the natural environment of the flood plain. No Certificate of Occupancy shall be issued unless all conditions or approvals have been complied with. In all flood hazard areas, the following conditions are required:

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
3. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
4. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
5. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
6. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
7. All subdivision proposals shall be consistent with the need to minimize flood damage.
8. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
9. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
10. There shall be imposed controls on operations, sureties, deed restrictions and maintenance bonds.
11. The construction of storm water detention and/or retention facilities, channel modifications, dikes, levees and other protective measures shall be required.
12. The installation of an adequate flood warning system shall be required.
13. The postponement of development until such time as protective measures are installed or implemented shall be required.
14. New construction or substantial improvement of any residential structure shall have the lowest habitable floor, including basement, elevated to one (1) foot above the design flood elevation.
15. New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor including basement elevated to one (1) foot above the design flood elevation or, together with the attendant utility and sanitary facilities, be flood-proofed so that below the design flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A licensed professional engineer or architect shall certify that the standards of this section are satisfied. Such certification shall be provided to the Municipal Engineer. Any or all of the following floodproofing measures may be required:
  - a. Anchorage to resist flotation and lateral movement.

- b. Installation of water tight doors, bulkheads and shutters, or similar devices.
- c. Reinforced walls to resist water pressures.
- d. Use of paints, membranes, or mortars to reduce seepage of water through walls.
- e. Addition of weights to structures to resist flotation.
- f. Installation of pumps to lower water levels of structures.
- g. Construction of water supply and waste treatment systems in a manner which prevents the entrance of flood waters.
- h. Pumping facilities or comparable measures for the subsurface drainage systems of building to relieve the external foundation wall and basement flood pressures. Over the sidewalk, under the sidewalk and/or through the curb, gravity or sump pump drains are not permitted. All such drains shall outlet into an existing adequate water course or drainage system as approved by the Municipal Engineer.
- i. Construction that resists rupture or collapse caused by water pressure or floating debris.
- j. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent backup of sewerage or storm waters into the structure; gravity drainage of basements may be eliminated by mechanical devices.
- k. Location of all electrical equipment, circuits and installed electrical appliances in a manner which will assure they are not subject to inundation and flooding.
- l. Storage facilities for chemicals, explosives, buoyant materials, flammable liquids and other toxic hazardous materials shall be situated above the flood hazard design elevation and shall be floodproofed to prevent flotation of storage containers or damage to storage containers which could result in the escape of toxic materials into the flood waters.
- m. Use of construction materials which are resistant to water damage.

16. Fill shall be no lower than one (1) foot above the flood hazard design elevation and shall extend at such height for a distance of at least fifteen (15) feet beyond the limits of any structure erected thereon.

17. Structures on fill shall be built so that the basement, or in the event there is no basement, the lowest habitable floor is at a minimum of one (1) foot above the flood hazard design elevation; this should be accomplished without transporting off-site fill to the site.

18. Structures not placed on fill shall be otherwise elevated so that the lowest habitable floor is at a minimum of one (1) foot above the flood hazard design elevation or shall be floodproofed.

G. Variances From Conditions

Variances from the conditions of this Ordinance may be issued by the Lawrence Township Planning Board in conformance with the following provisions:

1. For the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places.

2. If an increase in flood levels within any designated floodway or flood fringe area would not occur during the design flood.

3. Upon a determination that the variance is the minimum necessary to afford relief considering the flood hazards.

4. Upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship to the applicant and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

H. Flood Insurance

Flood insurance in accordance with the National Flood Insurance Program, United States Department of Housing and Urban Development shall be required for all developments in the flood plain.

I. Warning And Disclaimer

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazards or uses permitted in such areas will be free from flooding or flood damage. This Ordinance shall not create liability on the part of the Township of Lawrence or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

SECTION 500

GENERAL PROVISIONS AND DESIGN STANDARDS

501 ACCESSORY BUILDINGS

A. Accessory Buildings as Part of Principal Buildings

Any accessory building attached to a principal building shall be considered part of the principal building and the total structure shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings.

B. Accessory Buildings Not to be Constructed Prior to Principal Building

No construction permit shall be issued for the construction of an accessory building prior to the issuance of a construction permit for the construction of the main building upon the same premises. If construction of the main building does not precede or coincide with the construction of the accessory building, the Construction Official shall revoke the construction permit for the accessory building until construction of the main building has proceeded substantially toward completion.

C. Distance Between Adjacent Buildings

The minimum distance between an accessory building and any other building(s) on the same lot shall be as prescribed in Section 400 except that no poultry or livestock shelter shall be erected nearer than one hundred (100) feet to any dwelling on the same lot.

D. Height of Accessory Buildings

The height of accessory buildings shall be as prescribed in Section 400.

E. Location

An accessory building may be erected in side and rear yard areas only and shall be set back from side and rear lot lines as prescribed in Section 400 except that if erected on a corner lot, the accessory building shall be set back from the side street to comply with the setback line applying to the principal building for that side street and except further that no poultry or livestock shelter shall be erected nearer than one hundred (100) feet to any lot lines.

502 APPEARANCE OF BUILDINGS

A. Within any residential district, no building with permitted professional home office or home occupation shall be constructed or altered so as to be inharmonious with the residential character of the adjacent residential areas.

B. The governing body hereby finds that uniformity in the exterior design and appearance of dwellings erected in the same residential neighborhood tends to adversely affect the desirability of the immediate and neighboring areas for residential purposes and impairs existing residential property in such areas; tends to impair the value of both improved and unimproved real property in such areas, and tends to deprive the municipality of tax revenue and destroys a proper balance between the taxable value of real property in such areas and the cost of municipal services provided therefor. It is the purpose of this section to prevent these and other harmful effects of uniformity in design and appearance of dwellings erected in any housing development in the same residential neighborhood and thus to promote and protect the general welfare of the community.

1. Not more than one construction permit shall be issued for any particular single family detached dwelling unit design in any housing development consisting of two or more detached dwellings when the houses are substantially alike in exterior design and appearance unless such similar houses either are separated by a distance of at least three hundred (300) feet or are situated on individual lots which are themselves separated at all points by a distance of at least one hundred fifty (150) feet, whichever distance will provide the least separation between houses.

2. Houses within such specified distance from each other shall be considered uniform in exterior design and appearance if they have any one of the following characteristics:

a. The same basic dimensions and floor plans are used without substantial differentiation of one or more exterior elevations.



b. The height and design of the roofs are without substantial change in design and appearance.

c. The size and type of windows and doors in the front elevation are without substantial differentiation.

3. In addition, there shall be not less than two separate basic house designs in every housing development consisting of eight or less houses; not less than three basic house designs in every housing development consisting of 15 or less houses; not less than five basic house designs in every housing development consisting of 50 or less houses; not less than six basic house designs in every housing development consisting of 77 or less houses; and not less than eight basic house designs in every housing development consisting of 78 or more houses.

4. To insure conformity with the provisions of this Ordinance, no construction permit shall hereafter be issued for more than one dwelling in any housing development until the builder shall post or cause to be posted on each specific lot on the map of the subdivision on file with the Construction Official, the type and model of each house for which a construction permit has been or is being issued.

5. The provisions, requirements and standards heretofore set forth shall not be considered met where there is an attempt to make minor changes or deviations from building plans and location surveys which changes show an obvious intent to circumvent the purpose of this section.

503 DRAINAGE

All streets shall be provided with manholes, catch basins and pipes where the same may be necessary for proper surface drainage. The requirements of this section shall not be satisfied by the construction of dry wells. Additionally, all work shall be in accordance with the established design standards of the township as promulgated by the Township Engineer.

A. The system shall be adequate to carry off or store the storm water and natural drainage water which originates not only within the lot or tract boundaries, but also that which originates beyond the lot or tract boundaries. No storm water run-off or natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other private properties or public lands without proper and approved provisions being made for taking care of these conditions. Over the sidewalk, under the sidewalk and/or through the curb drains for the purpose of disposing of sump pump and/or roof leader runoff is prohibited. These facilities must outlet into an adequate water course or drainage system as approved by the Municipal Engineer.

B. Techniques for computing storm water runoff shall be as approved by the Municipal Engineer.

C. Storm sewers, open channels, bridges and culverts, unless otherwise directed by the Municipal Engineer, shall be designed for minimum flow capacities as follows:

	<u>Design Capacity</u>
Drainage Systems (1)	25 years
Drainage Structures (2)	100 years
Open Channels	As Determined By Municipal Engineer.

(1) The term "drainage systems" refers to the composite of all drainage infrastructure improvements.

(2) The term "drainage structures" refers to particular drainage infrastructure improvement such as bridges and culverts.

D. The materials used in the construction of storm sewers, bridges and other drainage structures shall be in accordance with the specifications of the Standard Specifications for Road and Bridge Construction of the New Jersey State Highway Department, current edition, and any supplements, addenda and modifications thereof unless otherwise specified by the Municipal Engineer. Modifications or change of these specifications may be requested by the applicant but may be implemented only with the knowledge and written consent of the Municipal Engineer.

E. Lots shall be graded to secure proper drainage away from buildings and into streets, where possible. Additionally, drainage shall be provided in a manner which will prevent the collection of storm water in pools or other unauthorized concentrations of flow and, to the extent possible, water shall not flow across adjacent property lines.

F. Detention or retention basins shall be required to hold storm runoff such that discharge from the site will not exceed predevelopment quantities. Techniques for designing detention and/or retention basins shall be as approved by the Municipal Engineer. A waiver of this provision may be granted only when the applicant can show that the additional runoff resulting from the proposed development is, in the opinion of the Municipal Engineer, negligible.

G. Land subject to periodic or occasional flooding (flood plain areas) shall not be used for any purpose which may endanger life or property or aggravate the flood hazard.

H. Approval for drainage structures shall be obtained from the appropriate municipal, county, state and federal agencies and offices. Each applicant shall make application to the State Division of Water Policy and Supply of the Department of Environmental Protection, the Mercer County Engineering Department and the Municipal Engineer. Letters of approval from the appropriate governmental authorities shall be furnished to the Municipal Engineer, with copies to the Administrative Officer, prior to the granting of final approval.

I. Where required by the township and a lot or tract is traversed by a watercourse, surface or underground drainage way or drainage system, channel or stream, there shall be provided and dedicated a drainage right-of-way easement to the township conforming substantially with the lines of such watercourse, and such further width or construction or both as will be adequate to accommodate expected storm water runoff in the future, based upon reasonable growth potential in the township and, in any event, meeting any minimum widths and locations shown on any adopted Official Map or Master Plan. Such easement dedication shall be expressed on the plat as follows: "Drainage easement granted for the purposes provided for and expressed in the Land Development Ordinance of the township."

J. For site plan submissions consisting of ten (10) acres or more and subdivision submissions consisting of ten (10) lots or more, the applicant shall provide an analysis of the effect of any additional water which will drain from the site as a result of the proposed site plan and/or subdivision; such analysis to specifically document the anticipated impact that the increased water flow will have upon existing drainage structures located between the site and the downstream municipal boundary line(s).

#### 504 FENCES, WALLS AND SIGHT TRIANGLES

A. All permitted fences shall be situated on a lot in such a manner that the finished side of such fence shall face adjacent properties. No fence shall be erected of barbed wire, topped with metal spikes, nor constructed of any material or in any manner which may be dangerous to persons or animals, except that these provisions shall not apply to farms and except further that fences permitted for commercial and industrial uses may be topped by a barbed wire protective barrier in accordance with Section 504 B. 6. hereinbelow.

B. On any lot in any district, no wall or fence shall be erected or altered so that said wall or fence shall be over four (4) feet in height in front yard areas and five (5) feet in height in side and rear yard areas except:

1. A dog run or privacy area may have fencing a maximum of six (6) feet in height provided such area is located in rear yard areas only and is set back from any lot line at least fifteen (15) feet.

2. A private residential swimming pool area must be surrounded by a fence at least five (5) feet, but no more than six (6) feet, in height. Swimming pool areas shall be located in rear and side yard areas only and said fence shall be set back from any lot line at least fifteen (15) feet if the fence exceeds five (5) feet in height. See Section 516 for additional standards.

3. A tennis court area, located in rear yard areas only, may be surrounded by a fence a maximum of fifteen (15) feet in height; said fence to be set back from any lot line the distances required for accessory buildings in the zoning district as stipulated in Section 400.

4. Buffer areas shall meet the requirements specified in Section 804 B. 17.

5. Off-street parking, loading and driveway areas shall meet the requirements specified in Section 509.

6. In commercial and industrial districts only, permitted commercial and/or industrial uses may construct fences topped by a barbed wire protective barrier provided said fences are seven (7) feet in height.

C. Sight triangle easements shall be required at intersections, in addition to the specified right-of-way width, in which no grading, planting or structure shall be erected or maintained except for

street signs, fire hydrants and light standards. The sight triangle is defined as that area outside of the street right-of-way which is bounded by the intersecting street lines and the straight line connecting "sight points," one each located on the two intersecting street center lines; arterial streets at three hundred (300) feet; collector streets at two hundred (200) feet; and local streets at ninety (90) feet. Where the intersecting streets are both arterials, both collectors, or one arterial and one collector, two overlapping sight triangles shall be required, formed by connecting the "sight point" noted above with a "sight point" ninety (90) feet on the intersecting street (see Plate 1 attached). Such easement dedication shall be expressed on the site plan as follows: "Sight triangle deeded for the purposes provided for and expressed in the Land Development Ordinance."

#### 505 LIGHTING

A. Street lighting of a type supplied by the utility and of a type and number approved by the Township Engineer shall be provided for all street intersections and along all arterial, collector and local streets and anywhere else deemed necessary for safety reasons. Wherever electric utility installations are required to be underground, the applicant shall provide for underground service for street lighting.

B. All parking areas and walkways thereto and appurtenant passageways and driveways serving commercial, public, office, industrial, apartment or other similar uses, having common off-street parking and/or loading areas and building complexes requiring area lighting shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare, color corrected lights focused downward. The light intensity provided at ground level shall be a minimum of three-tenths (.3) foot candle anywhere in the area to be illuminated, shall average a minimum of five-tenths (.5) foot candle over the entire area, and shall be provided by fixtures with a mounting height not more than twenty-five (25) feet or the height of the building, whichever is less, measured from the ground level to the centerline of the light source spaced a distance not to exceed five (5) times the mounting height. Any other outdoor lighting such as building and sidewalk illumination, driveways with no adjacent parking, the lighting of signs and ornamental lighting, shall be shown on the lighting plan in sufficient detail to allow determination of the effects to adjacent properties, traffic safety and overhead sky glow. The objective of these specifications is to minimize undesirable off-premises effects. No light shall shine into windows or onto streets and driveways in such manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, the light shielding and similar characteristics shall be subject to site plan approval.

#### 506 LOT CONFIGURATION

A. Insofar as is practical, side lot lines shall be either at right angles or radial to street lines.

B. Each lot must front upon an approved public street.

C. Where extra width has been dedicated for widening of existing streets, lots shall begin at such new street line and all setbacks shall be measured from such line (see Plate 2 attached).

D. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as poor drainage conditions or flood conditions, percolation tests or test borings indicating the ground conditions to be inadequate for proper sewage disposal for on-lot sewage treatment or similar circumstances, the Board, after adequate investigation may withhold approval of such lots. If approval is withheld, the Board shall give reasons and notify the applicant and enter same in the minutes.

E. Concrete monuments shall be installed for all lot corners of all lots approved as part of a major submission. All lot corners of lots approved as part of a minor subdivision submission shall be marked with a metal alloy pin of permanent character.

#### 507 NATURAL FEATURES

A. Natural features such as trees, hilltops and views, natural terrain, open waters and natural drainage ridge lines shall be preserved whenever possible in designing any development containing such features.

B. No top soil shall be removed from areas intended for lawn or open space. Top soil moved during the course of construction shall be redistributed so as to provide at least four (4) inches of cover to all such areas, which shall be stabilized by approved seeding and/or planting.

C. A conscious effort shall be made to preserve all worthwhile trees and shrubs which exist on the site. Stripping trees from a lot or filling around trees on a lot shall not be permitted unless it can

be shown that grading or construction requirements necessitate removal of trees, in which case those lots shall be replanted with trees to re-establish the tone of the area in conformance with adjacent lots. All newly planted shade trees shall be of nursery stock, shall have a minimum caliper of two (2) inches, and shall be of a species approved by the Board. In any case, a sufficient number of shade trees shall be provided and planted to insure a minimum of eight (8) trees per acre of lot area for each lot. The proposed location, of all trees shall be indicated on the site plan and/or subdivision submission.

## 508 NON-CONFORMING LOTS, STRUCTURES AND USES

### A. Lots

1. Excepting for lots which have been legally created since December 3, 1969, whenever title to two (2) or more contiguous lots is held by the same owner, regardless of whether or not each of said lots may have been approved as portions of a subdivision or acquired by separate conveyance or by other operation of law, and one or more of said individual lots should, by reason of exceptional shallowness, topographical conditions, substandard area or yard space or similar measurements, not conform with the minimum lot area and dimension requirements for the zone in which it is located, the contiguous lots of said owner shall be considered as a single lot.

2. Whenever the owner of a lot existing at the time of adoption of this Ordinance has dedicated or conveyed land to the township in order to meet the minimum street width requirement of the Official Map or Master Plan of the township, the Construction Official shall issue building and occupancy permits for the lot whose depth and/or areas are rendered substandard in area only because of such dedication and where the owner has no other adjacent lands to provide the minimum requirements.

3. Any existing lot on which a building or structure is located and which lot does not meet the minimum lot size, or a structure which violates any yard requirements, may have additions to the principal building and/or construction of an accessory building without an appeal for variance relief provided: 1) the existing use(s) on the lot are conforming to the permitted use(s) stipulated in this Ordinance for the lot in question; 2) the total permitted building coverage is not exceeded; 3) the accessory building and/or addition do not violate any other requirements of this Ordinance such as, but not limited to, height, setback and parking.

4. Any vacant lot existing as a conforming residential lot at the effective date of adoption or amendment of this Ordinance, whose area or dimensions do not meet the requirements of the district in which the lot is located, may have a building permit issued for a single-family detached dwelling and its permitted accessory uses without an appeal for variance relief provided: 1) single-family detached dwellings are a permitted use in that district; 2) the building coverage limit is not exceeded; 3) parking requirements are met; and, 4) the yard and height provisions are reduced by the same percentage that the area of such lots bears to the zone district requirements except that no side yard shall be less than either ten (10) feet or half that required by this Ordinance, whichever is greater. Additionally, no building shall be set back less than thirty (30) feet from any street right-of-way and no building shall be required to have a height less than twelve (12) feet and one (1) story.

### B. Structures and Uses

1. Any nonconforming use or structure existing at the time of the passage of an ordinance may be continued upon the lot or in the structure so occupied and any such structure may be restored or repaired in the event of partial destruction thereof.

2. Repairs and maintenance work required to keep a structure in sound condition may be made to a non-conforming structure containing a nonconforming use. However, no non-conforming structure or structure containing a non-conforming use shall be enlarged, extended, constructed, reconstructed or structurally altered in any manner without an appeal for variance relief except that any commercial or industrial use existing as a conforming use immediately prior to the date of adoption of this Ordinance, and which has been made a non-conforming use by the provisions of this Ordinance, may be physically expanded as a right by no more than fifty (50) percent of the gross building coverage of the facility(s) currently devoted to such use on the said date of adoption and by no more than fifty (50) percent of the land area currently devoted to such use provided: 1) the specific activity is not changed; 2) the aggregate building coverage on the lot does not exceed thirty (30) percent; 3) the building expansion does not narrow any side, rear or front yard less than a minimum of forty (40) feet; 4) no outside storage or display areas or activities are expanded; 5) the site plan for such expansion receives approval by the township in accordance with the provisions of this Ordinance; and, 6) all other applicable provisions of this Ordinance are met.

509 OFF-STREET PARKING, LOADING AREAS AND DRIVEWAYS

A. Landscaping

1. Except for detached dwelling units, a screen planting of a dense evergreen material not less than six (6) feet in height shall be provided between the off-street parking areas and any lot line or street line except where a building intervenes or where the distance between such areas and the lot line or street line is greater than one hundred fifty (150) feet.

2. All loading areas shall be landscaped and screened sufficiently to obscure the view of the parked vehicles and loading platforms from any public street, adjacent residential districts or uses and the front yards of adjacent commercial and industrial uses. Such screening shall be by an extension of a building, a fence, wall, planting or combination thereof and shall not be less than six (6) feet in height.

3. Each off-street parking area shall have a minimum area equivalent to one (1) parking space per every thirty (30) parking spaces landscaped with one-half said spaces having shrubs no higher than three (3) feet and the other half having trees with branches no lower than seven (7) feet. Such landscaped spaces shall be distributed throughout the parking area in order to break the view of long rows of parked cars in a manner not impairing visibility and shall not be construed as meeting the requirements for buffers or screening as specified in this Ordinance.

B. Lighting

Lighting used to illuminate off-street parking areas shall be arranged to reflect the light away from residential premises and streets and be in accordance with Section 505.

C. Surfacing and Curbing

1. All parking and loading areas and access drives shall be paved as provided below except that the Board, at the request of the applicant and in consideration of the specific parking needs of the applicant, may permit a reduction in the paved area devoted to parking provided:

a. The reduction in the required paved parking area shall not exceed twenty (20) percent of the total number of parking spaces required by this Ordinance;

b. The submitted plan shall include all the parking spaces required by this Ordinance and shall indicate those spaces to be paved and those requested not to be paved;

c. All parking areas not to be paved shall be suitably landscaped and such landscaping shall be indicated on the submitted plan and be in addition to landscaping otherwise required or necessary; and,

d. The applicant shall agree in writing on the submitted plan to pave any or all of the non-paved parking areas at the request of the Board at any time.

2. All paved parking and loading areas and access drives shall be paved as outlined below unless otherwise specified by the Municipal Engineer and approved as part of the development application approval. All parking areas, regardless of size and location, shall be suitably drained and maintained.

a. Areas of ingress or egress, loading and unloading areas, major interior driveways or access aisles and other areas likely to experience similar heavy traffic shall be paved with not less than four (4) inches of compacted base course of plant-mixed bituminous, stabilized base course, constructed in layers not more than two (2) inches compacted thickness and prepared and constructed in accordance with Division 3, Section 2A, of the New Jersey State Highway Department Standard Specifications for Roads and Bridge Construction (1961) and amendments thereto. A minimum two (2) inch thick compacted wearing surface of bituminous concrete (FABC) shall be constructed thereon in accordance with Division 3, Section 10, of the aforesaid New Jersey State Highway Department Specifications and amendments thereto.

b. Parking stall areas and other areas likely to experience similar light traffic shall be paved with not less than three (3) inches of compacted base course of plant-mixed

bituminous, stabilized base course, prepared and constructed in accordance with Division 3, Section 10, of the aforesaid New Jersey State Highway Department Specifications and amendments thereto.

c. Where subbase conditions of proposed parking and loading areas are wet, springy or of such a nature that surfacing would be inadvisable without first treating the subbase, the treatment of the subbases shall be made in the following manner: The areas shall be excavated to a suitable depth below the proposed finished grade and filled with suitable subbase material as determined by the Municipal Engineer. Where required by the Municipal Engineer, a system of porous concrete pipe subsurface drains or an alternate solution approved by the Municipal Engineer shall be constructed beneath the surface of the parking area and connected to a suitable drain. After the subbase material has been properly placed and compacted, the parking area surfacing material, as described heretofore, shall be spread thereon.

3. All off-street parking lots shall have adequate designations to indicate traffic flow and parking spaces.

D. Access

Access points from any one lot crossing the street line shall be limited to a maximum of two (2) along the frontage of any single street. The centerlines of any separate access points shall be spaced at least sixty-five (65) feet apart; shall handle no more than two (2) lanes of traffic; shall be at least twenty (20) feet from any property lines; and shall be set back from the street line of any intersecting street at least fifty (50) feet or one half the lot frontage, whichever is greater, except that in no case need the setback distance exceed two hundred (200) feet. Continuous open driveways in excess of sixteen (16) feet at the street line shall be prohibited except that two-way driveways serving non-residential uses and multiple-family developments shall be at least twenty-four (24) feet wide. In all instances, due consideration to the proposed width, curbing, direction of traffic flow, radii of curves and method of dividing traffic lanes shall be given. Curbing shall be depressed at the driveway or the curbing may be rounded at the corners and the driveway connected with the street in the same manner as another street.

E. Location of Parking and Loading

Required off-street parking and loading spaces shall be located on the same lot or premises as the use served, regardless of the number of spaces required by this Ordinance. No parking of vehicles shall be permitted in fire lanes, streets, driveways, landscaped areas, aisles, buffer areas, sidewalks or turning areas.

F. Type of Facility

1. Parking spaces may be on, above or below the surface of the ground. When parking spaces are provided within a garage or other structure, said structure shall adhere to the proper accessory or principal building setbacks, as applicable.

2. The provision of parking spaces shall also include adequate driveway and necessary turning areas for handling the vehicles for which provision is made. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Aisles providing access to parking spaces shall have the following minimum dimensions:

<u>Angle of Parking Space</u>	<u>One-Way Aisle</u>	<u>Two-Way Aisle</u>
90°	22'	25'
60°	18'	20'
45°	15'	20'
30°	12'	18'
parallel	12'	18'

Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

510 PERFORMANCE STANDARDS FOR ALL USES

An application for a permit shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a construction permit may be issued with the condition that no Certificate of Occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. A new application and a new Certificate of Occupancy shall be required in the event of a change of any user of any structure.

A. Electrical and/or Electronic Devices

All electrical or electronic devices shall be subject to the provisions of Public Law 90-602, 90th. Congress, HR 10790, dated October 18, 1968, entitled "An Act for the Protection of Public Health and Safety from the Dangers of Electronic Product Radiation." Radiation products, as defined in DHEW Publication No. (FDA) 75-8003, shall be so limited and controlled so that no measurable energy can be recorded at any point beyond the property boundaries. The applicant, upon request, shall produce certified data wherein measurements made in accordance with the procedure and standards set forth in the DHEW Publication No. (FDA) 75-8003 adequately demonstrate compliance with the minimum standards established by the Act. All other forms of electromagnetic radiation lying between 100KHz and 10GHz shall be restricted to the technical limits established in the Federal Communication Commission's Rules and Regulations. Additionally, electric or electronic equipment shall be shielded so there is no interference with any radio or television reception at the lot line (or beyond the operator's dwelling unit in the case of multi-family dwellings) as the result of the operation of such equipment.

B. Glare

No use shall produce a strong, dazzling light or a reflection of a strong, dazzling light or glare beyond its lot lines. Exterior lighting shall be shielded, buffered, and directed so that glare, direct light or reflection will not become a nuisance to adjoining properties, adjoining dwelling units, adjoining districts or streets.

C. Heat

No use shall produce heat perceptible beyond its lot lines. Further, no use shall be permitted which would cause the temperature to rise or fall in any body of water.

D. Noise

Noise levels shall be designed and operated in accordance with local regulations and those rules established by the New Jersey State Department of Environmental Protection as they are adopted and amended.

E. Odor

Odors shall not be discernible at the lot line or beyond.

F. Storage and Waste Disposal

No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance be deposited which can contaminate an underground aquifer or otherwise render such underground aquifer undesirable as a source or water supply or recreation, or which will destroy aquatic life. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored indoors and enclosed in appropriate containers adequate to eliminate such hazards.

G. Ventilation

No use shall obstruct the natural ventilation of adjacent uses nor contaminate the air with excessive heat or odor. Further, no air conditioners or exhaust fans shall be permitted to discharge exhausted air unless set back from all property lines ten (10) feet or equipped with baffles to deflect the discharged air away from the adjacent use.

H. Vibration

There shall be no vibration which is discernible to the human sense of feeling beyond the immediate lot.

511 PRINCIPAL USE

Unless otherwise specified in this Ordinance, no more than one (1) principal dwelling or building shall be permitted on one lot.

512 PUBLIC UTILITIES

A. All public services shall be connected to an approved public utilities system where one exists. The developer shall arrange with the servicing utility for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as part of its tariff as the same are then on file with the State of New Jersey Board of Public Utility Commissioners and the developer shall provide the township with four (4) copies of a final plan showing the installed location of the utilities. The developer shall submit to the Board, prior to the granting of final approval, a written instrument from each serving utility which shall evidence full compliance or intended full compliance with the provisions of this paragraph;

provided, however, lots which abut existing streets where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from these overhead lines, but any new service connections from the utilities' overhead lines shall be installed underground. In cases where extensions of service are needed to existing buildings or new buildings in established subdivisions, industrial parks, or shopping centers, the present method of service may be continued. In the case of existing overhead utilities, however, should a road widening or an extension of service or other such condition occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

B. In large-scale developments, easements along rear property lines or elsewhere for utility installation may be required. Such easements shall be at least twenty (20) feet wide and located in consultation with the companies or township departments concerned and, to the fullest extent possible, be centered on, or adjacent to, rear or side lot lines. Such easement dedication shall be expressed on the plat or plan as follows: "Utility right-of-way easement granted for the purposes provided for and expressed in the Land Development Ordinance of the township."

### 513 SANITARY SEWERS AND SEPTIC SYSTEMS

A. If a public treatment and collection system is accessible or planned, the developer shall construct facilities in accordance with N.J.D.E.P. permit requirements and E.L.S.A. rules and regulations and in such a manner as to make adequate sewage treatment available to each lot and structure within the development from said treatment and collection system.

B. Any treatment plant and collection system, including individual on-lot septic systems, shall be designed in accordance with the requirements of the State Health Department or township ordinances enforced by the Township Health Officer, whichever is more restrictive, and shall be subject to approval by the Township Health Officer.

### 514 SIGNS

#### A. General Provisions

No sign may be placed on or attached to a building or erected independently for any purpose other than to advertise a permitted business or use conducted on the same premises. No billboards shall be erected or replaced. No signs shall be erected, altered or replaced which are not in accordance with the standards established in this Ordinance. The erection of any sign shall require a construction permit. No sign of any type shall be permitted to obstruct driving vision, traffic signals, traffic directional and identification signs, other places of business, other signs or windows of the building on which they are located. No sign shall be attached to trees, fence posts, stumps, utility poles or other signs, but shall be free-standing or attached to buildings in an approved manner.

#### 1. Animated, Flashing and Illusionary Signs

Signs using mechanical or electrical devices to revolve, flash or display movement or the illusion of movement are prohibited.

#### 2. Height

No free-standing or attached sign shall be higher than the height of the building, except that no sign shall exceed any lesser height if particularly specified, and no sign shall project beyond a building in a manner placing it above an area traversed by motor vehicles, such as, but not limited to, driveway and parking areas. Where signs project beyond a building facade or wall over a pedestrian way, the lowest portion of the sign shall be at least ten (10) feet above the walkway.

#### 3. Free-Standing Signs

Free-standing signs shall be supported by one or more columns or uprights which are firmly embedded in the ground. Exposed guy wires, chains or other connections shall not be made a permanent support of the free-standing sign.

#### 4. Illuminated Signs

Illuminated signs shall be arranged as to reflect the light and glare away from adjoining premises and away from adjoining highways. No sign with red, green or blue illumination in a beam, beacon or flashing form resembling an emergency light shall be erected in any location.

#### 5. Information and Direction Signs

Street number designations, postal boxes, on-site directional and parking signs and warning signs are permitted in all zones but are not to be considered in calculating sign area. No such sign shall exceed one (1) square foot in area.



6. Maintenance  
Signs and, in the case of permitted free-standing signs, the mounting area on the ground level beneath the sign, must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated or unsightly.

7. Political Signs  
Political signs temporarily giving notice of political campaigns shall be set back at least fifteen (15) feet from all street and property lines and shall not exceed thirty-two (32) square feet in area. Signs shall be permitted within sixty (60) days prior to any municipal, county, state or national election and shall be removed within ten (10) days after the election. All such signs do not need a construction permit.

8. Portable Signs  
No sign in excess of four (4) square feet shall be exhibited which is portable, i. e., fixed on a movable stand; self-supporting without being firmly embedded in the ground; supported by other objects; mounted on wheels or movable vehicles; or made easily movable in some other manner.

9. Real Estate Signs  
Real estate signs temporarily advertising the sale, rental or lease of the premises or portion thereof shall be, if not attached to the building, set back from all street and property lines a distance equivalent to one and one-half (1½) linear feet for each one (1) square foot of sign area provided the required set back shall in no case be less than ten (10) feet. Signs shall not exceed four (4) square feet in area within residential districts and thirty-two (32) square feet in area within non-residential districts.

10. Sign Area  
The area of a sign shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background, whether open or enclosed, but said area shall not include any supporting framework and bracing incidental to the display itself.

11. Signs With Two Exposures  
Such signs shall be measured for area by using the surface of one side of the sign only. Both sides may be used.

12. Wall Fascia or Attached Signs  
Wall fascia or attached signs shall be firmly attached to the exterior wall of a building and shall not project more than six (6) inches from the building.

13. Window Signs  
Interior window signs shall not be considered in computing the allowable signs provided, however, that such interior signs shall not exceed twenty (20) percent of the total window area.

B. Street Signs  
Street signs shall be metal on metal posts of the type, design and standard previously installed elsewhere in the township. The location of the street signs shall be determined by the Municipal Engineer, but there shall be at least two (2) street signs furnished at each intersection. All signs shall be installed free of visual obstruction.

## 515 STREETS, CURBS AND SIDEWALKS

### A. Streets

1. All developments shall be served by paved public streets with an adequate crown. The arrangement of streets not shown on the Master Plan or Official Map, as adopted by the township, shall be such as to provide for the appropriate extension of existing streets and should conform with the topography as far as practicable.

2. When a new development adjoins land susceptible of being subdivided, suitable provisions shall be made for optimum access of the remaining and/or adjoining tract to existing or proposed streets.

3. Local streets shall be so planned and identified with appropriate signs so as to discourage through traffic.

4. In the event that a development adjoins or includes existing streets that do not conform to widths as shown on the adopted Master Plan and/or Official Map or the street width requirements of this Ordinance, additional land along either or both sides of said street, sufficient to conform to the right-of-way requirements, shall be dedicated for the location, installation, repair and maintenance of streets, drainage facilities, utilities and other facilities customarily located on street rights-of-way. The necessary deeds of ownership shall be furnished, and the dedication shall be expressed as follows: "Street right-of-way granted permitting the entrance upon these lands for the purposes provided for and expressed in the Land Development Ordinance of the township." This statement shall in no way reduce the developer's responsibility to provide, install, repair or maintain the facilities in the area dedicated by ordinance and/or as shown on the plan and/or as provided for by any maintenance or performance guarantees. If the development is along one (1) side only, one-half ( $\frac{1}{2}$ ) of the required extra width shall be dedicated. Additionally, that portion of the existing street or road adjoining or included within a site plan or major subdivision shall be improved, including excavation, grading, base courses and surfacing in accordance with the road improvement standards of this Ordinance.

5. In all developments, the minimum public street right-of-way shall be measured from lot line to lot line and shall be in accordance with the following schedule, but in no case shall a new street that is a continuation of an existing street be continued at a width less than the existing street although a greater width may be required in accordance with the following schedule (see Plate 3 attached).

	ROW Width	Traffic Lanes		Shoulder Width Within Gutters	Utility and Right-of-Way Outside Gutters on Each Side <sup>(1)</sup>		Width Between Gutters
		No.	Width				
Arterial	80'	4	@ 12'	8'	8'	8'	64'
Primary Collector	66'	4	@ 10.5'	6'	6'	6'	54'
Secondary Collector	56'	2	@ 18' <sup>(2)</sup>		10'	10'	36'
Local	50'	2	@ 15' <sup>(2)</sup>		10'	10'	30' <sup>(3)</sup>

- (1) Shall be grass stabilized topsoil, minimum 4" thick.
- (2) Areas adjacent to curb available as parking area.
- (3) Except in specific instances where less pavement may be desirable.

6. Street intersections shall be as nearly at right angles as is possible and in no case shall be less than sixty degrees (60°) and approaches to all intersections shall follow a straight line for at least one hundred (100) feet. No more than two streets shall meet or intersect at any one point and the centerlines of both intersecting streets shall pass through a common point. Measuring from this common point, two intersections shall be spaced a sufficient distance to permit a minimum of two lots between the two street rights-of-way. Any development abutting an existing street classified as an arterial or collector shall be permitted only one new street connecting with the same side of the existing street except where the frontage is sufficient, more than one street may intersect the arterial or collector street provided the streets shall not intersect with the same side of the existing street at intervals of less than eight hundred (800) feet. The block corners at intersections shall be rounded at the curblines with the street having the highest radius requirement as outlined below determining the minimum standard for all curblines: arterials - 40 feet; collectors - 35 feet; and local streets - 30 feet.

7. A tangent at least two hundred (200) feet long shall be introduced between reverse curves on arterial and collector streets. When connecting street lines deflect from each other at any one (1) point, they shall be connected by a curve with a radius conforming to standard engineering practice so that the minimum sight distance within the right-of-way shall be three hundred fifty (350) feet for local streets, five hundred (500) feet for a collector street and eight hundred (800) feet for an arterial street.

8. Cul-de-sacs of a permanent nature (where provision for the future extension of the street to the boundary of the adjoining property is impractical or impossible) or of a temporary nature (where provision is made for the future extension of the street to the boundary line of adjoining property) shall be no more than 750 feet in length and shall provide a turn-around at the end with a radius of fifty (50) feet on the curblines plus a utility and planting strip width of ten (10) feet around the entire cul-de-sac. The center point for the radius shall be on the centerline of the associated street or if off-set, off-set to a point where the radius becomes tangent to the right curblines of the associated street. (See Plate 4 attached.)

9. No street shall have a name which will duplicate or so nearly duplicate the name of an existing street that confusion results. The continuation of an existing street shall have the same name. Curvilinear streets shall change their names only at street intersections. The Board shall reserve the right to approve or name streets within a proposed development.

10. The pavement width of streets and the quality of surfacing and base materials shall adhere to the minimum standards set forth by the Township, County or State Engineers when said paving concerns roads under the jurisdiction and where such standards exist. Concerning streets under the jurisdiction of the township, the following standards shall apply:

a. The minimum requirements of any new street shall be constructed according to the specifications and procedures as set forth in the New Jersey State Highway Department Standard Specifications (1961) with addenda.

b. On all secondary and primary local roads, the base course shall be five inches (5") of Bituminous Stabilized Base, Stone Mix No. 1, placed on a compacted, unyielding subgrade consisting of a minimum of six (6) inches of graded quarry blend (Mix #5) which has been inspected and approved by the Municipal Engineer.

c. On all township collector and arterial streets, the base course shall consist of Bituminous Stabilized Base, Stone Mix No. 1, applied in two (2) lifts upon a compacted unyielding subgrade consisting of a minimum of six (6) inches of graded quarry blend (Mix #5) which has been inspected and approved by the Municipal Engineer. Township collector streets shall have six (6) inches of base course, while township arterial streets shall have seven inches (7").

d. The surface course for all classes of township streets shall consist of two inches (2") of Bituminous Concrete, Type F.A.B.C. -1, Mix No. 5, applied according to state highway specifications.

e. In all cases, a tack coat shall be applied between the surface course and the base course in accordance with the New Jersey State Highway Specifications.

11. The approval of any map of land delineating streets by the governing body of the township shall in no way be construed as an acceptance of any street indicated thereon.

B. Curbs

Belgian block or concrete curbing shall be installed along every street within a subdivision and at intersections with existing township, county or state roads and shall be laid in a manner approved by the appropriate governmental authority. Curbs on township roads shall adhere to the following specifications unless otherwise specified by the Municipal Engineer.

1. If concrete, the curbing shall meet the following specifications:

a. The concrete to be used for curbs shall be Class "B" concrete (minimum 4,000 p. s. i.) as specified in the New Jersey State Highway Specifications for Curbs and Gutters.

b. Curbs shall be constructed using ten (10) foot plates. Expansion joints shall be provided at maximum intervals of twenty (20) feet and shall be sealed as specified by the Municipal Engineer.

c. Openings for driveway access shall be in such widths as shall be determined by the Municipal Engineer and in accordance with Section 509 D. of this Ordinance. The curb at such driveway openings shall be depressed to the extent that one and one-half inches ( $1\frac{1}{2}$ " ) extend above the finished pavement. The rear top corner of this curb shall have a radius of one-fourth inch ( $\frac{1}{4}$ " ) and the front top corner shall have a radius of one and one-half inches ( $1\frac{1}{2}$ " ).

d. Concrete curbs for secondary and primary local roads shall be eight inches (8") wide at their base and not less than six inches (6") wide at their top. Their heights shall not be less than eighteen inches (18") and be constructed to show a vertical face above the roadway pavement of six inches (6"). The rear top corner of this curb shall have a radius of one-fourth inch ( $\frac{1}{4}$ " ), and the front top corner shall have a radius of one and one-half inches ( $1\frac{1}{2}$ " ). (See Plate 5 attached.) Curbs at driveway openings shall be constructed to the full depth of eighteen inches (18") which depth shall extend a minimum of six (6) inches on either side of the depression.

2. If belgian block, the construction detail shall be as specified on Plate 5. Stones used for secondary and primary local roads shall not be less than ten inches (10") in height and shall be

constructed to show a vertical face above the roadway pavement of six inches (6"). Stones used for township collector and arterial roads shall not be less than twelve inches (12") in height and shall be constructed to show a vertical face above the roadway pavement of eight inches (8").

3. Depressed curb ramps for the handicapped shall be installed at all radii curbs in accordance with the laws of the State of New Jersey.

C. Sidewalks and Aprons

1. Sidewalks and aprons shall be required on both sides of all existing and proposed streets serving an arterial or primary collector function.

2. Sidewalks and aprons on secondary collector and local streets in non-residential developments shall be required, at the Board's discretion, depending upon the probable volume of pedestrian traffic, the development's location in relation to populated areas, and the general type of development intended.

3. Sidewalks and aprons on secondary collector and local streets in residential developments shall be provided in accordance with the following schedule:

<u>Average Lot Size</u>	<u>Sidewalks Required</u>
80,000 sq. ft. or larger	None Required
smaller than 80,000 sq. ft.	Required on Both Sides of Street

4. Where required, sidewalks shall be at least four (4) feet wide and located as approved by the Planning Board. Sidewalks, aprons and sidewalks at aprons shall be concrete or an equivalent approved by the Municipal Engineer. Specifications for sidewalks, aprons and sidewalks at aprons shall be as promulgated by the Municipal Engineer.

516 SWIMMING POOLS

A. No private residential swimming pool shall be constructed or installed on any lot unless the lot contains a residence building. Pools shall be located in rear and side yard areas only, shall occupy no more than seventy-five (75) percent of the yard area in which it is located and shall meet the setback distances for accessory buildings as specified in Section 400 for each particular zoning district except that in no case may a swimming pool be located closer than fifteen (15) feet to any lot line.

B. A private residential swimming pool area must be surrounded by a suitable fence with a self-latching gate at least five (5) feet, but no more than six (6) feet, in height and said fence shall be set back from any lot line at least fifteen (15) feet if the fence exceeds five (5) feet in height.

C. All swimming pools shall meet the appropriate design standards as set forth by the National Swimming Pool Institute.

517 WATER SUPPLY

A. Where public water is accessible, water mains shall be constructed in such a manner as to make adequate water service available to each lot or building within the development. The entire system shall be designed in accordance with the requirements and standards of the local and/or state agency having approval authority and shall be subject to their approval. The system shall also be designed with adequate capacity and sustained pressure and in a looped system with no dead-end lines, whenever possible.

B. Where no public water is accessible, water shall be furnished on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the wells shall be of the drilled type with a minimum of fifty (50) feet of casing. Well installation, sealing and testing shall be in accordance with the New Jersey Standards for Construction of Water Supply Systems in Realty Improvements (Chapter 199 of the Public Laws of 1954), as amended. The well will be required to have a production of not less than six (6) gallons per minute as established by bailor tests, and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample collected by a local or State Health Department representative for bacteriological examination. A copy of the result of the above referred to bailor tests and bacteriological examination and a certificate from the local or State Health Officer that the owner has complied with the applicable local or State Health regulations shall be submitted to the township before the issuance of building permits in connection with each individual lot.

518 YARDS CANNOT BE USED BY ANOTHER BUILDING

No open space provided around any principal building for the purposes of complying with the front, side, rear or other yard provisions of this Ordinance shall be considered as providing the yard provisions for another principal building.

519 RURAL RESIDENTIAL DEVELOPMENT

A. Any person desiring to subdivide property in any residential district may elect to apply to the Board for a major subdivision under the following reduced sheet improvement requirements. The Board shall examine each request to determine whether it meets the following criteria:

1. Every lot in the development shall have a minimum area of 120,000 square feet.
2. Each lot shall have a minimum frontage and width of two hundred (200) feet and a minimum depth of three hundred (300) feet.
3. The design of the development shall blend with the rural atmosphere of the township.
4. The development will not adversely affect the development of adjacent or adjoining property.
5. The proposed local streets will not interconnect with existing or proposed streets in other classifications to form continuous routes. They will be designed to discourage any through traffic, will have the exclusive function of providing access to properties abutting the street and will follow the contours of the land to the greatest extent possible.

B. If it is determined by the Board that the proposed development conforms with the criteria established for rural residential development, the following reduction in standards and improvements for the local streets will be allowed:

1. The right-of-way for all local streets which are entirely within the subdivision shall be fifty (50) feet.
2. The pavement width for all such local streets shall be reduced to twenty-four (24) feet, with a stabilized grass shoulder thirteen (13) feet in width each side thereof.
3. Curbs will not be required except where grades exceed five (5) percent or other conditions require their installation.
4. Cul-de-sacs may be 1,200 feet in length.

C. No further subdivision of any lot or lots subdivided under these standards shall be permitted within fifty (50) years from the date of final approval by the township, and a statement to this effect shall be written on all plats submitted to the township for review and approval.

## SECTION 600

### EXCEPTIONS, MODIFICATIONS AND DEVELOPMENT ALTERNATIVES

#### 601 CONDITIONAL USES

Before a building permit or Certificate of Occupancy shall be issued for any conditional use as permitted by this Ordinance, application shall be made to the Planning Board. The Planning Board shall grant or deny said application within 95 days of submission of a complete application by a developer to the Administrative Officer, or within such further time as may be consented to by the applicant.

The review by the Planning Board of a conditional use shall include any required site plan review pursuant to this Ordinance. Public notice and a hearing shall be required as stipulated in this Ordinance.

In all requests for approval of conditional uses, the burden of proof shall be on the applicant. The Planning Board shall give due consideration to all reasonable elements which could affect the public health, welfare, safety, comfort and convenience such as, but not limited to, the proposed use(s), the character of the area, vehicular travel patterns and access, pedestrian ways, landscaping, lighting, signs, drainage, sewage treatment, potable water supply, utilities and building and structure location(s) and orientation(s).

#### A. Car Washes

1. All mechanical activities must be conducted within a totally enclosed building.
2. Drainage from inside the building(s) shall feed into a sanitary sewer system. No dry well or septic tank will be permitted in connection with said drainage.
3. This use shall not include a self-service or coin-operated car wash area in any form.
4. All of the other area, yard, building coverage, height, and general requirements of the respective zone and other applicable requirements of this Ordinance must be met.
5. Off-street parking shall be provided in accordance with the following schedule: Three (3) access lanes for each mechanized car wash entrance with each lane having a minimum capacity for twelve (12) vehicles; one (1) separate space for each waxing, upholstery cleaning or similar specialized service area; and one (1) space for every one (1) employee. All vehicle entrances shall be from the rear of the building and all parked and waiting vehicles shall be accommodated on the lot.
6. One (1) sign shall be permitted, either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least twenty-five (25) feet from all street and lot lines.

#### B. Motels

1. Any motel that may be constructed on a lot or parcel of land must contain a minimum of at least twenty (20) units of accommodation, exclusive of, but in addition to, a permanent, on-site superintendent's living quarters. The minimum number of units of accommodation in any single building shall be ten (10).
2. Each unit of accommodation shall contain a minimum floor area of two hundred fifty (250) square feet. Ceilings shall be a minimum of eight (8) feet in height.
3. Each unit of accommodation shall include a minimum of two (2) rooms, a bedroom and a separate bathroom. No more than twenty (20) percent of the units shall include cooking facilities with said unit.
4. There shall be a residency limitation on all guests of thirty (30) days maximum. The foregoing residency limitation shall not apply to an employee living on the premises nor to occupants of the permitted units with cooking facilities.

5. All of the other area, yard, building coverage, height, and general requirements of the respective zone and other applicable requirements of this Ordinance must be met.

6. Off-street parking shall be provided at the ratio of one and one-quarter (1.25) spaces per room.

7. One (1) sign shall be permitted, either free-standing or attached, not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least twenty-five (25) feet from all street and lot lines.

C. Professional Offices

1. The design of any building must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.

2. All of the area, yard, building coverage, buffer, height, parking, sign and general requirements of the "NC" District and other applicable requirements of this Ordinance shall be met.

D. Public Utility Uses

1. For purposes of this Ordinance, the term "public utility uses" shall include such uses as telephone dial equipment centers, power substations and other public utility services.

2. The proposed installation in a specific location must be reasonably necessary for the satisfactory provision of service by the utility to the neighborhood or area in which the particular use is to be located.

3. The design of any building in connection with such facilities must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.

4. Adequate fences and other safety devices must be provided as may be required. Fences, when used to enclose public utility facilities such as electrical power substations, shall be built in accordance with the applicable requirements of the New Jersey Board of Public Utility Commissioners and the National Electrical Safety Code in effect at the time of construction.

5. Sufficient landscaping, including shrubs, trees and lawns, shall be provided and maintained.

6. Off-street parking shall be provided as determined by the Planning Board during Site Plan Review.

7. All of the other area, yard, building coverage and height requirements of the respective zone and other applicable requirements of this Ordinance must be met.

E. Research Complexes

1. The term "research complex" shall mean and include research and engineering activities involving scientific investigation, engineering study, product development and similar activities not involving the manufacturing, sale, processing, warehousing, distribution or fabrication of material, products or goods except as incidental to the principal permitted uses.

2. The minimum tract size shall be two hundred (200) contiguous acres not separated by any public roads.

3. The tract of land shall have at least one thousand (1,000) feet of continuous frontage on each of two existing or proposed "arterial" or "primary" collector roadways as specified on the Lawrence Township Master Plan, as amended.

4. Not more than eight (8) percent of the land shall be occupied by buildings.

5. All buildings and parking areas shall be a minimum distance of three hundred (300) feet from all lot lines and exterior roads except as provided in E. 6. hereinbelow.
6. Entrance lodges, walls, gates and similar improvements may not be located closer than seventy-five (75) feet to any lot line.
7. Service or entrance roads, streets or driveways shall not be located closer than one hundred (100) feet to any property line except to intersect with any surrounding street.
8. Each property shall be appropriately landscaped, particularly along its frontages. Existing woodlands, windbreaks and watersheds shall be preserved as far as the standards of good conservation practice require. Where natural features do not comprise an effective screen along side or rear property lines which are adjacent to existing residences, a buffer area shall be provided at least 50 feet in depth and in accordance with the requirements specified in Section 804 B. 17. of this Ordinance.
9. The total number of parking spaces for the entire tract shall not exceed 10 spaces per acre.
10. No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.
11. Permitted accessory uses shall include an educational or scientific conference center with provisions for feeding and sleeping of guests therein, provided the use of such facilities is directly related to the principal use and is not open to the general public.
12. Each use may have one (1) free-standing sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign shall not exceed a height of twenty (20) feet, shall be set back from the street rights-of-way and driveways at least fifty (50) feet, shall be set back from any property line a minimum of one hundred (100) feet, shall not exceed an area of one hundred (100) square feet, and shall be used only to display the name of the enterprise.
13. All other applicable requirements of this Ordinance must be met.

F. Senior Citizen Housing

1. No site shall contain less than seven (7) acres.
2. The maximum residential density shall not exceed twenty-three (23) dwelling units per gross acre.
3. No dwelling unit shall contain more than two (2) bedrooms.
4. The maximum building height shall not exceed thirty-eight (38) feet.
5. A minimum 0.35 parking spaces shall be provided for each dwelling unit. Plans should also indicate potential additional parking spaces so that the total parking spaces equal a minimum of 0.50 parking spaces per dwelling unit, these additional spaces to be constructed only at the written request of the Planning Board after operation of the development and upon a reappraisal of the parking needs of the project. The additional parking, if requested, will be constructed at the applicant's expense and in accordance with the plans as submitted.
6. Individual dwelling units shall meet or exceed minimum design requirements specified by the New Jersey Housing Finance Agency.
7. A land area or areas equal in aggregate to at least two hundred fifty (250) square feet per dwelling unit shall be designated on the Site Plan for the recreational use of the residents of the project; except that where a project is located within three hundred (300) feet of any existing Township Park, the Planning Board may waive this requirement at the time of Site Plan review.
8. Prior to any township approval, the following prerequisites shall have been accomplished:
  - a. Verification that there are adequate utility services and support facilities for the project, including existing public transit and commercial establishments serving everyday needs, within a one (1) mile walking distance of the proposed site.



b. Assurance that the occupancy of such housing will be limited to households, the single member of which, or either the husband or wife of which, or both, or any of a number of siblings or unrelated individuals of which, or a parent of children of which, is/are 62 years of age or older, or as otherwise defined by the Social Security Act, as amended, except that this provision shall not apply to any resident manager and family resident on the premises.

c. Verification of preliminary approval of the project by any state or federal agency which finances or assists the financing or operation of such housing.

9. All other applicable requirements of this Ordinance must be met.

G. Service Stations

1. The minimum lot size for service stations shall be twenty thousand (20,000) square feet and the minimum frontage shall be one hundred fifty (150) feet.

2. No service station shall be located within five hundred (500) feet of any fire house, school, playground, church, hospital, public building or institution or within two thousand (2,000) feet from an existing service station.

3. All appliances, pits, storage areas and trash facilities other than gasoline filling pumps or air pumps shall be within a building. Gasoline filling pumps and air pumps shall be permitted within the required front yard space of service stations but shall be no closer than fifty (50) feet to any future street line. All lubrication, repair or similar activities shall be performed in a fully enclosed building and no dismantled parts shall be displayed outside of an enclosed building.

4. No junked motor vehicle or part thereof, or motor vehicles incapable of normal operation upon the highway, shall be permitted on the premises of any service station. It shall be deemed prima facie evidence of violation of this Ordinance if more than three (3) motor vehicles incapable of operation are located at any one time upon any premises not within a closed and roofed building excepting, however, that a number not exceeding six (6) motor vehicles may be located upon any service station premises outside of a closed or roofed building for a period of time not to exceed seven (7) days and providing that the owners of said motor vehicles are awaiting their repair or disposition.

5. Landscaping shall be provided in the front yard area equal to at least twenty-five (25) percent of the front yard area and such landscaping shall be reasonably distributed throughout the entire front yard area.

6. The exterior display and parking of motor vehicles, trailers, boats or other similar equipment for sale shall not be permitted as part of a service station.

7. Service stations shall provide at least six (6) spaces for the first lift, wheel alignment pit or similar work area; five (5) additional spaces for a second work area; and an additional three (3) spaces for each additional work area. Such spaces shall be separated from the driveway and general apron areas which give access to the gasoline and air pumps and service areas. No designated parking space shall obstruct access to such facilities. No parking shall be permitted on unpaved areas.

8. Service stations may be permitted one free-standing sign and one sign attached flat against the building. The free-standing sign shall not exceed an area of twenty (20) square feet and shall be set back at least twenty (20) feet from all street rights-of-way and lot lines. The attached sign shall not exceed thirty (30) square feet in area.

9. All other applicable requirements of this Ordinance must be met.

H. Hotels

1. Any hotel that may be constructed on a lot or parcel of land must contain a minimum of at least one hundred fifty (150) units of accommodation. Hotels also may contain ancillary retail, service, restaurant and convention facilities, provided said facilities are provided primarily for the use of the hotel occupants.

2. Each unit of accommodation shall contain a minimum floor area of two hundred fifty (250) square feet. Ceilings shall be a minimum of eight (8) feet in height.

3. Each unit of accommodation shall include a minimum of two (2) rooms, a bedroom and a separate bathroom. No more than twenty (20) percent of the units shall include cooking facilities with said unit.

4. There shall be a residency limitation on all guests of thirty (30) days maximum. The foregoing residency limitation shall not apply to an employee living on the premises.

5. Off-street parking shall be provided at the ratio of one and one-quarter (1.25) spaces per room plus one (1) parking space for every ten (10) seats provided in ancillary restaurant and convention facilities.

6. No building shall exceed ten (10) stories and one hundred (100) feet in height.

7. No building shall be located within two hundred (200) feet of any street line; within one hundred fifty (150) feet of any rear lot line; or within seventy-five (75) feet of any side lot line.

8. Building coverage shall not exceed thirty percent (30%) of the lot area.

9. All of the other area, yard, building coverage, height, and general requirements of the respective zone and other applicable requirements of this Ordinance must be met.

10. Two (2) signs shall be permitted, one (1) free-standing and one (1) attached, each not exceeding an area equivalent to five (5) percent of the first floor portion of the front facade or one hundred (100) square feet, whichever is smaller. Free-standing signs shall be set back at least twenty-five (25) feet from all street and lot lines.

#### 602 GENERAL EXCEPTIONS AND MODIFICATIONS

A. Christmas Tree Sale: The annual sale of Christmas trees is permitted in any zone between December 1 and December 25, inclusive.

B. Height Limits: Excepting for single and two-family dwellings as permitted in this Ordinance, penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building, skylights, spires, cupolas, flagpoles, chimneys or similar structures may be erected above the height limits prescribed by this Ordinance but in no case more than ten (10) percent more than the maximum height permitted for the use in the district except that farm silos shall have no height restrictions.

C. Parking Of Commercial Vehicles In Residential Zones: One commercial vehicle of a rated capacity not exceeding one ton or four wheels, owned or used by a resident of the premises shall be permitted to be regularly parked or garaged on a lot in any residential district. The provisions of this Ordinance must be met on the single lot for which the use is accessory to the main use of the premises. This provision shall not be deemed to limit the number of commercial trucks or cars used upon a farm or construction equipment which is used on the site for construction purposes.

D. Public Election Voting Places: The provisions of this Ordinance shall not be construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

E. Public Utility Lines: Public utility lines for the transportation and distribution and control of water, electricity, gas, oil, steam, telegraph and telephone communications, and their supporting members, other than buildings or structures shall not be required to be located on a lot nor shall this Ordinance be interpreted as to prohibit the use of a property in any zone for the above uses.

#### 603 PLANNED DEVELOPMENTS

##### A. Types and Locations

1. Residential Clusters are permitted on tracts of at least twenty-five (25) acres in area in the "R-120", "R-80", "R-60", "R-30" and "R-15" Districts.

2. Planned Neighborhoods are permitted on tracts of at least twenty-five (25) acres in area where indicated on the Zoning Map.

3. Planned Communities are permitted on tracts of at least fifty (50) acres in area where indicated on the Zoning Map.

4. Planned Unit Developments are permitted on tracts of at least seventy-five (75) acres in area where indicated on the Zoning Map.

**B. Residential Clusters**

**1. Principal Permitted Uses On The Land And In Buildings**

- a. Detached dwelling units.
- b. Public playgrounds, conservation areas, parks and public purpose uses.

**2. Accessory Uses Permitted**

- a. Private residential swimming pools (see Section 516 for standards).
- b. Private residential tool sheds not to exceed fifteen (15) feet in height.
- c. Boats on trailers and campers to be parked or stored only and located in rear or side yards only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situated on a lot.
- d. Tennis courts and other usual recreational activities.
- e. Off-street parking and private garages.
- f. Fences and walls (see Section 504).

**3. Maximum Building Height**

No building shall exceed thirty-five (35) feet in height and 2.5 stories except as provided in Section 602 of this Ordinance.

**4. Maximum Number Of Lots Permitted**

Total lots permitted shall be calculated by subtracting fifteen percent (15%) of the tract area as an allowance for streets and dividing the remaining land area by 80,000 square feet for tracts of land in the "R-120" District; by 40,000 square feet for tracts of land in the "R-80" and "R-60" Districts by 30,000 square feet for tracts of land in the "R-30" District; and by 15,000 square feet for tracts of land in the "R-15" District.

**5. Area And Yard Requirements**

	Detached Dwellings "R-120"	Detached Dwellings "R-80" & "R-60"	Detached Dwellings "R-30"	Detached Dwellings "R-15"
<b>Principal Building</b>				
<u>Minimum</u>				
Lot area (sq. ft.)	50,000	25,000	18,000	11,000
Lot frontage	160'	120'	110'	90'
Lot width	160'	120'	110'	90'
Lot depth	210'	140'	130'	110'
Side yard (each)	35'	19'	17'	12'
Front yard	55'	45'	40'	35'
Rear yard	55'	45'	40'	35'
<b>Accessory Building</b>				
<u>Minimum</u>				
Distance to side line	20'	10'	10'	10'
Distance to rear line	20'	10'	10'	10'
Distance to other building	10'	10'	10'	10'
<u>Maximum</u>				
Building coverage of principal building	10%	11%	12%	15%
Building coverage of accessory building(s)	5%	5%	5%	5%

- 6. Minimum Off-Street Parking
  - a. Dwelling units shall each provide two (2) spaces per unit.
  - b. See Section 509 for additional standards.
- 7. Permitted Signs  
None.
- 8. Open Space Requirements  
See Section 603 F. hereinbelow.

C. Planned Neighborhoods

1. Principal Permitted Uses On The Land And In Buildings

- a. Two-family dwelling units.
- b. Garden apartment dwelling units.
- c. Townhouse dwelling units.
- d. In any Planned Neighborhood, no more than sixty percent (60%) of all residential units shall be of any one residential type.
- e. Neighborhood commercial uses as permitted in the "NC" District and in accordance with the standards specified for such uses in Section 406 of this Ordinance provided that no more than five percent (5%) of the tract area is devoted to such uses.

2. Accessory Uses Permitted

- a. Private residential swimming pools (see Section 517 for standards).
- b. Commercial swimming pools.
- c. Off-street parking and private garages.
- d. Fences and walls (see Section 504).
- e. Signs.
- f. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

3. Maximum Building Height

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

4. Maximum Residential Density

Planned Neighborhoods shall be developed at an overall tract density of not more than six (6) dwelling units per acre excluding any acreage devoted to the optional Neighborhood Commercial uses.

5. Area And Yard Requirements

a. Two-family dwelling units:

Principal Building	
<u>Minimum</u>	
Lot area	12,000 sq. ft.
Lot frontage	100'
Lot width	100'
Lot depth	100'
Side yard (each)	15'
Front yard	35'
Rear yard	35'

<u>Accessory Building</u>	
<u>Minimum</u>	
Distance to side line	10'
Distance to rear line	10'
Distance to other building	10'

<u>Maximum</u>	
Building coverage of principal building	20%
Building coverage of accessory building(s)	5%

b. Garden apartment dwelling units:  
See Section 604 for standards.

c. Townhouse dwelling units:  
See Section 605 for standards.

d. Neighborhood commercial uses:  
See Section 406 for standards.

6. Minimum Off-Street Parking And Loading

a. Dwelling units shall each provide two (2) parking spaces per unit.

b. Neighborhood commercial uses shall provide parking spaces as provided in Section 406 H. of this Ordinance and loading areas as provided in Section 406 G.

c. See Section 509 for additional standards.

7. Permitted Signs

a. Neighborhood commercial uses may provide signs as permitted in Section 406 I. of this Ordinance.

b. Each development may have one (1) sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign(s) shall not exceed ten (10) feet in height, shall be set back from the street rights-of-way and driveways at least twenty (20) feet, shall be set back from any property line a minimum of one hundred (100) feet, shall not exceed an area of sixty (60) square feet and shall be used to display the development's name.

c. See Section 514 for additional standards.

8. Open Space Requirements  
See Section 603 F. hereinbelow.

D. Planned Communities

1. Principal Permitted Uses On The Land And In Buildings

a. Detached dwelling units.

b. Two-family dwelling units.

c. In any Planned Community, at least twenty percent (20%) of all residential units shall be detached and/or two-family dwelling units.

d. Garden apartment dwelling units.

e. Townhouse dwelling units.

f. Neighborhood commercial uses as permitted in the "NC" District and in accordance with the standards specified for such uses in Section 406 of this Ordinance provided that no more than eight percent (8%) of the tract area is devoted to such uses.

g. Office buildings and research and engineering activities not involving the manufacturing, sale, processing, warehousing, distribution or fabrication of material, products or goods except as incidental to the principal use. Such office buildings and research and engineering activities shall comprise no more than twelve percent (12%) of the tract area.

2. Accessory Uses Permitted

- a. Commercial swimming pools and other recreational facilities.
- b. Off-street parking and private garages.
- c. Fences and walls (see Section 504).
- d. Signs.
- e. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

3. Maximum Building Height

No building shall exceed thirty-five (35) feet in height except as provided in Section 602 of this Ordinance.

4. Maximum Residential Density

Planned Communities shall be developed at an overall tract density of not more than eight (8) dwelling units per acre excluding any acreage devoted to the optional neighborhood commercial and office, research and engineering uses.

5. Area And Yard Requirements

a. Detached and Two-Family dwelling units:

	<u>Detached Dwellings</u>	<u>Two-Family Dwellings</u>
<u>Principal Building</u>		
<u>Minimum</u>		
Lot area	7,000 sq. ft.	12,000 sq. ft.
Lot frontage	70'	100'
Lot width	70'	100'
Lot depth	90'	100'
Side yard (each)	10'	15'
Front yard	30'	35'
Rear yard	30'	35'
<u>Accessory Building</u>		
<u>Minimum</u>		
Distance to side line	10'	10'
Distance to rear line	10'	10'
Distance to other building	10'	10'
<u>Maximum</u>		
Building coverage of principal building	20%	20%
Building coverage of accessory building(s)	5%	5%

b. Garden apartment dwelling units:  
See Section 604 for standards.

c. Townhouse dwelling units:  
See Section 605 for standards.

- d. Neighborhood commercial uses:  
See Section 406 for standards.
- e. Office, research and engineering uses:

<u>Principal Building</u>	
<u>Minimum</u>	
Lot area	40,000 sq. ft.
Lot frontage	200'
Lot width	200'
Lot depth	175'
Side yard (each)	25'
Front yard	75'
Rear yard	60'
 <u>Accessory Building</u>	
<u>Minimum</u>	
Distance to side line	20'
Distance to rear line	20'
Distance to other building	20'
 <u>Maximum</u>	
Combined building coverage of principal building and accessory building(s)	25%

6. Minimum Off-Street Parking And Loading

- a. Dwelling units shall each provide two (2) parking spaces per unit.
- b. Neighborhood commercial uses shall provide parking spaces as provided in Section 406 H. of this Ordinance and loading areas as provided in Section 406 G.
- c. Office, research and engineering uses shall provide parking spaces as provided in Section 410H. of this Ordinance and loading areas as provided in Section 410 G. Moreover, at least the first fifteen (15) feet adjacent to any street line and eight (8) feet adjacent to any lot line shall not be used for parking and shall be planted and maintained in lawn area, ground cover, or landscaped with evergreen shrubbery.
- d. See Section 509 for additional standards.

7. Permitted Signs

- a. Neighborhood Commercial uses and Research Development uses may provide signs as permitted in Section 406 I. and Section 410 I., respectively.
- b. Each development may have one (1) sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign(s) shall not exceed ten (10) feet in height, shall be set back from the street rights-of-way and driveways at least twenty (20) feet, shall be set back from any property line a minimum of one hundred (100) feet, shall not exceed an area of sixty (60) square feet and shall be used to display the development's name.
- c. See Section 514 for additional standards.

8. Open Space Requirements  
See Section 603 F. hereinbelow.

E. Planned Unit Developments

1. Principal Permitted Uses On The Land And In Buildings

- a. Dwelling units, provided they occupy between sixty (60) and seventy-five (75) percent of the total gross floor area of all principal buildings.

b. Offices, banks and financial enterprises and/or data processing and engineering activities, provided they occupy between twenty-five (25) and forty (40) percent of the gross floor area of all principal buildings.

2. Accessory Uses Permitted

- a. Commercial swimming pools and other recreational facilities.
- b. Off-street parking and garage buildings.
- c. Fences and walls (see Section 504).
- d. Signs.
- e. Temporary construction trailers and one (1) sign not exceeding one hundred (100) square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a Certificate of Occupancy or one (1) year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and are set back at least fifteen (15) feet from all street and lot lines.

3. Building Height

No building shall be more than one hundred (100) feet and ten (10) stories in height.

4. Maximum Residential Density

Dwelling units shall be developed at an overall tract density of between 4.8 and 6.0 dwelling units per acre, dependent upon the percentage of the total gross floor area occupied by the dwelling units. (See Section 603 E. 1. hereinabove.)

5. Area And Yard Requirements

- a. The maximum building coverage for principal buildings shall be five percent (5%).
- b. Notwithstanding any other provisions of this Ordinance, the maximum coverage for garage buildings, other off-street parking areas, access driveways and aisles shall be ten percent (10%).
- c. All structures shall be set back at least three hundred (300) feet from all street lines and at least two hundred (200) feet from all property lines.
- d. Structures shall be no closer to each other than one hundred (100) feet.

6. Minimum Off-Street Parking And Loading

- a. Dwelling units shall each provide two (2) parking spaces per unit.
- b. Offices, hotel and convention facilities, banks and financial enterprises and/or data processing and engineering activities shall provide parking and loading facilities in accordance with the standards specified in this Ordinance for the same or similar uses.
- c. See Section 509 for additional standards.

7. Permitted Signs

- a. Each development may have one (1) sign along each arterial or collector road which the tract in question abuts provided there exists at least two hundred fifty (250) feet of unbroken frontage. Such sign(s) shall not exceed ten (10) feet in height, shall be set back from the street rights-of-way and driveways at least twenty (20) feet, shall be set back from any property line a minimum of one hundred (100) feet, shall not exceed an area of sixty (60) square feet and shall be used to display the development's name.



b. Other signs may be permitted as specifically approved by the Board during site plan review.

c. See Section 514 for additional standards.

8. Open Space Requirements  
See Section 603 F. hereinbelow.

F. Open Space Requirements

1. Land area equal to a minimum of twenty (20) percent of the tract of land proposed for residential development shall not be included in lots and shall be set aside for conservation, open space, flood plain, school sites, recreation and park areas. Such land shall be optimally related to the overall plan and design of the development and improved to best suit the purpose(s) for which it is intended. Land utilized for street rights-of-way shall not be included as part of the above twenty (20) percent. Land to be devoted to public purposes may be offered to the township or may be owned and maintained by an open space organization. Any lands intended to be offered to the township for public purposes shall be so declared prior to preliminary approval. All lands not offered to and/or not accepted by the township shall be owned and maintained by an open space organization.

2. Any lands offered to the township shall meet the following requirements:

a. The minimum size of each parcel offered to the township shall be one (1) acre.

b. Lands offered for recreational purposes shall be improved by the developer including equipment, walkways and landscaping in order to qualify the lands for acceptance by the township.

c. Any lands offered to the township shall be subject to review by the Planning Board which, in its review and evaluation of the suitability of such land, shall be guided by the Master Plan of the township, by the ability to assemble and relate such lands to an overall plan and by the accessibility and potential utility of such lands. The Planning Board may request an opinion from other public agencies or individuals as to the advisability of the township's accepting any lands to be offered to the township.

d. Every parcel of land offered to and accepted by the township shall be conveyed to the township by deed at the time final plan approval is granted by the township. The deed shall contain such restrictions as may reasonably be required by the Planning Board to effectuate the provisions of Subsection D. 2., hereinabove pertaining to the use of such areas.

3. An open space organization, established for the purpose of owning and maintaining common lands and facilities including conservation, open space, flood plain, recreation and park areas shall be in accordance with N. J. S. A. 40:55D-43 and the following provisions:

a. Membership in any created open space organization by all property owners shall be mandatory. Such required membership in any created open space organization and the responsibilities upon the members shall be in writing between the organization and the individual in the form of a covenant with each member agreeing to his liability for his pro rata share of the organization's costs and providing that the township shall be a party beneficiary to such covenant entitled to enforce its provisions. The terms and conditions of said covenant shall be reviewed by both the Township Attorney and the Planning Board Attorney prior to final approval.

b. Executed deeds shall be tendered to the township simultaneously with the granting of final approval stating that the prescribed use(s) of the lands in the common ownership shall be absolute and not subject to reversion for possible future development.

c. The open space organization shall be responsible for liability insurance, municipal taxes, maintenance of land and any facilities that may be erected on any land deeded to the open space organization and shall hold the township harmless from any liability.

d. Any assessment levied by the open space organization may become a lien on the private properties in the development. The duly created open space organization shall be allowed to adjust the assessment to meet changing needs and any deeded lands may be sold, donated or in any other way conveyed to the township for public purposes only.

e. The open space organization initially created by the developer shall clearly describe in its by-laws the rights and obligations of any homeowner and tenant in the planned development, along with the covenant and model deeds and the articles of incorporation of the association prior to the granting of final approval by the township.

f. Part of the development proposals submitted to and approved by the township shall be provisions to insure that control of the open space organization will be transferred to the individual lot owners in the development based on a percentage of the dwelling units sold and/or occupied, together with assurances in the by-laws that the open space organization shall have the maintenance responsibilities for all lands to which they hold title.

4. Should the proposed development consist of a number of stages, the Planning Board may require that acreage proportionate in size to the stage being considered for final approval be set aside simultaneously with the granting of final approval for that particular stage, even though these lands may be located in a different section of the overall development.

#### G. General Requirements

1. Prior to preliminary approval, the developer shall submit preliminary public sewer system and public water system plans which will serve the dwelling units in the development together with letters from the appropriate municipal, county and state officials indicating the feasibility of such plans. Prior to final approval, the developer shall submit the final plans for these systems which shall have been approved by the local and state Boards of Health. Septic systems shall not be permitted.

2. Any proposal for planned development may include provisions for the phasing of construction over a period of years, provided that the following terms and conditions, intended to protect the interests of the public and of the residents, occupants and owners of the proposed development, are met:

a. Where the development is intended to be phased over a number of years, prior to the granting of preliminary approval for the entire planned development, there shall be an explanation, including appropriate maps, indicating the location, number and type of units to be constructed in each phase and the priority of each phase. Each development phase shall indicate its relationship to the circulation and utilities systems completed up to that point in order to assure their adequacy to serve the total development.

b. Preliminary approval shall be granted for the complete planned development proposal before final approval shall be granted for any phase.

c. Each development phase shall maintain a reasonable balance of residential uses and non-residential uses, recreational facilities and open space to serve the residents. For all development phases subsequent to the first phase, no building permits may be issued for construction of units in any such phase until construction of preceding phases is substantially completed. ("Substantially completed" shall be taken to mean that, as a minimum, all exterior finish, paving, fine grading, seeding and landscaping shall have been completed.)

3. No Certificate of Occupancy shall be issued for any building or part thereof until all streets, drainage, parking facilities and sewer facilities servicing the said structure are properly completed and functioning.

#### 604 GARDEN APARTMENTS

No garden apartment dwelling shall be constructed in the township unless the dwelling is part of an approved site plan and unless the following minimum standards are met in addition to other applicable requirements of this Ordinance.

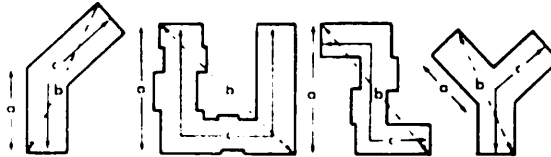
A. Each dwelling unit and combined complex of dwelling units shall have a compatible architectural theme with variations in design to provide attractiveness to the development, which shall include consideration of landscaping techniques, building orientation to the site and to other structures, topography, natural features and individual dwelling unit design such as varying unit width, staggering unit setbacks, providing different exterior materials, changing roof lines and roof designs, altering building heights and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singularly or in combination for each dwelling unit.

B. All dwelling units shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of a Certificate of Occupancy.

C. All parking facilities shall be on the same site as the building and located within one hundred fifty (150) feet of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking and there shall be no parking along interior streets. The total area devoted to both parking and interior streets shall not exceed thirty-five (35) percent of the tract.

D. Apartment buildings may consist of any configuration that meets the prescribed area and yard requirements and does not exceed the following overall or component building lengths. Building coverage shall not exceed twenty (20) percent of the tract area.

- a) 200' on one plane
- b) 340' on any angle
- c) 500' along the centerline



Buildings measured along the centerline shall provide one opening at ground level at least every two hundred fifty (250) feet. This opening shall be a minimum of fifteen (15) feet in clear width and height, enabling emergency vehicle access through the opening.

E. No portion of any dwelling unit shall be a basement.

F. Each dwelling unit shall have two separate means of egress to the ground except that any window sill which is twelve (12) feet or less above the ground level below it shall be considered a separate means of egress.

G. In addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit two hundred (200) cubic feet of storage area in a convenient, centrally located area in the basement or ground floor of the dwelling structure where personal belongings and effects may be stored without constituting a fire hazard and where the said belongings and effects may be kept locked and separated from the belongings of other occupants. There shall be a further minimum common storage area in each building of fifty (50) cubic feet per dwelling unit located convenient to the outside ground level for bicycles, perambulators and similar types of equipment.

H. No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area and equipment shall be made available within each building for the laundering and artificial drying of laundry of occupants of each building.

I. Each apartment building shall contain a single master T. V. antenna system which shall serve all dwelling units within the building.

J. Each garden apartment dwelling unit shall have the following minimum floor areas:

1. Efficiency unit 500 sq. ft.
2. One-bedroom unit 700 sq. ft.
3. Two-bedroom unit 900 sq. ft.
4. Each additional bedroom shall require that a minimum of two hundred fifty (250) additional square feet be added to the gross floor area of the garden apartment dwelling.

K. Minimum yard areas shall be measured horizontally in feet and shall be measured away from the front, side and rear of each building. The total minimum distance between buildings shall be the sum of the two abutting yard areas. The minimum yards shall be forty (40) feet for front yards, twenty-five (25) feet for side yards and fifty (50) feet for rear yards. No building, as measured radially from any corners, shall be closer to any other building corner than the combined distances of the side yard requirements for each building. The combined distance of two side yards shall exclude any driveway or vehicular access, such driveway or vehicular access width being in addition to the combined side yard width. In addition, no building shall be located closer than fifty (50) feet to the future right-of-way line of any public street.

605 TOWNHOUSES

No townhouse dwelling unit shall be constructed in the township unless the dwelling is part of an approved site plan and unless the following minimum standards are met in addition to other applicable requirements of this Ordinance.

A. Each dwelling unit and combined complex of dwelling units shall have a compatible architectural theme with variations in design to provide attractiveness to the development which shall include consideration of landscaping techniques, building orientation to the site and to other structures, topography, natural features and individual dwelling unit design such as varying unit widths, staggering unit setbacks, providing different exterior materials, changing roof lines and roof designs, altering building heights and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singularly or in combination for each dwelling unit. Any overall structure of attached townhouses shall provide that no more than two (2) adjacent dwelling units have the same setback.

B. All dwelling units shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of a Certificate of Occupancy.

C. All parking facilities shall be on the same site as the building and located within one hundred fifty (150) feet of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking and there shall be no parking along interior streets. The total area devoted to both parking and interior streets shall not exceed thirty (30) percent of the tract.

D. No townhouse dwelling unit shall be less than sixteen (16) feet wide. Building coverage shall not exceed twenty (20) percent of the tract area.

E. No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area and equipment shall be made available within each building for the laundering and artificial drying of laundry of occupants of each building.

F. Each building shall contain a single master T. V. antenna system which shall serve all dwelling units within the building.

G. Each townhouse dwelling unit shall have the following minimum floor areas:

1. One-bedroom unit 800 sq. ft.
2. Two-bedroom unit 1,000 sq. ft.
3. Three-bedroom unit 1,200 sq. ft.
4. Each additional bedroom shall require that a minimum of two hundred fifty (250)

additional square feet be added to the gross floor area of the townhouse dwelling.

H. Minimum yard areas shall be measured horizontally in feet and shall be measured away from the front, side and rear of each building. The total minimum distance between buildings shall be the sum of the two abutting yard areas. The minimum yards shall be forty (40) feet for front yards, twenty-five (25) feet for side yards and fifty (50) feet for rear yards. No building, as measured radially from any corners, shall be closer to any other building corner than the combined distances of the abutting yard requirements for each building. The combined distance of two abutting yards shall exclude any driveway or vehicular access, such driveway or vehicular access width being in addition to the combined side yard width. In addition, no building shall be located closer than fifty (50) feet to the future right-of-way line of any public street.

SECTION 700

ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD

701 ESTABLISHMENT OF THE BOARD OF ADJUSTMENT

A. The Zoning Board of Adjustment heretofore created is continued and is hereby established pursuant to the Municipal Land Use Law as the Board of Adjustment for the municipality. It shall consist of seven members, who shall be appointed by the governing body for terms of four years each computed from January 1 of the year of their appointment, except full terms filled for the first time under this section shall be so fixed (for four or less years) and so arranged that to the greatest practicable extent the expiration of all terms will be distributed evenly over the first four years after the initial appointment.

B. Any vacancy on said Board occurring other than by expiration of term shall be filled by appointment by the governing body of the municipality to serve for the unexpired term of the member whose term shall become vacant. A member may be removed by the governing body for cause but only after public hearing and other requested procedural due process protections.

C. Yearly, the Board of Adjustment shall organize by selecting from among its regular members a Chairman and Vice Chairman. The Board shall also select a Secretary who may or may not be a member of the Board or a municipal employee.

D. The governing body shall make provisions in its budget and appropriate funds for the expenses of the Board of Adjustment.

E. The office of Board of Adjustment attorney is hereby created. The Board of Adjustment may annually appoint to such office and fix compensation or rate of compensation of an attorney at law of New Jersey other than the municipal attorney.

F. Two (2) alternate members of the Board of Adjustment are hereby established, each to be appointed by the governing body for terms of two (2) years, computed from January 1 of the year of their appointment, except that the initial terms of such members shall be one (1) and two (2) years respectively. Alternate members shall be designated by the Chairman of the Board of Adjustment as "Alternate No. 1" and "Alternate No. 2" and the alternates shall serve in rotation during the absence or disqualification of any regular member or members.

702 POWERS AND JURISDICTION OF THE BOARD OF ADJUSTMENT

The Board of Adjustment shall have the power to:

A. Error or Refusal

Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by a municipal official based on or made in the enforcement of the Land Development Ordinance.

B. Exceptions or Interpretations

Hear and decide, in accordance with the provisions of the Land Development Ordinance, requests for interpretation of the Zoning Map or Ordinance or for decisions upon other special questions upon which the Board is authorized to pass by any Land Development Ordinance or Official Map.

C. Variance of Area or Yard Requirements

Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property; or by reason of exceptional topographic conditions; or by reason of other extraordinary and exceptional situation or condition of such piece of property the strict application of any regulation of this Ordinance would result in peculiar and exceptional practical difficulties or in exceptional and undue hardship upon the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve any difficulties or hardships; provided, however, that no variance shall be granted under this subsection to allow a structure or use in a district restricted against such structure or use; and provided further that the proposed development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the Planning Board shall review a request for a variance pursuant to this Ordinance.

D. Variance of Use Regulations

Grant a variance to allow a structure or use in a district restricted against such structure or use in particular cases and for special reasons, but only by affirmative vote of at least two-thirds of the full authorized membership of the Board.

E. General Provision

No variance or other relief may be granted under the terms of this section unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and Zoning Ordinance. An application under this section may be referred to an appropriate person or agency, including the Planning Board, for its report; provided that such reference shall not extend the period of time within which the Zoning Board of Adjustment shall act.

F. Other Powers

The Board of Adjustment shall have such other powers as prescribed by law, including but not limited to, the following:

1. Direct issuance of a building permit for the construction of a building or structure within the bed of a mapped street or public drainage way, flood control basin or public area as shown on a duly adopted Official Map of the municipality whenever one or more parcels of land within said bed cannot yield a reasonable return to the owner unless a building permit is granted. The Board may grant such relief only by an affirmative vote of a majority of the full authorized membership of the Zoning Board of Adjustment, ensuring that such relief will tend to cause a minimum change of the Official Map and will not significantly add to the cost of opening any proposed street. The Board shall impose reasonable requirements as a condition of granting the building permit so as to promote the health, morals, safety and general welfare of the public.

2. Direct issuance of a building permit for the construction of a building or structure on a lot not abutting a street which is shown on a duly adopted Official Map of the municipality or which is a) an existing state, county or municipal street or highway; or b) a street shown upon a plat approved by the municipal Planning Board; or c) a street on a plat duly filed in the office of the County Recording Officer. The Board may grant such relief only where the enforcement of the statute requirement that a building lot abut a street would entail practical difficulty or unnecessary hardship, or where the circumstances of the case do not require the building or structure to abut a street. The Board shall impose requirements or conditions that will provide adequate access for fire fighting equipment, ambulances and other emergency vehicles necessary for the protection of the health and safety and will protect any future street layout shown on the Official Map or on the general circulation plan element of the municipal Master Plan.

3. The Board of Adjustment shall have the power to grant, to the same extent and subject to the same restrictions as the Planning Board, subdivision or site plan approval or conditional use approval whenever the Board of Adjustment is reviewing an application for approval of a variance pursuant to Section 702 D. of this Ordinance; provided, however, that the exercise of subdivision and/or site plan review by the Board of Adjustment shall be restricted to that lot (or lots) upon which the proposed variant use is to be situated.

703 APPEALS AND APPLICATIONS TO THE BOARD OF ADJUSTMENT

A. Appeals to the Board of Adjustment may be taken by an interested party affected by any decision of a municipal official of the municipality based on or made in the enforcement of the Land Development Ordinance or Official Map. Such appeal shall be taken within 65 days by filing a notice of appeal with the Official from whom the appeal is taken specifying the grounds of such appeal. The official from whom the appeal is taken shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

B. A developer may file an application for development with the Board of Adjustment for action under any of its powers without prior application to a municipal official.

C. The Board of Adjustment shall render a decision not later than 120 days after the date that 1) an appeal is taken from the decision of a municipal official, or 2) a complete application for development is submitted to the Board by a developer. Failure of the Board to render a decision within such 120-day period or within such further time as may be consented to by the applicant shall constitute a decision favorable to the applicant.

704 ESTABLISHMENT OF THE PLANNING BOARD

A. A Planning Board is hereby established consisting of nine (9) members of the following four (4) classes:

Class I            The Mayor

Class II One of the officials of the municipality, other than a member of the governing body, to be appointed by the governing body, provided that if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board as required by C. 40:56A-1 shall be deemed to be the Class II Planning Board member if there is both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV members.

Class III A member of the Township Council to be appointed by the governing body.

Class IV Six (6) other citizens of the municipality to be appointed by the governing body. The members of Class IV shall hold no other municipal office, except that one member may be a member of the Zoning Board of Adjustment and one may be a member of the Board of Education. A member of the Environmental Commission who is also a member of the Planning Board as required by R.S. 40:56A shall be a Class IV Planning Board member unless there be among the Class IV members of the Planning Board both a member of the Zoning Board of Adjustment and a member of the Board of Education, in which case the member of the Environmental Commission shall be deemed to be the Class II member of the Planning Board.

B. The term of the member composing Class I shall correspond with his official tenure. The terms of the members composing Class II and Class III shall be for one year or terminated at the completion of their respective terms of office, whichever occurs first, except for a Class II member who is also a member of the Environmental Commission. The term of a Class II or Class IV member who is also a member of the Environmental Commission shall be for three years or terminate at the completion of his term of office as a member of the Environmental Commission, whichever comes first.

C. The term of a Class IV member who is also a member of the Board of Adjustment or the Board of Education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever comes first.

D. The terms of all Class IV members first appointed pursuant to this Ordinance shall be so determined that to the greatest practicable extent the expiration of such term shall be evenly distributed over the first four years after their appointment and as determined by resolution of the governing body; provided, however, that no term of any member shall exceed four years and further provided that nothing herein shall affect the term of any present member of the Planning Board, all of whom shall continue in office until the completion of the terms of four years except as otherwise herein provided. All terms shall run from January 1 of the year in which the appointment was made.

E. If a vacancy of any class shall occur otherwise than by expiration of term, it shall be filled by appointment as above provided for the unexpired term. A member may be removed by the governing body for cause but only after public hearing and other requested procedural due process protection.

F. The Planning Board shall elect a chairman and vice chairman from the members of Class IV and select a secretary who may be either a member of the Planning Board or a municipal employee designated by it.

G. The governing body shall make provisions in its budget and appropriate funds for the expenses of the Planning Board.

H. The office of Planning Board attorney is hereby created. The Planning Board may annually appoint to such office and fix compensation or rate of compensation of an attorney at law of New Jersey other than the municipal attorney.

I. Two (2) alternate Class IV members of the Planning Board are hereby established, each to be appointed by the governing body for terms of two (2) years, computed from January 1 of the year of their appointment, except that the initial terms of such members shall be one (1) and two (2) years respectively. Alternate members shall be designated by the Chairman of the Planning Board as "Alternate No. 1" and "Alternate No. 2" and the alternates shall serve in rotation during the absence or disqualification of any regular Class IV member or members.

705 POWERS AND JURISDICTION OF THE PLANNING BOARD

The Planning Board shall have the powers listed below in addition to other powers established by law:

A. Make, adopt, and from time to time, amend a Master Plan for the physical development of the township, including any areas outside its boundaries which, in the Board's judgement, bear essential relation to the planning of the township.

B. Participate in the preparation and review of programs or plans required by state or federal law or regulation.

C. Assemble data on a continuing basis as part of a continuous planning process.

D. Annually, prepare a program of municipal capital improvements projects projected over a term of six years and amendments thereto and recommend same to the governing body.

E. Consider and make report to the governing body within thirty-five (35) days after referral as to any proposed development regulation submitted to it and also pass upon other matters specifically referred to the Planning Board by the governing body.

F. The Planning Board shall have such other powers as prescribed by law, including, but not limited to, the power to grant the following variances, to the same extent and subject to the same restrictions as the Zoning Board of Adjustment, when the Planning Board is reviewing applications for approval of subdivision plans, site plans or conditional uses:

1. Variances pursuant to subsection 702 C. of this Ordinance from lot area, lot dimension, setback and yard requirements; provided that relief pursuant to this subsection from lot area requirements shall not be granted for more than one lot;

2. Direction pursuant to subsection 702 F. 1. of this Ordinance for issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or public area; and

3. Direction pursuant to subsection 702 F. 2. of this Ordinance for issuance of a permit for a building or structure on a lot not abutting a street.

706 PROVISIONS APPLICABLE TO BOTH THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

A. Conflicts of Interest

No member of the Planning Board or Zoning Board of Adjustment shall act on any matter in which he has either directly or indirectly any personal or financial interest. Whenever any such member shall disqualify himself from acting on a particular matter, he shall not continue to sit with the Board on the hearing of such matter nor participate in any discussion or decision relating thereto.

B. Meetings

1. Meetings of both the Planning Board and Zoning Board of Adjustment shall be scheduled no less often than once a month, and any meeting so scheduled shall be held as scheduled unless cancelled for lack of applications for development to process.

2. Special meetings may be provided for at the call of the chairman or on the request of any two Board members, which shall be held on notice to its members and the public in accordance with all applicable legal requirements.

3. No action shall be taken at any meeting without a quorum being present, said quorum to be the majority of the full authorized membership of the Board.

4. All actions shall be taken by majority vote of a quorum except as otherwise required by a provision of N. J. S. A. 40:55D-1 et seq.

5. All meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meeting Law, C. 231, Laws of New Jersey, 1975.



C. Records

1. Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the Planning Board or the Zoning Board of Adjustment, and of the persons appearing by attorney, the action taken by the Planning or Zoning Board, the findings, if any, made by it and reasons therefor. The minutes shall thereafter be made available for public inspection during the normal business hours at the office of the Administrative Officer. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceedings concerning the subject matter of such minutes.

2. A verbatim recording shall be made of every hearing. The recording of the proceedings shall be made by either stenographer, mechanical or electronic means. The municipality shall furnish a transcript or duplicate recording in lieu thereof on request to any interested party at his expense.

D. Public Hearings

1. The Planning Board or Zoning Board of Adjustment, as the case may be, shall hold a hearing on each application for development. Each Board shall make the rules governing such hearings.

2. Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection at least 10 days before the date of the hearing during normal business hours in the office of the Administrative Officer. The applicant may produce other documents, records or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

3. The officer presiding at the hearing, or such person as he may designate, shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the "County and Municipal Investigations Law," P. L. 1953, c. 38 (C. 2A:67A-1 et seq.) shall apply.

4. The testimony of all witnesses relating to an application for development shall be taken under oath of affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.

5. Technical rules of evidence shall not be applicable to the hearing, but the Board may exclude irrelevant, immaterial or unduly repetitious evidence.

E. Public Notice of a Hearing

1. Public notice of a hearing shall be given for the following applications for development.

- a. Any request for a variance;
- b. Any request for conditional use approval;
- c. Any request for the issuance of a permit to build within the bed of a mapped street or public drainageway or on a lot not abutting a street (see Section 702 F. 1. and 702 F. 2.);
- d. Any request for site plan approval involving one or more of the aforesaid elements; and,
- e. Any request for preliminary subdivision approval.

2. The Secretary of the Planning Board or Zoning Board of Adjustment, as the case may be, shall notify the applicant at least two (2) weeks prior to the public hearing at which the application will be discussed. Notice of a hearing requiring public notice shall be given by the applicant at least ten days prior to the date of the hearing in the following manner:

- a. By publication in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the municipality.

b. To all owners of real property as shown on the current tax duplicate located within 200 feet in all directions of the property which is the subject of the hearing, which notice shall be given by serving a copy thereof on the property owner, as shown on the current tax duplicate, or his agent in charge of the property; or by mailing a copy thereof by certified mail to the property owner at his address as shown on the said current tax duplicate. It is not required that a return receipt be obtained. Notice is deemed complete upon mailing (N. J. S. A. 40:55D-14).

c. Notice to a partnership owner may be made by service upon any partner; notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation.

d. To the Clerk of any adjoining municipality or municipalities when the property involved is located within 200 feet of said adjoining municipality or municipalities, which notice shall be given by personal service or certified mail.

e. To the County Planning Board when the application for development involves property adjacent to an existing county road or proposed road shown on the County Official Map or the County Master Plan or adjoins other county land.

f. To the Commissioner of Transportation of the State of New Jersey when the property abuts a state highway.

g. To the Director of the Division of State and Regional Planning in the Department of Community Affairs when the hearing involves an application for development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any maps or documents required to be on file with the Administrative Officer.

3. Upon the written request of an applicant, the Administrative Officer shall, within seven (7) days, make and certify a list from said current tax duplicates of names and addresses of owners within the township to whom the applicant is required to give notice. The applicant shall be charged ten dollars (\$10.00) for said list and shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. Additionally, the applicant shall be responsible for giving proper notice to all property owners pursuant to Section 706 E. 2. b. above who do not reside within the township.

4. The applicant shall file an affidavit or proof of service with the Planning Board or Zoning Board of Adjustment, as the case may be.

5. The notice shall state the date, time and place of the hearing and the nature of the matters to be considered, and an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the municipal tax assessor's office, and the location and times at which any maps or documents for which approval is sought are available for inspection.

#### 707 APPEAL OF DECISIONS

A. Any interested party may appeal a decision of the Zoning Board of Adjustment or Planning Board, as the case may be, to the governing body.

B. Such appeal shall be made within ten (10) days of the date of publication of such final decision pursuant to Section 708 of this Ordinance. The appeal to the governing body shall be made by serving the Township Clerk in person or by certified mail with a notice of appeal specifying the grounds thereof and the name and address of the appellant and name and address of his attorney, if represented. The appellant shall arrange for a transcript for use by the governing body and shall deliver seven (7) copies of said transcript to the Township Clerk.

C. Notice of the meeting to review the record below shall be given by the governing body by personal service or certified mail to the appellant, to those entitled to notice of a decision pursuant to Section 708 of this Ordinance, and to the Zoning Board of Adjustment or Planning Board, as the case may be, at least ten (10) days prior to the date of the meeting. The parties may submit oral and written arguments on the record at such meeting, and the governing body shall provide for verbatim recording and transcripts of such meeting.

D. The governing body shall conclude a review of the record below not later than 45 days from the date of receipt of the transcript of the hearing unless the appellant consents in writing to an extension of such period. Failure of the governing body to hold a hearing and conclude a review of the record below and to render a decision within such specified period without such written consent of the appellant shall constitute a decision affirming the action of the Zoning Board of Adjustment or Planning Board, as the case may be.

E. The governing body may reverse, remand or affirm, wholly or in part, or may modify the final decision of the Zoning Board of Adjustment or Planning Board, as the case may be. The affirmative vote of a majority of the full authorized membership of the governing body shall be necessary to reverse, remand or modify any final action of the Board.

708 NOTICE OF DECISIONS

Any decision of the Planning Board or Zoning Board of Adjustment when acting upon an application for development and any decisions of the governing body when acting upon an appeal shall be given notice in the following manner.

A. A copy of the decision shall be mailed to the applicant or appellant or, if represented, then to his attorney without charge, and for a reasonable charge to any interested party who has requested it, not later than ten (10) days after the date of the decision.

B. A brief notice of the decision shall be published in the official newspaper of the municipality if there be one or in a newspaper of general circulation in the municipality. Such publication shall be arranged by the Administrative Officer and paid for by the applicant and shall be published within two (2) weeks from the date of the decision.

C. A copy of the decision and all submitted documents of record shall be filed with the Administrative Officer.

## SECTION 800

### DEVELOPMENT APPLICATION REVIEW PROCEDURES

#### 801 JURISDICTION OF RESPONSIBILITY DURING DEVELOPMENT APPLICATION REVIEW

The Planning Board and Board of Adjustment have certain overlapping powers designed to expedite the review process. Their respective responsibilities are outlined below:

##### A. Powers of the Planning Board

1. The Planning Board shall have the power to grant subdivision or conditional use approval simultaneously with site plan approval.

2. The Planning Board shall have the power to act in lieu of the Board of Adjustment and subject to the same extent and restrictions of the Board of Adjustment on the following matters. Whenever relief is requested pursuant to this section, the public notice shall include reference to the request for a variance or direction for issuance of a permit, as the case may be.

a. Grant variances pursuant to N. J. S. A. 40:55D-60c from lot area, lot dimensional, setback and yard requirements; provided that relief pursuant to this subsection from lot area requirements shall not be granted for more than one lot.

b. Direct pursuant to N. J. S. A. 40:55D-34 for issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or public area reserved pursuant to N. J. S. A. 40:55D-34.

c. Direct pursuant to N. J. S. A. 40:55D-36 for issuance of a permit for a building or structure not related to a street.

##### B. Board of Adjustment Action in Lieu of Planning Board

The Board of Adjustment shall have the power to grant, to the same extent and subject to the same restrictions as the Planning Board, site plan, subdivision or conditional use approval when reviewing an application for approval of a "use variance" pursuant to N. J. S. A. 40:55D-70d.

#### 802 APPLICATION OF REQUIREMENTS

##### A. Subdivision Review

All subdivisions, as defined under Section 200, are subject to the review procedures specified herein.

##### B. Site Plan Review

No construction permit shall be issued for any new structure, a change of use of an existing structure or addition to an existing structure until the site plan has been reviewed and approved by the municipality except that: (a) a construction permit for a single-family detached dwelling unit and its accessory building(s) on a lot and the customary accessory buildings incidental to farms shall not require site plan approval; (b) any addition or alteration to an existing conforming, non-residential structure which does not account for more than ten percent additional building coverage shall not require site plan approval if, in the opinion of the Construction Official, such addition or alteration will not create nuisance problems to adjoining land uses; and, (c) any change of use shall not require site plan approval if, in the opinion of the Construction Official, the parking and traffic circulation provisions existing on the site are adequate.

##### C. Variance Relief

All applications for variance relief to the Board of Adjustment not involving any related site plan, subdivision or conditional use proposal shall be filed at least three (3) weeks prior to the meeting of the Board at which discussion is desired. The filing shall include ten (10) copies of any maps and related material; five (5) copies of the completed application form; and the fee in accordance with Section 900 of this Ordinance. The Board shall act upon the application as stipulated by Law.

#### 803 SUBMISSION OF SKETCH PLATS AND SKETCH PLANS

A conceptual sketch of the proposed subdivision or site plan is not required but is strongly recommended. The submission of a conceptual sketch affords the applicant the opportunity to discuss the proposal in its formative stages and receive the advice of the Board. Sketch plats or plans are not binding on the township or the applicant.

A. Procedure for Submitting Sketch Plats and Sketch Plans

1. Submit to the Administrative Officer at least ten (10) days, but no more than fourteen (14) days, prior to the first regularly scheduled monthly meeting of the Board: sixteen (16) copies of the sketch of the proposal for purposes of classification, preliminary discussion and appropriate action; sixteen (16) copies of the application; and a fee in accordance with Section 900 of this Ordinance. The Administrative Officer shall process the application and shall issue an application number. Once an application has been assigned a number, such number shall appear on all papers, maps, plats and other documents submitted for processing in conjunction with the application.

2. The Administrative Officer shall retain one (1) copy each of the sketch and application and shall distribute the remaining fifteen (15) copies of the sketch and fifteen (15) copies of the application in the following manner:

- a. Secretary of the Board (three (3) copies of the sketch and two (2) copies of the application);
- b. County Planning Board (two (2) copies of the sketch and one (1) copy of the application);
- c. Municipal Manager (one (1) copy each of the sketch and the application);
- d. Construction Official and Zoning Officer (one (1) copy each of the sketch and the application);
- e. Municipal Professional Planner (one (1) copy each of the sketch and the application);
- f. Municipal Engineer (one (1) copy each of the sketch and the application);
- g. Municipal Health Officer (one (1) copy each of the sketch and the application);
- h. Landscape and Shade Tree Advisory Committee (two (2) copies of the sketch and one (1) copy of the application);
- i. Traffic Safety Advisory Committee (two (2) copies of the sketch and one (1) copy of the application);
- j. At the direction of the Board, additional copies shall be sent to other municipal, county and state agencies and officials.

B. Details Required for Sketch Plats and Sketch Plans

Each submission shall be at a scale of 1" equals 50' for a tract up to forty (40) acres in size; 1" equals 100' for a tract between forty (40) and one hundred fifty (150) acres and 1" equals 200' for a tract one hundred fifty (150) acres or more. Each submission shall be on one of four of the following standard sheet sizes (8½" x 13;" 15" x 21;" 24" x 36;" 30" x 42"). If one sheet is not sufficient to contain the entire territory, the map may be divided into sections to be shown on separate sheets of equal sizes, with reference on each sheet to the adjoining sheets. Each sketch plat or plan shall show the following:

1. A key map showing the entire tract and its relation to the surrounding areas, at a scale of one inch equals not less than 2,000 feet;
2. Title block:
  - a. Name of subdivision or development, municipality and county;
  - b. Name and address of subdivider or developer;
  - c. Name and address of the owner or owners of record.
3. Scale and north arrow;
4. Date of original preparation and of each subsequent revision thereof and list of specific revisions entered on sheet;

5. Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the municipal tax map;
6. Subdivision or development boundary line (heavy solid line);
7. The location of existing and proposed property lines, streets, buildings (with an indication as to whether existing buildings will be retained or removed), parking spaces, loading areas, driveways, water courses, railroads, bridges, culverts, drain pipes, and any natural features such as wetlands and treed areas, both within the tract and within two hundred (200) feet of its boundary;
8. The approximate location and approximate width of all existing and proposed utility easements;
9. Zoning district boundaries affecting the tract;
10. Proposed buffer and landscaped areas; and,
11. Delineation of flood plains including both floodway and flood hazard areas.

C. Additional Details Required For Sketches Prior To Minor Subdivision Classification

No plat shall be classified as a minor subdivision unless drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey and shall bear the signature, seal and license number and address of the said professional engineer and/or land surveyor. The sketch plat shall be drawn at a scale not more than 100 feet to the inch on one of four standard size sheets; namely 8½ x 13 inches, 15 x 21 inches, 24 x 36 inches or 30 x 42 inches, to enable the entire tract to be shown on one sheet and shall show or include the following information:

1. Contours as shown on the U. S. G. S. topographic sheets.
2. Marshes, ponds and land subject to flooding in the subdivision and within 100 feet thereof.
3. If the proposed lot(s) is (are) not served by sanitary sewer, certification by a licensed professional engineer that the proposed lot(s) can adequately accommodate a septic system. The location(s) of the test hole(s), test results and compliance with the "Individual Sewage Disposal Code of New Jersey" shall be shown on the plat and certified by a licensed professional engineer.
4. No plat involving any street(s) requiring additional right-of-way width as specified in the Master Plan or Official Map and the street requirements of this Ordinance shall be classified as a minor subdivision unless such additional right-of-way width, either along one (1) or both sides of said streets, as applicable, shall be deeded to the township or other appropriate governmental agency.
5. No plat involving any corner lot shall be classified as a minor subdivision unless a sight triangle easement shall be granted as specified in this Ordinance.
6. Monuments and deed descriptions.

D. Action by the Township

1. The Board shall take action on sketch applications within forty-five (45) days after the submission of a complete application or within such further time as may be consented to by the applicant. The Administrative Officer shall read the reports from the Traffic Safety Advisory Committee, Municipal Health Officer, and any other advisory committee which has received the plat or plan at the request of the Board, and shall draft a report to the Board reflecting upon the comments received. The Administrative Officer shall offer recommendations to the Board at a regularly scheduled meeting of the Board within forty-five (45) days of the submission of the application to the township. Should the application be determined by the Administrative Officer or the Board either to be incomplete or require substantial revisions, the applicant shall be notified within the forty-five (45) day time period and may thereafter submit an appropriately revised application to the Administrative Officer as in the first instance.

2. Any proposed subdivision or development determined by the Board to be creating, imposing, aggravating or leading to the possibility of an adverse effect upon either the property in question or upon any adjacent properties, may be required to be revised to remove such adverse effect(s)

prior to further review, classification or approval by the Board or, where the remaining portion of the original tract is of sufficient size to be subdivided or developed further, the applicant may be required to submit a sketch of the entire remaining portion of the tract to indicate a feasible plan whereby the applied for subdivision or development, together with subsequent subdivision(s) or development(s), may be submitted that will not create, impose or aggravate or lead to any such adverse effect.

3. If the sketch plat is considered for classification as a minor subdivision, the Board shall act on the proposed plat within forty-five (45) days of its complete and proper submission to the Administrative Officer or within such further time as may be consented to by the applicant. Failure of the Board to act within the prescribed time period shall constitute minor subdivision approval. If classified as a minor subdivision by majority action of the Board, a notation to that effect, including the date of classification, shall be made on the master copy. At least six (6) prints of the plat shall be signed by the Chairman and Secretary of the Board (or the Acting Chairman or Secretary where either or both may be absent), the Community Development Director and the Municipal Engineer and returned to the subdivider within one (1) week thereof. No further approval of the subdivision shall be required. In the event the same is disapproved by the Board, the Secretary of the Board shall, within ten (10) days of such action, notify the subdivider of such disapproval and reasons therefor. In acting on the application, the township shall consider a report received, in writing, from the County Planning Board within thirty (30) days after their receipt of the plat. If a reply is not received from the County Planning Board within thirty (30) days, the sketch plat shall be deemed to have been approved by them.

4. Within 190 days from the date of approval by the Board of a minor subdivision sketch plat, a plat map drawn in compliance with the Map Filing Act, P. L. 190 c. 141 (C. 46:23-9.9 et seq.) or deed description shall be filed by the subdivider with the County Recording Officer. Unless filed within the 190 days, the approval shall expire and will require Board approval as in the first instance. The zoning requirements and general terms and conditions, whether conditional or otherwise, upon which minor subdivision approval was granted, shall not be changed for a period of two (2) years after the date of minor subdivision approval by the Board, provided that the approved minor subdivision shall have been duly recorded as provided in this section.

5. Before the Secretary of the Board returns any approved sketch to the subdivider, the subdivider shall have sufficient copies made to furnish one copy to each of the following:

- a. Community Development Director.
- b. Construction Official and Zoning Officer.
- c. Municipal Engineer.
- d. Municipal Tax Assessor.
- e. Such other municipal, county or state agencies or officials as directed by

the Board.

#### 804 SUBMISSION OF PRELIMINARY PLATS AND PRELIMINARY PLANS

A preliminary submission is required of all subdivisions classified as major subdivisions and of all development proposals requiring site plan review.

##### A. Procedure for Submitting Preliminary Plats and Preliminary Plans

1. The applicant shall submit to the Administrative Officer at least ten (10) days, but no more than fourteen (14) days, prior to the first regularly scheduled monthly meeting of the Board: twenty-one (21) copies of the preliminary plat or preliminary plan; twenty-one (21) copies of the appropriate application; and five (5) copies of any protective covenants or deed restrictions applying to the land being subdivided or developed. Additionally, a fee shall be paid to the Administrative Officer as specified in Section 900 of this Ordinance.

2. At least ten (10) days prior to the first regularly scheduled monthly meeting of the Board, the Administrative Officer shall retain one (1) copy each of the preliminary plat or plan, the completed application and any applicable protective covenants or deed restrictions and shall then immediately distribute the remaining twenty (20) copies of the preliminary plat or plan, twenty (20) copies of the completed application and five (5) copies of any applicable protective covenants or deed restrictions in the following manner:

- a. Secretary of the Board (three (3) copies of the preliminary plat or plan and two (2) copies each of the application and any applicable protective covenants or deed restrictions);

- b. County Planning Board (two (2) copies of preliminary plat or plan and one (1) copy each of application and any applicable protective covenants or deed restrictions);
- c. Municipal Manager (one (1) copy each of the preliminary plat or plan and the application);
- d. Construction Official and Zoning Officer (one (1) copy each of preliminary plat or plan and the application);
- e. Municipal Professional Planner (one (1) copy each of the preliminary plat or plan, the application and any applicable protective covenants or deed restrictions);
- f. Municipal Engineer (one (1) copy each of the preliminary plat or plan, the application and any applicable protective covenants or deed restrictions);
- g. Municipal Health Officer (one (1) copy each of preliminary plat or plan and the application);
- h. Ewing-Lawrence Sewerage Authority (one (1) copy each of the preliminary plat or plan and the application);
- i. Elizabethtown, Lawrenceville or Trenton Water Companies, as applicable (one (1) copy each of the preliminary plat or plan and the application);
- j. Conservation Advisory Committee (two (2) copies of the preliminary plat or plan and one (1) copy of the application);
- k. Landscape and Shade Tree Advisory Committee (two (2) copies of the preliminary plat or plan and one (1) copy of the application);
- l. Traffic Safety Advisory Committee (two (2) copies of the preliminary plat or plan and one (1) copy of the application); and,
- m. At the direction of the Board, additional copies shall be sent to other municipal, county or state agencies and officials.

**B. Details Required For Preliminary Plats and Preliminary Plans**

Each submission shall be at a scale of 1" equals 50' for a tract up to forty (40) acres in size; 1" equals 100' for a tract between forty (40) and one hundred fifty (150) acres and 1" equals 200' for a tract one hundred fifty (150) acres or more. Each submission shall be on one of four of the following standard sheet sizes (8½ x 13 inches; 15 x 21 inches; 21 x 24 inches; 30 x 42 inches). If one sheet is not sufficient to contain the entire territory, the map may be divided into sections to be shown on separate sheets of equal sizes, with reference on each sheet to the adjoining sheets. Each preliminary plat or plan shall show the following:

- 1. A key map showing the entire tract and its relation to the surrounding areas, at a scale of one inch equals not less than 2,000 feet;
- 2. Title block:
  - a. Name of subdivision or development, municipality and county;
  - b. Name and address of subdivider or developer;
  - c. Name and address of the owner or owners of record and the names and addresses of all property owners within two hundred (200) feet of the extreme limits of the tract as shown on the most recent tax list prepared by the Township Tax Assessor.
  - d. Name, address, signature, license number and seal of the professional engineer who prepared the drawing;
  - e. Acreage of tract to nearest tenth of an acre.
- 3. Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given consent under an option agreement;



4. Scale and north arrow;
5. Date of original preparation and of each subsequent revision thereof and list of specific revisions entered on sheet;
6. Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the municipal tax map, and proposed block and lot numbers as provided by the Municipal Engineer upon written request;
7. Subdivision or development boundary line (heavy solid line);
8. Zoning district boundaries affecting the tract;
9. The locations and dimensions of existing and proposed railroad rights-of-way, bridges and natural features such as wooded areas, and any extensive rock formations, both within the tract and within two hundred (200) feet of its boundaries.
10. The locations and species of all existing trees or groups of trees having a caliper of eight (8) inches or more measured three (3) feet above the ground level shall be shown. The proposed location of all proposed plantings shall also be indicated and a legend provided listing the botanical and common names, the size at time of planting, the total quantity of each plant, and the location of each plant keyed to the plan or plat.
11. All existing and proposed watercourses (including lakes and ponds) shall be shown and accompanied by the following information:
  - a. When a stream is proposed for alteration, improvement or relocation or when a drainage structure or fill is proposed over, under, in or along a running stream, evidence of approval, required alterations, lack of jurisdiction or denial of the improvement by the New Jersey Division of Water Policy and Supply shall accompany the subdivision.
  - b. Cross-sections of water courses and/or drainage swales at an approximate scale showing the extent of flood plain, top of bank, normal water levels and bottom elevations at the following locations:
    - 1) At any point where a watercourse crosses a boundary of the tract.
    - 2) At fifty (50) foot intervals for a distance of five hundred (500) feet upstream and downstream of any proposed and/or existing culvert or bridge within the tract.
    - 3) At fifty (50) foot intervals up to five hundred (500) feet upstream and downstream of any point of juncture of two or more watercourses within the tract.
    - 4) At a maximum of one hundred (100) foot intervals, but not less than two (2) locations, along each watercourse which runs through or within five hundred (500) feet of the tract.
    - 5) When ditches, streams or watercourses are to be altered, improved or relocated, the method of stabilizing slopes and measures to control erosion and siltation, as well as typical ditch sections and profiles, shall be shown or accompany it.
    - 6) The delineation of the floodways and flood hazard areas of all watercourses within or adjacent to the tract.
  - c. The total acreage in the drainage basin of any watercourse running through or adjacent to a tract in the area upstream of the tract.
  - d. The location of all drainage structures downstream of the tract, to which the tract is tributary, between the tract and the municipal boundary, including hydrologic and hydraulic computations for each of the said structures.
  - e. The location and extent of drainage and conservation easements and stream encroachment lines.
  - f. The location, extent and water level elevation of all existing or proposed lakes or ponds within and adjacent to the tract.

12. Existing contours with intervals of two (2) feet, where slopes are less than fifteen (15) percent; and five (5) feet, when fifteen (15) percent or more; referred to a known datum, and to be indicated by a dashed line. Where any changes in contours are proposed, finished grades should be shown as a solid line.

13. Locations of all existing structures showing existing and proposed front, rear and side yard setback distances, and an indication of whether the existing structures and uses will be retained or removed.

14. Size, height and location of all proposed buildings, structures, signs and lighting facilities.

15. All dimensions necessary to confirm conformity to this Ordinance such as structure setbacks, structure heights and yard areas.

16. The proposed location, direction of illumination, power and type of proposed outdoor lighting including details of lighting poles and luminaires.

17. The proposed screening, buffering and landscaping including a landscaping plan:

a. Buffer areas are required along lot and street lines of all non-residential lots where said property lines or the centerline of adjacent streets abut residential uses or residential zoning district lines. Each permitted use shall provide and maintain attractively landscaped grounds and suitable screening in order to safeguard the character of adjacent districts. The width of the buffer area for each particular zoning district shall be as prescribed in Section 400. Buffer areas shall be measured horizontally and at right angles to either a straight lot or street lines or the tangent lines of curved lot or street lines. Buffer areas shall be maintained and kept clear of all debris, rubbish, weeds and tall grass. No above surface structure or activity or the storage of materials or parking of vehicles shall be permitted in the buffer area and all buffer areas shall be planted and maintained with grass or ground cover together with a dense screen of trees, shrubs or other plant materials meeting the following requirements:

1) Plant materials used in screen planting shall be at least six (6) feet in height when planted and be of such density as determined appropriate for the activities involved. The plant materials shall be of a species common to the area, be of nursery stock and shall be free of insect and disease.

2) Buffer areas shall be permanently maintained and plant material which does not live shall be replaced within one year or one growing season.

3) The screen planting shall be so placed that at maturity the plant material will be no closer than three (3) feet from any street or property line.

4) The buffer area shall not be broken unless specifically approved by the Board.

b. Landscaping in parking areas shall be specified in accordance with the provisions of Section 509 A. of this Ordinance.

c. The Board, at its discretion, may consult with a landscape architect regarding the appropriateness of the landscaping plan as it relates to the physical characteristics of the site.

18. The location and design of any off-street parking areas or loading areas, showing size and location of bays, aisles and barriers.

19. All means of vehicular access and egress to and from the site onto public streets, showing the site and location of driveways and curb cuts, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, additional width and any other device necessary to prevent a difficult traffic situation.

20. The application shall include plans and computations for any storm drainage systems including the following:

a. All existing or proposed storm sewer lines within or adjacent to the tract showing size and profile of the lines, direction of flow and the location of each catch basin, inlet, manhole, culvert and headwall.

b. The location and extent of any proposed ground water recharge basins, retention basins or other water or soil conservation devices.

21. The location of existing utility structures such as water and sewer mains, gas transmission lines and high tension power lines on the tract and within 200 feet of its boundaries.

22. Plans of proposed improvements and utility layouts including sewers, storm drains, water, gas, telephone and electricity showing feasible connections to any proposed utility systems. If private utilities are proposed, they shall comply fully with all Township, County and State regulations. If service will be provided by an existing utility company, a letter from that company stating that service will be available before occupancy will be sufficient. When individual on-lot water or sewage disposal is proposed, the plan for such system shall be approved by the appropriate Township and State agencies and the results of percolation tests shall be submitted under conditions designated by the Township Board of Health.

23. Plans, typical cross sections, centerline profiles, tentative grades and details of all proposed streets and of the existing streets abutting the tract based on the vertical datum specified by the Township Engineer including curbing, sidewalks, storm drains and drainage structures. Sight triangles, the radius of curblines and street sign locations shall be clearly indicated at intersections.

24. A copy of any protective covenants or deed restrictions applying to the land being subdivided shall be submitted with the application.

25. The proposed permanent monuments shall be shown.

26. The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information may include, but not be limited to, drainage calculations and traffic analyses.

### C. Environmental Impact Statement

#### 1. General Provisions

The impact on the environment generated by land development projects necessitates a comprehensive analysis of the variety of problems that may result and the actions that can be taken to minimize those problems. It is further recognized that the level of detail required for various types of applications will vary depending on the size of the proposal, the nature of the site and the location of the project. Therefore, having determined that some flexibility is needed in preparing the Environmental Impact Statement, the requirements for such a document are listed as follows:

a. All agricultural operations conducted in accordance with a plan approved by the Soil Conservation District and all silva culture operations conducted in accordance with a plan prepared by a professional forester are specifically exempt from the Environmental Impact Statement requirements.

b. In preparing an Environmental Impact Statement, the applicant shall retain one or more competent professionals to perform the necessary work. All applicable material on file in the office of the Community Development Director pertinent to local conditions shall be consulted. Any additional material pertinent to evaluation of potential regional impacts shall also be considered. Furthermore, as much original research as necessary shall be conducted to develop a comprehensive Environmental Impact Statement.

c. The Environmental Impact Statement shall consist of written and graphic materials which will clearly present the information that is required.

2. Application Types

a. All minor subdivision applications, preliminary and final site plan applications (consisting of less than 10 acres) and conditional use applications (consisting of less than 10 acres) shall be accompanied by an Environmental Impact Statement. The information required shall be presented in a concise, descriptive report. The descriptive report shall be supplemented with additional graphic and explanatory material when environmentally sensitive areas are involved. Environmentally sensitive areas include but are not limited to:

- 1) Stream corridors and flood plains.
- 2) Streams and water bodies.
- 3) Wetlands.
- 4) Slopes greater than 20%.
- 5) Highly acid or erodible soils.
- 6) Mature stands of native vegetation.
- 7) Aquifer recharge areas.
- 8) Aquifer discharge areas.
- 9) Unique natural features and habitats.

b. All preliminary and final major subdivision applications, preliminary and final site plan applications (consisting of 10 acres or more) and conditional use applications (consisting of 10 acres or more) shall be accompanied by an Environmental Impact Statement. The information required shall be presented in a detailed descriptive report which shall include written, graphic or other explanatory material. Certain requirements may be waived by the Board if the applicant can prove conclusively that specific requirements are unwarranted.

c. Any variance application not involving a site plan, subdivision or conditional use application may be required, at the discretion of the Board of Adjustment, to be accompanied by an Environmental Impact Statement. The information required shall be determined by the Board of Adjustment.

3. When an Environmental Impact Statement is required, the following format shall be utilized and the information requested shall be provided.

a. Project Description

Indicate the purpose and scope of the proposed project. Enumerate the benefits to the public which will result from the proposed project and describe the suitability of the site for the intended use. A description of the proposed project shall be presented to indicate the extent to which the site must be altered, the kinds of facilities to be constructed, how they are to be considered and the uses intended. The resident population, working population and visitor population shall be estimated. The compatibility or incompatibility of the proposed project shall be described in relation to the following:

1) Township Master Plan, especially the land use and open space elements.

- 2) Master Plan of Adjacent Municipalities.
- 3) Mercer County Master Plan.
- 4) Regional and State Planning Guides.
- 5) Other Pertinent Planning Documents.

b. Site Description and Inventory

Provide a description of environmental conditions on the site which shall include, but not be limited to the following items:

1) Types of Soils

List and describe each soil type located on the site. If applicable, provide percolation data. Where the proposed area of land disturbance will involve soils with moderate

or severe limitations, (as per the Soil Survey of Mercer County - Soil Conservation Service) relative to the type of project proposed, a complete mapping of all soil types on the site shall be required indicating where those moderate and severe limitations exist.

2) Topography

Describe the topographic conditions of the site.

3) Geology

Describe the geologic formations and features associated with the site as well as depth to bedrock conditions. Delineate those areas where bedrock is in close proximity to the surface (within 2' of the surface as well as major rock outcroppings).

4) Vegetation

Describe the existing vegetation on the site. When required, prepare a map showing the location of major vegetative groupings such as woodland, open field and wetland. Where woodlands are delineated, indicate the forest type.

5) Wildlife

Identify unique habitats. Where applicable, other data assembled regarding wildlife activity on the site shall also be mapped and/or described.

6) Surface Water

Describe existing water courses and water bodies that are partially or totally on the site and their relationship to the area of land disturbance. Calculate existing surface runoff from the site. When the natural drainage pattern will be significantly altered, an analysis shall be conducted which will investigate flow, depth, capacity and water quality of the receiving waters. When required, flood plain areas will be mapped in consultation with the Department of Environmental Protection. Existing drainage structures shall be mapped and the capacity of the drainage network shall be determined.

7) Subsurface Water

Describe the subsurface water conditions on the site both in terms of depth to ground water and water supply capabilities of the site. Where existing conditions warrant, provide detailed information regarding existing wells within 500' of the site relative to depth, capacity and water quality. Discuss the water supply capabilities of the adjacent areas and the recharge capabilities of the site.

8) Unique, Scenic and/or Historic Features

Describe and map those portions of the site that can be considered to have unique, scenic and/or historic qualities.

9) Existing Development Features

Describe any existing features on the site that are not considered to be part of the natural environment. This may include, but not necessarily be limited to roads, housing units, accessory structures, utility lines, etc.

10) Miscellaneous

When warranted, an analysis shall be conducted of existing air quality and noise levels as prescribed by the Department of Environmental Protection.

c. Area and Regional Description

Provide a description of the surrounding environs. Describe the existing land use pattern. When required, describe in detail the existing infrastructure with respect to the drainage and transportation network as well as any central sewerage and water supply facilities. Include an appropriate regional analysis relative to the proposed project.

d. Environmental Performance Controls

Describe in detail what measures will be employed during the planning, construction and operation phases which will minimize or eliminate negative impacts on and off site that could result from the proposed project. Of specific interest are:

1) Drainage plans which shall include but not be limited to soil erosion and sedimentation controls. Every effort should be made to limit off site surface runoff to pre-development levels.

- 2) Sewage Disposal Techniques.
- 3) Water Supply and Water Conservation Proposals.
- 4) Site Design Techniques sensitive to the natural environment which should include innovative landscape, building and circulation design.
- 5) Energy Conservation Measures.
- 6) Noise Reduction Techniques.
- 7) Miscellaneous On Site and Off Site Public Improvements.

e. Impact

Discuss both the negative and positive and off tract impacts. Indicate those negative impacts that are unavoidable. The specific concerns that shall be considered, include, but are not limited to, the following:

- 1) Soil erosion and sedimentation resulting from surface runoff.
- 2) Flooding and flood plain disruption.
- 3) Degradation of surface water quality.
- 4) Groundwater pollution.
- 5) Reduction of groundwater capabilities.
- 6) Sewage disposal.
- 7) Solid waste disposal.
- 8) Vegetation destruction.
- 9) Disruption of wildlife habitats.
- 10) Destruction of scenic and historic features.
- 11) Air quality degradation.
- 12) Noise levels.
- 13) Energy utilization.
- 14) Neighborhood deterioration.
- 15) Effect on public services (i.e., schools, fire, police, etc.).
- 16) Traffic congestion.
- 17) Health, safety and welfare of existing residents.
- 18) Regional development policies.

f. Alternatives

Discuss what alternatives were considered both in terms of site design and project location. Indicate why an alternative was rejected if it would have resulted in less of a negative impact than the subject proposal.

g. Licenses, Permits and Other Approvals Required by Law

The applicant shall list all known licenses, permits and other forms of approval required by law for the construction and operation of the proposed project. This list shall include, but will not be limited to approvals required by the township, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. Where approvals are pending, a note shall be made to that effect.

h. Documentation

All publications, file reports, manuscripts or other written sources of information related to the project, the project site and the township which were consulted and employed in compilation of the Environmental Impact Statement shall be listed. A list of all agencies and individuals from whom pertinent information was obtained orally or by letter shall be listed separately. Dates and locations of all meetings shall be specified.

i. Disposition

The Board shall not approve any submission unless it determines and finds that the proposed development:

- 1) Will not result in appreciable harmful effects to the environment;
- 2) Has been designed and conceived with a view toward the protection of regional sources; and,
- 3) Will not place a disproportionate or excessive demand upon the total resources available for such proposal and for any future proposals.

D. Action By The Township

1. Upon the submission to the Planning Board of a complete application for a site plan for 10 acres of land or less and/or a subdivision containing ten (10) lots or less, the Board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon the submission of a complete application to the Planning Board for a site plan of more than 10 acres and/or a subdivision containing more than ten (10) lots, or whenever an application includes a request for relief pursuant to Section 801 A. of this Ordinance, the Planning Board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the Planning Board shall be deemed to have granted preliminary approval.

2. Upon the submission of a complete application for a site plan and/or subdivision pursuant to Section 801 B. of this Ordinance, the Zoning Board of Adjustment shall grant or deny preliminary approval within 120 days of the date of such submission or within such further time as may be consented to by the developer.

3. The Administrative Officer shall read the reports from the Conservation Advisory Committee, Landscape and Shade Tree Advisory Committee, and any other advisory committee which has received the plat or plan at the request of the Board, and shall draft a report to the Board reflecting upon the comments received. The Administrative Officer shall offer recommendations to the Board at the regularly scheduled meeting of the Board within forty-five (45) days of the submission of the application to the township. Should the application be determined by the Administrative Officer or the Board either to be incomplete or require substantial revisions, the applicant shall be notified within the forty-five (45) day time period and may thereafter submit an appropriately revised application to the Administrative Officer as in the first instance.

4. All hearings held on applications for preliminary subdivision approval (and in certain cases preliminary site plan approval) shall require public notice of the hearing. The Board shall set the date, time and place for the public hearing and shall inform the applicant of this at least fourteen (14) days prior to said hearing date. Notice of the hearing shall be given by the applicant at least ten (10) days prior to the date of the hearing (see Section 706 E.).

5. The recommendations of the County Planning Board and those of all other agencies and officials to whom the preliminary plat or plan was submitted for review shall be given careful consideration in the final decision on the development application. If the County Planning Board or the Municipal Professional Engineer approve the preliminary submission, such approval shall be noted on the plat or plan. If the Board acts favorably on the preliminary plat or plan, the Chairman and Secretary of the Board (or the Acting Chairman or Secretary, where either or both may be absent), the Community Development Director and the Municipal Engineer shall affix their signatures to at least ten (10) copies of the plat or plan with a notation that it has been approved.

6. Should minor revisions or additions to the plan be deemed necessary, the Board may grant preliminary approval subject to specified conditions and receipt of revised plans within thirty (30) days from the date of said approval. Should major revisions to the plan be deemed necessary, the Board

shall require that an amended plan be submitted and acted upon as in the case of the original application for preliminary approval.

7. If the Board, after consideration and discussion of the preliminary plat or plan, determines that it is unacceptable, a notation shall be made by the Chairman of the Board to that effect on the plat or plan and a resolution adopted setting forth the reasons for such rejection. One copy of the plat or plan and said resolution shall be returned to the applicant within ten (10) days of such determination.

E. Effect Of Preliminary Approval  
Preliminary approval shall confer upon the applicant the following rights for a three-year period from the date of the preliminary approval:

1. That the general terms and conditions on which preliminary approval was granted shall not be changed, including but not limited to, use requirements; layout and design standards for streets, curbs and sidewalks; lot size; yard dimensions and off-tract improvements; and

2. That the applicant may submit for final approval, on or before the expiration date of preliminary approval, the whole or a section or sections of the preliminary plat or plan; and

3. That the applicant may apply for and the Board may grant extensions on such preliminary approval for additional periods of at least one year, but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern.

805 SUBMISSION OF FINAL PLATS AND FINAL PLANS

A final submission is required of all subdivisions approved at the preliminary submission stage and of all site plans which have received preliminary approval.

A. Procedure For Submitting Final Plats And Final Plans

1. A final plat or final plan shall be submitted to the Administrative Officer within three (3) years after the date of preliminary approval or any authorized extension thereof. The applicant shall submit to the Administrative Officer at least ten (10) days, but no more than fourteen (14) days, prior to the first regularly scheduled monthly meeting of the Board: twelve (12) copies of the final plat or final plan and twelve (12) copies of the appropriate application. Additionally, a fee shall be paid to the Administrative Officer as specified in Section 900 of this Ordinance.

2. At least ten (10) days prior to the first regularly scheduled monthly meeting of the Board, the Administrative Officer shall retain one (1) copy each of the final plat or plan and completed application and shall then immediately distribute the remaining eleven (11) copies of the final plat or plan and eleven (11) copies of the completed application in the following manner:

- a. Secretary of the Board (three (3) copies of the final plat or plan and one (1) copy of the application);
- b. County Planning Board (two (2) copies of the final plat or plan and one (1) copy of the application);
- c. Municipal Manager (one (1) copy each of final plat or plan and the application);
- d. Construction Official and Zoning Officer (one (1) copy each of the final plat or plan and the application);
- e. Municipal Engineer (one (1) copy each of the final plat or plan and the application);
- f. Municipal Tax Collector (one (1) copy each of the final plat or plan and the application); and,
- g. At the direction of the Board, additional copies shall be sent to other municipal, county and state agencies and officials.

B. Details Required For Final Plats And Final Plans

1. All details stipulated in Section 804 B. of this Ordinance.



2. All additional details required at the time of preliminary approval shall be submitted.

3. Detailed architectural and engineering data including:

a. An architect's rendering of each building or a typical building and sign showing front, side and rear elevations.

b. Cross sections, profiles and established grades of all streets, aisles, lanes and driveways, as approved by the Municipal Engineer.

c. Plans and profiles of all storm and sanitary sewers and water mains, as approved by the Municipal Engineer.

d. All dimensions of the exterior boundaries of any subdivision shall be balanced and closed to a precision of one (1) to ten thousand (10,000), and the dimensions of all lot lines to within one (1) to twenty thousand (20,000). All dimensions, angles and bearings must be tied to at least two (2) permanent monuments not less than 300 feet apart and all information shall be indicated on the plat. At least one corner of the subdivision shall be tied to U. S. G. S. benchmarks with data on the plat as to how the bearings were determined.

4. The final submission shall be accompanied by the following documents:

a. Certification from the tax collector that all taxes are paid to date;

b. Letters directed to the Chairman of the Board and signed by a responsible official of the lighting agency, water company, and of any other utility company or governmental authority or district which provides accessory utility service and has jurisdiction in the area, approving each proposed utility installation design and stating who will construct the facility so that the service will be available prior to occupancy.

c. A statement from the Municipal Professional Engineer that he is in receipt of a map showing all utilities in exact location and elevation, that he has examined the drainage plan and found that the interests of the township and of neighboring properties are protected, and that he has identified those portions of any utilities already installed and those to be installed. The applicant shall certify in writing to the Board that he has:

1) Installed all improvements in accordance with the requirements of this Ordinance; and/or

2) Posted a performance guarantee in accordance with Section 902 of this Ordinance.

d. A statement from the Municipal Engineer that all improvements installed prior to application have been inspected as provided in Section 902 of this Ordinance, and that such improvements meet the requirements of the township. Any improvements installed prior to application for final approval that do not meet or exceed township standards shall be factored into the required performance guarantee. If applicable, an "as-built" map, showing the exact location of all improvements, including utilities and their elevations, may be required.

C. Action By The Township

1. Upon the submission of a complete application for final approval, the Board shall grant or deny final approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Failure of the Board to act within 45 days or such further time as agreed to by the applicant shall constitute final approval. In such case, the Administrative Officer shall certify the submission date of the application and the failure of the Board to act within the specified time period, and this certification shall be sufficient in lieu of the written endorsement of the Board.

2. If the Board acts favorably on the final submission, the Chairman and the Secretary of the Board (or the Acting Chairman and Secretary where either or both may be absent) shall affix their signatures to at least ten (10) copies of the plat or plan with a notation that it has been approved. The applicant shall furnish such copies to the Board for signing. In the case of final subdivisions only, the applicant shall include at least five (5) mylar copies of the approved plat.

3. After approval of the final plat or plan by the Board, copies of the signed plat or plan shall be furnished by the Secretary of the Board to each of the following within ten (10) days from the date of such approval:

- a. Mercer County Planning Board (mylar, if applicable);
- b. Construction Official and Zoning Officer;
- c. Municipal Professional Engineer (mylar, if applicable);
- d. Municipal Tax Assessor;
- e. Board files (mylar, if applicable);
- f. The Applicant (mylar, if applicable); and,
- g. Such other municipal, county or state agencies or officials as directed by the Board.

4. Within ninety-five (95) days of the date of approval by the Board of a final subdivision plat, the subdivider shall file a copy of same with the County Clerk. In the event of failure to file within said ninety-five (95) days, the approval of the major subdivision shall expire and any further proceedings shall require the filing of a new sketch plat as in the first instance. The Board, for good cause shown, may extend the time for filing for an additional ninety-five (95) days.

5. If the Board, after consideration and discussion of the final submission, determines that it is unacceptable, a notation shall be made by the Chairman of the Board to that effect on the plat or plan and a resolution adopted setting forth the reasons for such rejection. One copy of the plat or plan and the resolution shall be returned to the applicant within ten (10) days of such determination.

D. Effect Of Final Approval

Final approval of a subdivision or site plan shall confer upon the applicant the following rights for a two year period from the date of final approval:

1. The zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer, whether conditionally or otherwise, shall not be changed.

2. If the developer has followed the standards prescribed for final approval, the Board may extend the period of protection for extensions of one year each, not exceeding three such extensions.

SECTION 900

FEES, GUARANTEES, INSPECTIONS AND OFF-TRACT IMPROVEMENTS

901 FEES

A. Every application for development shall be accompanied by a check payable to the township in accordance with the following schedule:

	<u>Application Charge</u>	plus	<u>Escrow Account</u>
<b>1. <u>Subdivisions</u></b>			
a.	Sketch Plat and/or Minor Plat	\$ 25	\$20 per lot
b.	Preliminary Plat	\$100	\$35 per lot
c.	Final Plat	\$ 25	\$20 per lot
<b>2. <u>Site Plans</u></b>			
a.	Sketch Plan	\$ 25	\$5 per acre or part thereof and \$2 per dwelling
b.	Preliminary Plan	\$100	\$10 per acre or part thereof and \$3 per dwelling
c.	Final Plan	\$ 25	\$5 per acre or part thereof and \$2 per dwelling
<b>3. <u>Variances</u></b>			
a.	Appeals (40:55D-70a)	\$ 50	none
b.	Interpretation (40:55D-70b)	\$ 25	none
c.	Hardship (40:55D-70c)	\$ 50	none
d.	Use (40:55D-70d)	\$150	none
e.	Permit (40:55D-34 & 35)	\$100	none

B. The application charge is a flat fee to cover administrative expenses. The escrow account is established to cover the costs of professional services including engineering, legal and other expenses connected with the review of the submitted materials. Sums not utilized in the review process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow.

C. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

D. Each applicant for preliminary or final subdivision or site plan approval shall agree in writing to pay all reasonable costs for professional review of the application and for inspection of the improvements. All such costs for review and inspection must be paid before any construction permit is issued and all remaining costs must be paid in full before any occupancy of the of the premises is permitted or Certificate of Occupancy issued.

E. If an applicant desires a certified court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the township shall be at the expense of the applicant who shall also arrange for the reporter's attendance.

902 GUARANTEES AND INSPECTIONS

A. Performance Guarantee Estimate

1. No final application for development shall be approved by the Board until the satisfactory completion and performance of all required improvements have been certified to the Board by the Municipal Engineer unless the owner shall have filed with the municipality a performance guarantee assuring the installation of said improvements on or before an agreed date and as hereinafter provided.

2. Except as hereafter provided, the remaining required improvements shall be at least fifty (50) percent completed as to each category set forth in the performance guarantee, within one (1) year from the date of final approval or by such time as fifty (50) percent of the lots in the section in question have been conveyed, in any manner, by the applicant, whichever shall first occur. At least seventy-five (75) percent of the remaining required improvements shall be completed as to each category as set forth in the performance guarantee, within eighteen (18) months from the date of final approval, or at such time as seventy-five (75) percent of the lots in the section in question have been conveyed, in any manner by the applicant, whichever shall first occur. Such improvements shall be one hundred (100) percent completed and accepted by the township within two (2) years from the date of final approval or at such time as all of the lots in the section in question have been conveyed, in any manner by the applicant, whichever shall first occur. It is the intention of the governing body that this requirement will provide to those living in each new section of a development, a dwelling unit that is as complete as possible with respect to tract and individual lot improvements.

3. A performance guarantee estimate shall be prepared by the applicant's engineer and submitted to the Municipal Engineer for review and approval setting forth all requirements for improvements as fixed by the Board and their estimated cost. The governing body shall pass a resolution either approving or adjusting this performance guarantee.

B. Approval By Attorney For The Board

1. The subdivider shall present two (2) copies of the performance guarantee in an amount equal to one hundred twenty percent (120%) of the approved performance guarantee estimate for approval as to form and execution by the attorney for the Board.

2. The attorney for the Board shall notify the Secretary of the Board prior to the meeting that the performance guarantee is properly executed and can be added to the agenda.

C. Bonding And Cash Requirements

1. The performance guarantee shall be made payable and deposited to Lawrence Township and shall be in the form of cash or a certified check or a performance bond in which the owner shall be principal, the bond to be provided by an acceptable surety company licensed to do business in the State of New Jersey. The township shall issue its receipt for such deposits and shall cause the same to be deposited in a bank named by the municipality in the name of the township to be retained as security for completion of all requirements and to be returned to the owner on completion of all required work, or, in the event of default on the part of the owner, to be used by the township to pay the cost and expense of obtaining completion of all requirements. Every bond, whether cash or surety, shall contain a clause to the effect that a determination by the Municipal Engineer that the principal has defaulted in the performance of his obligation shall be binding and conclusive upon the surety and the principal.

2. Ten percent (10%) of the amount of the approved performance guarantee estimate shall be deposited by the owner in cash with the township. The remaining ninety percent (90%) may be in cash or surety bond. In the event of default, the ten percent fund herein mentioned shall be first applied to the completion of the requirements and the cash or the surety bond shall thereafter be resorted to, if necessary, for the completion of the requirements. The cash or surety bond shall recite the foregoing provisions.

D. Inspections And Tests

1. All improvements and utility installations shall be inspected during the time of their installations under the supervision of the Municipal Engineer to insure satisfactory completion. The cost of said inspection shall be the responsibility of the owner and he shall deposit with the Township Treasurer, for placement in a special trust fund account, a sum equal to seven (7) percent of the amount of the performance guarantee estimate of the cost of improvements to be applied to payment of inspection costs. If inspection costs exceed such fund, the owner shall deposit with the Township Treasurer additional sums upon notice from the Municipal Engineer. The Township Treasurer shall return any balance of the inspection deposit to the owner upon expiration of the maintenance bond together with the paid invoices for all expenses charged except that the inspection fee shall in no case be less than \$100.

2. In no case shall any paving work (including prime and seal coats) be done without permission from the Municipal Engineer. At least two (2) working days notice shall be given to the Municipal Engineer prior to any such construction so that he or a qualified representative may be present at the time the work is to be done.

3. The Municipal Engineer's office shall be notified after each of the following phases of the work has been completed so that he or a qualified representative may inspect the work:

- a. Road subgrade.
- b. Curb and gutter forms.
- c. Curbs and gutters.
- d. Road paving.
- e. Sidewalk forms.
- f. Sidewalks.
- g. Drainage pipes and other drainage or flood control facilities.
- h. Street name signs.
- i. Monuments.

4. A final inspection of all improvements and utilities will be started within ten (10) days notification by the subdivider or developer to determine whether the work is satisfactory and in agreement with the approved final drawings and the township specifications. The general condition of the site shall also be considered. Upon a satisfactory final inspection report, action will be taken to release or declare in default the performance guarantee covering such improvements and utilities.

5. Inspection by the township of the installation of improvements and utilities shall not operate to subject the township to liability for claims, suits or liability of any kind that may at any time arise because of defects or negligence during construction or at any time thereafter; it being recognized that the responsibility to maintain safe conditions at all times during construction and to provide proper utilities and improvements is upon the owner and his contractors, if any.

6. After completing the construction of the public improvements covered by the performance guarantee, the subdivider or developer shall prepare a set of the approved Public Improvement and Utility Plans and the Profiles amended to read "as built" and apply to the Municipal Engineer for final inspection of the work. The Municipal Engineer shall report to the governing body on the condition of the work and recommend that the performance guarantee be released, extended or declared in default.

E. Release

The governing body shall, by resolution, release or declare in default each performance guarantee. Such performance guarantee shall remain in effect until released by the governing body. The amount of the performance guarantee may be reduced by the governing body by resolution when portions of the required improvements have been installed and have been inspected and approved by the Municipal Engineer, provided, however, that it is the policy of the township that no such reduction shall be approved unless extenuating circumstances prevent the developer from completing all improvements and until the Municipal Engineer shall have certified the estimated cost of completing any remaining required improvements. If any improvements have not been installed in accordance with the performance guarantee, the obligor and surety shall be liable thereon to the township for the reasonable cost over and above the ten percent cash deposit on the improvements not installed and, upon receipt of the proceeds thereof, the township shall install such improvements. The township shall also have all other remedies as may be lawfully available.

F. Conditions For Acceptance Of Improvements

The approval of any application for development by the township shall in no way be construed as acceptance of any street or drainage system, or any other improvement, nor shall such approval obligate the township in any way to maintain or exercise jurisdiction over such street or drainage system or other improvement. No improvement shall be accepted by the governing body unless and until all of the following conditions have been met:

1. The Municipal Engineer shall have certified in writing that the improvements are complete and that they comply with the requirements of this Ordinance;

2. The final application for development shall have been approved by the Planning Board; and,

3. The owner shall have filed with the governing body a maintenance guarantee in an amount equal to not more than fifteen (15) percent of the original estimate of the cost of installing the improvements. The maintenance guarantee shall run for a period of two (2) years. The procedures and requirements governing such maintenance guarantee shall be identical with the procedures and requirements for a performance guarantee set forth in this Ordinance. The requirements for a maintenance guarantee may be waived by the governing body only if the Municipal Engineer has certified that the improvements have been in continuous use for not less than two years from the date the Municipal Engineer

certified completion of such improvements and that during this period the owner has maintained the improvements in a satisfactory manner.

4. An 'as built' plan and profiles of all utilities and roads (black and white in prints, in triplicate, plus mylars to be sent to the Municipal Engineer) with certification signed and sealed by a New Jersey licensed professional engineer as to the actual construction and approved by the Municipal Engineer.

903 OFF-TRACT IMPROVEMENTS

A. Improvements To Be Constructed At The Sole Expense Of The Subdivider or Developer

In cases where the need for an off-tract improvement is created by the proposed subdivision or site plan and where no other property owners receive a special benefit thereby, the Planning Board may recommend to the governing body that it require the subdivider or developer, as a condition for subdivision or site plan approval, at the subdivider's or developer's expense, to acquire lands outside of the subdivision or tract and improve and dedicate such lands to the township or the county, or, in lieu thereof, require the subdivider or developer to deposit with the township a sum of money sufficient to allow the municipality to acquire and to improve such lands.

B. Other Improvements

1. In cases where the need for any off-tract improvement is created by the proposed subdivision or site plan and where the Planning Board determines that properties outside the subdivision or tract will also be benefited by the improvement, the Planning Board shall forthwith forward to the municipal governing body a list and description of all such improvements together with its request that the governing body determine and advise the Board of the procedure to be followed in the construction or installation thereof. The Planning Board shall defer final action upon the subdivision or site plan until receipt of the governing body's determination or until the expiration of 90 days after the forwarding of such list and description to the governing body without such determination having been made, whichever occurs sooner.

2. The governing body, within 90 days after receipt of said list and description, shall determine and advise the Planning Board whether:

a. The improvement or improvements are to be constructed or installed by the municipality:

i. As a general improvement, the cost of which is to be borne at general expense (except as hereinafter otherwise provided as to a contribution thereto by the subdivider or developer); or

ii. As a local improvement, all or part of the cost of which is to be specially assessed against properties benefited thereby in proportion to benefits conferred by the improvements in accordance with Chapter 56 of Title 40 of the Revised Statutes (except as hereinafter otherwise provided as to a contribution thereto by the subdivider or developer); or

b. The improvement or improvements are to be constructed or installed by the subdivider or developer under a formula for partial reimbursement as hereinafter set forth.

3. If the governing body shall determine that the improvement or improvements shall be constructed or installed under subparagraph 2. a. i., above, the Planning Board shall estimate with the aid of the Municipal Engineer or such other persons as have pertinent information or expertise the amount, if any, by which the total cost thereof will exceed the total amount by which all properties, including the subdivision or tract, will be specially benefited thereby, and the subdivider or developer shall be liable to the municipality for such excess. Further, the governing body shall adopt an ordinance authorizing and providing for the financing of the improvement or improvements in a manner consistent with the obligation of the subdivider or developer for any excess of total cost over total benefits conferred, as set forth above.

4. If the governing body shall determine that the improvement or improvements shall be constructed or installed under subparagraph 2. a. ii., above, the Planning Board shall, as provided in subparagraph 3 of this Section, estimate the difference between the total costs to be incurred and the total amount by which all properties, including the subdivision property or tract, will be specially benefited by the improvement, and the subdivider or developer shall be liable to the municipality therefor, as well as for the amount of any special assessments against the subdivision property or tract for benefits

conferred by the improvement or improvements. Further, the governing body shall adopt an ordinance authorizing and providing for the financing of the improvement or improvements and the assessment of benefits arising therefor in a manner consistent with the obligation of the subdivider or developer with respect thereto, and proceedings under said ordinance shall be in accordance with Chapter 56 of Title 40 of the Revised Statutes, except to the extent modified by the obligation of the subdivider or developer for any excess of total costs over total benefits conferred, as set forth above.

5. If the governing body shall determine that the improvement or improvements are to be constructed or installed by the subdivider or developer under subparagraph 2. b., above, the Planning Board shall in like manner estimate the amount of such excess, and the subdivider or developer shall be liable to the municipality therefor as well as for the amount of any special assessments against the subdivision property or tract for benefits conferred by the improvement or improvements. However, the subdivider or developer shall be entitled to be reimbursed by the municipality for the amount of any special assessments against property other than the subdivision property or tract for benefits conferred by the improvement or improvements, and proceedings under said ordinance shall be in accordance with Chapter 56 of Title 40 of the Revised Statutes. However, any such assessment against the subdivision property or tract shall be marked paid and satisfied in consideration of the construction or installation of the improvement or improvements by the subdivider or developer.

6. If the governing body shall not adopt such an ordinance or resolution within said time, the final subdivision layout or site plan shall be designed accordingly, and the Planning Board shall thereupon grant or deny final approval.

C. Performance Guarantee

The subdivider or developer shall be required to provide, as a condition for final approval of his subdivision or site plan application, a performance guarantee running to the municipality as follows:

1. If the improvement is to be constructed by the subdivider or developer under paragraph A or under paragraph B. 2. b. of this Section, a performance bond with surety in an amount equal to the estimated cost of the improvement, or as to any part of said improvement that is to be acquired or installed by the municipality under said Paragraph A., a cash deposit equal to the estimated cost of such acquisition or installation by the municipality.

2. If the improvement is to be constructed by the municipality as a general improvement under paragraph B. 2. a. i. of this Section, a cash deposit equal to the amount of the excess of the estimated cost of the improvement over the estimated total amount by which all properties, including the subdivision property or tract, will be specially benefited thereby; and

3. If the improvement is to be constructed by the municipality as a local improvement under paragraph B. 2. a. ii. of this Section, a cash deposit equal to the amount referred to in the preceding subparagraph plus the estimated amount by which the subdivision property or tract will be specially benefited by the improvement.

D. Refund Of Deposit Where Improvements Are Not Authorized Within Five Years

In any case in which a subdivider or developer shall deposit money with the municipality for the completion of an improvement that is to be constructed pursuant to this ordinance by the municipality, the subdivider or developer shall be entitled to a full refund of such deposit if the governing body of the municipality shall not have enacted an ordinance authorizing the improvement within five (5) years after the date all other improvements are completed.

E. Deposit Of Funds

All moneys paid by a subdivider or developer pursuant to this ordinance shall be deposited with Lawrence Township and a suitable depository shall be established for said moneys. Such funds shall be used only for improvements for which they are deposited or improvements serving the same purpose.

F. Redetermination Of Assessment Upon Completion Of Improvement

Upon completion of off-tract improvements required pursuant to this Section, the subdivider's or developer's liability hereunder shall be recalculated in accordance with the actual, as compared with the estimated, cost of the improvements. To the extent that it shall decrease the amount thereof, the municipality shall forthwith refund the amount of such decrease to the subdivider or developer. In cases where improvements are specially assessed against all benefited properties, recalculation shall be made by the municipal assessing authority in the course of the special assessment proceedings. In other cases, it shall be made by the Municipal Engineer.

G. Governing Body Approval Required

All estimates required to be made by the Planning Board herein shall be reviewed and approved by the governing body to final action thereon.

SECTION 1000

ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES

1001 ADMINISTRATION

These rules, regulations and standards shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the township. Any action taken by the township under the terms of this Ordinance shall give primary consideration to the above mentioned matters and to the welfare of the entire community. Moreover, if an applicant or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one (1) or more of these regulations is impracticable or will exact undue hardship, the appropriate municipal agency may permit such exception or exceptions as may be reasonable and within the general purpose and intent of the rules, regulations and standards established by this Ordinance.

1002 ENFORCEMENT

A. Construction Official and Zoning Officer

It shall be the duty of the Construction Official and Zoning Officer of the township to administer and enforce the provisions of this Ordinance. No structure or building improvement exceeding \$200 in cash value shall be erected until a construction permit is obtained from the Construction Official and no structure or lot shall be used in violation of this Ordinance. It shall be the duty of the Construction Official to keep a record of all applications and all construction permits which are either issued or denied, with notations of any conditions involved, which data shall form a part of the township public records. A monthly report of construction permits issued shall be filed with the Tax Assessor. It shall be the duty of the Zoning Officer to inspect the structures and land in the township and order the owner in writing to remedy any condition found to exist in violation of any provision(s) of this Ordinance.

B. Construction Permits

Every application for a construction permit shall be accompanied by three (3) sets of plans drawn in ink or a blueprint showing the actual shape and dimensions of the lot to be built upon, the exact location, size and height of all existing and proposed structures and substructures, all existing easements, the existing or intended use of each structure, the number of dwelling units the structure is designed to accommodate, the number and location of off-street parking spaces and off-street loading areas and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance. A construction permit shall be granted or denied in writing within ten (10) days from the date of a complete application unless additional time is agreed upon in writing by the applicant. One (1) copy of such plans shall be returned to the owner when such plans shall have been approved or denied by the Construction Official together with such permit as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on an actual survey of the lot by a licensed land surveyor in the State of New Jersey. The lot and the location of the structure(s) thereon shall be staked out on the grounds before construction is started. No construction permit shall be issued for any structure until prior site plan, subdivision and variance approvals as may be necessary, have been granted by the appropriate municipal agency or municipal agencies in accordance with the provisions of this Ordinance and until all review and inspection fees have been paid.

C. Certificate of Occupancy

1. It shall be unlawful to use or permit the use of any structure or part(s) thereof, either occupied by a new use or occupant or hereafter erected, altered, converted or enlarged wholly or in part, until a Certificate of Occupancy shall have been issued by the Construction Official. It shall be the duty of the Construction Official to issue a Certificate of Occupancy only when he is satisfied that the structure or part(s) thereof and the proposed use conform to this Ordinance and all other applicable codes and ordinances of the township.

2. A certificate of Occupancy shall be granted or denied in writing within twenty (20) days from the date that a written notification is filed with the Construction Official that the erection of the structure is completed, unless additional time is agreed upon by the applicant in writing.

3. A temporary Certificate of Occupancy may be issued for any structure or use for which site plan approval has been granted although not all conditions of said approval have been complied with. Such temporary Certificates of Occupancy shall be issued only in extenuating circumstances and only with the approval of the Planning Board which may establish specific terms and conditions.



4. Should the Construction Official decline to issue a Certificate of Occupancy, his reason for doing so shall be so stated on two (2) copies of the application and one (1) copy shall be returned to the applicant.

5. Upon notice being served of any condition found to exist in violation of any provision(s) of this Ordinance with respect to any land use, the Certificate of Occupancy for such use shall thereupon, without further notice, be null and void and a new Certificate of Occupancy shall be required for any further use of such structure or land.

6. A monthly report of the Certificates of Occupancy issued shall be filed with the Tax Assessor. A record of all Certificates of Occupancy shall be kept in the office of the Construction Official and copies shall be furnished on request to any person having a proprietary or tenancy interest in the structure or land affected. The charge for each copy shall be established by resolution of the governing body except that there shall be no charge to a municipal agency.

#### 1003 VIOLATIONS

In case any building or structure is erected, constructed, reconstructed, altered, moved or converted; or any building, structure or land is used in violation of, or contrary to, the provisions of this Ordinance, the township may institute an action to enjoin or any other appropriate action or proceeding to prevent such erection, construction, reconstruction, alteration, conversion or use. However, nothing in this Ordinance shall be construed to restrict the right of any party to obtain a review by any court of competent jurisdiction according to law.

#### 1004 PENALTIES

##### A. Fines

1. Any person, firm or corporation that shall violate any provisions of this Ordinance shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not exceeding five hundred dollars (\$500.00), as such court in its discretion may impose; or, if the party so convicted be a natural person, such person may be imprisoned for such term not exceeding ninety (90) days, as such court in its discretion may impose, or be fined a sum not exceeding five hundred dollars (\$500.00), as such court in its discretion may impose; or such natural person may be both imprisoned and fined not exceeding the maximum limits set forth herein, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.

2. The owner of any building or structure, lot or land, or part thereof, and/or the tenant or occupant of any building or structure, lot or land, or part thereof, where anything in violation of this Ordinance shall be placed or shall exist or be suffered, allowed or permitted to exist; and any architect, builder, developer, contractor, agent, person or corporation engaged in connection therewith and who assists in the commission of any such violation, shall each be guilty of a separate violation, and upon conviction thereof shall each be liable to the fine or imprisonment, or both, specified above.

##### B. Selling Land Before Final Subdivision Approval

1. If, before final subdivision approval has been granted, any person, as owner or agent, transfers or sells or agrees to transfer or sell any land which forms a part of a subdivision for which municipal approval is required in accordance with the provisions of this Ordinance, except pursuant to an agreement expressly conditioned on final subdivision approval, such person shall be subject to a penalty not to exceed \$1,000.00, and each lot disposition so made may be deemed a separate violation.

2. In addition to the foregoing, the township may institute and maintain a civil action:

a. For injunctive relief.

b. To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with N. J. S. A. 40:55D-56.

3. In any such action, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the subdivider or his assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title closing expense, if any. Any such action must be brought within two (2) years after the date of the recording of the instrument of transfer, sale or conveyance of said land, or within six (6) years if unrecorded.

SECTION 1100

DISTRICT CHANGES AND ORDINANCE AMENDMENTS

This Ordinance may be amended from time to time by the governing body after the appropriate referrals, notices, hearings and other requirements of law.

SECTION 1200

VALIDITY OF ORDINANCE

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 1300

REPEALER

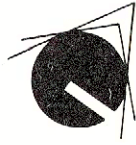
All sections of the Township Code which contain provisions contrary to the provisions of the ordinance shall be and are hereby repealed, including, but not limited to the Zoning Ordinance of the Township of Lawrence as adopted December 3, 1969, and amendments thereto, being Ordinance Numbers 573, 581, 586, 611, 612, 613, 616, 619, 626, 643, 644, 657, 662, 672, 679, 697, 718, 726, 727, 742, 773, 777, 778, 789, 793, 807, 810, 818, and the Subdivision Ordinance of the Township of Lawrence as adopted December 19, 1973, and amendments thereto, being Ordinance Numbers 639, 661, 700, 757, 779, and 803.

SECTION 1400

EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication according to law.

# TOWNSHIP OF LAWRENCE MERCER COUNTY, NEW JERSEY



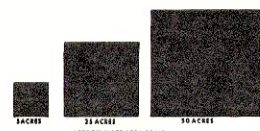
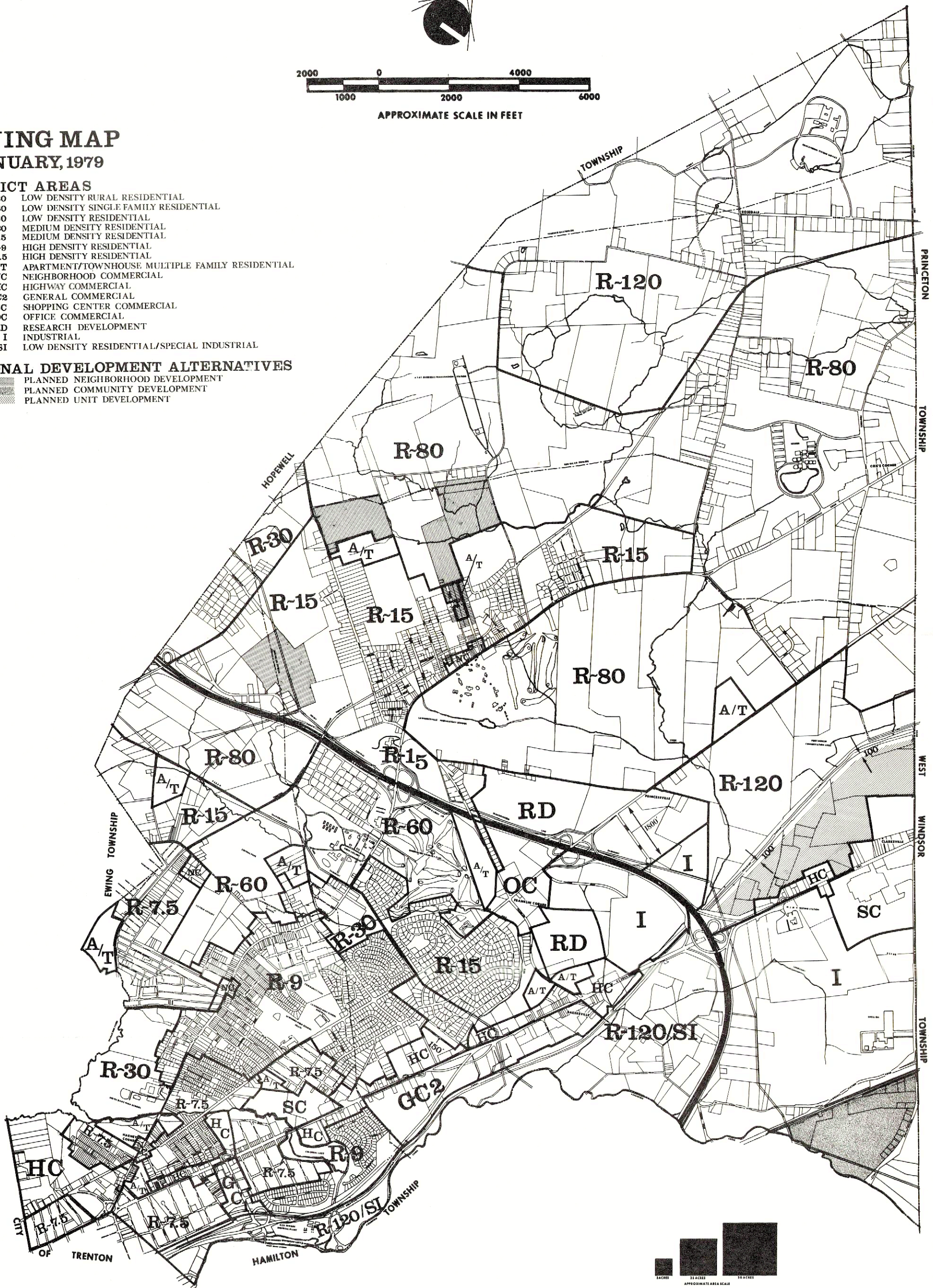
## ZONING MAP JANUARY, 1979

### DISTRICT AREAS

- R-120 LOW DENSITY RURAL RESIDENTIAL
- R-80 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-60 LOW DENSITY RESIDENTIAL
- R-30 MEDIUM DENSITY RESIDENTIAL
- R-15 MEDIUM DENSITY RESIDENTIAL
- R-9 HIGH DENSITY RESIDENTIAL
- R-7.5 HIGH DENSITY RESIDENTIAL
- A/T APARTMENT/TOWNHOUSE MULTIPLE FAMILY RESIDENTIAL
- NC NEIGHBORHOOD COMMERCIAL
- HC HIGHWAY COMMERCIAL
- GC1 - GC2 GENERAL COMMERCIAL
- SC SHOPPING CENTER COMMERCIAL
- OC OFFICE COMMERCIAL
- RD RESEARCH DEVELOPMENT
- I INDUSTRIAL
- R-120/SI LOW DENSITY RESIDENTIAL/SPECIAL INDUSTRIAL

### OPTIONAL DEVELOPMENT ALTERNATIVES

- PLANNED NEIGHBORHOOD DEVELOPMENT
- PLANNED COMMUNITY DEVELOPMENT
- PLANNED UNIT DEVELOPMENT

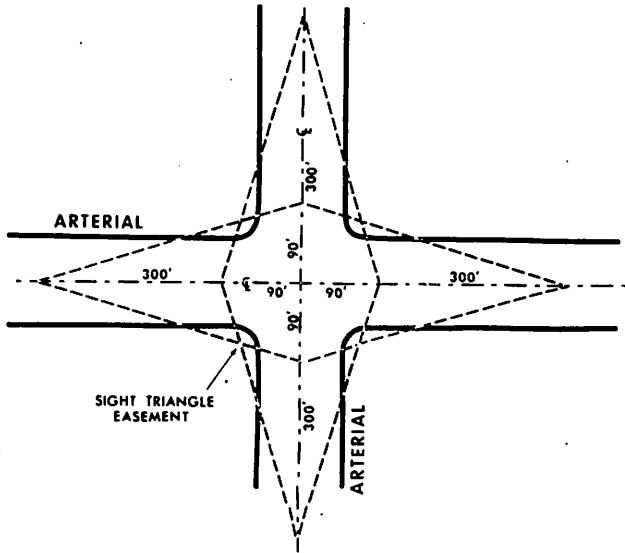


# SIGHT TRIANGLE EASEMENTS INTERSECTION DIAGRAMS

plate 1

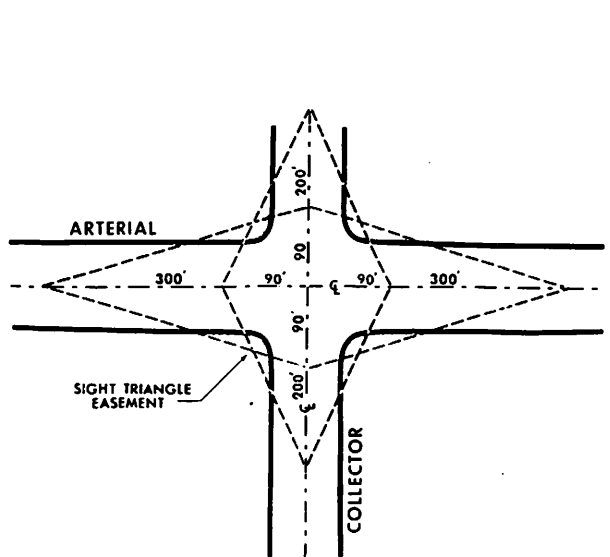
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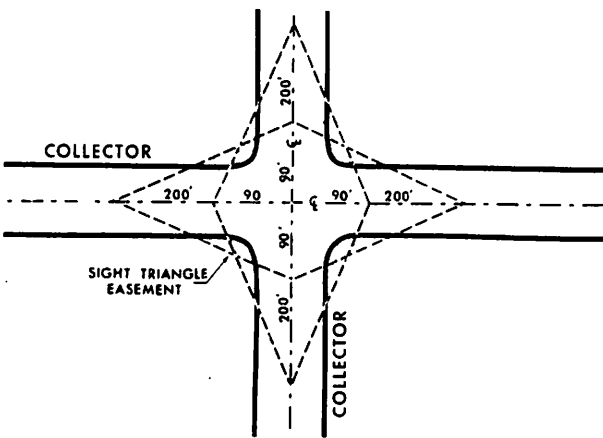
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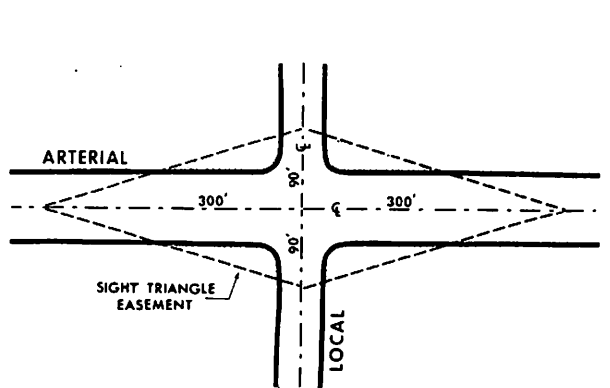
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COLLECTOR-COLLECTOR



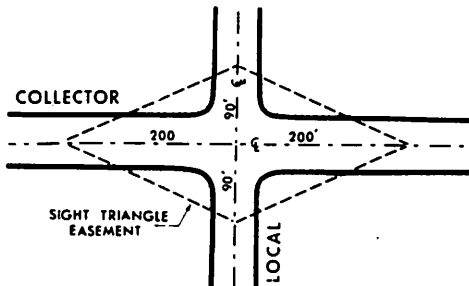
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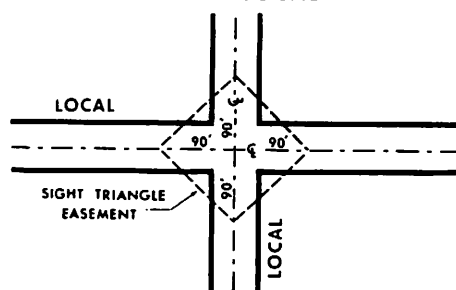
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COLLECTOR-LOCAL

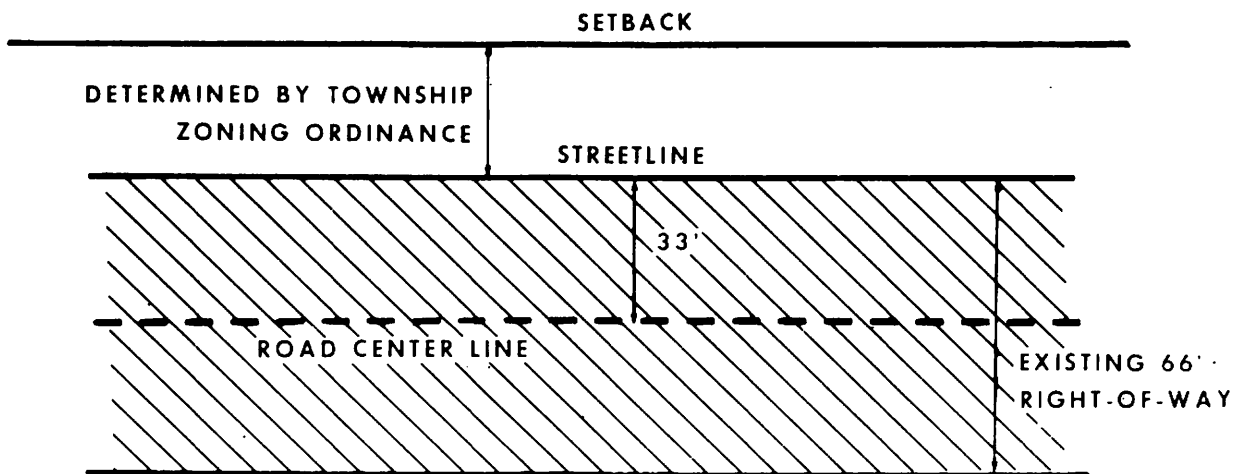


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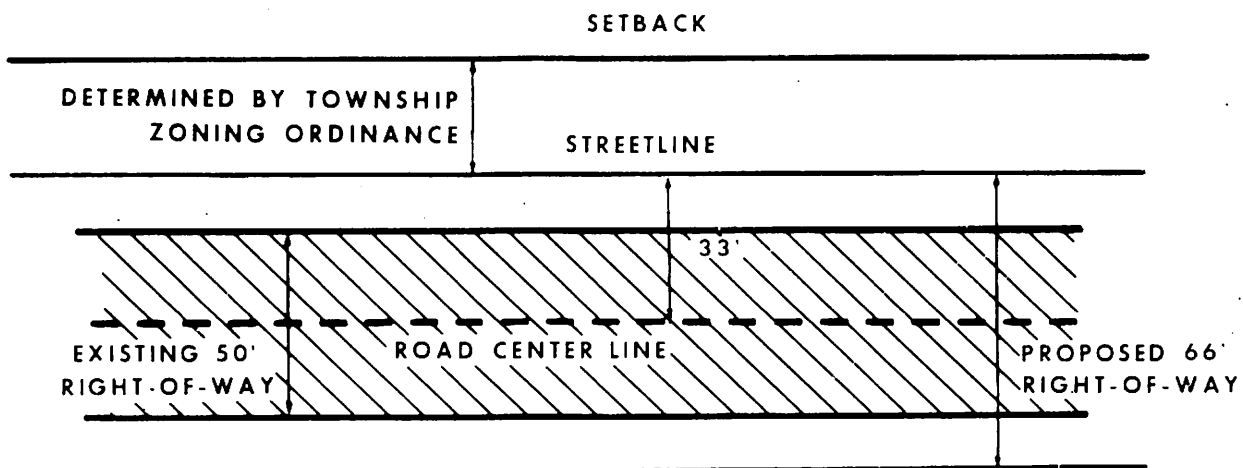
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# DETERMINATION OF STREETLINE AND BUILDING SETBACK LINE



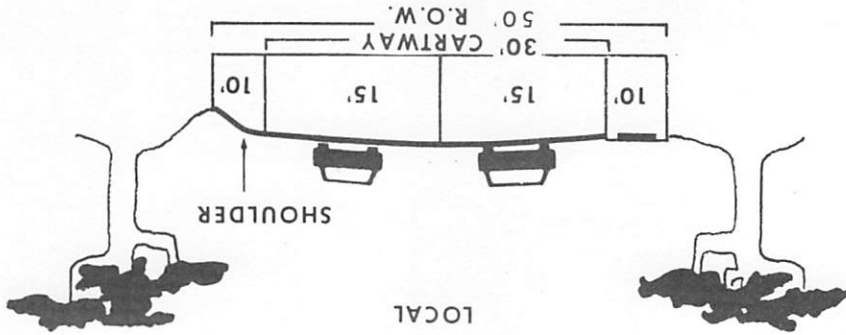
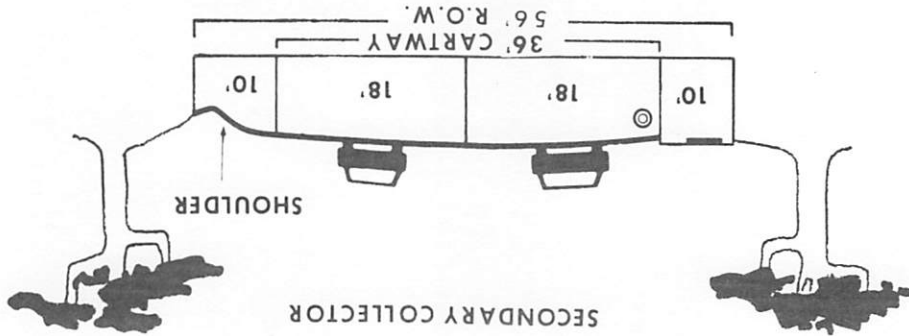
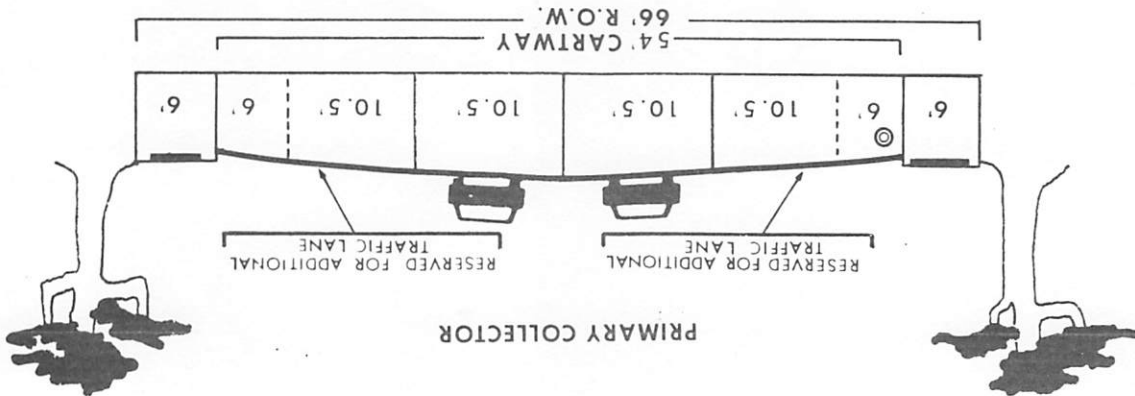
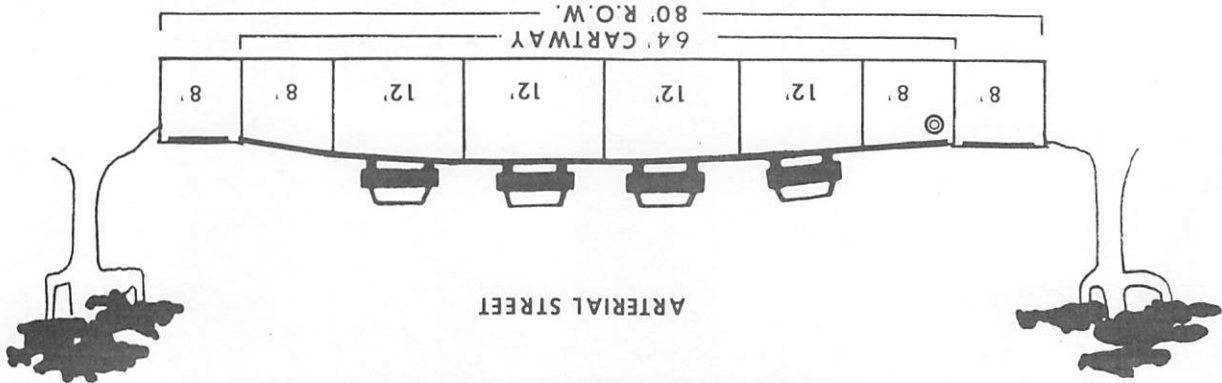
SITUATION IN WHICH EXISTING ROAD RIGHT-OF-WAY WIDTH COINCIDES WITH PROPOSED RIGHT-OF-WAY WIDTH

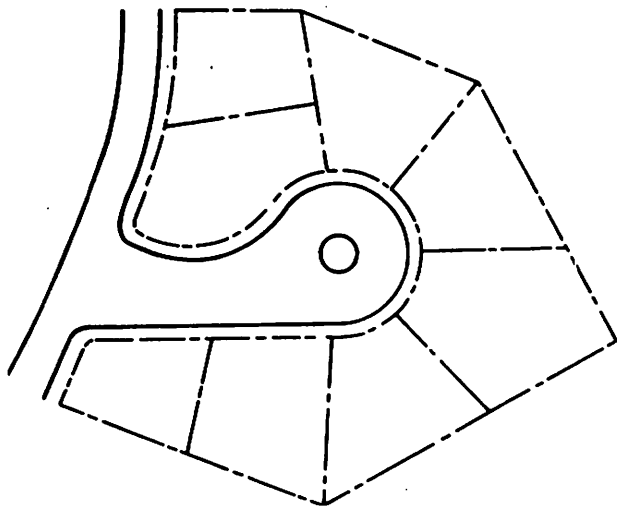
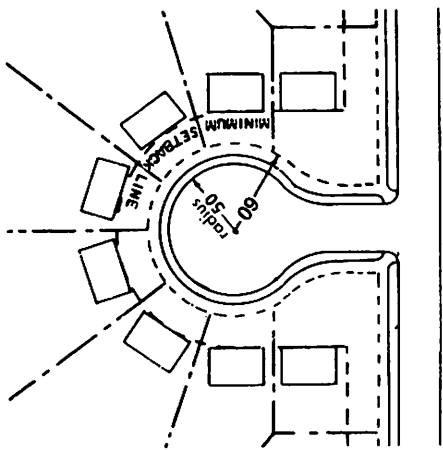
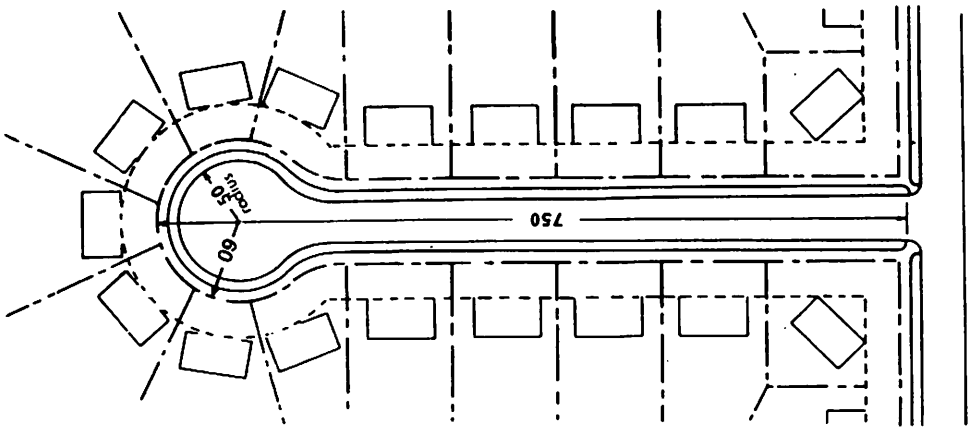


SITUATION IN WHICH ROAD IS LESS THAN WIDTH PROPOSED IN TOWNSHIP MASTER PLAN

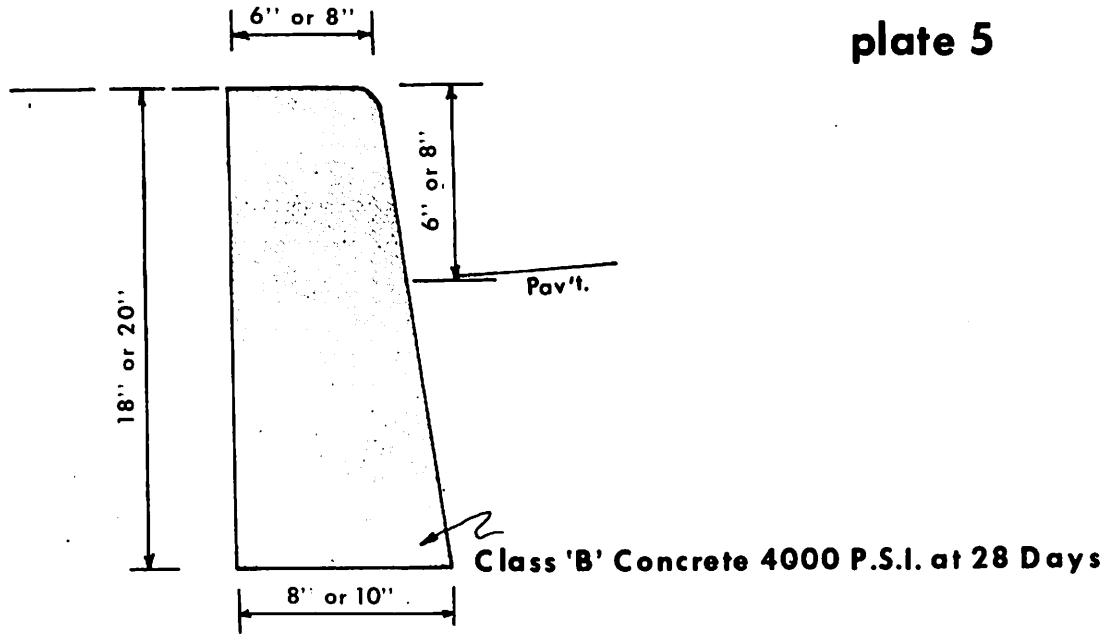
# RECOMMENDED STREET CROSS-SECTIONS

plate 3





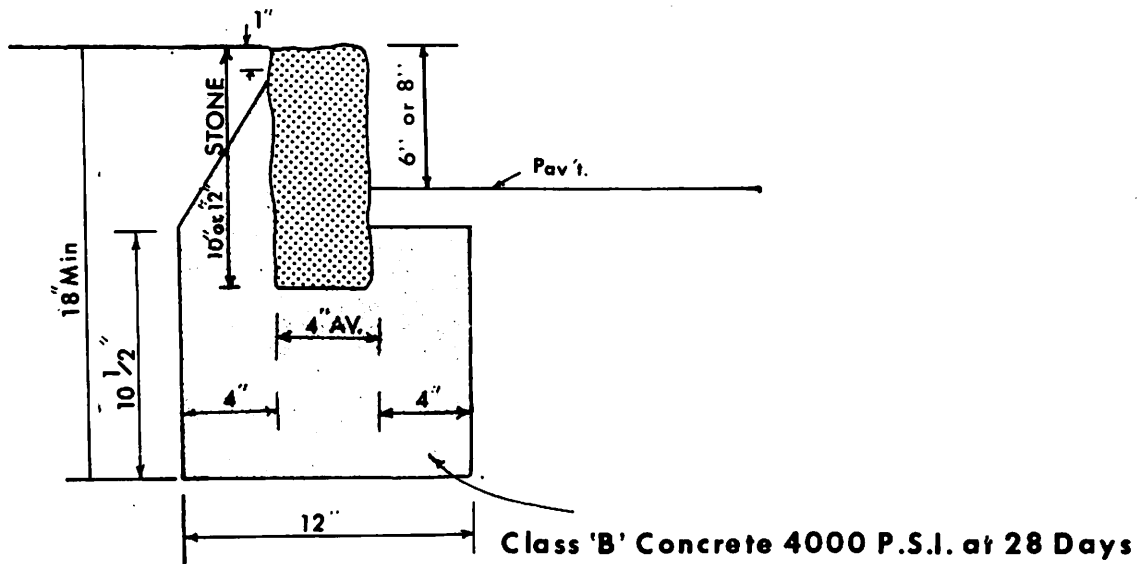
VARIATIONS OF CUL-DE-SAC DESIGNS



**CURB DETAIL**

Scale 1 1/2" = 1'-0"

**CONSTRUCTION DETAILS**



**GRANITE or BELGIAN BLOCK CURB DETAIL**

Scale 1 1/2" = 1' -0"