

Township of Lawrence  
State of New Jersey

Ordinance No. 2166-13

ORDINANCE AMENDING THE LAND USE ORDINANCE  
OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTIONS 420 and 521

**WHEREAS**, the Township Council of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township pertaining to Section 420, the Highway Commercial (HC) District and the Commercial and Industrial Buildings Design Standards in Section 521; and

**WHEREAS**, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides for the appropriate use, regulation and development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

**WHEREAS**, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partly inconsistent with such land use plan element provided that the reasons for so doing are set forth in a resolution and recorded in its minutes; and

**WHEREAS**, the Planning Board has determined that the revisions and amendments to the Land Use Ordinance have no inconsistency with the Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the regulations pertaining to Sections 420 and 521 be so amended; and

**WHEREAS**, this Ordinance involves a classification change to a zoning district requiring individual notice to property owners pursuant to *N.J.S.A. 40:55D-62.1*.

**WHEREAS**, the Township Clerk sent by certified mail and regular mail notice to each individual property owner in the Highway Commercial district on November 9, 2013 and has executed affidavits of proof of service and proof of publication in the official newspaper of Lawrence Township.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. §420, Highway Commercial (HC) District, shall be modified by renumbering sub-paragraph -F.6, -F.7.

Section 2. §420, Highway Commercial (HC) District, shall be modified by adding sub-paragraph -F.6 to "Conditional Uses Permitted" as follows:

F. **Conditional Uses Permitted.** The following uses may be permitted when authorized as a conditional use by the Planning Board in accordance with §705:

6. **Used automobile sales excluding auctions conforming to the following conditions:**
  - a. **Minimum lot size:** 5 acres
  - b. **Minimum lot frontage on U.S. Route 1:** 500 feet
  - c. **The use shall require a building with a minimum gross floor area of 15,000 sf.**
  - d. **The building shall contain a showroom with a minimum display area for four passenger vehicles.**

- e. **No service bay door shall face a zoning district that is predominantly used and occupied for residential purposes unless sound attenuation measures are installed to ensure that no sound greater than 50 decibels (dBa measurement) occurs at a point 150 feet distant or the property line, whichever is closer.**

**Section 3. §521, Commercial and Industrial Buildings Design Standards, shall be modified by adding sub-paragraph – J, entitled, “New and Used Automobile Sales Buildings” as follows:**

**J. New and Used Automobile Sales Buildings.** The following additional design standards for new and used automobile sales buildings shall apply:

1. **The showroom should be the most prominent architectural feature of the building and should have a two story volume.**
2. **The total front façade of the building facing the highest order street, excepting a limited access highway, shall consist of at least 30% clear glass, and any portion distinguishable from other portions of the building as the facility’s showroom shall be at least 50% clear glass.**
3. **The remaining façade materials should be stone, brick, metal panel or tinted glass, except those areas not visible from a public street may be architectural concrete masonry units.**
4. **Service bays should be oriented to the sides or rear of a building.**
5. **Exterior display of vehicles, when permitted, shall be located at ground level and demarcated with textured paving materials to distinguish the area from customer parking.**

**Section 4. Continuation.** In all other respects, the Zoning and Land Use Regulations Ordinance of the Township of Lawrence shall remain unchanged.

**Section 5. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

**Section 6. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 7. Enactment.** This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

**Adopted: December 3, 2013**

**RECORD OF VOTE**

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Brame	X						
Ms. Lewis	X						X
Dr. Maffei	X						
Mr. Powers	X					X	
Mayor Kownacki	X						