CHAPTER XXIII
ZONING

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23-1 PURPOSES

23-1.1 SHORT TITLE
This chapter shall be known and may be cited as the "Belleville Zoning Ordinance."

23-1.2 GENERAL INTENT AND PURPOSES
The Township of Belleville adopts this chapter to accomplish the following purposes:

a. To limit and restrict to specific Districts and to regulate therein buildings and structures according to the nature and extent of their use and the nature and extent of the uses of land.

b. To regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population and location and use and extent of use of buildings and structures and land for trade, industry, residence or other purposes.

c. To divide the municipality in to districts of such number, shape and use as may be deemed best suited to carry out any of the purposes herein mentioned.

d. To regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings or other structures and the nature and extent of the uses of land within such districts.

e. To regulate and restrict buildings and structures according to the construction and the nature and extent of their use and the nature and extent of the uses of land by the adoption of a comprehensive plan designed for one or more of the following purposes:
   1. To lessen congestion in the streets.
   2. To secure safety from fire, panic and other dangers.
   3. To promote health, morals and the general welfare.
   4. To provide adequate light and air.
   5. To prevent overcrowding of lands and buildings.
   6. To avoid undue concentration of population.
7. To conserve the value of property and encourage the most appropriate use of land throughout the municipality.

23-2 ESTABLISHMENT OF DISTRICTS

23-2.1 CLASSES OF DISTRICTS

For the purpose of this chapter, the Township of Belleville is hereby divided into the following Zoning Districts:

- R-A1 Single Family
- R-A2 Single Family
- R-B Two Family
- R-C Multi-Family
- B-A Neighborhood Retail
- B-B General Business
- B-D Major Commercial
- B-E Commercial Shopping Center
- B-F Planned Retail/Light Industrial
- B-G Commercial Residential
- I-B Industrial
- R-DV Redevelopment
- OS Open Space
- PRD Planned Residential Development

23-2.2 ZONING MAP

The aforesaid Districts are hereby established by the designations, locations and boundaries thereof set forth and indicated on a map entitled "Township of Belleville, NJ Zoning Map", dated to April 2018, which map is hereby annexed and adopted as a part of this chapter insofar as it indicates said designations, locations and boundaries.

Map can be seen on page 106.

23-2.3 DETERMINATION OF BOUNDARIES

a. Where such boundaries are indicated as approximately following the center lines of streets, alleys, railroads, waterways, the boundary lines of parks of other publicly owned land, or Township limits, such lines shall be construed to be such boundaries.

b. Where such boundaries are indicated as approximately following the lines of lots or other parcels of record and are not more than 10 feet distant there from, such lot or parcel lines shall be construed to be such boundaries.
c. Where a District boundary divides a parcel of land, the location of such boundary, unless the same is indicated by dimensions shown on the map, shall be determined by the use of the scale appearing thereon.

d. In cases of doubt, the district boundary line shall be determined by the Board of Adjustment.

23-3 SCHEDULE OF REGULATIONS

See table on page 104.

23-4 APPLICATION OF DISTRICT REGULATIONS

23-4.1 PROVISIONS. Except as hereafter provided:

a. No land or building shall hereafter be used, occupied, erected, moved or altered unless in conformity with the regulations hereafter specified for the district in which it is located.

b. No building shall hereafter be erected or altered:

1. To exceed the maximum building height.
2. To occupy more than the maximum percentage area.
3. To accommodate or house a greater number of families; or
4. To have a narrower or smaller rear yard, front yard, side yards, or other open spaces than is specified for the district in which such building is located.

c. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as part of a yard or other open space similarly required for another building.

d. No lot shall be so reduced in area that it does not meet the area requirements or that of any required open space will be smaller than prescribed in the Schedule of Regulations for the district in which said lot is located. Yards or lots created after the passage of this chapter shall meet at least the minimum requirements established by this chapter.

e. No off-street parking or loading spaces required for one building or use shall be included as meeting, in whole or in part, the off-street parking or loading space required for another building or use.

f. No off-street parking or loading space shall be so reduced in area that it does not meet the requirements of this chapter.

g. Where a lot is formed from part of a lot already occupied by a building, such separation shall be effected in such manner as not to impair any of the requirements of this chapter with respect to the existing building and all yards and other open spaces in connection therewith, and no permit shall be issued for the erection of a building on the new lot thus created unless it complies with all the provisions of this chapter.
h. Nothing in this chapter shall be deemed to require any change in the plans, construction or designated use of any building, the actual construction of which was lawfully begun prior to the time this chapter or any amendment thereof affecting the same takes effect and on which building actual construction is completed within 1 year after such time.

i. Any use established in any Zone District shall meet all the requirements specified in the "Performance Standards" of this chapter.

23-5 DEFINITIONS

For the purposes of this chapter, certain words and terms herein are defined as follows:

23-5.1 GENERAL INTERPRETATION

All words used in this chapter in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise; the word "building" includes the word "structure"; the word "occupied" includes the words "designed or intended to be occupied"; the word "lot" includes the word "plot"; the word "used" shall be deemed also to include "designed, intended or arranged to be used"; the term "erected" shall be deemed also to include "constructed, reconstructed or altered or moved". The word "shall" is mandatory and not discretionary. The word "Township" means the "Township of Belleville" in the County of Essex, State of New Jersey. The terms, "Town Council", "Governing Body", "Board of Adjustment", Planning Board" and "Construction Code and/or Zoning Administrative Official" means the respective boards and officers of said Township.

23-5.2 WORDS AND TERMS

ACCESSORY USE  See - USE, ACCESSORY

ADULT BOOK STORE
An establishment or business having more than 25% of its stock in trade in books, magazines, publications, audio/video tapes of films that are distinguished or characterized by their emphasis on depicting, describing or relating to sexual activities or anatomical genital areas.

ADULT ENTERTAINMENT CABARET
A private or public establishment devoted to adult entertainment, either with or without a liquor license, offering the following for viewing or patron participation:

a. Persons appearing in a state of nudity (in person or mechanical presentation) for entertainment or exhibition.

b. Persons and/or animals depicting or related to sexual activities (in person or mechanical presentation) for entertainment or exhibition.

c. Persons appearing as male or female impersonators.
d. Person(s) in exhibition of, but not limited to, exotic dancing, Go-Go dancing, disrobing partially or completely, sexually stimulating body movements or mannerisms, as generally or commonly perceived.

**ADULT MOTION PICTURE THEATER**
An establishment or business which presents film or video materials for public or private viewing in a theater, by mechanical means, which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas

**ALTERATION, STRUCTURAL** *See - STRUCTURAL ALTERATION*

**AMUSEMENT DEVICE**
A mechanical, electro-mechanical or electronic device which may be operated by the public, which may or may not be activated by a coin or token, usually limited to 2 active participants, generally for use as a game, entertainment, or amusement.
Exclusions from this definition are pool/billiard tables, table shuffle board and darts.

**APARTMENT HOUSE** *See - DWELLING, MULTI-FAMILY*

**AWNING/CANOPY**
A temporary or permanent roof-like structure consisting of framing covered with canvas or similar material mounted partly or solely on and projecting from a wall of a building for the purpose of shielding a doorway or window from the elements of weather or for ornamentation.

**BANK** *See - FINANCIAL INSTITUTION*

**BANNER**
Any message or non-message bearing device made of lightweight fabric or similar material, attached to a free standing pole or attached to a structure, the purpose being decorative or to attract attention.

**BANQUET FACILITY**
An establishment that prepares and serves meals to groups on a scheduled basis.

**BAR**
A retail establishment for the sale of alcohol and other beverages for on the premises and off premises consumption.
BASEMENT
Any portion of a building that is partly underground, having one-half or more of its floor-to-ceiling height above the average graded level of the ground immediately adjacent to the building, and with a floor-to-ceiling height of not less than six and a half feet.

BLOCK
Property abutting on one side of a street and lying between the nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, parking boundary, or waterway.

BOARDING/LODGING HOUSE
A private dwelling which contains sleeping accommodations offered for rent of more than 2 but not more than 8 (6) single person rooms, whether meals are furnished to lodgers or not, and in which no transients are accommodated and no public restaurant is maintained.

BODY PIERCING PARLOR
An establishment where decorative ornaments are used to pierce any part of the human body except medical applications or earrings.

BOWLING ALLEY
A business establishment consisting of facilities for bowling, including one or more alleys, as well as ancillary facilities including, but not limited to a snack bar and pro shop.

BUFFER STRIP
A landscaped planting strip providing a vertical screen containing a combination of two or more of the following elements: plants, shrubs and/or trees to be maintained for the life of the use to which the site is used.

BUILDING
Any structure designed or intended for use as an enclosure or shelter, protector or support of persons, animals or property.

BUILDING, ACCESSORY
A subordinate building, the use of which is customarily incidental to that of the main or principal building on the same lot.

BUILDING AREA
The area of a lot covered by the total gross area of all buildings measured to the outside of the exterior walls of the ground floors, except for open porches, patios, decks, courts, balconies, steps, stoops, awnings and overhangs.
BUILDING HEIGHT
The vertical distance in the case of flat roofs to the level of the highest point of the roof and in the case of pitched roofs to the mean level between the eaves and the highest point of the roof, measured from the average lot level at the front of the building.

BUILDING, PRINCIPAL
A building in which is conducted the principal use of the lot on which it is located.

BUILDING, PUBLIC
Building(s) or structure(s) occupied by a municipal, state or county governing body and/or its subordinate agencies.

BUILDING, SERVICE
An ancillary structure to the principal use of the lot used generally for the storage of supplies, commercial goods, commercial vehicles, or maintenance materials and equipment. The structure shall not be used as a dwelling for persons or animals.

BUSINESS, ARCADE
The principal activity is to provide amusement devices which may be operated by the public, generally for use as a game, entertainment, or amusement.

BUSINESS, BUILDING SUPPLY
A use involving the retail and/or wholesale sales of all types of building materials which may be conducted inside and/or outside a building.

BUSINESS, NEIGHBORHOOD RETAIL
A retail use, limited to the ground floor of a structure designed to provide for the daily needs of the surrounding area residents, including, but not limited to food, variety, stationery, pharmacy, bakeries, package liquor, convenience or of a similar use.

BUSINESS, NEIGHBORHOOD SERVICE
A business conducted to render personal services, including but not limited to barbershops, beauty salons, dry cleaning, self-service laundries, shoe repair, tailoring and household services, including but not limited to furniture repair, small appliance repair or of a similar nature.
Excluded are Tattoo and Body Piercing parlors.

BUSINESS, NEW VEHICLE AGENCY
The use of any building and/or land area for the sale of new automobiles, including light trucks, vans, recreational vehicles, trailers, motorcycles, boats and water craft.
Vehicle preparation and repair work associated with a new vehicle agency is an ancillary use.
BUSINESS, OFFICE
An establishment consisting of a room or group of rooms used for conducting the affairs of a business and generally furnished with desks, files and communications equipment, but which does not offer merchandise for sale.

BUSINESS, PLANNED RETAIL CENTER
A single structure or group of structures to accommodate retail, service, commercial or a combination of such uses with parking, ingress/egress, landscaping, signage, lighting and other site improvements and amenities coordinated to function as one (1) development.

BUSINESS, RETAIL
An individual establishment selling goods or equipment directly to customers, excluding automotive vehicles or parts, water craft, and building supplies.

BUSINESS, SERVICE
An establishment primarily engaged in rendering services rather than selling merchandise, including, but not limited to, advertising, building cleaning, equipment rental/leasing, employment services, insurance, mailing, photo finishing, protective service, tanning salons and excluding Tattoo and Body Piercing parlors, or a similar use.

BUSINESS, SHOPPING CENTER
Two or more retail uses sharing the same property and having a common means of ingress, egress, circulation, and parking and related functions.

BUSINESS, USED VEHICLE AGENCY
The use of any building, land area or other premises for the display and sale of at least 2 or more previously owned motorized vehicles.

BUSINESS, VEHICLE BODY SHOP
An establishment which primarily engages in the superficial and/or structural repair and painting of damaged motor vehicles.

BUSINESS, VEHICLE SERVICE STATION
An establishment which conducts one or more of the following activities: the sale or supply of motor fuel and/or lubricants directly to a motor vehicle; service and/or repair of licensed or registered motor vehicles; inspection of motor vehicles as required by State law; the sale of tires, batteries, and/or other motor vehicle parts and accessories; and as an ancillary service, motor vehicle washing.

Excluding auto bodywork, new or used vehicle sales or leasing, of trucks or trailers.
BUSINESS, VEHICLE REPAIR
An establishment which primarily engages in motor vehicle repair and maintenance.

BUSINESS, VEHICLE RETAIL PARTS
An establishment, which primarily engages in the sale of new motor, vehicle parts.

CABANA
An accessory structure used for storage of material or other uses in conjunction with a swimming pool.

CELLAR
A portion of a building with less than one-half of its floor-to-ceiling height above the average grade level of the ground immediately adjacent to the building or with a floor-to-ceiling height of less than six and a half feet.

CERTIFICATE OF USE AND OCCUPANCY
A certificate issued by the Construction Code Official or the Zoning Administration Officer upon the completion of construction of a structure; completion of an alteration of a structure; change of ownership; change of use; and change of commercial tenant with multiple use; change of each commercial tenant and of each use.

CLEAR SIGHT-TRIANGLE
The provision of a triangular-shaped area for purposes of maintaining proper sight visibility, which shall be designed and in accordance with ASHTO standards.

CLUB HOUSE
Premises or structure reserved for the exclusive use of members of an organization and their guest for civic, charitable, social or recreational purposes not conducted for gain, provided that there are not conducted any merchandising or commercial activities, except as required by the membership for the purposes of such "club".

CONDITIONAL USE See - USE, CONDITIONAL

CONSTRUCTION CODE OFFICIAL
The officer or other personnel, authorized by the Belleville Township Council and charged with the administration and enforcement of this chapter, or his/her duly authorized representative, as appropriate

COURT, INNER
An open, unoccupied space on the same lot with a building not extending to either the street or the rear yard.
COURT, OUTER
An open unoccupied space on the same lot with a building extending to either the street or the rear yard.

COVERAGE, BUILDING (LOT)
The relationship of the main structure and all accessory structures (ground floor area) in relationship to the total lot area expressed as a percentage.

COVERAGE, IMPERVIOUS
The relationship of all paved impervious surfaces, including any structures, sidewalks, driveways, to the total lot area expressed as a percentage.

CROSSWALK
A right-of-way, dedicated to public use, to facilitate pedestrian access.

CURB LEVEL
The mean level of the existing curb or of the lot at the street line.

DANCING FACILITY
An establishment where musical entertainment is provided, either by persons or mechanical means, for the purpose of providing social dancing opportunities for its patrons.

DAY CARE FACILITY, ADULT
An approved and licensed facility to provide daily care for persons aged 60 and over.

DAY CARE FACILITY, CHILD
An approved and licensed facility to provide daily care for children of pre-school or school age.

DEVELOPMENTALLY DISABLED
A person as defined in Section 2 of P.L. 1977, c.448 (C.30:11 B-2).

DIRECTOR
The Director of Planning for the Township of Belleville or his/her designee.

DISTRICT See - ZONING DISTRICT

DRIVEWAY
An open area used as a means to provide vehicular ingress and egress to a lot, also the paved area directly in front of a dwelling unit or a detached garage.
**DRUG TREATMENT FACILITY**
A licensed establishment intended for the treatment of drug or alcohol related conditions through accepted medical practice.

**DWELLING**
A building designed or used for permanent living quarters for one or more families.

Use of the term "Dwelling" and its modifications in various forms shall exclude the following types of residence including hotel, motel, motor lodge, rooming house, boarding house or such accommodations used for transient occupancy.
See substitute definitions for dwelling, single family detached, attached duplex, multiple family and town house.

Dwelling definition: A dwelling unit is a room or series or connected rooms containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The dwelling unit shall be self-contained and shall not require access through another dwelling unit or other indirect route (2) to get to any portion of the dwelling unit, nor shall there be shared facilities with another housekeeping unit.

Dwelling Units Type - Definitions:
- a. Dwelling Detached Single Family - a free standing residential building which contains one dwelling unit which has no common walls with any other dwelling units.
- b. Dwelling Attached - a dwelling unit sharing common vertical or horizontal separation with one or more dwelling unit.
- c. Dwelling Duplex - a dwelling unit sharing a common vertical separation with only one other dwelling unit.
- d. Dwelling Multiple Family - More than two dwelling units sharing common horizontal separations in a single structure.
- e. Townhouse - a dwelling unit located beside and separated from other such dwelling units by use of common party walls, extending from the foundation to the roof and from the front to the rear exterior walls, with each dwelling unit having livable floor area on, but no limited to, the first floor. Each townhouse dwelling unit shall have direct access to the outdoors.

**DWELLING, REAR**
A dwelling located on the same lot and to the rear of the main building for which the lot is used.

**DWELLING, SENIOR CITIZEN**
A dwelling unit designed specifically for persons aged 55 and older or older as regulated by sponsoring government agency or non-profit entity which may include a deed restriction regarding the age of the occupants.
DWELLING, TOWNHOUSE
A one family dwelling unit attached in a row of at least two and not more than eight, with no units located over another and all of which having two means of egress.

DWELLING, TWO-FAMILY
A building containing two dwelling units only.

EASEMENT
A restriction established in a real estate deed to permit the use of land by the public, a corporation, or particular persons for specific uses.

EATING ESTABLISHMENT, CARRY-OUT/WALK-UP
An establishment which by design of physical facilities or by service of packaging procedures, permits or encourages the purchase of prepared ready-to-eat foods and/or non-alcoholic beverages intended primarily to be consumed off the premises, and where the consumption of said items in motor vehicles on the premises is not permitted nor encouraged.

EATING ESTABLISHMENT, FAST FOOD
An establishment whose principal business is the sale of pre-prepared or rapidly prepared food and/or non-alcoholic beverages directly to the customer in a ready-to-consume state for consumption either within the premises, motor vehicle on site, or off premises.

EATING ESTABLISHMENT, LUNCHEONETTE
An establishment serving food for on-premises or off-premises consumption and limited to seating or tables or a counter for not more than 20 patrons.

EATING ESTABLISHMENT, RESTAURANT
An establishment where unpackaged food and beverages (alcoholic/non-alcoholic) is prepared, served in individual servings and consumed primarily within the principal premises.

EATING ESTABLISHMENT, SIDE-WALK CAFE
An accessory use to any eating establishment consisting of tables and chairs for the serving of food and beverages (alcoholic/non-alcoholic) in an outdoor area adjacent to the existing eating establishment, separated from the remaining public easement by markers such as removable rails, ropes, or planters.

FAMILY
An individual, or two or more persons related by blood or marriage or two unrelated individuals, living together as a single housekeeping unit in a dwelling unit.
FENCE, BARBED WIRE
Any fence which is composed, in whole or part, of barbed or razor wire.

FENCE, CHAIN LINK
A metal fence composed of interlocking steel chains or links which form an open pattern.

FENCE, ELECTRIFIED
A metal fence, or part of, which is connected to a source of electrical energy either alternating (AC) or direct (DC) current, whether energized or not.

FENCE, OPEN
A fence having open spaces which are at least the same size as and between each two picket slats or a basket weave construction with equal closed and open spacing.

FENCE, RAZOR See - FENCE, BARBED WIRE

FENCE, STOCKADE
A fence providing minimum spacing between fence elements whether the construction elements are on the same side or alternating sides of the fence.

FINANCIAL INSTITUTION
Any commercial establishment which provides banking, investment, loan, mortgage or related services to the public.

FLAG
A fabric or material containing distinctive colors, patterns or symbols used as a symbol of a government, political subdivision or other entity.

FLOOR AREA, GROSS
The total of all floor area of a building or structure measured to the outside of the exterior walls.

FLOOR AREA, NET
The existing or potential area within a building exclusive of corridors, storage rooms, washrooms, basements, porches, breezeways and garages.

GARAGE, ACCESSORY
An accessory building or part of a main building limited to the following uses: storage of private or permitted motor vehicles and incidental servicing of these vehicles, storage of household effects, tools, and such other items of equipment as are directly related to the care, use and upkeep of the dwelling, the buildings, and lot, home occupation items, and cottage craft items.
Nothing contained herein shall be construed as permitting any detached accessory garage to be used for human habitation or any business of commercial activity.

**GARAGE, AUTO BODY** See - VEHICLE, BODY SHOP

**GARAGE, COMMERCIAL**
A building designed for temporary storage of motor vehicles which may be of open or enclosed construction.

**GARAGE, PARKING** See - GARAGE, ACCESSORY

**GARAGE, PRIVATE** See – GARAGE, ACCESSORY

**GARAGE, REPAIR** See - VEHICLE, REPAIR FACILITY

**GARDEN APARTMENT** See - DWELLING, GARDEN APARTMENT

**GREEN HOUSE, COMMERCIAL**
A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for sale in conjunction with a retail operation which may either be on or off-site.

**GREEN HOUSE, PRIVATE**
A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for personal enjoyment.

**HEALTH/ATHLETIC/PHYSICAL FITNESS CLUB**
An establishment that provided any combination of facilities for aerobic exercise, running and jogging, exercise equipment, game courts, swimming and saunas, showers, massage rooms and lockers, and may include a pro shop for the sale of limited merchandise and equipment for member's use.

**HOME, CONVALESCENT/NURSING/REST**
A facility for medical or convalescent care of patients or the elderly with full supervision and licensed by the State.
HOME OCCUPATION
Shall mean and include tailoring activities, art instructions, musical lessons, cottage craft and hobbies or similar occupations for profit provided there shall be no employees.

The activities shall be conducted solely by the resident-owner-occupants of the building and no display of advertising or display of products shall be visible from the street.

HOME PROFESSION
The office or studio of a resident physician, artist, writer, dentist, lawyer, architect, engineer, accountant or teacher as herein restricted; provided that not more than two persons are employed who are not members of the family, and that such office shall be on the ground floor of the main building and shall not occupy more than one-half of the area of the ground floor of said building. For the purpose of this paragraph, a "teacher" shall be restricted to a person giving individual instruction in academic or scientific subjects to a single pupil at a time.

A professional shall not include the office of any person professionally engaged in the purchase or sale of economic goods. The professional office of a physician shall not include a biological or other medical testing laboratory.

HOSPITAL
A building or set of buildings housing an institution licensed by the State providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments and staff offices that are in integral part of the facilities.

HOT HOUSE See - GREENHOUSE

HOTEL See – MOTEL

IMMEDIATE CARE FACILITY
A medical service staffed by licensed physicians for out-patient care of humans where emergency or immediate service is customarily rendered on a walk-in basis without appointment.

INCINERATOR
A device used to burn waste substances and in which all the combustion factors (temperature, retention time, turbulence and combustion air) can be controlled.

JUNK YARD
A lot, land or structure of more than 100 sq. ft. used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or other scrap or discarded material or for the collecting, dismantling storage or salvaging of machinery or vehicles not in running condition, and the sale of parts thereof.
LABORATORY, RESEARCH/DESIGN
An establishment or other facility for carrying on investigation in the natural, physical or social sciences, which may include engineering and product development.

LAUNDRY, COMMERCIAL
A business establishment which provided washing, drying or dry cleaning services for other businesses and or governmental agencies.

LAUNDRY, NEIGHBORHOOD
An establishment providing washing, drying or dry cleaning machines on the premises for retail use.
To the general public; also known as a "LAUNDROMAT".

LOADING SPACE
An off-street space surfaced to be available in all weather, suitable for loading or unloading of goods and having direct access to a street.

LOT
Any parcel, plot, site, or portion of land separated or divided from other parcels or portions by description on a subdivision plat, deed, record or survey map or by metes and bounds with the intention of offering such unit for sale, lease or separate use either as an undeveloped site, regardless of how it is conveyed.

LOT, CORNER
A lot abutting upon two or more streets at their intersection or upon two parts of the same street; such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the "corner".

LOT, DEPTH
The average distance from the front lot line to the rear lot line measured in the general direction of the side lines of the lot.

LOT, FINISHED GRADE
The actual grade provided on a lot at the completion of any construction or lot disturbance.

LOT, FRONTAGE
The horizontal distance measured along the full length of the front lot line.

LOT, INTERIOR
Any lot which is not a corner lot.
LOT LINE, FRONT
The boundary of a lot which is along an existing or dedicated public or private street, or where no public street exists, is a long a public right of way.

LOT LINE, REAR
That boundary of a lot which is most distant from and is more nearly parallel to the front lot line.

LOT LINE, SIDE
Any boundary of a lot which is not a front nor rear lot line.

LOT, NON-CONFORMING
A lot or parcel which does not have the minimum width or depth or contain the minimum area for the zone in which it is located.

LOT, THROUGH
A lot extending from one street to another.

LOT, WIDTH
The distance between the two side lot lines of a lot measured at the front yard setback.

MANUFACTURING FACILITY
Any establishment that engages in the mechanical or chemical transformation of materials or substances into new products including the assembly of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastic, resins, or liquids.

MASSAGE PARLOR
An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment or similarly treatment or manipulation of the human body is administered by an individual who is not a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State.
This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

MASTER PLAN
A comprehensive plan consisting of mapped and written proposals duly adopted by the Planning Board for the future growth, protection and development of the township in accordance with C40:55d-28 of the Municipal Land Use Law.
MIXED USE
A use which combines a retail or business use on the ground floor with a residential use in the same structure.

MOBILE HOME
A vehicle or portable structure mounted or designed for mounting on wheels used for dwelling purposes, including structural additions, except parked or unoccupied recreational vehicles. Any such vehicle or structure shall be deemed to be a "mobile home" whether or not the wheels have been removed and whether or not resting upon a temporary or permanent foundation.

MOTEL
A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units designed primarily for transients and providing accessory off-street parking. The terms shall not be construed to include mobile or immobile trailers.

MOTORCYCLE DEALER
An establishment primarily involving the sale of motorcycles which are displayed and stored within a building and which may also include, as ancillary components, the sale of all-terrain vehicles, jet skis, and similar small motor vehicles and watercraft, and the sale of accessories related thereto and may include the repair and maintenance of such vehicles and watercraft. Such establishment shall be considered a retail business use and not an auto dealership or a new or used vehicle agency.

NON-CONFORMING STRUCTURE See - STRUCTURE, NON-CONFORMING

NON-CONFORMING USE See - USE, NON-CONFORMING

NUISANCE
An offensive or obnoxious thing or practice; a source of annoyance, especially a continuing of repeating invasion or disturbance of another's rights, including the actual or potential use across a property line which can be perceived by or affects a human being, or generation of an excessive or concentrated movement of people or things such as but not limited to: noise, dust, smoke, vibration, radiation, transportation by truck, rail, or other means.

NURSERY, HORTICULTURE
Land or green houses used to raise flowers, shrubs and plants for cultivation and sale.

OFFICE, PLANNED RESEARCH
A development on a tract of land that contains research office facilities with integrated accessory and supporting uses incidental to the predominant uses and is maintained as a single entity with appurtenant common areas and features.
OFFICE, PROFESSIONAL
The office of a member of a recognized profession maintained for the conduct of that profession.

PARKING AREA, PORTABLE
An open area, which can be placed at appropriate locations during emergency conditions, limited to 5 vehicles.

PARKING AREA, PRIVATE
An open area for the storage of one or more motor vehicles, provided no business, occupation or service is conducted for profit therein.

PARKING, PUBLIC LOT
An open area, other than a street or other public way, owned by a government agency, used for the parking of vehicles and available to the public whether or not a fee is charged.

PARKING, COMMERCIAL LOT
An open area, other than a street or other public way, privately owned, used for the parking of or storage of vehicles and available to the public whether or not a fee is charged.

PARKING SPACE
Shall mean an off-street space available for the parking of one motor vehicle and having direct useable access to a street or alley.

PEEP SHOWS See - ADULT MOTION PICTURE THEATER

PENNANT
Any lightweight plastic, fabric or other material whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series and designated to move in the wind, attached to the premises, pole, tree, or other structure of said premises.

PERFORMANCE GUARANTEE
Any security which may be accepted in lieu of a requirement that certain improvements be made before the Planning Board approves the plat, including performance bonds, escrow agreements, or other collateral or surety agreement.

PHOTO REPRODUCTION FACILITIES
An establishment engaged in the processing of photographic film and related materials.

PLACE OF PUBLIC ASSEMBLY
A meeting hall, club house, auditorium, church, synagogue, or other structure or portion thereof,
used at regular or periodic intervals as a gathering place for the purposes of, but not limited to, conferences, worship, entertainment, amusement, recreation or education, or performance of social, athlete or cultural programs.

**PRE-SCHOOL**  See - DAY CARE FACILITY

**PRINTING FACILITIES**
An establishment engaged in printing, embossing or any related method of transferring printed materials to all types of materials.

**REAR DWELLING**  See - DWELLING, REAR

**RECREATION SITE**
A useable, single tract or portion of land developed for recreation and play.

**RECYCLING FACILITY**
A structure and/or lot where discarded glass, metals, plastic, paper products, vehicles tires, vehicles fluids (oil, anti-freeze, etc.) are collected in small quantities, repackaged in bulk and redistributed unprocessed.

**RESTAURANT**  See - EATING ESTABLISHMENT

**REVIEWING BOARD**
The Planning Board or the Board of Adjustment, depending upon the type of approval sought or the variances required in a particular case.

**RIGHT-OF-WAY**
The land and space required on the surface, sub-surface, and overhead for the construction and installation of materials necessary to provide passage way for vehicular traffic, pedestrians, utility lines; poles, conduits and mains, signs, hydrants, trees, and shrubbery and the proper amount of light and air as established by local authorities and shall be measured from lot line to lot line.

**ROADWAY**
A private or public means of ingress and egress into and out of the development or the means of circulating around a development.

**SCHOOL, BUSINESS**
A school limited to special instruction such as, but not limited to, business, art, music, trades, handcraft, or dancing.
SCHOOL, PRIVATE
An elementary or intermediate school other than a parochial school, giving regular instruction capable of meeting the requirements of State compulsory education laws and approved as such and operating at least 5 days a week for a normal school year and supported by other than public funds.

SCHOOL, NURSERY, PRE-SCHOOL See - DAY CARE FACILITY

SHED
An accessory structure used for storage, usually associated with a residential dwelling.

SHOOTING RANGE
An establishment which provides facilities for the use of firearms and/or archery equipment shooting at specific targets under controlled conditions, as well as ancillary facilities including, but not limited to a pro shop, equipment sales and licenses.

SIGN
Any object, display, device or structure or part thereof, located outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service event or location by any means including words, letters figures, design, symbol, fixture, colors, illumination or projected images.

SIGN, ANIMATED OR MOVING
Any sign or part thereof which changes physical position or light intensity by any movement or rotation or which gives the visual impression of such movement or rotation.

SIGN, AREA
The total surface, including frame and/or supports, of the background upon which the sign is contained. This shall not be construed to include the supporting members of any sign which are used solely for the purpose of structural or mechanical support.
If there is no background, the "sign area" shall be the product of largest horizontal width and the largest vertical height of the lettering, illustration or display.

SIGN, AWNING/ CANOPY
A sign that is part of or attached to an awning or canopy such that the sign does not project above, below or beyond the awning or canopy.

SIGN, BILLBOARD
A sign which directs attention to a business, commodity, service or entertainment conducted sold or offered at a location other than the premises on which the sign is located.
SIGN, BUSINESS
A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.

SIGN, CIVIC
A sign which contains the name and/or symbol and other pertinent information such as, but not limited to, meeting time, meeting place, welcome message or slogan of the organization.

SIGN, CONTRACTOR
A temporary sign displaying the name, address and telephone number of persons or business providing building improvement services to a residence or other building or property.

SIGN, DIRECTIONAL
A sign, generally informational, limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way", "entrance", "exit".

SIGN, DIRECTORY
A sign, which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, and may contain the names of individuals connected with it and general announcements of events or activities occurring at the institution or similar messages.

SIGN, FRATERNAL See - SIGN, CIVIC

SIGN, FREESTANDING/PYLON
A type of structure designed with structural uprights or masonry walls which is attached to the ground and not attached to any building, its purpose to hold or support any of the signs described within the section.

SIGN, IDENTIFICATION See - SIGN, DIRECTORY

SIGN, MARQUEE
Any sign attached to, in any manner, or made part of a marquee by direct lettering or attachment of lettering to the surface.

SIGN, NAMEPLATE
A sign, bearing the name of owner/occupant or a professional person and may include the local address or profession of the professional of a building or premises.
SIGN, POLITICAL
Any sign which directs attention to any candidate for political office or to any political campaign drive, movement or event.

SIGN, PORTABLE
A sign that is not permanent, affixed to a building structure or the ground or a sign designed to be transported, including, but not limited to A-or T- frames and sandwich board signs; balloons used as signs; umbrellas used for advertising; signs attached to or painted on vehicles parked and visible from the public-right-of-way, unless said vehicle is used in the normal daily operation of the business.

SIGN, PROJECTING
A sign that is wholly or partly dependent upon a building for support by means of structural members and mounted directly to the building and may be of such construction that it contains apparatus for internal illumination.

SIGN, PYLON See - SIGN, FREE STANDING

SIGN, REAL ESTATE
A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located.

SIGN, ROOF
A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eaves line or a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

SIGN, TEMPORARY
A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for 30 days or less.

SIGN, WALL
A sign attached parallel to, but with its leading edge extending no more than 9 inches from a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays one sign surface.

SIGN, WINDOW
A sign fastened to or painted on a window or which is hanging within 6 inches inside of the window and which can be viewed from the exterior of the structure through said window.
STORY
That part of a building between any floor and the floor above, or in its absence, the ceiling or roof above.
A story which extends less than 6 ft. above the mean grade and level of the ground immediately adjacent to the building shall not be counted in determining the number of stories.

STORY, HALF
That portion of a building situated above a full story and having at least two opposite exterior walls meeting a sloping roof at a level not higher above the floor than a distance equal to l/2 the floor-to-ceiling height of the story below.

STREET, ARTERIAL
A street with signals at important intersections or access control and channelized intersections with restricted parking that distributes traffic to and from collector streets.

STREET, COLLECTOR
A street that collects traffic from local streets and connects with arterial streets.

STRUCTURE, ALTERATION
Any change, re-arrangement, reconstruction of any part or existing facility, or removal of a building from one location to another.

STRUCTURE
Any combination of materials that is constructed or erected which requires permanent or temporary location on the ground or permanent or temporary attachment to something which is erected on the ground and designed, intended or arranged for the housing, shelter, enclosure, and/or structural support of persons, animals, or property of any kind.

STRUCTURE, NON-CONFORMING
A structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but which fails to conform to the requirements of the Zoning District in which it is located by reason of such adoption, revision or amendment.

SWIMMING POOL, PERMANENT
A water filled enclosure, which is permanently constructed in the ground, or in a permanent foundation above ground, which is designed, used and maintained only for swimming and bathing.

SWIMMING POOL, PORTABLE
A water filled enclosure, which is constructed above the level of the surrounding land with a depth of more than 48 inches and may be disassembled or mechanically dismantled.
SWIMMING POOL, WADING
A temporary pool with a water capacity not in excess of 18 inches in depth.

TATOO ESTABLISHMENT
An establishment where decorative designs are placed on the human skin by mechanical or other means and which are intended to be permanent.

TAVERN
A retail establishment for the sale of alcohol and other beverages for on the premises and off the premises consumption with incidental food service.

TRAILER, RECREATIONAL
A vehicular-type portable structure without a permanent foundation that can be towed, hauled or driven and is primarily designed as a temporary living accommodation for recreational, camping, and travel use and including, but not limited to travel trailer, truck campers, camping trailers and self-propelled motor homes.

TRAILER, UTILITY
A structure on wheels, towed or hauled by another vehicle and used for carrying miscellaneous, non- permanently mounted items.

TRUCK TERMINAL
Any building, premises or land where 2 or more trucks over 1-1/2 tons gross vehicle weight are parked overnight and which may involve the loading and unloading of cargo and the maintenance and repair of said vehicles.

USE
The specific purpose, of which a lot, structure or premises is designed, arranged, intended or occupies.

USE, ACCESSORY
A use which is customarily incidental and subordinate to the principal use of the lot or a building and located on the same lot therewith.

USE, CONDITIONAL
A use permitted in a particular zoning district only upon a showing that such use in a specific location will comply with the conditions and standards for the location or operation of such use as contained in the Zoning Ordinance, and upon the issuance of an authorization therefore by the Planning Board.
USE, MIXED
A use which combines a permitted retail or business use on the ground floor with a residential use in the same structure.

USE, NON-CONFORMING
A use or activity which was lawful prior to the adoption, revision or amendment of a Zoning Ordinance, but which fails to conform to the requirements of the Zoning District in which it is located by reason of such adoption, revision of amendment.

USE, PERMITTED
A use allowed in a District under the terms of this chapter and not deemed to include a non-conforming use.

USE, PRINCIPAL
The primary purpose for which a lot or a main building is designed or used.

USE, PROHIBITED
A use not permitted in a District under the terms of this chapter.
All uses not permitted are prohibited, and the listing of certain uses as specifically prohibited reiterates the prohibition regarding those uses.

VARIANCE
A modification of the regulations of this chapter, in accordance with the Municipal Land Use Law C.291 P.L. 1975.

VEHICLE, BODY SHOP
Any building, premises and land in which or upon a business, service or industry involves the repair and painting of damaged vehicles.

VEHICLE, COMMERCIAL
Every type of vehicle used for commercial purposes, such as transportation of goods, wares, merchandise and passengers excepting vehicles of the passenger car type commonly known as station wagons or mini-vans, but including trailers and construction equipment of every kind.

VEHICLE, DISABLED
A vehicle in, upon or by which a person or property may be transported, which is in such state or condition that is incapable of being operated under its own power, or is in such state of condition that, if operated would constitute a hazard.
VEHICLE, RECREATION
A vehicle not over 30 feet long, primarily designed as temporary living quarters for recreation, camping or travel use (including boats), which either is self-powered or is mounted on or towed by another vehicle which is self-powered.

WALKWAY See - CROSS WALK

WALL, RETAINING
A structure separating different topographical elevations.

WAREHOUSE
A completely enclosed structure used for the temporary storage of unfinished and/or finished goods and merchandise.

YARD
An open space extending between the closest point of any building and a lot line or street line.

YARD, FRONT
An open unoccupied space on the same lot with a building, situated between the street wall of the building and the street line of the lot, extending through from one side lot line to the other side lot line, using a line which measures the shortest distance between the front corner of the building and the side lot line as the limit of the front yard.

YARD, REAR
An open, unoccupied space on the same lot with a building, situated between the rear wall of the building and the rear line of the lot, extending through from one side lot line to the other side lot line, using a line which measures the shortest distance between the rear corner of the building and the side lot line as the limit of the rear yard.

YARD, SIDE
An open, unoccupied space on the same lot with a building, situated between the side wall of the building and the side line of the lot, extending to the lines which define the front and rear yards.

ZONE (DISTRICT)
Any part of the territory of the township to which certain uniform regulations and requirements of this chapter apply.

ZONING ADMINISTRATIVE OFFICER
The officer or other personnel authorized by the Belleville Township Council and charged with the administration and enforcement of the chapter, or his/her duly authorized representative, as appropriate.
23-6 OFF-STREET PARKING AND LOADING REQUIREMENTS

23-6.1 PARKING SPACE REQUIRED

No building or premises shall be built or erected, nor shall any building be altered so as to expand its usable floor area, nor shall there be a change of use of any building or premises unless there is provided off-street parking spaces upon the same premises upon which the use of building is located in accordance with the Schedule of Minimum Parking Space Requirements.

Schedule of Minimum Parking Space Requirements
(Requirements based on net floor area)

<table>
<thead>
<tr>
<th>TYPE OF USE</th>
<th>MINIMUM PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment House</td>
<td>See - Dwelling Multi-Family</td>
</tr>
<tr>
<td>Banquet Facility</td>
<td>1 space for each 50 sq. ft.</td>
</tr>
<tr>
<td>Bank</td>
<td>See - Financial Institution</td>
</tr>
<tr>
<td>Bar</td>
<td>1 space for each 100 sq. ft.</td>
</tr>
<tr>
<td>Billiard Parlor</td>
<td>1 space per table</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>3 spaces for each alley</td>
</tr>
<tr>
<td>Building, Public</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Business, Arcade</td>
<td>1 space for each 60 sq. ft.</td>
</tr>
<tr>
<td>Business, Building Supply</td>
<td>1 space for each 800 sq. ft.</td>
</tr>
<tr>
<td>Business, Neighborhood Retail</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Business Neighborhood Service</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Business, New Vehicle Agency</td>
<td>1 space for each 500 sq. ft. of sales area plus compliance with ancillary use(s) on site (offices, vehicle repair/servicing) as appropriate.</td>
</tr>
<tr>
<td>Business, Office</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Business, Planned Retail Center</td>
<td>1 space for each 200 sq. ft.</td>
</tr>
<tr>
<td>Business, Retail</td>
<td>1 space for each 250 sq. ft.</td>
</tr>
<tr>
<td>Business, Service</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Business, Shopping Center</td>
<td>1 space for each 200 sq. ft.</td>
</tr>
<tr>
<td>Business, Used Vehicle Agency</td>
<td>1 space for each 500 sq. ft. of sales area plus compliance with ancillary uses(s) on site, including offices, vehicle repair/servicing, etc., as appropriate.</td>
</tr>
<tr>
<td>Business, Vehicle Body Shop</td>
<td>1 space for each 250 sq. ft.</td>
</tr>
<tr>
<td>Category</td>
<td>Parking Space Requirement</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Business, Vehicle Repair</td>
<td>1 space for each 250 sq. ft.</td>
</tr>
<tr>
<td>Business, Vehicle Retail Parts</td>
<td>See - Neighborhood Retail</td>
</tr>
<tr>
<td>Business, Vehicle Service Station</td>
<td>1 space for each employee on the largest shift</td>
</tr>
<tr>
<td>Club House Facility</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Dancing Facility</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>1 space for each employee</td>
</tr>
<tr>
<td>Drug Treatment Center</td>
<td>1 space for each 175 sq. ft.</td>
</tr>
<tr>
<td>Dwelling, Basement</td>
<td>2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>Dwelling, Boarding/Lodging House</td>
<td>1 space for each bedroom</td>
</tr>
<tr>
<td>Dwelling, Garden Apartment</td>
<td>See - Dwelling, Multi-family</td>
</tr>
<tr>
<td>Dwelling, Multi-family</td>
<td>2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>Dwelling, Senior Citizen</td>
<td>1-1/2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>Dwelling, Single Family</td>
<td>2 spaces (in 'A' zone-1 space in garage/in 'B' zone-2 spaces in garage)</td>
</tr>
<tr>
<td>Dwelling, Townhouse</td>
<td>2 spaces for each dwelling unit</td>
</tr>
<tr>
<td>Dwelling, Two Family</td>
<td>2 spaces for each dwelling unit (in 'A' zone-1 space in garage/in 'B' zone-2 spaces in garage)</td>
</tr>
<tr>
<td>Eating Establishment, Fast Food</td>
<td>1 space for each 100 sq. ft.</td>
</tr>
<tr>
<td>Financial Institutions</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Funeral Parlors</td>
<td>1 space for each 50 sq. ft. in the areas designated for public access.</td>
</tr>
<tr>
<td>Health/Athletic/Physical Fitness Facility</td>
<td>1 space for each 200 sq. ft.</td>
</tr>
<tr>
<td>Home, Convalescent/Nursing/Rest</td>
<td>1-1/2 spaces for each bed plus 1 for each 2 employees and staff members, including doctors, in the largest working shift.</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>1 space plus dwelling requirement</td>
</tr>
<tr>
<td>Home Profession</td>
<td>2 spaces plus dwelling requirement</td>
</tr>
<tr>
<td>Hospital</td>
<td>1-1/2 spaces for each bed plus 1 for each 2 employees and staff members, including doctors, in the largest working shift.</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 space for each guest room plus compliance with ancillary use(s) on the site, including restaurants, offices, etc., as appropriate</td>
</tr>
<tr>
<td>House of Worship</td>
<td>1 space for each 60 sq. ft. of seating area plus compliance with ancillary use(s) on site, including school, day are, etc., as appropriate</td>
</tr>
<tr>
<td>Category</td>
<td>Parking Requirements</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Lumber Yard</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>Laboratories, Research/Design</td>
<td>1 space for each 1000 sq. ft. or&lt;br&gt;1 for each 4 employees, whichever is greater (600 sq. ft.)</td>
</tr>
<tr>
<td>Laundries, Commercial</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>Laundries, Neighborhood</td>
<td>1 space for each 4 customer machines</td>
</tr>
<tr>
<td>Manufacturing Facility</td>
<td>1 space for each 600 sq. ft. of manufacturing/fabrication area</td>
</tr>
<tr>
<td>Mortuary</td>
<td>See - Funeral Parlor</td>
</tr>
<tr>
<td>Motel</td>
<td>1 space for each guest room plus compliance with ancillary use(s) on the site, including restaurants, offices, etc., as appropriate.</td>
</tr>
<tr>
<td>Motorcycle Dealer</td>
<td>1 automobile space for each 500 square feet of sales floor area&lt;br&gt;plus one space for each overhead door accessing a repair bay plus a minimum of 10 parking spaces for customer motorcycles which may have reduced dimensions of 4 ½ feet by 9 feet.</td>
</tr>
<tr>
<td>Office, Planned Research</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Office, Professional</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Place of Public Assembly</td>
<td>1 space for each 75 sq. ft. of assemblage area</td>
</tr>
<tr>
<td>Public Transportation Facility</td>
<td>1 space for each 100 sq. ft. of platform/station area plus compliance with ancillary use(s) on site, including offices, repair facilities, etc., as appropriate.</td>
</tr>
<tr>
<td>Public Utility Facility</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Recycling Facility</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>Rink, Skating (Ice/Roller)</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>School, Business</td>
<td>1 space for each employee plus 1 space for each 5 students (1 space per 60 sq. ft.)</td>
</tr>
<tr>
<td>School, Nursery, Pre-school</td>
<td>See - Day Care Facility</td>
</tr>
<tr>
<td>School, Parochial</td>
<td>1 space for each employee/staff member, plus Compliance with public assembly facilities (gym, auditorium etc.), as appropriate. (1 space per 60 sq. ft.)</td>
</tr>
<tr>
<td>School, Private</td>
<td>See - School, Parochial</td>
</tr>
<tr>
<td>School, Public</td>
<td>See - School, Parochial</td>
</tr>
<tr>
<td>Shopping Center</td>
<td>1 space for each 200 sq. ft.</td>
</tr>
<tr>
<td>Shooting Range</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>Theaters</td>
<td>1 space for each 3 seats (1 space per 60 sq. ft.)</td>
</tr>
<tr>
<td>Vehicle, Commercial Wash</td>
<td>1 space for each 2 employees</td>
</tr>
<tr>
<td>Warehouse, Ancillary</td>
<td>If located on common location with primary building – None. If remote location, 1 space for each 1000 sq. ft.</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Warehouse, Industrial</td>
<td>1 space for each 600 sq. ft.</td>
</tr>
<tr>
<td>Use Not Listed</td>
<td>According to that category which most nearly approximates the use listed</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>The sum of the component requirements</td>
</tr>
</tbody>
</table>

23-6.1.1 MINIMUM PARKING SPACES EXCEPTION

Where an existing Single Family and Two Family Dwelling has a driveway and a garage floor elevation that is lower than the elevation of the edge of pavement at said driveway, and the owner of said dwelling desires to fill in said driveway to eliminate flooding problems, the “Minimum Parking Spaces” requirement shall be one (1) off-street parking spaces for each dwelling unit, to be provide upon the same premises upon which the use of the building is located.

The garage shall remain as a basement space, and shall not be converted into an additional dwelling unit.

23-6.2 ADDITIONAL PARKING REQUIREMENTS

In addition to parking requirements for each use specified, off-street parking in non-residential zones shall be provided for each service or delivery vehicle used by the occupant of the property according to the Township Site Plan Ordinance, Chapter XX.

23-6.2.1 ALTERNATIVE PARKING ARRANGEMENTS

All non-residential uses except sit-down restaurants in the B-B, B-D, and B-G Districts which cannot accommodate their required amount of off-street parking spaces on site may meet their requirement by:

a. Providing the required spaces off-site, but within 1,000 ft. of the proposed use, in a lot owned or leased by the developer of the proposed use;

b. Participating in a commonly held and maintained off-street parking lot where other business maintain their required spaces;

c. Participating in a parking district which provides parking spaces through a fee or assessment program or payment to a municipal parking authority created by ordinance.

d. Any combination of the above.
e. Expiration of any parking arrangement: The Zoning Officer shall be notified of the termination of any agreement securing required parking. The Planning Board shall schedule a public hearing to consider revocation of the use authorization where no alternative location for required parking is provided.

23-6.3 PAVING, FENCING AND LIGHTING OF PARKING SPACES

Off-street overnight parking areas for more than five vehicles shall be paved, fenced and lighted according to the Township Site Plan Ordinance, Chapter XX.

23-6.4 MARKING OF PARKING SPACES

All off-street parking spaces for more than 5 vehicles within any parking area shall be clearly marked to show the parking arrangement within said parking area.

23-6.5 ARRANGEMENT AND SHIELDING OF LIGHTING

All lighting for off-street parking areas shall be so arranged and shielded as to reflect the light downward and prevent any light from shining directly on adjoining streets and residential zones and buildings.

23-6.6 OFF PREMISE PARKING

Minimum parking spaces required by this section may be provided in certain zones on premises other than those upon which the use is located as a conditional use granted by the Planning Board; provided that all such space, through ownership or permanent easement, be under the control of the owner or operator of the use to which such space is appurtenant.

23-6.7 ADDITIONAL REGULATIONS ON OFF-STREET PARKING FOR ONE AND TWO FAMILY DWELLINGS

Notwithstanding any other requirements of this section, no front yard of a lot upon which is located a one or two family dwelling shall be used for the parking of motor vehicles, except that motor vehicles may be parked upon a driveway in the front yard.

Similarly, in the case of corner lots, no side yard facing a street on a lot upon which is located a one or two family dwelling shall be used for parking of motor vehicles, except that motor vehicles may be parked upon a driveway in the side yard.

The use of a driveway for the parking of motor vehicles shall be subject to the following regulations:

1. Front yard

   The driveway shall consist of the area directly opposite and adjacent to an attached garage, detached garage or the extension of the side yard into the front yard.
However, if there is no garage and no available side yard, a driveway not closer than 3 feet from the side lot line may be constructed. In no event shall the driveway width exceed 16 feet (10 feet).

2. Side yard of corner lots

The driveway shall consist of the area directly opposite and adjacent to an attached garage, detached garage or depressed garage or the extension of the rear yard into the side yard which abuts a street.

However, if there is no garage and no available rear yard, a driveway not closer than 5 feet from the rear lot line may be constructed. In no event shall the driveway width exceed 16 feet. (10 feet)

3. Each property shall not have more than 1 driveway and 1 curb cut.

   Curb cuts are subject to the following standards:
   a. A curb cut for a 1 car garage shall not exceed 12 feet in length.
   b. A curb cut for a 2 car garage shall not exceed 16 feet in length.
   c. In no case shall a curb cut exceed 20 feet in length.

23-6.8 OFF-STREET PARKING ACCESSORY TO PROFESSIONAL OFFICE OR HOME OCCUPATION

Parking and loading areas accessory to professional office or home occupations uses and located in any yard abutting a street shall not be permitted within 10 feet of the right-of-way of a street.

The minimum setback of off-street parking and loading area from any other lot line shall be 5 feet. The 5 foot parking and loading area setback need not be provided between properties which have common access and/or common parking areas.

23-6.9 PROHIBITED IN ANY R DISTRICT

No access driveway to a parking or loading area in a B or I District shall be located within a R District.

23-6.10 PROHIBITED IN ANY DISTRICT

No off-street parking shall be permitted in any District where the use which it serves is prohibited.

23-6.11 PROHIBITED IN FRONT YARDS

Off-street parking or loading spaces shall not be located in any required front yard, with the exception of Planned Residential Developments.
23-6.12 STORAGE OF COMMERCIAL VEHICLES IN R DISTRICT

Nothing herein shall prohibit the storing or garaging of commercial vehicles having a capacity of 1/2 ton or less in an enclosed garage in any R District.

Parking a commercial vehicle having a capacity of 1/2 ton or less in a driveway is permitted, providing that no part of said vehicle extends into the front yard or the side yard abutting a street.

23-6.13 PROHIBITED COMMERCIAL VEHICLES

The following types of vehicles are prohibited to be parked or stored in any R District: commercial vehicle or trailer of capacity greater than 1/2 ton, all construction equipment and construction related type equipment.

23-6.14 TRAILER AND BOAT PARKING AND STORAGE

The following conditions apply to the parking and storage of boats and certain types of trailers:

a. Open parking or storage of any camper or recreational trailer, non-commercial utility trailer of less than 1/2 ton capacity, or boat on any street, highway or public place within the Township is prohibited.

b. In a R-A, R-B District Interior Lot; a camper or recreational trailer, utility trailer of less than 1/2 ton capacity, or boat may be parked or stored by the owner thereof in a garage or behind his/her dwelling in that 1/2 of the rear yard closest to such dwelling, and then only in such fashion that no part of the said item(s) shall project beyond the front wall of the dwelling nor above the highest point of the lowest roof thereof.

c. In a R-A, R-B District Corner Lot; a camper or recreational trailer, utility trailer of less than 1/2 ton capacity, or boat may be parked or stored by the owner thereof in a garage; or in his/her driveway at the point farthest from the street or behind his/her dwelling in that 1/2 of the rear yard closest to such dwelling, or if the side yard is larger than the rear yard, the said item(s) shall be parked or stored adjacent to his/her dwelling in that 1/2 of the side yard closest to such dwelling, and only in such fashion that no part of said item(s) shall project beyond the front walls of the dwelling nor above the highest point of the lowest roof thereof.

d. No camper or recreational trailer, or boat as permitted in this section shall be occupied or used for living, sleeping or housekeeping purposes while parked or stored as defined in this paragraph.

e. All boats, parked and stored as per this section, shall be enclosed with a cover, manufactured with a durable material such as canvas, nylon or reinforced plastic.

f. A trailer or boat of more than one ton is prohibited from parking in a residential zone.

23-6.15 MULTIPLE USE REQUIREMENTS

The required parking spaces for multiple uses may be provided in one contiguous parking area if the total number of spaces is not less than the sum of the required spaces for the individual uses.
The reviewing board may allow a specific number of parking spaces, not to exceed 50% of the total spaces located in such parking are, to be designated for joint use if it finds that:

a. In accordance with the intent of these regulations, each use will have sufficient parking spaces because the peak use period does not coincide; and

b. Where the individual uses are under different ownership or control, the continued availability of such parking spaces shall be guaranteed by a suitable legal instrument which provides for each proposed use, the number of parking spaces to be available and the times when available. The availability of the parking spaces shall be made concurrent with the continuation of the use or zoning provision requiring such parking spaces and may be made terminable to the extent alternative parking spaces satisfying the ordinance of the township as to size, number and location are substituted therefore; and

c. Approval of such jointly-used parking spaces shall be conditioned so that it shall terminate automatically if there is a change in the nature of the use, operating characteristic or times of peak use contrary to the criteria and standards on which such joint use was approved.

23-6.16 ATTENDANT PARKING

Where the nature of the use is of a kind where attendant parking is appropriate and the owner or operator has established that such use is likely to continue and exist substantially unchanged as it affects attendant parking for a period of time, not a single event or activity, and the owner or operator of the premises has made and will continue to make provision for attendant parking during hours when 50% or more of the parking spaces are in use, then attendant parking shall be permitted; provided:

a. There shall be submitted to the reviewing board a plan showing the layout of the required parking spaces, or fraction thereof of shared with another location; and,

b. A plan for maneuvering of vehicles by the attendant(s) without utilizing public streets or sidewalks; and,

c. The use of the proposed parking area will not be hazardous to pedestrians utilizing adjoining walkways.

23-6.17 EXCLUSION FOR UNUSUAL FACILITY

The reviewing board may allow partial or total exclusion from net floor area as provided herein for any special or unusual facility such as employees' lounge, private auditorium, employees' cafeteria, etc., which serves as an adjunct or accessory to other uses for which parking space is provided and which in itself does not create any additional parking needs.

23-6.18 PARKING LOT DESIGN

Parking lot design shall be governed by the Township Site Plan Ordinance, Chapter XX.
23-6.19 LOADING SPACE REQUIRED
No building or premises shall be built or erected, nor shall any building be altered so as to expand its gross area, nor shall there be a change of use of any building or premises unless there is provided off-street loading space upon the same premises upon which the use or building is located in accordance with the requirements of the Schedule of Minimum Loading Space Requirements:

SCHEDULE OF MINIMUM LOADING SPACE REQUIREMENTS
(Requirements based on gross floor area)

<table>
<thead>
<tr>
<th>TYPE OF USE</th>
<th>MINIMUM LOADING SPACE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail/Service Uses</td>
<td>1 space for each 10,000 sq. ft. or fraction thereof, but in no case less than 1 per building of at least 2,000 sq. ft.</td>
</tr>
<tr>
<td>Other Business And Commercial Uses, Places Of Public Assembly And Schools</td>
<td>1 per building of at least 2,000 sq. ft.</td>
</tr>
<tr>
<td>Manufacturing, Research, Laboratories</td>
<td>1 space for each 5,000 sq. ft. or fraction thereof, plus</td>
</tr>
<tr>
<td>Motorcycle Dealer</td>
<td>1 space per building except that the temporary use of a parking lot aisle may be accepted as a compliant loading space if the loading is demonstrated to occur on off-peak business hours.</td>
</tr>
<tr>
<td>Warehouse (Ancillary)</td>
<td>1 space for each 10,000 sq. ft. or fraction thereof in excess of the first 10,000 sq. ft.</td>
</tr>
</tbody>
</table>

23-6.20 LOADING SPACE DESIGN
Loading space design shall be governed by the Township Site Plan Ordinance, Chapter XX.

23-6.21 REQUIRED SIZE OF PARKING SPACE
Each parking space shall measure a minimum of 9 feet in width by 19 feet in length. When the number of required parking spaces results in a fraction, there will be 1 parking space required. In Planned Residential Developments, each parking space shall measure a minimum of nine (9) feet in width by eighteen (18) feet in length.

23-6.22 REQUIRED SIZE OF LOADING SPACE
Each loading space shall measure a minimum of 12 feet in width by 45 feet in length and shall have a minimum height clearance of 15 feet, unless the reviewing board shall determine that by reason of the size trucks that may be anticipated to utilize the space, a different loading location, area and height clearance is acceptable.
23-6.23 SPACE LOCATED WITHIN 5 FEET OF LOT LINE

There shall be no parking or loading spaces located within 5 feet of a lot line, except as provided in Section 23-6.8 or for one or two family dwellings, having a conforming driveway with respect to Section 23-6.7 which does not affect the setback from a street right-of-way.

23-6.24 ACCESS

Access to off-street parking areas shall be limited to several well defined locations. Each of said curb cuts shall not exceed 20 feet in width in a residential district. In a business or industrial district curb cuts shall not exceed 30 feet for any permitted use. In no case shall there be permitted unrestricted access along the length of the street or streets upon which the parking area abuts. Driveways in Planned Residential Developments shall have a maximum width of (20) feet as provided in RSIS.

23-7 USE REGULATIONS IN DISTRICTS

In any District, any use which is not classified as permitted shall be considered a prohibited use. The listing of certain uses as specifically prohibited reiterates the prohibition regarding those uses.

The Reviewing Board, in its deliberations, shall give due consideration to 23-1.2 of this chapter "General Intent and Purpose".

23-7.1 GENERAL REGULATIONS; USE REGULATIONS

a. The general regulations of this paragraph shall apply to all districts unless otherwise stated.

b. No building shall hereafter be erected and no existing building shall be moved, altered, added to or enlarged nor shall any land or building be used, designed or arranged to be used for any purpose other than as included among the uses listed in this chapter as permitted in the District in which such building or land is located nor in any manner contrary to any of the requirements specified in this chapter.

c. No building shall hereafter be erected, reconstructed or structurally altered to exceed in height the limit designated for the District in which such building is located.

d. No building shall hereafter be erected nor shall any existing building be structurally altered, rebuilt or moved nor shall any open space contiguous to any building be encroached upon or reduced in any manner, except in conformity to the yard, lot width and area, building location, percentage of lot coverage by building area and by impervious surface, off-street parking space, off-street loading space and other space and area regulations designed in this chapter for the District in which such building or space is located, subject to such modification thereof and such provision as are set forth in this chapter.

e. Off-street parking space and off-street loading space shall be provided as specified in this chapter and shall be provided with necessary passageways and driveways appurtenant thereto and giving access thereto. All such parking space and loading space, together with such
passageways and driveways, shall be deemed to be required space on the lot on which the same is situated and shall not thereafter be encouraged upon or reduced in any manner except as otherwise provided in this chapter.

f. No yard or other open space provided contiguous to any building for the purpose of complying with the provisions of this chapter shall be considered as providing a yard or open space for any other building, and no yard or open space on one lot shall be considered as providing a yard or open space for a building on any other lot.

g. Nothing in this chapter shall be deemed to require any change in the plans, construction or designated use of any building, the actual construction of which was lawfully begun prior to the time this chapter or any amendment thereof affecting the same takes effect and on which building actual construction is completed within one year after such change.

h. Except as otherwise provided in this chapter, required setbacks along street frontages in residential districts shall be maintained as open space and shall not be used for service of any kind such as vehicle parking, clothes drying, or storage.

i. Any use establishment in any district shall meet the requirements of the Performance Standards of this chapter.

j. Only 1 permitted principal use per lot shall be provided, except as herein indicated.

k. A maximum of three permitted uses shall be permitted for a single property within the existing commercial and industrial zones B-A (Neighborhood Retail/Mixed Use); B-B (General Business); B-D (Major Commercial); B-E (Commercial Shopping Center); B-F (Planned Retail); B-F (Warehouse and Manufacturing); B-G (Commercial/Residential Mixed Use); I-B (Industrial).

**23-7.2 PERMITTED IN ANY DISTRICT**

The following uses may be established in any zone district:

a. Accessory buildings and uses, as regulated herein.

b. Public parks and playgrounds together with recreation, administrative and service buildings appurtenant thereto.

c. Fences and retaining walls.

**23-7.3 PERMITTED IN THE RA-1 ZONING DISTRICT**

a. Permitted Principal Use
   1. Single family dwellings, not to exceed one such dwelling unit on each lot.
   2. Home occupations and home professions as defined in section 23-5.2.

b. Permitted Accessory Use
   1. Canopy awning.
   2. Cabana.
   3. Flags, banners, pennants.
4. Fences (chain link/open/stockade).
5. A one story attached or detached private automobile garage.
6. Private greenhouse.
7. Shed.
8. Sign (freestanding/nameplate/temporary).
9. Swimming pool (permanent/portable/wading)
10. Retaining wall.

c. **Conditional Use**
   1. Day care facility (adult/child).
   2. Public utility facilities.
   3. Accessory parking not on the same lot.

**23-7.4 PERMITTED IN THE RA-2 ZONING DISTRICT**

a. **Permitted Principal Use**
   1. Single family dwellings, not to exceed one such dwelling unit on each lot
   2. Home occupations and home professions as defined in section 23-5.2.

b. **Permitted Accessory Use**
   1. Canopy awning.
   2. Cabana.
   3. Flags, banners, pennants.
   4. Fences (chain link/open/stockade).
   5. A one story attached or detached private automobile garage.
   6. Private greenhouse.
   7. Shed.
   8. Sign (freestanding/nameplate/temporary).
   10. Retaining wall.

c. **Conditional Use**
   1. Day care facility (adult/child).
   2. Public utility facilities.
   3. Accessory parking not on the same lot.

**23-7.5 PERMITTED IN THE R-B ZONING DISTRICT**

a. **Permitted Principal Use**
   1. Single family dwellings, not to exceed one such dwelling unit on each lot.
   2. Two-family dwellings not to exceed one (1) two-family dwelling on each lot.
   3. Home occupations and home professions as defined in section 23-5.2.
b. **Permitted Accessory Use**
   1. Canopy awning.
   2. Cabana.
   3. Flags, banners, pennants.
   4. Fences (chain link/open/stockade).
   5. A one story attached or detached private automobile garage.
   6. Private greenhouse.
   7. Shed.
   8. Sign (freestanding/nameplate/temporary).
   10. Retaining wall.

c. **Conditional Use**
   1. Day care facility (adult/child).
   2. Basement dwelling unit.
   3. Public utility facilities.
   4. Accessory parking not on the same lot.
   5. Schools (parochial/private/public).

**23-7.6 PERMITTED IN THE R-C ZONING DISTRICT**

a. **Permitted Principal Use**
   1. Single family dwellings not to exceed one such dwelling on each lot.
   2. Two-family dwellings not to exceed one (1) two-family dwelling on each lot.
   3. Boarding or lodging house.
   4. Multi-family dwellings, garden apartments and townhouse dwelling units.

b. **Permitted Accessory Use**
   1. Canopy awning.
   2. Cabana.
   3. Flags, banners, pennants.
   4. A one story attached or detached private automobile garage.
   5. Private greenhouse.
   7. Sign (freestanding/nameplate/temporary).
   8. Fences (chain link/open/stockade).
   10. Retaining wall.

c. **Conditional Use**
   1. Day care facility (adult/child).
   2. Basement dwelling unit.
   3. Public utility facilities.
   4. Accessory parking not on the same lot.
5. Schools (parochial/private/public).
6. Philanthropic or eleemosynary uses.
7. Hospitals.
8. Houses of worship and religious uses related thereto.
9. Age-Restricted housing.
10. Government subsidized Senior Housing.

23-7.7 PERMITTED IN THE B-A ZONING DISTRICT

a. Permitted Principal Use
   1. Single family dwellings not to exceed one such dwelling on each lot.
   2. Two-family dwellings not to exceed one (1) two-family dwelling on each lot.
   3. Neighborhood retail use, including neighborhood laundry.
   5. Business and professional offices limited to maximum 600 square feet of floor area.
   7. Mixed use, with residential dwelling units not permitted on ground level facing street.
   8. School (business/private).

b. Permitted Accessory Use
   1. Canopy awning.
   2. Flags, banners, pennants.
   3. Fences (chain link/open/stockade).
   4. A one story attached or detached private automobile garage.
   5. Commercial greenhouse.
   8. Retaining wall.

c. Conditional Use
   1. Bar/tavern.
   2. Day care facility (adult/child).
   3. Eating establishment (luncheonette/sidewalk cafe).
   4. Philanthropic or eleemosynary uses.
   5. Hospitals.
   6. Financial institutions with drive-through.
   7. Funeral parlors/mortuaries.
   8. Public utility facilities.
   9. Houses of worship and religious uses related thereto.
   10. Accessory parking not on the same lot.
   11. Amusement devices restricted to 3 per establishment.
d. **Prohibited Use**

Any retail or service use consisting of 2 or more connected stores or facilities on one property or adjoining properties.

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**23-7.8 PERMITTED IN THE B-B ZONING DISTRICT**

a. **Permitted Principal Use**

1. Neighborhood retail use, including neighborhood laundry, retail vehicle parts, building supply and neighborhood dry cleaning.
2. Business service use.
3. Financial institutions.
5. School (business).
6. Theater.
7. Clubs.
8. Banquet facility.

b. **Permitted Accessory Use**

1. Amusement devices restricted to 3 per establishment.
2. Canopy awning.
3. Fences (chain link/open/stockade).
4. Flags, banners, pennants.
5. Sign (business/directional/directory/free standing/nameplate/portable/real estate/temporary/wall window).
6. Retaining wall.

c. **Conditional Use**

1. Bar/tavern.
2. Vehicle service station.
3. Eating establishment (carry out/fast food/luncheonette/restaurant/sidewalk cafe).
4. Philanthropic and eleemosynary uses.
5. Financial institutions with drive-through service.
6. Hotel/motel.
7. Funeral parlors/mortuaries.
8. Public utility facilities.
9. Houses of worship and religious uses related thereto.
10. Commercial and public parking lots.
11. Roller/ice skating rink.
12. Indoor shooting range.
13. Auto body shop.

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**23-7.9 PERMITTED IN THE B-C ZONING DISTRICT (Reserved)**
23-7.10 PERMITTED IN THE B-D ZONING DISTRICT

a. Permitted Principal Use
   1. Retail and service uses.
   2. Building supply.
   4. Retail vehicle parts.
   5. Financial institution.
   6. Commercial parking garage.
   8. Neighborhood laundry.
  10. Roller/ice skating rink.

b. Permitted Accessory Use
   1. Canopy awning.
   2. Fence (chain link/stockade-wooden).
   3. Flags, banners, pennants.
   6. Retaining wall.

c. Conditional Use
   1. Bar/tavern.
   2. New vehicle agency.
   4. Vehicle service station.
   5. Dancing facility.
   7. Financial institutions with drive-through service.
   8. Funeral parlors/mortuaries.
   9. Hotel/motel.
  10. Commercial and public parking lots.
  11. Philanthropic and eleemosynary uses.
  12. Public utility facilities.
  13. Used vehicle agency.

23-7.11 PERMITTED IN THE B-E ZONING DISTRICT

a. Permitted Principal Use
   1. Retail shopping center.
   2. Business arcade.
5. Financial institutions.
8. Horticulture nursery.
10. Retail and service uses.
11. Neighborhood retail use.

b. Permitted Accessory Uses
   1. Canopy awning.
   2. Fence (chain link/open/stockade).
   3. Flags, banners, pennants.
   4. Sign (awning/canopy/business/directional/directory/freestanding/nameplate/real
      estate/temporary/window/wall).
   5. Retaining wall.

c. Conditional Use
   1. Dancing facilities.
   2. Eating establishments (carry out/walk-up/fast food/luncheonette/restaurant/sidewalk
      cafe).
   3. Commercial and public parking lot.
   4. Public utility facilities.

23-7.12 PERMITTED IN THE B-F ZONING DISTRICT

a. Permitted Principal Use
   1. Planned retail center.
   2. Building supply.
   3. Financial institutions.
   5. Warehouse and Manufacturing facilities.

b. Permitted Accessory Use
   1. Canopy awning.
   2. Fence (chain link/open/stockade).
   3. Sign (awning/canopy/business/directional/directory/freestanding/nameplate/real
      estate/temporary/window/wall).
   4. Retaining wall.
   5. Flags, banners, pennants.

c. Conditional Use
   1. Eating establishments (carry out/walk-up/restaurant/sidewalk cafe).
   2. Public utility facilities.
23-7.13 PERMITTED IN THE I-B ZONING DISTRICT

a. Permitted Principal Use
   1. Manufacturing facilities.
   2. Printing facilities.
   3. Warehouses.
   4. Photo reproduction facilities.
   5. Commercial laundry.
   6. Building supply.
   7. Construction business.
   8. Vehicle body shop.
   10. Vehicle service station.

b. Permitted Accessory Use
   1. Canopy awning.
   2. Fence (chain link/open/stockade).
   3. Flags, banners, pennants.
   5. Retaining wall.

c. Conditional Use
   1. Public transportation facility.
   2. Public utility facilities.
   3. Recycling facilities.
   4. Truck terminal.

23-7.14 PERMITTED IN THE PRD ZONING DISTRICT

a. Permitted Principal Uses
   1. Townhouses
   2. Condominiums

b. Permitted Accessory Uses
   1. Canopy awning
   2. Cabana
   3. Flags, banners, pennants
   4. A one story attached or detached automobile garage
   5. Sign (freestanding, nameplate/temporary)
   6. Clubhouse
   7. Swimming Pool
   8. Fences
   9. Retaining Wall
c. **Conditional Use**

d. **Regulations for Planned Residential Development**

1. **Bulk regulations**
   a. Minimum site area: ten (10) acres;
   b. Maximum building coverage: thirty percent (30%)
   c. Maximum impervious coverage: forty percent (40%)
   d. Maximum building height: forty (40%) not to exceed 3 stories
   e. Minimum front yard setback for principal buildings: twenty-five (25'); the setback shall be measured from the existing property line and not from any right of way easement;
   f. Minimum side yard setback for principal buildings: twenty feet (20'); the setback shall be measured from the existing property line and not from any right of way easement;
   g. Minimum rear yard setback for principal buildings: twenty-five feet (25'); the setback shall be measured from the existing property line and not from any right of way easement;
   h. Minimum setback of accessory buildings in any yard: twenty-five feet (25'); the setback shall be measured from the existing property line and not from any right of way easement.
   i. Minimum width for townhouse units shall be twenty feet (20')
   j. Minimum number of townhouse units per building (2)
   k. Maximum building width shall be one hundred and sixty feet (160') with a maximum of 8 units.
   l. Minimum amount of open space shall be 35%.

2. **Minimum separation between buildings**
   a. Building front to building front: fifty feet (50')
   b. Building front to building side: forty feet (40')
   c. Building front to building rear: forty feet (40')
   d. Building rear to building rear: fifty feet (50')
   e. Building side to building side: twenty feet (20')
   f. Building side to building rear: forty feet (40')

3. **Internal setback requirements**
   a. Minimum setback of parking areas from principal buildings: ten feet (10')
   b. Minimum setback of principal buildings from internal roads or streets: fifteen feet (15')
   c. Minimum setback of accessory buildings, including gatehouses, from any external roadway or street, and boundary line: fifty feet (50')
   d. Required building setbacks along roads and streets shall be maintained as landscaped areas other than driveway and sidewalk requirements.
4. Density
   a. Maximum residential density shall be twelve (12) units per acre.

5. Required off street parking
   a. Parking shall be provided in accordance with the Residential Site Improvement Standards ("RSIS") NJAC 5:21-1-1 et seq.
   b. Off street parking shall be provided for all dwelling units in the amount of 2 units per dwelling. A minimum of one space in the driveway and one space in the garage.
   c. Visitor parking shall be provided in the amount of 1 space per two dwelling units or that of which is required in the Residential Site Improvement Standards, whichever is more.
   d. Designation Visitor Parking areas shall be located as close as possible to dwelling units.
   e. Parking stalls shall be a minimum of 8 ft. 6 inches x 18 ft. for perpendicular parking and 8 ft. x 23 ft. for horizontal parking.
   f. Setback for parking areas shall be 5 ft. from any lot line.
   g. Parking shall be provided for clubhouses at a minimum of one space per 150 square feet of floor area.
   h. Driveways shall occupy a maximum of 50% of the dwelling unit width.
   i. Any parking area adjacent to any residential use or zone shall have a 10 foot berm with vertical screen.

6. Roadways, streets and sidewalks
   a. All internal roadways and streets shall be a minimum of 30’, from curb to curb, with no parking allowed on either side.
   b. Belgian block curbing shall be provided throughout development.
   c. Sidewalks and street-lawns shall be provided along all streets and roadways with buildings. Where there are no buildings present sidewalks shall be provided on one side of the street for safe pedestrian circulation.
   d. Sidewalks and street-lawns shall be a minimum width of 4' and 18" respectfully.
   e. Street lights may be located in the street-lawn area.
   f. Street lights shall be a maximum of 10 ft. in height.

7. Dwelling Units
   a. Building elevations: All Principal buildings in a Planned Residential Development shall have a compatible architectural theme with variations in design to provide attractiveness to the development.
   b. All dwelling units shall have two means of egress.
   c. Attics of dwelling units shall be maintained as empty space or for the location of mechanical equipment.

8. Landscape Buffer
   a. All boundary lines having an exterior roadway running along them must have
a, 10’ foot in width, berm with a fence and at least one of the following: plants, shrubs, or trees.

b. All maintenance buildings or yards located with the P.R.D. just have a fence or landscaped vertical screen around its perimeter.

c. All detention basins shall be landscaped properly and maintained.

d. A fence and landscaped vertical screen must be installed around any or all detention basins.

9. Utilities
a. All utilities shall be run underground unless required otherwise by utility company.

b. Upon completion or the occupancy of any part of the development the developer must submit to the municipal engineer as-built drawings showing location, slope, material used and any additional items the engineer may deem necessary.

c. Free standing street lights are permitted in a P.R.D.

10. Fencing and retaining walls
a. Fencing shall be permitted around entire development boundary.

b. Fencing other than what has been specifically designated in this Ordinance shall be prohibited.

c. Chain link and picket fences are prohibited along all boundary lines that are along an exterior roadway or street.

d. Maximum height for boundary fences shall be 6 ft., all other fences shall be 6 ft.

e. Retaining walls shall be permitted in a manner so as to maintain minimal slope in grading and effectuate efficient drainage.

f. Brick piers with lights on them with wrought iron fencing and board on board fencing shall be permitted in buffer area for boundary fencing.

11. Open fence
a. Roadways may not be used in the calculations of open space.

b. There shall be no recreation area located within 20’ of any boundary line.

12. Recreational Space
a. Recreational space shall be permitted.

b. Recreational space may include pool, clubhouse, tennis courts, and activities of the like.

13. Signage
a. Identification signs
  1. Primary development sign shall not exceed 32 sf. in size
  2. The height of the sign shall not be more than what is necessary to safely identify the development.
3. All secondary signs shall not exceed 20 sf. in size.
4. Site lighting shall be permitted to illuminate the signs provided the lighting used is directed on to the sign with minimal spillage to adjacent properties.
5. Identification signs may be located in buffer areas.
6. Setback for identification signs shall be a minimum of 10 ft. from any boundary lines.

b. Directional and parking signs
   1. Directional and parking signs shall be permitted and must meet local and federal standards.

14. Basement apartments
   a. Basement apartments are strictly prohibited in a P.R.D.
   b. Basements shall be used for utilities, storage, and recreation space only.

15. Garbage areas
   a. All garbage dumpsters shall be shielded from view where kept.

Application of Supplemental Regulations.

These regulations govern Planned Residential Developments. If there is a conflict between these regulations and any other provisions of the zoning ordinance, these regulations shall control findings for Planned Developments.

Prior to the approval of a planned development, the planning board shall make finding and conclusions in accordance with NJSA 40:55D-45.

C.O.A.H. Regulations

The development must meet all C.O.A.H. regulations for affordable housing.

**23-7.16 USES NOT PERMITTED IN ANY ZONING DISTRICT**

a. Junkyards

b. Any use which is offensive because of noise, dust, smoke, fumes, gas, offensive or toxic odor, glare or electromagnetic radiation which may be transmitted beyond the boundary line, so as to be dangerous or prejudicial to the public health, safety, moral or general welfare. These prohibitions include:

1. Noise which can be conveyed across lot lines so as to interfere unreasonably with the comfortable enjoyment of life and property. All provisions of the State of New Jersey “Noise Control Act of 1971" as enacted, amended and augmented shall apply.

2. Light sources which cause direct, reflected or sky reflected glare exceeding one foot candle as measured at any point greater than 50 feet from the boundary of the property from which it emanates.
3. Shock or vibration which can be detected by the unaided human senses beyond the boundary of the property from which it emanates.

4. Substances which, when emitted into the atmosphere, are injurious to human, animal or plant life or to property or which will interfere unreasonably with the comfortable enjoyment of life and property. All provisions of the New Jersey Air Pollution Code as amended and augmented and all following provisions, whichever are more stringent, shall be compiled with.

5. Electrical disturbance which adversely affects the operation of any equipment at any point outside the lot.

6. Solid particles which, when emitted through a stack, are in violation of the New Jersey Air Pollution Code or succeeding provisions, whichever are more stringent.

7. Sulphur compounds which exceed the allowable limits of the New Jersey Air Pollution Code or succeeding provisions, whichever are more stringent.

8. Odors which can be readily detected by unaided human senses at any point along or outside the property lines from which they emanate for periods aggregating more than five minutes in any hour.

c. Tattoo and body piercing establishments.

23-7.17 THE REDEVELOPMENT ZONING DISTRICT (R-DV) (RESERVED)

23-7.18 PERMITTED IN THE B-G COMMERCIAL RESIDENTIAL MIXED-USE ZONE DISTRICT

a. PERMITTED PRINCIPAL USES

1. Business, professional and corporate offices.

2. All retail sales and service uses except auto and body repair, auto dealerships, motorcycle dealerships, used car lots, gas stations, car washes, fast food restaurants with drive-in facilities, drive-up banks and pharmacies, motels, open air commercial uses, and commercial parking lots fronting on Washington Avenue.

3. Mixed use commercial residential buildings in accordance with the following:

   a. All retail uses except those prohibited by Section 23-7.18 a.2 and retail stores in excess of 15,000 square feet except restaurants, bars or catering facilities.

   b. A mixed-use building shall have retail stores along its entire Washington Avenue street level frontage with the only interruption for lobby area or residential access.

   c. Residential and office uses shall be permitted above the ground floor.

   d. Residential uses in a mixed-use building up to 50 dwelling units per acre.
b. **PERMITTED ACCESSORY USE**
   1. Canopy Awning
   2. Fence (masonry, stockade)
   3. Signs
   4. Retaining Walls

c. **SCHEDULE OF REGULATIONS FOR PERMITTED PRINCIPAL USES IN THE BG DISTRICT**

   3. Requirements for mixed use commercial residential buildings.

      Family (units) per acre density for mixed use commercial residential use: up to 50 dwelling units per acre. Minimum lot size for mixed use commercial residential uses:
      
      - Area: 10,000 square feet
      - Width: 100 feet
      - Depth: 100 feet

   a. A mixed use commercial residential development may include multiple uses, including mixed commercial residential buildings and/or buildings devoted exclusively to residential use. A mixed use building shall have retail sales and service establishments along its entire Washington Avenue street level frontage with the only interruption for lobby area or residential access. Restaurants without drive through facilities are permitted.

   b. For developments consisting of eight (8) or more dwelling units, a pro-rated minimum of twenty percent (20%) of the units shall be one-bedroom units and a pro-rated maximum of five percent (5%) of the units shall be three bedroom units to assure a diversity of household types consistent with the character of the Washington Avenue commercial corridor.

   c. All developments consisting of eight (8) or more dwelling units shall be required to provide appropriate on-site recreation facilities for resident use either within the building at a ratio of twenty-five (25) square feet of interior floor area of 150 square feet of outdoor open space developed with active recreational facilities per dwelling unit. The developer has the option with the approval of the Planning Board to meet this requirement off-site through either a joint recreational facility constructed with several other developments, or an arrangement with a commercial recreation business or a financial contribution toward a municipal recreational facility.

   d. The developer may, with the approval of the Planning Board, provide for public use in a building in good condition or a site equivalent in value as a substitution for the facility set aside or financial contributions required by Sections 23-7.18C4c and d.
e. The minimum percentage of affordable units for residential developments shall be in accordance with the following:

<table>
<thead>
<tr>
<th>Total Number of Units</th>
<th>Minimum % of Affordable Units</th>
</tr>
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<tbody>
<tr>
<td>10 and under</td>
<td>0%</td>
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<tr>
<td>11-20</td>
<td>10%</td>
</tr>
<tr>
<td>21-50</td>
<td>15 %</td>
</tr>
<tr>
<td>51 or more</td>
<td>20%</td>
</tr>
</tbody>
</table>

With the approval of the Planning Board, the applicant can provide an in-lieu payment of $80,000 for each required affordable housing unit.

d. PERMITTED CONDITIONAL USES IN THE B-G DISTRICT

1. Commercial surface or structured parking provided no parking fronts on Washington Avenue at street level unless entirely screened by linear buildings or store occupied by retail uses.

2. Hotel use as required by the B-D zone district or as part of mixed-use building.

3. Pharmacies with drive-through facilities subject to the following conditions.
   a. The drive-through facility shall be screened from view from the public sidewalk.
   b. There shall be a limit on one drive through lane with a maximum of three waiting spaces.
   c. The intercom loudspeaker/microphone shall not be heard at a residential property line or a six foot decorative masonry wall with a canopy of trees or evergreens shall be provided to act as a visual screen and sound barrier.

4. Dealerships subject to the following conditions: the display of vehicles shall take place entirely within the confines of an enclosed building. No vehicles can be displayed in an open air space on Washington Avenue. The inventory of vehicles stored on-site shall take place behind the building in the rear yard and screened from view of Washington Avenue.

e. SCHEDULE AND REGULATIONS FOR PERMITTED CONDITIONAL USES IN THE B-G DISTRICT

1. Minimum lot size:
   Area: 20,000 square feet
   Width: 200 feet
   Depth: 100 feet

2. Minimum yards:
   Front: 0 feet, 25 feet from curb to building façade
   Rear: 15 feet
   Side: 0 – 10 feet if provided
3. Maximum lot coverage: 90%

4. Maximum height: 90 feet, 8 stories

f. PARKING REQUIREMENTS

1. No surface parking shall front on Washington Avenue except as provided under subsection 3 below. All parking shall be accessed from a side or rear street alley or interior lot line. Surface parking or parking on the street level of a structured garage shall be masked by a linear building on Washington Avenue or hedge or street wall on secondary streets. In cases where the parking area can only be accessed from Washington Avenue, a space in the building wall would be allowed to permit two-way vehicular and pedestrian access. For properties in excess of the minimum lot width a second driveway access would be permitted on Washington Avenue based on safe traffic principles.

2. All residential units shall comply with the off-street parking requirements of the State Residential Site Improvement Standards for high rises, with eight tenths (0.8) parking spaces for every one bedroom unit, one and three tenths (1.3) parking spaces for every two-bedroom unit, and one and nine tenths (1.9) parking spaces for every three-bedroom unit. All non-residential uses shall comply with the off-street parking requirement of one (1) space per 350 square feet of gross area. For the purposes of calculating shared parking twenty-five percent (25%) of the total required parking spaces calculated separately by use shall be counted as shared parking. All uses which cannot provide the requirement amount of off-street parking on-site may accommodate their required off-street parking in accordance with Section 23-6.2.1 permitting alternative parking arrangements.

3. The Board may allow a mixed use building to have off-street parking in the front yard building setback provided the parking area is designed with a 25 foot wide connection linking the public sidewalk to a plaza at the building frontage. The connection shall be designed with decorative pavement and speed pad. The plaza shall be designed with landscaping, low walls and benches.

23-7.19 WIRELESS COMMUNICATION ANTENNA

A. Intent. To minimize the adverse impacts associated with the potential proliferation of communication towers, the Township of Belleville is pursuing a proactive policy of requiring collocation of wireless communication antenna by more than one carrier on existing towers and on new tower(s) at public site(s) which may be designated by the Township Committee.

B. Communication antennae not attached to towers. Any communication antenna which is not attached to a communication tower shall be a permitted ancillary use to any commercial, industrial, professional, institutional or multifamily structure, provided that:

(1) The communication antenna does not exceed more than 20 feet above the highest point of the structure.
(2) The communication antenna complies with all applicable FCC and FAA regulations.
(3) The communication antenna complies with all applicable building codes.
(4) Amateur radio antennae are exempt from this section.

C. Collocation of communication antennae on existing towers.

(1) Collocation of communication antennae required. Proposed communication antennae are required to collocate onto existing communication or utility towers. Provided that such collocation is accomplished in a manner consistent with Subsection C (2) through (4), then such collocations are permitted by right.

(2) Height
   (a) An existing communication tower may be modified or rebuilt to a taller height, not to exceed 20 feet over such tower's existing height, to accommodate the collocation of an additional communication antenna.
   (b) The height change referred to herein may occur only one time per communication tower.

(3) On-site location
   (a) A communication tower which is being rebuilt to accommodate the collocation of additional communication antennae may be moved on site within 50 feet of its existing location.
   (b) Only one communication tower is permitted per lot.

(4) Nonconforming uses. Bona fide nonconforming communication towers or antennae that are damaged or destroyed may be rebuilt. The type, height and location of the tower on site shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the communications facility shall be deemed abandoned.

D. Design and performance standards.

(1) Telecommunications equipment compound design. The architectural design of the supporting equipment building shall incorporate a peaked roof and high quality building materials. The area devoted to the equipment compound shall be fenced and shall not exceed 1/4 acre.

(2) Fencing. A chain-link fence or wall not less than eight feet in height from finished grade shall be provided around each communication tower and equipment building. Barbed wire may be used along the top of the fence or wall. Access to the tower shall be through a locked gate.

(3) Landscaping. The visual impact of a communication tower and equipment building shall be mitigated for nearby viewers through landscaping or other screening materials at the base of the tower ancillary structures. The following landscaping and buffering shall be required around the perimeter of the tower and accessory structures, except
that the standards may be waived by the Planning Board for those sides of the proposed tower that are located adjacent to undevelopable lands and lands not in public view. Landscaping shall be installed on the outside of fences. Further, existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute for or in supplement towards meeting landscaping requirements.

(a) A row of shade trees a minimum of eight feet tall and a maximum of ten feet apart shall be planted around the perimeter of the fence.

(b) A continuous hedge at least 30 inches high at planting capable of growing to at least 36 inches in height within 18 months shall be planted in front of the tree line referenced above.

(c) All landscaping shall be of the evergreen variety.

(4) Method of determining communication tower height. For purposes of measurement, communication tower height shall include antenna, base pad and other appurtenances and shall be measured from finished grade of the parcel.

(5) Illumination. Communication towers shall not be artificially lighted except to assure human safety or as required by the Federal Aviation Administration (FAA). The least intrusive type of lighting permitted by the FAA will be required.

(6) Finished color. Communication towers not requiring FAA painting/marking shall have either a galvanized finish or be painted non-contrast blue, gray or black.

(7) Structural design. Communication towers shall be constructed to the EIA/TIA 222-E standards, as published by the Electronic Industries Association, which may be amended from time to time, and all township construction/building codes. Further, any improvements and/or additions (i.e., antenna, satellite dishes, etc.) to existing communication towers shall require submission of site plans sealed and verified by a professional engineer which demonstrate compliance with the EWTIA 222-E standards.

(8) Inspection

(a) The Township Committee may require periodic inspections of communication towers to ensure structural integrity. Such inspections may be required as follows:

(1) Monopole towers: at least once every 10 years.

(2) Self-support towers: at least once every five years.

(3) Guyed towers: at least once every three years.

(b) Inspections shall be conducted by an engineer licensed to practice in the State of New Jersey. The results of such inspections shall be provided to the Township Engineer. Based upon the results of an inspection, the Township Committee may require repair or removal of a communication tower.
(9) Noninterference. Each application for special exception to allow construction of a communication tower shall include either a preliminary or a certified statement that the construction of the tower, including reception and transmission functions, will not interfere with the usual and customary transmission or reception of radio, television, etc., and service enjoyed by adjacent residential and nonresidential properties. In the event that only a preliminary statement is submitted with the application, a final, certified statement of noninterference will be provided and approved by the township prior to the issuance of a building permit. The statement shall be prepared by an engineer licensed to practice in the State of New Jersey or other professional accepted by the township.

(10) Approval required from other governmental agencies. Each application for a new or modified communication tower shall include written approval or a statement of no objection from other federal, state or county agencies that regulate communication tower siting, design and construction.

E. Collocation of communication antennae on towers on public property.

(1) Collocation policy. The Township of Belleville shall plan for and accommodate the growing demand for communication antennae by collocating such new antennae on towers sited on publicly owned sites controlled or designated by the township and which are appropriate locations for facilitating antenna transmission and for minimizing visual and other impacts on the public associated with communication antennae.

(2) Public/private partnership to implement collocation policy.

(a) Any collocation communications will be installed, maintained and operated by a private business and/or regulated public utility on public property under lease agreement with the Township of Belleville pursuant to the Local Land and Law and/or Local Public Contracts law of the State of New Jersey and in compliance with the ordinance requirements of the township.

(b) In order to assure that any tower at the above reference location will accomplish the intent of this section, any lease agreement with the private operator or regulated public utility shall include, but not be limited to, the following requirements:

(1) The tower will be constructed to be capable of supporting at least 200 antennas which meet radio frequency requirements.
(2) The tower shall not exceed 225 feet from grade.
(3) Antenna space shall be rented to all interested carriers at a rate reflecting the fair market price for such services.
(4) The tower shall comply with the design and performance standards set forth in subsection D.

(c) The private entity or regulated public utility which will install, maintain and operate the collocation tower will be selected through an open public bidding
process under specifications and a lease agreement to be prepared for the Township Committee under applicable New Jersey law governing public-private agreements. Specifications will include, but not limited to, a demonstration of suitable past site management experience and compliance with prescribed construction standards with a cost and revenue analysis for the first five years of operation.

F. New communication antenna and towers shall be permitted by right in the I-B zone district subject to the applicable provision of this ordinance.

23-7.20 PERMITTED IN THE OS - OPEN SPACE ZONING DISTRICT

A. Purpose

The purpose of the Open Space Zone is to preserve and enhance public and private open, natural, and improved park and recreational areas in the Township of Belleville and provide for beneficial public use and enjoyment of such areas through the preservation of such areas for active and passive recreational uses.

These areas serve many functions, including:

1. Supporting opportunities for outdoor recreation;
2. Providing scenic improvements and contrasts to the built, urban environment;
3. Preserving the capacity and water quality of the storm water management system; and
4. Providing transportation connections for pedestrians and cyclists.

B. Permitted Principal Use

1. Parks, picnic areas, and natural areas.
2. Community garden.
3. Pedestrian, equestrian, and bicycle paths and trails.
5. Reservoir.
6. Golf course.

C. Permitted Accessory Use

1. Buildings or structures incidental to recreational use.
   a) Restroom.
   b) Storage shed.
   c) Picnic shelter.
   d) Gazebo.
   e) Nature center.
   f) Other structures that are customary and incidental to recreational use.
2. Greenhouse.
3. Fences (chain link /stockade).
5. Off-street parking.
D. Conditional Use

1. Access roads or streets.
2. Public utilities.
3. Renewable energy systems.

23-8 CONDITIONAL USES

23-8.1 GENERAL STANDARDS FOR ALL CONDITIONAL USES

The general standards for the review of all conditional uses shall be:

a. The reviewing board shall first determine that the proposed use shall not be detrimental to the health, safety, morals and general welfare of the community.

b. The proposed use shall not create a fire, traffic, environmental or safety hazard.

c. A proposed use or structure shall not have an adverse effect on the neighborhood in which it is proposed.

d. The proposed use shall provide safe and efficient vehicular and pedestrian circulation, with access and egress designed to eliminate any traffic safety hazards, and so designed as not to cause traffic congestion on abutting streets.

e. The proposed uses(s) and/or structure(s) shall meet the bulk requirements, off-street parking and loading requirements, as set forth in this chapter unless otherwise noted in the conditional use requirements as set forth below.

23-8.2 SITE PLAN APPROVAL REQUIRED

All conditional uses are subjected to Site Plan approval as set forth in the Site Plan Ordinance.

23-8.3 AMUSEMENT DEVICE

There shall be 60 square feet of operating area per amusement device. This calculation shall exclude any area which is used for other purposes but shall include access and walkways primarily serving the amusement device.

The maximum area devoted for all amusement devices shall not exceed 30% of the gross floor area of the establishment, and in no case shall the number of devices exceed 3.

No amusement device shall be used, placed, maintained or operated in any premises within 300 feet of a house of worship, school (parochial, private, public) or playground.
23-8.4 BARS AND TAVERNS
Any bar and tavern shall conform to the zoning requirements of the Zone District in which it is located. No bar or tavern shall be located in any premises within 300 feet of a house of worship, school (parochial/public/private) or playground. Where any bar or tavern is located adjacent to a residence or a residential zone district, a 5 foot wide buffer must be provided along the affected property line(s) and an evergreen landscape screen shall be provided at least 6 feet in height.

23-8.5 NEW VEHICLE AGENCY
Any new vehicle agency must conform to the following requirements:

- Minimum lot size: 10,000 sq. ft.
- Minimum lot width: 100 ft.
- Minimum lot depth: 100 ft.
- Minimum front yard: 30 ft.
- Minimum rear yard: 10 ft.
- Minimum side yard: 10 ft.
- Maximum height: 1 story or 20 ft.

There must be a building which may incorporate an office and/or showroom and/or a service area which is not to exceed 20% building lot coverage. Said building shall be a minimum of 1,000 square feet or 10% of the lot area, whichever is greater.

23-8.6 VEHICLE BODY SHOP
Any vehicle body shop shall conform to the zoning requirements of the Zone District in which it is located. A 5 foot wide buffer strip must be provided along any adjoining property lot lines and an evergreen landscape screen shall be provided at least 6 feet in height.

Offensive noise and odors must be confined to the premises. Storage of vehicles must be indoors or in attractively fenced or screened outdoor areas outside of public view.

The Planning Board may impose reasonable operating hours and restrictions on the length of time for storage of vehicles. No vehicle assembly, disassembly or repairs may take place outside of the approved building and no vehicle parts may be stored outside.

23-8.7 VEHICLE REPAIR FACILITY
Any vehicle repair facility must conform to the following requirements:

- Minimum lot size: 10,000 sq. ft.
- Minimum lot width: 100 sq. ft.
- Minimum lot depth: 100 ft.
- Minimum front yard: 30 ft.
- Minimum rear yard: 10 ft.
- Minimum side yard: 10 ft.
- Maximum coverage: 20% including canopy, if used
- Maximum height: 1 story or 15 ft.
For a vehicle repair establishment containing more than 5 motor vehicle bays other than as accessory to a residential use, no approval shall be issued if any part of the building is within 200 feet of a school (parochial, private, public), hospital, meeting place or theater with a capacity of 300 or more people, house of worship, or public library.

23-8.8 VEHICLE SERVICE STATION

Any vehicle service station must conform to the following requirements:

- Minimum lot size: 10,000 sq. ft. (7,500 sq. ft.)
- Minimum lot width: 100 sq. ft. (80 ft. / 60 ft. – corner lot)
- Minimum lot depth: 100 ft.
- Minimum front yard: 20 ft. to canopy or nearest pump island
  30 ft. to principal building
- Minimum rear yard: 10 ft.
- Minimum side yard: 10 ft.
- Maximum coverage: 20%, including canopy if used
- Maximum height: 1 story or 15 ft.
- Minimum corner lot street setback: 30 ft. all sides facing street to any structure

For a vehicle service station containing more than five motor vehicle bays other than as accessory to a residential use, no Planning Board approval shall be issued if any part of the building is within 200 feet of a school (parochial, private, public), hospital, meeting place or theater with a capacity of 300 or more people, house of worship, or public library.

23-8.9 DANCING FACILITIES

Any dancing facility shall conform to the zoning requirements of the Zone District in which it is located. Minimum off-street parking shall be provided in the amount of 1 space for each 75 square feet of dance area in addition to the required parking for the primary use, as appropriate. A dancing facility shall not be permitted unless the review board finds that the operation will not result in excessive noise or other nuisances. Security is required to be provided at the facility.

23-8.10 DAY CARE FACILITIES (ADULT)

Any adult day care facility must conform to the following requirements:

- Minimum lot size: 10,000 sq. ft.
- Minimum lot width: 75 ft.

A 5 foot wide buffer strip must be provided along any adjoining property lot lines and an evergreen landscape screen shall be provided at least 6 feet in height.

A drop-off area accommodating at least 2 vehicles shall be provided on the property.
23-8.11 DAY CARE FACILITIES (CHILD)

Any child day care facility must conform to the following requirements:

- Minimum lot size: 10,000 sq. ft.
- Minimum lot width: 75 ft.

A 5 foot wide buffer strip must be provided along any adjoining property lot lines and an evergreen landscape screen shall be provided at least 6 feet in height.

An outdoor play area shall be provided with a minimum of 10 sq. ft. per attending child.

The outdoor play area shall be enclosed with a fence.

A drop-off area accommodating at least 2 vehicles shall be provided on the property.

23-8.12 DWELLING, BASEMENT

All construction is to conform to the BOCA Code.

All units are to be insulated and sealed against intrusion of ground water, insects, cold and dampness and must be provided with a positive and automatic means of removing any liquids, vapors, fumes and the like which may collect in a basement unit.

Exterior windows and doors of all units must be positioned so that the sills are at least 12 inches above the adjacent ground level to prevent flood water, melting snow, etc., from entering.

Dwelling units partly below grade shall be counted as a story and the height of a building containing such a dwelling shall be measured from the floor of the basement dwelling.

No habitable room in a basement dwelling shall be less than 100 sq. ft. of floor area and no dwelling unit shall contain less than 300 sq. ft. of floor area.

In the RB Zone, basement dwelling units are permitted as a conditional use in the proportion of 1 for every 1 dwelling unit above ground level but not to exceed 2 dwelling units per structure.

In the RC Zone, basement dwelling units are permitted as a conditional use in the proportion of 1 for every 2 dwelling units above ground level but not to exceed the density limits of the Zone.

23-8.13 AGE-RESTRICTED HOUSING

Age-restricted housing shall include all types of housing occupied by an elderly person as defined by this ordinance and includes active adult housing, independent or semi-dependent congregate care and assisted living facilities, senior housing, retirement housing, continuous care
retirement communities, nursing homes and convalescent centers.

Age-restricted housing must conform to the following requirements:

a) Location. Senior citizen housing is permitted in the following zone districts: BB, BC, BD, BG, I-B and RC.

b) Age restrictions. Through its corporations, association or owners, said land shall be restricted by bylaws, rules, regulations and restrictions of record to use by permanent residents 55 years of age or older, with the following exceptions:

[1] A member of a couple under the age of 55 years who is residing with his/her partner who is 55 years of age or older.

[2] Emancipated children (as defined under New Jersey law) residing with their parents or parent where one of the parents with whom the child or children are residing is 55 years of age or older.

[3] One adult under the age of 55 years or older will be admitted as a permanent resident if it is established that the presence of such person is essential to the physical care of one or more of the adult occupants 55 years of age or older.

c) Minimum lot area: 1 acre or 1/2 acre in the B-G zone as part of a mixed use building.

d) Minimum bulk requirements:

[5] Minimum side yard: 1/3 of building height but not less than 20 feet each
[6] Maximum lot cover: 70%
BB, BC, BD, and I-B districts: 7 stories
BG: 8 stories with retail- on the ground floor

e) Maximum density: 30 dwelling units per acre in the RC district
50 dwelling units per acre in the BB, BC, BD, BG and I-B districts

f) Minimum off-street parking requirements: 1 space for active adult age restricted unit for persons 55 years and older. The Planning Board may grant a reduction of .25 spaces per dwelling unit with shuttle bus service or frequent daily scheduled transit service within 1000 feet of site.

g) Design features:

[1] The interior of a residential unit in an age-restricted housing development shall be designed to accommodate the reasonable physical impairments of residents as they evolve from independence to limited functioning. Among the features which may be considered in unit design are skid proof floors, emergency call systems, elevated switches and electrical outlets that do not require the user to bend or crouch, grab bars at bathtubs and toilets, doors wide enough to accommodate wheelchairs,
appliances that are front-mounted with easy to read dials and gauges, and avoidance of barriers such as high doorsteps, uneven walking surfaces, hard to open doors (use lever handles) and difficult to operate plumbing fixtures.

[2] The development plan for the site, its developed facilities, and the interior of residential units in a planned residential retirement community must be specifically designed to meet the potential physical and social needs and visual and auditory, ambulatory and other impairments that may affect older persons, particularly as residents age in place.

[3] There shall be provided a safe convenient and continuous system of internal walks connecting residences, neighborhoods, community facilities, and adjacent properties accessible to all occupants. Due consideration should be given in planning walks and ramps to prevent slipping or stumbling. Handrails and ample space for rest shall be provided. All walks, paths and risers shall be designed according to the requirements of the Americans with Disabilities Act (ADA).

[4] Artificial lighting shall be provided along all walks and interior road and driveways and in all off-street parking areas, with sufficient illumination for the safety and convenience of older residents, depending on anticipated nighttime use.

h) On-site convenience commercial and medical services limited to 1,500 square feet per use is permitted primarily to serve the residents of the age-restricted housing development.

23-8.14 EATING ESTABLISHMENT (CARRY-OUT/FAST FOOD)
Any eating establishment (carry-out/fast food) shall conform to the zoning requirements of the Zone District in which it is located.

Location must be on arterial or collector streets and must be compatible with the surrounding neighborhood. The Planning Board may impose reasonable restrictions and operating hours.

23.8.15 EATING ESTABLISHMENT (LUNCHEONETTE)
Any eating establishment (luncheonette) shall conform to the zoning requirements of the Zone District in which it is located.

A maximum capacity of 32 patrons shall be permitted for any luncheonette in the B-A Zone District.

The Planning Board may impose reasonable restrictions and operating hours.

23-8.16 EATING ESTABLISHMENT (RESTAURANT/SIDEWALK CAFE)
A sidewalk cafe is a permitted accessory use in association with a restaurant or any food establishment use. A sidewalk cafe does not require Planning Board approval if it conforms to
the following requirements:

1. Any sidewalk cafe eating establishment must conform to the zoning requirements of the Zone District in which it is located.
2. No merchandise, products, waste equipment, cash registers or similar materials or objects, other than tables, chairs and umbrellas being used for the operation of an outdoor cafe, shall be displayed or stored outside.
3. Shall have minimum sidewalk clearance of 4 feet.
4. Overhead construction shall be limited to a folding canopy.
5. Shall be owned by an abutting restaurant or food establishment.
6. Shall be in a zone that permits food establishments and/or restaurants.
7. No outdoor loud speakers
8. All food and beverage service to customers ceases at midnight.

23-8.17 PHILANTHROPIC AND ELEEMOSYNARY USE

Any philanthropic and eleemosynary use must conform to the following requirements:

- Minimum lot size: 1 acre
- Minimum lot width: 150 ft.
- Minimum lot depth: 200 ft.
- Minimum front yard: 35 ft.
- Minimum rear yard: 50 ft.
- Minimum side yard: 25 ft. (interior) / 35 ft. (corner)
- Minimum lot coverage: 20%
- Maximum height: 6 stories or 80 ft.

23-8.18 FINANCIAL INSTITUTIONS (WITH DRIVE-THROUGH FACILITY)

Any financial institution with a drive-through facility must conform to the zoning requirement of the Zone District in which it is located.

Drive-in facilities are to be located only on arterial or collector streets.

No more than two drive through lanes and a bypass lane and a minimum of four vehicles stacking lanes per window.

Where drive-in facilities are proposed, the Planning Board must evaluate ingress and egress and traffic circulation on the property and in the immediate vicinity. There shall be no vehicle stacking on any sidewalk or public street. No more than two drive through lanes and a bypass lane and a minimum of four vehicles stacking lane per window.
23-8.19 FUNERAL PARLORS AND MORTUARIES
Any funeral parlor and mortuaries must conform to the zoning requirements of the Zone District in which it is located.

There must be a loading area shielded from public view and the design must harmonize with the surrounding neighborhood.

23-8.20 NURSING HOME/CONVALESCENT HOME/REST HOME
Any nursing home/convalescent home/rest home must conform to the following requirements:

- Minimum lot size: 5 acres
- Minimum setback, all lot lines: 100 ft.
- Maximum building lot coverage: 25%
- Maximum building height: 3 stories/40 ft.

Proof of certificate of need and compliance with all applicable State regulations must be submitted to the reviewing board.

23-8.21 HOSPITAL
Any hospital must conform to the following requirements:

- Minimum lot size: 5 acres (1 acre)
- Minimum lot width: 150 ft.
- Minimum lot depth: 200 ft.
- Minimum front yard: 35 ft.
- Minimum rear yard: 50 ft.
- Minimum side yard: 25 ft. (interior) 35 ft. (corner)
- Maximum lot coverage: 20%
- Maximum height: 6 stories or 80 ft.

23-8.22 HOTEL/MOTEL
Any hotel or motel must conform to the following requirements:

- Minimum lot size: 2 acres
- Maximum building lot coverage: 35%
- Maximum building height: 3 stories/40 ft.
23-8.23 HOUSE OF WORSHIP OR RELIGIOUS USE A RELATED THERETO

Any house of worship or related religious use must conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>20,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum side yard</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Maximum building lot coverage</td>
<td>35%</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>3 stories/35 ft.</td>
</tr>
</tbody>
</table>

The building height may be exceeded by no more than 30% for a spire or similar religious feature.

23-8.24 PARKING, COMMERCIAL LOT

Parking spaces and access aisles must be marked in conformity with the Site Plan Ordinance. Stack parking can be permitted but there must be an attendant on the premises at any time that one or more vehicles are stack parked.

There must also be adequate provision for security and control of the lot.

23-8.25 PARKING, PUBLIC LOT

The Planning Board must determine that there is proper ingress and egress and must review traffic circulation on the lot and in the immediate vicinity.

23-8.26 PARKING, ACCESSORY (NOT SAME LOT)

Such lots must be accessory to a use which conforms to the zone in which the lot is located. Ownership of the lot must be in fee simple title and in the name of the owner of the main use of the owner of the lot on which the main use is located; or evidence of a legal agreement with any property owner located in a non-residential zone within 600 feet of the use requiring parking.

23-8.27 PUBLIC TRANSPORTATION FACILITY

Any public transportation facility must conform to the zoning requirements of the Zone District in which it is located.

The use must harmonize with the character of the neighborhood and should have adequate fences, safety devices, screening, landscaping and front, rear and side yard setbacks to protect adjoining properties. No transportation facility shall be placed within 500 feet of a residential district or school.
23-8.28 PUBLIC UTILITY FACILITY
Any public utility facility must conform to the following requirement:

Minimum lot size 20,000 sq. ft.

All other bulk requirements of the Zone District in which the facility is located must be complied with. No utility installation shall be placed within 500 feet of a residential district or school.

23-8.29 SKATING RINKS (ICE/ROLLER)
Any skating rinks (ice/roller) must conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>40,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>150 ft.</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>150 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>35 ft.</td>
</tr>
<tr>
<td>Minimum side yard (interior)</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Maximum building lot coverage</td>
<td>20%</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>2 stories or 30 ft.</td>
</tr>
</tbody>
</table>

23-8.30 SCHOOL (PAROCHIAL/PRIVATE/PUBLIC)
Any school (parochial/private/public) must conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>90 ft.</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>35 ft.</td>
</tr>
<tr>
<td>Minimum side yard (interior)</td>
<td>15 ft. (interior) 25 ft. (corner)</td>
</tr>
<tr>
<td>Maximum lot coverage</td>
<td>20%</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>3 stories or 45 ft. (2 stories or 30 ft.)</td>
</tr>
</tbody>
</table>

A 5 foot wide buffer strip shall be provided along all adjoining property lot lines and an evergreen landscape screen shall be provided at least 6 feet in height.

A drop-off area shall be provided for at least 2 buses (type 1, 40 passengers).

23-8.31 INDOOR SHOOTING RANGE
Any indoor shooting range must conform to the zoning requirements of the Zone District in which it is located. Such operation shall not be permitted unless the review board finds that the operation will not result in excessive noise or create a hazardous situation.
23-8.32 TRUCK TERMINAL
There must be a building which may incorporate an office and/or service area not to exceed 20% building lot coverage. Said building shall be a minimum of 10% of the lot area.

Maneuvering of trucks, trailers, and tractor trailers shall be within the lot of such terminal.

23-8.33 COMMERCIAL VEHICLE WASH
Any commercial vehicle wash facility shall conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum side yard</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Maximum lot coverage</td>
<td>20%</td>
</tr>
<tr>
<td>Maximum height</td>
<td>1 story or 15 ft.</td>
</tr>
</tbody>
</table>

A 5 foot wide buffer strip shall be provided along adjoining property lot lines and an evergreen screen shall be provided at least 6 feet in height.

There shall be no vehicle repairs conducted on the site.

There shall be no string lighting, banners or pennants.

There shall be stacking for at least 8 vehicles on the site per operating line.

Drainage plans and calculations prepared by a licensed engineer shall be submitted and approved by the Township engineer.

23-8.34 RECYCLING FACILITY
Any recycling facility must conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Minimum side yard</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Maximum lot coverage</td>
<td>50%</td>
</tr>
<tr>
<td>Maximum height</td>
<td>2 story/30 ft.</td>
</tr>
</tbody>
</table>

There must be a building which may incorporate office and/or recycling functions not to exceed 50% building lot coverage. Recycling functions must be screened by a 10 foot landscaped buffer strip at all adjoining property lot lines consisting of evergreens at a minimum height of 6 feet.

Any outdoor recycling operations or storage units must be designed so as to prevent any runoff.
of materials and must be located in such a way as to minimize noise and odors off-site.
No recycling facility may be located within 200 feet of any residence, house of worship, school (parochial/private/public) or public library.

23-8.35 RESERVED

23-8.36 USED VEHICLE AGENCY

Any used vehicle agency must conform to the following requirements:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum lot depth</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum front yard</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum side yard</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Maximum height</td>
<td>1 story or 20 ft.</td>
</tr>
</tbody>
</table>

There must be a building which may incorporate an office and/or showroom and/or service area which is not to exceed 20% building lot coverage. Said building shall be a minimum of 1,000 square feet or 10% of the lot area, whichever is greater.

A minimum 10 foot wide landscaped buffer strip shall be provided along all adjoining property lines, as well as along any street frontage. It shall contain an evergreen landscape screen at least 6 feet in height except along the street frontage where appropriate landscape plantings shall be provided.

No vehicle assembly, disassembly or repairs may take place on the subject property outside of an approved service building.

23-8.37 CONDITIONAL USES HOME OCCUPATIONS

The applicant shall comply with the following conditions:

a) The occupation or profession shall be carried on wholly within the principal building or other structure accessory thereto, and it shall utilize no more than 25% of the gross floor area of the building.

b) Not more than one person who is not a member of the applicant's immediate family and who is not a resident of the applicant's home may be employed.

c) There shall be no exterior display, no exterior alteration of the property including expansion of parking, no exterior sign exceeding 2 square feet, no exterior storage of materials and no other exterior indication of a home occupation or variation from the residential character of the premises.

d) No use shall require structural alteration to the interior or exterior of the building that changes the residential character of the building.
e) The use of electrical or mechanical equipment that would change the fire rating of the structure or create a visible or audible interference with radio or television receivers or cause fluctuations in the line voltage outside the dwelling unit is prohibited.

f) There shall be no noise, vibration, smoke, odors, heat, glare produced as a result of the home occupation which would exceed that normally produced by a single residence.

g) There shall be no demand for parking beyond that which is normal to the neighborhood and no visual or excessive traffic to and from the premises. In no case shall the home occupation cause more than two additional vehicles to be parked on or near the premises.

h) The home occupation shall not involve the use of commercial vehicles, other than those owned by the applicant for delivery of products or materials to and from the premises.

23-8.38 GOVERNMENT AND NON-PROFIT SUBSIDIZED SENIOR HOUSING

1. Government or non-profit sponsored and supported senior housing of all types.

2. Government and non-profit sponsored and supported senior housing must conform to the following requirements:

   a. Location: Government/non-profit senior housing is permitted in the following zone districts: BB, BC, BD, BG, I-B and RC.

   b. Age restrictions: As regulated by sponsoring government program or non-profit policy but as a minimum compliance with Section 23-8.13b except for qualified persons with disabilities.

   c. Minimum lot area: 1 acre or 1/2 acre in the B-G zone as part of a mixed use building.

   d. Minimum bulk requirements:

      1. Minimum lot width: 100 feet
      2. Minimum lot depth: 150 feet
      3. Minimum front yard: 25 feet
      4. Minimum rear yard: 25 feet
      5. Minimum side yard: 1/3 of building height but less than 20 feet each
      6. Maximum lot cover: 70%
      7. Maximum building height: RC district: 5 stories
         BB, BC, BD and I-B districts: 7 stories
         BG: 8 stories with retail on the ground floor

   e. Maximum density: 30 dwelling units per acre in the RC district
      75 dwelling units per acre in the BB, BC, BD, BG and I-B districts

   f. Minimum off-street parking requirements: 1/2 space per unit. The Planning Board may grant a reduction of .25 spaces per dwelling unit with shuttle bus service or frequent daily scheduled public transit service within 750 feet of site.
23-9 SITE PLAN APPROVAL
Site plan approval procedures shall be in accordance with the Site Plan Ordinance, Chapter XX, of the General Ordinances of the Township of Belleville.

The zoning permit fee shall be $100.00.

23-10 SUBDIVISIONS
The subdivision of land in the township shall comply with all requirements of the Subdivision Ordinance; Chapter XVIII, of the General Ordinances of the Township of Belleville.

23-11 COMPLETION OF EXISTING BUILDING
Nothing herein contained shall require any changes in the plans, construction or designated use of a building for which a building permit has been heretofore issued of plans for which are on file with the construction code official at the time of the passage of this chapter and any amendments thereof, and the construction of which in either case, shall have been diligently prosecuted within a year of the date of such permits and the ground story framework of which, including the second tier of beams, shall be completed within such year and which entire building shall have been completed according to such plans as files within two years from the date of the passage of this chapter and any amendments thereof.

23-11 CERTIFICATE OF OCCUPANCY

23-12.1 REQUIRED
No land shall be occupied or used, no building hereafter erected or altered shall be occupied or used in whole or part, no change in use, no change of commercial tenancy, no change in ownership, in the case of a commercial activity, the commercial activity having a current license, until a Certificate of Occupancy shall have been issued by the Zoning Administrative Official, stating that the premises, uses, or building complies with all the provisions of this chapter, any adjustments thereto granted by the Board of Adjustment, in the case of construction or alteration, that the construction is in accordance with the plans and specifications filed with the Construction Code Official and meets the conditions of any Site Plan approval and building permit, the Property Maintenance Code, Chapter XXI, and the Minimum Housing Standard Code, Chapter XII, of the General Ordinances of the Township of Belleville.

23-12.2 TIME LIMITS
If the occupancy and use of a building or of land for which a Certificate of Occupancy has been issued is not commenced within 6 months after the date of such issuance or such period as the Zoning Administrative Official may authorize in writing because of the occurrence of conditions unforeseen at the time of issuance, such occupancy permit shall expire and a new occupancy permit shall be obtained before such occupancy and use are commenced.
No such extension of time for longer period than 90 days shall be authorized except upon the approval by a reviewing board.

All approvals by the Planning Board and Zoning Board of Adjustment shall expire two (2) years after the adoption of a resolution of approval unless the applicant applies for an extension, as permitted, or unless construction or use of the premises has commenced within said year.

### 23-12.3 CONFORMANCE

A Certificate of Occupancy shall be deemed to authorize and is required for both initial and continued occupancy and use of the building of land to which it applies; and shall continue in effect as long, and only as long, as such building and the use thereof or the use of such land are in full conformity with the provisions of the chapter and any requirements made pursuant thereto.

### 23-12.4 REQUEST

Upon written request by the owner, the Zoning Administrative Official, shall, after inspection, issue a Certificate of Occupancy for any building or use thereof or of land existing at the time of the adoption of this chapter. Certifying such use whether or not the same and the building confirms to the provisions of this chapter and any amendments thereof.

### 23-12.5 APPLICATION; ISSUANCE; FEE

A Certificate of Occupancy shall be applied for at the time of change of commercial tenant, change of ownership, change of use or application for building permit, and verification of a commercial license. It shall be issued within 10 days after such application, or within 10 days after completion of construction, if in complete compliance of the chapter.

A record of all certificates shall be kept on file in the office of the construction code official and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected.

A fee shall be established by the governing body upon the recommendation of the Planning Board for every activity and use in every District of the Township of Belleville.

The fee schedule is in the care of the building inspector and will be available to the applicant when applying for a Certificate of Occupancy.

No permit or excavation for, or the erection of any building shall be issued before the application has been made for a Certificate of Occupancy.

No business or premises may be occupied, or business tenant shall start operations until a Certificate of Occupancy has been issued.
23-13 NON-CONFORMING BUILDING AND USES

23-13.1 REGULATIONS

Any non-conforming use existing at the time of the passage of this chapter and amendments thereof, may be continued and any existing building designed, arranged, intended or devoted to a non-conforming use may be reconstructed or structurally altered and the non-conforming use therein changed subject to the following regulations:

a. When a non-conforming building, or a building in which a non-conforming use is conducted, is destroyed or damaged by any casualty to an extent not exceeding 50% of its true value, exclusive of foundations, at the time of such destruction or damage, it may be reconstructed but it shall not be enlarged. If any such building is so destroyed or damaged to an extent exceeding 50% of its true value, it shall not be reconstructed except for a conforming use; provided, that if any non-conforming building used as a one-family dwelling or two family dwelling is so destroyed or damaged to an extent exceeding 50% of its true value, the same may be reconstructed within 2 years after such destruction or damage so as to be the same space that is occupied prior to such destruction or damage or any part thereof.

b. No non-conforming use shall be extended at the expense of a conforming use.

c. Nothing in this chapter shall be deemed to prevent keeping in good repair a building in which a non-confirming use is conducted.

d. A non-conforming use may be changed to another non-conforming use of the same or more restricted nature (less intensive use).

e. If any non-conforming use ceases for a continuous period of 1 year or more, is changed to or replaced by a conforming use, or is moved for any distance for any reason the land and building theretofore devoted to such non-conforming use shall thereupon be subject to all the regulations as to use for the district in which such land and building are located, as if such non-conforming use had never existed.

f. The foregoing provisions shall apply to all non-conforming uses existing at the time of the adoption of this chapter and to all uses that become non-conforming by reason of any amendment thereof.

23-13.2 ONE FAMILY OR TWO FAMILY DWELLINGS

Where a one-family or two-family dwelling has become non-conforming because of a change in zone, an increase in minimum lot dimensions, an increase in minimum front, side, or rear yard dimensions or an increase in parking requirements, the owner shall be permitted to make a structural change or addition provided:

a. There is no increase in the number of dwelling units.

b. There is no elimination of an existing garage.

c. There is no decrease in off-street parking facilities.

d. The addition sought does not in itself create a violation.
e. The addition or change meets all other minimum requirements of the Township of Belleville.

23-13.3 USE OF UNDERSIZE LOTS EXISTING PRIOR TO ADOPTION OF ORDINANCE

Any parcel of land with an area or width less than that prescribed for a lot in the R-A-1 (one family); R-A-2 (one family); R-B (one family); R-B (two family); R-C (one/two family) in which such lot is located, which parcel was under one ownership at the date of the adoption of this ordinance, when the owner thereof owns no adjoin land, may be used as a lot for the construction of a one-family as may be permitted in the residential district wherein such lot is situated provided, however, that no existing non-conforming lot may be subdivided into two or more lots.

Chapter 23, Schedule of Regulations, District Regulations is hereby further amended to provide for the following special requirements for new one-family dwellings to be constructed on existing isolated and/or non-conforming existing 25 feet by 100 feet lots in R-A-1 (one family); R-A-2 (one family); R-B (one family); R-B (two family); R-C (one/two family) provided, however, that construction permit(s) shall be obtained from the appropriate township agencies prior to commencement of construction.

Residential District Regulations for isolated, non-conforming lots shall be amended to read as follows:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>25 feet width</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>100 feet depth</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>2,500 square feet</td>
</tr>
<tr>
<td>Minimum Front Yard</td>
<td>15 feet</td>
</tr>
<tr>
<td>Minimum Back Yard</td>
<td>15 feet</td>
</tr>
<tr>
<td>Minimum Side Yard</td>
<td>3 feet each side</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>35% (percent)</td>
</tr>
<tr>
<td>Maximum Lot Height in Feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Maximum Stories</td>
<td>3 Stories</td>
</tr>
</tbody>
</table>

*Must meet current/existing parking requirements

The Township Council shall require existing property owner(s), their legal and/or otherwise representatives to produce the legal documentation necessary to substantiate that said undersized lot (25 ft by 100 ft) currently has an existing residential one and/or two family structure or had a one or two family residential structure on said property in the past, but which is now removed.

23-14 PLANNING BOARD AND BOARD OF ADJUSTMENT

The Planning Board and the Board of Adjustment shall be established and operated in accordance with the Municipal Land Use Law C291 P.L. 1975 and as prescribed in Township Ordinance O-IR #1 2-8-77.
23-15 APPEALS

23-15.1 APPEAL TO ZONING BOARD OF ADJUSTMENT
An appeal to the Zoning Board of Adjustment may be taken by any interested party affected by any decision of the Zoning Administrative Officer of the Township of Belleville based on or made in the enforcement of the zoning ordinance, or official zoning map. Such appeal shall be taken within 65 days by filing a notice of appeal with the officer whom the appeal is taken specifying the grounds of such appeal. The officer from whom the appeal is taken shall immediately transmit to the Board of Adjustment all the paper work constituting the record upon which the action appealed from was taken.

23-16 REPEALER
The purpose and intent of this chapter is to embody herein all regulations limiting and restricting to specific Zoning Districts and the regulation therein of buildings and structures according to the nature and extent to their use and the nature and extent of the use of land, and any such regulations for the purposes aforesaid not included in this chapter are hereby repealed, and the provision of any ordinance or parts of ordinances which are inconsistent with the provisions of this chapter are hereby repealed.

23-17 SIGNS

23-17.1 PERMITS
a. It shall be unlawful to erect, paint, alter, reword, locate or relocate, reconstruct or change in any manner a sign or signs without first having obtained, and having in force and effect, a permit from the Construction Code Official.

b. The Construction Code Official shall issue permits only for such signs as are specifically allowed for the particular premises and Zone District in which the premises are located.

c. Every sign for which a permit has been issued pursuant to this chapter shall show the permit number.

d. Before any such permit is granted for the erection, painting, alteration, rewording, locating or relocating, reconstruction or change in any manner of a sign or sign structure, an application, together with plans and specifications, shall be filed with the Construction Code Official showing the wording, coloration, dimensions, materials and details of construction, including loads, stresses, support and anchorage. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected and all data which the Construction Code Official may require to determine if such sign complies with all provisions of this chapter, including certification by an architect or a professional engineer of its structural adequacy. The property owner shall be advised by the Construction Code Official, at the time of the application for the permit to erect the sign, of his prospective liability for the cost of removal in the event the permittee fails to do so.
23-17.2 EXCEPTIONS FROM PERMITS

Subject to the size limitation hereinafter provided, permits shall not be required for signs of the following nature:

a. Non-illuminated directional signs identifying parking areas, loading zones, entrances, exits, and similar locations. The signs may include a business name or professional name but shall not include any advertising message and shall not exceed 3 square feet in area.

b. Temporary and permanent traffic signs and signals installed by the Township, County, or State Governments for the purpose of directing and regulating the flow of traffic.

c. Historical tablets, cornerstones, memorial plaques and emblems which do not exceed 6 square feet in area and which are installed by Government agencies or civic or religious organizations.

d. Warning and no-trespassing signs, not exceeding 3 square feet in total area.

e. Name and number plates identifying residences and affixed to a house, apartment or mailbox.

f. A free standing nameplate, non-illuminated except by a light which is an integral part of a lamp post if used as a support.

g. Signs posted by Government Agencies or pursuant to governmental statute, order or regulation.

23-17.3 PROHIBITED SIGNS

Prohibited signs are signs which:

a. Contain statements, words or pictures of an obscene, indecent or immoral character, such as will offend general public morals of decency.

b. Contain or are in imitation of an official traffic sign or signal or contains the words "stop", "go slow", "caution", "danger", "warning", or similar words.

c. Are of a size, location or movement, contain intermittent flashing, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which obstruct from view signs or signals or vehicular traffic on a public street.

d. Contain exposed neon-type elements or construction, for exterior use.

e. Use of flood lights for illumination of signs where such floodlights create interference with motor vehicle traffic visibility.

f. Have a maximum surface brightness, whether internally or externally illuminated, exceeding 250 foot candles.

g. Move in any manner or have a major moving part, or give the illusion of movement, except animated or moving signs containing time and temperature changes.

h. Contain or consist of poster, ribbons, streamers, strings of light bulbs, spinners, balloons, kites or other similarly moving devices. The devices when not part of any sign are similarly prohibited.
i. Use the surface of sidewalks, roads and driveways except for traffic control signs or symbols.

j. Signs containing more than two display faces.

k. A sign on a motor vehicle, trailer, whether or not operational and whether or not self-propelled which is used or parked or designated to be parked for advertising purposes.

23-17.4 GENERAL SIGN PROVISIONS

a. Any legally erected sign or sign structure which is non-conforming at the time of enactment of this chapter may be continued in use, maintained or structurally improved, but not enlarged subject to all provisions of the chapter.

b. Non-conforming signs or sign structures not maintained or not utilized, that is not containing messages as defined in 23-5, Definitions, of this chapter, for a period of (60) days shall be considered abandoned and shall be removed from the premises.

Upon failure to comply, the Zoning Administrative Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be leveled as a fine against the person, organization, business or if leased premises the owner of the premises, displaying or identified in such sign.

c. No sign shall be located in the Clear Sight-Triangle.

d. Except where otherwise provided, no sign or any part thereof shall be located closer than 18 feet to any lot line.

e. All height limitations shall be measured from the ground level above which it is located to the highest part of the sign or its supporting structure, whichever is higher.

f. Signs erected flat against the side of a building shall not extend above the height of the vertical wall or cornice to which they are attached.

g. Construction signs used as accessory to new construction or alteration on the premises are permitted only after a construction permit for said construction and sign has been issued and must be removed within 30 days of the completion of the alteration or renovation.

h. Commercial Real Estate signs shall be removed within 7 days after the consummation of lease, rent, or sale transaction.

i. Signs promoting a temporary event, or events occurring periodically, shall be displayed not more than 30 days prior to said event, including but not limited to product sales of any kind of political events, social activities and yard or garage sales.

j. If such signs promoting a temporary event are displayed in a window, the combined area of such temporary and permanent window signs shall be limited to no more than 75% of the window area in which or on which they are displayed.

k. Any sign, now or hereafter erected or maintained, which does not represent a bona fide active business; notice of near future event; product sold; social event; political event or endorsement or business (yard or garage sale, flea market) event shall be removed within
7 days after product sale conditions are no longer valid or event occurs, for a business, 30 days after such business ceases.

Upon failure to comply, the Zoning Administrative Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be leveled as a fine against the person, organization, business or if leased premises the owner of the premises, displaying or identified in such sign.

l. True Construction Code Official shall thereafter refuse to issue a permit for the erection of any sign in the Township of Belleville to any person, organization, business, or owner of premises until the fine is resolved.

m. Any sign which has been erected illegally shall be removed from said premises within ten days from receipt of a written order to do so: from the Zoning Administrative Official.

n. For signs with 2 display faces, the maximum sign area requirements shall be permitted on each face.

23-17.5 REGULATIONS

The following regulations shall apply to the following signs:

a. AWNING/CANOPY

Permitted in any non "R Zone". The sign area shall be calculated as part of the total permitted sign area of all signs permitted, limited to 10% of the wall area to which the awning/canopy is attached. In any event, no awning or canopy sign may exceed 3 feet in height or 50 square feet in area, including any logo.

b. BUSINESS (FAÇADE)

Permitted in any non "R Zone". A business sign is a storefront sign for a commercial or industrial property that is not freestanding. The minimum height is 7 feet above ground level, and the maximum height is 10 feet above ground level, measured to the highest point on the sign. The sign may not exceed 1.5 feet (18 inches) in vertical dimension. The sign may not exceed 10 square feet per building frontage or 10 percent of the area of the façade on which the sign is located, whichever is greater. Length of a business sign may not exceed 90 percent of the length of the façade upon which the sign is located. The depth of a sign may not exceed 3 inches. For a corner lot, an additional sign may be provided along the street side façade limited to 5 percent of the total surface area of the street side façade, at a maximum height of 8 feet. If off-street parking is provided in the rear and the rear portion of the lot does not about an “R Zone”, an additional sign is permitted in the rear façade limited to 5 percent of the total surface area of the façade, at a maximum height of 8 feet.

In a commercial development with multiple businesses, the total space dedicated to all exterior, permanent signage shall not exceed 15% of the face of the building or storefront to which such sign(s) are attached.
c. CIVIC, DIRECTORY. FRATERNAL, SOCIAL ORGANIZATION

A maximum of one (1) sign per premises. If illuminated, it shall not exceed the conditions permitted under section 23-1 7.3. Back lighting only is to be provided. A maximum of 12 square feet of total sign area is permitted per property.

d. CONTRACTOR

A maximum of one (1) sign per premises that is non-illuminated. It may not be placed closer than 5 feet from any lot line. A maximum of 16 square feet of total sign area is permitted per property.

e. DIRECTIONAL

Non-illuminated signs indicating traffic flow patterns and directions are permitted in all zones. A maximum of 3 square feet of total sign area per sign is permitted.

f. FREE STANDING, PYLON

Must be internally illuminated only and maximum one (1) per premises, subject to the following:

1. In the R-Al, R-A2, R-B and R-C Zone Districts they are not to exceed a height of 5 feet. A maximum of 1 square foot of total sign area per side.
2. In the B-E, B-F, B-G and I-B Zone Districts, they shall be located no closer than 18 feet to a street line. A maximum of 15 feet in height is permitted. A maximum of 150 square feet of total sign area per side.
3. For vehicle service stations, the maximum height is 15 feet. It shall not be located closer than 5 feet from any property line. A maximum of 150 square feet of total sign area per side.

g. NAMEPLATE

1. In all "R Zones", there shall be a maximum of 1 per dwelling. It must be non-illuminated. A maximum of 1 square foot in total sign area per property.
2. For private schools and clubs, there shall be a maximum of 1 per premises. It must be non-illuminated. A maximum of 9 square feet in total sign area per property.

h. POLITICAL

1. If displayed at a political party headquarters, a maximum of 20 square feet of total sign area per property.
2. If displayed elsewhere, a maximum of 8 square feet of total sign area per property.

i. PORTABLE

A total of 1 sign per premises in any non "R Zone". The display may occupy 2 sides not to exceed 12 square feet in total sign area per property. It must be non-illuminated and removed at the end of each business day.

j. PROJECTING

A total of 1 sign per premises, natural division or building providing for individual tenants in
any non-"R Zone". It may not exceed more than 9 inches beyond the building facade. A maximum of 20 square feet in total sign area per property.

k. REAL ESTATE (COMMERCIAL)

A total of 1 sign per premises in any non-"R Zone". It must be displayed in a window, mounted to a building, wall or free standing. A maximum of 12 square feet in total sign area per property.

l. TEMPORARY

A total of 1 sign per premises in any non-"R Zone". It must be non-illuminated and may be displayed in a window, mounted to a building, wall or free standing. A maximum of 12 square feet in total sign area per property.

m. WINDOW

Not to exceed 25% of window area used, or .25% of the total window area on the same side of the building on which said sign is exposed, whichever is less.

23-17.6 RESERVED

23-17.7 MASTER SIGNAGE PLAN

For any lot on which the owner proposes to erect one or more signs requiring a permit, the owner shall submit to the Director a master signage plan containing the following:

a. Scaled rendering of the façade which includes windows, doors and the proposed location of all signage with dimensions;

b. A plot plan at a minimum scale of 1 inch to 50 feet, including location of buildings, parking lots, driveways, and landscaped area on such lot, including the building elevation(s) for the side(s) upon which signs are to be affixed;

c. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of free standing signs permitted and proposed on the lot(s) included in the plan under this ordinance; and

d. An accurate indication of the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not.

e. Identification of the type of sign(s) being proposed, pursuant to the categories set forth in Section 23-17.5.

23-18 SUPPLEMENTARY REGULATIONS

23-18.1 COMMERCIAL AWNING

May be attached to any building, provided a minimum of 8 feet of clearance is provided along any right-of-way or pedestrian walkway.
23-18.2 BANNERS
On corner lots, any banner shall not interfere with the Clear Sight-Triangle.

23-18.3 ACCESSORY BUILDING
A detached accessory building in R Districts or on a lot adjoining an R District may occupy in the aggregate not more than 30% of the area of any rear yard, unless otherwise specified, and shall not be located nearer than 4 feet to any side or rear lot line.

No detached accessory building in an R District or on any lot adjoining an R District shall be located:

a. Within 50 feet of a front lot line of the lot;
b. Within 4 feet of a rear lot line that abuts a side lot line of a contiguous lot;
c. Nearer to the side street line of a corner lot than the main building on the lot or, if an abutting lot, equal to the depth of the front yard required on said abutting lot to the rear, provided however, in no case shall a garage on the corner lot and facing the side street be required to set back more than 25 feet.

No detached accessory building shall be located nearer than 10 feet to a main building.

An attached accessory structure shall be considered to be a part of the main building and the total ground floor and elevation of the combined structure shall be subject to all regulations governing the main building except for decks and patios for one and two family dwellings.

No accessory building shall be constructed or erected on a lot which does not contain a principal or main building.

No accessory building shall have a ground floor gross area larger than the ground floor gross area of the principal or main building.

A detached accessory building with a use as a private garage in the RA-1, RA-2, R-C or PRD Districts will have a maximum height of 14 feet.

23-18.4 CABANA
A structure not to exceed 10 feet in height, nor 150 square feet in gross floor area (also see ACCESSORY BUILDING).

23-18.5 COMMERCIAL CANOPY
A temporary structure providing a minimum of 8 feet of clearance along a pedestrian walkway with the supporting members, if any, placed as to not obstruct or impede pedestrian passage.
23-18.6 MULTI-FAMILY RESIDENCE, TOWNHOUSE, GARDEN APARTMENT DWELLING

a. No garden apartment, multi-family residence or townhouse dwelling development structure shall exceed a measurement of 120 feet in its longest direction except where permitted by ordinance.

b. The distance between structures shall be a minimum of 30 feet.

c. In Planned Residential Developments, no garden apartment, multi-family residence or town house dwelling development structure shall exceed a measurement of one hundred and sixty feet (160) in its longest direction.

d. Required setback along street frontages shall be maintained as open space and shall not be used for service of any kind such as vehicle parking, clothes drying or storage.

e. No incinerators shall be permitted. Refuse areas containing dumpsters or compactors shall be provided in such number and locations and having such capacities as may be determined necessary by the health officer to adequately serve the health and welfare of the occupants of each group or groups of dwelling structures. Such refuse areas shall be effectively screened by decorative fencing or landscaping high enough to conceal the full length of the facility.

f. All public utility facilities including but not limited to electrical and telephone wires, sewers and sewer connections, and gas and water lines shall be installed beneath the surface of the ground.

g. Basements may be used for the location of utilities, storage, recreation rooms or garage. As a conditional use, basements may be used as a dwelling unit (see Section 23-8 - DWELLING, BASEMENT).

h. No dwelling unit or any part of thereof may be used for profession or business office space by the occupant or any other person or persons.

i. Useable open space for outdoor play areas and for outdoor recreation shall be provided in the amount of 800 square feet per structure. Such required recreation space shall not be less than 25 feet in its shortest dimension and shall not be located in the required setback area, nor within ten feet of the side and rear property lines.

j. The following accessory buildings and structures shall be permitted: recreational purposes and meeting rooms which shall be designed and used exclusively to serve the occupants; garages not exceeding 1 story in height; and swimming pools and other recreational facilities provided that all such buildings and structures shall comply with the setback requirements of this sub-section.

k. Structures shall be designed to discourage the appearance of a barracks through the use of one or more of the following: staggered setbacks, variety of facade treatment, differing heights, and variety of roof treatments or the equivalent

l. All applicable provisions of the New Jersey barrier free regulations shall apply.

m. These units are prohibited in areas designated as within the 100 year flood plain.
23-18.6.1 FENCES

a. In any zone the finished side of any fence shall face the adjacent properties and/or the street line.

b. Hedges and shrubs used as screening along property lines instead of fencing shall be permitted in accordance with height regulations herein specified for open fences in the respective zones in which they are situated, unless otherwise regulated herein.

c. Fences shall be erected in a manner so as to permit the flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding.

d. No fence shall be erected without a building permit.

e. Fences in the "R Zones":

1. In any residential zone, no fence shall be erected of barbed wire, topped with metal spikes, or constructed of any material or in manner which may be dangerous to persons or animals.

2. The height of a fence shall be measured from the ground immediately adjacent to it and shall include all attachments thereto, and be constructed following the contour of the land.

3. No stockade fence shall be permitted in the front yard. The following fences are permitted:
   a. A fence erected in the front or side yard area shall be of the chain link or open type. It shall not exceed six feet (6’) in height from the front of the building line to the rear yard, however four feet (4’) open type may extend to the front yard.
   b. A fence erected in the rear yard along the side line from the rear line of the main structure to the rear property line and along said rear property line shall not exceed 6 feet in height.
   c. Stockade fence shall be permitted on the front yard in Planned Residential Developments and may not exceed six (6) feet in Planned Residential Developments.

4. Fences enclosing a private swimming pool shall comply with the applicable provisions of the Township Code and shall be capable of being securely fastened and locked by the owner.

5. On a lot where a dwelling is situated and which is adjacent to a non R Zone, a fence shall not exceed 8 feet in height.

F. Fences in all non "R Zones":

No stockade fences are permitted in the front yard. Chain link fencing provided with decorative basket type weaving materials is permitted. It shall not exceed 8 feet in height.
23-18.7 CORNER LOT FENCES

a. In the case of a comer lot where the rear property line becomes the side yard of the adjoining lot, the rear yard fence shall be open and shall be limited to a height to 4 ft.
b. A fence erected in a front or side yard area shall be of the open type. It shall not exceed 4 feet in height.
c. A front or side yard fence or hedges/shrubs shall not exceed 2-1/2 feet (3 feet) in height in the Clear Sight-Triangle area of two intersecting streets.

23-18.8 FLAGS

a. Flags mounted on poles shall be a minimum of 10 feet from any lot line.
b. On corner lots, the flag shall not interfere with the Clear Sight-Triangle.

23-18.9 GREEN HOUSE (PRIVATE)

A structure not to exceed 10 feet in height, nor 150 square feet in gross floor area is permitted.

23-18.10 LIGHTING

a. An exterior lighting for the illumination of outdoor facilities such as driveways, parking areas and similar areas or for security purposes shall be so arranged or shielded as to reflect the light downwards to minimize direct illumination of adjoining property.
b. Exterior operational hours in R Zones, for said lighting, shall be prohibited between the hours of 10 P.M and 7 A.M. the next day, local time, except on Friday, Saturday or Sunday, such lighting shall be prohibited from the hours of 11 P.M. to 7 A.M. the next day, local time.
c. Lighting fixture(s) located in residential zones shall not exceed 10 feet in height above the ground level on which they are mounted.
d. Temporary lighting in R Zones, such as light fixtures controlled by "Motion Detectors" or other type intrusion monitors are exempt from the prohibited hours of operation.
e. No string lighting shall be permitted to illuminate or advertise any business use, except seasonal decorative string lighting. If used, seasonal string lighting shall be installed and arranged and the electric lighting so shaded as not to present a glare or hazard to vehicular traffic on the public highways or a nuisance to adjacent or surrounding properties.

23-18.11 PENNANTS

a. If pennants are suspended over public walkways, they shall be at least 8 feet above its lowest point above the level ground above which they are suspended.
b. On corner lots, pennants shall not interfere with the Clear-Sight-Triangle.
23-18.12 SHEDS

Sheds may not be located in the required front yard of any building or structure. A structure not exceeding 10 feet in height, nor 150 square feet in gross floor area is permitted. All sheds must be setback a minimum of 4 feet from any side or rear lot line.

23-18.13 PERFORMANCE STANDARDS

a. No use shall be established, maintained or conducted in any District so that the same will cause any of the following:

1. Dissemination of smoke, fumes, gas, dust, fly ash or any other atmospheric pollutant.
2. Vibration beyond the boundaries of the lot on which such is conducted.
3. Odors noticeable at the lot line or beyond.
4. Direct or reflected glare of external lighting visible at the lot line.
5. Physical hazard by reason of fire, explosion, radiation or similar cause to the property in the same or adjacent District.

b. Any use established in any District shall meet all requirements of the New Jersey Air Pollution Control Code, as amended and augmented by regulations now in effect or hereafter adopted; the New Jersey Noise Control Act of 1971, as amended and augmented by regulations now in effect or hereafter adopted; the New Jersey Water Pollution Control Act of 1977, as amended and augmented by regulations now in effect or hereafter adopted and all other applicable state and federal environmental control legislation.

c. ENFORCEMENT OF PERFORMANCE STANDARDS

Satisfactory evidence shall be presented to the Zoning Administrative Official that the proposed use shall conform to the Performance Standards above. The Zoning Administrative Official may obtain expert advice, at the expense of the applicant, regarding Performance Standards.

d. REVOCATION OF A BUILDING PERMIT AND/OR CERTIFICATE OF OCCUPANCY

In the event of failure to comply with any provisions of the chapter, and any Performance Standard as stated herein, the Construction Code Official or Zoning Administrative Official shall revoke the building permit or Certificate of Occupancy or take such other steps and may be lawful to enforce such provisions.

23-18.14 REDUCTION IN REQUIRED LOT WIDTH, LOT DEPTH, LOT AREA, FRONT, REAR OR SIDE YARDS FOR RESIDENTIAL LOTS

When more than 75% of the street frontage between intersecting streets is developed, the minimum requirements for a 1 family dwelling shall equal to the average of all existing residential lots between intersecting streets on the same side of the street calculated to the nearest square feet or foot. The applicant must provide an accurate map and calculations to the Construction Code Official at the time of an application being submitted.
Notwithstanding the above provision, the minimum requirements must be equal to at least the following:

- Lot width: 30 ft.
- Front yard: 10 ft.
- Rear yard: 10 ft.
- Each side yard: 2 ft.
- Both side yards: 4 ft.
- Street side yard: 10 ft.

23-18.15 EXCEPTION TO LOT WIDTH AND AREA REGULATIONS

The required lot width and area regulations for the construction of a 1 family dwelling shall not apply to any lot having less than the required area, width or depth at the time of the adoption of this chapter or any amendments thereto increasing the area, width or depth requirements for such lot, and held at the time in separate ownership from that of adjoining land, provided that the area, width and depth of such existing lot shall be no less than 80% of the required minimum.

23-18.16 EXCEPTION TO HEIGHT REQUIREMENTS

a. Penthouses, stage towers, scenery lifts, elevators, bulkheads, clock towers, cupolas, water tanks, and similar structures and mechanical appurtenances may be erected on a building to a height greater than the limit for the district in which the building is located; provided, that no such exception shall cover at any level more than 25% of the area of the roof on which it is located; provided further, that of the roof on which it is located; provided further, that no such exception shall be used for sleeping or housekeeping purposes or for any commercial purpose other than such as may be incidental to the permitted use of the main building.

b. A parapet wall or cornice solely for ornamental purposes may exceed the height limit established for the district but shall not exceed 3 feet.

c. The height limitations of this chapter shall not apply to chimneys, church spires, belfries, standpipes, water towers, flag poles, monuments, transmission towers or cables, or radio or television antennas or towers, ornamental towers.

23-18.17 EXTENSION INTO FRONT OR REAR YARD

The following extensions into the front or rear yard are permitted:

a. By cornices, canopies and similar extensions which are 10 feet or more above grade: 3 feet
b. By open fireproof fire escapes: 2 feet
c. By eaves: 2 feet
23-18.18 EXTENSION INTO SIDE YARD

The same provisions shall apply as for extensions into required front and rear yards, except that no porch, terrace or outside stairway shall project more than 4 feet into any required side setback and an outside stairway may extend into any required side yard only if same is unroofed and unenclosed above and below the steps thereof.

Fire escapes, which are not stairways, shall end at least 8 feet above the ground with a device for lowering in case of emergency.

23-18.19 OUTDOOR DISPLAYS

No loading, crating, outdoor displays or sales on sidewalks or between the curb and the property is permitted in any district, except for special sale days for which a permit must be granted by the governing body. Outdoor storage is permitted for the purpose of moving merchandise into the business. At all times, however, there shall be maintained a minimum of four feet (4’) of walkway for pedestrian access. Merchandise shall be maintained behind a barrier approved by the Construction Official/Zoning Officer or Town Engineer. Merchandise shall not be stored in a walkway in excess of four continuous hours. A special permit granted by the Governing Body on an annual basis must be obtained prior to the occurrence of any outdoor storage. As a condition precedent for such special permit, the owner/lessee or proprietor must show proof of insurance designating the Township of Belleville as an additional names insured. Said permit shall be revocable by the Township of Belleville at any time for violation of the four continuous hour display of merchandise provision herein and/or for violation of the four feet pedestrian access requirement of this section. It shall be the duty of the proprietor or lessee of every such place to keep the sidewalks and pedestrian passageways free and clear from obstructions and it shall be the duty of the police to aid in the enforcement of the provisions of this section. The special permit granted by the Governing Body may be suspended or revoked after notice and hearing for cause by the Construction Code Official. When such permit is suspended, it shall not be reissued for a period of up to six (6) months. A person or entity who violates this provision may be fined, upon conviction therefore in an amount not to exceed $1,250.00, and imprisonment for a term not exceeding ninety (90) days, or be required to perform community service for a period not exceeding ninety (90) days.

23-18.20 CEMETERIES

No cemetery may utilize any property within 20 feet of a street right-of-way line for burial purposes. Cemeteries shall provide and maintain screen plantings composed of hedge and shrubbery along public streets.

23-18.21 SWIMMING POOL

PERMANENT, PORTABLE

a. Swimming pools and any associated structures (deck, etc.) as accessory uses, shall not be located:
1. Within 50 feet of a front lot line of the lot.

2. Within ten feet (10\textquoteleft) feet of a main structure, and within four feet (4) of a garage, shed or cabana on the lot in which the pool is located, or within then feet (10) of any permanent structure(s) of an adjacent lot.

3. Within 4 feet of rear or side lot line of an interior lot if no other conditions are more restrictive.

4. Within 3 feet of a rear lot line that abuts a side lot line of a contiguous lot if no other conditions are more restrictive.

5. Nearer to the side street line of a corner lot than the main building of the lot if no other conditions are more restrictive. However, in no case shall a setback of more than 25 feet be required for a corner lot from a side street line.

b. A building permit is required and shall include 3 sets of plans and specifications or proper descriptive brochures, together with a site plan, drawn to scale, showing the entire lot upon which the swimming pool is proposed to be constructed, including elevations, and shall show the location or any overhead electrical conductors in the pool area. Plans shall also include information sufficient to indicate the means for water disposal and maintaining the pool in a generally sanitary condition.

c. All pumps, heaters and filtration systems shall be at least 8 feet from any property line.

d. All electrical wiring for lights and power in connection with swimming pools shall be installed in strict accordance with the requirements of the National Electrical Code.

e. The swimming pools shall comply with BOCA and all other applicable codes.

23-18.22 RETAINING WALLS

a. Retaining walls shall be designed to resist the pressure of the retained material including both dead and live load surcharges to which they may be subjected and to insure stability against overturning, sliding, excessive foundation pressure and water uplift.

b. When such walls are designed by a licensed architect, or licensed engineer these requirements may be modified subject to the approval of the Construction Code Official and Engineering Department.

c. A construction permit is required showing plot plan, exact location of walls, elevation and plan of proposed walls.

d. Whenever necessary to insure safety to the public using a public street or highway, a retaining wall is required.

23-18.23 STRUCTURAL WALLS

Any main wall of a building to be erected in a non-R Zone abutting an R Zone shall not be closer than 50 feet from any lot line in an R-Zone where said lot is used exclusively for residential purposes.

Any wall or other permanent object in the ground or affixed to a building must have structural supports if the height exceeds 4 feet, or as determined by the Construction Code Official.
23-18.24 SCREENING
On every lot adjoining an R District on which a use permitted in a business, office-research or industrial district, but not in an R District is hereafter established or is hereafter enlarged to occupy a substantial area of the lot. A fence or wall shall be erected or trees and shrubs planted in such a location and of such nature as to screen such use at all seasons of the year from observation at normal ground level in such R District.

23-18.25 GARDEN STATUARY AND MONUMENTS
Garden statuary and monuments in all residential zones must be setback a minimum of 15 feet from the street line.

Driveways shall be minimum 12 ft. width and all driveways shall be constructed of 4" of compacted sub-base material and 2" of 3/8" roadway stone or comparable material.

a. Driveways shall not exceed 10% at any point along entire length of the driveway. In addition, the driveway grade shall not exceed 8% for a distance of 8 feet from the curb line and transition curve shall be provided between said 8% grade and any increase in grade.

b. The side slopes of driveways shall be top-soiled, seeded, fertilized and mulches or otherwise stabilized to prevent erosion. If banks exceed a 2:1 slope, and the slope face is not stable, rock retaining walls shall be constructed in a manner approved by the Construction Official/Zoning Officer or Township Engineer.

c. No driveway shall be located within 5 feet of a side lot line unless it is a common driveway for attached duplex or multi-family dwelling. No driveway pavement area shall be wider than 1/2 the width of a lot.

d. Exception if existing driveway is being resurfaced. Approved on plan by the Construction Official/Zoning Official or Township Engineer.

23-19 DISTRIBUTION OF THIS CHAPTER
Copies of this chapter shall be distributed as follows:

a. Essex County Planning Board, in quantities as required.

b. Members, clerks and attorneys of the following:
   1. Governing Body
   2. Board of Adjustment
   3. Planning Board

c. Construction Code Official
d. Zoning Administrative Official
e. Health Inspector
f. Township Engineer
g. Chief of Police
h. Chief of Fire Department
i. Tax Assessor

The office of the township clerk shall be responsible for said distribution.
23-20 AMENDMENTS TO THIS CHAPTER

Amendments to this chapter shall be distributed as in section 23-19 in quantities as necessary. Amendments shall be distributed in such manner so as to readily permit insertion into the total chapter and removal of superseded portions.

The township clerk's office shall be responsible for this distribution as well as maintaining all copies of the chapter which are held on hand in possession of the township.

Amendments to the zoning map shall be distributed in like manner and shall bear the date of revision and the authenticating signatures of the township engineer and the township clerk.

The Governing Body of the township may from time to time, on its own motion or on petition or other application, after public notice and hearing in accordance with law, amend, supplement, or change the regulations and districts herein established and adopt rules and regulations for the purpose of interpreting and carrying the chapter into effect.

23-20.1 AMENDMENT PROCEDURES

a. When owners of more than 50% of the frontage within a Zone District comprising not less than 1 block shall present to the Governing Body a petition or other application, duly signed, requesting the change, relocation or revision of said District or part thereof, the Governing Body shall act upon said request within 60 days after the filing of said petition or other application with the township clerk. Said petition or application shall be accompanied by a map showing an area for which the change of District is asked and all immediately abutting property and uses thereof, and further, shall be accompanied by a statement setting forth the grounds or reasons for the proposed change.

b. By a duly passed motion of the Governing Body that a proposed amendment be adopted, which proposed amendment shall be referred to the Planning Board; or

c. By the adoption by the Planning Board of a resolution of intention to recommend an amendment. The Governing Body shall act upon said recommendation within 45 days after filing of said resolution with the township clerk.

d. All proposed amendments to the zoning ordinance or zoning map shall be referred to the Planning Board by the Governing Body.

e. All other proposed amendments to the General Ordinances of the Township of Belleville which have an impact to the zoning ordinance or the zoning map shall also be referred to the Planning Board by the Governing Body.

f. The Planning Board shall make and transmit to the Governing Body, through the Office of the Township Clerk, within 35 days after referral, a report including recommendations concerning the proposed zoning amendment. The Governing Body shall review the report of the Planning Board and shall approve, disapprove or change any recommendations by a vote of a majority of its full authorized membership. If Planning Board recommendations are disapproved or changed the reasons for not following such recommendations shall be recorded in its minutes.

The proposed amendment shall be voted on within 60 days of the Planning Board report.
Failure of the Planning Board to transmit its report within 35 days shall relieve the Governing Body from the requirements of this section.

g. A protest against any proposed amendment or revision of the zoning ordinance or the zoning map may be filed with the township clerk, signed by owners of 20% or more either of the area of the lots or land included in such proposed change, or of the lots or land extending 200 feet in all directions there from inclusive of street space, whether within or without the municipality.

Such amendment or revision shall not become effective following the filing of such protest except by the approving vote of four members of the Governing Body.

23-21 ENFORCEMENT

a. The Zoning Administrative Official shall enforce the provisions of this chapter and any supplements and amendments thereto, and the provisions of all resolutions relating to this chapter.

b. In its interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

23-22 VIOLATIONS AND PENALTIES

Any person, firm or corporation violating any of the provisions of any part of this chapter or of any amendment thereof shall for each and every violation be subject to a fine of not more than $500 or imprisonment not to exceed 90 days, or both. Each and every day that such violations continue shall be considered a separate and specific violation of this chapter.

The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue, and each day that violation conditions continue shall constitute a separate offense.

a. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

b. Upon becoming aware of any violation of any of the provisions of this chapter, the Zoning Administrative Official shall serve written notice of such violation on the person, firm, or corporation committing or permitting the same, and if such violation has not ceased within such reasonable time as the Zoning Administrative Official has specified a new certificate of occupancy obtained as provided in this chapter, the Zoning Administrative Official shall institute such action as may be necessary to terminate this violation.

23-23 VALIDITY

If any section, sub-section, sentence clause, or phrase or provision of this Ordinance is for any reason held by a Court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of the Ordinance or any amendments thereof.
23-24 EFFECTIVE DATE

This chapter shall take effect upon final adoption, publication, and distribution according to New Jersey State Law.

23-25 RESERVED

23-26.1 REGULATION OF STORAGE PODS IN RESIDENTIAL ZONES

In residential zones, storage containers commonly known as “storage pods,” shall be permitted to be stores in any yard but shall not be located any close to a side or rear lot line than a permitted accessory building and shall be located on a durable maintenance free surface. They shall be set back no less than 10 (ten) ft. from the front line. A permit for storage pod must be obtained from the Construction Department pursuant to the conditions set forth hereunder. In the even the premises upon which such storage pod shall be located is leased, the tenant and property owner must make joint application for such permit.

A. Pods shall be permitted to be stored on a residential lot as follows:
   
   General: Storage pods shall be permitted under this category for general storage use. A permit shall be obtained from the Construction Department and may be issued for a period of up to, but not to exceed, three (3) months. Such pods shall be located in the driveway only, subject to the conditions set forth in 23-26.1, above. No flammable, explosive, toxic chemical, or inherently dangerous material shall be stored in a Pod.

   The fee for a General Storage Pod shall be $150.00 for three (3) months, or any part thereof.

B. Construction:

   A Construction Storage Pod may be obtained from the Construction Department under a construction category. The permit for such storage pod must be accompanied with a construction permit. In the event the premises is leased, both the tenant and the property owner must make a joint application for such permit. A construction storage pod permit shall be issued for a period of three (3) months or until the time a Certificate of Occupancy is issued by the Township of Bellville, whichever is shorter.

   In the discretion of the Construction Official, an additional extension may be granted for a period of up to six (6) months upon demonstration to the Construction Official that an objectively reasonable hardship exists, which hardship has resulted in a practical impossibility for the completion of construction such as an act of God, or municipal land use board pending application or approval. Extension shall not be granted for disputes between the contractor and the owner. The hardship extension period shall be $50.00 for such hardship.

   Construction storage pods shall be permitted on a residential lot only during renovations and/or construction and must be removed as a condition precedent to the issuance of a Certificate of Occupancy from the township of Belleville. A construction storage pod
shall be removed within two (2) weeks of the issuance of the Temporary Certificate of Occupancy. The two (2) week time period shall commence from the date of issuance of the Temporary Certificate of Occupancy. The homeowner shall notify the Construction Department when the storage pod has been removed. No flammable, explosive, toxic chemical, or inherently dangerous material shall be stored in a pod.

23-26.2 FAILURE TO COMPLY

Failure to comply with the provision of this ordinance shall constitute a nuisance, which may be abated by the Township pursuant to its statutory authorization under N.J.S.A. 40:48-2.13 and 40:48-2.13a.

This shall be in addition to any penalty to be imposed under this Chapter of the Municipal Code.

23-26.3 NOTICE OF VIOLATION OF ORDINANCE

A. The property owner or tenant, as outlined above, shall accomplish such removal or compliance, as the case may be, within 10 days after notice to remove or comply within such extended time period as may be granted by the investigating Township Official. Such extended time period shall be granted based on the substantive and exigent circumstances present in each case. However, in no case shall the extended time period exceed 30 calendar days beyond the date of the initial notice. In addition, no such extension shall be granted except upon the written request of the affected property owner or tenant stating, with specificity, the reasons why such an extension is sought, the remedial steps proposed by the property owner or tenant to eliminate the conditions identified in the notice and date certain by which such remediation shall take place.

B. In the event such removal or compliance, as outlined above, is not accomplished by the property owner or tenant to the satisfaction of the investigating Township Zoning Officer within 10 days of notice or any extended time period granted, that Township Zoning Officer, in his discretion, shall issue a summons to such property owner or tenant returnable before the Township Municipal Court for a violation of this Ordinance. The Township Municipal Prosecutor and the investigating Township Official shall prosecute the matter.

C. Penalties: Any person who violates any provision of this Chapter shall, upon conviction thereof in the Municipal Court, be punished by a fine not less than $100.00 nor more than $1,000.00 or by imprisonment for a term not exceeding 30 days for a first offense and not more than 90 days for a second offense, or both, or by a period of community service not exceeding 90 days. A separate offense deemed committed for each day during or in which a violation occurs or continues.
23-26.4 FAILURE TO REMOVE

If such removal or compliance does not occur because the owner or tenant has refused or neglected or otherwise determined not to remove or comply, despite the Notice of Violation warning set forth in Section A, the Township, itself, as an additional remedy, may seek to remove or obtain compliance by utilizing the procedures set forth in Section 23-26.5.

23-26.5 MUNICIPAL CIVIL REMEDY; SERVICE OF NOTICE AND PUBLIC HEARING

A. The township may proceed to remediate the condition itself after due process, as hereafter defined. It may authorize the investigating Township Official to effect removal or compliance subject to the “due process” procedure delineated herein.

B. The property owner or tenant shall be entitled to a hearing before the Township Council. Service, duly noticed, of this hearing shall be made upon such owner, lessor or its agent by the Township. This Service of Notice, provided to the owner, lessor, and adjacent property owners/tenants or their authorized agent, shall state the remediation action, which may be taken by the Township Council at that meeting.

C. In the event of an inability to serve the owner, lessor or agent, after reasonable effort, sufficient notice shall be deemed to have given if such notice is posted on the premises in a conspicuous place.

D. Within 14 days of receipt of this Service of Notice or any extension of the time granted hereto by the Township Council, a public hearing shall be held by the Township Council, at which time, after the presentation of evidence by the appropriate Township Official and the property owner/tenant, it may, if the evidence so warrants, adopt a resolution authorizing the remediation of the condition in accordance with Section 23-26.6 herein below.

23-26.6 Removal by Township: Certification of cost: Cost as Lien

A. The Township Manager or Construction Official or Zoning Officer shall oversee and direct the removal and compliance with the Ordinance. Such Township Official shall then certify the cost thereof to the Township Council, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said dwelling or lands.

B. The amount so charged shall forthwith become a lien upon such dwelling or lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such dwelling or lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.
### 23-3 Schedule of Regulations
#### Township of Belleville, NJ

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Families Per Acre (Density)</th>
<th>Minimum Lot Size</th>
<th>Minimum Yards (Feet)</th>
<th>Maximum Height</th>
<th>Maximum Impervious Surface Coverage</th>
<th>Minimum Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-A1 One Family</td>
<td>8</td>
<td>5,000 SQ. FT.</td>
<td>100 WIDTH FEET</td>
<td>20 REAR SIDE</td>
<td>5 each - 14 total</td>
<td>35%</td>
</tr>
<tr>
<td>R-A2 One Family</td>
<td>10</td>
<td>4,000 SQ. FT.</td>
<td>100 WIDTH FEET</td>
<td>20 REAR SIDE</td>
<td>4 each - 14 total</td>
<td>35%</td>
</tr>
<tr>
<td>R-B Two Family</td>
<td>12</td>
<td>5,000 SQ. FT.</td>
<td>100 WIDTH FEET</td>
<td>20 REAR SIDE</td>
<td>5 each - 14 total</td>
<td>30%</td>
</tr>
<tr>
<td>R-C Multi-Family</td>
<td>12</td>
<td>10,000 SQ. FT.</td>
<td>100 WIDTH FEET</td>
<td>25 REAR SIDE</td>
<td>15</td>
<td>25%</td>
</tr>
<tr>
<td>R-C Garden Apt.</td>
<td>12</td>
<td>35,000 SQ. FT.</td>
<td>200 WIDTH FEET</td>
<td>25 REAR SIDE</td>
<td>15</td>
<td>25%</td>
</tr>
<tr>
<td>B-A Neighborhood Retail</td>
<td>N/A</td>
<td>3,000 50</td>
<td>0 15 0 - 10 ft. if provided</td>
<td>50%</td>
<td>30</td>
<td>2 1/2</td>
</tr>
<tr>
<td>B-A Mixed Use</td>
<td>12</td>
<td>5,000 50</td>
<td>100 0 15 0 - 10 ft. if provided</td>
<td>50%</td>
<td>30</td>
<td>2 1/2</td>
</tr>
<tr>
<td>B-B General Business</td>
<td>N/A</td>
<td>3,000 40</td>
<td>75 0 15 0 - 10 ft. if provided</td>
<td>50%</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td>B-D Major Commercial</td>
<td>N/A</td>
<td>3,000 50</td>
<td>100 0 15 0 - 10 ft. if provided</td>
<td>50%</td>
<td>30</td>
<td>2 1/2</td>
</tr>
<tr>
<td>B-E Commercial Shopping Center</td>
<td>N/A</td>
<td>5 acres 200</td>
<td>35 35 35 35 0 - 10 ft. if provided</td>
<td>30%</td>
<td>30</td>
<td>2</td>
</tr>
<tr>
<td>B-F Planned Retail</td>
<td>N/A</td>
<td>5 acres 200</td>
<td>35 35 35 35 0 - 10 ft. if provided</td>
<td>30%</td>
<td>30</td>
<td>2</td>
</tr>
<tr>
<td>B-F Warehouse &amp; Manufacturing</td>
<td>N/A</td>
<td>5,000 50</td>
<td>100 15 15 5 0 - 10 ft. if provided</td>
<td>50%</td>
<td>40</td>
<td>3</td>
</tr>
<tr>
<td>I-B Industrial</td>
<td>N/A</td>
<td>5,000 50</td>
<td>100 15 15 5</td>
<td>50%</td>
<td>40</td>
<td>3</td>
</tr>
<tr>
<td>B-G Commercial/Residential Mixed Use</td>
<td>50</td>
<td>10,000 100</td>
<td>100 0 15 0-10 ft. if provided</td>
<td>100%</td>
<td>55</td>
<td>4</td>
</tr>
<tr>
<td>B-G Conditional</td>
<td>N/A</td>
<td>20,000 200</td>
<td>100 0, 25 ft. from curb to building façade 15 0-10 ft. if provided</td>
<td>90%</td>
<td>90</td>
<td>8</td>
</tr>
<tr>
<td>OS Open Space</td>
<td>N/A</td>
<td>0</td>
<td>0 0 0 0 0 0 10%</td>
<td>30</td>
<td>2 1/2</td>
<td>20%</td>
</tr>
</tbody>
</table>

R-DV As regulated by their respective redevelopment plans
PRD As regulated by Section 23-7.14

Notes:
1. Requirements for R-B, One Family, are the same as for R-A1 Zone
2. Requirements for R-C, One and Two Family, are the same as for similar uses in R-A/R-B Zones
3. Playgrounds in the OS, Open Space Zone District shall be exempt from maximum impervious surface coverage standard

*All uses shall provide area for a six foot wide sidewalk if no area exists within the right-of-way for a sidewalk.*