

ADDITIONAL AMENDMENTS

The following sections either contain minor changes or are recommended to be deleted. These sections are either being replaced with modern standards or would pose a conflict with new regulations if they remained unchanged.

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~~ *dwelling units*; 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.

(Remaining section text is unchanged)

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.~~

New construction of driveways such as exempted above, where the garage floor elevation is lower than the elevation of the edge of street pavement, is prohibited.

23-6.2 Reserved ~~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,~~ B-A 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 *the parking fund established within Section 23-6.25 if it is extended by the City Council to the project area* ~~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.

23-6.6 Off Premise Parking

Minimum parking spaces required by this section may *not* 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.~~ *Parking for a principal or accessory use outside the zone in which it is permitted shall require a use variance.*

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.~~

23-6.15 Reserved ~~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

- e. ~~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.~~

23-6.17 *Reserved* 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.~~

23-6.24 Driveway Access

Driveway a Access to off-street parking areas shall be limited to ***one two-way or two one-way*** ~~several~~ well defined ***driveway*** 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 twenty (20) feet as provided in RSIS.

All drive ways shall not utilize curb returns in their design. They shall instead continue the sidewalk across the driveway at the sidewalk elevation and utilize a driveway apron with a drop curb to maximize pedestrian safety.

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 Townhouse
B-A	Neighborhood Retail/ Residential
B-F	Planned Retail/Light Industrial
B-G	Commercial/Residential Mixed Use
I-B	Industrial
R-DV	Redevelopment
OS	Open Space
PRD	Planned Residential Development
VB-1	Valley Business 1
VB-2	Valley Business 2
SLH	Silver Lake Hospital
SLR	Silver Lake Residential
SLD	Silver Lake Special District

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 “Zoning Map, Belleville Township, NJ” dated May 15, 2019, which map is hereby annexed and adopted as a part of this chapter insofar as it indicates said designations, locations and boundaries.

23-3 SCHEDULE OF *DISTRICT* REGULATIONS

		Min Lot Size			Maximum	Minimum Setback			Max Height		
District	Dwelling Units/Acre	Area (sq. ft.)	Width (feet)	Depth (feet)	Front (feet)	Rear (feet)	Sides (feet)	Max Coverage	Feet	Stories	Min Open Space
SLR	N/A	-	-	-	10 ²	30	0 or 3 ¹	80%	35	3	20%
SLH	N/A	10,000	100	100	20	40	10	75%	110	9	25%

		Min Lot Size			Maximum	Minimum Setback				Max Height		
District	Dwelling Units/Acre	Area (sq. ft.)	Width (feet)	Depth (feet)	Front	Rear	Sides (feet)	Max Bldg. Coverage	Max Lot Coverage	Feet	Stories	Min Open Space
VB-1	N/A	5,000	50	100	15	15	5	-	100%	110	8	-
VB-2	N/A	5,000	50	100	15	15	5	-	80%	40	3	-
B-G	-	-	-	-	0 ⁴	15	0 or 10 ²	-	100%	80 or 110	6 or 8 ³	See building amenity & open space Requirements
B-A	-	-	-	-	0 ⁴	15	0 or 10 ²	-	100%	50	4	See building amenity & open space Requirements
R-B	-	3,500	35	100	20	20	5	-	75%	40	3	25%
R-C Townhouse	-	2,500	25	100	20	20	3 each side ⁵	80%	100%	50	3	Roof-top terrace required
R-C Duplex	-	5,000	50	100	20	25	5 each side	45%	80%	40	3	20%
R-C Triplex	-	7,500	75	100	20	25	5 each side	45%	80%	40	3	20%
R-C Multi Family	12	10,000	100	100	25	25	15		25%	40	3	35%
R-C Garden Apt	12	35,000	200	100	25	25	15		25%	40	3	35%

Table Notes:

- 1. Side yard setbacks may be 0, except where a window exists on an adjacent structure. In this case, the minimum side yard setback shall be 3 feet, with at least 1 foot of clearance on each side of the window.***
- 2. Minimum of 0 feet maximum of 10 feet***
- 3. 8 Stories with parking bonus, only on Corner Lots***
- 4. Maximum Front Yard is 0, however, up to 3 feet setback is required if needed to maintain prevailing sidewalk width***
- 5. Townhouses are permitted to be grouped at a maximum of 3 townhomes with 0 side yard setback, however each group shall require 3 feet on each side of the group.***

Further amend table to change the ***Maximum Lot Coverage for the R-A1, R-A2, and R-C to be 60%.***

23-5.1.1 Calculating Parking, Density, and other Zoning Requirements

When calculating the zoning requirements contained within this ordinance and the amount results in a fractional number the rules of mathematics shall apply. A fractional amount .5 or greater rounded would round up to one. Less than .5 would round down to zero.

23-5.2 Words and Terms

The following shall be added to Section 5.2, Words and Terms:

ADULT DAY CARE

A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

AGE-RESTRICTED HOUSING

Residential developments occupied by persons 55 years and older, but not including independent or semi-dependent congregate care and assisted living facilities, continuous care retirement communities, nursing homes and convalescent centers.

ARTIST'S LIVE/WORK STUDIO

The work space of a professional artist engaged primarily in acts of painting, sculpting, film production, musical production, or other artistic productions, which may also include an accessory residential dwelling unit used by the artist, and may include a gallery or showing space to exhibit the art produced in the studio.

ARTS STUDIO

A facility in which an artist produces art and/or where classes / private lessons in the arts, including but not limited to painting, sculpting, singing, and musical instrument instruction, are taught.

ASSISTED LIVING FACILITY

A multi-family residential facility designed for older adults which provides congregate dining and other services as needed, and licensed by the state.

AUTOMOTIVE/VEHICLE WASH

Any building or premises used for washing motor vehicles.

BREWERY

Any establishment engaged in the act of brewing any alcoholic beverage for sale and/or distribution to wholesalers, retailers, or consumption on the premises.

BREW PUB

A RESTAURANT that includes a BREWERY as an accessory use, and the alcoholic beverages produced are intended to be consumed on the premises, licensed in accordance with the State Alcoholic Beverage Law.

CLINIC

A facility providing medical, psychiatric, therapeutic, or surgical service for sick or injured persons exclusively on an out-patient basis, including immediate care, emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors.

CLINIC, MEDICAL OR DENTAL

A facility operated by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

DECK, ATTACHED

A structure within six feet of the main building that may or may not have railings or access to the ground, but does not contain walls or a roof.

DECK, ROOF

A structural platform located above the finished roof material of a building, always enclosed by a railing or balustrade defined by building code, accessed from below the roof, and designed to function as an outdoor patio or observation plat-form.

DECK, UNATTACHED

A structure six feet or more from the main building that may or may not have railings or access to the ground, but does not contain walls or a roof.

DISTILLERY

Any establishment engaged in the act of distilling any alcoholic beverage for sale and/or distribution to wholesalers, retailers, or consumption on the premises.

DUPLEX

A building designed as a single structure, containing two separate dwelling units, separated from one another by an unpierced wall extending from ground to roof, each of which has direct access to the outside. Each unit can be located on a separate lot.

GARDEN APARTMENT

A group of detached or attached apartment houses not more than two stories in height containing dwelling units, with each unit having its own cooking facilities.

GREEN ROOF

A roof covered with vegetation, designed for its aesthetic value and to optimize energy conservation.

INDOOR AGRICULTURE

Indoor farming is a method of growing crops or plants, usually on a large scale, entirely indoors. This method of farming often implements growing methods such as hydroponics and utilizes artificial lights to provide plants with the nutrients and light levels required for growth.

KITCHEN

Any room principally used, intended, or designed to be used for cooking or the preparation of food.

KITCHEN, SUMMER

A second kitchen in one (1) dwelling unit.

MAKER-SPACE

An OFFICE, CO-WORKING space in which the facilities provided for shared use by members may include equipment and tools for fabrication that are customary for machine shops, wood working shops, or other similar light industrial facilities.

METHADONE CLINIC

Clinic which has been established for the dispensing of methadone (Dolophine, Methadose). Methadone treatment is indicated in patients who are opioid dependent or have a history of opioid dependence.

OFFICE, FLEX SPACE

A space which provides flexibility in terms of its uses, and may include spaces which can be purposed as general office space, light industrial space for fabrication with tools or equipment that is limited to those which do not generate noise or pollutants beyond what is customary in a professional or business office environment, laboratory space, or other similar uses incorporated into one space or building, where such spaces can be readily used for different functions at different times. Such use may often include high bays and overhead garage doors not typical of traditional business or professional offices.

OFFICE, CO-WORKING

An office space which may contain desks and other work spaces and facilities intended for shared use by members.

PATIO

A level surfaced area directly adjacent to a principal building which has an average elevation of not more than 30 inches, and without walls or a roof. A patio may be constructed of any materials and intended for outdoor lounging, dining, and the like.

PERMANENT MAKE-UP SERVICES

Permanent makeup is a cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

PHARMACY/DRUG STORE/DISPENSERY

A business establishment where prescription medical drugs are prepared and sold at retail.

PHYSICAL FITNESS GYM/STUDIO

A facility that houses exercise equipment and space for the purposes of physical exercise as part of classes and/or for self-guided training.

RECREATION, INDOOR COMMERCIAL

An establishment providing completely enclosed recreation activities, including, but not limited to, coin-operated amusement devices, bowling alley, billiards, ice skating or roller rink, or sports and fitness training facilities.

REHABILITATION CENTER

Establishment providing physical therapy for muscular and skeletal rehabilitation and regeneration

RETAIL SALES

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including but not limited to such businesses as: a bakery, brewery, clothing store, gift shop, hardware store, liquor store, grocery store, butcher shop, pharmacy dispenser or other similar establishment.

RETAIL SERVICES

Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including but not limited to financial institutions and banks, repair shops, barber/beauty shops, tailors, furniture cleaning, laundry services, locksmith, pet grooming, or motion picture theater.

SIDEWALK

That portion of the public easement which lies between the building line and the curb.

STEPBACK

The distance the upper floors or portions of a building or structure are setback from the outermost edge of that building or structure as measured from its intersection with grade. Upper floors may be any floor above the ground floor.

SUBSTANCE ABUSE TREATMENT FACILITY

A facility for the purposes of temporary or long-term inpatient or out-patient treatment of persons for alcohol or drug use or addiction.

SIDEWALK CAFÉ

The use of partitioned sidewalk space beyond the building line to accommodate tables, chairs, and the serving of food and drink to patrons of a restaurant fronting on that space.

SIGN, MONUMENT

A two-sided sign attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts or similar uprights.

SIGN, MOON TUBING

Illuminated tubes which frame any portion of a glass front of a building or window

SIGN, BLADE

A blade sign is a sign projecting perpendicular to a building façade so that the sign surface is perpendicular to the normal flow of traffic pedestrian or vehicular. Blade signs may be attached to the building, or hanging from a pole perpendicular to the building or hanging from an awning or canopy. They shall project a maximum of 36 inches from the building and must be attached to the ground floor building area so that the base of the sign is at least 8 feet above the sidewalk. With a maximum area of 6.25 sq. ft. per side.

TOWNHOUSE

A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, extending from the foundation through the roof and having a totally exposed front and rear wall to be used for access, light, and ventilation. Each dwelling unit contains direct ground level access to the outdoors and is connected to the other dwelling units by a single party wall with no opening. Each units is located on an individual lot.

The following shall be amended in Section 5.2, Words and Terms:

BASEMENT

*Any portion of a building that is partly underground, having one –half or more of its floor to ceiling eight 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. A **basement shall not count as a story.***

~~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~~ *AUTOMOTIVE/VEHICLE SALES*

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 limited to 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,~~ *AUTOMOTIVE/VEHICLE BODY SHOP*

An establishment which primarily engages in the superficial and/or structural repair and painting

of damaged motor vehicles.

BUSINESS, *AUTOMOTIVE*/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 *motor vehicle washing*, 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.~~

~~DAY CARE FACILITY, ADULT~~

~~An approved and licensed facility to provide daily care for persons aged 60 and over.~~

~~EATING ESTABLISHMENT~~ *RESTAURANT*, 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~~ *RESTAURANT*, 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, in a 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.~~

GARAGE, AUTO BODY See – ***AUTOMOTIVE***/VEHICLE, BODY SHOP

HEALTH/ATHLETIC/PHYSICAL FITNESS SERVICE OR 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 ***long-term residential care*** facility for medical or convalescent care of patients or the elderly with full supervision and licensed by the State.

IMMEDIATE/***URGENT*** 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.

~~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.~~

~~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, PUBLIC LOT ***FACILITY***

An open area ***or structure***, 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.

~~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.~~

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 useable 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, *except as per the exemptions within the B-G and B-A Districts for permitted businesses within pre-existing buildings, as identified within the B-G and B-A District Standards*

[Delete Schedule of Minimum Parking Space Requirements and replace with the following table]:

<i>RESIDENTIAL PARKING REQUIREMENTS for the R-A, R-B and R-C Districts, PRD</i>	
<i>Residential only buildings 1st - 3rd bedroom</i>	<i>1 space per bedroom</i>
<i>Residential only buildings 4th bedroom and greater</i>	<i>.75 spaces per bedroom</i>
<i>Mixed-uses buildings, where dwelling units are above retail</i>	<i>Studio or 1-bedroom unit – 0.5 spaces per dwelling 2 bedroom unit – 1 space per unit 3 or more bedrooms – 1.5 spaces per unit</i>
<i>Nursing home/assisted living facility/convalescent home</i>	<i>.5 space per bed</i>

Table Notes:

- 1. For one and two family homes curb cuts can be extended to 20' to allow a driveway with tandem parking along the side of the house, (up to .5 feet from the side property line) in addition to the parking area in front of and in the garage.***
- 2. Tandem parking spaces within a driveway count toward the above residential parking requirement.***

<i>RESIDENTIAL PARKING REQUIREMENTS for the SLR District</i>	
<i>Lot Frontage 20 feet or less</i>	<i>0</i>
<i>Lot Frontage > 20 feet</i>	<i>.5 per dwelling unit</i>

Table Notes:

- 1. No off-street parking shall be required for the development of a one- two or three-family dwelling on any lot which is 20 feet in width or less.***
- 2. Tandem parking spaces within a driveway count toward the above residential parking requirement.***

<i>New Mixed Use building PARKING REQUIREMENTS within the B-A and B-G District</i>	
<i>Minimum for Residential dwelling unit</i>	<i>1 space per unit</i>
<i>Maximum for Residential dwelling unit</i>	<i>1.25 space per unit</i>
<i>Minimum for Ground Floor permitted retail/commercial uses</i>	<i>1 space per 800 sq. ft., after the first 500 sq. ft.</i>

Table Notes:

- 1. Tandem spaces within a garage shall count towards total requirement***
- 2. The above ground floor mixed-use parking requirements apply for all ground floor permitted uses within a residential mixed-use project.***

<i>NON-RESIDENTIAL PARKING REQUIREMENTS by use for all districts</i>	
<i>TYPE OF USE</i>	<i>MINIMUM PARKING SPACES</i>
<i>Auto/Vehicle Sales</i>	<i>1 space per 500 sq. ft. of sales area</i>
<i>Auto/Vehicle Repair facility</i>	<i>1 spaces per garage/work bay</i>
<i>Auto/Vehicle Service Station / Gas Station</i>	<i>1 space per pump island, plus retail sales parking for any ancillary convenience store</i>
<i>Auto/Vehicle Car Wash</i>	<i>1 space per 2 employees on maximum shift</i>
<i>Bar/Tavern</i>	<i>1 space per 4 seats</i>
<i>Brewpub/Brewery/Distillery</i>	<i>1 space per 500 sq. ft. of floor area dedicated for patron use, plus 1 space per 1,000 sq. ft. of floor area of production space</i>
<i>Day care facility</i>	<i>1 space per employee on maximum shift</i>
<i>Immediate/Urgent care facility</i>	<i>1 space per 250 sq. ft.</i>
<i>Restaurants (all types)</i>	<i>1 space per 4 seats</i>
<i>Hospital</i>	<i>1 space per bed, plus 0.5 spaces per employee on the maximum shift</i>
<i>Hotel/Motel/B&B/Guest House</i>	<i>1 space per guest room,</i>
<i>Instructional classes (dance, martial arts, yoga, or other similar uses)</i>	<i>1 space per 500 sq. ft.</i>
<i>Manufacturing , Light industrial facilities, research laboratories, lumber yards, and other similar uses</i>	<i>1 space per 1,500 sq. ft.</i>
<i>Office, General & Professional</i>	<i>1 space per 1,000 sq. ft.</i>
<i>Office, Medical</i>	<i>1 space per 500 sq. ft.</i>
<i>Places of Assembly (house of worship,</i>	<i>1 space per 4 seats or the equivalent of 1 space</i>

<i>theater, banquet hall, funeral parlor, clubhouse, or other similar use)</i>	<i>per 4 attendees</i>
<i>Recreation Uses, Indoor (bowling alley, shooting range, or similar uses)</i>	<i>1 space per 1,000 sq. ft. or 1.5 spaces per lane, whichever is greater</i>
<i>Recreation, Outdoor (athletic fields)</i>	<i>20 spaces per playing field</i>
<i>Retail Sales & Services</i>	<i>1 space per 800 sq. ft. of floor area devoted to customer sales after first 500 sq. ft.</i>
<i>Schools</i>	<i>1 space per classroom, plus compliance with public assembly, and office uses as appropriate</i>
<i>Warehouse / Storage facility</i>	<i>1 space per 2,000 sq. ft.</i>

Table Notes:

- 1. Unless otherwise noted, all parking requirements per square foot are for Gross Floor Area.*
- 2. Where a use is not specified in the table above, the parking requirement for the use which best approximates the proposed use, as determined by the Zoning Officer, shall be used to determine an appropriate requirement for off-street parking.*
- 3. The above individual use parking requirements apply for all new construction of permitted uses when they are not part of a residential mixed-use project.*

<i>OTHER VEHICULAR ACCESS REQUIREMENTS</i>	
<i>Jitney Service to PATH</i>	<i>Projects containing greater than 25 dwelling units or > 25,000 sq. ft. for non-residential floor area may be required to provide a pro-rate share of Jitney services as per a redevelopers agreement, if applicable.</i>
<i>Car Share Service</i>	<i>Every car share space provided within the project off-site parking area shall count as (3) parking spaces</i>
<i>Electric Charging Station</i>	<i>Low voltage station required for every project containing 50 or > parking spaces</i>

23-6.1.2 Ground Floor Retail Parking Exemption

Where a permitted use is proposed for the ground floor of a pre-existing mixed-use building in the B-G zoning district, or the B-A zoning district, no off-street parking shall be required for the replacement use. This exemption does not apply to additions or new construction.

23-6.7 Additional Regulations on Off-Street Parking for One, ~~and two~~, and three Family Dwellings

Notwithstanding any other requirements of this section, no front yard of a lot upon which is located a one, ~~or two~~, **or three** 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, except that motor vehicles may be parked in the front yard upon a driveway located next to a principal structure that extends from the R-O-W to the rear of the structure or an accessory detached garage.

In the case of corner lots, no side yard facing a street on a lot upon which is located a one, ~~or two~~ **or three** 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:

a. 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, up to .5 ft. from the side lot line ~~not closer than 3 feet from the side lot line~~ may be constructed. In no event shall the driveway width exceed 16 feet **for a two car driveway, and ten feet for a single car driveway.** ~~(10 feet)~~

b. 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 rear yard which on a corner lot 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~~ up to .5 ft. from the side lot line, may be constructed. In no event shall the driveway width exceed 16 feet **for a two car driveway, and ten feet for a single car driveway.** ~~(10 feet)~~

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

Curb cuts are subject to the following standards:

1. A curb cut for a 1 car garage shall not exceed 12 feet in length.
2. A curb cut for a 2 car garage shall not exceed 16 feet in length.
3. ~~In no case shall a curb cut exceed 20 feet in length.~~ **A curb cut for a side yard driveway shall not exceed 12 feet in length.**

4. *In instances where an attached garage driveway is adjacent to a side yard driveway, a curb cut increase may be permitted, but in no case shall a curb cut exceed 20 feet in length.*
- d. *Base elevation of the garage shall not be lower than the elevation of the adjacent sidewalk.*

23-6.25 Parking Fund Established

- a. The Township of Belleville shall establish a fund dedicated to the acquisition, development, expansion or capital repair of public and municipal parking facilities, traffic or transportation related capital projects, the providing or operation of transit facilities designed to reduce the reliance on private automobiles, programs to facilitate carpooling or ridesharing and creating a consistent street scape for all user groups utilizing all modes of transportation by introducing context-sensitive design elements at intersections and corridors such as parking meters, wayfinding signs, kiosks, trails, sidewalks, crosswalks, streets and similar improvements that connect users to public and municipal parking facilities through the township. The proceeds of such funds shall not be considered part of the municipal general fund.***
- b. The recent establishment and opening of the Silver Lake Light Rail Station has provided new mass transit opportunities for the Township residents and work force. The Township is implementing smart growth techniques and increasing development densities around the train station. The station also has the potential to lower the demand for private vehicular parking around the station. The Township seeks to test this area to permit a lower amount of required parking spaces associated with development within the Silver Lake District which is approximately within ¼ mile of the Light Rail Station.***
- c. Within a the Silver Lake Station district, with the exception of the Silver Lake Hospital District, a developer may satisfy the off-street parking requirements found elsewhere in this chapter by means of payment in lieu of construction of the parking spaces. Such as payment in lieu of construction shall be made to the Township's dedicated parking fund. The payment in Lieu of parking shall be \$15,000 per space. All parking associated with units that are deeded affordable per HUD for Essex County income standards for a minimum of 10 years shall pay 50% (\$7,500) of the fee per space. The funds collected shall be used only for improvements within the Silver Lake District.***
- d. In the future, the Township of Belleville shall also undertake a parking study to determine where demand is high and additional parking, transit and pedestrian services are needed for the areas within the B-G Zone located along the Washington Avenue commercial corridor for inclusion in the parking fund service area. If extended to the Washington Avenue Commercial Corridor, the funds collected from the Washington Avenue corridor shall only be used for improvements within the designated corridor area.***

§19-14.b.9. Where payment in lieu of construction of parking spaces is required in accordance with §23-6.25, all deposits to the Township's dedicated parking fund shall be made prior to the issuance of any certificate of occupancy.

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 Use 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~~ *specifically authorized in each zone*.
- 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).~~

23-7.3 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.~~ ***Schools (parochial/private/public).***

b. Permitted Accessory Use

1-10. *No change*

11. Home occupations.

c. Conditional Use

1. ~~Day care facility (adult/child).~~
2. ~~Public utility facilities.~~
3. ~~Accessory parking not on the same lot.~~
4. ~~Schools (parochial/private/public).~~

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.~~ ***Schools (parochial/private/public).***

b. Permitted Accessory Use

1-10. *No change*

11. Home occupations.

c. Conditional Use

1. ~~Day care facility (adult/child).~~
2. ~~Public utility facilities.~~
3. ~~Accessory parking not on the same lot.~~
4. ~~Schools (parochial/private/public).~~

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.~~ ***Three-family dwellings, not to exceed one (1) three-family dwelling on each lot.***

4. *Duplexes*

5. *Schools (parochial/private/public).*

b. Permitted Accessory Use

1-10. *No change*

11. *Home occupations.*

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.~~ ***Three-family dwellings.***
4. ~~Multi-family dwellings, garden apartments and townhouse dwelling units.~~
4. ***Townhouse dwelling units (multi units attached)***
5. ***Age-restricted housing.***
6. ***Assisted living facilities.***
7. ***Nursing homes.***
8. ***Schools (parochial/private/public).***
9. ***Day care facilities (adult/child)***
10. ***Indoor and outdoor recreational facilities.***
11. ***Houses of worship.***

b. Permitted Accessory Use

Any use, building or structure which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot as the principal use, building or structure it supports except as otherwise specified herein.

~~1-10.~~

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.~~

d. Prohibited Use

1. Any new development that is gated from the surrounding neighborhood of Belleville Township.

e. Area, Yard and Bulk Standards

See Schedule of District Regulations, Section 23-3

f. Required Development Layout

Many of the development parcels within this zone are large enough to build out the existing street grid of the Township. Where this capacity exists, the creation of new blocks that will mimic and connect into the prevailing pattern of the surrounding neighborhood are required. All new street and access roads shall seamlessly connect into other public R-O-Ws of Belleville. The new streets shall be at least 50' in width shall be constructed to accommodate easy vehicular and pedestrian access throughout the new R-C neighborhoods. They shall provide for thru traffic in both vehicular and pedestrian circulation and not dead-ends or culs-de-sac within the circulation design. These new streets shall comply with the Street Design Guidelines and requirements of the Township. They may remain privately owned, but shall be publicly accessible at all times.

23-7.7 Permitted in the B-A Zoning District

Delete all existing text in 23-7.7 and replace with the following:

Purpose

To use historically commercial nodes within the township to provide neighborhood commercial retail and services to the surrounding residential neighborhoods in a way that permits and preserves and traditional corner store character of the community and continues and maintains the pattern of ground floor retail with residences above.

a. Permitted Principal Uses

- 1. All retail sales and service uses EXCEPT those USES prohibited IN SECTION c below*
- 2. Restaurants*
- 3. Bars, Taverns*
- 4. Catering and banquet facilities*
- 5. Indoor commercial recreation facilities*
- 6. Day care facilities (adult/child)*
- 7. Arts studio*
- 8. Physical fitness gym / studio*
- 9. Educational class or school use*
- 10. Houses of worship.*
- 11. Public and private recreational uses*
- 12. Combination of all uses listed above*
- 13. Municipal off-street parking facilities (with ground floor retail)*
- 14. Mixed use residential and commercial building in accordance with the following:*
 - a. Ground Floor retail uses and/or restaurant uses*
 - b. The mixed-use building shall have retail stores along its entire street level frontage with the only interruption for lobby area or residential access.*
 - c. Residential and/or office uses shall be permitted and encouraged above the ground floor.*

b. Permitted Accessory Uses

- 1. All uses customarily associated with the principal uses including accessory physical components as listed below*
- 2. Canopy Awnings with supports connected to the building wall*
- 3. Max. 5 foot high Fence – provided it is not chain link and does not contain barbed or razor wire*
- 4. Signs*
- 5. Retaining Walls*
- 6. Multi-level garages provided they contain active ground floor retail or restaurant*

establishment along the street.

- 7. Surface parking ONLY if behind the principal building or in the side yard and screened with decorative fencing and a minimum of 5 feet of evergreen landscaping, as specified in paragraph h. Additional Parking Regulation, of this section.*

c. Prohibited Uses

- 1. Self-Storage*
- 2. Warehousing or any form of commercial use storage*
- 3. Heavy industrial uses*
- 4. Motels*
- 5. Auto and Body Repair*
- 6. Auto sales, auctions and dealerships,*
- 7. Truck, motorcycle or recreational vehicle sales, auctions and dealerships*
- 8. Used car storage lots*
- 9. Gas stations*
- 10. Restaurants with drive-in facilities*
- 11. Drive-up banks*
- 12. Drive-up pharmacies*
- 13. Clinics of any type*
- 14. Lumber yards, junk yards and other open air storage or sales facilities*
- 15. Strip Clubs/ Sex Shops/ Anything Directly related*
- 16. Surface Parking Lots as a principal use*

d. Building Bulk and Setback Requirements

(see SCHEDULE OF DISTRICT REGULATIONS TABLE Section 23-3)

e. Additional Requirements for Mixed Use Commercial Residential Buildings

1. Ground Floor (street level) Requirements

- (a) Minimum Ground Floor Retail – at least 25% to 30% of the ground floor area shall be utilized for permitted principal uses other than parking that are open to the public.*
- (b) Floor to ceiling height shall be at least 14 feet.*
- (c) The façade on the street frontage(s) and the frontage of any adjoining perpendicular street shall contain at least 65% glazing. Glazing shall be of clear non-tinted glass.*
- (d) A maximum of 10% of the glazing may be spandrel glass or tinted to screen as needed.*
- (e) Retail entrances shall be at street level.*

- (f) A mixed use building shall have retail sales and service establishments along its entire street level frontage with the only interruption for lobby area or residential access. Restaurants without drive through facilities are permitted.*
- (g) Minimum Residential Use Floor to Ceiling Height – 9 feet.*
- (h) Bedroom Mix/Distribution - For developments consisting of eight (8) or more dwelling units, a maximum of 25% shall be 2 or more bedroom units*
- (i) Unit Size - Minimum unit size 550 sq. ft.*

f. Building Amenities

Shall be provided as per Section 23-7.8 e.; B-G Building Amenities.

g. Façade Treatment, Materials, and Articulation

Shall be provided as per Section 23-7.8 f.; B-G Façade Treatment, Materials and Articulation.

h. Additional Parking Regulations

- 1. No off-street parking shall be permitted in a front yard within this district. Any off Street parking adjacent to or visible from a public street shall be screened from public view by a decorative metal fence with brick posts and the inclusion of hedge sized evergreen landscaping, which has a minimum height of three (3) feet.*
- 2. Permitted businesses operating within existing buildings within the B-A and B-G districts shall be EXEMPT from the parking standards found within Section 23-6.1 Parking Space Required.*

23-7.8 Permitted in the B-G Commercial Residential Mixed-Use Zone District

Delete all existing text in 23-7.8 and replace with the following:

a. Permitted Principal Uses

- 1. Business, professional and corporate offices.***
- 2. All retail sales and service uses EXCEPT those USES prohibited IN SECTION c below.***
- 3. Restaurants***
- 4. Bars, Taverns, Brewpub/Brewery/Distillery***
- 5. Catering and Banquet facilities***
- 6. Indoor commercial recreation facilities***
- 7. Dancing facilities***
- 8. Day care facilities (adult/child)***
- 9. Arts studio or gallery***
- 10. Physical fitness gym /studio***
- 11. Educational Class or School use***
- 12. Houses of worship***
- 13. Public and Private Recreational Uses***
- 14. Automobile/vehicle sales within an enclosed building only***
- 15. Municipal off-street parking facilities, surface parking or garage with ground floor retail.***
- 16. Combination of all uses listed above***
- 17. Mixed use residential and commercial building in accordance with the following:***
 - (a) Must contain Ground Floor retail sales and service uses, and/or restaurant uses, and/or all other uses listed as permitted above, except for business, professional, or corporate offices, Houses of Worship, catering and banquet facilities.***
 - (b) The mixed-use building shall have the permitted ground floor uses along its entire Washington Avenue, Franklin Street, and Belmont Avenue street level frontage with the only interruption for lobby area or residential access.***
 - (c) Residential and/or office uses shall be permitted and encouraged above the ground floor.***
 - (d) Mixed use buildings that do not contain the required permitted uses shall NOT be interpreted as a permitted use within this district.***

b. Permitted Accessory Use

- 1. All uses customarily associated with the principal uses including accessory physical components as listed below***
- 2. Canopy Awnings with supports connected to the building wall***

3. *Max. 5 foot high Fence – provided it is not chain link and does not contain barbed or razor wire*
4. *Signs*
5. *Retaining Walls*
6. *Multi-level garages – provided they contain active ground floor retail or restaurant establishment along the Washington Avenue, Franklin Street, and Belmont Avenue Frontage.*
7. *Surface parking ONLY if behind the principal building and not visible from the street.*

c. *Prohibited Uses*

1. *Self-Storage*
2. *Warehousing or any form of commercial use storage*
3. *Heavy industrial uses*
4. *Motels*
5. *Auto and Body Repair*
6. *Auto sales, auctions and dealerships, with outdoor vehicular storage*
7. *Truck, motorcycle or recreational vehicle sales, auctions and dealerships with outdoor vehicular storage, operating outside of a showroom*
8. *Used car storage lots*
9. *Gas stations*
10. *Restaurants with drive-in facilities*
11. *Drive-up banks*
12. *Drive-up pharmacies*
13. *Lumber yards, junk yards and other open air storage or sales facilities*
14. *Surface parking lots fronting on the Main Avenue*
15. *Strip Clubs/ Sex Shops/ Anything Directly related*

d. *Building Bulk and Setback Requirements*

(see SCHEDULE OF DISTRICT REGULATIONS TABLE Section 23-3)

e. *Additional Requirements for Mixed Use Commercial Residential Buildings*

1. *Ground Floor (street level) Requirements*

- (a) *Minimum Ground Floor Retail – at least 25% to 30% of the ground floor area shall be utilized for permitted principal uses other than parking that are open to the public.*
- (b) *Floor to ceiling height shall be at least 14 feet.*
- (c) *The façade on Washington Avenue, Franklin Street, and Belmont Avenue frontages and the frontage of any adjoining perpendicular street shall contain at least 75% glazing. Glazing shall be of clear non-tinted glass.*

- (d) A maximum of 10% of the glazing may be spandrel glass or tinted to screen as needed.*
- (e) Retail entrances shall be at street level.*
- (f) A mixed use building shall have retail sales and service establishments along its entire Washington Avenue, Franklin Street, and Belmont Avenue street level frontage with the only interruption for lobby area or residential access. Restaurants without drive through facilities are permitted.*
- (g) Minimum Residential Use Floor to Ceiling Height – 9 feet*
- (h) Bedroom Mix/Distribution - For developments consisting of eight (8) or more dwelling units, a maximum of 25% shall be 2 or more bedroom units*
- (i) Unit Size - Minimum unit size 550 s.f.*

f. Bonus for Additional Office Floor With Additional Parking

- 1. This Bonus shall be only available to Corner Sites or Sites with a Second Street Frontage in addition to Washington Avenue, Franklin Street, or Belmont Avenue.*
- 2. The maximum Height of the building is permitted to increase by 2 stories if one story will provide Offices uses and the second will provide parking that will be shared to support retail and provide commercial shoppers parking for the area. See 23-3 Schedule of District Regulations for the permitted stories and feet.*
- 3. Garage ingress or egress shall not be from Washington Avenue, Franklin Street, and Belmont Avenue.*

g. Building Amenities

- 1. All mixed use buildings shall be required to provide appropriate on-site recreation facilities for residents to use. Indoor shared amenity space shall be provided at a ratio of 10 square feet of interior amenity floor area per unit. Improved shared active outdoor terrace space shall be provided at a rate of 12 square feet of outdoor terrace floor area per unit.*
- 2. Indoor shared amenity space shall contain at a minimum, a club room with kitchen facilities for when tenants hold group events or host visitors, and a gym with fitness equipment. Other additional amenities such as a business center or toddler play area should be considered.*
- 3. Outdoor terrace shared amenity space shall contain, at a minimum, barbeque facilities, fire pit and outdoor tables, chairs and lounge seating.*
- 4. Projects containing greater than (20) twenty dwelling units shall incorporate a shared rooftop open space and a shared club room with kitchen facilities for larger group events serving the tenants. Other amenities such as gym, dog run, tot lot and business center should also be considered.*

h. Façade Treatment, Materials, and Articulation

1. *Ground garages adjacent to Washington Avenue, Franklin Street, and Belmont Avenue or any side street sharing frontage shall be wrapped by a permitted or accessory first floor use or the residential lobby. Any upper floor exposed garage or garage exposed on a non-wrapped, non-street frontage façade shall contain punched openings designed to maintain the look of the residential windows on the balance of the building. These openings shall also incorporate decorative screening, metal or grills to shield internal garage lighting.*
2. *All garages shall incorporate a decorative garage door that is consistent with building design that is electronically opened and immediately automatically closed unless opened by the traveling vehicle.*
3. *Garage ingress or egress shall not be from Washington Avenue, Franklin Street, and Belmont Avenue if alternative street frontage is available.*
4. *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. At a maximum curb cut of 20 feet.*
5. *All utilities' shall be interior to the building and fitted with remote readers where possible.*
6. *Where HVAC units are proposed for the roof, they shall be screened within the roof parapet or roof design.*
7. *All buildings shall be designed to be attractive from each vantage point and be consistent in their quality and finish on all elevations.*
8. *All buildings shall be designed to have a distinctive base, middle and top.*
9. *Buildings shall be designed using a color palette that complements the architectural context of the surrounding area.*
10. *The visual impact of any parking facilities, or other accessory utility structures shall be minimized and screened to the greatest extent feasible.*
11. *Blank or featureless walls shall be avoided.*
12. *High quality durable decorative materials shall be incorporated in to the ground floor façade along a public R-O-W.*
13. *Retail entrances shall be at street level and open directly onto the sidewalk*
14. *Primary exterior building materials shall be wood, brick, stone, Lath applied stucco, metal, glass, fiber cement planks, or other similarly durable and attractive materials. Aluminum siding, vinyl siding, concrete block, perma-stone, and EIFS or similar cementations concrete planks shall be prohibited.*
15. *No building shall have a wall with an uninterrupted length of more than 30 feet without including a change in the vertical plane of the facade. This may be achieved through any one or combination of the following:*
 - (a) *Pilasters, bay windows, building step-backs, and other façade recesses or projections.*

- (b) The step-back or projection shall be a minimum of 18 inches from the primary building façade.*
- (c) The changes in the building façade plane shall occur for the full height of the building, above the retail floor.*

16. All façade vents for air conditioning or heating units shall be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids. Vent grills shall be hidden behind decorative iron or metal work which complements the style of the building.

17. All retail and restaurant ground floor tenant spaces shall be serviced by a ventilation shaft thru the roof of the building and not over the retail window transom.

18. Where the foundation of a building is exposed, it shall be covered with decorative material. Foundation plantings may also be incorporated between the building and the sidewalk or decorative planters may be utilized to accent the sidewalk and building.

i. Affordable Housing

The minimum percentage of affordable units for residential developments shall be in accordance with the following:

<i>Total Number of Units</i>	<i>Minimum % of Affordable Units</i>
<i>10 and under</i>	<i>0%</i>
<i>11- 50</i>	<i>10%</i>
<i>51 or more</i>	<i>15 %</i>

With the approval of the Planning Board, the applicant can provide an in-lieu payment of \$25,000 for each required affordable housing unit.

j. Additional Parking Regulations

- 1. No off-street parking shall be permitted in a front yard within this district. Any off Street parking adjacent to or visible from a public street shall be screened from public view by a 4 ft. high decorative metal fence with brick posts and the inclusion of hedge sized evergreen landscaping, which has a minimum height of three (3) feet at planting.*
- 2. Permitted businesses operating within existing buildings within the B-A and B-G districts shall be EXEMPT from the parking standards found within Section 23-6.1 Parking Space Required.*
- 3. Driveways shall be minimal in size and frequency so as not to hinder the pedestrian shopping experience of the district.*

23-7.9 Silver Lake District Design Standards

These design standards shall apply to all development within the Silver Lake special District and are intended to unify the area and insure future development is consistent with its unique character and development pattern.

a. Architectural, façade and design standards applicable to all zones in the district.

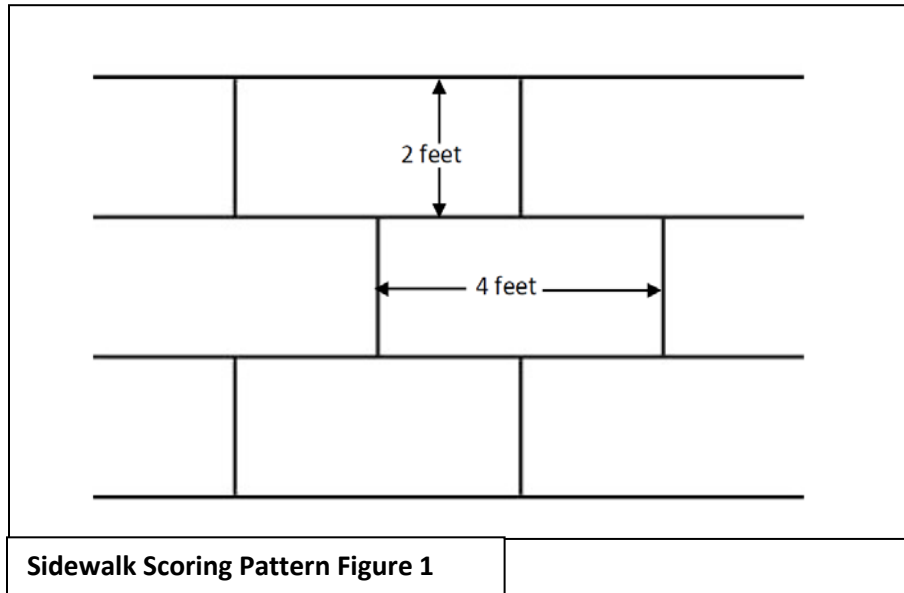
- 1. Front façade design shall be consistent with the design and architecture of proximate mid-century and historic resources within the Township of Belleville with an emphasis on compatibility with late nineteenth century architectural proportions and architectural detail of the Silver Lake District traditional neighborhood character.*
- 2. Front façade must be primarily brick of a historically appropriate color and size to be consistent with other homes on the block. The remainder of the front facade must be constructed of stone, cast stone, decorative metal, slate or simulated slate shingles, tile, terra cotta or other similar and appropriate materials in an appropriate manner. The use of polyurethane, vinyl, asphalt or Aluminum siding, concrete block, perma-stone, and EIFS or similar cementations concrete panels shall be prohibited.*
- 3. Street fronting building facades shall be broken down in scale by dividing the façade into smaller sections to resemble the typical of traditional development patterns with an emphasis on vertical proportions.*
- 4. Window, door, garage, entrance, lintel, and sill sizes, proportions, and materials must be consistent with those found on this block and in compatible township resources of note within the district. Windows shall be simulated double or single hung, although casement windows may be permitted where appropriate to the style of the building as an accent, and be consistent with the vertical proportion of windows typical of the resources in the District's vernacular architecture and set in 4" (one brick width) from the face of the brick facade.*
- 5. Where a garages are proposed, a single 12-14' wide decorative carriage house style garage door is permitted. The garage door must be partly glazed at the top and have a vertical proportion.*
- 6. Period appropriate decorative mounted light fixtures are required at main entry and garage entry.*
- 7. An entry stoop is required with stone or metal railings consistent with other railings in the District. Cast, wrought iron or mild steal shall be used for railings, fences and gates along the street frontage. The use of tubular steel for fencing and rails is prohibited.*
- 8. Bay windows or oriels are encouraged on each street facade and shall project a maximum of 36" beyond the building face. Bays shall be constructed of brick, stone and or cast stone decorative metal panels on a masonry base of stone cast stone or brick. Oriels shall be constructed of decorative metal paneling. Metal facing and roofing above the first floor shall be permitted on oriels.*

9. *Front landscaping and stoops may project into the right-of-way to align with stoops, porches and/or other front yard landscaping found on the block and curbed of a minimum of four inches high and four inches wide.*
10. *A building base shall be clearly defined at the first floor level, using an appropriate design methodology such as an alternating brick pattern, shape, style, coursing and/or color and/or a variety of materials such as stone, cast stone and decorative window heads and sills.*
11. *Floors 2 and above shall have an appropriate rich texture of brick using different patterns, shapes, colors mortar joints and coursing with decorative window heads and sills. The use of stone, cast stone and tile as design elements is permitted.*
12. *The rooflines shall be clearly defined through the use of decorative cornice lines, detailed brick work, mansard roofs with slate or simulated slate, gables of brick or stone, and dormers with brick, stone or metal detailing and cornices of metal, fiberglass or another appropriate and durable substitute.*
13. *All doors and framing elements must be wood, have a glazing component, and may not be solid. The use of double doors, sidelights, transoms, pilasters, panels, styles and rails and/ or entablatures, etc. in order to emphasize the importance of residential entryways is required.*
14. *All windows opening into a garage must be glazed and include the same treatments as applied to residential windows, such as lintels, sills, simulated divided lights, muntins, mullions etc. However the use of decorative, textured, stained, tinted, or etched glass must be utilized.*
15. *All architectural design of buildings in this area shall be consistent with historic design idioms, principals and proportions as demonstrated by residential historic resources in the approximate area within the Silver Lake District.*
16. *All buildings with a commercial first floor must include a cornice or decorative element above the first floor. Commercial first floors must be 12 feet floor to ceiling within the first 30 feet from the street facade, and include at least 75% glazing which must begin at no more than 18 inches above the sidewalk level.*
17. *All security gates must be inside any glass windows.*
18. *Signs must conform to the Silver Lake District standards.*
19. *All facade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids. Vent grills shall be hidden behind decorative iron or metal work which complements the style of the building.*

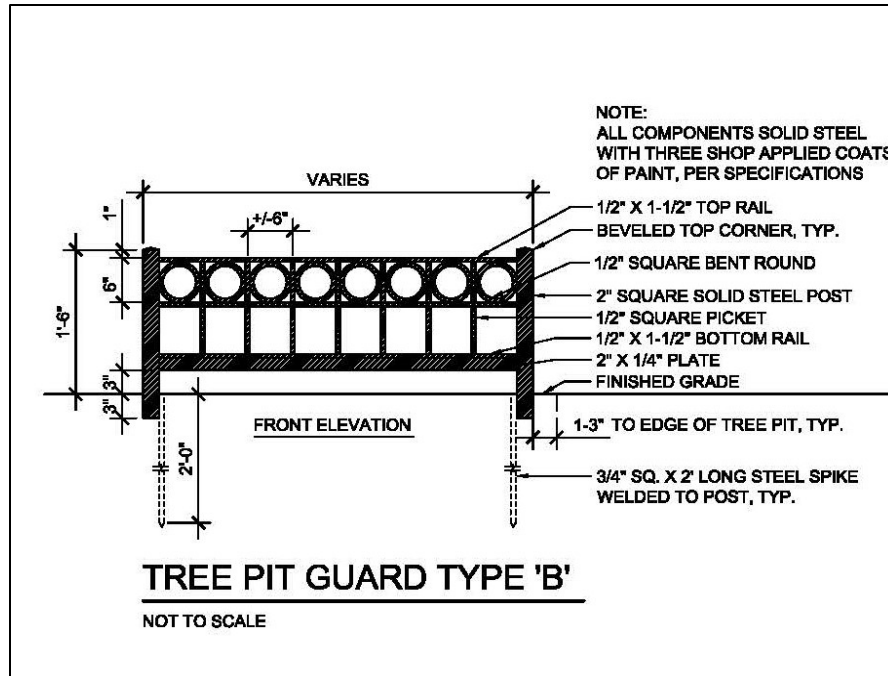
b. Landscaping and Streetscape Standards:

1. *Sidewalks with a minimum width of 8 feet shall be provided along the frontage of all streets.*

2. *The texture of the concrete shall be made smooth with a wood float in order to create a texture more like blue stone. The sidewalk should cure without fine finishing and lines should be scored without edging, using saw cut joints.*
3. *The scoring pattern shall be 2 feet x 4 feet. The tree pits shall be 4 feet by 4 feet surrounded by a tree guard. Requirements are illustrated in Figure 1 and Figure 2.*



4. *Street trees shall be provided along the frontage of all streets. Street trees shall have a maximum spacing of 30 feet on center.*
5. *Tree Pit Dimension: 4 feet x 4 feet with tree guards*
6. *Tree guard shall be:*
 - a. *Stand at a minimum of 12 inches to a maximum of 18 inches tall to the top rail.*
 - b. *Made of black metal (wrought iron, steel or aluminum)*
 - c. *Three sided, with the curb side open*
 - d. *Set back at least 8 inches from the curb.*
 - e. *Open around the perimeter. Nothing solid is allowed around the base of the tree guard. This includes solid metal lips around the perimeter of the tree guard, plastic liners, bricks or concrete walls.*
 - f. *Have no sharp points*
 - g. *Be fastened into the soil with stakes and not concrete*
 - h. *Be anchored inside the bed not to the sidewalk*
 - i. *Stand at a minimum of 12 inches to a maximum of 18 inches tall to the top rail.*



Tree Guard Figure 2

7. *At least 20 percent of every lot shall be landscaped with plants that are native, non-invasive, and proven drought resistant in an urban environment.*
8. *Within the required landscape strip, period appropriate street lights shall be included, with a maximum light fixture height of 14 feet.*
9. *Street light fixtures shall be spaced in between street trees to minimize conflicts between trees and lighting of the sidewalk and street areas.*
10. *Street light fixtures shall be a Capital Luminaire fixture, with a Classic I pole and Base, as provided by PSEG.*



11. *No standard cobra-head light fixtures shall be permitted.*

c. Driveway Design Standards:

- 1. Driveways and parking spaces shall be constructed of pervious paving materials. The following materials shall be considered acceptable such as:*
 - (a) Interlocking concrete blocks*
 - (b) Permeable pavers*
 - (c) Open-celled pavers*
 - (d) Porous pavement, concrete, or asphalt*
 - (e) Stone dust*
 - (f) Any other material deemed appropriate by the Planning or Zoning Board at the time of approval, except that loose pavers shall not be permitted*
- 2. Buildings with attached garages cannot be setback a distance that would allow a car to be parked in front of the garage.*
- 3. Any garage door shall be designed to mimic the character of a carriage house door.*
- 4. Where a lot has frontage on more than one street, any curb cut and driveway shall be located along the frontage which is the functional side yard of the corner lot or rear yard for a thru lot.*
- 5. No more than one curb cut shall be permitted.*

23-7.10 Permitted in the ~~B-D Zoning~~ Silver Lake Residential District (SLR)

Delete all existing text in 23-7.10 and replace with the following:

a. Purpose:

Purpose: The purpose of this district is to provide development regulations contextual to the existing predominantly two- to three-story multifamily neighborhood. Moreover, the intent of the zoning regulations are to protect the historically low-rise nature of the neighborhood from inappropriate infill such as: buildings greater than (3) three stories, front yard parking, and ground floor garages on small lots.

b. Permitted Principal Uses

- 1. Single-family dwellings*
- 2. Two-family dwellings*
- 3. Three-family dwellings*
- 4. Townhouse dwellings*
- 5. Parks and playgrounds*
- 6. Artist live/work studios*
- 7. Schools (parochial/private/public)*

c. Permitted Accessory Uses:

- 1. Fences*
- 2. Walls*
- 3. Flags and banners*
- 4. Home occupations*
- 5. Any use that is customarily incidental and accessory to the principal use.*

d. Other Requirements:

- 1. Any lot legally existing at the time of adoption of this ordinance shall be considered to be a conforming lot in terms of minimum lot area, width, and depth.*
- 2. Roof-top decks shall be permitted, but must be setback a minimum of five (5) feet from the front of the building.*
- 3. No off-street parking shall be required for the development of a single-family, two family or three family dwelling on any lot which is 20 feet in width or less. As per table note #1 of “residential parking requirements for the SLR District” in ordinance 23-6.1 (Parking Space Required)*

e. Design Standards:

1. Architectural design standards

- (a) Buildings shall be designed to present a harmonious appearance with adjacent structures in terms of the architectural forms and styles found within the Silver Lake District. Appropriate forms and styles include:*

i. Forms:

- *Four square* - A simple box form of house in which the primary plan of the house is organized as four square rooms which create a larger square shape. The four square typically has a gabled or hipped roof.
- *Townhouse/row house* - A simple linear box form of house in which the primary plan of the house is organized to have significantly greater depth than width, and share common party walls with adjacent structures to form a row of houses.
- *Garrison* - A form of house with a gabled roof and where the second story of the structure projects approximately 2 feet beyond the ground floor on the front faced.
- *Bungalow* - A narrow and deep, low form of house with a low pitched gabled or hipped roof, and where the second level of the house is considerably smaller than the ground level.

ii. *Styles - Vernacular expressions of any of the following:*

- *Italianate* - Two or three stories with a low-pitched hipped roof with widely overhanging eaves having decorative brackets beneath the eaves. Windows are tall and narrow, and are commonly arched on upper floors and may have elaborate crowns at the keystone or point of the arch.
- *Italian Renaissance* - Very similar to Italianate, multi-story structure with low pitched hipped roof with wide overhanging eaves supported by decorative brackets. Prominent entry area is accentuated by columns or pilasters. Entry may be recessed or projecting from structure. Upper story windows are typically smaller than lower story windows.
- *Craftsman/Arts & Crafts* - Low pitched gabled roof with wide unenclosed overhanging eaves leaving rafters exposed. Decorative beams or bracing is typical underneath the front gable. Front porches are deep, and are supported by massive oversized columns. Smaller windows are frequently grouped together.
- *Prairie* - Characterized by low pitched hipped roofs with wide overhanging eaves. Strong emphasis on horizontal lines on the front façade of the building. Upper stories are often differentiated by a different façade material. Windows are frequently grouped. Front porches are common, and include oversized columns to support any overhangs.
- *Colonial Revival* - Features typically include an accentuated front door with an elaborate and prominent gabled porch entry way, windows are paired and symmetrically balanced. Roofs are gabled or hipped, and are low pitched and include simple symmetrical dormer windows.

- *21st Century Modern - Sleek application of natural façade materials, such as concert, stone and/or metal combined with glass forming geometric shapes, with minimalistic lines. Typically characterized by incorporating feature(s) such as; orthogonal boxes, an accent corner with slightly askew angles, roof lines with segmental vaults, and découpage incorporating different materials on a slightly different plane.*

Design and style examples appropriate for this district are provided in the “Silver Lake Residential District Design Style Booklet,” dated May 2019 and made a part of this ordinance by reference and included as an attachment of the ordinance text.

Reference Note: Photograph and Diagram source:

A Field Guide to American Houses, by Virginia Savage McAlester and Lee McAlester, Published by Knopf, May 12, 1984.

A Field Guide to American Houses (Revised): The Definitive Guide to Identifying and Understanding America's Domestic Architecture, by Virginia Savage McAlester, Published by Knopf, November 10, 2015.

- (b) The front façade of any building shall incorporate a high quality material to support the design theme such as brick, stone or non-standard Concrete Masonry Unit (CMU) sized composite stone, stucco, wood siding, decorative metal, slate, or simulated slate shingles, terra cotta, or similar materials.*
- (c) Exterior finish materials such as any CMU block, split faced scored, rusticated block, rusticated, etc., vinyl siding, EIFS, or cementitious panels shall not be permitted on the façade of a building.*
- (d) Where a flat roof is proposed, the top of the front façade of the building shall incorporate a decorative cornice of at least 12 inches in height.*
- (e) Windows shall be vertically proportioned, however windows may be grouped in order to create a horizontal composition.*
- (f) Stoops and porches shall be incorporated into the building frontage.*
- (g) Windows on the first floor shall be separated from the sidewalk by at least three feet of foundation hedge sized evergreen landscaping and a decorative metal fence of at least 48 inches in height.*

2. Landscaping and Streetscape Standards:

- i. Comply with 23-7.9 Silver Lake District Design Standards, Landscaping and Streetscape Standards.*

23-7.11 Permitted in the ~~B-E Zoning~~ Silver Lake Hospital District (SLH)

Delete all existing text in 23-7.11 and replace with the following:

a. Purpose:

The purpose of this zone is to provide for the continued growth and development of the hospital and its support facilities in a manner compatible with the surrounding Silver Lake residential neighborhood. Hospital facilities shall be designed within the capacity of the infrastructure necessary to support such operations. The provisions of this zone permit hospital facilities and typical ancillary accessory uses, which are supportive of the primary hospital facility.

b. Permitted Principal Use

- 1. Hospitals*
- 2. Clinic*
- 3. Clinic, medical or dental*
- 4. Pain clinic*
- 5. Substance abuse treatment facility*
- 6. Immediate/urgent care facilities*
- 7. Drug treatment facility*
- 8. Business offices*
- 9. Laboratory, research/design*
- 10. Governmental uses*
- 11. School,*
- 12. Adult day care facilities*
- 13. Convalescent/nursing home*
- 14. Assisted living facility*
- 15. Health/athletic/physical fitness service or club*
- 16. Recreation facilities*
- 17. Pharmacy or other medical related service*
- 18. Restaurant*
- 19. Restaurant, carry out/walk up*
- 20. Restaurant, fast food*
- 21. Any combination of the above listed uses within a mixed use building*
- 22. Public utility facilities*

c. Permitted Accessory Use

- 1. Signs*
- 2. Fences*
- 3. Retaining walls*
- 4. Off-street parking facilities*
- 5. Any use that is customarily incidental and subordinate to the principal use*

d. Additional Requirements:

- 1. All applications for new construction, or building additions which propose to construct greater than 20,000 square feet of new floor area of non-residential space,*

- shall incorporate a publicly accessible plaza or green space which has a minimum area of 5,000 square feet.*
- 2. This required plaza or green space must have a minimum of 25 feet of frontage along a public street.*
 - 3. The plaza or green space must incorporate seating and decorative landscaping, and areas of sun and shade.*

e. Design Standards:

1. Architectural Standards

- i. The architectural treatment of shall be designed to be consistent and compatible with the surrounding context of the Silver Lake district of the Township. *
- ii. All buildings shall contain a base, middle and top and be visually attractive on all facades and from all vantage points*
- iii. The façade of any building shall be composed of brick, non-CMU sized composite stone, stucco, wood siding, glass, decorative metal, slate, or simulated slate shingles, terra cotta, or similar materials.*
- iv. Exterior finish materials such as CMU block of any type, vinyl or aluminum siding, EIFS, cementations panels or asphalt shingles shall not be permitted*
- v. Buildings shall be designed so that any façade with a width of greater than 100 feet shall be broken down by dividing the façade into vertical bays, each of which shall have a width of no greater than 30 feet.*
 - (a) The vertical bays of the building shall be offset from one another by a by a change in the vertical plane of the façade by a minimum distance of 12 inches.*
 - (b) The change in the vertical plane of the building for each bay must occur over a minimum of 50 percent of the building façade of that portion of the building.*
- vi. Ground floors of buildings shall have at minimum 65 percent of the façade devoted to transparent glazing.*
- vii. Upper floors of buildings shall have at minimum 25 percent of the façade devoted to transparent glazing.*
- viii. Buildings shall have roofs that are either flat, or shallow pitched gables or hips.*
- ix. Windows shall be vertically proportioned*

2. Landscaping and Streetscape Standards:

- i. Comply with 23-7.9 Silver Lake District Design Standards, Landscaping and Streetscape Standards.*

- ii. The street light poles shall be permitted to incorporate rectangular banners promoting Belleville Community, business and hospital events.*

3. Parking Standards

- i. No more than one curb cut and driveway apron shall be permitted for every 1,000 feet of street frontage.*

23-7.12 Permitted in the VB-1 Zoning District

Delete all existing text in 23-7.12 and replace with the following:

a. Purpose:

The intent of the Valley Business 1 (VB-1) district is situated closer to and adjacent to the Washington Avenue corridor. Its location, with immediate access to this commercial corridor, makes it especially suitable to provide for flexible spaces to meet the needs of modern businesses and industries. Uses permitted within this zone contain the characteristics of both traditional commercial and semi-industrial operations, while also serving as an economic development zone to complement the businesses nearby on Washington Avenue. Such uses include but are not limited to artisanal manufacturing, research and development, opportunities for demonstration projects, craft manufacturing, and light fabrication.

b. Permitted Principal Use

- 1. All such uses including, but not limited to, artisanal manufacturing, research and development, opportunities for demonstration projects, craft manufacturing, light fabrication.*
- 2. Indoor/outdoor greenhouse/growing facilities*
- 3. Health/athletic/fitness facilities*
- 4. Laboratory, research and design*
- 5. Laundry, commercial*
- 6. Massage parlor*
- 7. Nursery, horticulture*
- 8. Indoor commercial recreation facility.*
- 9. Outdoor recreation*
- 10. School, business*
- 11. Brewery*
- 12. Brew pub*
- 13. Distillery*
- 14. Maker-space*
- 15. Office, business*
- 16. Office, flex space*
- 17. Office, co-working*
- 18. Artist's live/work studio*
- 19. Permanent make up*
- 20. Municipal off-street parking facilities*
- 21. Restaurants*
- 22. Restaurant, fast food*
- 23. Restaurant, carry out/walk up*
- 24. Bar/Tavern*

25. Automobile/vehicle sales within an enclosed building

26. Public utility facilities

c. Permitted Accessory Use

1. Signs

2. Fences

3. Retaining walls.

4. Any use which is customarily incidental and subordinate to the principal use.

d. Additional Requirements:

1. All buildings shall have their primary entrances and facades facing the public street.

23-7.13 Permitted in the VB-2 Zoning District

Delete all existing text in 23-7.13 and replace with the following:

a. Purpose

The purpose of the Valley Business 2 (VB-2) District is to allow for the development of light industrial facilities and flexible business spaces which may not be compatible with pedestrian oriented business and residential districts due to the heavy truck delivery and truck traffic that is associated with these uses. This district shall permit all uses permitted in VB-1 but also permit warehousing, auto related uses and light manufacturing.

b. Permitted Principal Use

1. Any use permitted in the VB-1 district as a principal use

2. Warehousing

3. Light industrial uses

4. Funeral parlor and mortuaries

5. Garage, commercial

6. Construction business.

7. Automotive/vehicle sales

8. Automotive/vehicle body shop.

9. Automotive/vehicle service station.

10. Automotive/vehicle wash.

11. Public utility facilities

12. Indoor shooting range

c. Permitted Accessory Use

1. Signs

2. Fences

3. Retaining walls.

4. Any use which is customarily incidental and subordinate to the principal use.

23-8 ~~CONDITIONAL USES~~ ADDITIONAL BULK REGULATIONS FOR SPECIFIC USES

23-8.1 ~~General Standards for All Conditional Uses~~ Three-Family Dwellings

A third dwelling unit is permitted in a two-family dwelling in the R-B, R-C, and SLR Districts. It may also be permitted over a detached garage as a free standing carriage house provided that the principal lot is greater than 7,500 sq. ft. in size and that these third units conform to the New Jersey Uniform Construction Code and provide adequate window egress for bedrooms.

23-8.2A ~~SITE PLAN APPROVAL REQUIRED~~ Sidewalk Café

a. Definitions.

As used in this article, the following terms shall have the meanings indicated:

FOOD SERVICE ESTABLISHMENT - *A facility established primarily for the service of food and drink which shall include restaurants of all classes, bakeries, ice cream parlors, taverns and delicatessens.*

SIDEWALK - *That portion of the public easement which lies between the building line and the curb.*

SIDEWALK CAFÉ - *The use of partitioned sidewalk space beyond the building line to accommodate tables, chairs, and the serving of food and drink to patrons of a restaurant fronting on that space.*

b. Operation of a Sidewalk Café; Projection into sidewalks

- 1. No person may operate a sidewalk café without obtaining a license from the Department of Building and Construction pursuant to the procedures provided for herein.*
- 2. No sidewalk café shall be permitted to project into a sidewalk more than half the width of said sidewalk, but only to a maximum of ten (10) feet. In no case shall it extend so far as to leave less than six (6) feet for pedestrian traffic.*
- 3. Prior to the issuance of a license, a Department of Building and Construction inspector will visit and measure the site, take photographs and gather such information as is necessary to fully inform the Departments as set forth herein.*
- 4. Pop-Up Exemption – Outdoor café space located on Belmont Avenue and Newark Avenue may opt to request the creation of a seasonal 1 or 2 parking space sized café seating area. This shall permit temporary use of the parking area in accordance with the requirements outlined in the café seating regulations and licensing identified below and also the requirements outlined in Section 23-8.2B Pop-Up Park Development Requirements.*

c. Permitted location

- 1. Sidewalk cafés shall only be permitted in front of a food service establishment that is permitted under the Township's zoning ordinances. Food service establishments seeking to expand a prior nonconforming use shall be required to obtain the appropriate variance from the Belleville Township Zoning Board of Adjustment. In those situations where a food service establishment is located on a corner, both street frontage sidewalk areas fronting the food service establishment may be used for the sidewalk café.**
- 2. All sidewalk cafés shall comply with the following regulations:**
 - (a) The sidewalk café area shall be partitioned by a three-sided, movable structure separating the sidewalk café from the public portion of the sidewalk, and which is no less than 30 inches in height and no more than 36 inches in height, providing one opening for entrance and exit which is no less than 42 inches in width and no more than 60 inches in width, and whose boundaries allow patrons and pedestrians to clearly ascertain the entrance and exit to the sidewalk café area.**
 - (b) All fence partitions shall be secured in place by means of drilling holes in the sidewalk for the insertion of fence partition posts so as to prevent encroachment of the pedestrian right-of-way.**
 - (c) All fence partitions shall be removed and all sidewalk holes shall be capped at the end of each business day and whenever the café is not in use.**
 - (d) In the Silver Lake Special District, the movable structures described herein shall be in keeping with the style of the building, District design guidelines and surrounding resources. The use of traditional fencing materials such as iron, steel, or other metals, in traditional forms, is encouraged. All partitions must be topped with a horizontal rail with no projections above it.**
 - (e) The sidewalk café may have an overhead covering consisting of either an individual umbrella over each table or a retractable awning covering all tables and chairs, and no part of the covering shall project over the partition or railing into the public sidewalk area; and umbrellas must be of sufficient height to allow free passage under them.**
 - (f) Alcoholic beverages, when permitted under this article, shall not be served or consumed on any sidewalk or any other public area which is outside the partitioned area of the sidewalk café.**
 - (g) All areas comprising the sidewalk café, including tables and chairs, shall remain clean and orderly at all times.**
 - (h) The number of patrons served in the sidewalk café shall be limited to the maximum number indicated on the sidewalk café permit. No persons other than those being served and restaurant personnel shall be within the sidewalk café area except for those persons passing through the sidewalk café area to enter or exit the restaurant proper.**

- (i) *No planters, flower boxes, menu stands and/or other decorative items are allowed to protrude outside the partition area in order to keep clear the pedestrian right-of-way.*
- (j) *No audio speakers may be placed outside of the food service establishment.*
- (k) *No advertising signs, banners, or menus shall be placed (on), draped, or attached to the fence partition.*

d. Permitted months and hours of operation

Operation of sidewalk cafés shall be permitted from March 15 through November 30 inclusive, or on any day December 1 through March 14 that the temperature rises above 55 degrees Fahrenheit. The hours of operation of sidewalk cafés shall be between 8:00 a.m. and 10:00 p.m., Sunday through Wednesday; 8:00 a.m. and 11:00 p.m., Thursday; and between 8:00 a.m. and 12:00 a.m., Friday and Saturday, except that no alcoholic beverages, when permitted under this article, shall be served in a sidewalk café before 12:00 p.m. on any day.

e. License fee, term, maximum number of patrons, and application; approvals required; revocation; closure; hearing.

f. The annual license fee for a sidewalk café shall be as provided:

- 1. All licenses shall be renewable no later than March 31 of each year.*
- 2. The license shall indicate the maximum number of patrons to be served in the sidewalk café.*
- 3. The Department of Building and Construction Code shall issue such license upon duly presented the application, together with plans and specifications detailing the sidewalk café area to be licensed, including number of patrons to be served, and adherence to all conditions set forth in this article as well as all applicable city and state laws and regulations.*

g. The Township, through its duly authorized agent, shall revoke the license of any sidewalk café licensee who, upon the expiration of five days after receipt of notice from the Township or its agents of a violation of municipal or state law or any of the requirements set forth in this article, fails to cure the violation.

h. The Township may require the immediate closure and removal of all sidewalk cafés or other projections or encumbrances upon any street, sidewalk or public easement which are improperly constructed or maintained, or which otherwise create a hazard to the public.

i. Enforcement

- 1. The Department of Building and Construction Code shall have the authority to enforce this article.*
- 2. The applicant shall file with the Township Clerk and the Department of Building and Construction Code a certificate of liability insurance in the minimum amount of \$1,000,000, naming the Township and its agents, servants, and employees as additional insureds, which policy shall be kept in full force during the operation of the sidewalk cafe. The policy of insurance must be occurrence based coverage.*

Section 23-8.2B Pop-Up Café/Park Development Requirements

- a. The creation of a Pop-up Café/Park shall require Site Plan approval from the Planning Board.***
- b. Submission of a licensing fee of \$1,000.00 for each season of use. (A season shall be from March – November)***
- c. Entering into an agreement with the Township to identify cleaning requirements, graffiti removals, Landscaping and planter maintenance, furniture upkeep, daily trash removal and the cleaning out of the cavity underneath park. This agreement will also specify make sure permanent elements of the park are secured to withstand storm-water and wind stresses and that the associated business includes the park in their business insurance policy.***
- d. Design Requirements:***
 - 1. Every park shall have a wooden floor that bring the park to be level to the adjacent curb.***
 - 2. The floor of the park shall be one level and should conform to ADA standards for accessibility.***
 - 3. Locate the park at least 20 feet down the street from an intersection.***
 - 4. Slope of street must be less than 5% grade.***
 - 5. The space can serve patrons of the café but shall also be open to the public to utilize without making a purchase at the café.***
 - 6. Continuous existing curb for easy access from the sidewalk.***
 - 7. Incorporate umbrellas or utilized new or existing shade trees and landscaping/potted plants.***
 - 8. Insure existing street lights provide sufficient light for safety and egress.***
 - 9. Verify vehicular sight lines for each location.***
 - 10. The park shall be no wider than 6 feet of a the typical 8 foot width of parking the space***
 - 11. Design the park to so that park users can see out and others outside of the park can see in.***
 - 12. Make sure the park presents as a public space: include signage and differentiate furniture***
 - 13. Secured railings should be provided along the street side of the platform.***
 - 14. Bollards or planters shall be provided on each end of the park.***
 - 15. Wheel stops are also required at park outer edges***

~~23-8.3 AMUSEMENT DEVICE~~ Automotive/Vehicle Uses

Any automotive/vehicle use relating to vehicular sale, service, maintenance or storage shall include a minimum 10 foot wide evergreen tree landscaped buffer along any interior property line.

Any off-street parking or vehicular activity within a front yard or visible from a public street shall be screened from public view by a decorative metal fence with brick posts at the right-of-way and include a minimum 5 foot wide landscaped area interior to the fence that contains an evergreen hedge with a minimum planting height of 3 feet.

~~23-8.4 BARS AND TAVERNS~~

~~23-8.5 NEW VEHICLE AGENCY~~

~~23-8.6 VEHICLE BODY SHOP~~

~~23-8.7 VEHICLE REPAIR FACILITY~~

~~23-8.8 VEHICLE SERVICE STATION~~

~~23-8.9 DANCING FACILITIES~~

~~23-8.10 DAY CARE FACILITIES (ADULT)~~

~~23-8.11 DAY CARE FACILITIES (CHILD)~~

~~23-8.12 DWELLING, BASEMENT~~

~~23-8.13 AGE RESTRICTED HOUSING~~

~~23-8.14 EATING ESTABLISHMENT (CARRY-OUT/FAST FOOD)~~

~~23-8.15 EATING ESTABLISHMENT (LUNCHONETTE)~~

~~23-8.16 EATING ESTABLISHMENT (RESTAURANT/SIDEWALK CAFÉ)~~

~~23-8.17 PHILANTHROPIC AND ELEEMOSYNARY USE~~

~~23-8.18~~ Financial Institutions (with Drive-Through Facility)

Delete existing text in 23-8.18, renumber to 23-8.4, and replace with the following:

The drive through lanes shall be designed to stack at least three (3) cars per lane without extending into any right-of-way or internal drive aisle.

Any off-street parking or vehicular activity within a front yard or visible from a public street

shall be screened from public view by a 4 foot high decorative metal fence with brick posts at the right-of-way and include a minimum 5 foot wide landscaped area interior to the fence that contains an evergreen hedge with a minimum planting height of 3 feet.

23-8.195 Funeral Parlors and Mortuaries

~~Any funeral parlor and mortuaries must conform to the zoning requirements of the Zone District in which it is located.~~

Any off-street parking or vehicular activity within a front yard or visible from a public street shall be screened from public view by a 4 foot high decorative metal fence with brick posts at the right-of-way and include a minimum 5 foot wide landscaped area interior to the fence that contains an evergreen hedge with a minimum planting height of 3 feet.

There must be a loading area shielded from public view *and screened from adjacent properties.*
~~and The facility and loading area~~ design must harmonize with the surrounding neighborhood.

~~23-8.20 NURSING HOME/CONVALESCENT HOME/REST HOME~~

~~23-8.21 HOSPITAL~~

~~23-8.22 HOTEL/MOTEL~~

23-8.236 House of Worship or Religious Use Related Thereto

Delete existing text in 23-8.23, renumber to 23-8.6, and replace with the following:

Any off-street parking or vehicular activity visible from a public street shall be screened from public view by a 4 foot high decorative metal fence with brick posts at the right-of-way and include a minimum 5 foot wide landscaped area interior to the fence that contains an evergreen hedge with a minimum planting height of 3 feet.

~~23-8.24 PARKING, COMMERCIAL LOT~~

~~23-8.25 PARKING, PUBLIC LOT~~

~~23-8.26 PARKING, ACCESSORY (NOT SAME LOT)~~

~~23-8.27 PUBLIC TRANSPORTATION FACILITY~~

23-8.287 Public Utility Facility

Delete existing text in 23-8.28, renumber to 23-8.7, and replace with the following:

Any portion of the property along a front yard or visible from a public street shall be screened from public view by a 6 foot high decorative metal fence with brick posts at the right-of-way and include a minimum 10 foot wide landscaped area interior to the fence that contains evergreen

tree landscaping with a minimum planting height of 5 feet.

Any public utility facility shall include a minimum 10 foot wide evergreen tree landscaped buffer along any interior property line.

Any mechanical apparatus shall be enclosed in a structure or building designed to be of a style, material and design that is harmonious with the character of the surrounding neighborhood.

No flood lights shall be attached to the building.

~~23-8.29 SKATING RINKS (ICE/ROLLER)~~

~~23-8.30 SCHOOL (PAROCHIAL/PRIVATE/PUBLIC)~~

23-8.318 Indoor Shooting Range

Delete existing text in 23-8.31, renumber to 23-8.8, and replace with the following:

Details on sound attenuation material are required at the time of site plan application, and additional improvements to ensure that sound will not exceed acceptable levels for the area and for adjacent and surrounding uses may be required at the discretion of the Board.

23-8.329 Truck Terminal

There must be a building which may incorporate an office and/or service area not to exceed 20% *of the building floor area* ~~lot coverage~~. Said building shall be a minimum of ~~40%~~ **50%** of the lot area.

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

No flood lights shall be attached to the building.

~~23-8.33 COMMERCIAL VEHICLE WASH~~

~~23-8.34 RECYCLING FACILITY~~

~~23-8.35 RESERVED~~

~~23-8.36 USED VEHICLE FACILITY~~

~~23-8.37~~10 ~~CONDITIONAL USES~~ Home Occupation

- a. *No change*
- b. *Delete*
- 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 change*
- e. *No change*
- f. *No change*
- g. *No change*
- h. *No change*

~~23-8.38 GOVERNMENT AND NON-PROFIT SUBSIDIZED SENIOR HOUSING~~

23-8.11 Municipal Off-Street Parking Facility

1. *Surface parking shall incorporate peripheral landscaping, decorative fencing and decorative lighting.*
2. *Garage parking shall adhere to the following conditions:*
 - i. *A garage can be incorporated within a mixed use building containing other permitted uses or as a freestanding garage.*
 - ii. *The garage façade shall be clad with a decorative material making it attractive from all vantage points.*
 - iii. *If unventilated, it shall screen the typical garage bay by incorporating window sized punched openings with decorative grates and other screening materials to completely mask the view of headlight glare of cars within the garage from surrounding properties and rights-of-way.*
 - iv. *There shall be a public lobby for the garage at the sidewalk level designed with 75% glazing to ensure safety and visibility.*
3. *All parking facilities shall be identified by signage using the international “P” symbol. For a garage, signage shall be in the form of a blade sign on the building, and for a surface lot signage shall be in the form of a freestanding monument-style sign at the entrance drive.*

23-17 SIGNS PURPOSE

It is the intent of this article to prescribe measurable criteria and a procedure for reviewing signs with the purpose of:

- a. Controlling the size, location, character and other pertinent features of all publicly visible signage.*
- b. Bringing improved quality and order to the signs located throughout the Township to assure the continuation of a high level of attractiveness and historic character, thereby protecting residential and commercial property values.*
- c. Providing each commercial property with equal visibility by promoting signs which:*
 - 1. Encourage compatibility with surroundings and express the identity of individual properties and the character of the community while being compatible with the architectural style of the building and the neighborhood in materials, construction and color.*
 - 2. Make signage orderly, readable and appropriate to the activity to which it pertains.*
 - 3. Require signs that are not distracting to motorists so as to assure traffic and pedestrian safety.*
 - 4. Promote signage that is properly located, well-constructed and well-maintained.*
- d. Structuring a regulatory system which will facilitate efficient administration and enforcement.*

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~~ **Zoning Official**.
- b. The ~~Construction Code Official~~ **Zoning 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~~ **Zoning 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~~ **Zoning 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~~ **Zoning 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.

- e. *The 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.*
- f. *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.*

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

All signs not specifically listed as permitted signs are prohibited. Prohibited signs include but are not limited to the following:

- a. *Advertising signs.*
- b. *Flashing or moving signs, and signs and lighting giving the illusion of movement, excluding time-and-temperature signs.*
- c. *Banners*
- d. *Internally illuminated box signs and internally illuminated channel letters*

- e. Moon tubing*
- f. Neon framing, paper or fabric framing, tubing and bare-bulb illumination. This does not include neon wall-mounted signs containing the name of the business and/or the business logo.*
- g. Signs erected upon a roof*
- h. Pennants and banners, except as permitted within a Township approved decorative streetscape program.*
- i. Any sign in the public right-of-way, except for conforming blade signs and awnings*
- j. Any sign using exposed light-emitting diodes (LEDs), other than price signs associated with gasoline service stations.*
- k. Any electronic display signs, as a monument, on a building or structure.*
- l. Signs affixed to trees, fences or utility poles.*
- m. Signs that are an imitation of an official traffic sign or signal or contains the words "stop", "go slow", "caution", "danger", "warning", or similar words.*
- n. Use of flood lights for illumination of signs where such floodlights create interference with motor vehicle traffic visibility.*
- o. Contain or consist of poster, ribbons, streamers, strings of light bulbs, spinners, balloons, kites or other similarly moving devices.*
- p. Signs containing more than two display faces.*
- q. 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.*
- r. Signs affixed to the building above the first floor except where specifically permitted by this ordinance.*

23-17.4 General Sign Provisions

Delete all existing text in 23-17.4 and replace with the following:

a. Pre-existing Exemption

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. Maintenance

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. Location and Measurement

- 1. No sign shall be located in the Clear Sight-Triangle.*
- 2. Except where otherwise provided, no freestanding sign or any part thereof shall be located closer than 18 feet to any lot line.*
- 3. 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.*
- 4. Signs shall not extend above the height of the vertical wall ceiling height to which they are attached.*
- 5. Signs shall not be attached to a cornice nor shall they interfere with façade composition of a building or cause the decorative detail of the façade to be removed or covered.*
- 6. For signs with 2 display faces, the maximum sign area requirements shall be permitted on each face.*
- 7. Signs containing only lettering and/or logo shall be measured by calculating the largest rectangular dimensions around the letters and logo. When there is a background to the sign message, either of solid color or design, the sign shall be measure from calculating the largest rectangular dimensions around the background and outer most edge of the sign design whether the background is projecting or flush with the building surface.*
- 8. Identification signs and logos visible through windows surface shall be measured by calculating the dimensions of the outer frame of the window and its frame.*

d. Temporary Sign Removal

- 1. 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.*
- 2. Commercial Real Estate signs shall be removed within 7 days after the consummation of lease, rent, or sale transaction.*
- 3. Banners are permitted for business openings and shall be removed after 7 days.*
- 4. 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.

5. *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.*

e. Sign illumination

1. *All permitted exterior signs may be illuminated only by an external light source, unless otherwise provided herein. The following requirements shall apply:*
2. *Internally illuminated signs of any kind, whether freestanding or wall-mounted, shall be prohibited unless specifically permitted herein. The foregoing shall not be construed to prohibit "halo" signs utilizing a hidden light source which illuminates only the wall or other background to the sign message but not the face of the sign message.*
3. *The light source of illuminated signs shall be shielded so that the light source shall not be visible.*
4. *No illuminated sign shall be of such a color or located in such a manner as to be confused with or to diminish or detract in any way from the effectiveness of any traffic signal or similar official safety or warning device.*
5. *No sign illumination or other illumination shall be used or designed for use as an attraction device in itself, but shall be used and designed for use solely to illuminate the sign to which it is accessory. The foregoing shall be construed to prohibit light bulbs, singly or in combination, used as an attraction device; strobe lights; black (i.e., ultraviolet) lights; string lights; flashing or moving lights of any kind; and similar uses of illumination as attraction devices.*

23-17.5 SIGN REGULATIONS

Delete all existing text in 23-17.5 and replace with the following:

The following sign additional sign restrictions shall apply to specific uses:

- a. *Residential Uses. Residential multi-family buildings with more than 25 dwelling units shall be permitted (1) one non-illuminated identification sign no greater than 20 square feet in size. It may be attached to the first floor of the building, or on or above the building entry canopy. Letters shall be of metal or wood and shall be no taller than 1.5 feet in height*
- b. *Retail Sales or Service, Banks, Restaurants and Health Clubs, and uses not specifically classified herein. Each such use fronting on a public street may be permitted one (1) exterior wall sign per street frontage. Each sign shall not exceed five (5%) percent of area of the storefront (ground floor) to which it is attached. Two additional signs from the commercial façade category below shall be permitted for this use category:*

Commercial Façade Category options:

- 1. Window Sign decal or etching of 25% of window size*
 - 2. Externally illuminated Blade Sign with a maximum area of 6 sq. ft. on each side*
 - 3. Neon building or window sign with a maximum area of 6 sq. ft.*
 - 4. Awning containing Logo with a maximum Sign area of 25 Sq. Ft.*
- c. Theaters and Nightclubs. Theaters and Nightclubs may have a marquee not to exceed 40 square feet.*
- d. Office, Research, Industrial. No sign on any structure shall exceed 50 square feet. Total exterior sign area shall not exceed the equivalent of five (5%) percent of the first story portion of the wall to which it is attached. One (1) use shall be permitted no more than one (1) sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use and the aggregate area of all signs does not exceed the maximum area permitted for each street frontage.*

In addition, one (1) free-standing monument sign shall be permitted around the base of the building, giving address, building name, owner and/or major tenants, which shall not exceed 50 square feet.

- f. Parking Garage. One (1) freestanding or attached sign per parking entrance may be permitted indicating the parking facility by the international parking symbol and a directional arrow. Said sign shall not to exceed 8 square feet. In addition, one (1) freestanding or attached sign per parking entrance may be permitted inside the garage entry indicating parking rates, not to exceed 8 square feet. Said signs shall be located within ten 10 feet of the entrance.*
- g. Hotel. permitted the same signage as Office Use except that in addition, (1) one halo illuminated sign not exceeding 50 square feet shall be permitted to be placed on the building facade at the top of the uppermost story of the building.*

The following additional sign regulations shall apply:

- h. Awning. Non-Waterfall type fabric awnings, containing no sign, logo or message are permitted in any zone. They may be static or retractable.*

In non-residential or mixed use zones, awnings are permitted to contain a logo of the principal business of the storefront within. The maximum logo area shall not exceed 25%.

A minimum of 8 feet of clearance shall be provided along any right-of-way or pedestrian walkway. The awning shall not project more than 5 feet into the R-O-W

- i. Civic. Directory, Fraternal, Social Organization. A maximum of one (1) sign per premises. A maximum of 12 square feet of total sign area is permitted per property.*
- j. 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.*

k. *Directional. Non-illuminated signs indicating traffic flow patterns and directions are permitted in all commercial zones only if found necessary by the Planning Board. A maximum of 3 square feet of total sign area per sign is permitted.*

l. *Free Standing, Pylon, or Monument. Permitted within the VB-2 Zone. They may be internally illuminated and are subject to the following conditions:*

A maximum of one (1) per premises.

1. *In the R-A1, 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. *Located no closer than 18 feet to a street line. A maximum of 5 feet in height is permitted. A maximum of 75 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.*

m. *Ghost Signs. Fading ads or ads greater than 20 years old painted on buildings may be permitted and encouraged to remain. They may be restored and refreshed as a nostalgic addition to the district. They shall not count toward the permitted sign area of a building.*

n. *Nameplate.*

1. *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.*

o. *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.*

p. *Portable Sandwich Signs. A total of 1 sign per premises in any non "R Zone." The display may occupy 2 sides not to exceed 6 square feet in total sign area per side. It shall be non-plastic, non-illuminated decorative material of either metal, wood or chalkboard and removed at the end of each business day.*

r. *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.*

s. *Vintage Signage. Any type of signage of an iconic shop, store or business of Belleville shall be permitted to remain and be refurbished to maintain the original message. It shall not be counted toward permitted sign area for the proposed use.*

t. *Window Sign. Windows shall not be blocked by any paper or posters or other sign material. Stenciling and decals shall be permitted to be affixed directly on the window, not to exceed*

25% of window area. Signs interior to the building that are visible through the window shall be counted toward the maximum permitted wall sign area and are not encouraged.

23-17.6 ~~RESERVED~~

23-17.76 Master Signage Plan

Delete all existing text in 23-17.7, renumber to 23-17.6, and replace with the following:

For any lot on which the owner proposes multiple tenant spaces and seeks to erect one (1) or more signs requiring a permit, the owner may submit to the Zoning Director a master signage plan that provides permitted signage options for the tenants and would eliminate the need for each tenant to receive individual permits. The Master Signage plan shall contain the following:

- a. For wall or building signage, provide scaled storefront elevations of the facades that the signage will be located at a scale no less than 1 inch to 30 feet.*
- b. For freestanding signage, provide a site plan with sign location.*
- c. Include detail of sign material, illumination, measurement and attachment for review.*
- d. List any variances being requested and provide a 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*

The Master signage plan may include various combinations of permitted signage options, such as a storefront sign band with awning containing logo and window etching, or a storefront sign band with a blade sign and window decal.

23-18 SUPPLEMENTARY REGULATIONS

23-18.1 ~~Reserved~~ 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 ~~Reserved~~ BANNERS

~~On corner lots, any banner shall not interfere with the Clear Sight Triangle.~~

23-18.5 Commercial Canopy

A temporary structure providing a minimum of 8 feet of clearance along a pedestrian walkway. *There shall be no* with the supporting members, ~~if any, placed,~~ *nor shall they* as to not obstruct or impede pedestrian passage.

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 thirty (30%) percent of the area of any rear yard, unless otherwise specified, and shall not be located nearer than four (4) feet~~ **(1) one foot** 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 fifty (50) feet of a front lot line of the lot;
- b. Within ~~four (4) feet~~ **(1) one foot** of a rear lot line that abuts a side lot line of a contiguous lot; proper precautions must be taken to keep area behind the structure free of debris.
- c. Nearer to the side street line or 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 twenty-five (25) feet.

No detached accessory building shall be located nearer than ten (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. ***Decks and patios shall be setback a minimum of two (2) feet from the property line.***

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, ***R-SL***, or PRD Districts will have a maximum height of 14 feet.

A detached 2 car garage on lots greater than 7,500 sq. ft. in the R-B and R-C districts are permitted a second story with a maximum height of 24 feet.

23-18.6 Multi-Family Residence, Townhouse , ~~Garden Apartment Dwelling~~

- a. No ~~garden apartment~~, multi-family residence, *duplex or triplex* 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.~~
- b. In Planned Residential Developments, ~~no garden apartment~~, multi-family residence or townhouse dwelling development structure shall exceed a measurement of one hundred and sixty feet (160) in its longest direction.
- c. 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.
- d. 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~~ *within buildings with adequate loading access for trash pick-up.*
- e. 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 *and or interior to the building. Remote readers shall be utilized.*
- f. Basements may be used for the location of utilities, storage, recreation rooms or garage. ~~As a conditional use, b~~ Basements may be used as a dwelling unit *in accordance with Section 23-8.1 Three Family Dwellings. (see Section 23-8 DWELLING, BASEMENT)*
- g. 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.
- h. *For multi-family buildings within the PRD District, u*Useable *outdoor* 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.
- i. 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.
- j. 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
- k. All applicable provisions of the New Jersey barrier free regulations shall apply.
- l. 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. *In any zone fences are required to be located on the property line.*
- ~~b. c.~~ 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. d.~~ 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. e.~~ No fence shall be erected without a building permit.
- ~~e. f.~~ Fences in the R Zones:
 1. No change.
 2. No change.
 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 (6') feet in height from the front of the building line to the rear yard, however four (4') feet 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 six (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. The following fences are permitted:~~
 - (a) *A fence erected in the side yard area shall be of the chain link or open type. It shall not exceed six (6') feet in height from the front of the building line to the rear 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 six (6) feet in height.*
 5. ~~On a lot where a dwelling is situated and which is adjacent to a non-R Zone, a fence shall not exceed eight (8) feet in height. 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.~~
 6. *On a lot where a dwelling is situated and which is adjacent to a non-R Zone, a fence shall not exceed six (6) feet in height.*

f. ~~g.~~ 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 eight (8) feet in height.~~ *Fences in the front yard along a public right-of-way shall not exceed six (6) feet in height and shall be of an open design and decorative type, such as tubular metal with masonry piers or tubular metal with a 3-5 ft. high hedge.*

23-18.7 Corner Lot Fences

- a. In the case of a corner lot where the rear property lines becomes the side yard of the adjoining lot, the rear yard fence shall be open and shall be limited to a height of four (4) feet.
- b. A fence erected in a ~~front or~~ side yard area shall be of the open type. It shall not exceed four (4) feet in height.
- c. ~~A front or side yard fence or hedges/shrubs shall not exceed two and one half (2 1/2) feet in height in the clear sight triangle area of two (2) intersecting streets.~~ ***A fence that abuts a property line with street frontage shall have a minimum setback of ten (10) feet from the curb line. In no case shall the fence be located within the right-of-way.***

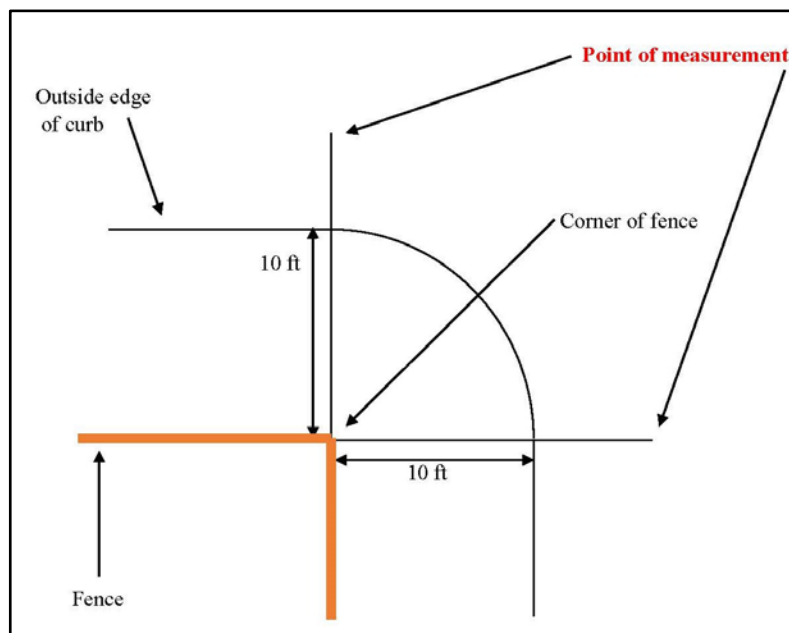


Figure 3: Corner Fence Placement

23-18.12 Sheds

Sheds may not be located in the required front yard of any building or structure. A structure not exceeding ten (10) feet in height, nor one hundred and fifty (150) square feet in gross floor area is permitted. All sheds must be setback a minimum of ~~four feet~~ **one (4) (1) foot** from any side or rear lot line, ***vegetative growth between the shed and the property line fence shall not exceed 18 inches in height.***

23-18.21 Swimming Pool and Play Equipment

- a. *Permanent, Portable.* Swimming pools **and play equipment**, and any associated structures (deck, **swing set**, etc.) as accessory uses, shall not be located:
 1. Within 50 feet of a front lot line of the lot.
 2. Within ~~ten six (10)~~ **(6)** feet of a main structure, and within ~~four three (4)~~ **(3)** feet of a garage, shed or cabana on the lot in which the pool is located, or within ~~ten six (10)~~ **(6)** feet of any permanent structure(s) of an adjacent lot.
 3. ~~Within 4 feet of a 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. 3. 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 **for the installation of permanent swimming pools and associated accessory structures** is required ~~for~~ and shall include **the submission of** 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 maintain the pool in a generally sanitary condition.
- c. **A building permit for the installation of portable swimming pools is required and shall include the submission of a concept plan showing the proposed pool location in the rear yard area and any existing accessory structures and environmental features within this area.**
- e. ~~d.~~ All pumps, heaters and filtration systems shall be at least ~~eight (8)~~ **three (3)** feet from any property line.
- d. ~~e.~~ 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. ~~f.~~ The swimming pools shall comply with BOCA and all other applicable codes.

23-18.26 Summer Kitchens

A summer kitchen is permitted in all one- or two-family dwellings provided that:

- 1. No more than one (1) summer kitchen is permitted per dwelling unit.***
- 2. Summer kitchens are not permitted in a detached accessory structure.***
- 3. Summer kitchens shall be subject to the New Jersey Uniform Construction Code.***

23-18.27 General Building Requirements

The following building standards are applicable to all new construction and rehabilitation in all Zones and special districts.

- 1. All structures within the Township shall be situated with proper consideration of their relationship to other buildings, both existing and in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, with each street façade being of equal importance.*
- 2. Buildings shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment, particularly where building lots front on multiple streets. On street frontages where commercial uses are provided, at least seventy (70) percent of the frontage shall be dedicated to commercial uses and/or pedestrian access areas such as retail sales of goods and services, restaurants, building entrances and lobbies; which shall have direct access from the sidewalk area. Main-building entries shall be prominent and easily identifiable, and shall not occur simply as voids within or between buildings. Canopies may be provided at main entrances and must be constructed of materials similar to or compatible with the overall building design.*
- 3. The base of all buildings shall meet the pedestrian level in a human scale and manner. The height of the base must relate to other buildings on the street as well as existing period neighborhood architecture and design, and it must be proportional with the building's overall height.*
- 4. Tops of buildings shall be designed to create architectural interest through the use of a cornice element, or special roof feature.*
- 5. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses should be broad and expansive providing views into the store and display areas. At least seventy –five (75%) percent of the storefront façade shall be glass. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, within the building, hidden from view when closed, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.*
- 6. All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey.*
- 7. All mechanical equipment shall be screened from view, both from the street and existing neighboring buildings. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building. The screening shall not impair the functioning of the equipment. Interior locations must be utilized where mechanically possible.*

8. *Wherever possible, ventilation equipment required for commercial uses shall be vented through the roof of the building and within the building, especially in new construction. All such equipment ventilated through the roof shall be screened. The necessary incorporation of ventilation grillwork within the storefront façade system shall be limited to no more than 15% of the possible glazing area. Such grillwork shall be architecturally incorporated within the storefront design so as to compliment and add to the overall aesthetic effect of the commercial façade. Exposed ventilation pipes and risers are prohibited.*
9. *Sidewalk areas must be provided along the street rights of way and shall be properly sized for the safe and convenient movement of pedestrians through and around the neighborhood.*
10. *Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Sidewalk concrete must be tinted Scofield Charcoal or equivalent. White concrete is prohibited.*
11. *Street trees shall be planted along all curb lines of streets at a maximum of 35 feet on center. Each tree pit shall contain a decorative metal grate and/or decorative tree pit treatment. Tree species shall be selected which will achieve a mature height of 50 feet or above and a medium spread. Fast growing trees tend to be weak wooded and inappropriate for street planting. Therefore trees shall be selected that have a medium growth rate. The crown shape of the tree should be selected to compliment the architecture and setting of the buildings.*
12. *All utility distribution lines; utility service connections from such lines shall be located underground whenever possible. All utility appliances, regulators and metering devices shall be located underground or within the building. No utility boxes or structure shall be permitted in sidewalk areas or exterior to the building. Remote readers are required for all utilities, in lieu of external location of the actual metering devices.*
13. *All trash dumpsters and/or compactors shall be located within the buildings. All outdoor storage shall be prohibited.*
14. *The building must display the street address of the building such that it is clearly visible from the adjoining street right of way.*