

Schedule of Area, Yard and Building Regulations Part 1 of 2  
Chapter XLV. Zoning  
Section 45-18

Districts	Minimum Lot Requirements			Minimum Setbacks for Principal Buildings			Maximum Lot Coverage (percent)	Maximum Building and Structure Height (feet)	Maximum Principal Accessory (feet)	Max. Floor Area Ratio	Max. Lot Coverage by all Impervious Surfaces (percent)	Minimum Gross Floor Area Per Residential or Nonresidential Building (square feet)				
	Lot Size (sq. feet)	Interior/Corner Lots Lot Width (feet)	Lot Depth (feet)	Front (feet)	One Side (feet)	Total Both Sides (feet)										
R-1	15,000	100	125	35	15	30	40	5	5	20	2 1/2	35	13	0.30	35	900
R-2 <sup>(a)</sup>	2 acres	200	250	40	15	30	60	5	5	7.5	2 1/2	35	13	0.30	12.5	900
C-1 <sup>(b)</sup>	15,000	100	125	25	15	30	40	5	5	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	15	0.35	55	2,500
C-2 <sup>(b)</sup>	40,000	200	200	50	15	30	40	5	5	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	15	0.35	55	2,500
C-3	40,000	150	200	30	25	50	30	10	10	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	20	0.35	55	10,000
H-D <sup>(c)</sup>	40,000 <sup>(c)</sup> 200	200 <sup>(c)</sup>	30	25	50	60	20	20	20	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	20	0.35	55	10,000
O-P	3 acres	250	250	80	40	80	60	20	20	25	— <sup>(e)</sup>	50 <sup>(e)</sup>	20	0.35	55	30,000
L-1 <sup>(d)</sup>	40,000	150	200	30	25	50	30	10	10	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	20	0.35	55	10,000
L-2	80,000	200	300	30	25	50	30	10	10	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	20	0.35	55	10,000
L-3 <sup>(d)</sup>	3 acres	250	300	50	25	50	50	10	10	25	2 <sup>(b)</sup>	35 <sup>(b)</sup>	20	0.35	55	10,000
A-C	3 acres	150	300	40	60	120	60	10	10	10	2 1/2	35	20	0.35	15	—
R-3	See Schedule continued on following pages (See Part 2 of 2)															
R-4	See Schedule continued on following pages (See Part 2 of 2)															
R-5	6,000	75	80	20	10	20	15	5	5	35	2 1/2	35	13	—	65	900
R-6	See Schedule continued on following pages (See Part 2 of 2)															
P, OS and R	1 acre	—	—	50	50	100	50	—	—	20	2 1/2	35	—	—	40	—
MDO	See Section 45-28															
CO	See Section 45-33															

**45-34 RESERVED.****45-35 H-D U.S. ROUTE 46 SPECIAL HIGHWAY DEVELOPMENT ZONE.****45-35.1 Permitted Uses.**

No building, structure, premises or land in the H-D U.S. Route 46 Special Highway Development Zone shall be used, arranged, or designed for any use except the following:

- a. Retail sales, including by way of example, stores selling apparel and clothing; stores, such as supermarkets, selling groceries, baked goods, meats and other such food items; electronic goods and equipment; household appliances, goods and supplies including furniture and carpet stores; hardware; liquor stores; music stores including instruments; pharmacies; shoe stores; and similar.
- b. Personal services, including by way of example, barber shops and beauty shops; dressmaking and tailoring; dry cleaning and laundry establishments; and similar.
- c. Business services.
- d. Offices.
- e. Banks and financial services.
- f. Restaurants, all categories.
- g. Business and vocational schools.
- h. Studios for music, dance, sports or art instruction.
- i. Indoor recreation, including health and fitness centers and athletic training centers.
- j. Animal hospitals and veterinary clinics.
- k. Garden center/nurseries.
- l. Warehousing and wholesale supply establishments.

(1969 Code § 75-62; Ord. No. 591; Ord. No. 738; Ord. No. 779; Ord. No. 946; Ord. No. 953; New; Ord. No. 95-20 § 2; Ord. No. 97-10 §§ 2, 3; Ord. No. 2007-19 § 1; Ord. No. 2013-19 § 1)

**45-35.2 Accessory Uses.**

Accessory uses in the H-D U.S. Route 46 Special Highway Development Zone are as follows:

- a. Uses and structures customary and incidental to the principal use and structure.
- b. Helistops and heliports are not permitted as a principal or accessory use in the H-D U.S. Route 46 Special Highway Development Zone.
- c. Cafeterias for employees.
- d. Satellite transmitting and receiving antennas as regulated by subsection 45-12.4g.
- e. Signs.

(1969 Code § 75-63; Ord. No. 591; Ord. No. 710; Ord. No. 738; Ord. No. 739; Ord. No. 779; New)

**45-35.3 Conditional Uses.**

The following conditional uses may be permitted subject to review and approval by the Township Planning Board, provided that the conditions specified herein are complied with:

- a. *Arcades.*
  - 1. Arcades, as defined herein, shall be permitted as a conditional use, subject to full compliance with the following conditional use criteria:

#### Minimum Space Requirements

- (a) Each machine: seventy-seven (77) square feet.
- (b) Administrative area: not less than ten (10%) percent of total area.
- (c) Separate restroom facilities.

2. No arcade shall be located closer than five hundred (500') feet to any residential zone district. Such requirement is based upon the following planning rationale.

- (a) Arcades provide an entertainment function that is unique and generate a high concentration of adolescents. This use has the tendency to generate noise, outdoor loitering and littering.
- (b) Restriction of arcades from close proximity to established residential districts is necessary to preserve the integrity and character of these neighborhoods, by discouraging continuous pedestrian movement of adolescents from residential neighborhoods to commercial uses; while providing an appropriate location for this entertainment service.
- (c) It is the objective of this paragraph to provide appropriate standards so that both the residential use and the arcade use remain mutually exclusive and do not cause any hardship for either use.

3. A minimum of one (1) parking space shall be provided for every two and one half (2.5) machines, plus a minimum of two (2) parking spaces for employees per establishment.

b. Public utilities and institutional uses as listed in subsection 45-16.2, Specific Conditional Uses.  
(1969 Code § 75-64; Ord. No. 591; Ord. No. 738; Ord. No. 982 § 1; New)

#### 45-35.4 Area, Yard and Building Requirements.

Area, yard and building requirements are as specified in the Schedule of Area, Yard and Building Regulations (see Article V), except for the following:

- a. In order to provide for a variety of scale in industrial uses and establishments, a planned complex of such uses may be established in the H-D U.S. Route 46 Special Highway Development Zone as follows: The minimum area of individual lots within the planned industrial park shall be at least forty thousand (40,000) square feet, and the average size of all lots shall be at least one and five-tenths (1.5) acres at the time of subdivision approval.
- b. Office buildings shall be permitted to be constructed to a height of forty (40') feet, plus an additional ten (10') feet for mechanical and elevator rooftop structures. However, the floor area ratio of three and one-half tenths (.35) shall be permitted only if the proposed project is designed to accommodate all required off-street parking spaces.
- c. Supermarkets shall be required to have a minimum lot area of one hundred twenty thousand (120,000) square feet. See the Schedule of Area, Yard and Building Regulations for all other yard and building requirements.

(1969 Code § 75-65; Ord. No. 591; Ord. No. 738; Ord. No. 848; Ord. No. 987 § 4; Ord. No. 97-08 § 2; Ord. No. 2013-19 § 3)

#### 45-35.5 Other Requirements.

- a. *Site Plan Requirements.* As specified in Article IX.
- b. *Sign Regulations.* As specified in Article X.
- c. *Off-Street Parking and Loading Requirements:*
  1. As specified in Article VI.
  2. No off-street parking or loading area shall be located within fifty (50') feet of a residential zone boundary line.
  3. No parking or loading for warehousing and wholesale supply establishments shall be permitted in the front yard of the building.
  4. Parking areas for all permitted and conditional uses, other than warehousing and wholesale supply establishments, may be located in any yard areas, except that no off-street parking area or drive aisles shall be permitted to be located within thirty (30') feet of any street line, nor within ten (10') feet of other lot lines, and further provided that a minimum fifty (50') foot setback shall be required where a lot abuts a residential zone.

- d. *Performance Standards Requirements.* As specified in Section 45-65.
- e. Irrespective of the requirements set forth in subsection 45-35.5c,4 above, shared access points linking parking areas on adjoining lots in the H-D Zone shall be permitted. Cross easements shall be provided to formalize this arrangement.
- f. *Green Design.* New construction and redevelopment in the zone should incorporate environmental sustainability. This can be achieved through economic benefits generated by green design and promoting green building technology. Development in the U.S. Route 46 corridor is encouraged to incorporate the following, as determined appropriate:
  - 1. **Green Roof.** A thin layer of planting installed on top of a waterproofing layer on the building roof. The green roof reduces stormwater runoff, mitigates the heat island effect, reduces sound reflection and enhances aesthetics.
  - 2. **Energy Conserving Tree Planting and Landscaping.** A landscape plan can be provided that reduces the heat island effect, and is encouraged where feasible.
  - 3. **Pavement Materials.** Paving materials that lower surface temperatures should be considered for parking lots. Pavements with a high solar reflectance and porous or permeable pavements that benefit from the cooling effect of evaporation are solutions to consider.
- g. *Landscape Requirements.* The following design standards are recommended as supplemental landscape plan implementation regulations:
  - 1. **Function and Materials.**
    - (a) Landscape buffer features to visually enhance the character of a site shall be incorporated into a site plan.
    - (b) Irrigation shall be provided for all plantings in a manner appropriate for the specific plant species.
    - (c) A growth guarantee of two (2) growing seasons shall be provided and all dead or dying plants shall be replaced by the applicant, as required, to maintain the integrity of the site plan. Buffer areas shall be maintained and kept free of weeds, debris and rubbish.
  - 2. **Frontage Landscaping.**
    - (a) Frontage landscape areas shall be provided for all uses. It shall be shown on the landscape plan and consist of a mixture of deciduous and evergreen trees, shrubs, grasses and perennials, and incorporated with berms, boulders, mounds or combinations thereof so as to enhance the appearance of the site. The design of landscaped berms shall be of sufficient height to screen parked cars from motorists on adjacent rights-of-way. In addition to required street trees, frontage buffers shall require a minimum of ten (10) shrubs for every thirty (30') feet of frontage. If a landscaped berm is provided, the berm shall be at least two and one-half (2.5') feet higher than the finished elevation of the parking lot, and then the planting requirements may be reduced to five (5) shrubs for every thirty-five (35') feet of frontage. Frontage buffer plantings may be waived where existing natural growth is found to be sufficient for this purpose.
    - (b) Frontage landscaping may not interfere with traffic sight distances, and shall not block a driver's view of retail stores or signs on a commercial site where such view, as determined by the Planning Board, is either necessary to the legitimate economic functions of the site or where traffic safety factors are involved.
  - 3. **Transition Buffers.**
    - (a) Transition buffers shall be required when any proposed nonresidential use abuts or is across a street from a residential zone.
    - (b) **Design of transition buffers.** Arrangement of plantings in buffers shall provide maximum protection to those residential lots as noted above. Possible arrangements include planting in parallel, serpentine or broken rows. If planted berms are used, the minimum top width shall be four (4') feet, and the maximum side slope shall be 2:1.

- (c) Transition buffer planting specifications. Plant materials shall be sufficiently large and planted in such a fashion that a screen at least six (6') feet in height shall be produced. All plantings shall be installed according to accepted horticultural standards. Such strips shall be planted with evergreens and deciduous trees as follows, subject to the approval or modification of the approving authority:
  - (1) The transition buffer shall be planted with masses and groupings of shade trees, ornamental trees, evergreen trees and shrubs. No less than seventy-five (75%) percent of the plants shall be evergreen trees with a minimum installed height of six (6') feet. A fence or wall may be required within the transition buffer at the discretion of the approving authority. Fences shall not exceed a six (6') foot height in the side or rear yard nor four (4') foot height in the front yard.
  - (2) Unless otherwise approved, evergreens shall be spaced five (5') feet from the outside lot line and eight (8') feet apart in a row. A minimum of two (2) parallel rows of staggered plants shall be required between any residential and nonresidential zone. More than one type of evergreen species shall be used. Where a fence is required, all plantings shall be placed on outside perimeter of the fence but not closer than five (5') feet from the outside lot line.
  - (3) At a minimum, one deciduous tree should be planted every forty (40') feet, in the center of the transition strip, or as approved. All deciduous trees shall be of a two-and-one-half to three inch caliper, measured six (6') inches from grade.
  - (4) Existing vegetation in the transition buffer shall be preserved, as determined appropriate. It shall be supplemented with shade tolerant naturalistic massed plantings where necessary to complete screening of adjoining land uses.
  - (5) Transition buffer plantings may be waived by the Board where existing natural growth is found to be sufficient to provide a year-round screen of adjacent land uses.

4. General Landscape Design and Planting Requirements.

- (a) Slope plantings. Landscaping areas of cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than one (1') foot vertically to three (3') feet horizontally shall be planted with ground covers appropriate for the purpose and soil conditions, water availability and environment.
- (b) Sight triangles. Landscaping within sight triangles shall not exceed a mature height of thirty (30") inches. Shade trees shall be pruned up to an eight (8') foot branching height above grade.
- (c) Topsoil preservation. No topsoil shall be removed from the site or used as fill. Topsoil moved during the course of construction shall be redistributed on all regraded surfaces so as to provide at least four (4") inches of even cover to all disturbed areas of the development and shall be stabilized by seeding or planting. Additional topsoil shall be provided as directed by the Township Engineer. Surplus topsoil shall be removed only as directed by the Township Engineer. A soil erosion and sediment control plan shall be approved as part of the preliminary plat, pursuant to the Township Ordinance.
- (d) Removal of debris. All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials, or other debris shall be removed from the site and disposed of pursuant to law.
- (e) Protection of existing plantings. Maximum effort should be made to save fine specimens (because of size or relative rarity). No building material, construction equipment or temporary soil deposits shall be placed within eight (8') feet of shrubs or the drip line of trees designated to be retained. Protective barriers or tree wells shall be shown on plans, and installed around each plant and/or group of plants that are to remain. Barriers shall be a minimum of four (4') feet high and constructed of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers. Chain link fence may be required for tree protection if warranted by site conditions. The grade of the land located along the drip line shall not be raised or lowered more than six (6") inches unless compensated by welling retaining walls, and in no event shall the welling or retaining walls be less than six (6') feet from the trunk of a tree. Any clearing within the drip line or within six (6') feet of the trunk of a remaining tree must be done by hand.

5. Street Trees.

- (a) Street trees shall be required for all development, including expansion of existing uses.
- (b) Street trees shall be installed within the right-of-way between the sidewalk and curb on both sides of all streets or as directed by the respective board or municipal agency. Where sidewalks are not required, street trees shall be located within the property line along a line five (5') feet from and parallel to the street right-of-way line. The spacing of street trees shall be no farther than forty (40') feet on center. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size, as follows:

<i>Tree Size</i>	<i>Planting Interval (in feet)</i>
Large trees	40
Medium-sized trees	30
Small trees	20

- (c) The trees shall be planted so as not to interfere with utilities, roadways, sidewalks, sight easement or streetlights. Tree location, landscaping design and spacing plan shall be approved by the Board as part of the site plan or subdivision process.
- (d) Street tree type. Tree type may vary depending on the overall effect desired. Depending upon the length of the street, more than one variety of street trees should be provided to create biodiversity and reduce the problems associated with a monoculture planting. Trees shall be planted in groups of similar varieties. Trees of similar form, height and character along a roadway shall be used to promote uniformity.

h. *Buildings.*

1. Large horizontal buildings, i.e. buildings with a linear dimension of more than two hundred fifty (250') feet, should be broken into segments having vertical orientation. A visual and/or physical break should be provided minimally every one hundred (100') linear feet. Offsets consisting of a break in the linear plan of the building of a minimum two-and-one-half (2 1/2') feet shall be required. Related architectural elements which preclude a continuous uninterrupted facade building length may also be utilized to achieve a break in the linear dimension of the building walls in place of an offset if determined by the approving authority to achieve the same purpose. All building foundations shall be appropriately landscaped.
2. Buildings with expansive blank walls are prohibited. Appropriate facade treatments should be imposed to ensure that such buildings are integrated with the rest of the development.
3. New buildings are encouraged to incorporate such building elements as entrance features, corners, graphic panels, display windows, etc. as a means to provide a visually attractive environment.
4. Cornices, awnings, canopies, flag poles, signage and other ornamental features should be encouraged to enhance the visual environment.
5. Exterior mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Such equipment shall be painted to complement the building's color composition.

(1969 Code § 75-66; Ord. No. 591; Ord. No. 609; Ord. No. 712; Ord. No. 738; Ord. No. 2000-19 § 1; Ord. No. 2013-19 §§ 4,5)

## 45-36 O-P OFFICE PROFESSIONAL DISTRICT.

### 45-36.1 Permitted Uses.

No structure, building or premises shall be used and no building shall be erected or altered, except for the following uses:

- a. Offices: general, business, professional, banks, financial and government.
- b. Business schools.
- c. Business services.

1. Forty-five (45°) degree angle parking: eighteen (18') foot aisle width for one-way traffic only.
2. Sixty (60°) and ninety (90°) degree angle parking and access drives: twenty-four (24') foot aisle width.

b. Lines showing the proper width and depth of parking spaces as required by this chapter shall be painted on the parking surface and shall be maintained at all times.

c. All new uses or expansion of existing uses in nonresidential zones shall be required to provide curbs which may be raised or flush. Flush curbs are to be utilized to allow disconnection of impervious surfaces as a nonstructural stormwater strategy. All such curbs shall be installed in accordance with Township specifications as set forth in this chapter and Land Subdivision Ordinance of Fairfield.

(1969 Code § 75-41; Ord. No. 591; Ord. No. 738; Ord. No. 2009-03 § 13)

#### 45-19.7 Location of Off-Street Parking in Non-residential Zones.

Off-street parking shall be located in accordance with the following chart:

Zone	Front	Side	Rear	Minimum Distance to ROW Line	Minimum Buffer to Residential Zone
C-1	Yes	Yes	Yes	10 feet	10 feet
C-2	Yes	Yes	Yes	10 feet	10 feet
C-3	Yes	Yes	Yes	10 feet	50 feet
H-D	Yes(a)	Yes	Yes	30 feet	50 feet
O-P	Yes(a)	Yes	Yes	30 feet	50 feet
L-1	No	Yes	Yes	30 feet	50 feet
L-2	No	Yes	Yes	30 feet	50 feet
L-3	No	Yes	Yes	30 feet	50 feet
MUO-1 (Ord. No. 2016-10 § 5; Ord. No. 2017-05 § 5)	As per C-1 Zone				
RZO-1 (Ord. No. 2016-10 § 5; Ord. No. 2017-05 § 5)	As per C-1 Zone				

(a) No off-street parking areas or loading or unloading facilities for industrial, warehouse or distribution uses shall be permitted in the front yard.

(New; Ord. No. 2004-16 § 6; Ord. No. 2016-10 § 5; Ord. No. 2017-05 § 5)

#### 45-19.8 Landscaping and Parking Lots.

- a. All loading areas shall be landscaped and screened sufficiently to obscure the view of parked vehicles, loading platforms and loading activities from any lot line or street line throughout the year. Such screening shall be an extension of the building, fence, berm, wall, planting or combination thereof, and shall not be less than six (6') feet in height.
- b. In parking lots, at least five (5%) percent of the total square footage of interior parking area, including access ways, shall be landscaped with trees and shrub plantings no higher than three (3') feet. Such landscaped areas shall be distributed throughout the parking area in order to break the view of parked cars, but in a manner not impairing visibility. The landscaping should be located in protected areas such as along walkways, in center islands, or at the end of bays.
- c. In parking lots containing more than thirty-five (35) vehicles, at least eight (8%) percent of the interior parking area shall be landscaped with shrubs and trees.

- d. Parking areas with less than twenty (20) spaces shall be screened from the street with landscaping, fencing or a wall but no interior parking lot landscaping is required.
- e. One (1) shade tree with a minimum of two and one-half (2 1/2") to three (3") inch caliper shall be provided for every ten (10) parking spaces in the vicinity of the parking lot. The preservation or relocation of the existing trees is encouraged to meet this requirement. This provision excludes trees required for landscape buffers or street tree planting.
- f. Curbed planting islands of nine (9') feet in width shall be placed at the end of each row of parking spaces along an internal traffic aisle.
- g. A maximum of twenty (20) parking spaces shall be permitted in a row without a curbed planting island of nine (9') feet in width. At the Board's discretion, seven (7') foot by seven (7') foot curbed planting diamonds containing shade trees may be considered if overall effect exceeds that which would be created by standard planting islands.
- h. Parking lots in excess of one hundred (100) vehicles shall, where practical, be subdivided into modules utilizing continuous curbed planting islands on a minimum ten (10') foot width located perpendicular to the parking stalls.
- i. Landscaping within the parking lots shall not obstruct the view of approaching vehicles. Shrubs within sight lines shall not exceed a mature height of three (3') feet and trees shall not contain branches lower than seven (7') feet in height as measured from the curbline.
- j. Parking areas shall be screened from interior drives using landscape berms, evergreens, deciduous, flowering trees and shrubs to create a continuous landscape strip. Pedestrian walkways shall be integrated within these strips where determined necessary by the Board.
- k. Interior parking and landscaping shall, insofar as possible, be used to delineate and guide major traffic movement within the parking area to prevent cross-space driving wherever possible. A portion of the landscaping for interior parking spaces, not to exceed forty (40%) percent of the total requirement, may be relocated to emphasize corridors or spatial landscaped area within the general parking area, if helpful in achieving better traffic patterns or use, or in achieving greater overall aesthetic effect.
- l. Parking structures shall receive landscape treatment that softens the bulk and scale of the structures and screens the ground level cars from public rights-of-way and buildings. Upper deck level planting shall be treated similarly to a parking lot on grade.
- m. Any and all landscaping and parking delineation and designation required pursuant to a site plan approval shall constitute a continuing obligation of the property owner for purposes of maintenance and replacement of all landscaping and parking delineation.

(Ord. No. 2000-19 § 1)

#### **45-20 CELL TOWER REGULATIONS.**

Subject to agreement with the municipality cell towers may be permitted on municipal-owned property, provided that such towers shall be set back a minimum of fifty (50') feet from property lines, and further provided that the height of a tower shall not exceed one hundred fifty (150') feet. (Ord. No. 2000-19 § 1; Ord. No. 2002-13 § 1)

#### **45-21 RESERVED.**

#### **Article VII Zones and Zone Regulations<sup>\*</sup>**

For repaving of a parking lot located within the NJDEP regulated flood hazard area, the developer or permittee shall remove an equivalent amount (in thickness) of existing pavement prior to the placement of the new surface course. The fee for a construction permit from the Township Engineer shall be ten (\$10.00) dollars per one thousand (1,000) square feet or part thereof of repaving. The minimum fee for any repaving permit shall be one hundred (\$100.00) dollars.

(1969 Code § 75-36; Ord. No. 591; Ord. No. 729; Ord. No. 738; Ord. No. 779; New; Ord. No. 2000-19 § 1; Ord. No. 2007-19 § 1; Ord. No. 2008-06 § 1; Ord. No. 2009-03 §§ 9, 10)

#### **45-19.2 Parking Stall Sizes.\***

Parking stalls shall be 10 x 20 feet in dimension, provided that parking stalls may be 9 x 18 feet for employees in commercial, industrial and office lots. All parking stalls shall utilize hairpin striping. (Ord. No. 2000-19 § 1)

#### **45-19.3 Off-Street Loading and Unloading Space.**

In all zones, for every building or part thereof hereafter erected, which is to be occupied by manufacturing, storage, goods display, retail store, wholesale store or warehouse, market, hospital, laundry, dry cleaning or other use similarly requiring the receipt or distribution of materials or merchandise in vehicles, there shall be provided and maintained on the same premises with such building at least one (1) off-street loading space, independent of any required off-street parking area, with access to a street.

- a. Each loading space shall be at least twelve (12') feet in width and sixty (60') feet in depth. The loading space or area shall not encroach on the required aisles or roadways or parking area.
- b. Such space may occupy all or part of the required side or rear yard only. No loading dock or platform shall be permitted in the front of a building.

(1969 Code § 75-38; Ord. No. 591; Ord. No. 738)

#### **45-19.4 General Requirements for Off-Street Parking Areas.**

No building permit or Certificate of Occupancy as required by this chapter shall be issued by the Construction Official for any construction or alteration of a building, the use of land or a change in use in a nonresidential zone until a site plan shall have been submitted to the Planning Board as hereinafter provided and the Planning Board shall have ascertained that all of the following requirements will be complied with:

- a. All off-street parking areas shall be surfaced with an asphalt, bituminous or cement binder pavement, which shall be graded and drained to dispose of all surface water.
- b. All off-street parking areas shall be used solely for the parking of motor vehicles, and no commercial repair work or service of any kind shall be conducted on such parking area.
- c. Off-street parking facilities as accessory to any use permitted in a residence zone shall be provided on the same lot with the permitted principal building.
- d. Any owner or group of owners of a business building or buildings may jointly sponsor off-street parking facilities, provided that the area of the parking facilities equals the total parking area requirements of each owner participating therein, and further provided that such jointly sponsored facilities comply with all the other requirements of this chapter. Furthermore, joint parking facilities may only be established on adjoining properties. In addition, entrances and exits shall be recorded as permanent easements or rights-of-way with the Essex County Register and filed with the Township Clerk. Any owner of a property may lease part of an adjoining lot for parking purposes provided that:
  1. The lease is recorded in the Essex County Registrar's Office; and
  2. The lease gives exclusive control of the property and leased to the lessee for a period of not less than ten (10) years;
  3. The area so leased cannot be used by the lessor as to any lot area calculations for any application for development filed while the lease is in effect;

- e. The provisions of this chapter do not apply to Township vehicles during periods of "on call" status within the Township, or vehicles for use by the owner or occupant of the premises equipped for usage by the handicapped and carrying Motor Vehicle Commission handicap license plates or placards.
- f. Measurements of length and height referred to herein shall be performed so as to include, but not be limited to, any racks, fixtures, devices, towed equipment, materials, ladders, trailers, or storage bins, permanently or temporarily carried by, attached to or affixed to the vehicle.

(1969 Code § 75-20; Ord. No. 591; Ord. No. 738; Ord. No. 945; Ord. No. 97-01 § 1; Ord. No. 2007-19 § 1)

#### **45-12.6 Corner Lots.**

Where a lot is a corner lot or is bound by more than one (1) street, the front yard setback shall be met on each abutting street. The required rear yard shall be that yard opposite the shortest street dimension, provided that where each street line is of equal dimension, the applicant may choose which yard shall be the rear yard for measurement purposes. (1969 Code § 75-21; Ord. No. 591; Ord. No. 738; Ord. No. 2000-19 § 1)

#### **45-12.7 Buffer Area and Screening Requirements.**

- a. A landscape buffer shall be provided within any nonresidential zone where a development abuts a residential zone, or is adjacent to a residence. The buffer shall provide a year-round visual screen and minimize adverse impacts from the site on adjacent properties.

The following buffer and landscaping requirements shall apply:

Zone	Buffer Width (Feet)
C-1	20
C-2	20
C-3	50
H-D	50
O-P	50
L-1	50
L-2	50
L-3	50
MUO-1 (Ord. No. 2016-10 § 3; Ord. No. 2017-05 § 3)	15
RZO-1 (Ord. No. 2016-10 § 3; Ord. No. 2017-05 § 3)	15

- b. Wherever the property line of a lot in the H-D U.S. Route 46 Special Highway Development Zone abuts a public school or public playground area, a buffer area shall be established which shall include an area of land fifteen (15') feet in width as measured from the property line. A stockade fence of a height of six (6') feet shall be on the lot line of the highway zone that is adjacent to the public school or public park property.
- c. Frontage buffer areas shall be provided for all nonresidential uses. Frontage buffers shall be shown on the landscape plan and planted with grasses, deciduous trees, evergreens, berms, boulders, mounds or combinations thereof as approved by the Board which will enhance the appearance of the site. The design of landscaped berms shall be of sufficient height to screen parked cars from motorists on adjacent rights-of-way. In addition to required street trees, frontage buffers shall require a minimum of ten (10) shrubs for every thirty (30') feet of frontage. If a landscaped berm is provided, the berm shall be at least two and one-half (2.5') feet higher than the finished elevation of the parking lot and planting requirements may be reduced to five (5) shrubs for every twenty-five (25') feet of frontage. Frontage buffer plantings may be waived by the Board where existing natural growth is found to be sufficient for this purpose. No buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted in the frontage buffer.
- d. A stockade fence of a height of at least six (6') feet shall be erected at the residence zone boundary for the H-D, O-P, L-1, L-2 and L-3 Zones.
- e. Buffer areas will be contiguous with residential property lines and shall be of uniform width.

