

ZONING ORDINANCE AND MAP  
CHAPTER 150  
TOWNSHIP OF VERONA

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ARTICLE I  
TITLE AND PURPOSE

150-1.1. SHORT TITLE.

This chapter shall be known and cited as the "Zoning Ordinance of the Township of Verona."

150-1.2 PURPOSES.

- A. In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals and general welfare. Among other purposes, those provisions are intended to provide for adequate light, air and convenience of access; to lessen congestion in the streets; to secure safety from fire and other dangers; to avoid undue concentration of population by regulating and limiting the use of land and the height and bulk of buildings wherever erected; to limit and determine the size of yards, courts and other open spaces and to regulate the density of population, all with reasonable consideration to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of property and encourage the most appropriate use of land throughout the Township of Verona.
- B. It is not intended by this Chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or impliedly repealed in this chapter, or any private restrictions placed on property by covenant, deed or other private agreement unless repugnant thereto. Where this chapter imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or lot coverage or requires greater lot areas or larger yards, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance, or by such rules and regulations of law or ordinance, or by such rules, regulations, permits or by such private restrictions, the provisions of this Chapter shall control.

150-1.3 CONFLICT BETWEEN TWO OR MORE REGULATIONS.

- A. If any two or more regulations contained within the zoning ordinance appear to, or do conflict, the most restrictive regulation shall apply.

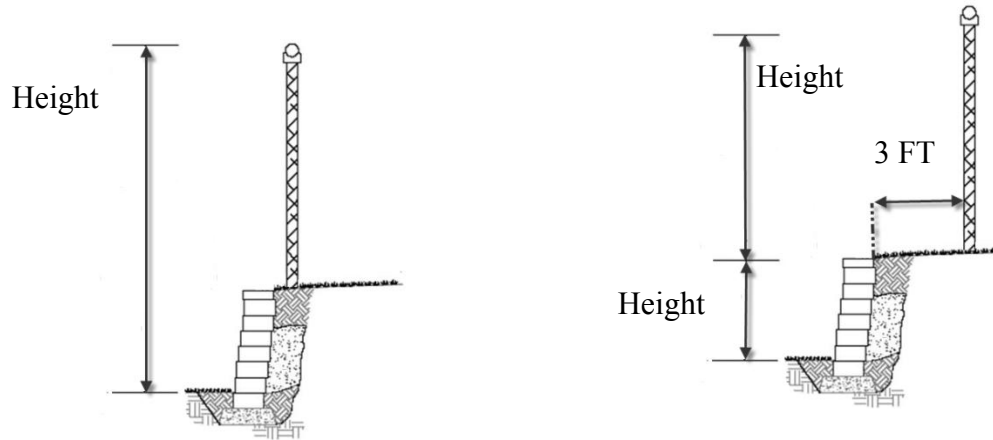
ARTICLE II  
DEFINITIONS AND WORD USAGE

150-2.1 WORD USAGE.

- A. Unless the context otherwise indicates, the following definitions shall be used in the interpretation and construction of this Chapter.
  - 1. The word "person" includes firm, association, organization, partnership, trust, company or corporation, as well as an individual.
  - 2. The present tense includes the future tense.
  - 3. The singular number includes the plural, and the plural number includes the singular.
  - 4. The word "shall" is mandatory; the word "may" is permissive.
  - 5. The words "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied."
  - 6. The word "lot" includes the words "plot" or "parcel."
- B. Any word or term not defined in this Chapter shall be used with a meaning of standard usage for the context in which the word is used or shall be as defined in the Municipal Land Use Law.
- C. Definitions set forth herein are intended for reference to words and phrases that are customarily used in municipal land use matters. The inclusion of a word or phrase in section 150-2.2 shall not be construed to mean that such defined word or phrase is permitted in any zoning district.

150-2.2 INTERPRETATIONS.

- A. When two structures (other than buildings) are less than three feet apart measured horizontally from one another they shall be considered one structure.



- B. A retaining wall is not a fence.



## DEFINITIONS.

Certain words and phrases used in this Chapter are defined for the purposes hereof as follows:

## ABANDONMENT

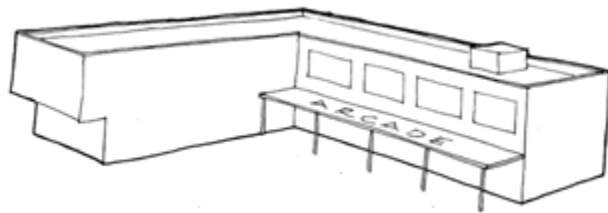
The relinquishment of property, or a cessation of the use of property, by the owner, with the intention neither of transferring rights of the property to another owner or of resuming the use of the property.

## AIR CONDITIONING COMPRESSOR

A mechanical unit that performs the process of treating air so as to control simultaneously its temperature, humidity, cleanliness, and distribution within an interior space such as a room or building.

## ARCADE

A continuous passageway parallel to and open to a street, open space, or building usually covered by a canopy or permanent roofing and accessible and open to the public.



## ACCESSORY STRUCTURE

A structure, the use of which is incidental to that of the main building or structure, that is located on the same lot as the main building or structure.

## ACCESSORY USE

A use subordinate to the principal use located on the same lot and serving a purpose customarily incidental to the principal use.

## ACRE

A measure of land equal to 43,560 square feet.

## ADDITION

An extension or increase in floor area or height of a building or structure.

## ADMINISTRATIVE AGENT, AFFORDABLE HOUSING

The entity responsible for administering the affordability controls of some or all units in the affordable housing program for Verona to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

#### ADMINISTRATIVE OFFICE

An establishment primarily engaged in management and general administrative functions such as executive, personnel, finance and sales activities performed centrally for other facilities of the same company.

#### ADULT DAY CARE CENTER

A structure used to accommodate a community based program designed to meet the needs of functionally or cognitively impaired adults over the age of 21 through an individual plan of care structured to provide a variety of health, social and related support services in a protective setting during any part of a day but less than 24 hours.

#### ADVERTISING, INFLATABLE

Any advertising that requires a portable fan to inflate a temporary figure that displays, reproduces or includes any letter, word, name, number, model, insignia, emblem, design, device or representation used to advertise any trade, business, profession, industry, service or other activity; product or item. These inflatable advertisements include, but are not limited to: dancing figures, inflatable tubes, blimps, balloons, and inflatable animals.

#### AFFORDABLE HOUSING DEVELOPMENT

A development included in the Township housing and fair share plan including but not limited to, an inclusionary development, a municipal construction project or a one-hundred-percent affordable development.

#### AGE RESTRICTED HOUSING

Housing of any type that is occupied by households having at least one member aged 55 years or older and with no children under the age of 19 years, except as specifically provided in the Federal Fair Housing Act, as amended, and applicable rules and regulations of the U.S. Department of Housing and Urban Development.

#### ALTERATION

As applied to a building or structure, a change or rearrangement in the structural parts or in the means of egress; or an enlargement, whether by extending a side or by increasing the height; or the moving of the building or structure from one location or position to another.

#### ALTERNATIVE TOWER STRUCTURE

Manmade trees, clock towers, bell steeples, light poles, and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

#### AMUSEMENT GAME

A machine or device, whether automatic or coin operated, whether mechanical, electrical or electronic, which shall be ready for play by insertion of a coin or may otherwise be operated by the public for a charge for use as a game, entertainment or amusement, including pinball machines or any device which utilizes a video tube to reproduce symbolic figures and lines to be representative of real games or activities, the object of playing of which is to achieve a score.

#### AMUSEMENT MACHINE, OTHER

Any automatic or mechanical machine or device or entertainment or music vending machine, except an amusement game machine, which is or are operated or set in motion by the deposit therein of any coin or coins, tokens or slugs or the like thereof purchased for cash.

#### ANIMAL DAYCARE

Any building, structure or premises that temporarily provides shelter and services for household pets.

#### ANIMAL HOSPITAL

A place where animals or pets are given medical or surgical treatment.

#### ANIMAL KENNEL

Any building, structure or premises in which animals are kept, boarded or trained for commercial gain.

#### ANTENNA

Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals) wireless telecommunication signals or other communication signals.

#### APARTMENT

One or more rooms where a person or family lives independent of the other occupants of the same building and where each suite is used or designed to be used for living, sleeping, cooking and eating.

#### APARTMENT HOUSE

Any house or building which is rented, leased, let or hired out to be occupied or is occupied as the home or residence of three or more families living in separate apartments.

#### ASSEMBLAGE

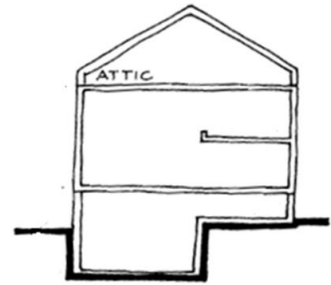
The merger of separate properties into a single tract of land.

### ASSISTED LIVING RESIDENCE

A facility which is licensed by the Department of Health, in accordance with N.J.A.C. 8:36, to provide housing and congregate dining and to assure that assisted living services are available when needed, to four or more adult persons unrelated to the proprietor. Apartment units offer, at a minimum, one furnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

### ATTIC

The space between the ceiling beams of the top story of a structure and the roof rafters of such structure.



### AUTOMATIC COIN OPERATED LAUNDERETTES

A self-service facility where clothes are washed and dried.

### AUTOMOBILE SALES

The display of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles for sale or lease.

### AUTOMOBILE SERVICE STATION

A building or place of business where gasoline, fuel, oil and grease and/or batteries, tires and automobile accessories are supplied and dispensed directly to the motor vehicle trade; including establishments that may not provide gasoline but provides "quick oil changes."

### AWNING

A roof like cover projecting from any part of a building for the purpose of shielding a doorway or window from the weather.

### AVERAGE GROUND ELEVATION

The average ground elevation shall be determined by averaging the measurement of the elevations taken at all building corners and at ten-foot foot intervals around the full perimeter of the foundation.

Where soil or rock removal lowers the ground elevation around the perimeter of the foundation, the building height shall be based upon the lowered elevation.

Where fill raises the ground elevation around the perimeter of the foundation, building height shall be based on the elevation as it existed prior to the use of fill.

### BACKHAUL NETWORK

The lines that connect a providers tower site to one or more cellular telephone switching offices and or long distance providers or the public switched telephone network.

### BAKED GOODS STORE

Any establishment primarily engaged in retailing baked goods not for immediate consumption and not made on the premises.

### BALCONY

A platform that projects from the wall of a building and is enclosed by a parapet or railing.

### BANNER

Any temporary sign applied to paper, plastic or fabric of any kind attached to a structure or above a public right-of-way.

### BAR, ALCOHOLIC

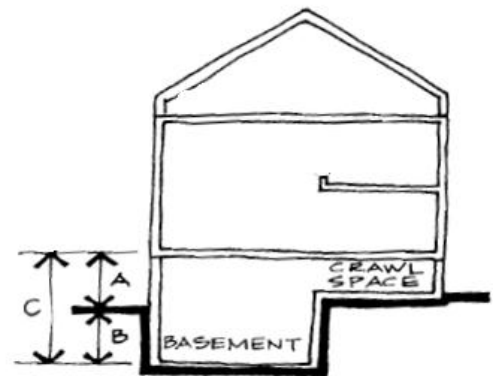
A structure or part of a structure used primarily for the sale or dispensing of alcoholic beverages by the drink.

### BASE FLOOD ELEVATION

The highest elevation, expressed in feet above sea level, of the level of flood waters occurring in the regulatory base flood.

### BASEMENT

That portion of a building located partly below ground with at least half of its height, measured from floor to ceiling, above the average grade at the building line around the full perimeter of the building.



WHEN A IS LESS THAN B  
- C IS A CELLAR

### BASKETBALL COURT

An improved area used for playing basketball. The use of a driveway for temporary recreational uses such as basketball does constitute a basketball court.

### BEDROOM

A private room planned and intended for sleeping containing an egress window separated from other rooms by a door.

### BELFRY

A tower or part of a tower where a bell or set of bells hangs.

## BILLBOARD

Any sign erected or maintained for the purpose of displaying outdoor advertising for products or services provided off-premises.

## BOARDER

An individual other than a member of the family or household occupying a dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and who may be furnished meals or other services as part of the consideration.

## BOARDING HOUSE

Any dwelling or part of any dwelling which has space that is let by the owner or operator to more than three persons who are not husband or wife, son or daughter, mother or father, sister or brother of the owner or operator; provided, however, that such roomers and/or boarders shall not include convalescents or chronically sick or mentally deficient or physically incompetent or aged, infirm or similar boarders and/or similar roomers who require medical attention and supervision and are usually housed in hospitals, sanatoriums, homes for the aged, nursing homes and similar institutions.

## BODY MODIFICATION ESTABLISHMENTS

A personal service establishment that deliberately alters the human body for aesthetic or non-medical purpose, such as sexual enhancement, a rite of passage, denoting affiliation, trust and loyalty, religious reasons, shock value, and self-expression.

## BOLLARD

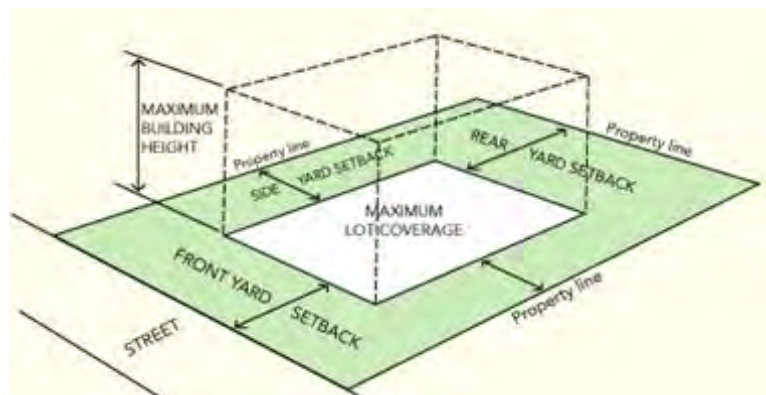
A short vertical posts used to control pedestrian and vehicular traffic, protect critical infrastructure, provide perimeter highlights, or to define a pathway.

## BUFFER ZONE or STRIP

Land area made up of sufficiently dense shrubs and trees, and which may include berms and/or fencing, to visibly separate one use from another, and to assist in shielding or blocking noise, lights or other nuisances.

## BUILDABLE AREA, BUILDING ENVELOPE

The area of a lot remaining after the minimum yard, open space and other limiting regulations established in the zoning ordinance or dictated by Federal or State regulations have been met.



#### **BUILDING AREA**

The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts and all space if such areas are included within the horizontal projection of the roof or floor above.

#### **BUILDING COVERAGE**

See Lot Coverage.

#### **BUILDING HEIGHT**

See Height, Building.

#### **BUILDING SERVICE EQUIPMENT**

The mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories, which provides sanitation, lighting, heating, ventilation, firefighting and transportation facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

#### **BUSINESS SERVICES**

Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, specifically advertising and mailing; building maintenance; employment service; management and consulting services; protective services; commercial research; development and testing; photo finishing; copying and reproduction services and personal supply services.

#### **CABANA**

An accessory structure erected for swimming pools and utilized as a bathhouse or for pool accessory storage and may include bathroom, shower and outdoor kitchen facilities.

#### **CAFÉ PLAN**

A collection of forms and plats that contains required data to ensure the proper utilization of a portion of a public right-of-way for outdoor dining.

#### **CAFETERIA**

Any establishment, or portion of an establishment, that is primarily engaged in preparing and serving meals for immediate consumption using serving equipment, such as a steam table, a refrigerated area, and self-service nonalcoholic beverage dispensing equipment. Patrons select from food and drink items on display in a continuous serving line. Cafeterias also include buffet eating places.

#### **CAMPUS**

The grounds and buildings of a public or private college, university, hospital or school.

### CANOPY

Any structure, supported or unsupported, other than an awning, made of cloth or metal with metal frames attached to a building or structure and carried by a frame supported by the ground or sidewalk.

### CARPORT

A structure used to offer limited protection to vehicles, primarily domestic cars from the elements. The structure can either be free standing or attached to a wall and contains no more than three sides.

### CATERER, OFF-SITE

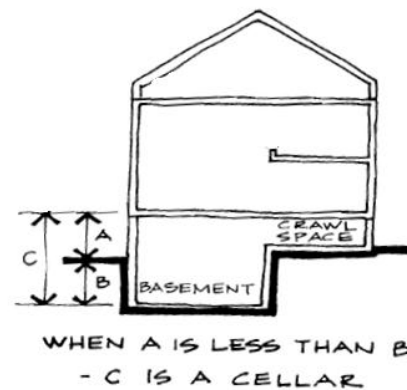
Any establishment primarily engaged in providing single event-based food services prepared on site and transported to an event for off-site consumption.

### CATERER, ON-SITE

Any establishment primarily engaged in providing on-site single-event-based food services that may include buffet or waitress/waiter service and may also include the serving of nonalcoholic and alcoholic beverages as part of the event.

### CELLAR

A story partly above grade level, having more than one-half its floor to ceiling height below the average level of the adjoining ground.



### CERTIFICATE OF APPROPRIATENESS (COA)

The document issued by the Landmarks Preservation Commission which is required before any work may be commenced on any historic/landmark or any building, structure, site, object or improvement located within an historic district.

### CERTIFICATE OF OCCUPANCY (CO)

The certificate issued by the construction official which permits the use of a building or land in accordance with approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulations or conditions of the construction permit.

### CHANGE OF USE

Any change in the use of a building or portion thereof which requires a different parking standard than that which was required for the preceding use of the space in accordance with the standards set forth in section 150-12 of this chapter or which is substantially different in function from the prior use.



#### CHARITABLE USE

Property used by a nonprofit or eleemosynary organization that provides a service beneficial to the general public or to a significant portion of the public for a fee or at a fee recognized as being less than that charged by profit making organizations.

#### CHIMNEY

A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

#### CHURCH or HOUSE OF WORSHIP

A building or structure, or group of buildings or structures, which by design and construction are intended for the conducting of organized religious services and accessory uses associated therewith, but not including missions, district offices or regional headquarters of a religious group.

#### CLUB

A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.

#### COAH

The New Jersey Council on Affordable Housing.

#### COMMERCIAL MOTOR VEHICLE

A licensed motor vehicle manufactured as a truck, bus, taxi, tractor or trailer, other than a recreational vehicle, which meets any of the following criteria:

- A. The vehicle is licensed for commercial purposes.
- B. The vehicle contains a sign, advertisement or other graphics indicating that its use is for commercial purposes.
- C. The vehicle has a gross weight in excess of three fourths of a ton.
- D. A van type vehicle not having windows of at least two square feet in area in both rear side panels. A pickup type truck with a cap not having windows of at least two square feet in area in both sides of such cap.

#### COMMUNITY ASSOCIATION

A homeowners association or organization designed to own, maintain, and operate common facilities and to enhance and protect the common interests.

#### COMMUNITY CENTER

A building used for recreational, social, educational and cultural activities, usually owned and operated by a public or nonprofit group or agency.

#### CONDOMINIUM

A structure or structures being and in accordance with the terms of a master deed providing for ownership by one or more owners of units of improvements together with an undivided interest in common elements appurtenant to each such unit.

#### CONDOMINIUM ASSOCIATION

The entity responsible for the administration of a condominium, which entity may be incorporated or unincorporated.

#### CONFECTIONERY AND NUT STORE

Any establishment primarily engaged in retailing candy and other confections, nuts, and popcorn not for immediate consumption and not made on the premises.

#### CONFORMING USE or CONFORMING STRUCTURE

A use or structure which conforms to the regulations of this Chapter for the district in which such structure or use is located.

#### CONGREGATE HOUSING

A dwelling providing shelter and services for the elderly which may include meals, housekeeping, and personal care assistance.

#### CONSTRUCTION PERMIT

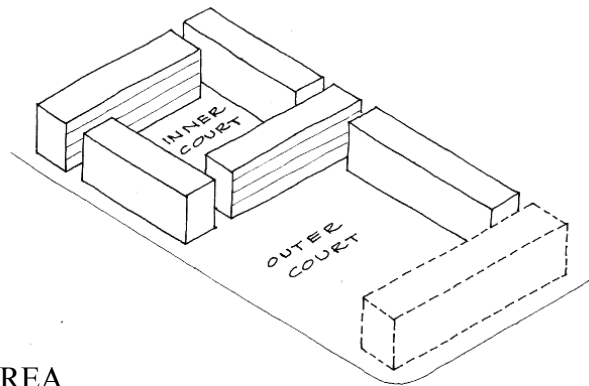
A document signed by the Construction Official, which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building and which acknowledges that such use, structure or building complies with the provisions of the Municipal Zoning Ordinance or variance there from duly authorized by a municipal agency pursuant to N.J.S.A. 40:55D-60 and N.J.S.A. 40:55D-70.

#### CONTRIBUTING PROPERTY or IMPROVEMENT

A building, structure, designated object, or site that adds to the Landmark architectural qualities, Landmark associations, or archeological values for which a property or District is because a) it was present during the period of significance, and possesses Landmark integrity reflecting its character at that time or is capable of yielding important information about the period, or b) it independently meets the National Register criteria for significance [National Register Bulletin No 14, "Guidelines for Counting Contributing and Non-contributing Resources for National Register Documentation" as revised].

### COURT, COURTYARD

An open, uncovered and unoccupied space on the same lot as a building where such space is enclosed wholly or partly by buildings, walls or other enclosing devices.



### CRITICAL AREA

An area with one or more of the following characteristics (1) slopes in excess of 25 percent; (2) flood plains; (3) soils classified as having a high water table; (4) soils classified as highly erodible, subject to erosion or highly acidic; (5) land incapable of meeting percolation requirements; (6) land formerly used for landfill operations or hazardous industrial use; (7) fault areas; (8) stream corridors; (9) areas designated as potential reservoir sites; (10) estuaries; (11) mature stands of native vegetation; (12) aquifer recharge and discharge areas; (13) wetland and wetland buffer areas, (14) areas designated in the Register of Natural Areas of the New Jersey Department of Environmental Protection, and (15) natural habitats which protect and preserve endangered and threatened plant and animal species.

### DECIBEL

A unit of measure of intensity of sound (the sound-pressure level).

### DECK

An above ground flat floored roofless area.

### DEMOLITION

The razing of any improvement or the obliteration of any natural feature.

### DETENTION BASIN

An impoundment area made by constructing an embankment or excavating a pit or both, for the purpose of temporarily storing storm water.

### DEVELOPMENT FEE

Funds paid by any person, partnership, association, company or corporation for the improvement of property as permitted in COAH's rules.

### DIGITAL DISPLAY SIGN (DDS)

See sign, Digital Display.

#### **DISTURBANCE, LAND**

The placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

#### **DOG RUN**

An enclosed area of space where a dog can stay without a leash; is usually gated and locked so that other animals cannot enter.

#### **DOME**

A vault, having a circular plan and usually in the form of a portion of a sphere, so constructed as to exert an equal thrust in all directions.

#### **DONATION DROP BOX**

Any receptacle used for the collection of used clothing, shoes, and small household items donated by the public for redistribution.

#### **DRINKING ESTABLISHMENT (ALCOHOLIC BEVERAGE)**

Any establishment commonly known as a "bar" or "tavern," or a drinking place primarily engaged in preparing and or serving alcoholic beverages for immediate consumption.

#### **DRIVEWAY**

An open area of land, paved with bituminous concrete (blacktop), portland-cement concrete or other durable, hard, dust-free surfacing which will not wash into the public right-of-way, used as a means of ingress and egress to a property. A driveway shall not be considered an accessory structure.

#### **DRUG STORE**

A store where the primary business is the filling of medical prescriptions, providing medical devices and supplies, and nonprescription medicines and where nonmedical products are sold.

#### **DRY CLEANING**

Cleaning textiles, fabrics, garments or other articles by the use of solvents other than water, extracting the solvents there from and drying the same.

#### **DUMPSTER**

A large container used for the temporary storage of waste.

#### **DUMPSTER, ROLL OFF**

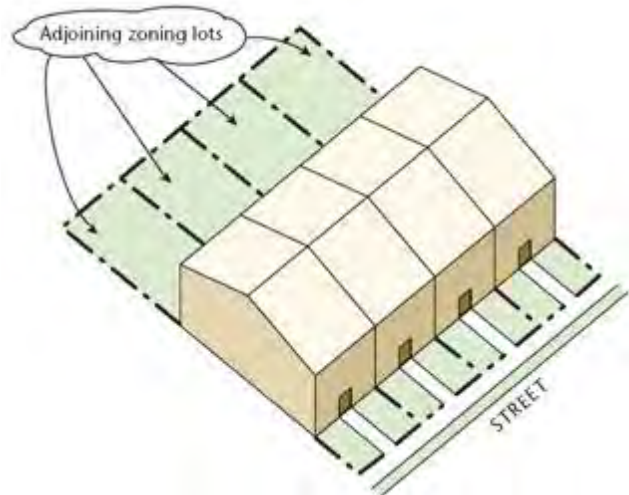
An open top dumpster characterized by a rectangular footprint, utilizing wheels to facilitate rolling the dumpster in place. The open top container is designed to be transported by special roll-off trucks.

## DWELLING

Any permanent building or portion thereof designed or used as the residence or sleeping place of one or more persons.

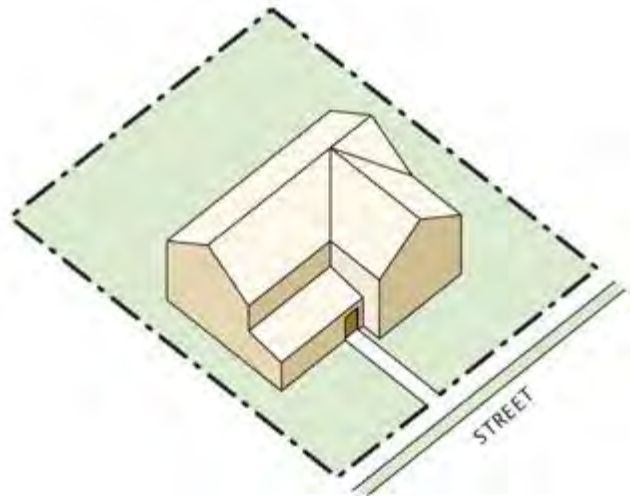
## DWELLING, ATTACHED

A one family dwelling attached to one or more one family dwellings by common vertical walls.



## DWELLING, DETACHED

A dwelling which is completely surrounded by permanent open spaces.



## DWELLING, EFFICIENCY

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

## DWELLING, MULTIFAMILY

A structure or building occupied or intended for occupancy as separate living quarters for more than two families or households, and provided with separate cooking, sleeping and sanitary facilities for the exclusive use of the occupants of each unit.

## DWELLING, ONE - FAMILY

A building occupied or intended for occupancy exclusively by one family or one household, and provided with cooking, sleeping and sanitary facilities for the use of the occupants of the unit. Also referred to as a "single family dwelling".

#### DWELLING, TWO - FAMILY

A building occupied or intended for occupancy as separate living quarters for no more than two families or two households, and provided with separate cooking, sleeping and sanitary facilities for the exclusive use of the occupants of each unit, which units are separated from each other by vertical walls to and through the roof or by horizontal floors.

#### DWELLING UNIT

One or more rooms, occupied or intended for occupancy as separate living quarters by one family or household, provided that access is directly from the outside or through a common hall and that separate cooking, sleeping and sanitary facilities are provided within the dwelling for the exclusive use of the occupants thereof.

#### EAVE

The projecting lower edges of a roof overhanging the wall of a building.

#### ELECTRONIC MESSAGE CENTER (EMC)

See sign, electronic message center.

#### ELEEMOSYNARY or PHILANTHROPIC INSTITUTION

A private or non private organization which is not organized or operated for the purpose of carrying on a trade or business and no part of the net earnings of which are for the benefit of any individual.

#### EMERGENCY

Any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger or hazard to person or property.

#### ENCROACHMENT

Any obstruction in a delineated floodway, right-of-way, minimum setback, or adjacent land.

#### ENLARGEMENT

An increase in the size of an existing structure.

#### ENVIRONMENT

The sum of all external conditions and influences affecting the life, development and, ultimately, the survival of an organism.

#### ENVIRONMENTAL IMPACT STATEMENT (EIS)

A statement on the positive and negative effects of development proposals and other major actions which significantly affect the environment.

### ESSENTIAL SERVICE

The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground, surface or overhead gas, electrical, steam or water transmission systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, light stations, telephone lines, hydrants and other similar equipment and accessories herewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health, safety or general welfare.

### EXISTING BUILDING

Any structure erected prior to the adoption of the appropriate code, or one for which a legal building permit has been issued.

### EXOTIC PETS

A rare or unusual animal pet, or an animal kept as a pet which is not commonly thought of as a pet. Exotic pets include, but are not limited to the following: Non human primates, Alligators, Foxes, Bears, Wolves, Wolf/Dog Hybrid, Lions, Tigers, Bears, Raccoons, Hedgehogs, Skunks, or Hyenas.

### EXTENDED CARE FACILITIES

A long-term care facility or a distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged or a governmental medical institution.

### FAA

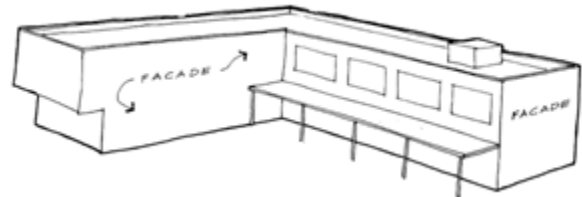
The Federal Aviation Administration.

### FCC

The Federal Communication Commission.

### FAÇADE

The front, side, or rear vertical building planes visible from any adjoining street, sidewalk, property or parking areas, excluding any roof surface area.



### FAÇADE, HEIGHT

The vertical distance of any building facade plane measured from the average ground elevation of the existing natural grade along the facade plane to the facade's highest point, exclusive of any chimney, steeple, mechanical equipment or elevator tower, all of which may not exceed the highest point of the roof by 12 feet or exceed the maximum building height allowed in the particular zoning district by more than eight feet.

## FAMILY

A group of persons functioning as a single housekeeping unit and whose relationship is of a permanent, stable and domestic character as distinguished from non-familial institutional use, boarding homes, fraternities, sororities, clubs, associations, transient housing or other similar forms of housing . For the purpose of this Chapter, a "family" shall include foster children placed with a family in such dwelling by the New Jersey State Board of Child Welfare or a duly incorporated child care agency.

## FAMILY DAY CARE CENTER

A private establishment enrolling no more than five children between two and six years of age and where tuition, fees, or other forms of compensation for the care of children is charged and which is licensed by the State of New Jersey and approved by the Township of Verona to operate as a day care center.

## FENCE

An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

## FLAG POLE

A pole used to display a flag or flags only.

## FLOOD

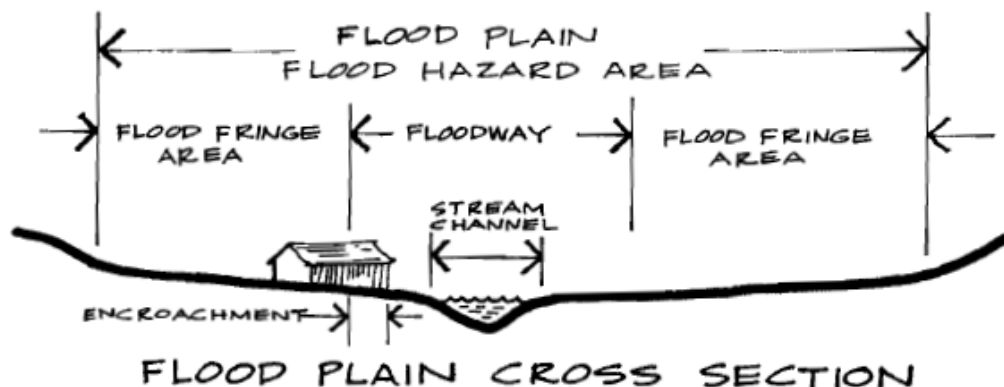
The temporary overflowing of water onto land which is usually devoid of surface water.

## FLOOD FRINGE AREA

That portion of the flood hazard area outside of the floodway based on the total area inundated during the regulatory base flood plus twenty-five percent of the regulatory base flood discharge.

## FLOOD HAZARD AREA

That flood plain consisting of the floodway and the flood fringe area.





#### FLOOD HAZARD DESIGN ELEVATION

The highest elevation, expressed in feet above sea level, of the level of floodwaters which delineates the flood fringe area.

#### FLOOD INSURANCE RATE MAP

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk of premium zones applicable to the community.

#### FLOOD OF RECORD

A flood which has occurred for which there are accurate local records available.

#### FLOOD PLAIN

The channel and the relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by floodwater.

#### FLOOD PROOFING

A combination of structural provisions, changes or adjustments to properties and structures subject to flooding for the reduction or elimination of flood damage to properties, water and sanitary facilities and other utilities, structures and the contents of buildings.

#### FLOODWAY

The channel of a natural stream, brook or river and portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the floodwater or flood flow of any natural stream, brook or river.

#### FLOOR

The structure formed of beams, girders, or any construction which divides a building horizontally into stories.

#### FLOOR AREA

The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings including lofts but not including interior parking spaces, or any space where the floor-to-ceiling height shall be less than seven feet six inches.

#### FLOOR AREA, NET

The actual occupied area, not including accessory unoccupied areas or thickness of walls.

#### FLUE

A pipe, tube, or channel for conveying hot air, gas, steam, or smoke, as from a furnace or fireplace to a chimney.

### FREQUENCY

The number of oscillations per second of a vibration.

### FRONT YARD LOT COVERAGE

The percentage of land improved with manmade features found within the area extending across the full width of the lot between the front lot line and the principal building.

### FUNERAL HOME

A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

### FULL-SERVICE RESTAURANT

Any establishment primarily engaged in providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. These establishments may provide this type of food services to patrons in combination with selling alcoholic beverages, providing carry-out services, or presenting live entertainment.

### GARAGE, PRIVATE

An accessory structure or use to the principal building or use on the lot, designed for storage of one or more motor vehicle having solid exterior walls and roof and having all openings enclosed either with doors or windows, or both. A private garage shall have minimum dimensions of ten feet in width and 20 feet in depth.

### GARAGE, PUBLIC

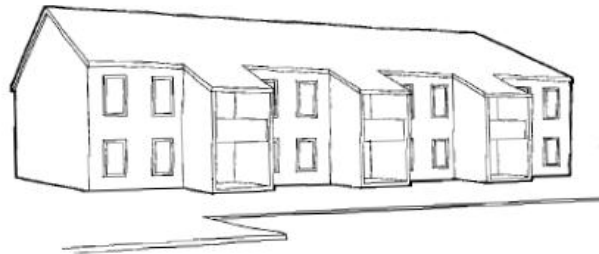
Any structure or part thereof other than a private garage in which a business or service connected with motor vehicles is conducted or rendered, including storage, rental, repair, servicing, adjusting or equipping automobiles or other motor vehicles. The term "public garage" shall not apply to an automobile salesroom for the exhibition of such vehicles.

### GARDEN APARTMENTS

A low-rise multifamily building containing off-street parking, and open spaces and.

### GAS MART

An automobile service station that has, as an accessory use to the sale of gasoline, a retail store that sells goods to the motoring public.



#### GREENHOUSE

A building which roof and sides has made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out of season plants for subsequent sale or for personal enjoyment.

#### GLARE

The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

#### GRADE

The reference plane representing the average of finished ground level adjoining a principal building at all exterior walls or base of a structure. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than six feet from the building or structure, between the building and a point six feet from the building.

#### GROSS LEASABLE AREA

The total floor area designed for tenant occupancy and exclusive use of a tenant measured from the center lines of joint partitions to the outside of the tenant walls.

#### GROUND COVER

Grasses or other plants grown to keep soil from being eroded.

#### HABITABLE SPACE

Space in a structure for living, sleeping, eating or cooking but not including bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar space, cellars, garage areas or any area, where the floor to ceiling height is less than standards found in the Uniform Construction Code (UCC).

#### HEALTH CARE FACILITY

A facility, institution, or medical center, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including, but not limited to, a general hospital, special hospital, mental hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home, intermediate care facility, tuberculosis hospital, chronic disease hospital, maternity hospital, outpatient clinic, dispensary, home health care agency, boarding home or other home for sheltered care, and bioanalytical laboratory or central services facility serving one or more such institutions but excluding institutions that provide healing solely by prayer.

#### HEIGHT, OTHER

The distance measured from the base of a structure to the highest point of the structure. When calculating the height (other than building height) the base of the structure shall be considered to be at the natural grade where the base of the structure intersects the grade.

#### HEIGHT, BUILDING

The vertical distance measured from the average ground elevation of the existing natural grade at the building line around the full perimeter of the building, to the buildings highest point, exclusive of chimney, steeples, mechanical equipment, elevator tower and flagpole.

#### HEREAFTER

After the time this ordinance becomes effective.

#### HERETOFORE

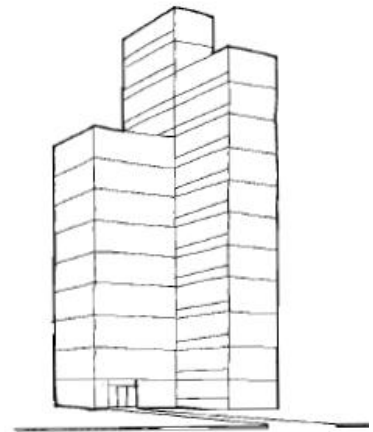
Before the time this ordinance becomes effective.

#### HIGH-RISE

A building with ten or more stories.

#### HISTORIC ADAPTIVE REUSE

The conversion of any existing principal or accessory building identified by the Master Plan as historically significant into a new residential dwelling unit building elevator while maintaining the existing facade, roofline and building exterior and characteristics of the existing building.



#### HOME OCCUPATION

Any business, profession, occupation or trade conducted for gain or support within a residential building or an accessory structure thereto, which is incidental and secondary to the use of such a building for dwelling purposes and which does not change the essential residential character of such building.

#### HOMEOWNERS ASSOCIATION

A community association, other than a condominium association, which is organized in a development in which individual owners share common interests in open space or facilities.

#### HORTICULTURE

The cultivation of a garden or orchard.

### HOSPITAL or MEDICAL CENTER

An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

### HOSPITAL, ANIMAL

An institution providing primary health services and medical or surgical care to animals suffering from illness, disease, injury, deformity and other abnormal physical conditions.

### HOT TUB

A very large tub made of ceramic, acrylic, wood, or another substance and filled with hot water in which one or more bathers may soak.

### HOTEL

A building consisting of at least two stories above ground level, which provides sleeping accommodations to the general public and which contains a central entrance leading to a common lobby.

### HOUSING FOR THE ELDERLY

Multifamily housing designed for older persons, one of whom must be 62 years of age or older. (Also known as senior citizen housing)

### IMPERMEABLE

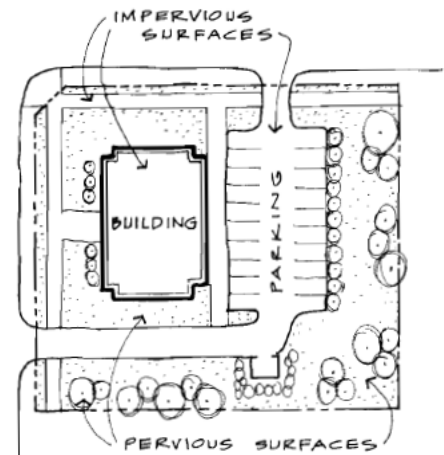
Not permitting the passage of water.

### IMPERVIOUS SURFACE

Any structure, surface, or improvement that reduces or prevents absorption of storm water into land, and includes but not limited to porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements and water features.

### IMPROVEMENT

Any structure or part thereof constructed or installed upon any real property by human endeavor and intended to be kept at the location of such construction or installation for a period of at least 60 days.



#### IMPROVED LOT COVERAGE

The percentage of lot area which is improved with principal and accessory buildings and structures, including all impervious surface areas such as buildings, driveways, parking lots and garages and other man-made improvements, and swimming pools.

#### INCLUSIONARY ZONING

Regulations which increase housing choice by providing the opportunity to construct more affordable, diverse and economic housing to meet the needs of low and moderate income families.

#### INDOOR TENNIS FACILITY

A building or structure containing one or more roofed and enclosed tennis courts.

#### INSTITUTIONAL BUILDING

A building in which persons are sheltered to receive medical, charitable or other care or treatment or in which persons are held or detained by reasons of public or civic duty or for correctional purposes, including, among others, hospitals, asylums, sanatoriums, firehouses, police stations and jails.

#### INTERMEDIATE CARE FACILITY

A facility which provides, on a regular basis, health related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide.

#### INTEGRITY

The authenticity of the Landmark identity of a building, structure, site, designated object, or district evidenced by the survival of the physical characteristics that existed during its Landmark or pre-Landmark period.

#### JUNK YARD

An area of land, with or without buildings, used for or occupied by the deposit, collection or storage outside of a building of used and discarded materials including but not limited to wastepaper, rags or sheet metal, used building materials, house furnishings, machinery, vehicles or parts thereof with or without the dismantling, processing, salvage, sale or use or disposition of the same.

#### KIOSK

A free standing structure upon which temporary information and/or posters, notices and announcements are posted.

#### KITCHEN AREA

A portion of a dwelling unit designed or used for cooking.

#### LAND DISTURBANCE

Any activity involving the cleaning, cutting, excavating, filling, or grading of land, or any other activity which alters land topography or vegetative cover.

#### LANDMARK

Any historic site or historic district which has been designated by ordinance pursuant to N.J.S.A. 40:55D-65.1 or which has been identified in any component of the Master Plan. As used in this chapter, "landmark" may be substituted for "historic," "historic preservation" and "historic site."

#### LAUNDROMAT or WET-WASH LAUNDRY

An establishment used primarily for the washing and drying of clothing brought in by the customer and in which such washing and drying is performed with the use of mechanical equipment and for which a fee is charged.

#### LIGHTNING ROD

A grounded metal rod placed high on a structure, in the ground or on a tree to prevent damage by conducting its current to the ground.

#### LIMITED-SERVICE RESTAURANT

Any establishment primarily engaged in providing food services (except snack and nonalcoholic beverage bars) where patrons generally order or select items and pay before eating. Food and drink may be consumed on the premises, taken out, or delivered to the consumer's location. Some establishments in this category may provide these food services in combination with selling alcoholic beverages.

#### LIVE ENTERTAINMENT

The provision of vocalized or instrumental music, or dancers, or standup comedy, or any similar entertainment to patrons for a fee, whether such fee shall be direct or indirect through a charge for other products or services.

#### LIVESTOCK

Animals that are typically found on a farm such as horses, mares, mules, jacks, jennies, colts, cows, calves, yearlings, bulls, oxen, sheep, goats, lambs, kids, hogs, shoats, pigs, hens, or roosters.

#### LOADING SPACE, OFF-STREET

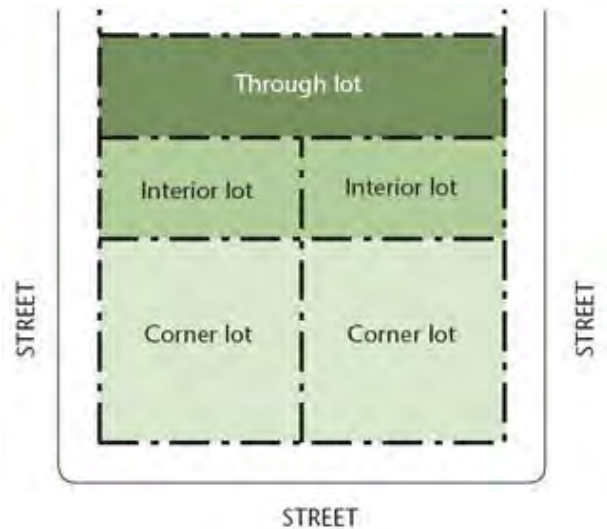
Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used to accommodate the principal use on the land and accessible to such vehicles when required off-street parking spaces are filled.

### LONG-TERM CARE FACILITY

An institution which is licensed or approved by the State of New Jersey to provide health care under medical supervision for 24 or more consecutive hours to patients who are not related to the governing authority or its members by marriage, blood or adoption.

### LOT AREA

The computed areas contained within the lot lines, excluding any street rights-of-way. Where no lot line is designated on the tax map, the boundary of the public right-of-way shall determine the limits of the boundary of the lot.



### LOT, CORNER

A parcel of land with at least two adjacent sides abutting upon streets.

### LOT, INTERIOR

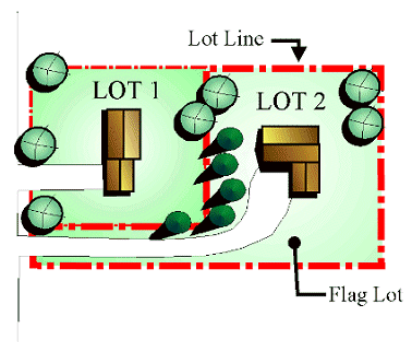
A parcel of land fronting upon one street.

### LOT, FLAG

A tract of land having insufficient lot width along a road or at the minimum setback line but with sufficient area to meet all lot requirements further back on the lot. Flag lots are strictly prohibited.

### LOT, THROUGH

A parcel of land which extends from front to back from one street to another.



### LOT, THREE-SIDED

A parcel of land located at the junction of and abutting on three intersecting streets.

### LOT COVERAGE (BUILDING COVERAGE)

That portion of a lot which is occupied by buildings and accessory buildings but not including other areas of impervious surfaces such as walkways, driveways, patios and open parking lots.



#### LOT FRONTAGE

The length of the front lot line measured at the street right-of-way line.

#### LOT LINE

A line of record bounding the lot.

#### LOT LINE, FRONT

The lot line separating the lot from the street right-of-way also referred to as a "street line."

#### LOT LINE, REAR

The lot line opposite from the front lot line. A parcel can have more than one rear lot line.

#### LOT LINE, SIDE

Any single or multi-segmented lot line other than a front or rear lot line.

#### LOT, MINIMUM AREA OF

The smallest lot area established by the zoning ordinance on which a use or structure may be located in a particular district.

#### LOT WIDTH

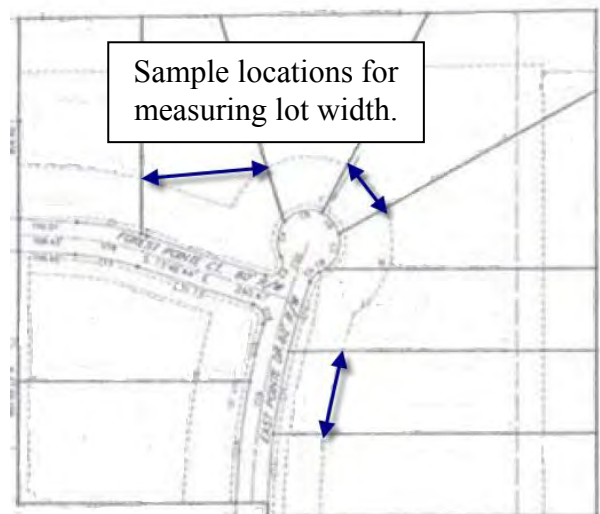
The shortest distance between the side lines of a lot measured from the front yard setback.

#### LOW RISE

A building with one or two stories.

#### LOW INCOME HOUSING

Housing that is designed for a household earning 50 percent or less of the median income of the area, adjusted by household size.



#### MAILBOX, PUBLIC

A public box in which mail is placed for pickup and delivery by the post office.

#### MAILBOX, PRIVATE

A private box, as at a home, into which mail is delivered by the mail carrier.

#### MANUFACTURE

The converting or processing of raw, unfinished or finished materials or products, into an article or articles or substance of a different character or for use for a different purpose.

#### MAJOR LANDMARK APPLICATION

Any application for a permit required by this article which involves demolition or removal of a landmark, addition to a landmark or construction of a new structure in an historical district and which will substantially affect the characteristics of the landmark or, in the case of a structure within an historic district, will substantially affect the characteristics of the district.

#### MARQUEE

Any hood, canopy, awning or permanent construction which projects from a wall of a building usually above an entrance.

#### MASSAGE PARLOR

An establishment that offers therapeutic massage.

#### MEDICAL BUILDING

A building that contains establishments dispensing health services including same day treatment but not including any building that houses patient overnight.

#### MEZZANINE

An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than 33 percent of the floor area of the story in which the level or levels are located.



#### MID-RISE

A building with three to nine stories.

#### MINI - WAREHOUSE

A structure containing separate storage space of varying size leased or rented on an individual basis.

#### MINOR LANDMARK APPLICATION

Any application for a permit required under this article which does not involve demolition or removal of a landmark, addition to a landmark or construction of a new structure in an historic district and which will not substantially affect the landmark or historic district.

#### MOBILE HOME

Any commercially manufactured vehicle, or combination thereof, used, designed or intended for use, for permanent occupancy as living quarters for one family or household, designed to be moved occasionally from one location to another by means of wheels affixed to an axle or carriage affixed to the vehicle, propelled by the power of another vehicle to which it may be attached, whether the axle or carriage to which the wheels may be affixed is detachable or detached.

#### MOBILE HOME PARK

One or more parcels of land under single ownership which have been planned for the placement of or is utilized for two or more mobile homes, appurtenant structures or additions.

#### MOBILE TEMPORARY STORAGE CONTAINERS

Temporary or portable storage units that are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis on residential property. A portable temporary toilet is not a mobile temporary storage container.

#### MODERATE INCOME HOUSING

Housing that is designed for a household earning between 50 and 80 percent of the area median income as adjusted for household size.

#### MOTEL

A building or a group of detached, semi-attached or attached buildings containing guest rooms or dwelling units, each of which, or each pair of which, has a separate entrance leading directly to the outside of the building with garage or parking space conveniently located to each unit, and which are designed, used or intended to be used primarily for the accommodation of motor vehicle transients, but not including hotels, boarding or rooming houses or trailer camps.

#### MOTION PICTURE THEATER

A place where motion pictures are shown to the public for a fee.

#### MOTOR VEHICLE BODY REPAIR SHOP

A place of business within a principal building where the bodies of motor vehicles are repaired and or rehabilitated. Motor vehicles shall be limited to passenger cars, vans and small trucks not exceeding two tons in weight classification.

#### MULTIPLE FAMILY HOUSING

Any building or structure of one or more stories and any land appurtenant thereto, and any portion thereof, in which three or more units of dwelling space are occupied, or are intended to be occupied by three or more persons who live independently of each other.

#### MUNICIPAL HOUSING LIAISON

The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Verona.

#### NATIONAL HISTORIC PRESERVATION ACT

A 1966 federal law that established a National Register of Historic Places, the Advisory Council on Historic Preservation and authorizing grants in aid for historic properties preservation.

#### NATIONAL REGISTER CRITERIA

The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

#### NATIONAL REGISTER OF HISTORIC PLACES

The official list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation's history or whose artistic or architectural value is unique.

#### NET DENSITY

The total number of dwelling units divided by the total land area less major recreational facilities, streets, retention, detention, and water quality basins and public facilities within the parcel. The result is expressed as dwelling units per acre (du/ac).

#### NON-CONTRIBUTING PROPERTY

A building, structure, designated object, or site that does not add to the Landmark architectural qualities, Landmark associations, or archeological values for which a property or District is because a) it was not present during the period of significance; b) due to alterations, disturbances, additions, or other changes, it no longer possesses Landmark integrity reflecting its character at that time or is incapable of yielding important information about the period; or c) it does not independently meet the National Register criteria for significance. [National Register Bulletin No 14, "Guidelines for Counting Contributing and Non-contributing Resources for National Register Documentation" as revised]

#### NON-POINT RUNOFF

Surface water entering a channel from no definable discharge source.

#### NUISANCE

An interference with the enjoyment and use of property.

#### NUISANCE ELEMENT

Any environmental pollutant, such as smoke, odors, liquid wastes, solid wastes, radiation, noise, vibration, glare or heat that exceeds performance standards.

#### NURSERY

Land or greenhouses used to raise flowers, shrubs and plants for sale.

#### NURSING HOME

An extended or intermediate care facility licensed or approved to provide fulltime convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, but not to include mental patients or persons afflicted with contagious or infectious disease or liquor or drug addiction.

#### OCTAVE BAND

A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

#### OCTAVE-BAND FILTER

An instrument, standardized by the American Standards Association, used in conjunction with a sound-level meter to take measurements in specific octave bands.

#### OFFICE BUILDING

A building used for conducting the affairs of a business, profession, service, industry or government, or like activity, but not for manufacture, storage or sale of goods except by sample.

#### OFFICE, COMMERCIAL

Any building housing a business which engages in activities other than producing or selling commodities or providing personal service.

#### OFFICE, PROFESSIONAL

Any office used for such services as are provided by medical practitioners, lawyers, architects, engineers and similar professions.

#### OFFICE PARK

A development on a tract of land that contains a number of separate office buildings, supporting uses and open space designed, planned, constructed and managed on an integrated and coordinated basis.

#### OFF-STREET PARKING SPACE

A storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located within a street right-of-way.

#### ON-STREET PARKING SPACE

A temporary storage area for a motor vehicle which is located within a street or right-of-way.

#### OPEN SPACE, USABLE

An area of a lot set aside, dedicated, designated or reserved for the public or private use as active or passive recreation that has a minimum dimension of 50 feet in length and 50 feet in width as measured at right angles not including buffer areas or required distances between buildings.

#### OUTDOOR CAFÉ

An open-air seating area provided by a restaurant, where patrons can eat or drink. Outdoor cafés are not intended as the primary dining area but an extension of indoor seating, for use in affable weather. Food vending machines, food preparation equipment, and other equipment such as refrigerators, coffee machines and utensils are also not permitted in outdoor cafés.

#### OUTDOOR STORAGE

The keeping, in an unroofed area of any goods, material, merchandise, or vehicles in the same place for more than twenty-four hours.

#### OWNER

Any person having a right, title, or interest in any property so as to be legally entitled, upon obtaining such permits and other authorizations as may be required pursuant to law, to perform construction, alteration, removal, demolition, or other work with respect to such property.

#### PARAPET

The extension of the main walls of a building above the roof level.

#### PARCEL

A lot or tract of land.

#### PARKING AREA

Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

#### PARKING AREA, PRIVATE

Any open area being part of the same lot or tract on which is erected a building or structure used for the temporary storage of automobiles and other vehicles for the private use solely by the occupants thereof to which such use is accessory.

#### PARKING AREA, PUBLIC

Any open area other than a street or other public way used for the temporary storage of automobiles and other vehicles and available to the public, whether for a fee or without compensation, or as an accommodation for clients, customers or employees.

#### PARKING SPACE

A space available for the parking of one motor vehicle.

#### PATIO

An accessory structure at grade that is adapted for outdoor enjoyment.

#### PENTHOUSE

An enclosed structure above the roof of a building, other than a roof structure or bulkhead, occupying not more than 33 1/3 percent of the roof area.

#### PERMANENT

Lasting or intended to last indefinitely without change.

#### PERFORMANCE STANDARDS

Standards adopted by this Chapter regulating noise level, glare, earthborn or sonic vibrations, heat, electronic or atomic radiation, noxious odors, toxic matters, explosive and flammable matters, smoke and airborne particles, waste discharge, screening of unsightly objects or conditions and such other similar matters as may be reasonably required by the Township of Verona, or standards required by applicable Federal, state or interstate law or municipal ordinance.

#### PERSONAL SERVICE ESTABLISHMENT

An establishment providing non-medical services to individuals as a primary use. Examples of these uses include, but are not limited to: barber shops, beauty salons, day/health spa, hair salons, nail salons, tanning salons foot spas, massage parlors, aroma therapy or reflexology establishments. Tattooing and other body modifications establishments do not constitute beauty services.

#### PERMITTED USE

Any use allowed in a zoning district, subject to the restrictions applicable to that zoning district.

#### PLAN

The provisions for development of a planned development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, public or private streets, ways and parking facilities, open space and public facilities. The phrase "provisions of the plan," when used in this Chapter, shall mean the written and graphic materials referred to in the development.

#### POOL HALL OR BILLIARD HALL

A structure containing more than two pool tables or billiard tables available for use by the public in the same place, location or premises other than structures that contain establishments that sell or displays for sale pool tables or billiard tables.

#### PRE-EXISTING TOWERS AND PRE-EXISTING ANTENNAS

Any tower or antenna for which a building permit or conditional use permit has been properly issued prior to the effective date of this ordinance including permitted towers or antenna that have not been constructed so long as each approval is correct and not expired.

#### POND

A body of standing water, either natural or man-made, that is usually smaller than a lake. A wide variety of man-made bodies of water are classified as ponds, including water gardens, water features and koi ponds; all designed for aesthetic ornamentation as landscape or architectural features.

#### PORCH

A roofed open area, which may be screened, attached to or part of and with direct access to or from a building.

#### PORTICO

A porch or walkway with a roof supported by columns, often leading to the entrance of a building.

#### POOL HALL

An establishment where pool and/or billiards is played as a primary use.

#### PRIMARY STREET

The street faced by the main entrance of a principal building.

#### PRINCIPAL BUILDING

A structure in which is conducted the principal use of the site on which it is situated. In any residential district any dwelling shall be deemed to be a "principal building" on the lot on which it is located.

#### PRINCIPAL USE

The primary or predominant use of a lot.

#### PROHIBITED USE

A use that is not permitted in a zone district whether directly or by omission.



### PSYCHIC READER

A reader who advises by professing to tell past, present or future events through extraordinary spiritual insight or by perceiving another's thought. The term "psychic reader" includes the terms "tarot card reader", "crystal gazer" "fortuneteller", "mind reader", "palmist" and "tea-leaf reader."

### PSYCHIC STUDIO OR ROOM

A room used primarily for conducting the business of psychic reading.

### PUBLIC WAY

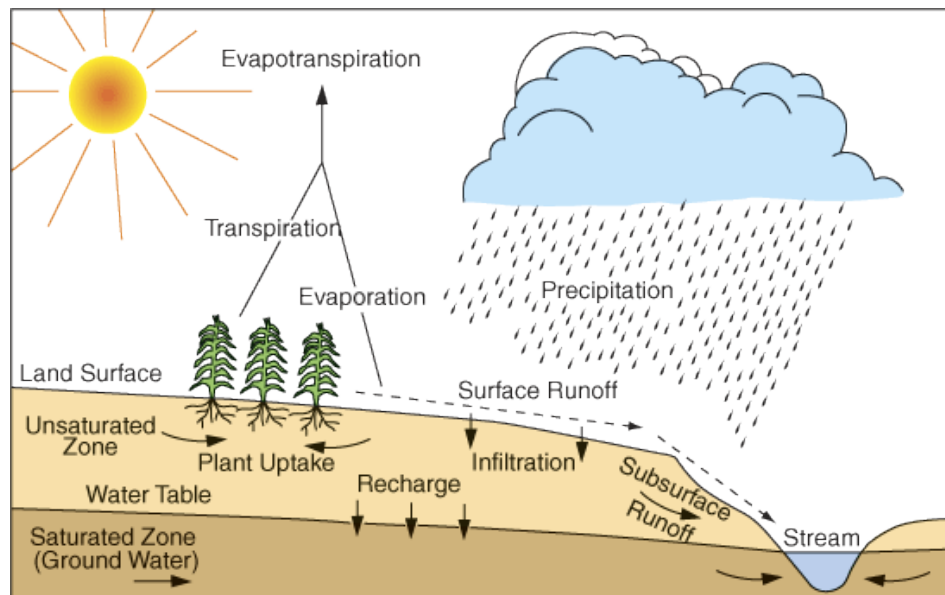
Any street, alley or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated or otherwise permanently appropriated to the public for public use.

### REAR YARD AREA, NON CORNER LOTS

The area defined by the total square footage bounded by the entire rear of the principle building to the rear property line extending from side lot line to side lot line without regard to the minimum rear yard setback requirements.

### RECHARGE

The process of renewing underground water by infiltration during wet seasons.



### RECORDING STUDIO

A facility for sound recording which generally consists of two rooms, the studio or live room, and the control room, where the sound from the studio is recorded and manipulated. They are designed so that they have good acoustics and so that there is good isolation between the two rooms.

#### RECREATIONAL FACILITY, COMMERCIAL

A recreation facility operated as a business and open to the public for a fee. A Commercial Recreational Facility may include, but is not limited to the following uses: Health clubs, Day Spas, Gyms, and Fitness Centers.

#### RECREATIONAL FACILITY, PERSONAL

A recreation facility provided as an accessory use on the same lot as the principal permitted use and designed to be used primarily by the occupants of the principal use and their guests.

#### RECREATIONAL FACILITY, PRIVATE

A recreation facility operated by a organization, and open only to bona fide members and guests of such organization.

#### RECREATIONAL FACILITY, PUBLIC

A recreation facility operated by a governmental agency and open to the general public.

#### RECREATIONAL VEHICLE

A transportation structure, self propelled or capable of being towed by a passenger car, small pickup truck or panel truck, of such size and weight not to require any special highway movement permits and primarily designed or constructed to provide temporary, movable, living quarters for recreational, camping or travel use, but not while so parked, stored and not for any commercial purposes or for profit. The term "recreational vehicle" shall be limited to the following:

- A. Travel trailers or fifth-wheel trailers which are defined as portable structures built on a chassis with wheels as an integral part to make them mobile and intended to be towed by passenger cars and/or light pickup trucks or panel trucks, but not including truck tractors of any type.
- B. Camping trailers which are trailers, the walls of which are so constricted as to be collapsible and made of either canvas or similar cloth or rigid material such as fiber glass, plastic or metal. Camping trailers are mounted on wheels and designed for travel and recreation use.
- C. Pickup campers or truck caps which are recreational structures designed to be mounted in the bed of light pickup trucks and are designed for travel, storage or recreational use.
- D. Motor homes which are constructed with a truck or motor van chassis and incapable of being separated there from.

- E. A boat or snowmobile trailer is a vehicle on which a boat or snowmobile may be transported and which is towable by a passenger car, light pickup or panel truck or mobile home.

#### REPAIR

Any work performed on an improvement which is not an addition to the improvement and which does not change the appearance of the exterior surface of the improvement.

#### REPLACEMENT

A repair or reconstruction to any improvement for which a building permit is ordinarily required.

#### RESEARCH AND DEVELOPMENT FACILITY

A scientific or research laboratory devoted to research, design and/or experimentation and processing and fabricating incidental thereto, but not including structures where materials or finished products are manufactured, processed or fabricated for sale.

#### RESTAURANT

A building or structure designed, used or intended for use in which food and beverage are sold and consumed primarily within the confines of an enclosed structure on the site, with seating and serving capacity for not less than 30 persons and with public floor area of not less than 600 square feet. A "restaurant" shall not include refreshment stands commonly called snack or dairy bars where consumption takes place outside of the structure or in automobiles parked upon the premises, whether brought to said automobile by the customer or by employees of the establishment. A "restaurant" shall also include pickup or delivery services wherein food is prepared on the premises for off premises consumption. Cafes, coffeehouses and cyber cafes, which provide internet access, are restaurants.

#### RESTAURANT, CARRY-OUT

An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared ready to eat foods intended to be consumed off the premises, and where the consumption of food in vehicles on the premises is not permitted.

#### RESTORATION

The replication or reconstruction of a building's original architectural features.

#### RETAIL BAKERY

Any establishment primarily engaged in retailing bread and other bakery products not for immediate consumption made on the premises from flour, and not from prepared dough.

### RETAIL STORE

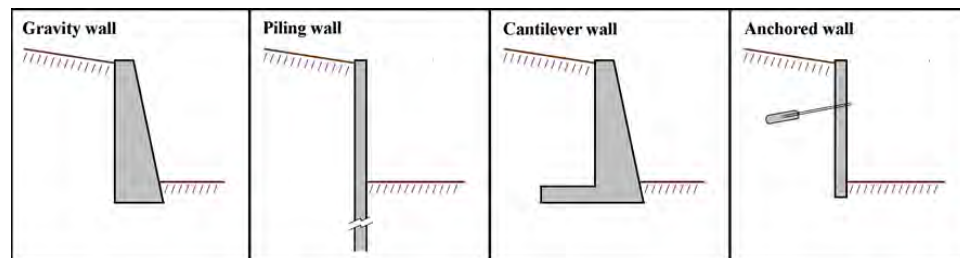
A store where goods are sold directly to the consumer for personal or household use, with or without incidental processing on the premises including any establishment which requires a club membership or fee payment to permit entry to the establishment for the sale of goods or services whether or not the words "wholesale or warehouse" appear in the name of the establishment.

### RETAIL SERVICE ESTABLISHMENT

A store that sells services such as drug store, opticians, travel agencies, real estate offices, jewelry repair, photographic studios and dry cleaners, shoe repair facilities, tailors, seamstresses.

### RETAINING WALL

A structure constructed to hold back or support an earthen bank. A retaining wall shall not be considered a fence.



### RETENTION BASIN

A facility that provides permanent storage of excessive surface runoff, such as a pond, pool or basin.

### REVIEWING BOARD

Either the Planning Board of the Township of Verona or the Zoning Board of Adjustment, depending upon which agency has jurisdiction over the application under consideration.

### RHYTHM

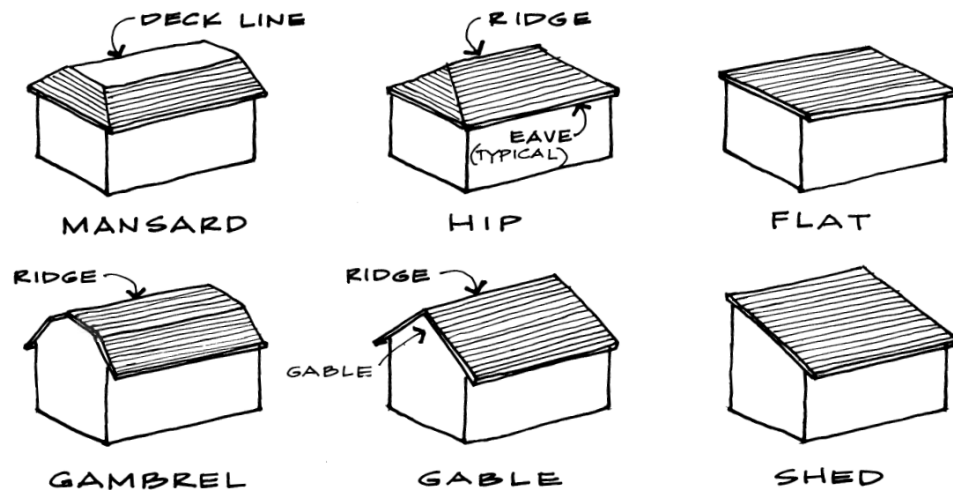
A harmonious sequence or pattern of masses alternating with voids of light, with shade, colors, material or styles.

### RIGHT-OF-WAY

A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar use.

### ROOF

The outside top covering of a building.



## ROOF TYPES

### ROOF DECK

A flat floored roofless area adjoining a multifamily structure and supported by a roof below for the limited use of a single dwelling unit and not to be utilized for common space.

### SATELLITE DISH or ANTENNA

A reflective dish structure which is designed for the purpose of receiving television, radio, microwave, satellite or similar signals and serves as an accessory structure to a principal permitted structure or use.

### SCHOOL, NON COMMERCIAL

Public and parochial institutions of learning for any grade between kindergarten and 12th grade.

### SCHOOL, COMMERCIAL

An institution offering specialized instruction in a skill or business.

### SECRETARY OF THE INTERIOR'S STANDARDS

The publication issued by the U.S. Department of the Interior, National Park Service, entitled: "The Secretary of the Interior's Standards for the Treatment of Historic Properties," 36 CFR 68, issued in 1992 and revised and supplemented from time to time.

### SEASONAL

Pertaining to, dependent on, or accompanying the seasons of the year or some particular season.

### SETBACK

The distance between a lot line and any part of the building.

### SETBACK LINE

The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal building must be erected or placed.

### SHED

An accessory building with a single story; used for storage.

### SHOPPING CART CORRAL

Any enclosure for confining or storing shopping carts outside of the principal structure.

### SHOPPING CENTER

A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site with provision for goods delivery separated from customer access.

### SIDEWALK

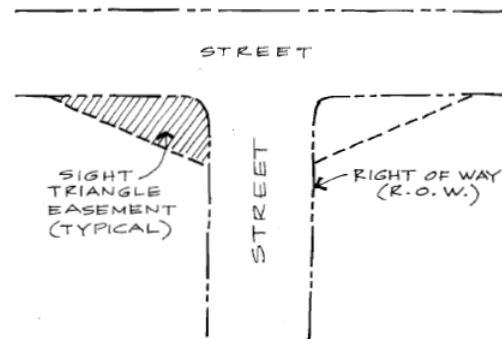
A paved, surfaced or leveled area used as a pedestrian travel way.

### SIDEWALK CAFÉ

A full service restaurant, snack and non alcoholic beverage bar, or limited service restaurant that serves food and/or drink to be consumed by the public at tables located outdoors between a building façade and the curb line of an abutting street and within the public right of way area.

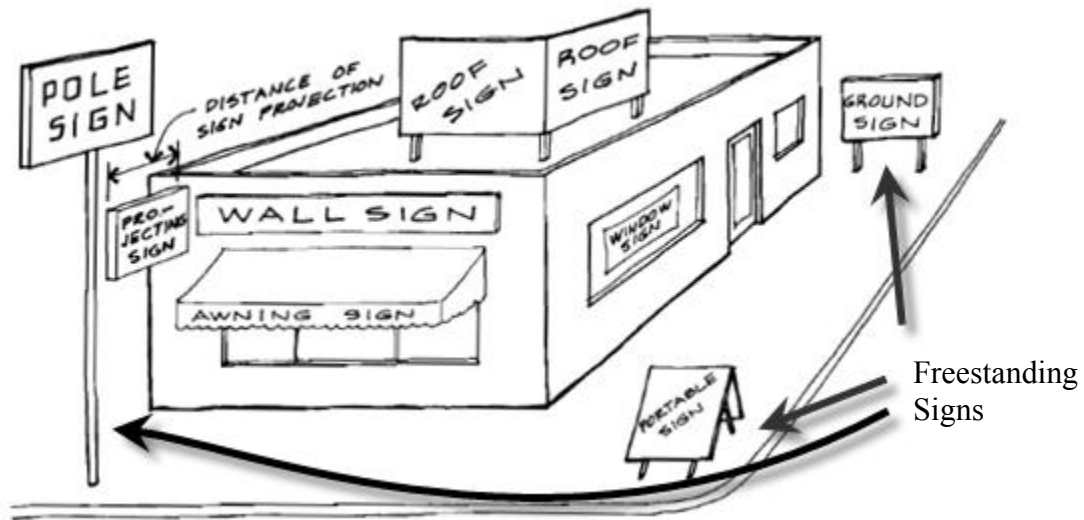
### SIGHT TRIANGLE

A triangular shaped portion of land established at street intersections or intersections of driveways and streets in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.



## SIGN

Any device, either freestanding or attached to a building or structure or erected, painted or represented or reproduced upon or in (to the extent provided herein) any building or structure which displays, reproduces or includes any letter, word, name, number, model, insignia, emblem, design, device or representation used to identify the premises or occupant or owner of the premises, to advertise any trade, business, profession, industry, service or other activity; to advertise any product or item; to advertise the sale or rental or use of all or part of the premises, including that upon which it is displayed, to direct vehicular or pedestrian traffic, other than state, county or municipal highway and roadway markers, including any announcement, declaration, demonstration, display, illustration, insignia or any representation used to advertise or intended to advertise or promote the interests of any person.



## SIGN, ADVERTISING (BILLBOARD)

Any sign which directs attention to an individual, business, product or service conducted, sold, leased or offered elsewhere than on the premises where the sign is located.

## SIGN, AREA OF

The area within the frame or edge of the sign. Where the sign has no such frame or edge, the area shall be the minimum area which can be defined by an enclosed foursided (straight side) geometric shape which most clearly outlines the said sign.

## SIGN, BANNER

A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

#### SIGN, BUSINESS

A sign used to identify either the trade, business, industry, or profession being conducted on the premises.

#### SIGN, CLOSED

A sign in which more than 50 percent of the entire area is solid or tightly enclosed or covered.

#### SIGN, DIGITAL DISPLAY

A display device that has the ability to display dynamic advertising.

#### SIGN, DIRECTIONAL or INFORMATIONAL

A non advertising sign that directs attention to vehicular or pedestrian entrances or exits, parking areas, reserved parking spaces or similar site elements and is intended only for the safety and convenience of employees, patrons or visitors.

#### SIGN, ELECTRONIC MESSAGE CENTER (EMC)

A digital sign that is designed or intended to display text in a digital format and is sometime referred to as a reader board. EMC signs include “time and temperature signs”.

#### SIGN, FACING or SURFACE

The surface of a sign upon, against or through which the message is displayed or illuminated on the sign.

#### SIGN, FLAG

A sign that is mounted on a freestanding pole or other support, made of cloth, canvas, fabric or like material designed or intended to advertise, identify or attract attention to a business organization, service or event.

#### SIGN, FLASHING

A flashing sign is an illuminated sign on which artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.

#### SIGN, FREE-STANDING

A sign having not more than two display sides which is attached to or part of a completely self-supporting structure that is set firmly in or below the ground surface and shall not be attached to any building or structure whether portable or stationary.

#### SIGN, FLEX BLADE

A flexible sign that is mounted on a freestanding pole or other support, made of cloth, canvas, fabric or like material designed or intended to advertise, identify or attract attention to a business organization, service or event and has a shape that resembles a feather.





#### SIGN, GROUND

A sign supported by uprights or braces in or upon the ground surface.

#### SIGN, HEIGHT

The measurement from the ground surface beneath the sign to the highest point of the sign.

#### SIGN, IDENTIFICATION

A sign used to identify a common area containing a group of structures, or a single structure on a minimum site of five acres, such as residential subdivisions, apartment complexes, industrial parks, mobile home parks, or shopping centers; located at the entrance or entrances of the area, and including but not limited to a fence, wall, archway, post or column, with the letters or symbols affixed thereto.

#### SIGN, ILLUMINATED

Any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper. Signs utilizing neon gases are illuminated signs.

#### SIGN, MARQUEE

A sign attached to or hung from a marquee, canopy or other covered structure, projecting from and supported by the building and extending beyond the building wall, building line or street lot line.

#### SIGN, MOVING

A sign which rotates or shifts, or appears to rotate or shift position.

#### SIGN, OPEN

A sign in which at least 50 percent of the enclosed area is uncovered or open to the transmission of wind.

#### SIGN, POLITICAL

A containing a statement about or endorsement of, any public issue or candidate(s) for public office.

#### SIGN, PORTABLE

A sign of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

#### SIGN, PROJECTION

A device that utilizes any form of projection to cause any form of advertisement to be displayed on any surface other than the surface of said device.

### SIGN, PROJECTING

A display sign which is attached directly to the building wall, and which extends more than six inches from the face of the wall.

### SIGN, REAL ESTATE

A sign placed upon a property for the purpose of advertising to the public the sale or lease of the property placed thereon.

### SIGN, ROOF

A sign which is erected, constructed and maintained wholly upon or over the roof of a building, with the principal support on the roof structure.

### SIGN, SANDWICH BOARD

A self-supporting A-shaped freestanding temporary signs with only two visible sides that are situated adjacent to a business, typically on a sidewalk, that contains commercial speech.



### SIGN, SIDEWALK

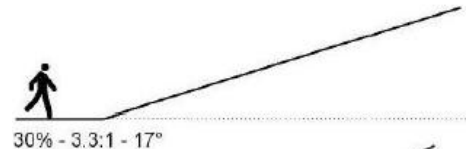
Any form of advertising placed or projected upon a sidewalk.

### SIGN, TEMPORARY

A sign constructed of cloth, fabric or other lightweight temporary material with or without a structural frame intended for a limited period of display including decoration displays for holidays or public demonstrations.

### SIGN, WALL

All flat signs of solid-face construction which are placed against a building or other structure and attached to the exterior front, rear or side wall of any building or other structure so that the display surface is parallel with the plane of the wall including signs painted on an exterior or a wall.

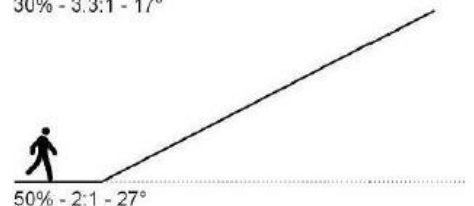


### SITE

Any plot or parcel of land or combination of contiguous lots or parcels of land.

### SLOPE

The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.



#### SLOPE, STEEP

Any slope equal to or greater than 25 percent as measured over any minimum run of ten feet. Steep slopes are determined based on contour intervals of two feet or less.

#### SMOKE

Solid particles generated as a result of the incomplete combustion of materials containing carbon.

#### SNACK AND NONALCOHOLIC BEVERAGE BAR

Any establishment primarily engaged in preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, cookies, baked goods, or popcorn and/or serving nonalcoholic beverages, such as coffee, tea, juices, or sodas for consumption at or near the premises. These establishments may carry and sell a combination of snack, nonalcoholic beverages, and other related products (e.g., coffee, beans, tea, mugs, and coffee makers) but generally promote and sell a unique snack or nonalcoholic beverage.

#### SOIL

All unconsolidated mineral and organic material of whatever origin that overlies bedrock and can be readily excavated.

#### SOUND-LEVEL METER

An instrument, standardized by the American Standards Association, used for measurement of the intensity of sound and calibrated in decibels.

#### SPENDING PLAN

A plan adopted by the Township to spend development fees in accordance with N.J.A.C. 5:93-5.1 (c).

#### SPIRE

A tall, narrow, pointed structure on the top of a building.

#### STANDARDS OF PERFORMANCE

Standards adopted by ordinance regulating noise levels, glare, earth-borne or sonic vibrations, heat, electronic or atomic radiation, noxious matters, smoke and airborne particles, waste discharge, screening of unsightly objects or conditions and such other similar matters as may be reasonably required by the Township or standards required by applicable federal or state laws or municipal ordinances.

#### STORM WATER DETENTION

Any storm drainage technique that retards or detains runoff, such as a detention or retention basin, porous pavement, dry wells or any combination thereof.

#### STORY

That portion of a building included between the upper surface of a floor and upper surface of the floor above or roof.

#### STORY, ABOVE GRADE

Any story having its floor surface entirely above grade except that a basement shall be considered as a story above grade when the distance from grade to the finished surface of the floor above the basement is more than six feet for more than 50 percent of the total perimeter or more than 12 feet at any point.

#### STORY, FIRST

The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building.

#### STORY, HALF

A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story.

#### STREET LINE

The dividing line between a street right-of-way and a lot.

#### STREET FURNITURE

A collective term for objects and pieces of equipment installed on streets and roads for various purposes, including: traffic barriers, benches, bollards, post boxes, phone boxes, streetlamps, traffic lights, traffic signs, bus stops, fountains, memorials, and waste receptacles.

#### STRUCTURAL ALTERATION

Any changes in the supporting members of a building or structures, such as walls, columns, beams or girders.

#### SUPERMARKET

A retail establishment primarily selling food as well as other convenience and household goods.

#### SWIMMING POOL

Any structure having a depth greater than two feet and a water surface area in excess of 250 square feet which is used for swimming, bathing or wading purposes.

#### TEMPORARY USE

A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

#### TENNIS COURT

An improved area used for playing tennis.

#### THEATER

A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances.

#### TOILET, PORTABLE

A portable self contained outhouse manufactured of molded plastic and often used as a temporary toilet for construction site or large gatherings and events.

#### TOPOGRAPHY

The configuration of a surface area showing relative elevations.

#### TOWER, COMMUNICATION

Any structure that is designed and constructed primary for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes including self-supporting lattices, towers, guyed towers or monopole towers including radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures.

#### TOWER, WATER

A tower with a large container for storing water that is utilized when normal water pressure is inadequate.

#### TOWNHOUSE

A building or structure designed for or occupied by no more than one family or household and attached to other similar buildings or structures by not more than two party walls extending from the foundation to the roof and providing two direct means of access from the outside containing cooking, sleeping and sanitary facilities for the use of each family or household of the townhouse including a building or structure in a fee simple, condominium, cooperative or leasehold ownership or any combination thereof.



#### UNDEVELOPED or UNIMPROVED LAND

Land in its natural state before development.

#### UNIQUE NATURAL FEATURES

That part of the natural environment which is rare or not duplicated in the community or region.

#### USE

The specific purpose for which land or a building, structure or facilities is designed, arranged or intended or for which it is or may be occupied or maintained.

#### VEGETATIVE PROTECTION

Stabilization of erosive or sediment producing areas by covering the soil with permanent or short-term seeding, mulching, or sodding.

#### VENDING MACHINE

A coin or bill operated machine that dispenses merchandise.

#### VIDEO GAME ARCADE

An establishment that as its primary use contains a collection of videogames that can be played by a customer for a fee.

#### WADING POOL

An above ground or in ground structure containing less than 24 inches of water.

#### WAREHOUSE

A building used primarily for the storage of goods and materials.

#### WAREHOUSING

Terminal facilities for handling and storing freight without the maintenance of vehicles.

#### WATER FEATURES

One or more landscaping items from a range of fountains, pools, ponds, cascades, waterfalls, and streams.

#### WEATHERVANE

A mechanical device attached to an elevated structure; rotates freely to show the direction of the wind.

#### WIND TURBINE

A structure that use moving air to generate electricity through the use of blades that are easily turned by the wind. This rotating motion is translated inside the turbine into an electric current, which is then interconnected via cables to a nearby electric grid.

#### WINDOW

Any opening in the exterior wall or roof of any structure for the purpose of admitting air or light, whether or not covered with glass, plastic or other covering.

## WINDOW SPACE

The aggregate square footage of all windows on any given story of any structure, regardless of the angle or angles at which they are set including all portions of any door which contains a window.

## YARD

An open space which lies between the principal or accessory building or buildings and the nearest lot line which is unoccupied and unobstructed from the ground.

## YARD, FRONT

A yard extending across the full width of the lot between the front lot line and the principal building, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this Chapter. The depth of the front yard shall be measured parallel to and at right angles to the front lot line.

## YARD, REAR

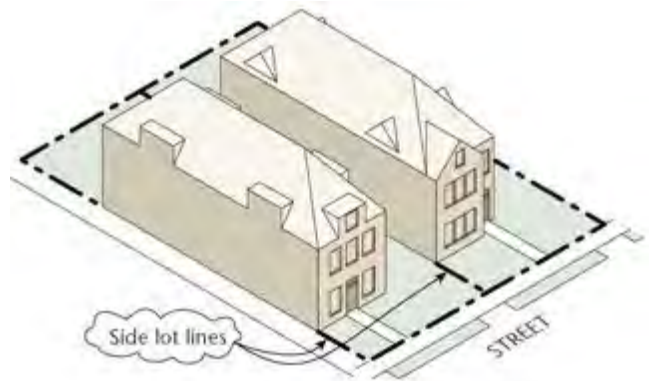
A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building. The depth of the rear yard shall be measured parallel to and at right angles to the rear property line. If a lot has two side lot lines converging on a single point, the rear yard shall be measured radially from said point.

## YARD, SIDE

An open, unoccupied space between the side line of the lot and the nearest line of the principal building extending from the front to the rear yard. The width of the side yard shall be measured parallel to the side line of the lot. The minimum side yard setback on a corner lot shall be at least 1.5 times the minimum yard requirement.

## ZERO LOT LINE

The location of a building on a lot in such a manner that one or more of the buildings side rests directly on a lot line.



#### ZONE

A specifically delineated area or district in the municipality within which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

#### ZONING

The division of the municipality into districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings within such district.

#### ZONING BOARD

The Zoning Board of Adjustment of the Township of Verona.

#### ZONING MAP

The Zoning Map of the Township of Verona, New Jersey.



ARTICLE III  
ESTABLISHMENT OF ZONES; ZONING MAP

150-3.1 ZONES DESIGNATED.

For the purpose of this chapter, the Township of Verona is hereby divided into the following types of zones, differentiated according to use, area and bulk regulations, designated as follows:

ZONE DESIGNATIONS	ZONE DESCRIPTION
R-100	Very Low Density Single Family Residential
R-70	Low Density Single Family Residential
R-60	Medium Density Single Family Residential
R-50B	Medium/High Density Single Family Residential
R-50	High Density Single Family Residential
R-40	Very High Density Single Family Residential
A-1	Multi Family Residential - Low Rise
A-1A	Multi Family Residential - Low Rise (club type)
A-2	Multi Family Residential - High Rise
A-3	Residential - Townhouse
C-2	Professional Office and Business
MO	Mixed Office
MR	Mixed Retail
TC	Town Center
ETC	Extended Town Center
RR	Regional Retail
P	Public
SP	Semi Public
T	Transportation / Street Furniture

150-3.2 ZONING MAP.

The location and boundaries of said districts are hereby established on the Zoning Map of the Township of Verona, as may be amended or supplemented, which is hereby made a part of this Chapter. Said map or maps and all notations, references and designations shown thereon shall be, as such, a part of this Chapter as if the same were all fully described and set forth herein.

## INTERPRETATION OF BOUNDARIES.

- A. Designation of zone boundaries. The zone boundary lines are intended generally to follow the existing lot lines; the center lines of rivers, streams and other waterways; and municipal boundary lines. When a district boundary line does not follow such a line, its position shall be shown on the Zoning Map by a specific dimension expressing its distance, in feet, from a street line or other boundary line as indicated.
- B. Determination of doubtful lines. In cases of uncertainty or disagreement as to the true location of any zone boundary line, the determination thereof shall lie with the jurisdiction of the Zoning Board of Adjustment.
- C. Where a district boundary line is shown as approximately parallel to a street or highway, such boundary shall be construed as being parallel thereto and at such distance from the nearest right-of-way line as indicated on the Zoning Map.

ARTICLE IV  
ZONING DISTRICT REGULATIONS

150-4.1 SCHEDULES OF REGULATIONS.

The restrictions and controls intended to regulate development in each zone district are set forth in the attached schedules, which are supplemented by other sections of this Chapter.

150-4.2 APPLICATION OF REGULATIONS.

Except as hereinafter otherwise provided:

- A. No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land or building be designed, used or intended to be used for any purpose or in any manner other than as specified among the uses hereinafter listed as permitted in the district in which such building or land is located.
- B. No building or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.
- C. No building or structure shall be erected, no existing building or structure shall be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot area and building location regulations hereinafter designated for the district in which such building or open space is located.
- D. No yard or other open space provided about 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 other open space on one lot shall be considered as providing a yard or open space for a building on any other lot.
- E. No minimum off-street parking area or loading or unloading area shall be considered as providing off-street parking, loading or unloading for a use or structure on any other lot or parcel than the principal use to which it is ancillary, except as provided herein.

- F. No commercial trailers, or vehicles used or intended for conveyance upon public highways either under their own power or by attachment to a motor vehicle or through other means of transportation, shall be used for the storage of any type of goods or materials on any premises in any zoning district within the Township of Verona. Any commercial trailers or vehicles described in the preceding sentence shall be deemed to be used for storage purposes if the trailer or vehicle remains on the premises in excess of seven days.
- G. Number of Principal Residential Structures per Lot Restricted.  
Every residential building or residential structure hereafter erected or structurally altered shall be located on a lot, and in no event, except in the case of garden apartments, apartment buildings and planned developments, shall more than one principal building or structure and its accessory buildings be located on one lot.
- H. General Use Restriction.  
Any use not specifically designated as a principal permitted use, an accessory use or a conditional use is specifically prohibited from any zone district in the Township of Verona.

150-4.3 PROHIBITED USES IN ALL ZONE DISTRICTS IN THE TOWNSHIP OF VERONA.

- A. The following uses are not permitted, accessory or conditional uses and are prohibited in all zone districts in the Township of Verona. This list is not exhaustive of all uses that are prohibited.

Uses Specifically Prohibited

Acetylene gas manufacture or storage.  
 Alcohol manufacture.  
 Ammonia, chlorine or bleaching powder manufacture.  
 Arsenals, storage or manufacture of gun powder, ammunition and blasting material.  
 Asphalt manufacture or refining.  
 Auction rooms; flea markets.  
 Auto laundries (car washes) , except when operated in conjunction with a duly authorized new car agency and when located on the same property.  
 Automobile junkyards or wrecking yards.  
 Boarding Houses or Rooming Housing.  
 Bingo halls or bingo parlors or similar types of amusement establishments, except in halls owned and operated by churches and similar charitable organizations.

Blast furnace, forge plants, rolling mills, foundry.  
 Body Modification Establishments.  
 Boiler works.  
 Brick, pottery, tile or terra-cotta manufacture.  
 Carrouseles (Permanent), ferris wheel, merry-go-rounds, roller coasters,  
     miniature and practice golf courses, shooting galleries.  
 Cellular communication towers, cells and antennas.  
 Celluloid or film manufacture or extraction of products there from  
 Chemical manufacture or storage of chemicals having a flammable,  
     explosive or toxic base or which have an odor.  
 Cement, cinder block, lime, gypsum or plaster of Paris manufacture.  
 Coke ovens.  
 Community drop-in centers or rehabilitation centers for those afflicted  
     with drug abuse alcoholism, diseased, or mental illness.  
 Cotton oil manufacture.  
 Disinfectant, insecticide or poison manufacture.  
 Distillation of coal, petroleum, refuse, grain, wood or bone.  
 Dog pounds or animal shelters.  
 Dormitories, Fraternity or Sorority Houses.  
 Dye manufacture.  
 Emery cloth and sandpaper manufacture.  
 Establishments for the distribution of free food, toiletries, clothes,  
     household goods, etc. including soup kitchens.  
 Explosives or fireworks manufacture and storage.  
 Fat-rendering plant.  
 Fertilizer manufacture.  
 Fish and meat: wholesale smoking or curing.  
 Freak shows or wax museums.  
 Glue, size, adhesive or gelatin manufacture.  
 Grain drying or food manufacture from refuse, marsh or grain.  
 Harboring or keeping of exotic pets.  
 House-wreckers yard or secondhand lumberyard.  
 Incineration, except publicly owned incinerators or accessory to an  
     apartment building or hospital, reduction, storage or dumping of  
     slaughter house refuse, rancid fats, garbage, dead animals or  
     offal.  
 Junkyards or the storage, sorting or bailing of junk, scrap iron, paper,  
     bottles, metal or rags.  
 Keeping of livestock.  
 Match manufacture.  
 Motels, tourist camps or cabins; trailer camps or courts.  
 Oilcloth and linoleum manufacture.  
 Paint, oil, varnish, turpentine, shellac, enamel, japan, lacquer or solvents  
     manufacture.  
 Paper pulp manufacture.  
 Petroleum refining.

Plastics manufacture or the manufacture of articles from plastic having an inflammable base.

Pool hall.

Potash works.

Power forging, riveting, hammering, punching, chipping, drawing, rolling or tumbling of metals except as necessary incident of manufacture of which these processes form a minor part and which are carried on without objectionable noise audible beyond the limits of the lot.

Printing ink manufacture.

Psychic Reader.

Quarry, sandpits, gravel pits, topsoil stripping.

Raw hides or skins storage, cleaning, curing, pickling or tanning or retanning.

Rock or stone crusher.

Rubber, latex or gutta-percha manufacture or treatment.

Sexually Oriented Business as defined by NJSA:2C.

Shoddy manufacture or wool scouring.

Slaughtering or wholesaling of animals or fowl.

Smelting, smelters, and foundries.

Soap manufacture.

Solar or Photovoltaic Panels, ground mounted.

Starch, glucose or dextrin manufacture.

Steel furnace or rolling mill.

Stockyards.

Sugar refining.

Sulphurous, sulphuric, acetic, nitric, picric, carbolic or hydrochloric acid manufacture.

Tar distillation or manufacture.

Tallow, grease or lard manufacture or refining.

Tattoo Parlors.

Tobacco manufacture or treatment.

Used automobile sales, except when operated by an authorized new car agency and located on the same or adjoining lot.

Use Group H-High hazard use as defined in the Building Code.

Video and pinball Game Arcade.

Yeast plant.

ARTICLE V  
SUPPLEMENTARY LOT, HEIGHT AND YARD REGULATIONS

150-5.1 LOT REGULATIONS.

- A. Existing Zone Lots of Record.  
If two or more lots or combinations of lots and portions of lots, developed or undeveloped, with continuous frontage in single ownership were of record on June 20, 2011, and if all or part of the lots do not meet the requirements for lot width and area established by this chapter, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this chapter, nor shall any division of the parcel be made which leaves remaining lots with width or area below the requirements stated in this chapter.
- B. Corner Lot.  
At all street intersections or the intersection of a street and a driveway, no obstruction exceeding two and one half feet in height above the established grade of the street at the property line, other than an existing building, post, column, hedge or tree, shall be erected, maintained or planted on any lot within the area bounded by the line drawn between the points along such street lot line 25 feet distance from their intersection.
- D. Through Lots.  
A through lot shall be considered as having two street frontages both of which shall be subject to the front yard requirements of the zoning schedule of this chapter.
- E. Required Area or Space Cannot Be Reduced.  
The area or dimension of any zone lot, yard, parking area, buffer zone or other space shall not be reduced to less than the minimum required by this chapter; and if already existing at less than the minimum required by this chapter, said area or dimension may be continued and shall not be further reduced.
- F. Frontage Upon a Street.  
Every lot or parcel created by subdivision and every building built upon a lot shall provide frontage upon an improved street in accordance with the street standards established by the Township of Verona and the State of New Jersey.

- G. Lot Located in More than One Zone.  
For any lot which is located in more than one zone district, all yard, bulk and other requirements shall be measured from the zone district boundary line and not the true lot line.

150-5.2 HEIGHT REGULATIONS.

- A. General Application.  
No building or structure shall have a greater number of stories or a greater number of feet than are permitted in the district where such building is located.
- B. Permitted Exceptions.
1. The building height provision contained in this chapter shall not apply to church spires, belfries, flagpoles, water towers, fire towers, chimneys, public buildings, or to necessary mechanical appurtenances or to parapet walls, except no parapet wall may extend more than four feet above the maximum height of the building.
  2. The height of bulkheads, elevator enclosures or water tanks or other structures constructed upon the roof of a building and occupying in the aggregate less than 20 percent of the area of the roof upon which the same are located shall not be included as a part of the height of the building for the purpose of the regulations and restrictions of this chapter.
  3. All rooftop appurtenances shall be appropriately screened from all adjoining properties with architectural screening, the material color and composition of which shall be approved by the approving body.



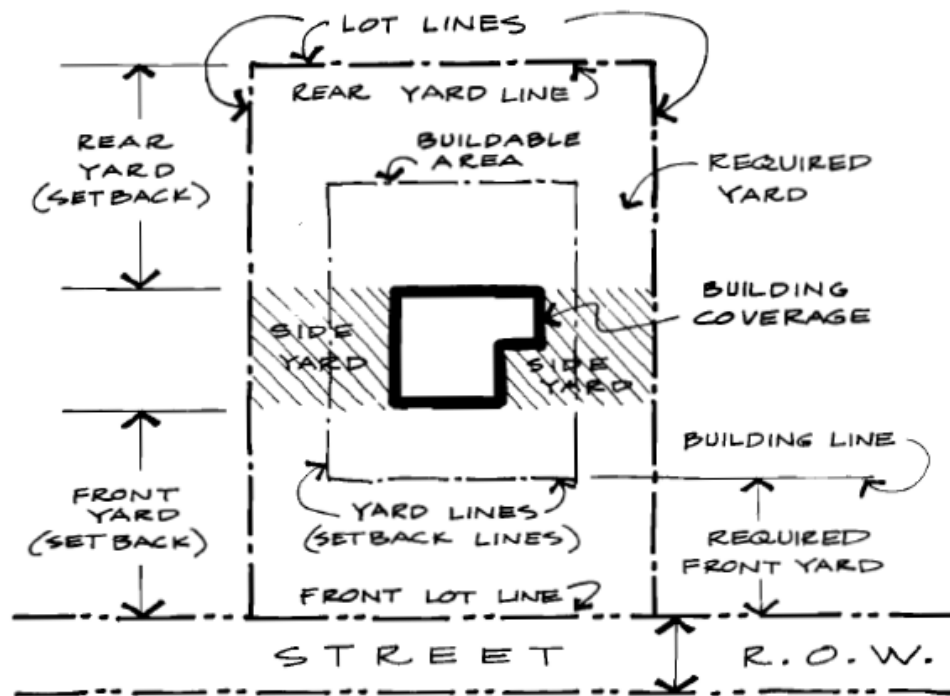
## YARD REGULATIONS.

## A. General.

The area required in a yard at any given level shall be open and unobstructed from such level to the sky, except for the projections and encroachments identified in Section 150-5.3C.

## B. Front Yard Requirements Affected by Official Map.

Where any lot shall front on a street right-of-way which is proposed to be widened as indicated on the Official Map or Master Plan of the Township of Verona, the front yard shall be measured from such proposed right-of-way line or easement line, if a dedication of right-of-way is not effectuated.



## C. Projection into Required Yards.

Certain features may project into required yards as follows:

1. Normal skylights and parapets above the bottom of such yard.
2. Ordinary projections of windowsills and belt courses to the extent of not more than four inches.
3. Cornices and other ornamental features to the extent of not more than 12 inches.

4. An open or lattice enclosed iron fire escape, fireproof outside stairway or solid floored balcony to a fire tower to the extent of not more than six feet into a yard or an inner court provided, however, that an open or lattice enclosed iron fire escape may project not more than eight feet into a yard or into an inner court when it does not occupy more than 20 percent of the area of such inner court.
5. Chimneys or flues may be erected within a side or rear yard to the extent of not more than three feet, provided that they shall not obstruct ventilation.
6. Patios may be located in any side or rear yard, provided that they are not closer than five feet to any property line.
7. Self supporting walls and fences may project into any required yard, provided that any accessory retaining wall or fence is not higher than three feet in height and shall not obstruct automobile visions.

D. Corner Lots, Sight Triangle.

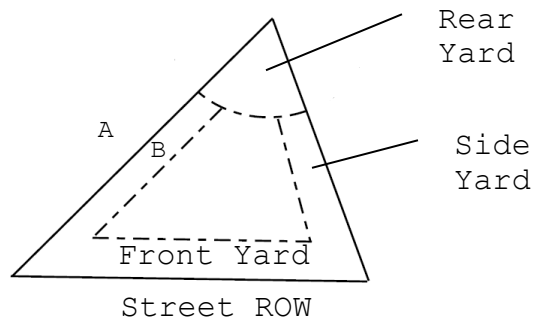
On a corner lot, no obstruction that would be greater than two and one half feet above the center-line grades of the intersecting streets shall be installed, erected, planted or maintained within the triangular area formed by the right-of-way lines at such corner and a straight line joining said right-of-way at points which are:

1. Fifteen feet distant in business and commercial districts, except for the Town Center District which shall be five feet.
2. Twenty-five feet distant in residential districts from the intersection of the right-of-way lines and measured along said right-of-way lines which are on the side of the property and for the full length of the right-of-way line when said right-of-way line is located in the front of the property.

E. Required Yard Setbacks.

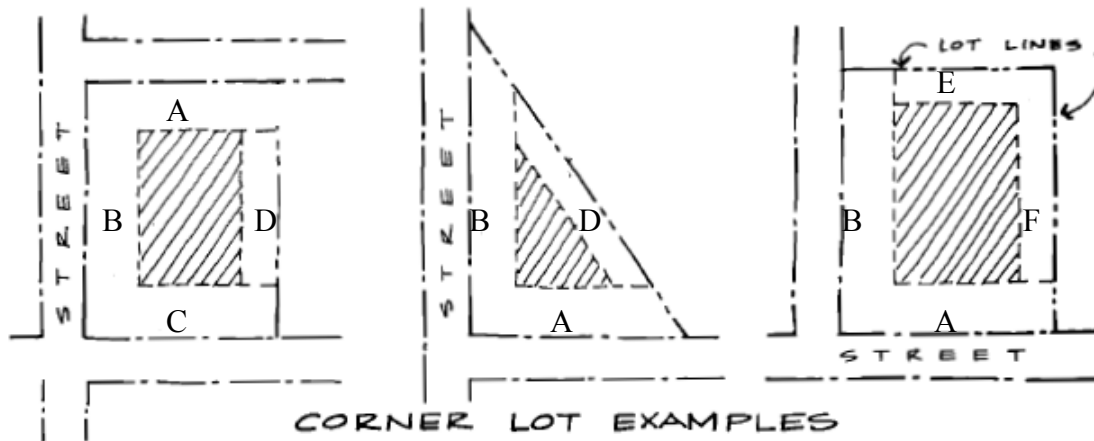
1. Interior Lot, Frontage Upon One Street.  
An interior lot containing frontage upon an improved street will contain a front yard, two side yards and a rear yard.
2. Interior Lot, Frontage Upon Two Streets.  
An interior lot containing frontage upon two improved streets (a through lot) shall contain two required front yards and two required side yards.

3. **Corner Lot, Frontage Upon Two Streets.**  
A corner lot having frontage upon two improved streets shall have two front yards, one side yard and one rear yard. The rear yard shall be located opposite the more narrow frontage. The minimum side yard setback for such lot shall be 1.5 times the minimum yard requirement. In the event the two lot widths are equal, the lot shall contain two front yards and two rear yards.
4. **Lot Containing Three Frontages.**  
A lot containing frontage upon three improved streets shall contain three required front yards. The fourth required setback shall be a required rear yard setback.
5. **Three Sided Triangular Shaped Lot.**
  - a. If fronting on two streets, a three-sided triangular shaped lot shall contain two required front yard and one required rear yard setback.
  - b. If fronting on one street, a three-sided triangular shaped lot shall contain one required front yard, two side yards and one required rear yard setback.

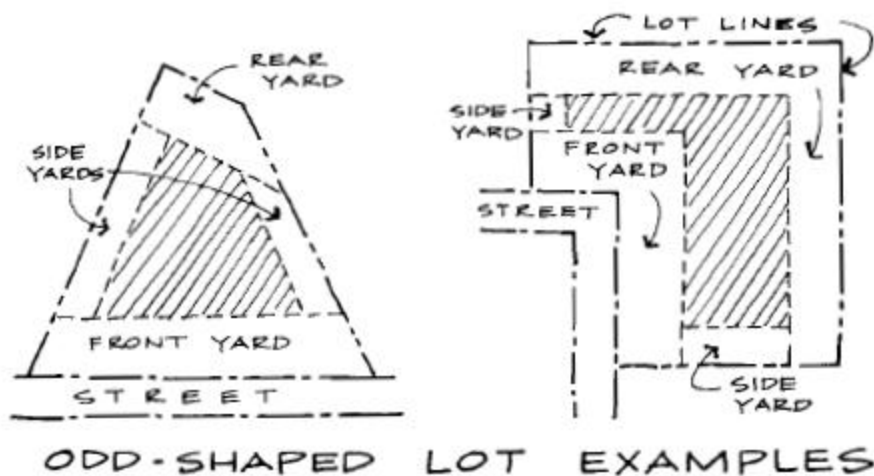
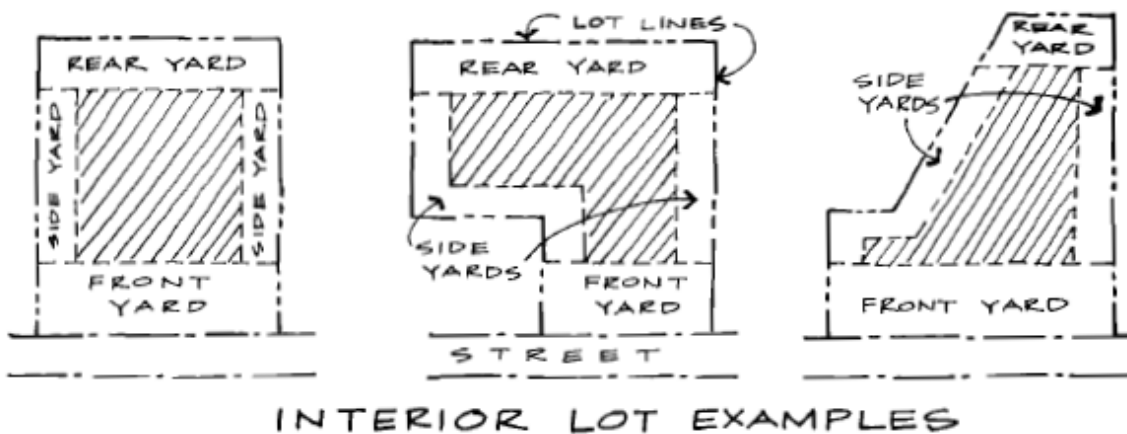


front yard.  
yard.

If A is a street right of way, B is a  
If A is an adjacent lot, B is a side



A, B, C are front yards / D is a rear yard.  
 If  $A = B$  then E and F are rear yards.  
 If  $A > B$  then F is a rear yard and E is a side yard.  
 If  $A < B$  then F is a side yard and E is a rear yard.



F. Paving of Required Yard Areas.

For a one or two-family dwelling abutting a public street, no front yard, side yard or rear yard shall be paved in excess of 20 feet in width, and in no case shall paving in the front yard, side yard or rear yard abutting a public street exceed 50 percent of the area of said front yard, 50 percent of said side yard abutting a public street or fifty percent of said rear yard abutting a public street, unless such additional paving is otherwise permitted by this chapter. The curb cut shall not exceed the width of the driveway.

For all other uses other than one and two family dwellings, no required front yard, side yard, or rear yard shall be paved except to allow driveway aprons to a public street or another approved parking area from an approved parking area.

G. Unenclosed Balconies, Porches and Steps.

Unenclosed balconies or unenclosed porches or steps may have a roof over same within the yard areas not to exceed the sizes listed:

YARD	MAXIMUM PROJECTION (FEET)	MAXIMUM AREA (SQUARE FEET )
Front	5	35
Side	3	15
Rear	5	30

Multiple family dwellings may have one canopy or porch at ground level which shall not exceed 70 square feet and which shall have a minimum setback of eight feet. Said canopy or porch shall not contain any walls but shall be restricted to a roof and supporting columns only.

150-5.4 MAXIMUM LOT COVERAGE.

- A. The maximum percentage of lot coverage by buildings or structures and the required area of front, rear and side yards shall be as noted in the Schedule of Zone District Regulations.
- B. All accessory buildings shall be computed with principal building in determining the coverage of the land.

ARTICLE VI  
SUPPLEMENTARY USE REGULATIONS  
GOVERNING CERTAIN PERMITTED USES

150-6.1      ANIMAL HOSPITALS AND ANIMAL KENNELS.

Animal hospitals and kennels shall be located no closer than 100 feet to any residential zone line. Such facilities shall be maintained in an enclosed structure and shall be of soundproof construction and so operated as to produce no objectionable odors at the property line. Open kennels, exercise pens or runways shall not be located closer than 200 feet to any property line and shall be subject to noise and odor controls established for an enclosed building. Open kennels, pens or runways shall not be located within a wetland area, wetland buffer or flood hazard area.

150-6.2      COMMUNITY BUILDINGS, CLUBS, SOCIAL HALLS, LODGES,  
FRATERNAL ORGANIZATIONS AND SIMILAR USES.

All buildings shall be setback a minimum of 20 feet from any property line, except where greater distances are otherwise required herein.

150-6.3      COMMUNITY RESIDENCES.

Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries shall be a permitted use in all residential districts of Verona and the requirements therefore shall be the same as for single family dwelling units located within such district.

ARTICLE VII  
REGULATIONS GOVERNING CERTAIN ACCESSORY USES

150-7.1      ACCESSORY USE AND STRUCTURE REGULATIONS IN RESIDENTIAL DISTRICTS.

- A.      Accessory structures shall maintain a minimum yard requirement as further set forth within.
- B.      No accessory structure shall be located closer to the street right-of-way line than the required front yard setback of the principal structure with the following exceptions:
  - 1.      A single flag pole is permitted within a front yard so long as it is no higher than the permitted principal building.
  - 2.      A fountain or a landscaped water feature is permitted within a front yard so long as it is less than 24 inches in height.
  - 3.      Accessory structures that are manmade, at grade, and used for the purpose of ingress and egress to a principal or accessory structure such as driveways and walkways.
- C.      No accessory building or structure shall be erected or altered unless such accessory building or structure is set back from the street lot line a distance equal to at least 150% of the minimum required front yard setback for the zoning district
- D.      No portion of an accessory structure shall be used for dwelling unit.
- E.      When an accessory structure is attached to the principal building, it shall comply in all respects with the requirements of this ordinance applicable to the principal building, including lot coverage.
- F.      No accessory building or structure shall be constructed or placed on any lot unless there exists a principal use on said lot.
- G.      The height of an accessory building shall not exceed one and one-half stories or a height of 15 feet.
- H.      Fenced-in dog runs shall be located in the rear yard only and shall be at least ten feet from any side or rear lot line.
- I.      No accessory building or structure shall be utilized for business or industrial uses, except for the parking of commercial vehicles by one who occupies the principal structure as a dwelling unit.

150-7.2      ACCESSORY USE AND STRUCTURE REGULATIONS IN  
NONRESIDENTIAL DISTRICTS.

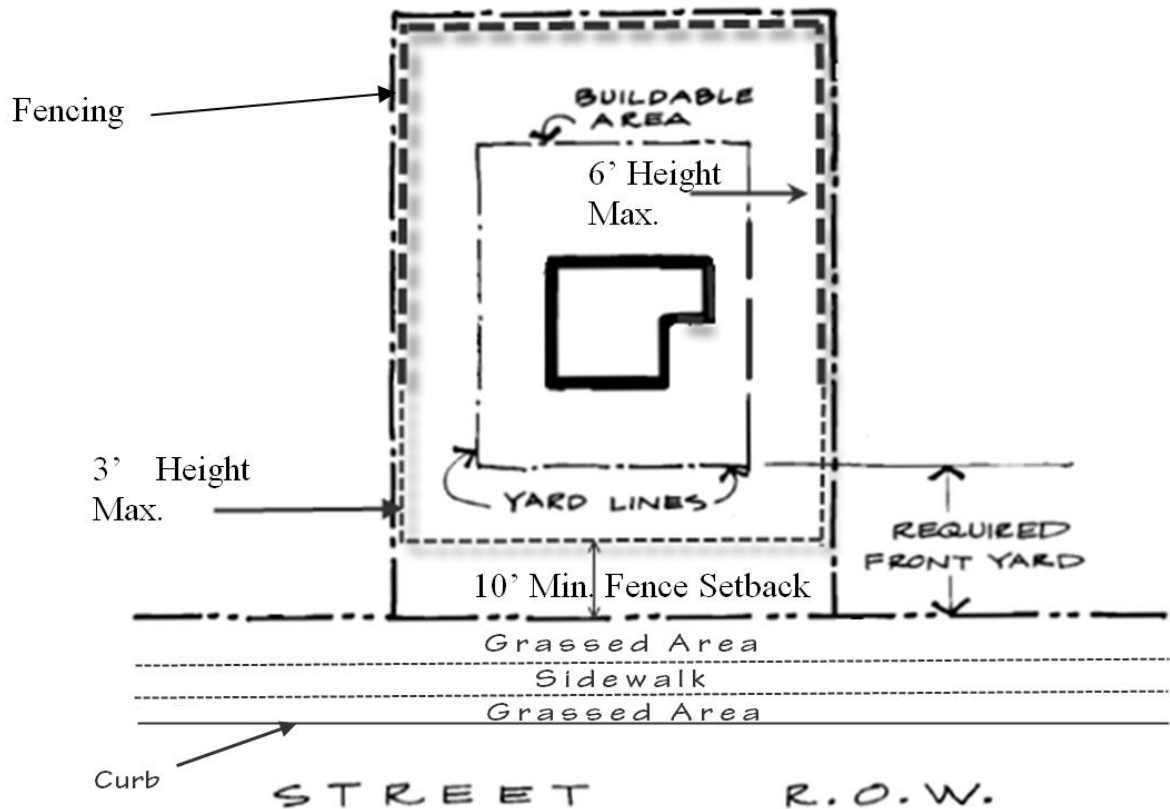
- A.      No accessory structure or use shall be located within any required setback or closer than five feet to any lot line. Said requirements shall not apply to retaining and decorative walls and fences, provided same do not exceed seven feet in height.
- B.      Despite the forgoing, no accessory use shall be located within ten feet of a residentially zoned property.
- C.      When an accessory structure is attached to the principal building it shall comply in all respects with the requirements of this ordinance applicable to the principal building including lot coverage.
- D.      No portion of an accessory structure shall be used for a dwelling unit.
- E.      The height of the accessory structure shall not exceed two stories or 20 feet.

150-7.3      FENCES.

- A.      No fence or other manmade enclosure shall exceed six feet in height at any point, as measured from existing ground levels. In the case of commercial property that abuts a residential property, no fence or other manmade enclosure shall exceed seven feet in height except along the property line common to the residence, where the six-foot limit shall apply.
- B.      Fencing shall not exceed six feet in any yard up to the front façade of the principal structure where said fencing shall not exceed three feet.
- C.      No fence within 25 feet of a corner of two intersecting streets shall exceed 30 inches in height, as measured from existing ground levels.
- D.      No fencing shall be installed within ten feet of a front lot line.
- E.      All fences shall be installed or erected as close to the ground as possible. The total height of the fence may exceed six feet where otherwise permissible to conform to existing ground heights; provided, however, that 80 percent of the fence does not exceed the maximum height of the six feet. Decorative type structural posts may extend no more than six inches above the top of the fence.



- F. Fences must be constructed with the face or finished side away from the property and the structural side toward the interior of the property.
- G. No fences or other enclosures shall be installed within six inches to the property line.
- H. Fences shall be erected in a manner so as to permit the flow of natural drainage and shall not cause surface water to be dammed so as to create ponding.
- I. Fencing from the front façade of the building to a minimum of ten feet from the front lot line shall be limited to three feet in height.
- J. Fences or other enclosures shall be maintained to assure the structural integrity of the fence, to prevent all or portions of the fence from encroaching over the property line and shall be maintained so as to prohibit an unsightly appearance to adjoining property owners. “Unsightly appearance” shall include the following:
  - 1. Painted fences or other enclosures whereon paint has chipped or peeled from more than 15 percent of the surface area of the fence.
  - 2. Fence posts which have become loose or which are leaning more than five degrees from the fence line.
  - 3. In the case of picket fences, slatted or other solid-wall fences, where more than ten percent of the picket fences have fallen, been removed or rotted in any given ten-linear-foot section of such fence.



- K. The following fences and fence materials are specifically prohibited: barbed wire, chicken wire, pointed iron slats or pickets, canvas, cloth, fiberglass, poultry netting, electrically charged fences, temporary fences such as snow fences, except where necessary for active construction, and collapsible fences, except during active construction.
- L. No fence shall be erected that interferes with the public right-of-way or interferes with the visibility of vehicular and pedestrian traffic proceeding along any public right-of-way.
- M. In the case of commercial property that abuts residential property, if chain link fence construction is used, the fence shall also include privacy inserts.
- N. In business zoning districts chain link fences surrounding nonresidential property may be erected to a height of seven feet on all property lines.
- O. As provided under Section 150-7.7 a fence with a maximum height of ten feet shall be permitted incidental to a tennis or basketball courts.

150-7.4 OUTDOOR DISPLAYS.

No outdoor merchandising displays or storage of any nature shall be permitted except the sale of automotive fuel, service station accessories, nursery or agricultural products.

150-7.5 PERMANENT AND PORTABLE SWIMMING POOLS.

- A. Permanent and portable swimming pools accessory to a residential use shall be erected on the same zone lot as the principal structure. Said pool may be erected in the rear yard of the zone lot. The wall of the swimming pool shall be located no closer than ten feet to a side or rear yard line nor closer to a street than the principal building to which it is accessory, nor within ten feet of the principal building. All such pools shall be suitably fenced in accordance with the Township of Verona requirements.
- B. All filtration equipment and pumps shall be located not less than five feet from any property line.
- C. These regulations shall not apply to portable swimming pools which are less than two feet in height and pool regulations set forth and adopted by the Uniform Construction Code.

150-7.6 PRIVATE GARAGES.

- A. Private garages shall be deemed to be accessory uses to a permitted principal use if it is located on the same lot or parcel as the principal use.
- B. Private garages shall be subject to regulations established herein.
- C. Private garages shall only be utilized for the storage and security of motor driven vehicles. Private garages and carports shall not be utilized for the conduct of any business, service, or residency.
- D. Private garages shall be permitted as accessory uses in all residential zones either as a detached structure or as a part of the principal structure for the storage of automobiles and other permitted items owned by the occupants of the principal structure.

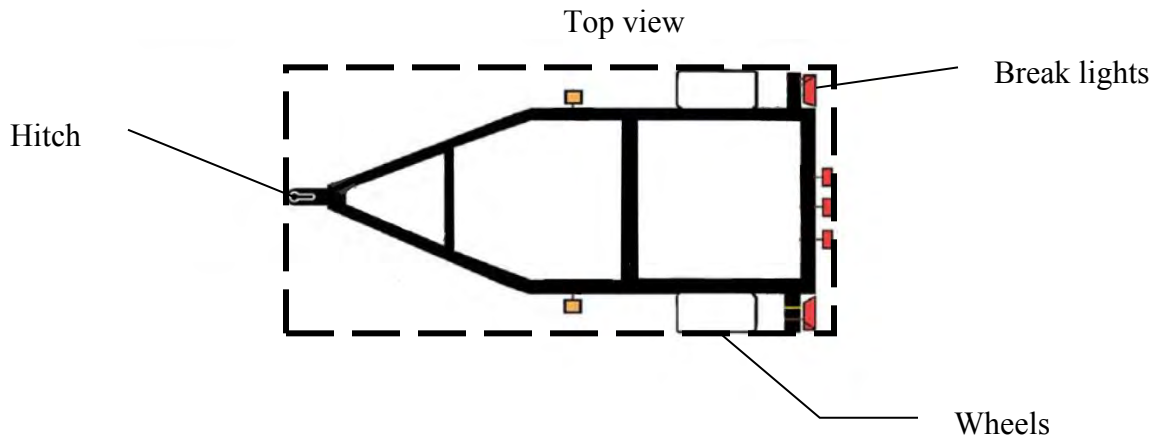
150-7.7 TENNIS AND BASKETBALL COURTS.

- A. Tennis and full court basketball courts shall be permitted in the rear yard as an accessory use. No portion of the court or fence shall be located within ten feet to any property line.
- B. A fence with a maximum height of ten feet shall be permitted incidental to the tennis or basketball court.
- C. Despite anything contained in this section to the contrary, development of tennis or basketball courts on any property shall be subject to site plan approval by the approving authority.
- D. The temporary recreational use of a driveway for basketball uses does not create a basketball court as regulated above.
- E. Tennis and basketball courts must be unlit.

150-7.8 RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS.

- A. Any owner of a recreational vehicle, as defined by this ordinance, may park or store recreational(s) vehicle upon premises on which the owner of such recreational vehicle resides in a residential district as follows:
  - 1. Within an enclosed building meeting all Building Code and Zoning Ordinance requirements.
  - 2. In the rear yard and no closer to any side or rear lot line or other structure than is required for an accessory building within such zoning district. However, in no case shall such recreational vehicle be located closer to a side or rear lot line than five feet.
  - 3. No recreational vehicle parked or stored in a residential district in accordance with this section shall be used for any type of commercial or business use, nor shall it be registered with any motor vehicle department as a commercial vehicle.
  - 4. All such recreational vehicles must be kept in good repair and carry a current year's license and/or registration. No major overhaul or body work shall be permitted on any recreational vehicle when parked on the residential premises.
  - 5. No recreational vehicle shall be occupied or used for human habitation while parked or stored on any lot.

6. No recreational vehicle shall have fixed connections to electricity, water, gas or sanitary sewer facilities.
- B. Notwithstanding the above provisions, a recreational vehicle may be parked on a driveway in a residential district for the purpose of loading and unloading for a period not to exceed 48 hours in any one week.
- C. If a trailer is utilized for the temporary storage of a recreational vehicle(s), it shall be treated as, and must follow the regulations concerning sheds in a residential zone. The area of said trailer shall be measured, in a horizontal plane, as a rectangle bounding the outermost extremities of the trailer as illustrated below.



150-7.9

SIGNS.

- A. All signs hereafter erected, substantially rebuilt, enlarged or changed, except official, traffic and street signs, shall conform to the provisions of this chapter. Change of copy for outdoor advertising signs and theater marqueses shall not be considered a substantial change.
- B. No sign, except those specifically excepted, shall be permitted to be installed, structurally altered or relocated unless a written application has been made to the Construction Code Official and a permit therefore duly issued by him after payment of the established fee. No permit shall be required for the changing of message on any existing sign that is expressly designed for the periodic change of message, provided that such change does not entail alteration of sign structure.
- C. A totally destroyed or un-repairable nonconforming sign, as determined by the Construction Code Official, may be replaced only by a conforming sign.

- D. Illuminated signs shall be properly shielded and located so as to prevent glare or blinding effects upon vehicular traffic and so as to be inoffensive to residents of the area.
- E. No sign shall be placed in such a position that it will cause confusion or danger to street traffic by obscuring the view or by simulating official, directional or warning signs maintained by any governmental body, railroad or public utility concerned with the protection of public health or safety. This shall include any sign visible from the public right-of-way which uses an arrow device or simulates a stop sign or stop light.
- F. No sign shall be erected within or over any public right-of-way, unless specifically authorized by this or any other ordinance of the Township.
- G. Signs shall relate solely to the business or profession conducted on the premises and shall advertise only the name of the owner or leasee, the name of the establishment, the type of establishment, goods or services or the trade name of the establishment and the goods manufactured, sold or services rendered, except for public service, directory, official or directional signs.
- H. All signs attached to a building shall be thoroughly and rigidly secured in a manner approved by the Construction Code Official and shall be repaired and maintained as necessary to keep them secure, safe and free from danger.
- I. All electrical wiring of signs shall conform to the requirements of the municipality and the National Electrical Code.
- J. No sign shall obstruct access to fire escapes or required windows, doors, exits or standpipes or create a hazard to pedestrians as determined by the Construction Code Official.
- K. All new and existing signs and supports shall be maintained in good condition and shall be repaired and repainted as required.
- L. The proper repair and maintenance of each sign shall be the responsibility of the permittee and then the owner of the property on which the sign is located.

- M. Any sign which is not painted or maintained in good condition or repaired shall be brought to the attention of the permittee and/or owner of the property where such sign is located, in writing. If said sign is not properly repaired, repainted or restored within 90 days after the receipt of such notice, the sign shall be considered abandoned and may be removed by the Township in the manner set forth in Subsection N below.
- N. Any sign, now or hereafter erected or maintained, which no longer advertises a bona fide business conducted or product sold or notice of a current or future event shall be taken down and removed by the permittee or, if there is no permittee, by the owner of the premises within 30 days after such business ceases, such product ceases to be sold or such event occurs. Upon failure to comply, the Construction Code Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the permittee or owner of the premises upon which the sign is located. The Construction Code Official shall thereafter refuse to issue a permit for the erection of a sign to any permittee or property owner who refuses to pay the costs of such removal. The cost of removal shall be added to and become part of the real estate tax bill by the Collector of Taxes.
- O. In the event that any sign is determined by the Construction Code Official to be hazardous to the public safety, he shall immediately notify the permittee and the owner of the property by certified mail. If the permittee or owner fails to correct the hazardous condition within 24 hours after receipt of the notice, the Construction Code Official shall cause the condition to be corrected, either by removal or repair of the sign, and any expense incident thereto shall be paid by the permittee or the owner of the property. The Construction Code Official shall thereto refuse to issue a permit for the erection of a sign on that property until the expense has been reimbursed. The expense shall be added to and become a part of the real estate tax bill by the Collector of Taxes.
- P. Window signs, whether temporary, permanent or a combination of the two shall not exceed 25% of the window area. Temporary window signs shall not be posted for a period to exceed 30 days. Window signs are prohibited in residential zones.
- Q. Theaters may display signs with removable lettering on a marquee or canopy which may be back lighted and which shall advertise only current or coming attractions.

- R. A nonconforming business sign lawfully existing on the effective date of this chapter or lawfully authorized prior thereto may remain, provided that the sign is not enlarged or changed as to location, nature, purpose or type and further provided that the nature of the business remains the same.
- S. Business signs.
1. Unless otherwise specified, business signs shall not be allowed in residential zones.
  2. Such signs, if displayed on a wall of a building facing a street on which the building lot has frontage, shall have a total area of all such signs not to exceed one square foot for each linear foot that such building extends along the street on which it has frontage. If the building has frontage on more than one street, a separate sign or signs may be provided for each street frontage, but the total area of all signs on each street shall be no greater in the aggregate than one square foot for each foot that the building extends along the street for which such signs are provided. In no event shall the total sign area on each street frontage exceed 100 square feet or be more than four feet in height.
  3. Such sign or signs, if displayed on a wall of a building not facing a street on which the building lot has frontage, shall have a total area of all such signs for any wall not to exceed in the aggregate one square foot for each foot of horizontal dimension of such wall, provided that the total area of any such sign or signs shall not exceed 80 square feet or be more than four feet in height.
  4. No business sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m. the following morning, unless the business or use so advertised is open to the public later than 11:00 p.m. or earlier than 6:00 a.m.
- T. No sign shall be erected or maintained on private property without the consent of the owner thereof.



U. Signs for religious, charitable, educational and civic organizations, subject to the following restrictions:

1. No more than two signs per location.
2. No sign shall exceed 20 square feet in area and, if a ground sign, stand no more than five feet above ground level or be closer than ten feet to any property line.
3. Such signs may be illuminated subject to section 150-7.9 of this chapter.
4. Private off-street parking areas of such organizations may be identified by not more than one sign which is to be no larger than six square feet in area and, if a ground sign, shall not stand more than five feet above ground level or be closer than five feet to any property line.

V. Signs not needing a construction permit:

The following signs may be erected, constructed, placed and maintained without a permit from the Construction Code Official:

1. Directional signs which shall be no more than four square feet in area, stand no more than three feet above ground level and, unless attached to the principal building, be no closer than five feet to any property line.
2. Directory signs which shall be permitted at the entrance of a multiple-family dwelling, which shall be attached to the building proper and which shall be no more than four square feet in area.
3. Nameplate signs. One nameplate sign, not more than one square foot in area shall be permitted for each residential property, provided that it is not internally illuminated or spotlighted. Such sign shall not be erected closer than five feet to any property line.
4. Flags or emblems of religious, educational or government organizations, which shall be flown from supports on the building or grounds being occupied by the organization.
5. Interior signs.
6. Signs which are an integral part of vending machines and gasoline pumps.

7. Official signs.
8. Customary signs of recognized nonprofit service organizations.
9. Signs advertising the sale or rental of the premises or property upon which they are located. Unless otherwise set forth below, there shall be no more than one sign per location; the signs shall not be illuminated; they shall be removed within 14 days after entering into a contract for sale or lease and may be replaced by a "sold" sign which may remain for an additional period of 14 days; and they shall be subject to the following additional restrictions:
  - a. In residential zones, the sign shall not exceed six square feet in area and shall not be more than four feet above ground level.
  - b. In all other zones, the sign shall not exceed 16 square feet in area, shall not be more than five feet above ground level and shall not be displayed for a period exceeding one year.
  - c. Any subdivision of six or more lots or any apartment building or commercial building under construction may display not more than two signs which shall not be larger than 20 square feet in area, be more than five feet above ground level or closer than ten feet to any property line unless it is attached to a building. The signs must be removed when 75% of the lots or units have been sold.
10. A temporary, non-illuminated business sign at a construction, repair or alteration site, subject to the permission of the owner of the property, which shall not exceed six square feet in area, not to be more than four feet above ground level and which must be removed within seven days after completion of the job.
11. Temporary signs which shall not be displayed for a period exceeding 30 days.
12. Signs indicating the private nature of a road, driveway or other premises, not to exceed two square feet in area.
13. Lights and strings of illuminated devices used to celebrate a national or religious holiday for a period not to exceed 60 days before the holiday and 15 days following the holiday.
14. Window signs, not exceeding 25% of the window area.
15. Political signs.

W. Signs requiring special permits.

Signs in this section are allowed upon submission of a permit to the Construction Code Official. These signs shall not be allowed in residential zones, except for garage sale signs.

1. Streamers, strings of illuminated devices, advertising flags, banners and similar attention-getting devices for special events.
2. Temporary signs for special events which are sponsored by charitable, educational, religious and civic organizations. These signs shall not exceed 32 square feet in area and, if a ground sign, shall not be more than six feet above ground level. The governing body may allow these signs to be located in residential zones.
3. Sandwich Board Sign.
  - i. Only one sandwich board sign per business shall be permitted.
  - ii. Sandwich board signs shall be no larger than thirty-two inches in width and thirty-six inches in height and no materials such as papers, balloons, wind socks, etc., may be added to the sign to increase its height and/or width. The height of such signs may not be artificially increased above the allowed maximum by placing material underneath the base of such sign.
  - iii. Sandwich board signs must be secured to withstand strong winds and to prevent a roadway hazard.
  - iv. Sandwich board signs may be used only during the hours when the business is open to the public.
  - v. No sandwich board sign shall be placed so as to obstruct vehicular traffic sight distance triangle requirements.
  - vi. All sandwich boards signs shall be constructed of weather resistant material.
  - vii. No sandwich board sign shall contain foil, mirrors, bare metal or other reflective materials which could create hazardous conditions to motorist, bicyclist, or pedestrians.

- viii. No sandwich board sign may contain lights of any kind.
  - ix. Signs located within the public right-of-way must provide a disclaimer indemnifying the Township of any liability for said use.
  - x. Sandwich Board Signs shall not be placed more than six feet from the front primary entrance of the business.
  - xi. Sandwich Board Signs shall not be placed so as to cause the width of the sidewalk to be reduced below five unobstructed feet in width.
  - xii. Sandwich Board Signs shall not be located or maintained in a manner that prevents free ingress or egress from any door, window or fire escape.
  - xiii. Sandwich Board Signs shall be removed from public sidewalks if there is any snow accumulation (the sign may not be displayed until the snow is removed).
  - xiv. The owner of a sandwich board sign shall be required to provide adequate public liability insurance naming the Township of Verona and/or the County of Essex as additional insured and providing for coverage of not less than \$ 1,000,000 for bodily injury and for not less than \$500,000 for property damage and general liability insurance of \$ 1,000,000.
4. Digital Display Systems (DDS) and Electronic Message Centers (EMC).

Digital display systems and electronic messages centers are permitted in the ETC and C2 zoning districts following conditional uses regulations:

- i. No digital sign shall implement video, animation, strobe, scrolling, or other attention getting effects.
- ii. Each message shall have a minimum duration of 60 seconds prior to changing to the next message.
- iii. Between messages, there shall be no fading, scrolling or other attention getting effects.
- iv. Lettering shall consist of a single color per message.

- v. Signage shall have automatic dimming capability.
- vi. Malfunctioning signs must default to a blank sign.

X. Prohibited Signs.

Signs in this section are prohibited unless otherwise permitted by this chapter.

- 1. Streamers, spinners, strings of illuminated devices, advertising flags, banners and similar attention-getting devices.
- 2. Signs posted on fences, posts, utility poles or trees, except for garage sale signs.
- 3. Signs posted on Township property without the consent of the governing body.
- 4. Business signs standing, installed or painted on sidewalks or curbs.
- 5. Portable signs not otherwise permitted.
- 6. Signs on bridges, abutments, retaining walls, standpipes, water towers, temporarily located on vehicles or similar structures.
- 7. Revolving signs.
- 8. Animated signs.
- 9. Neon Signs.
- 10. Flashing or intermittent illumination.
- 11. Temporary signs on parked vehicles.
- 12. Ground signs, freestanding signs, pylon signs, outdoor advertising signs and billboards.
- 13. Oscillating signs.
- 14. Lettering on main body of awnings.
- 15. Projecting signs.
- 16. Roof signs.

17. Signs extending more than 15 inches from a wall.
18. Signs in residential zones.
19. Portable signage including “wrapped” cars, vans, or trucks or mobile billboard trailers and trucks.
20. Inflatable Advertising.
21. Flex blade signs.
22. Scrolling text signs.

Y. Signage on Awnings.

1. Regardless of the shape of the awning, no numbers, letters, or symbols, shall appear on the awning above ten inches from the bottom of said awning.



150-7.10 VENDING MACHINES.

In the all commercial zones all vending machines must be located within the principal building and primarily for the use of the occupants.

150-7.11 SATELLITE OR DISH ANTENNAS.

- A. A satellite or dish antenna, when located in the rear or side yard of a lot, shall be a conditional use as an accessory structure to a principal structure in all zoning districts, subject to the regulations contained in this section. A rooftop installation of a satellite or dish antenna shall be a permitted use as an accessory structure to a principal structure in all zoning districts upon approval of the board with jurisdiction and subject to the regulations contained in this section. No satellite or dish antenna shall be located or installed in the front yard of any lot.
- B. In the case of a rooftop installation, height shall be measured from the average elevation of the rooftop immediately surrounding the installation.
- C. Location.
  - 1. Rear yard. A satellite or dish antenna located in the rear yard of a lot shall be set back at least five feet from the rear and side property lines of the lot and shall be located at least ten feet from any principal structure, including a principal structure on an adjoining lot.
  - 2. Side yard. The board with jurisdiction may approve location of a satellite or dish antenna in the side yard of a lot, provided that the satellite or dish antenna is located at least five feet from the adjoining property line and at least ten feet from any principal structure, including a principal structure on an adjoining lot. In addition, the installation shall be set back from the front line of the property a distance at least equal to the setback of the principal structure or a distance equal to the front yard setback requirements of the applicable zoning district, whichever is greater.
  - 3. Rooftop. A satellite or dish antenna may be installed on the rooftop of the principal structure, provided that the total height of the structure, including the satellite or dish antenna, shall not be more than three feet higher than the height limitations of this chapter.
- D. The number of satellite or antennas is limited to two satellite or dish antennas.

150-7.12 RETAINING WALLS.

- A. No retaining wall shall exceed four feet in height in the minimum front yard setback and six feet in height elsewhere.
- B. Multiple retaining walls.
  - 1. When multiple retaining walls are proposed, there shall be a three foot spacing between the top of one retaining wall and the bottom of another.
  - 2. A maximum of three retaining walls shall be permitted when said retaining walls are proposed to retain the same soil.
- C. When a single or any combination of multiple retaining walls are utilized wherein the measurement from the bottom of the lowest retaining wall to the top of the highest retaining wall exceeds ten feet over a five foot horizontal measurement, a fence must be placed upon the land behind the highest retaining wall.
- D. All retaining walls must be designed not only to retain the soil behind said wall but also contain structures to ensure adequate ground water drainage.

150-7.13 MECHANICAL EQUIPMENT

- A. No mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than five feet from the structure for which they serve.
- B. No generator shall be permitted within a side yard.

150-7.14 GREENHOUSES.

- A. Residential Greenhouses.
  - 1. Residential greenhouses are for the cultivation of delicate or out of season plants for personal enjoyment only.
  - 2. No sale of plants grown in a residential greenhouse is permitted.
  - 3. Residential greenhouses shall follow all rules and regulations that govern sheds in residential zones.
  - 4. A residential greenhouse constitutes a shed.



B. Commercial Greenhouses.

Garden centers, nurseries, or commercial greenhouses which require outside display or storage of merchandise according to the following requirements:

1. Products containing chemical fertilizers, pesticides, or herbicides must be stored in a roofed and contained area where water runoff cannot reach the exterior landscape or storm sewer.
2. Floor drainage for garden center/nursery must protect storm and ground water sources by following Storm water Best Management Practices (BMP's), including a storm water pollution prevention plan.
3. No intercom system shall be used in a commercial greenhouse.
4. Siting of structures shall not disrupt safe traffic flow through the site.
5. Any outdoor storage areas must be buffered from adjacent properties. Said buffering must follow the requirements set forth in section 150-11.
6. All outdoor lighting must be shielded so as the maximum intensity of lighting is 0 at the property line.
7. Any greenhouse that is heated must be ten feet from the property line.
8. Items displayed outdoors are limited to plants, soils, gravel, soil amenities and fertilizer.
9. Sales shall be limited to: woody plants and shrubs; flowers and plants; sod, topsoil, humus, peat, and similar soil materials; mulch; aggregates used in landscaping applications such as washed stone and similar products; brick, stone and masonry used for landscaping applications only; and organic fertilizer related to landscaping applications.
10. The following are prohibited: sales or display of garden or farm equipment; outdoor structures such as sheds and similar accessory buildings; outdoor play structures; outdoor furniture; outdoor cooking equipment, including brick, stone or masonry intended for construction of outdoor cooking equipment; aggregates intended for fill or other construction applications;

brick, stone or masonry intended for construction applications; pond construction materials and equipment; irrigation equipment; and any other item not clearly intended for landscaping applications.

11. Processing of materials on site, such as washing of stone, making/drying of mulch, etc., is prohibited.
12. Any stockpiles of soil, aggregate, organic fertilizer, mulch or similar loosely packaged materials shall be stored within a structure, sufficiently covered or contained to prevent dust or blowing of materials. The outdoor storage of hazardous materials is prohibited. The containment structure, and the material contained within it, shall not exceed eight feet in height.
13. All access drives leading to parking, loading and outdoor display/storage areas shall be paved along their entire length with a permanent, durable and dustless surface, which shall be graded and drained to dispose of storm water without creating a negative impact on adjacent property.
14. All loading and truck maneuvering shall be accommodated on the site.
15. The height of any material and equipment stored in an outdoor storage area shall not exceed the height of any landscape screening, wall or fence, or eight feet, whichever is less.

#### 150-7.15 DUMPSTERS.

- A. Dumpsters for the routine storage of waste shall be located in the rear or side yard only.
- B. Dumpsters shall be sited in a location that does not interfere with the normal operation of any parking or loading spaces.

#### 150-7.16 SHOPPING CART CORRALS.

- A. Any business, such as a grocery store, which uses self service shopping carts in order to allow customers to carry goods between the business and their motor vehicles, is required to install shopping cart corrals within its parking lot. Said parking corrals shall be shown on all parking plans.

- B. Shopping cart corrals shall be accessible from every parking bay serving the establishment. Shopping cart corrals may contain canopies and/or signs to indicate their location above the roofs of vehicles but neither may contain any corporate logo, name, or slogan. The owner or tenant shall be responsible for retrieving abandoned shopping carts taken from the premises.
- C. When an establishment is closed, shopping carts are to be stored either within the building, shopping cart corral, or screened with a wall that is integral to the architectural design of the building.

150-7.17 UTILITY BOXES.

- A. A utility box may be located adjacent to a commercial building or in close proximity to the building.
- B. If a utility box could potentially be damaged by vehicles, it must be protected with bollards.

150-7.18 SIDEWALKS, NON RESIDENTIAL

- A. Sidewalks shall be placed parallel to the street. A variance may be requested if the location of the sidewalks has been located to preserve topographical or natural features, or if required to provide visual interest, or unless an alternative pedestrian system provides a safe and convenient
- B. Sidewalks along streets with nonparallel parking shall be placed parallel to the street, and shall be placed so that sidewalks do not lead pedestrians between parked vehicles and the traveled way. This shall not apply to driveways.
- C. Sidewalk width shall be a minimum of four feet. Where sidewalks abut a curb and cars overhang the sidewalk, the side walk depth shall be increased to six feet.
- D. Sidewalks of concrete shall be five inches thick except at points of vehicular crossing, where they shall be at least eight inches thick and shall be reinforced with welded wire fabric mesh or an equivalent.

150-7.19 STREET FURNITURE (EXCEPT FOR SIDEWALK CAFES).

Street furniture will only be allowed on public sidewalks of a width greater than six feet from the curb face to the back of the walk. In all instances street furniture shall be located in such a manner so as to ensure and maintain a minimum clearance width of six feet along the public sidewalk and changes of direction for travel along the sidewalk of no more than 30 degrees. In no instance shall street furniture be located in such a manner so as to block access for the pedestrians or in a manner that the street furniture would constitute a tripping hazard or other hazard to pedestrians.

Street furniture shall be:

- A. Located within the extended limits of the property to which the street furniture belongs provided all other requirements can be met.
- B. Freestanding, internally weighted or anchored to an adjacent building. Street furniture shall be placed at sidewalk grade level and shall not be placed on planters, wall, curbs or any similar structure.
- C. In order to reduce or eliminate unsightly items, street furniture must be kept in a state of good repair and condition and free from the following conditions: rust, chipped or peeling paint or finishes, delaminating or peeling materials, missing hardware, rotting materials, poor craftsmanship or construction that would cause the item to be structurally unsound and thereby pose a health or safety hazard.
- D. No street furniture shall be placed, installed, used or maintained as follows:
  - 1. Within five feet of any marked or unmarked crosswalk or access ramp.
  - 2. Within five feet of any driveway.
  - 3. Within any drivers sight triangle.

150-7.20 SHEDS.

- B. The size and number of sheds shall be as follows:

<u>Zone</u>	<u>Number of Sheds</u>	<u>Maximum Total Area (Square Feet)</u>
R-100	Two	200
R-70	One	150
R-60	One	150
R-50B	One	150
R-50	One	100
R-40	One	100

- B. The location of a shed shall be governed by the bulk standards for the zone in which it is located.

150-7.21 DECKS.

If an existing building fails to comply with zoning setback requirements, uncovered decks may be added, provided that all of the following conditions are met:

- A. That the deck does not exceed 20% of the building footprint.
- B. That no portion of the deck shall be elevated more than four feet above grade, excluding handrails and guardrails.
- C. That the deck does not extend into the side yard beyond the line of the existing dwelling unless the deck meets the side yard setback requirements of this chapter.
- D. That the deck shall be no less than five feet from the side lot line and no less than 20 feet from the rear lot line.

150-7.22 SIDEWALK CAFÉS.

- A. Submission of Café Plan.
  - 1. No person shall operate a sidewalk cafe within the Township of Verona without first obtaining a sidewalk cafe license from the Construction Code Official and satisfying all of the requirements of this chapter.

2. A Sidewalk Cafe is allowed to be used upon the receipt and approval of a Sidewalk Cafe Permit issued by the Construction Code Official and shall meet all of the requirements as a Retail Food Establishment in accordance with the following requirements:
  - a. The name and address of the applicant.
  - b. The name and address of the person who has prepared the cafe plan.
  - c. Identification of the subject property and properties immediately adjacent to such building.
  - d. A scaled drawing of the proposed design and location of the sidewalk cafe;
  - e. A scaled drawing illustrating the location of the all temporary structures, equipment and apparatus to be used in connection with its operation, including tables, chairs, planter, lighting and electrical outlets (if any);
  - f. A scaled drawing illustrating the location of any existing fire hydrant, plug or standpipe, utility pole, parking meter, street signs, or other permanent fixture between the building and the curb.

B. Sidewalk Café Regulations.

1. A sidewalk café may be located within the public right of way of the abutting restaurant subject to the jurisdiction of the governing body.
2. A sidewalk café shall be permitted only in the area immediately between the façade of the building in which the primary restaurant use is permitted and the curb line of the abutting street.
3. A business may provide one sidewalk café table per ten uninterrupted linear feet of store frontage.
4. Furniture, including tables and chairs, equipment, decoration or appurtenances used in connection with the operation of the Sidewalk Cafe shall not be permanently affixed to the sidewalk

area. The Sidewalk Cafe and its use and occupation is considered of temporary nature and shall not be used in non-business hours and may only be used from May 1<sup>st</sup> through October 31<sup>st</sup>.

5. The Sidewalk Cafe outdoor seating area shall be directly located along the frontage of the facade of the indoor primary restaurant use and may not be located along any other uses on the subject property or any other adjoining property.
6. The outdoor seating area shall provide a minimum unobstructed sidewalk and aisle width of five feet for pedestrian access to patrons and non-patrons traversing the sidewalk area, and the sidewalk café shall not prohibit access to any building entrances and/or fire exits.
7. The numbers of tables and chairs used in connection with the Sidewalk Cafe is strictly limited and may be used in connection with other outdoor restaurant seating permitted within the zone provided the other outdoor restaurant seating is not located within the public right-of-way area.
8. Outdoor storage, cooking preparation, or selling of food is prohibited.
9. The consumption of alcohol is prohibited in the Sidewalk Café outdoor seating area.
10. All outdoor areas shall be kept litter and refuse free and maintained on a daily basis.
11. Outdoor restaurant lighting is limited to one foot candle over the seating area with the source of the light not visible from any adjoining residential uses. Exterior lighting shall be directed onto the sidewalk cafe and shall not intrude on adjacent residential properties.
12. The use of outdoor paging equipment and speakers are prohibited. No speakers, microphones, televisions or other audio or video devices shall be permitted at a sidewalk café.
13. All outdoor seating area lights must be extinguished in all non-seasonal use or when the restaurant is closed for business.

14. All outdoor furniture used in accordance with this section shall be secured and/or covered at all times except during operation of the outdoor seating area.
15. No vending machines, carts, or objects for the sale of goods shall be permitted in a sidewalk café.
16. Outdoor heaters are prohibited in a public right of way.
17. The outdoor seating area shall be ADA accessible.
18. The operator of the Sidewalk Cafe shall be required to provide adequate public liability insurance naming the Township of Verona and/or the County of Essex as additional insured and providing for coverage of not less than \$ 1,000,000 for bodily injury and for not less than \$500,000 for property damage and general liability insurance of \$ 1,000,000.

150-7.23 OUTDOOR RESTAURANT SEATING.

Outdoor restaurant seating shall be permitted as an accessory use within the ETC and TC Zoning District and receive site plan approval as required by the Chapter 118 of the Verona Code and shall also meet all of the requirements of a Retail Food Establishment as required by Chapter 114 of the Verona Code and in accordance with the following requirements:

- A. The applicant for outdoor restaurant seating must prepare a site plan that clearly indicates the maximum size of the seating area, the maximum number of seats and tables, and the layout of the seating area and access aisles.
- B. Outdoor restaurant seating, other than a Sidewalk Cafe, is prohibited within any public right-of-way and is prohibited in any front yard, except in the front yards of properties fronting Bloomfield Avenue, and may be located in any other side or rear yard.
- C. Outdoor restaurant seating areas shall not be located in any required parking and/or loading areas and shall not impede pedestrian or vehicle traffic.
- D. The outdoor restaurant seating area must be directly accessible to the interior eating area and located on the first floor level.
- E. No more than 49% of the total on-site seating may be provided outdoors including the seating supplied as part of a Sidewalk Cafe.



- F. No more than 49% of the floor area of the restaurant use shall be utilized for outdoor seating including the area supplied as part of a Sidewalk Cafe.
- G. Outdoor storage, cooking or preparation of food is prohibited in the outdoor seating area.
- H. A six-foot high enclosed fence and evergreen screening shall be provided if the outdoor seating area is adjacent to a residential zone.
- I. All outdoor areas shall be kept litter and refuse free and maintained on a daily basis.
- J. Outdoor restaurant lighting is limited to one foot candle over the seating area with the source of the light not visible from any adjoining residential uses.

ARTICLE VIII  
REGULATIONS GOVERNING CERTAIN CONDITIONAL USES

150-8.1      CONDITIONAL USES.

Conditional uses shall be permitted upon authorization by the Planning Board, provided that such uses are found to comply with the following requirements and other applicable requirements as set forth in this chapter:

- A.      The use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience of the citizens will be protected.
- B.      Adequate landscaping and screening is provided.
- C.      Off-street parking as required by this Chapter and off street loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
- D.      The use conforms to all applicable regulations governing the district in which it is located.

150-8.2      APPLICATION PROCEDURE.

- A.      The Planning Board shall grant or deny an application for a conditional use within 95 days of submission of a complete application by an applicant to the Secretary of the Planning Board or within such further time as may be consented to by the applicant.
- B.      The review by the Planning Board of a conditional use shall include site plan review. The time period for action by the Planning Board on conditional uses pursuant to Subsection A above shall apply to such site plan review. Failure of the Planning Board to act within the period prescribed shall constitute approval of the application, and a certificate of the Township Clerk as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required and shall be so accepted by the county recording officer for purposes of filing subdivision plats.
- C.      Whenever review or approval of the application by the County Planning Board is required by Section five of P.L. 1968, c. 285 (N.J.S.A. 40:27-6.3), in the case of a subdivision or Section eight of P.L. 1968, c. 285 (N.J.S.A. 40:27-6.6), in the case of a site plan, the Verona Planning Board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time period.

## MIXED USES.

A. Mixed uses may be permitted upon authorization of the Planning Board in accordance with the following conditions and subject to site plan review when required:

1. Planned Commercial Developments.

- i. Planned commercial developments must have a minimum of 1.5 contiguous acres.
- ii. Planned commercial development must have site access from Bloomfield Avenue or Depot Street only.

2. Residential / Office or Retail Mixed Use.

When residential units are mixed with retail or office space, the residential units shall not be located on the first floor in any building. Access to a residential unit at the street level shall not be construed to be a residential unit on the first floor.

3. Office / Retail Mixed Use.

When office space is mixed with retail space, the office space shall not be located on the first floor in any building. Access to office space from the street level shall not be construed as office space on the first floor.

B. Conditional Use Requirements Applicable to all Mixed Uses:

1. Mixed uses shall have an even distribution between principal uses within each building(s).
2. Parking for the various types of uses shall be provided in accordance with the requirements of Section 150-12.
3. Not less than 20% of the lot shall be reserved for open space and landscaping.
4. A dense landscape buffer of not less than 15 feet shall be reserved between the mixed uses and any adjoining residential uses.
5. In the C-2 zone site access must be from Bloomfield or Pompton Avenues.

#### 150-8.4 AUTOMOBILE SALES

Automobile sales establishments may be permitted upon authorization by the Planning Board in accordance with the following standards and site plan review when required:

- A. Automobile sale businesses shall be operated from an enclosed building.
- B. No parking or storage of vehicles shall be permitted in the required front yard area.
- C. Outdoor storage of vehicles for sale or otherwise shall not exceed more than twice the gross floor area of the principal building.

#### 150-8.5 AUTOMOBILE SERVICE STATIONS

Automobile service stations may be permitted as a principal conditional use upon authorization by the Planning Board in accordance with the following standards and site plan review, when required:

- A. All storage areas, trash facilities, pits, lifts, and working areas shall be within a building. All lubrication, repair or similar activities shall be performed in an enclosed building, and no dismantled parts shall be placed or stored outside.
- B. All gasoline pumps, air pumps and the islands upon which pumps are normally located shall be set back from the street lot line at least 25 feet.
- C. A canopy shall be permitted. A canopy shall be no larger than is necessary to provide shelter for the vehicles and attendants associated with the pump area. The canopy may extend to the building. All lighting associated with the canopy shall be directed downward. There shall be a minimum clearance of 14 feet six inches under the canopy, and the total height of the canopy shall not exceed 18 feet. No more than two signs shall be permitted on the canopy. Signs may be internally illuminated and shall not exceed ten% of the surface area of the side of the canopy on which each sign is located.

- D. No junked or inoperable motor vehicle or part thereof and no unregistered motor vehicle shall be permitted outside an enclosed service station building. Vehicles awaiting repair may be parked overnight outside an enclosed service station building, but the number of such vehicles shall not exceed two per enclosed service bay.
- E. No other uses shall be permitted upon the lot unless such uses are accessory to the principal use as an automobile service station. This restriction shall not preclude incidental retail sales by means of vending machines on a limited basis. However, other uses, including but not limited to fast-service restaurants, convenience stores or retail stores, even if otherwise permitted in the zoning district, shall not be permitted.

#### 150-8.6 BUSINESS PROVIDING LIVE ENTERTAINMENT

- A. Businesses providing live entertainment shall provide said services wholly within an enclosed structure.
- B. Such live entertainment shall be conducted within a building within which seating space shall be provided for patrons. No area designated as patron standing room shall be permitted.
- C. Such building shall comply with the minimum requirements for fire safety, sanitary facilities and structural safety as established by the Uniform Construction Code.
- D. Off-street parking shall be provided in the amount as required by ordinance for the principal use to which such live entertainment is accessory and shall also be provided as follows:
  - 1. Off-street parking shall be provided in the amount of one space per two seats plus ten percent of the total required parking for seating related to live entertainment.
  - 2. One space shall also be required for each 30 square feet of dance floor, stage area or other area devoted to live entertainment.
  - 3. In no event shall required off-street parking be less than one off-street parking space for each three persons of maximum occupancy of such area devoted to live entertainment as established by the Uniform Construction Code regulations.

## ESSENTIAL SERVICES.

## A. Enclosed or permanent structures.

## Public utility services.

Such uses shall include electric substations, transformers, switches and auxiliary apparatus serving a district area, and water pumping station and shall be subject to the following regulations:

1. Such facility shall not be located on a residential street, unless no other site is available, and shall be so located as to draw a minimum of vehicular traffic to and through such street.
2. The location, design and operation of such facility may not adversely affect the character of the surrounding residential area.
3. Adequate fences, barriers and other safety devices shall be provided, and shall be landscaped in accordance with Article XI.

## B. Open Uses.

1. Such uses shall be limited to the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead electrical, gas, water transmission or distribution systems or collection, communication, supply or disposal systems, include poles, wires, mains, drains, sewer, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings. Open essential services shall not include any human or animal fecal matter or material.
2. Landscaping requirements and performance standards established in Article XI and Article XIV shall be adhered to.

150-8.8 HOME OCCUPATIONS.

Home occupations are permitted in all residential zone districts if the following conditions are met:

- A. The home occupation is clearly the subordinate use to the principal residential use.
- B. There shall be no employees other than those who reside on the premises.
- C. There shall be no visible change in the exterior appearance of the dwelling.
- D. The storage of commercial vehicles on site shall conform to standards found in section 150-12.5.
- E. There shall be no truck deliveries of merchandise other than normal delivery services such as UPS and Federal Express.
- F. No signs are permitted in conjunction with said home occupation.
- G. There shall be no outdoor storage in conjunction with the home occupation.
- H. Any home occupation that involves the tutorial instruction of music, art and academic subjects shall be limited to two students at one time.
- I. Any home occupation that involves the tutorial instruction of music, art and academic subjects shall be limited four hours of tutorial instruction during a 24 hour period.
- J. No more than two clients, customers or other business invitees are permitted at any one time per calendar day.
- K. The home occupation activity uses no equipment or process that creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, detectable by any neighbor.
- L. The home occupation activity does not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- M. Any home occupation that requires client visitation must not have a volume guests in excess of what is customary for residential use in the neighborhood.

## DONATION DROP BOX.

- A. No person shall place, use or employ a donation clothing bin for solicitation purposes within the Township of Verona unless all of the following requirements are met:

The person shall apply for and obtain permit from the Construction Code Official. The application for the permit shall include, along with the required fee set forth in this ordinance:

1. The location where the bin would be situated, as precisely as possible;
2. The manner in which the person, entity, or organization anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds collected would be allocated or spent.
3. The name and telephone number of the bona fide office of any entity which may share or profit from any clothing or other donations collected via the bin.
4. Written consent of the property owner to place the bin on his property.

B. Safety and Maintenance.

1. Notwithstanding the provisions of anything contained in this Chapter to the contrary, no donation clothing bin shall be placed, used or employed in a location that is considered by the Construction Code Official to cause a safety hazard. Placement that will be considered to pose a safety hazard includes, but is not limited to, placement within one 100 yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases. Placement of a donation clothing bin shall also be undertaken in a manner so as to reasonably consider and account for the personal safety of the persons using the clothing bins for the placement of clothing and/or unloading of donation clothing bins.
2. Notwithstanding the provisions of anything contained in this Chapter to the contrary, no donation clothing bin shall be placed, used or employed pursuant to this Chapter unless such donation clothing bin is free of rust, peeling, or other deleterious effects and subject to the Township Property Maintenance Code and its violation provisions.



3. Notwithstanding the provisions of anything contained in this Chapter to the contrary, no donation clothing bin shall be placed, used or employed pursuant to this Chapter unless appropriate maintenance obligations are met, which include, but are not limited to, keeping the donation clothing bin and surrounding placement area free of debris and other materials, and the required emptying of donation clothing bins of donations and contents on a periodic regular basis.

#### C. Permit Renewal.

All persons who have obtained a permit pursuant to subsection one above and wish to renew said permit shall submit, along with the required fee set forth in this ordinance, an application for renewal prior to the expiration of the permit, which such renewal application shall include the following information:

1. The location where the bin is currently situated, as precisely as possible, and, if the person intends to move it, the new location where the bin would be situated and a written consent of the property owner to place the bin on his property;
2. The manner in which the person has used, sold, or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal; and
3. The name and telephone number of the bona fide office of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal.

#### D. Permit Fee and Duration.

1. The application fee, which must be submitted with the application, shall be \$25.00.
2. The fee for a renewal of the permit, which must be submitted with the application, shall be \$25.00.
3. All permits and renewals obtained shall be in effect for one year and shall expire on December 31<sup>st</sup> of the year in which the permit or renewal was issued.

E. Bona Fide Office of Permittee.

The person, and any other entity which may share or profit from any clothing or other donations collected via the bin, must maintain a bona fide office where a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering information concerning the person or other entity. For the purposes of this ordinance, an answering machine or service unrelated to the person does not constitute a bona fide office.

F. Notices Required.

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

1. The permit number and the date of expiration of that permit;
2. The name and address of the registered person who owns the bin, and any other entity which may share or profit from any clothing or donations collected from the bin;
3. The telephone number of the person's bona fide office and the telephone number of the bona fide office of any entity which may share or profit from any clothing or donations collected via the bin;
4. In cases where an entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, the notice shall also state that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given directly to, an entity other than the person who owns the bin, which such entity shall be identified; and
5. A statement indicating the manner in which the person, entity, or organization anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

G. Complaints and Investigation.

1. The Construction Code Official, upon receipt of any complaint concerning a donation clothing bin, shall request that the police department perform an investigation within 30 days of the receipt of the complaint.

2. Any person who places a clothing bin in violation of this ordinance or N.J.S.A. 40:48-2.61 shall be given a warning stating that if the violation is not rectified or a hearing with the Construction Code Official is not requested within 45 days, then the bin will be seized and removed at the expense of the person who placed the bin, and any clothing or other donations collected via the bin shall be sold at public auction or otherwise disposed of. This notice shall be placed on the donation clothing bin and forwarded to the last known address of the person who placed the bin at the location according to the Township's records.
3. If the person who placed the bin does not rectify the violation or request a hearing within 45 days of the posting of the warning, then the Township shall remove the bin or have it removed at the expense of the person who placed the bin and sell at public auction or otherwise dispose of the clothing or donations. All proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Office of the Township.

#### H. Additional Fines and Penalties.

In addition to the remedies set forth in Section 74-7 above, any person who violates this ordinance or N.J.S.A. 40:48-2.60 et seq. and as amended and or supplemented, which results in the seizure of the donation clothing bin shall be subject to the following:

1. A penalty up to \$20,000.00 for each violation. The Township shall bring this action in Municipal Court or Superior Court in a summary proceeding under the "Penalty Enforcement Law of 1999", P.L. 1999, c. 274 (N.J.S.A. 2A:58-10 et seq.). Penalty monies collected shall be paid to the Chief Financial Officer of the Township.
2. Deemed ineligible to place, use or employ a donation clothing bin for solicitation purposes. A person who is deemed ineligible may apply to the Construction Code Official to have that person's eligibility restored. The Construction Code Official may restore the eligibility of a person who:
  - i. acted within the public interest; and
  - ii. demonstrated that he has made a good faith effort to comply with the provisions of N.J.S.A. 40:48-2.60 et seq. and this ordinance and had no fraudulent intentions.

150-8.10 CABANAS.

- A. A cabana is a permitted accessory use/structure to a permanent pool.
- B. A cabana does not constitute a shed.
- C. Cabanas shall not be designed or constructed to include sleeping facilities;
- D. Cabanas shall be restricted in size to a total of 100 square feet of gross floor area.
- E. Cabanas shall be designed and constructed as freestanding, self-supporting structures.
- F. Cabanas shall be ten feet from all property lines, be one story tall, and no higher than 15 feet.

150-8.11 MESSAGE PARLORS, MASSEURS AND MASSEUSES

A. License Required.

- 1. No person shall operate any establishment or utilize any premises in the Township as or for a massage business unless and until there first has been obtained a license for the establishment or premises from the Township Clerk in accordance with the terms and provisions of this section.
- 2. No person shall render or perform services as a masseur or masseuse or engage in the business of or be employed as a masseur or masseuse unless and until he or she has obtained a masseur's or masseuse's license from the Township Clerk in accordance with the term and provisions of this section.

B. Application.

Each and every applicant for a license, either for an establishment or premises, to be used for a massage business or for a masseur's or masseuse's license, shall set forth the following information in writing on forms provided by the Township Clerk:

- 1. The name and address of the applicant and all former addresses for a period of three years prior to making the application.

2. The address of the establishment or premises to be used in the massage business and a physical description of the property and facilities, if the applicant desires a license for the establishment or premises.
3. If the applicant desires a masseur's or masseuse's license, a statement of all employment for a period of three years prior to making the application.
4. A statement as to whether or not the applicant, or any officer or director thereof, is a corporation has ever been convicted of a crime in this or any other State.

C. Fee; Late Fee.

1. The applicant for a license for a massage establishment or premises shall pay an annual license fee of two hundred fifty (\$250.00) dollars, which license fees shall become due on January 1<sup>st</sup> annually. The applicant for a masseur's or masseuse's license shall pay an annual license fee of one hundred fifty (\$150.00) dollars, which license fee shall become due on January 1<sup>st</sup> annually.
2. The license shall be issued for one year, January 1<sup>st</sup> and expire on December 31<sup>st</sup>. There will be no proration of fees. Any establishment or individual failing to renew a license, under this section, by January 31<sup>st</sup> shall be charged an additional twenty-five (\$25.00) dollars per license.
3. A condition for approval for the license is that all municipal taxes, liens and fees have been paid.

D. Approval of License.

1. Each application for a license or the renewal thereof, either to operate a massage establishment or premises or to engage in the business of or to be employed as a masseur or masseuse, which is submitted to the Township Clerk shall be approved by the Township Council before any license is issued.
2. The Township Council shall not approve the application if, on the basis of the past criminal record of the applicant or of the principals thereof, or on the basis of other evidence of bad character or morals, it shall determine that the granting or renewal of such license would tend to encourage or permit criminal or immoral activities within the Township of Verona.

E. Exemptions.

The provisions of this section shall not apply to massage or physical therapy treatments given:

1. In the office of a licensed physician, osteopath, chiropractor or physical therapist.
2. In a regularly established medical center, hospital, or sanitarium having a staff which includes licensed physicians, osteopaths, chiropractors and/or physical therapists.
3. By any licensed physician, osteopath, chiropractor or physical therapist in the residence of his patient.

ARTICLE IX  
REGULATIONS GOVERNING CERTAIN TEMPORARY USES

150-9.1      MOBILE TEMPORARY STORAGE CONTAINERS.

- A.      Mobile temporary storage units shall not exceed eight feet in height, eight feet in width, or sixteen feet in length.
- B.      Mobile temporary storage units may remain on a property for up to 30 consecutive days. No lot shall contain a mobile temporary storage container for more than 90 days per 360 day period.
- C.      Mobile temporary storage units shall not be located in such a location that would obstruct the free flow of pedestrian or vehicular traffic and shall in no instant, be located within a public right of way.
- D.      No mobile temporary storage unit shall contain advertizing except for the manufacture of the mobile temporary storage units.
- E.      The location of temporary mobile storage containers shall be as directed by the zoning code enforcer based upon the specific factors including but not limited to accessibility, safety and aesthetics.

150-9.2      MOBILE TEMPORARY TOILET FACILITIES.

The location of temporary toilet facilities shall be as directed by the zoning code enforcer based upon the specific factors including but not limited to accessibility, safety and aesthetics.

150-9.3      DUMPSTERS.

Roll off dumpsters utilized in conjunction with single and two family residential development may be located on the driveway for a period of no longer than 30 calendar days.

ARTICLE X  
REGULATIONS GOVERNING CERTAIN INHERENTLY BENEFICIAL USES

150-10.1      SOLAR OR PHOTOVOLTAIC ENERGY STRUCTURES.

Solar or photovoltaic energy structures are permitted as an accessory structure in all zones so long as said structure meets the following conditional use requirements:

- A.      In no event shall the placement of the solar panels result in a total height that exceeds the maximum building height for the zoning district in which said panels are installed plus an additional three feet.
- B.      Development Standards for All Solar Energy Systems and Structures.
  - 4.      Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties, businesses, residential homes, or roadways. The applicant shall submit certifications from an Engineer or manufacturer that the design will not cause a reflection or noise nuisance to adjacent property owners or flow of traffic on nearby roadways.
  - 5.      The design of the solar energy system shall conform to all applicable industry standings including New Jersey Uniform Construction Code, New Jersey Department of Community Affairs, National Electric Code, and Township of Verona Building Codes and Zoning Regulations. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certified organization and any such design shall be certified by an Engineer registered in the State of New Jersey. The manufacturer specifications shall be submitted as part of the application.
  - 6.      Mechanical equipment shall not be located in the front yard, side yard, or rear yard setbacks.
  - 7.      No portion of the solar panel including the racking system, poles, or ballast shall contain or be used to display advertising. The manufactures and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
  - 8.      A solar energy system shall not be constructed until a building and/or construction permit has been approved and issued.



ARTICLE XI  
BUFFER AND GENERAL  
LANDSCAPING REQUIREMENTS

150-11.1 BUFFER ZONE REQUIREMENTS.

- A. All commercial, industrial, office, apartment, health care, institutional, or a public use adjoining or abutting a residential zone, an shall provide a buffer zone in accordance with the standards set forth below subject to other more restrictive regulations herein.

BUFFER ZONE REQUIREMENTS  
TOWNSHIP OF VERONA, NEW JERSEY

BUFFER ZONE  
DEPTH OF BUFFER ZONE

	<u>MIN.</u>	<u>MAX.</u>
5% of Lot Depth	5 Feet	30 Feet

- B. No principal or accessory structure, other than as may be provided herein, nor any off-street parking or loading areas or other use shall be permitted within the buffer zone.
- C. No access or driveway, other than as may be permitted herein, shall be permitted within the buffer zone.
- D. Said buffer zone shall be kept in its natural state where wooded, and when natural vegetation is sparse, plant material at least six feet in height and a solid or tightly woven fence may be required so as to provide a year-round visual screen by the Planning Board. Said planting may be placed in suitable areas in the buffer zone as shall be required by the Planning Board.
- E. Within said buffer zone, underground utility easements shall be permitted.
- F. The area encompassed in the buffer zone may be utilized for the purpose of computing lot coverage.
- G. Where the extension of a utility or a street extends into a mandatory buffer, said utility or street shall be located perpendicular to the buffer area and shall disturb the buffer to the minimum extent possible.

## GENERAL LANDSCAPING REQUIREMENTS.

## A. Enclosed Uses.

Any enclosed use require by this Ordinance to be landscaped shall be provided with a fence or a visual screen designed to produce a dense cover consisting of evergreen or evergreen-type hedges or shrubs, spaced at intervals of not more than five feet, located and maintained in good condition within ten feet of the property line or as shall be determined by the Planning Board. The Planning Board, in the alternative, may require a landscaped earthen berm not less than five feet in height.

## B. Unenclosed Uses.

Any use, required by this Ordinance to be landscaped, which is not conducted within a completely enclosed building, such as required off-street parking, shall be screened by a solid or closely woven fence or by evergreen hedges or shrubs spaced at intervals of not more than five feet, located and maintained in good condition, within ten feet of the property line or the zone district boundary line or as shall be determined by the Planning Board. In the alternative, the Planning Board may require a landscaped earthen berm not less than five feet in height.

## C. Maintenance.

1. Any fence or landscaping installed in accordance with this section shall be maintained in good order to achieve the objectives of this ordinance. Failure to maintain fencing or to replace dead or diseased landscaping or any refuse which may collect therein shall be considered a violation of this ordinance.
2. Whenever a buffer or landscaping requirement is imposed, and to the extent that same is in fulfillment of the requirements of this ordinance or any other Township ordinance, a guaranty in the form of a security bond, cash or security deposit shall be required.
3. All properties shall be kept free of Poison Ivy (*Toxicodendron radicans*), Japanese Knotweed (*Polygonum cuspidatum*), and Ailanthus (*Ailanthus altissima*), which are undesirable or invasive species that may readily spread to nearby properties

D. Submission of proposed landscape plans.

A proposed landscape plan shall be submitted to the Planning Board for its consideration by:

1. All applicants for site plan approval.
2. All applicants for subdivision approval where any of the lots to be created would require a planted buffer area or a planted area.
3. All applicants for subdivisions requiring planting of public dedicated land.

E. Contents of landscape plan.

1. The landscape plan shall be prepared at a scale shown on the plan by a landscape architect, architect or professional engineer. The name of the preparer of the plan, his address, telephone number and license number shall be indicated on the plan. The scale of the plan shall also be indicated. The name of the applicant and any authorized agents shall also appear on the plan.
2. The plans shall specify all planted areas and planted buffer areas, if required, and the dimensions of each of said areas. The plan shall specify the total number of square feet of any planted area (not including buffer area), the total number of square feet of any required planted buffer area, the combined total area in square feet, if applicable, and the percentage figures of planted areas and buffer areas of the sum of the two and of the total site area.

150-11.3 LOCATION, SHAPE AND CONTENT OF AREAS.

- A. The criteria to be considered in determining the location, shape and content of any required planted area and the creation of any required buffer area shall include the following:
1. Drainage control.
  2. Traffic and pedestrian safety.
  3. Conservation of the economic values of the property and adjacent property.
  4. Proper vehicular and traffic sight lines.
  5. Shade and pollution control.
  6. Screening and privacy of adjacent residential areas.
  7. The configuration and relationship of planting areas to the total plan submitted.
  8. The reduction of noise and lights disturbing to nearby property zoned for residential use.
  9. The objectives of good planning and zoning pursuant to the provisions of N.J.S.A. 40.55D-1 et seq.
  10. The preservation of healthy substantial trees wherever it is reasonable to do so, consistent with the criteria set forth herein.
- B. In connection with Planning Board consideration for site plan approval, the Planning Board shall have the right to determine the proper areas for the required planted area, taking into consideration the criteria set forth above.

150-11.4 USE OF AREAS RESTRICTED.

A planted area and a planted buffer area required by this Chapter shall not be used for any buildings, structures, paving or parking or for the sale, display, storage or leasing of materials or for any other use other than a planted area or a planted buffer area except:

- A. Detention basins, subject to a finding by the Board that adequate visual screening is still provided.

- B. Below-grade, underground parking facilities may be erected underneath any required planted area or planted buffer area, provided that the surface of the lot in the area of the planted buffer area and the planted area has at least four feet of soil and is properly drained so that the same is sufficient to support the growth of plants, ground cover, shrubs and trees.
- C. Upon Board site plan approval, the Board shall, however, allow paved ingress and egress from the site to a public street or highway through a planted buffer area where there are no possible safe exits or entrances to a road or highway. The area to be so paved shall not be included as part of the area making up the required planted buffer area.

#### 150-11.5 MAINTENANCE STANDARDS.

- A. The required planted area (other than planted buffer areas) need not be all in one area of the lot.
- B. The Board may, at the request of any applicant for site plan approval, consider any portion of the planted area to be provided by the applicant on any other lot or lots for purposes of determining the required planted area requirement (not including planted buffer areas) if, in the opinion of the Board:
  - 1. The subject lots are to be operated essentially and substantially as a single site rather than as separate sites; and
  - 2. The lots have or are to be provided as part of the site plan with designated pedestrian and vehicular ingress and egress between or among each lot in the unit considered, without using public roads, and utilizing common parking areas.

#### 150-11.6 DESIGN CRITERIA.

- A. The planted area and required planted buffer area shall be so designed to provide proper drainage of the soil.
- B. The planted area or required planted buffer area shall be planted with approved plant material with sufficient organic sanitary material, topsoil, peat moss and the like, so that the same shall be likely to thrive. Minimum depth of topsoil in all turf areas shall be four inches. All topsoil shall conform to specifications approved by the Township Engineer.

- C. The planted area shall be designed to provide for the planting of plant material that is hardy and of a variety which requires a minimum amount of maintenance.
- D. Where a planted buffer area is required and in areas where there are to be required planted areas, the Board may require on site plan approval that changes in topography or elevation of the planted buffer areas and planted areas be made where such changes would better serve the criteria set forth in Article IX.
- E. In connection with any site plan approval granted, the developer of the property shall protect against damage to trees that are located in the approved planted area and approved planted buffer area and shall also protect these areas by temporary fencing until the certificate of occupancy has been issued and all outside construction has been completed.

150-11.7 PLANT SELECTION AND PLACEMENT.

- A. The following types of evergreen plants (hereinafter denominated 'Group A') in the upright varieties are recommended for buffer areas to establish screening of nonresidential use and residential use:

Group A

Pines of all upright varieties

Junipers of all upright varieties

Spruces of all upright varieties

Firs of all upright varieties

Cedars of all upright varieties

Tsuga of all upright varieties

Arborvitaes of all upright varieties

- B. The trees denominated 'Group B-1' in the accompanying tabulation and the shrubs denominated 'Group B-2' in the accompanying tabulation are recommended for use as a formal clipped hedge for screen and buffer planting.
- C. The plants denominated 'Group C' in the accompanying tabulations are recommended for informal flowering or fruiting or evergreen hedge for buffer and screen planting.

- D. The plants denominated 'Group D' in the accompanying tabulations are recommended for ground covers for greenery planting and the planted areas that are at the end of aisles of parking or very close to entrances and exits to other property or streets or highways. The plants in Group D shall be utilized so as to not obstruct proper sight lines for vehicular and pedestrian safety. The maximum height shall not exceed 30 inches at maturity.
- E. The plant species in 'Group E' (shade trees) and 'Group F' (ornamental trees) are recommended and approved species for planted areas and planted buffer areas. 'Group E' (shade trees) when planted shall have a minimum size of two-and-one-half-inches caliper and a minimum branch height of seven feet. If shade trees in 'Group E' are planted in any area on the lot where they will be close to automobiles or at the end of any parking aisle or near the corner of any intersection of any aisle and any other driveway or aisle or in any other location in parking aisles, the trees shall be pruned to remove all limbs at the trunk if at that point the limbs are lower than ten feet from the ground. All new trees in Group E and F must be staked in accordance with the American Nurserymen's Standards.

Group B-1

Acer campestre

Acer ginnala

Carpinus in variety

Crataegus cordata

Crataegus, crus-galli

Picea excelsa

Pinus strobus

Taxus cuspidata capitata

Tsuga canadensis

Tsuga occidentals nigra

Group B-2

Berberis thunbergii  
Buxus sempervirens  
Euonymus alatus  
Euonymus alatus compactus,  
Euonymus fortunei vegetus  
Ilex crenata varieties  
Ilex crenata microphylla  
Ligustrum ibolium  
Ligustrum ovalifolium  
Phagnolia, fragula tall hedge  
Pyracantha coccinea lalandi  
Taxus in variety

Group C

Berberis in variety  
Cydonia japonica  
Deutzia gracilis  
Euonymus patens  
Forsythia intermedia varieties  
Heterophyllum  
Juniperus chinensis pfitzeriana  
Juniperus chinensis glauca  
Lonicera (bush forms)  
Mahonia aquifolium  
Philadelphus; virginialis  
Rhododendron kerrioides  
Rosa nitida  
Rosa rugosa  
Spirea bum antony waterer  
Spirea thunbergii  
Spirea vanhouttei  
Syringa vulgaris  
Syringa vulgaris alba  
Taxus intermedia densilomus  
Taxus intermedia hatfieldi  
Viburnum dentatum  
Viburnum lantana,  
Viburnum tomentosum



Group D

Turf (grass)  
Scotch heather  
Rockspray cotoneaster  
Candytuft  
Creeping juniper  
Sargent juniper of the valley Ferns  
Shore juniper  
Juniper wiltoni  
Lily of the Valley Ferns  
Epimedium,  
English ivy  
Japanese spurge  
Periwinkle or myrtle  
Hall's honeysuckle  
Virginia creeper  
Moss pink  
Creeping thyme  
Bulge plant wintercreeper  
Chinese matrimony vine  
Memorial rose yellow root

Group E  
Recommended Shade Trees for  
Buffer Planting and Planted Areas

<u>Common Name</u>	<u>Botanical Name</u>
Sycamore maple	Acer pseudo-platanus
Red Maple	Acer Rubrum
Armstrong II	
Columnar	
October Glory	
Soashanger	
Sugar maple	Acer saccharum
Columnar	
Green Mountain	
Momentale	
Red horsechestnut	Aesculus carnea
White ash	Fraxinus Americana
Marshall Seedless ash	Fraxinus Pennsylvania "Marshall"
Blue ash	Fraxinus velutina "Modesto"
Ginkgo maidenhair tree	Fraxinus Pennsylvania "Marshall"
Autumn Gold (must be male)	
Lakeview (must be male)	
Sentry (must be male)	
Honey locust	Gleditsia triacanthos inernis
Imperial	
Skyline	
Sunburst	
Sweetgum	Liquidambar styraciflua
Sour-gum	Nyssa sylvatica
Oaks	
Scarlet oak	Quercus coccinea
Pin oak	Quercus palustris
Willow oak	Quercus phellos
Northern red oak	Quercus rubra
Japanese pagoda tree	Sophora japonica
Lindens	
Littleleaf lindern	Tilia cordata
Chancellor	
Greenspire	
Rancho	
Sawleaf zelkova	Zelkova serrata
Katsura	Cercidiphyllum japonicum
Dawn redwood	Metasequoia glyptostroboides

Group F

Recommended Ornamental Trees for Buffer  
Planting and Planted Areas

<u>Common Name</u>	<u>Botanical Name</u>
Shadblow Serviceberry	Amelanchier Canadensis
Canoe birch, Paper birch	Betula papyrifera
Gray birch	Betula populifolia
European white birch	Betula verrucosa
European hornbeam	Carpinus betulus
American hornbeam Fastigiata	Carpinus caroliniana
Goldenrain tree	Koelreuteria paniculata
Sourwood sorrel tree	Oxydendrum arboreum
Amur corktree	Phellodendron amurense
Bradford pear	Pyrus calleryana
English holly	Ilex aquifolium
American holly	Ilex opaca
Flowering cherry	Prunus
Sargent Cherry	Prunus sargentii
Autumn Flowering Cherry	Prunus subhirtella autumnnallis
Beni Hagan Cherry	Prunus beni hagan
Weeping Japanese Cherry	Prunus subhirtella pendula
Kwanzan Cherry	Prunus Kwanzan
Yoshino Cherry	Prunus Kwanzan
Dogwoods	
Pink dogwood	Cornus florida rubra
Flowering dogwood	Cornus florida
Chinese dogwood	Cornus Kousa
Cornelian Cherry	Cornus mas
Flowering crabapple	Malus
Bilrelana plum	Prunus birelana
Purpleleaf plum	Prunus cerasifera "Atropurpurea"
American Beauty Plant patent 2821	Malus American Beauty
Snow Cloud Plant patent 2913	Malus Snowcloud
Double Flowering Plant patent 2912	Malus Pink Perfection
Snowdrift Crabapple	Malus Snowdrift
Catherine Crabapple	Malus Catherine
Sergeant Crab	Malus Scheldeckeri
Scheidecker Crab	Malus Scheideckeri
Eastern redbud	Cercis Canadensis
Lavallie hawthorn	Crataegus Ivellei
Carolina Silverbell tree	Halesia carolina

- F. All landscaping is to be completed in a good and workmanlike manner and all planted areas and planted buffer areas are subject to the inspection and approval of the Board prior to the issuance of any permanent certificate of occupancy.
- G. The developer must notify the Board at least forty-eight hours prior to the installation of any planted material. The Board may adopt resolutions at public meetings creating standard specifications for planted material and planting which, if adopted, shall be adhered to by all persons installing such material.
- H. Substitutions of plants within the same grouping from those shown in plans submitted are allowed, subject to Board approval, where the originally designated plants are not available.

ARTICLE XII  
OFF-STREET PARKING, LOADING AND  
PERFORMANCE STANDARDS AND DESIGN CRITERIA

150-12.1 GENERAL REQUIREMENTS.

A. In all districts, in connection with every business, institution, recreational, residential, manufacturing, public building or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces in accordance with the requirements set forth in section 150-12.1B which spaces shall be paved; provided, however, that off-site, off-street parking spaces may be utilized in any district subject to the following requirements:

1. That a permanent and irrevocable easement of the parking facilities in favor of the premises to be benefited thereby shall be dedicated and recorded as a condition of such use.
2. That the nearest point of the premises utilized for such parking spaces shall be not more than 250 feet walking distance from the nearest point of the premises to be benefited thereby.

B. MINIMUM NUMBER OF SPACES.

1. Minimum requirements for off-street parking spaces shall be as set forth in Section 150-12.6c, Minimum Required Off-Street Parking.
2. Except in residential zoning districts, the minimum number of required parking spaces may not be met or satisfied by parking spaces located within or underneath a principal building.
3. In the Town Center Zoning District, parking requirements shall not apply except in the case of additions and/or new construction of greater than 1,000 square feet gross floor area or for cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, and limited-service restaurants with a seating capacity of greater than 50 patrons.

150-12.2 SIZE OF PARKING SPACES.

- A. Each off-street parking space shall measure not less than nine feet by 20 feet exclusive of access drives and aisles and shall be of usable shape and condition. Where front overhang of the vehicle is possible onto a paved or grass area not used for vehicular or pedestrian circulation or parking, the space may be reduced to 18 feet.
- B. If hairpin striping is utilized to demark the location of parking spaces, each parking space width shall be measured from the centerline of one hairpin to the centerline of another.
- C. Except in the case of one-family dwellings, no parking areas provided hereunder shall be established for fewer than three spaces.

150-12.3 ACCESS.

In the interest of safety, the following requirements with respect to the location and construction of driveways are promulgated:

- A. There shall be an adequate provision for ingress and egress to all parking spaces. Access drives shall be paved and so designed as to minimize interference with traffic on abutting streets.
- B. No driveway or access or egress from a parking area shall be located closer than 50 feet from any intersection or as required by county or state regulations.
- C. All driveways shall cross sidewalk areas at sidewalk grade.
- D. No driveway shall be less than one foot from an adjacent property line.

150-12.4 ACCESS WIDTH.

- A. Minimum width.
  - 1. Access drives or driveways, except for one-family dwellings, shall be not less than 12 feet wide. In the business district where customer parking is involved, driveways for two-way traffic shall be at least 20 feet wide, and driveways for one-way traffic shall be at least 12 feet wide.
  - 2. Access drives or driveways for one-family dwellings shall be at least eight feet wide.

B. Maximum width.

1. No driveway for a commercial use shall have a width in excess of 24 feet at the curbline, and the curb cut leading to property from street shall not be more than 20 feet in length.
2. Access drives or driveways for one-family dwellings shall be not more than 14 feet wide at the curbline for single driveways or 16 feet for double driveways.
3. There shall be no more than one curb cut for each single family parcel.
4. No access drive or driveway, pathway or any other means of egress or ingress shall be located in any residential district to provide access to uses other than those permitted in such residential district.
5. No parking shall be permitted in any required minimum front or side yards, except in the driveway in said yard.

2. Standards for areas for three vehicles or more.

- A. Parking areas for three or more vehicles and access to this parking shall be paved and shall be designed and planned in accordance with accepted engineering principles.
- B. All plans shall be reviewed by the Township Engineer, and his recommendations shall be forwarded to the Planning Board or Board of Adjustment, whichever is reviewing the site plan, before the Board shall act.
- C. Parking areas shall be landscaped to minimize nuisance characteristics to adjacent properties and for aesthetic reasons. They shall be drained in accordance with good engineering and construction practices.
- D. For reasons of safety, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties. Parking spaces and ways shall be clearly marked.

150-12.5 OFF STREET LOADING

- A. All nonresidential uses shall provide for off-street loading and unloading. A minimum of one such space shall be provided for the first 10,000 square feet of first-floor building area and one space for each additional 10,000 square feet on the first-floor level.
- B. All such spaces shall be designed and planned in accordance with generally accepted engineering principles and be reviewed by the Township Engineer prior to submission to the Planning Board or Board of Adjustment, whichever is reviewing the site plan.
- C. Where the existing characteristics of the site make it impractical to provide spaces for off-street loading and unloading, this requirement may be waived in whole or in part by the Planning Board at the time of site plan review.
- D. Required loading spaces shall be at least 12 feet wide and 30 feet long or longer depending on the length of trucks or trailers to be accommodated. They shall have a clearance height of at least 15 feet.
- E. No loading areas shall be located in the front yard.
- F. No loading areas shall be located within five feet of any lot line.

150-12.6 OFF STREET PARKING

- A. Off-street parking shall be provided in conformity with the off-street parking requirements as set forth in the Schedule of Off-Street Parking Regulations, which is hereby adopted and set forth below.
- B. All residential land uses must follow the residential site improvement standards (RSIS).
- C. Parking Schedule:

USE

MINIMUM NUMBER OF  
REQUIRED PARKING SPACES

Adult Care Center

one space per 100 square feet of G.F.A.

Assembly hall, auditorium,  
community center building.

one space per 100 square feet of G.F.A. or  
one space per four seats, whichever is greater.



<u>USE</u>	<u>MINIMUM NUMBER OF REQUIRED PARKING SPACES</u>
Banks and financial institutions	one space per 300 square feet of G.F.A.
Bowling alley	four spaces per bowling lane.
Commercial Recreation	One space per 250 square feet of G.F.A.
Computer and Data Processing Center	one space per 400 Square feet of G.F.A.
Club, Lodge	20 plus one additional space per 200 square feet of G.F.A.
Day Care Facility	one space per four children plus one space per two employees.
Eating and drinking places	one space per two seats devoted to service
Florist	one space per 1,000 square feet of G.F.A.
Funeral home	ten spaces, plus one space for each 100 square feet of floor area
Gasoline service station	one space per 1,000 square feet of lot area
House of worship	one space per three seats or 72 inches of seating space when benches rather than seats are used
Library	one space per 600 square feet
Live Entertainment	one space per two seats plus ten% the total area dedicated to live entertainment.  One space per 30 square feet of dance floor, stage area or other area devoted to live entertainment.
Medical, dental, chiropractic or veterinary	one space per 180 square feet of G.F.A. or five for each doctor, dentist, chiropractor or veterinarian, whichever is greater.
Establishments devoted to establishments devoted to installation of motor supplies and motor vehicle service.	four spaces per repair bay. If no bays are provided, the required parking for a retail use shall apply.
Multifamily dwelling	Utilize the RSIS.

<u>USE</u>	<u>MINIMUM NUMBER OF REQUIRED PARKING SPACES</u>
Nursing home	one for each two beds
Office (non medical)	
<u>Building Size:</u>	
Under 10,000 square feet	six spaces per 1,000 G.F.A.
10,001 to 24,999 square feet	five spaces per 1,000 G.F.A.
25,000 or more	four spaces per 1,000 G.F.A.
Personal service establishment	one space per 300 square feet of G.F.A.
Research, experimental or testing laboratory, manufacturing or industrial use or service use	one space per 300 square feet of G.F.A.; or one for every 1 ½ employees during maximum shift plus ten%, plus six for visitors, whichever is greater.
Repair garages	three spaces plus one space for each 700 square feet of G.F.A.
Retail store	one space per 200 square feet of G.F.A.
Sale of new and used motor vehicles	six spaces plus one space for each 700 square feet of G.F.A.
Schools: public, parochial, private and religious below the level of high school, including day nursery and nursery schools	two spaces per classroom, and one for every eight seats in auditoriums and/or assembly halls; or one space for each teacher and employee, plus ten%, whichever is greater
Secondary school	ten spaces per classroom
Shopping Centers	
<u>Building Size:</u>	
Less than 150,000 sq.ft.	five and 1/2 parking spaces per 1,000 sq.ft.
150,000-500,000 sq.ft.	five spaces per 1,000 sq.ft.
500,000 sq.ft. or more	four and 1/2 parking spaces per 1,000 sq.ft.
Storage Warehouse	one space per 750 square feet of G.F.A.
Theater	one space per three seats
Townhouse	Utilize the RSIS.

<u>USE</u>	<u>MINIMUM NUMBER OF REQUIRED PARKING SPACES</u>
Wholesale business, warehouse lumber or coal yard; animal hospital	one space per 300 square feet of G.F.A.
Unlisted uses	To be determined by Planning Board or Board of Adjustment pursuant to site plan review, based on nature and intensity of use and impact on surrounding area
Mixed use building	Parking is based upon the maximum occupancy of the sum of the individual uses.

NOTE 1: Whenever the formula for parking spaces required, results in a fraction of a space exceeding 0.49, a full space shall be provided.

NOTE 2: G.F.A. denotes "Gross Floor Area".

#### 150-12.7 PARKING RESTRICTIONS IN RESIDENTIAL ZONES.

It is the intent of this subsection (150-12.7) to retain the character of residential neighborhoods in residential zones by restricting the parking of commercial vehicles in said zones.

A. No individual other than the occupant of the dwelling unit shall be permitted to park a commercial vehicle in a residential zone subject to the following:

1. No commercially licensed motor vehicle, truck, van, trailer or other equipment shall be parked on a residential property in a residential zone unless completely housed in a garage and sheltered from public view, except as provided hereunder.
2. Commercially licensed automobiles, station wagons, vans and trucks are permitted to park on a residential property, provided that all of the following conditions are satisfied:
  - a. Such vehicle shall have a single chassis body with not more than four wheels and shall not be more than 20 feet long and seven feet high and shall not exceed 6,000 pounds' registered gross vehicle weight.

- b. If such vehicle contains commercial advertising in the form of lettering, logos or graphics, then such vehicle shall be utilized for transportation and not intended for advertising alone.
  - c. No equipment, ladders or other commercial accessories or materials which are not permanently affixed to the vehicle shall be permitted on the vehicle when parked in a residential zone.
  - d. Any garage on the premises must be physically unable to accommodate the commercially licensed vehicle sought to be parked in the residential zone. A determination by the enforcing authority that the door opening dimensions and size dimensions of the garage are adequate to accept the vehicle shall be presumptive evidence, subject to rebuttal, that the vehicle can be fully accommodated.
  - e. Only one commercially licensed vehicle which meets all of the above criteria shall be permitted to park on a residential property.
3. Nothing herein shall be deemed to prohibit a person from parking a commercially licensed vehicle on residential property while such vehicle is being used in the transaction of business with the owner or occupant of the residential property.
4. Recreational vehicles shall not be parked or stored on a residential property unless all of the following conditions are satisfied:
- a. Recreational vehicles may be parked or stored in a garage located on the premises, provided that such garage completely enclosed the recreational vehicle.
  - b. If stored outside of a garage, such recreational vehicle shall be stored on a parking area which is in addition to such parking spaces as are required in other portions of this chapter.
  - c. No recreation vehicle can be located in an area where an accessory structure would be prohibited.
5. This section may be enforced by the Township Building Inspector or the Township Police Department.

150-12.8      ADDITIONAL OFF-STREET PARKING REGULATIONS.

In addition to the provisions of the Schedule of Off-Street Parking Regulations there shall be applicable the regulations as set forth below.

- A.     Except for one- and two-family structures, all parking areas and driveways shall be paved with bituminous concrete, concrete or other approved permanent hard-surfaced material, and all parking spaces shall be lined and designated on said pavement.
  
- B.     Except for one and two-family structures, all parking areas and driveways must have a six inch solid concrete or Belgian block curb to separate the parking area and/or driveway from the required front, side and rear yard when these parking areas are located within six feet of the yard.
  
- C.     Parking Stall and Driveway Requirements.
  - 1.     Driveway widths for other than one and two-family structures shall be the sizes indicated in the table below, depending upon their location and traffic flow.
  
  - 2.     The parking layout tabulated below shall be for one-way traffic only and for parking on one side of said driveway. A driveway for the above mentioned parking requirement shall be provided with an exit and entrance to either another driveway, right-of-way or public thoroughfare. If said driveway does not comply with the above, a cul-de-sac shall be installed with a minimum radius of 35 feet at its blind end. When said driveway serves two-way traffic, the minimum width of the driveway shall be 22 feet, except for angle parking between 76° and 90° for standard sized spaces which shall be a minimum width of 25 feet.
  
  - 3.     For parking stalls and aisles, there shall be provided a minimum stall width of nine feet and a minimum stall depth of 20 feet.
    - (a)     The following minimum aisles widths shall be used:

	Standard Space (9 x 20)
Angle Parking	
Parallel	10
30° or less	12
31° - 45°	13
46° - 60°	18

61° - 75°	22
76° - 90°	24

4. Where sidewalks abut and overhang the sidewalks, the side walk depth shall be increased to six feet to account for the overhang.
- D. All parking areas required by this Chapter when located in residential districts, except for one and two-family structures, shall be screened along the side or sides abutting a public street with either a solid fence or wall. Said fence or wall shall be a minimum of five feet in height.
  - E. All parking areas required by this Chapter, when located in residential districts, except for one-and two-family structures in all districts, shall be required to be sufficiently lighted so as to ensure safety to both pedestrians and motorists. Such lighting shall be in accordance with the following:
    1. Nonattendant parking areas shall have a minimum of one-foot-candle power lighting throughout the entire parking area.
    2. Attendant parking areas shall have a minimum two-foot candles lighting throughout the entire parking area.
    3. The lighting in parking areas shall be installed and arranged so as to throw no glare toward windows of dwellings on adjoining residential property.
  - G. All parking spaces shall be laid out so as to have direct access from a driveway or aisle, and no double-parking or tandem parking spaces shall be permitted except on driveways accessory to one and two-family dwellings.
  - H. All off-street parking areas shall provide space to permit a vehicle to turn around on the site so as to avoid a backing maneuver within the street. Backing within the street shall only be permitted for driveways and parking associated with one and two-family residences.
  - I. Off-street loading and unloading shall be provided in such amount and manner that all loading and unloading operations will be conducted entirely within the boundaries of the lot concerned, and no vehicle shall use public streets, sidewalks or rights-of-way for loading or unloading operations, other than ingress and egress to the lot.

## 150-12.9 PERFORMANCE STANDARDS AND DESIGN CRITERIA

- A. General Application.

All industrial, business, office, multiple-family residential and health service uses, are subject to the following performance standards and procedures. Other uses, existing or proposed, which the Construction Code Official or Zoning Officer has reasonable grounds to believe violate these performance standards shall be subject to the provisions of this Ordinance as well.

B. Compliance with Performance Standards.

1. Prior to Construction and Operation.

Any application for a building permit for a use which shall be subject to performance standards shall be accompanied by a sworn statement by the owner of the subject property that said use will be operated in accordance with the performance standards set forth herein.

2. Continued Compliance.

Continued compliance with performance standards is required and enforcement of continued compliance with these performance standards shall be enforced by the Construction Code Official and Zoning Officer.

C. Nuisance Elements

The location where determinations are to be made for the enforcement of performance standards shall be made at or outside property lines of the use creating such element for noise, odor, vibration, glare, dust, smoke, air pollution or water pollution.

150-12.9 DESIGN CRITERIA.

In the judgment of the Planning Board, in accordance with the spirit and intent of this Ordinance, the following design criteria shall be adhered to in each and every case, except where otherwise provided.

- A. Traffic access: All proposed site traffic access ways are adequate but not excessive in number; adequate in grade, width, alignment and visibility; and not located too near street corners, entrances to schools or places of public assembly; and other similar considerations.

- B. Circulation and parking: that interior circulation is adequate and that all required parking spaces are provided and are easily accessible. All off-street parking and loading areas shall be surfaced with a durable and dust-free surface. All areas shall be properly marked so as to provide for the orderly and safe loading, parking and storage of self-propelled vehicles.
- C. Lighting. All exterior lighting devices shall be arranged so as to reflect the light away from adjoining premises. No rotating or flashing signs or lights shall be permitted.
- D. Drainage, water supply and sewage disposal facilities. All development shall be provided with adequate water supply, sewage disposal and drainage facilities in accordance with the Township requirements.
- E. Disposal of usable open space. Usable open space shall be so arranged as to ensure the health and safety and to promote the general welfare.
- F. Arrangement of buildings. Adequate provision shall be made for light, air, access and privacy in the arrangement of buildings.
- G. Landscaping. Landscaping, where required, shall be provided in order to enhance and protect the natural and scenic qualities of the land. Where adjacent land use dictates, screening and buffer areas shall be required.
- H. Wetlands. Wetland areas and wetland transitional areas also known as wetland buffers shall be preserved and protected in accordance with law. Wetlands and wetland buffers shall not be considered usable open space.



ARTICLE XIII  
NONCONFORMING USES AND STRUCTURES

150-13.1 CONTINUATION OF USE.

- A. A use, building or structure which is lawfully in existence at the effective date of this chapter and shall be made nonconforming at the passage of this Ordinance or any applicable amendment thereto may be continued, except as otherwise provided herein.
- B. Any lawful nonconforming use or structure existing on the effective date of this Ordinance may be continued upon the premises or in the building so occupied or used.
- C. Any lawful nonconforming use subject to condition or conditions or limited as to term of duration shall continue subject to any such condition or conditions and only for and to the end of the term of duration for which such nonconforming use was granted.

150-13.2 PARTIAL DESTRUCTION OF NONCONFORMING USE: RESTORATION OR REPAIR.

- A. Despite anything to the contrary, nothing herein shall prevent an owner of a structure being utilized with a non-conforming use from rebuilding the structure after it is destroyed by fire or other catastrophic event, provided the use has not been abandoned. Rebuilding shall be allowed without regard to the percentage of the structure that remains after the fire or catastrophic event. The replacement structure shall retain the exterior dimensions and height of the destroyed structure except that no replacement structure shall be allowed to exceed the then existing height requirement in the zone in which the structure is located.
- B. In the event of a partial destruction of a structure devoted to a nonconforming use, the owner or occupant shall, within 90 days after such event, give notice in writing to the Administrative Officer or the Construction Official of his intention to restore or repair the structure, and within 90 days after date of notice, commence and diligently proceed to the completion of the work.
- C. Nonconforming signs as established by this Ordinance and/or the Building Code may remain at their present location, provided that only basic maintenance work on these signs shall be permitted. Maintenance work shall not mean to include the removal of a sign for repair, alteration or repainting nor the relettering of a sign to a name other than that which existing at the time of the passage of this Ordinance. The relettering of a sign at the site shall not apply to billboards.

- D. Nothing in this chapter shall prevent the strengthening or restoring to a safe or lawful condition any part of any building or structure declared unsafe or unlawful by the Construction Official, Zoning Officer, or other authorized State or Township official.

159-13.3 EXTENSIONS, ENLARGEMENTS OR CHANGES.

- A. No existing building or premises containing any non-conforming use as permitted by this Article, shall be enlarged, extended, reconstructed or structurally altered unless such use is changed to a use permitted in the district in which such building or premises is located; and no nonconforming use shall be changed to another or different nonconforming use.
- B. A one - or two - family residential building which complies with the use requirements of this Ordinance and is non-conforming because of the yard regulations may be enlarged, provided that any violation of any setback may be expanded provided that the expansion does not encroach further into such violated setback and no other setback regulations are violated.

150-13.3 DISCONTINUANCE OR ABANDONMENT.

No nonconforming use or structure which shall have been discontinued or abandoned for a period exceeding 12 months shall be resumed; provided, however, that no such use or structure shall be resumed if the premises upon which such use or structure existed is devoted to a conforming use after the discontinuance or abandonment of the nonconforming use.

150-13.4 MODERNIZATION OF NONCONFORMING STRUCTURES.

Nothing contained in this Article shall prohibit the modernization of existing nonconforming structures; provided, however, that such modernization does not entail any extension, enlargement, intensification, addition or change of the nonconforming use.

150-13.5 NONCONFORMING BUILDINGS LAWFULLY UNDER CONSTRUCTION.

Any nonconforming building or structure lawfully under construction on the effective date of this Ordinance, pursuant to plans filed with the Construction Official and approved by him and all other municipal boards and agencies as required under law, may be completed and may be used for the nonconforming use for which it was designed, to the same extent as if such building had been completed and been in use on the effective date of this chapter, provided that such building or structure shall be completed within one year after the effective date thereof.

ARTICLE XIV  
PERFORMANCE STANDARDS

150 - 14.1     AIR QUALITY.

This chapter hereby incorporates by reference and makes a part hereof as though fully set forth those standards as found in N.J.A.C. 7:27-1, et seq. and the Township of Verona Air Pollution Control Code.

150 - 14.2     ELECTROMAGNETIC INTERFERENCE.

In any zoning district, no use, activity, or process shall be conducted which produces electromagnetic interference with normal radio or television reception in any zoning district.

150 - 14.3     FIRE PROTECTION.

This chapter hereby incorporates by reference and makes a part hereof as though fully set forth those standards as found in N.J.A.C. 5:10 - 19.11 (Hotel and Multiple Dwelling), N.J.A.C. 5:23-3.17 (Fire Protection Subcode), N.J.A.C. 5:23-4 (Enforcement), including all the amendments to the above.

150 - 14.4     HUMIDITY, HEAT AND GLARE.

In any zoning district, any activity producing humidity in the form of steam or moist air or producing heat or glare shall be carried on in such a manner that the steam, humidity, heat or glare is not perceptible at any lot line.

150 - 14.5     NOISE CONTROL – METHOD OF MEASUREMENT.

- A.     Methods of measurement. For the purpose of measuring the intensity and frequencies of sound, sound-level meters and octave-band filters shall be employed. In the enforcement of this regulation, sounds produced by the operation of motor vehicles or other transportation facilities shall not be included in determining the maximum permitted decibel levels.
- B.     The maximum permitted sound-pressure level (in decibels) shall be 0.0002 microbars.

**Octave Band (cycles per second)      Sound-Pressure Level (decibels)**

0 - 74	65
75 - 149	50
150- 299	44
300 - 599	38
600 - 1,199	35
1,200 - 2,399	32
2,400 - 4,799	29
4,800 and over	26

150 - 14.6      RADIATION.

This chapter hereby incorporates by reference and makes a part hereof as though fully set forth those standards as found in N.J.S.A. 26:2D-1 et seq., including all the amendments to the above.

150 - 14.7      VIBRATION.

- A.      Method of measurement. For the purpose of measuring vibration, a three-component measuring system shall be employed.
- B.      Maximum permitted steady state and impact vibration displacement (in inches).

	<b>Frequency (cycles per second)</b>	<b>Vibration Displacement (in inches) Steady State</b>
<b>Impact</b>		
Under 10	0.0005	0.0010
10 - 19	0.0004	0.0008
20 - 29	0.0003	0.0006
30 - 39	0.0002	0.0004
40 and over	0.0001	0.0002

ARTICLE XV  
BOARD OF ADJUSTMENT

150-15.1 CONTINUANCE OF ZONING BOARD OF ADJUSTMENT.

All ordinances applicable to the Zoning Board of Adjustment are expressly not repealed or amended by this Chapter.

ARTICLE XVI  
ADMINISTRATION AND ENFORCEMENT

150-16.1      ENFORCING OFFICER.

The Zoning Officer shall enforce the provisions of this chapter. He may require any member of the Police, Fire or Health Department or other department to report to him in writing any violation of the provisions of this chapter.

150-16.2      BUILDING PERMIT, CERTIFICATE OF OCCUPANCY & CONDITIONS OF APPROVAL.

- A.      Building Permits. No person shall construct, erect, repair or make any alteration to or restoration of any structure or swimming pool until he shall be applied for and secured a building permit from the Construction Official.
- B.      Certificates of Occupancy. No person shall occupy or use or change the occupation or use of, in whole or in part, any building or structure until he shall have applied for and secured a certificate of occupancy therefore from the Chief Building Inspector.
- C.      Conditions of Approval. No person shall construct, erect, repair or make any alteration to or restoration of any structure that does not comply with any and all conditions required at the time of approval.

150-16.3      APPLICATION REQUIREMENTS.

- A.      Building Permits
  - 1.      Unless otherwise provided by this chapter, applications for building permits shall be submitted to the Chief Building Inspector in the manner prescribed by the Building Code of the Township of Verona, including the amendments and supplements thereto.
  - 2.      For all apartment houses, all plans submitted for approval to the Department of Community Affairs shall contain on the plan a breakdown giving the number of apartments, number of bedrooms per apartment, percentage of land covered and the total square foot area of the lot.

- B. Certificates of Occupancy. Applications for certificates of occupancy shall be submitted to the Chief Building Inspector in the manner prescribed by the Building Code of the Township of Verona, including the amendments and supplements thereto.

150-16.4 ISSUANCE OF PERMITS AND CERTIFICATES.

- A. Building permits and certificates of occupancy shall be issued by the Chief Building Inspector.
- B. Determination Required as Prerequisite to Issuance.
  - 1. The Chief Building Inspector shall issue building permits or certificates of occupancy only after he shall have determined that the building, structure or use is one permitted under the provisions of this chapter and that any and all conditions required at the time of approval have been addressed.
  - 2. To assist the Chief Building Inspector in making such a determination, he may require any member of the Police, Fire or Health Department or other department to make an investigation of the premises in question and to report to him the findings of such investigation.

150-16.5 NOTICE OF DENIAL TO PERMIT A CERTIFICATE.

If the Chief Building Inspector shall determine that a building, structure or use is not permitted under any provision of this ordinance, he shall give written notice thereof to the applicant as follows:

- A. Such notice shall state in what respects the building, structure or use does not conform to such provision or provisions, and shall contain a brief description of the building, structure or use to which the notice refers in terms sufficient to identify it and its location.
- B. The notice may be served upon the applicant by registered or certified mail, return receipt requested, or where such resides in the Township of Verona, in person or by leaving it at his usual place of residence with a member of his family above the age of 14 years. Where lands are held by joint tenants, tenants in common or tenants by the entirety, service upon one of the owners shall be sufficient and deemed and taken as notice to all.



150-16.6 VIOLATIONS AND PENALTIES.

- A. Any owner, general agent, contractor or tenant of any building or premises or part thereof, in which premises or part thereof is in violation of any provision of this ordinance has been committed or shall exist, or any other person who commits, takes part or assists in such violation or who maintains any building or premises in which any such violation shall exist; or any person who constructs, alters, restores, repairs, reconstructs, converts or maintains, or permits the construction, alteration, restoration, conversion or maintenance of, any building or structure, or who uses, maintains or permits the use or maintenance of any land, building or structures, in violation of any provisions of this ordinance, shall, upon conviction, be subject to a fine not to exceed \$1,250.00 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court.
- B. For every day that a use or structure in violation of any provision of this ordinance is permitted to exist or is continued in any building or location, a distinct violation of this ordinance shall be deemed to have been committed.
- C. Any owner, agent, or tenant of any building or premises or part thereof, in which premises or part thereof occupies or uses the structure, or any other person who commits, takes part or assists in such, in violation of any provisions of this chapter, shall, upon conviction, be subject to a fine, for the first offense, of one thousand two hundred and fifty dollars, (\$1,250.00). For the second and subsequent violation the fine shall be equal to the annual cost of the education of a student in the schools in the Township of Verona. Said fines shall be recovered in a civil action, in a summary proceeding, in the name of the municipality, pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:51-1, et seq., said proceeding shall be commenced in the municipal court of the Township of Verona for the enforcement of the penalty provided for herein.
- D. Complaints of Violations  
  
Any person may file a complaint if there is any reason to believe a violation of this ordinance exists. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate.

E. Procedures for Abatement of Violations

1. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure of land is used in violation of this ordinance or of any ordinance or regulation made under authority conferred hereby, the Zoning Officer or other proper official, in addition to other remedies, may institute any appropriate legal action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct business or use about such premises.
2. A violation of any of these terms of this ordinance shall be abated within five days, or within as reasonable time as may be determined, after written notice has been served, either by mail or personal service.

150-16.7 AMENDMENTS.

All amendments to this ordinance and to the Zoning Map, which forms a part hereof, shall be adopted in accordance with the provisions of New Jersey law.

150-16.8 INTERPRETATION OF PROVISIONS.

In the interpretation and the application of the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances, provided that where this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

ARTICLE XVII  
SCHEDULE OF DISTRICT REGULATIONS

150 - 17.1 R-100 (VERY LOW DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family homes.

B. Permitted Accessory Uses

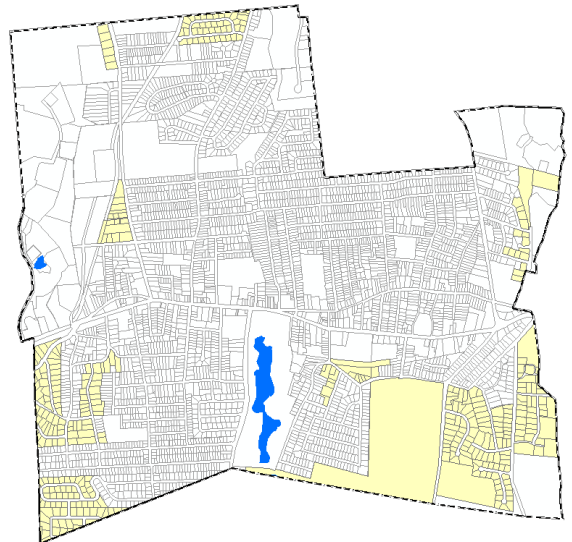
Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub, and related facilities.
4. Basketball Court, unlit.
5. Tennis Court, unlit.
6. Deck, either attached or unattached.
7. Greenhouse.
8. A maximum of two sheds totaling no more than 200 square feet in floor area.

C. Conditional Uses

The following conditional uses are permitted within the single family district (R-100) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.



D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

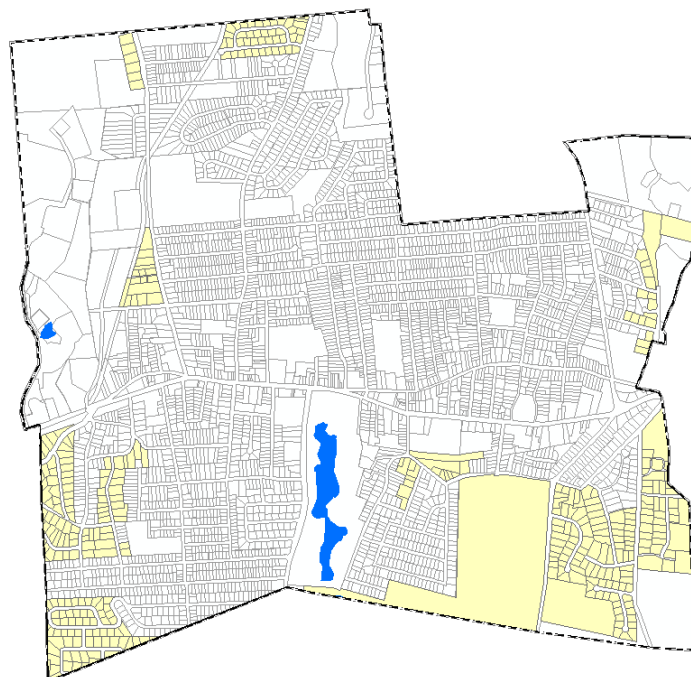
1.	Minimum Lot Size (Square Feet)	12,000
2.	Minimum Lot Width (Feet)	100
3.	Maximum Lot Coverage (Percent)	20
4.	Maximum Improved Lot Coverage (Percent)	35

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	35
2.	Minimum Side Yard Setback-One (Feet)	9
3.	Minimum Side Yard Setbacks-Both (Feet)	20
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	9
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15



150 - 17.2 R-70 (LOW DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

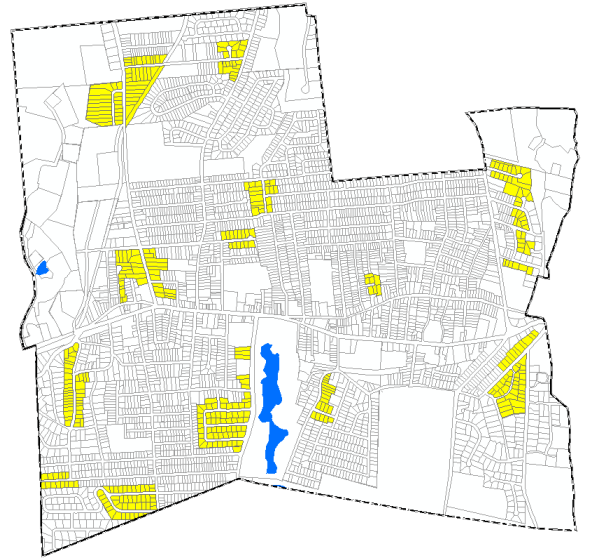
No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family homes.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Basketball Court, unlit.
5. Tennis Court, unlit.
6. Deck, either attached or unattached.
7. Greenhouse.
8. A single shed up to 150 square feet in floor area.



C. Conditional Uses

The following conditional uses are permitted within the single family district (R-70) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

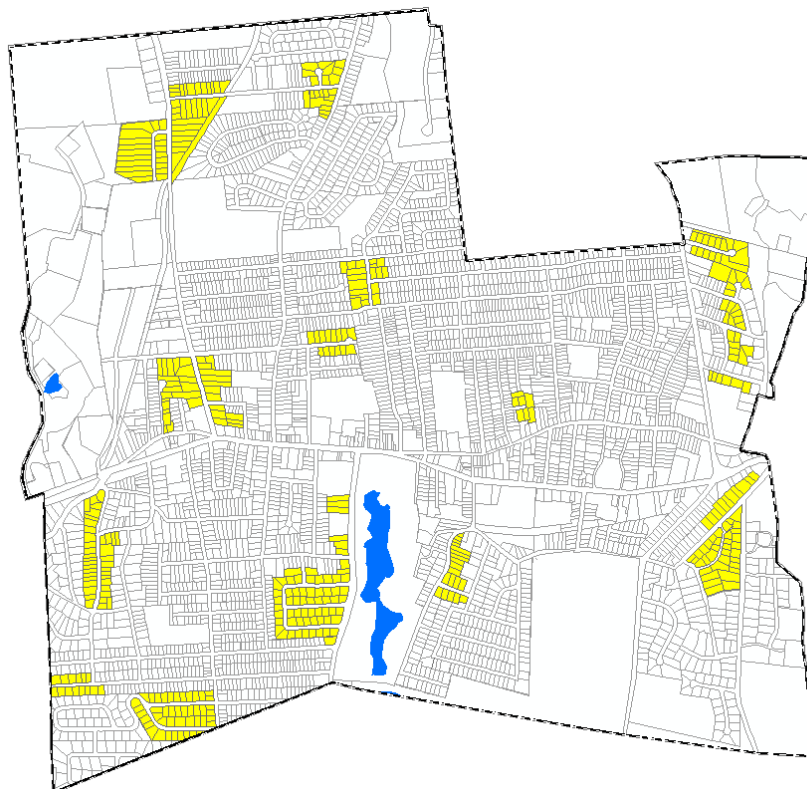
1.	Minimum Lot Size (Square Feet)	8,400
2.	Minimum Lot Width (Feet)	70
3.	Maximum Lot Coverage (Percent)	20
4.	Maximum Improved Lot Coverage (Percent)	35

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	30
2.	Minimum Side Yard Setback-One (Feet)	8
3.	Minimum Side Yard Setbacks-Both (Feet)	18
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15



150 - 17.3 R-60 (MEDIUM DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family homes.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Tennis Court, unlit.
5. Deck, either attached or unattached.
6. Greenhouse.
7. A single shed up to 150 square feet in floor area.



C. Conditional Uses

The following conditional uses are permitted within the single family district (R-60) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

1.	Minimum Lot Size (Square Feet)	7,200
2.	Minimum Lot Width (Feet)	60
3.	Maximum Lot Coverage (Percent)	25
4.	Maximum Improved Lot Coverage (Percent)	40

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	30
2.	Minimum Side Yard Setback-One (Feet)	8
3.	Minimum Side Yard Setbacks-Both (Feet)	18
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15





150 - 17.4 R-50B (MEDIUM/HIGH DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

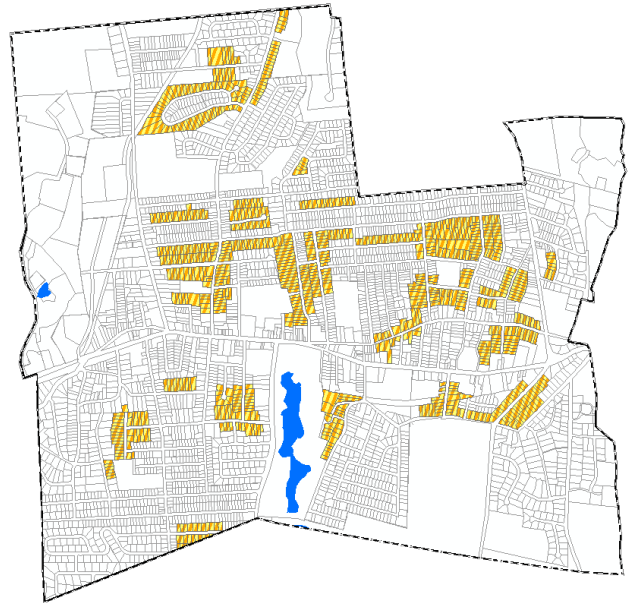
No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family homes.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Deck, either attached or unattached.
5. Greenhouse.
6. A single shed up to 150 square feet in floor area.



C. Conditional Uses

The following conditional uses are permitted within the single family district (R-50B) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

1.	Minimum Lot Size (Square Feet)	7,500
2.	Minimum Lot Width (Feet)	50
3.	Maximum Lot Coverage (Percent)	25
4.	Maximum Improved Lot Coverage (Percent)	40

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	30
2.	Minimum Side Yard Setback-One (Feet)	8
3.	Minimum Side Yard Setbacks-Both (Feet)	18
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15



150 – 17.5 R-50 (HIGH DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family homes.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Deck, either attached or unattached.
5. Greenhouse.
6. A single shed up to 100 square feet in floor area.



C. Conditional Uses

The following conditional uses are permitted within the single family district (R-50) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

1.	Minimum Lot Size (Square Feet)	5,000
2.	Minimum Lot Width (Feet)	50
3.	Maximum Lot Coverage (Percent)	30
4.	Maximum Improved Lot Coverage (Percent)	40

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	30
2.	Minimum Side Yard Setback-One (Feet)	8
3.	Minimum Side Yard Setbacks-Both (Feet)	18
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15



150 - 17.6 R-40 (VERY HIGH DENSITY SINGLE FAMILY) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family dwellings.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Deck, either attached or unattached.
5. Greenhouse.
6. A single shed up to 100 square feet in floor area.



C. Conditional Uses

The following conditional uses are permitted within the single family district (R-40) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses

1.	Minimum Lot Size (Square Feet)	4,000
2.	Minimum Lot Width (Feet)	40
3.	Maximum Lot Coverage (Percent)	30
4.	Maximum Improved Lot Coverage (Percent)	40

E. Area, Yard and Bulk Regulations for Principal Structures & Uses

1.	Minimum Front Yard Setback (Feet)	30
2.	Minimum Side Yard Setback-One (Feet)	8
3.	Minimum Side Yard Setbacks-Both (Feet)	18
4.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5.	Minimum Rear Yard Setback (Feet)	30
6.	Maximum Height (Stories / Feet)	2.5 / 30

F. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15





## 150 - 17.7 A-1 (MULTI FAMILY - LOW RISE) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Apartment Houses.
2. Townhouses.
3. Housing for elderly and handicapped households.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Swimming pool and related facilities.
3. Basketball Court, unlit.
4. Tennis Court, unlit.



### C. Conditional Uses

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in 150-8.8 of this chapter.

### D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Acres)	4.0
2.	Minimum Lot Width (Feet)	150
3.	Minimum Front Yard Setback (Feet)	40
4.	Minimum Side Yard Setback-One (Feet)	15
5.	Minimum Side Yard Setbacks-Both (Feet)	40
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	25
8.	Maximum Density – Townhouse (Dwelling Units/Acre)	6
9.	Maximum Density – Apartment Houses (Dwelling Units/Acre)	10
10.	Maximum Height (Stories / Feet)	2.5/35
11.	Maximum Lot Coverage (Percent)	60
12.	Maximum Improved Lot Coverage (Percent)	75

E. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15



## 150 - 17.8 A-1R (MULTI FAMILY-LOW RISE-REDEVELOPMENT) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Apartment Houses.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Swimming pool and related facilities.
3. Basketball Court, unlit.
4. Tennis Court, unlit.



### C. Conditional Uses

The following conditional uses are permitted within the multi-family district (A-1) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

### D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Square Feet)	43,560
2.	Minimum Lot Width (Feet)	150
3.	Minimum Front Yard Setback (Feet)	40
4.	Minimum Side Yard Setback-One (Feet)	15
5.	Minimum Side Yard Setbacks-Both (Feet)	40
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	25
8.	Maximum Density (Dwelling Units / Acre)	10
9.	Maximum Height (Stories / Feet)	2.5 / 35
10.	Maximum Lot Coverage (Percent)	25
11.	Maximum Improved Lot Coverage (Percent)	55

E. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15

150 - 17.9 A-2 (MULTI FAMILY - HIGH RISE) ZONE DISTRICT

A. Principal Permitted Uses

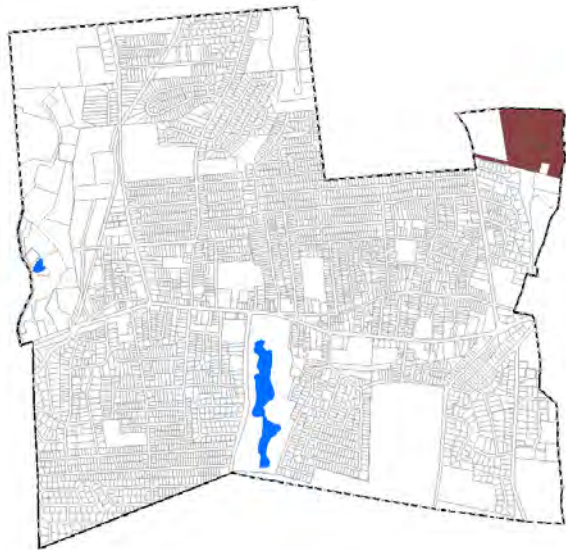
No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Apartment Houses.
2. Senior Citizen Housing.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Parking garage.
2. Swimming pool and related facilities.
3. Basketball Court, unlit.
4. Tennis Court, unlit.



C. Conditional Uses

The following conditional uses are permitted within the multi-family district (A-2) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Home occupations subject to the conditions set forth in section 150-8.8 of this chapter.

D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Acres)	8
2.	Minimum Lot Width (Feet)	300
3.	Minimum Front Yard Setback (Feet)	100
4.	Minimum Side Yard Setback-One (Feet)	100
5.	Minimum Side Yard Setbacks-Both (Feet)	250
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	15
8.	Maximum Density for lots under 10 Acres(Dwelling Units/Acre)	35
	Maximum Density for lots over 10 Acres (Dwelling Units/Acre)	25
9.	Maximum Height (Stories / Feet)	10/120
10.	Maximum Lot Coverage (Percent)	25
11.	Maximum Improved Lot Coverage (Percent)	75

E. Area, Yard and Bulk Regulations for Accessory Structures & Uses

1.	Minimum Side Yard Setback-One (Feet)	8
2.	Minimum Rear Yard Setback (Feet)	10
3.	Minimum Distance between accessory and principal structures (feet)	10
4.	Maximum aggregate area covered by accessory structures in the yard it is located in. (percent)	15
5.	Maximum Height (Stories / Feet)	1 ½ / 15

## 150 - 17.10 A-3 (RESIDENTIAL - TOWNHOUSE) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family dwellings.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Detached garage.
2. Family day-care center.
3. Swimming pool, hot tub and related facilities.
4. Basketball Court, unlit.
5. Tennis Court, unlit.
6. Deck, either attached or unattached.
7. Greenhouse.
8. A single shed up to 150 square feet in floor area.



### C. Area, Yard and Bulk Regulations for Principal & Accessory Structures & Uses (Single Family)

1. Minimum Lot Size (Square Feet)	8,400
2. Minimum Lot Width (Feet)	70
3. Maximum Lot Coverage (Percent)	20
4. Maximum Improved Lot Coverage (Percent)	35

### D. Area, Yard and Bulk Regulations for Principal Structures & Uses (Single Family)

1. Minimum Front Yard Setback (Feet)	30
2. Minimum Side Yard Setback-One (Feet)	8
3. Minimum Side Yard Setbacks-Both (Feet)	18
4. Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
5. Minimum Rear Yard Setback (Feet)	30
6. Maximum Height (Stories / Feet)	2.5 / 30

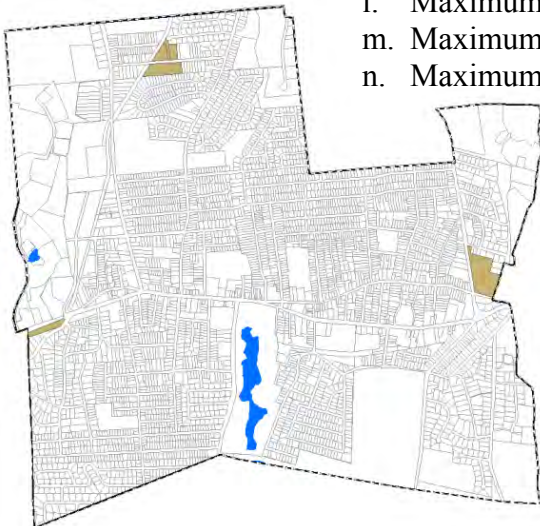
- E. Area, Yard and Bulk Regulations for Accessory Structures & Uses  
(Single Family)
- |     |  |          |
|-----|--|----------|
| 6.  | Minimum Side Yard Setback-One (Feet)   | 8        |
| 7.  | Minimum Rear Yard Setback (Feet)   | 10       |
| 8.  | Minimum Distance between accessory and principal structures (feet)                             | 10       |
| 9.  | Maximum aggregate area covered by accessory structures in the yard it is located in. (percent) | 15       |
| 10. | Maximum Height (Stories / Feet)  | 1 ½ / 15 |

F. Conditional Uses

The following conditional uses are permitted within the residential townhouse district (A-3) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. A satellite or dish antenna, as an accessory use, installed in the side or rear yard, subject to the conditions set forth in section 150-7.11 of this chapter.
2. Townhouses subject to the following density and bulk regulations:

	(du = dwelling units)
a. Over 8 acres in size	8 du / acre
b. Between 6.0 and 7.99 acres in lot size	9 du / acre
c. Between 4.1 and 5.99 acres in lot size	11 du / acre
d. Under 4 acres in lot size	12 du / acre
e. Minimum Acreage (Combined)	1.5 Acres
f. Minimum Front Yard Setback	50 Ft
g. Minimum Side Yard Setback	25 Ft
h. Minimum Rear Yard Setback	50 Ft
i. Minimum Rear Yard Setback-Bloomfield Frontage	30 Ft
j. Minimum Front Yard Setback-Bloomfield Frontage	25 Ft
k. Minimum Buffer between townhouses and off site residential uses	25 ft.
l. Maximum Height (Stories / Feet)	2.5 / 35
m. Maximum Lot Coverage	40 %
n. Maximum Improved Lot Coverage	55%



## 150 - 17.11 C-2 (PROFESSIONAL OFFICE AND BUSINESS) ZONE DISTRICT

### A. Principal Permitted Uses

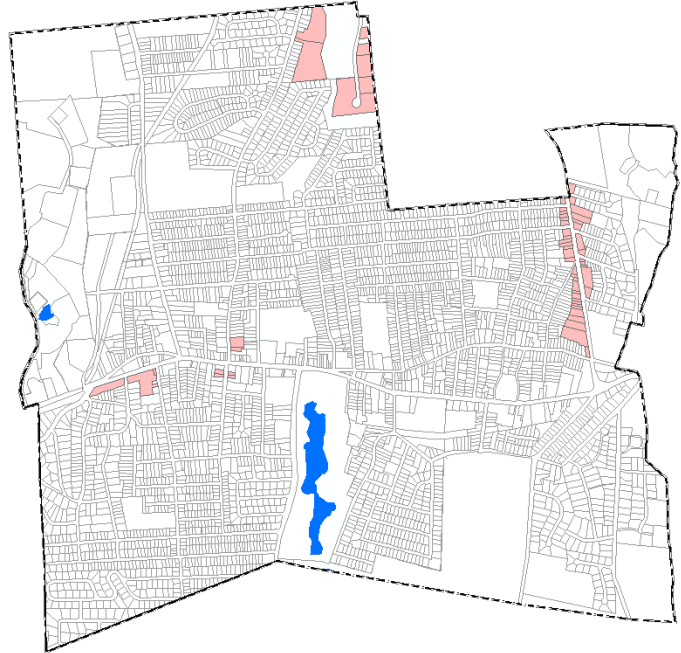
No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Commercial and professional offices.
2. Commercial schools offering instruction in dance, music, fine art and similar pursuits.
3. Family day care centers.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.



### C. Conditional Uses

The following conditional uses are permitted within the district subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

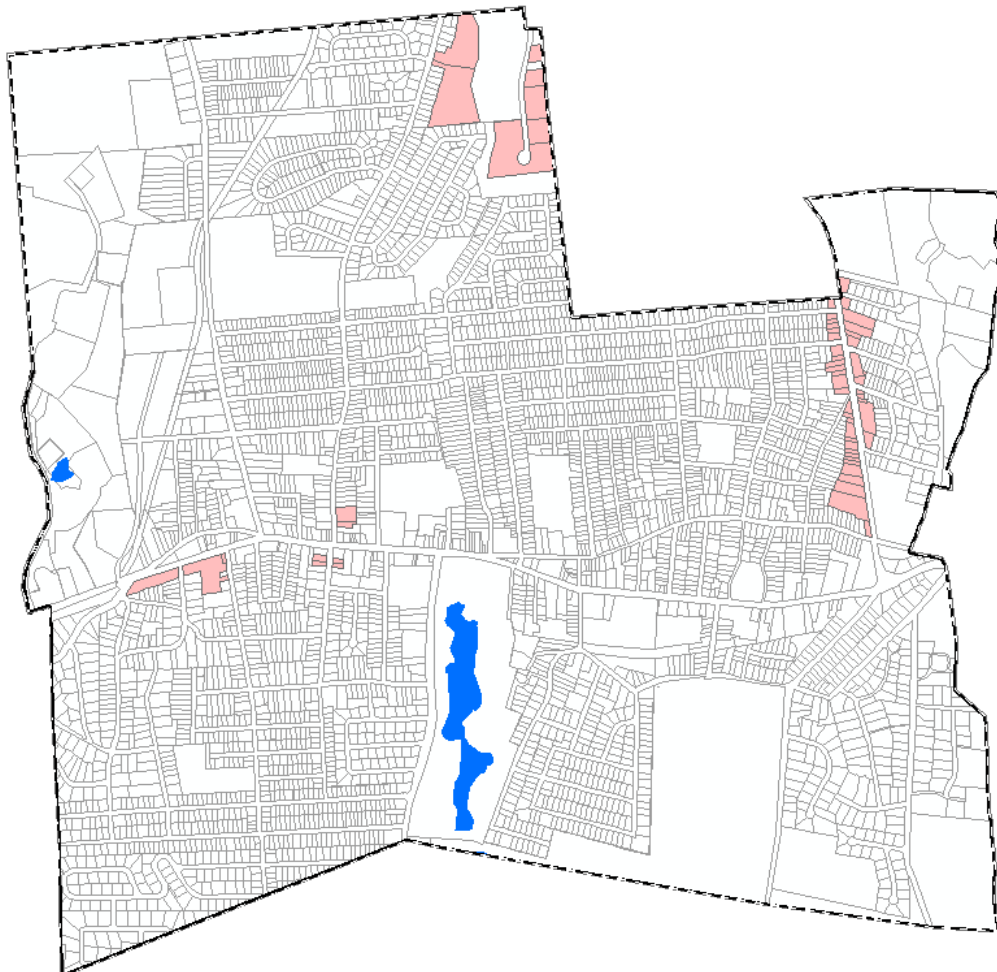
1. Mixed residential and professional office uses (non-medical) subject to the mixed use standards set forth in section 150-8.3.
2. Mixed residential and commercial office uses (non-medical) subject to the mixed use standards set forth in section 150-8.3.
3. Mixed professional (non-medical) and commercial office uses (non-medical) subject to the mixed use standards set forth in section 150-8.3.



## C-2 (PROFESSIONAL OFFICE AND BUSINESS) ZONE DISTRICT

### D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Square Feet)	15,000
2.	Minimum Lot Width (Feet)	100
3.	Minimum Front Yard Setback (Feet)	20
4.	Minimum Side Yard Setback-One (Feet)	15
5.	Minimum Side Yard Setbacks-Both (Feet)	35
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	50
8.	Maximum Height for Principal Building (Stories / Feet)	2.5/35
9.	Maximum Height for Accessory Structures (Feet)	15
10.	Maximum Lot Coverage (Percent)	30
11.	Maximum Improved Lot Coverage (Percent)	65
12.	Maximum Floor Area Ratio (Percent)	50
13.	Minimum Landscaped Buffer Along Residential Zone (Ft)	15





## 150 - 17.12 R-CMO (RESIDENTIAL-CONDITIONAL MIXED OFFICE) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family dwellings.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.



### C. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Square Feet)	12,000
2.	Minimum Lot Width (Feet)	75
3.	Minimum Front Yard Setback (Feet)	30
4.	Minimum Side Yard Setback-One (Feet)	8
5.	Minimum Side Yard Setbacks-Both (Feet)	18
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
7.	Minimum Rear Yard Setback (Feet)	30
8.	Maximum Height for Principal Building (Stories / Feet)	2.5/35
9.	Maximum Height for Accessory Structures (Feet)	15
10.	Maximum Lot Coverage (Percent)	30
11.	Maximum Improved Lot Coverage (Percent)	65

## R-CMO (RESIDENTIAL – CONDITIONAL MIXED OFFICE) ZONE DISTRICT

### D. Conditional Uses

The following conditional uses are permitted within the district subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. Mixed residential and professional offices (non-medical) subject to the mixed use standards set forth in section 150-8.3.
2. Mixed residential and commercial offices (non-medical) subject to the mixed use standards set forth in section 150-8.3.
3. Planned Commercial Development (non-medical) subject to the mixed use standards set forth in section 150-8.3 and subject to the following requirements:
  - a. Minimum Acreage (Combined) 1.5 Acres
  - b. Maximum Density in Planned Commercial Development 5 du/acre
  - c. Minimum Front Yard Setback 50 Ft
  - d. Minimum Side Yard Setback 25 Ft
  - e. Minimum Rear Yard Setback 50 Ft
  - f. Maximum Height (Stories / Feet) 2.5 / 35
  - g. Maximum Lot Coverage 30 %
  - h. Maximum Improved Lot Coverage 65 %
  - i. Minimum Distance between buildings (ft) 25
  - j. Maximum Floor Area Ratio 0.25
  - k. Minimum Landscaped Buffer Along Residential Zone (Ft) 15
4. Residential Clusters subject to the following requirements:
  - a. Minimum Acreage (Combined) 1.5 Acres
  - b. Maximum Residential Cluster Density 7 du/acre
  - c. Minimum Front Yard Setback 50 Ft
  - d. Minimum Side Yard Setback 25 Ft
  - e. Minimum Rear Yard Setback 50 Ft
  - f. Maximum Height (Stories / Feet) 2.5 / 35
  - g. Maximum Lot Coverage 30 %
  - h. Maximum Improved Lot Coverage 65 %
  - i. Minimum Distance between buildings (ft) 25
  - j. Maximum Floor Area Ratio – 0.30
  - k. Minimum Landscaped Buffer Along Residential Zone (Ft) 15



## 150 - 17.13 MR (MIXED RETAIL) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Single family dwellings.
2. Professional offices (non-medical).
3. Commercial offices (non-medical).
4. Retail.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.



### C. Area, Yard and Bulk Regulations

- |  |        |
|--|--------|
| 1. Minimum Lot Size (Square Feet)                            | 6,000  |
| 2. Minimum Lot Width (Feet)                                  | 60     |
| 3. Minimum Front Yard Setback (Feet)                         | 20     |
| 4. Minimum Side Yard Setback-One (Feet)                      | 15     |
| 5. Minimum Side Yard Setbacks-Both (Feet)                    | 35     |
| 6. Minimum Side Yard Setbacks-Both (Percentage of lot width) | 25     |
| 7. Minimum Rear Yard Setback (Feet)                          | 50     |
| 8. Maximum Height for Principal Building (Stories / Feet)    | 2.5/35 |
| 9. Maximum Height for Accessory Structures (Feet)            | 15     |
| 10. Maximum Lot Coverage (Percent)                           | 30     |
| 11. Maximum Improved Lot Coverage (Percent)                  | 65     |
| 12. Minimum Landscaped Buffer Along Residential Zone (Ft)    | 15     |

## MR (MIXED RETAIL) ZONE DISTRICT

### D. Conditional Uses

The following conditional uses are permitted within the district subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. Mixed residential and retail subject to the mixed use standards set forth in section 150-8.3.
2. Mixed residential and commercial office (non-medical) subject to the mixed use standards set forth in section 150-8.3.
3. Mixed commercial and professional offices (non-medical) subject to the mixed use standards set forth in section 150-8.3.
4. Mixed residential and professional office (non-medical) subject to the mixed use standards set forth in section 150-8.3.
5. Residential Clusters subject to the following regulations:

a. Minimum Acreage (Combined)	1.5 Acres
b. Maximum Residential Cluster Density	7 du/acre
c. Minimum Front Yard Setback	50 Ft
d. Minimum Side Yard Setback	25 Ft
e. Minimum Rear Yard Setback	50 Ft
f. Maximum Height (Stories / Feet)	2.5 / 35
g. Maximum Lot Coverage	30 %
h. Maximum Improved Lot Coverage	65 %
i. Minimum Distance between buildings (ft)	25
j. Maximum Floor Area Ratio –	0.30
k. Minimum Landscaped Buffer Along Residential Zone (Ft)	15



## 150 - 17.14 TC (TOWN CENTER) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Retail stores and retail service establishments, including stores or shops or retail business conducted entirely within the confines of a building.
2. Cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, confectionery and nut stores, retail bakeries. These uses shall have a maximum seating capacity of 100 patrons. These uses shall be permitted on lots having frontage on Bloomfield Avenue.
3. Banks and other financial institutions, but not including drive in uses.
4. Theatrical and motion picture theaters.
5. Family day care centers.
6. Personal service establishments.

### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.
2. Outdoor restaurant seating in accordance with section 150-7.23.
3. Sidewalk Café in accordance with section 150-7.22.





## TC (TOWN CENTER) ZONE DISTRICT

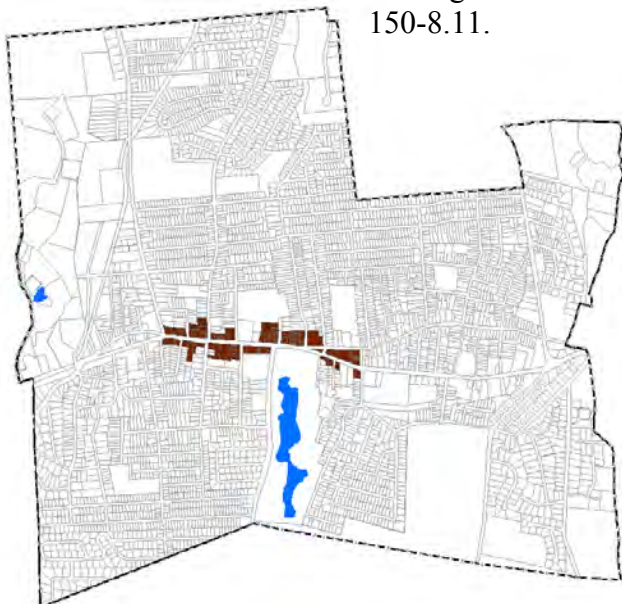
### C. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Square Feet)	2,000
2.	Minimum Lot Width (Feet)	50
3.	Minimum Front Yard Setback (Feet)	0
4.	Minimum Side Yard Setback-One (Feet)	0
5.	Minimum Side Yard Setbacks-Both (Feet)	0
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	20
8.	Maximum Height for Principal Building (Stories / Feet)	3 / 50
9.	Maximum Height for Accessory Structures (Feet)	15
10.	Maximum Building Coverage (Percent)	80
11.	Maximum Improved Lot Coverage (Percent)	100
12.	Minimum Landscaped Buffer Along Residential Zone (Ft)	15

### D. Conditional Uses

The following conditional uses are permitted within the Town Center zone (TC) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. Mixed residential and retail subject to the mixed use standards set forth in section 150-8.3.
2. Mixed retail and commercial (non-medical) subject to the mixed use standards set forth in section 150-8.3.
3. Mixed retail and professional office (non-medical) subject to the mixed use standards set forth in section 150-8.3.
4. Massage Parlors subject to the conditional standards set forth in section 150-8.11.



## 150 - 17.15 ETC (EXTENDED TOWN CENTER) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Retail stores and retail service establishments, including stores or shops for retail business conducted entirely within the confines of a building.
2. Cafeteria.
3. Full-service restaurant.
4. Snack and nonalcoholic beverage bar.
5. Confectionery and nut store.
6. Baked goods store.
7. Retail bakery.
8. Caterer, off-site.
9. Caterer, on-site.
10. Limited-service restaurant.
11. Banks and other financial institutions.
12. Commercial and professional offices.
13. Wholesale trade.
14. Family day care centers.
15. Personal service establishments.



### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.
2. Outdoor restaurant seating in accordance with section 150-7.23.

### C. Area, Yard and Bulk Regulations

1. Minimum Lot Size (Square Feet)	12,000
2. Minimum Lot Width (Feet)	100
3. Minimum Front Yard Setback (Feet)	30
4. Minimum Side Yard Setback-One (Feet)	20
5. Minimum Side Yard Setbacks-Both (Feet)	40
6. Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7. Minimum Rear Yard Setback (Feet)	30
8. Maximum Height for Principal Building (Stories / Feet)	3 / 50
9. Maximum Height for Accessory Structures (Feet)	15
10. Maximum Lot Coverage (Percent)	40
11. Maximum Improved Lot Coverage (Percent)	80
12. Floor Area Ratio (Percent)	100
13. Minimum Landscaped Buffer Along Residential Zone (Ft)	15

## ETC (EXTENDED TOWN CENTER) ZONE DISTRICT

### D. Conditional Uses

The following conditional uses are permitted within the Extended Town Center zone (ETC) subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this ordinance.

1. Automobile sales subject to the conditional uses standards set forth in section 150-8.4.
2. Mixed residential and retail subject to the mixed use standards set forth in section 150-8.3.
3. Mixed retail and commercial (non-medical) subject to the mixed use standards set forth in section 150-8.3.
4. Mixed retail and professional office (non-medical) subject to the mixed use standards set forth in section 150-8.3.
5. Automobile service stations subject to the conditional uses standards set forth in section 150-8.5.
5. Massage Parlors subject to the conditional use standards set forth in section 150-8.11.



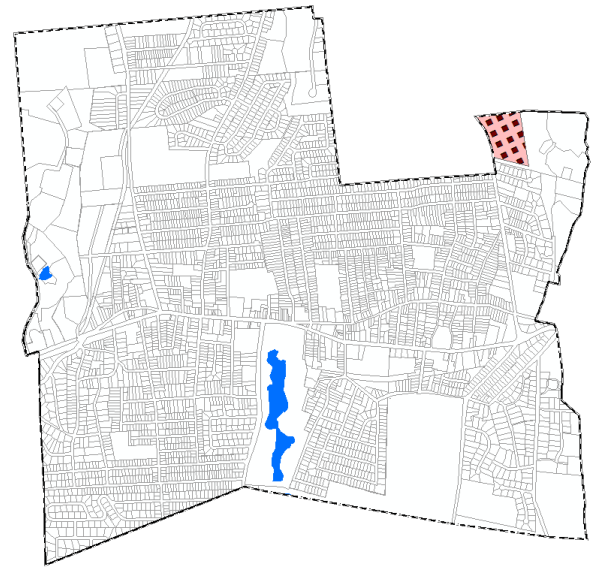


150 - 17.16 RR (REGIONAL RETAIL) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Regional shopping center.
2. Retail stores and retail service establishments, including stores or shops for retail business conducted entirely within the confines of a building.
3. Supermarket.
4. Cafeteria.
5. Full service restaurant.
6. Snack and nonalcoholic beverage bar.
7. Confectionery and nut store.
8. Baked goods store.
9. Retail bakery.
10. Limited service restaurant.
11. Commercial recreational facilities.
12. Personal service establishments.



B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

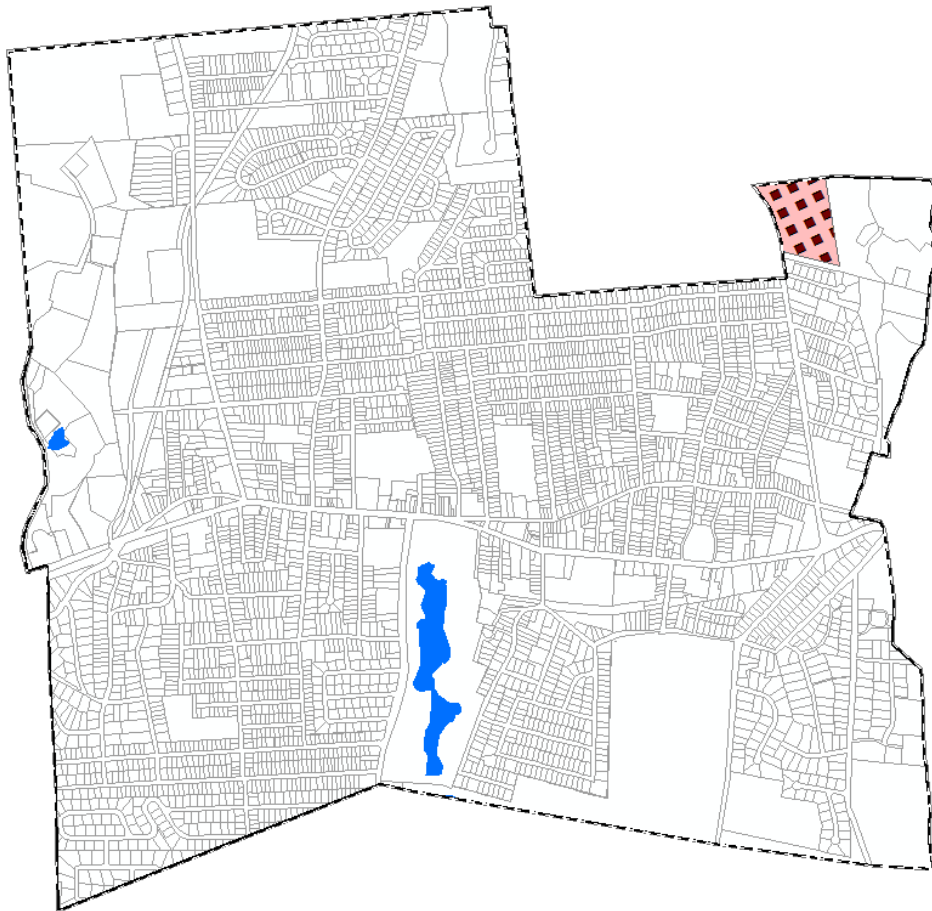
1. Accessory uses customarily incidental to the principal or conditional use.

C. Conditional Uses

None.

D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Acres)	10.0
2.	Minimum Lot Width (Feet)	750
3.	Minimum Front Yard Setback (Feet)	200
4.	Minimum Side Yard Setback-One (Feet)	50
5.	Minimum Side Yard Setbacks-Both (Feet)	100
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	N/A
7.	Minimum Rear Yard Setback (Feet)	40
8.	Maximum Height (Stories / Feet)	2/50
9.	Maximum Lot Coverage (Percent)	40
10.	Maximum Improved Lot Coverage (Percent)	100

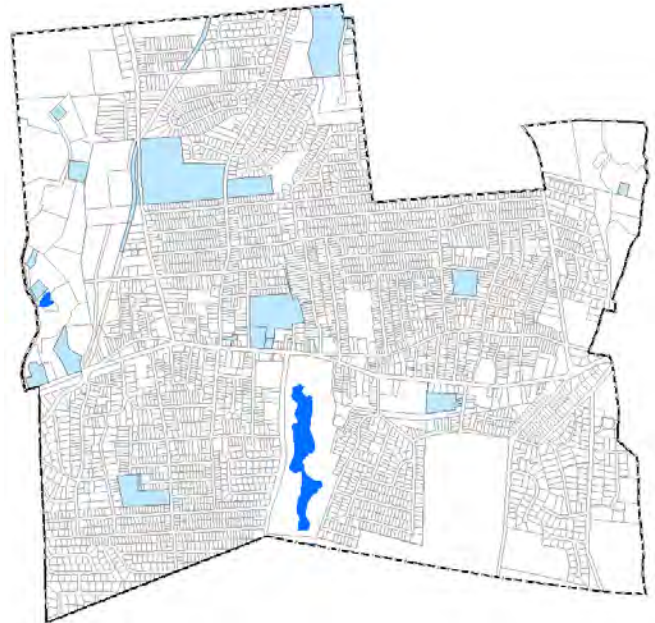


## 150 - 17.17 P (PUBLIC) ZONE DISTRICT

### A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Public schools.
2. Public parks.
3. Public open space.
4. Public library.
5. Public parking facilities.
6. Public utilities.
7. Municipal offices.
8. Municipal pool.
9. County offices.



### B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

1. Accessory uses customarily incidental to the principal or conditional use.

### C. Conditional Uses

None.

### D. Area, Yard and Bulk Regulations

- |  |        |
|--|--------|
| 1. Minimum Lot Size (Square Feet)                            | 10,000 |
| 2. Minimum Lot Width (Feet)                                  | 100    |
| 3. Minimum Front Yard Setback (Feet)                         | 30     |
| 4. Minimum Side Yard Setback-One (Feet)                      | 20     |
| 5. Minimum Side Yard Setbacks-Both (Feet)                    | 40     |
| 6. Minimum Side Yard Setbacks-Both (Percentage of lot width) | N/A    |
| 7. Minimum Rear Yard Setback (Feet)                          | 40     |
| 8. Maximum Height (Stories / Feet)                           | 3/50   |
| 9. Maximum Lot Coverage (Percent)                            | N/A    |
| 10. Maximum Improved Lot Coverage (Percent)                  | N/A    |

150 - 17.18 SP (SEMI PUBLIC) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

1. Houses of Worship.
2. Private Schools.

B. Permitted Accessory Uses

Any of the following accessory uses may be permitted in conjunction with a permitted principal use:

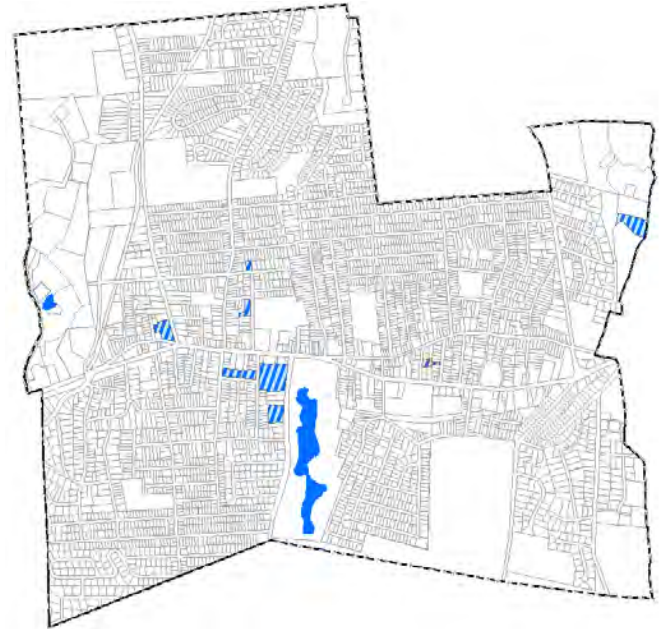
1. Accessory uses customarily incidental to the principal or conditional use.

C. Conditional Uses

None.

D. Area, Yard and Bulk Regulations

1.	Minimum Lot Size (Square Feet)	65,340
2.	Minimum Lot Width (Feet)	100
3.	Minimum Front Yard Setback (Feet)	30
4.	Minimum Side Yard Setback-One (Feet)	8
5.	Minimum Side Yard Setbacks-Both (Feet)	18
6.	Minimum Side Yard Setbacks-Both (Percentage of lot width)	25
7.	Minimum Rear Yard Setback (Feet)	30
8.	Maximum Height (Stories / Feet)	2.5 / 35
9.	Maximum Lot Coverage (Percent)	30
10.	Maximum Improved Lot Coverage (Percent)	40



150 - 17.19 T (TRANSPORTATION) ZONE DISTRICT

A. Principal Permitted Uses

No building or premises or land shall be erected, altered or used except for uses designated for each district as follows:

1. Street Right-of-Ways.
2. Public Utilities.
3. Street furniture.
4. Sidewalk Café.

B. Permitted Accessory Uses

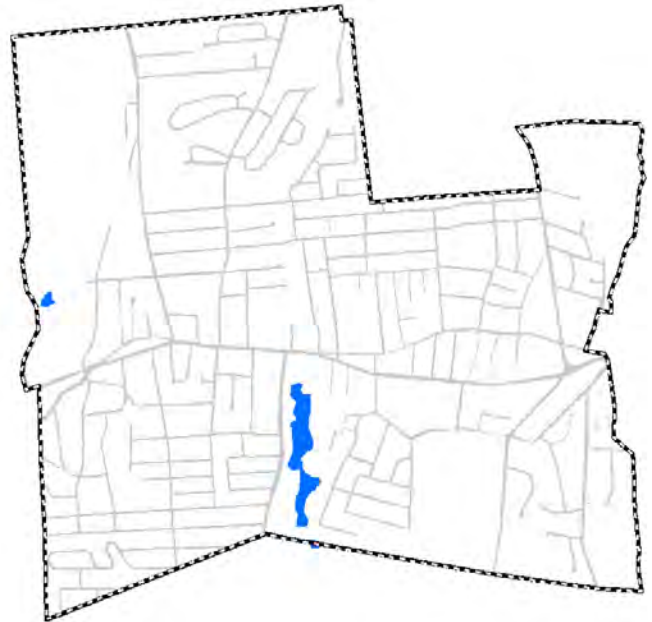
None.

C. Conditional Uses

None.

D. Area, Yard and Bulk Regulations

- |  |     |
|--|-----|
| 1. Minimum Lot Size (Square Feet)                            | N/A |
| 2. Minimum Lot Width (Feet)                                  | N/A |
| 3. Minimum Front Yard Setback (Feet)                         | N/A |
| 4. Minimum Side Yard Setback-One (Feet)                      | N/A |
| 5. Minimum Side Yard Setbacks-Both (Feet)                    | N/A |
| 6. Minimum Side Yard Setbacks-Both (Percentage of lot width) | N/A |
| 7. Minimum Rear Yard Setback (Feet)                          | N/A |
| 8. Maximum Height (Stories / Feet)                           | N/A |
| 9. Maximum Lot Coverage (Percent)                            | N/A |
| 10. Maximum Improved Lot Coverage (Percent)                  | N/A |



ARTICLE XIIX  
HILLTOP PROPERTY REDEVELOPMENT REQUIREMENTS

150 - 18.1     PREAMBLE

The requirements which follow are intended to govern all development within the Verona Township portion of the Hilltop Property Redevelopment Area. These requirements supersede the zoning and development regulations currently applicable to the area being designated as a Redevelopment Area and will supersede all other requirements of Verona's Zoning Ordinance with respect to the properties encompassed within the Redevelopment Area except as specifically noted and referenced herein or where a specific standard to the contrary is not included herein. The requirements of Verona's Site Plan and Subdivision Ordinances shall, however, remain in full force and effect relative to development within the Redevelopment Area except where a specific requirement of one of these Ordinances is in direct conflict with a requirement or regulation contained herein, in which case, the requirement or regulation contained herein shall be applicable.

The purpose of multifamily housing, within the Hilltop Redevelopment Area, is to permit a procedure for development which will result in improved living environments by encouraging ingenuity and originality in total subdivision and individual site design and which will preserve open space to serve recreational, scenic, and public service purposes, and other purposes related thereto. It is the intention of this ordinance to provide for procedures for development of the district and to assure adequate protection of existing and potential developments adjoining the proposed development. To achieve these goals, this ordinance deviates in some respects from other zoning ordinance provisions and provides for building sizes and types that may not be permitted in other residential zones.

Interior Lot lines: In order to complement the goals that the developmental regulations contained herein achieve, the interior lot lines that are within the district, whether the interior lots are owned by one entity or multiple entities, are not to be utilized in computing set back lines, frontage, or any other bulk requirement contained herein.

150 - 18.2 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DISTRICT ONE

A. Permitted Principal Uses:

1. One single family detached dwelling per lot with an attached or detached garage designed for not more than three passenger vehicles wherein all garage doors are located and screened such that they are not visible from the street.
2. Uses permitted in Redevelopment Districts Five and/or Six.
3. Multiple family housing developments having common or public open space as an appurtenant use. The exercise of this option shall be instead of and shall preclude the uses permitted in section 150-17(A)1 above and shall also be instead of and shall preclude the residential development otherwise permitted in Redevelopment Districts Two and Three, which shall be limited solely to the uses permitted in Redevelopment Districts Five and/or Six. Neither the exercise of this option nor the preclusion of permitted single family detached residential development shall apply to that portion of Redevelopment District One located along Fairview Avenue.

B. Permitted Accessory Uses and Requirements - for Single family Detached Dwellings:

1. A detached garage designed for not more than three passenger vehicles, may be provided the dwelling does not include an attached garage, and further provided that the design of the garage complies with the provisions of these regulations specifically set forth herein at section 150-17.8, Section d.
2. A swimming pool and related facilities may be provided in compliance with the following: shall be located solely within the rear yard area; shall be set back from side and rear lot lines a distance of 50 feet; shall be densely buffered for a distance of 25 feet surrounding the pool area; and shall not exceed 750 square feet of water surface area in size. If a pool cabana is provided, it shall be set back 50 feet from the rear lot line and 25 feet from any side lot line.
4. One shed per lot may be provided, up to 100 square feet in floor area and set back a minimum of 25 feet from side and rear lot lines.
4. Satellite or dish antenna may be installed in the side yard or on a rooftop and as otherwise regulated at Section 150-7.11.

5. An attached or detached deck may be provided not exceeding a maximum of 300 square feet in area and located entirely within the rear yard.

C. Development Requirements for Single family Detached Dwellings:

1. Minimum Lot Area: 30,000 square feet.
2. Minimum Lot Width: 150 feet at required building setback line: 125 feet at street line.
3. Minimum Lot Depth: 170 feet.
4. Minimum Conservation Area: 25 feet, which shall be located adjacent to the rear lot line shall be for the purpose of prohibiting any re-grading or the removal of any tree over 30 feet high without the express authorization of the Verona Township Engineer, who shall permit the removal of such tree if and only if it is dead or diseased or poses an imminent threat to life or property; and shall be protected by an easement in favor of the Township of Verona, the terms and conditions of such easement to be reviewed by the Verona Township Attorney prior to the grant official subdivision approval.
5. Minimum Front Yard: 50 feet.
6. Minimum Side Yard: 25 feet; combined yards for both sides shall be not less than 35 percent of lot width at building setback line.
7. Minimum Rear Yard: 50 feet of which at least 65% shall be unoccupied by accessory buildings or structures and impervious surfaces, including driveways, parking areas, decks, patios, sidewalks, pavement, pools, courts or other structures.
8. Maximum Building Coverage: 15% for a principal and accessory buildings.
9. Maximum Lot Coverage: 30% total improved lot coverage.
10. Maximum Floor Area Ratio: 0.25.
11. Maximum Building Height: 2.5 stories, not to exceed 35 feet, for the principal building, and 1 ½ stories, not to exceed 15 feet, for all accessory buildings and structures.
12. Comer Lots: The provisions of Section 150-5.3D shall apply to the development of a corner lot.



13. Other Provisions: The provisions of Article IV and Article VII shall apply to any development in Redevelopment District One.
14. Parking: Parking shall be provided on each lot as required by the Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.).
15. Driveway Access: No more than two driveway access points shall be permitted per lot, with all driveways and driveway access points to be located a minimum of five feet from any adjoining property line and no driveway access point to be located closer than 50 feet measured centerline to centerline to another driveway access point on the same lot and with no driveway access point exceeding a width of 12 feet measured at the front lot line.
16. Applicability: The applicability requirements set forth in Section 150-4.2 shall apply to the use and interpretation of the foregoing provisions for Redevelopment District One.
17. General Regulations: The general regulations set forth in section 150-17.8 of these regulations shall apply to all developments in Redevelopment District One.

D. Development Requirements for Multiple Family Housing Option:

1. Tract Size Area: Minimum of 15 acres, and a maximum of 20 acres, except that, subject to the Planning Board's approval, necessary stormwater management and utility facilities need not be wholly encompassed within the maximum tract area. Bulk standards shall be applied to the overall tract area and shall not be applied to any interior lot lines.
2. Number of Units:
  - a. Maximum Number of Dwelling Units: 225 units.
  - b. Minimum Number of Multiple Family Units: 90 units.
  - c. Maximum Number of Age-Restricted Housing Units: 100 units.
3. Number of Bedrooms:
  - a. Minimum Number of Bedrooms: Each unit shall have a minimum of one bedroom.

- b. Maximum Number of Bedrooms: Each unit shall have a maximum of two bedrooms.
  - c. Maximum Number of Total Bedrooms: 356 bedrooms.
- 4. Maximum Building Height:
  - a. Principal Building: 55 feet.
  - b. Accessory Building: 26 feet.
- 5. Minimum Building Setbacks:
  - a. Minimum Front Yard: 50 feet.
  - b. Minimum Side Yard: 25 feet.
  - c. Minimum Rear Yard: 25 feet.
- 6. Maximum Building Coverage: 18% for all principal and accessory buildings.
- 7. Maximum Impervious Coverage: 50% for total impervious coverage based on overall tract area.
- 8. Maximum Floor Area Ratio: 0.50.
- 9. Minimum Distances Between Principal Buildings:
  - a. End to End: 50 feet.
  - b. Front to Front: 70 feet.
  - c. Rear to Rear: 70 feet.
  - d. Rear to Front or Front to Rear: 70 feet.

The foregoing distances between principal buildings may be reduced to accommodate emergency stairwells, overhangs, balconies and the like provided the minimum required separations are maintained between building walls.

- 10. Minimum Distance between Principal Buildings and Accessory Buildings: ten feet.
- 11. Maximum Number of Buildings; Maximum Units per Building:

- a. Age Restricted Housing: Maximum of 100 units in a maximum of four buildings.
  - b. Multiple Family Housing: Maximum of 225 units and a minimum of 40 units per building.
- 12. Interior Common Space Within: When no common recreational or clubhouse building has been provided, any building shall contain a minimum of 1,000 square feet of interior common space for the use and enjoyment of the residents and for the provision of activities for the age-restricted residents which interior common space shall be calculated exclusive of hallways, stairs, elevators, bathrooms, utility rooms and administrative office space.
- 13. Parking: Parking shall comply with RSIS standards along with the following additional provisions:
  - a. In addition to the minimum requirements for parking as determined by the RSIS standards, there may be additional spaces provided for staff and visitors as follows:
    - i. Age-Restricted Housing: 20 additional spaces.
    - ii. Multiple Family Housing: 30 additional spaces.
  - b. The parking requirement may be met with a combination of separate garage or understructure parking as well as surface parking.
- 14. Parking Lot Setbacks: All parking spaces and aisles shall be set back a minimum of 15 feet from tract boundaries.
- 15. Tree Preservation/Removal:
  - a. A minimum depth of 15 feet from the southerly and easterly tract boundaries shall be retained in a natural state in order to preserve scenic vistas and provide adequate buffering to adjoining sites. Said natural area shall be designated on the site plan. Necessary utility crossings of the designated natural area may be authorized by the Planning Board in the course of site plan approval. This Section shall not apply to the main entrance roadway servicing the project. Any disturbance or clearance to accommodate the main entrance roadway shall be re-landscaped as approved by the Planning Board and as permitted by the New Jersey Department of Environmental Protection (NJDEP).

- b. No trees shall be removed from the tract prior to the grant of site plan approval without the express authorization of the Township Engineer based upon a plan identifying the specific trees to be removed and the purpose thereof. The clearing or removal of trees shall be permitted in designated utility right-of-way or easement areas only upon written authorization of the Township Engineer in advance of any development approval.
- c. Following site plan approval by the Planning Board, re-grading within the drip lines and/or removal of any trees that have been shown to remain on the approved site plan shall be prohibited without the written authorization of the Township Engineer. Such tree removal shall be authorized by the Township Engineer only if the tree is diseased or poses an imminent threat to life or property.

16. Design Standards:

- a. The storm water management system, including all necessary pipes, inlets, manholes and detention basins, shall be owned and maintained by the developer and/or its assignee and shall be in accordance with the most recent regulations governing storm water management as promulgated by the DEP.
- b. All access road (s) shall meet or exceed the Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.).
- c. Solid waste disposal and recycling containers shall be stored indoors or, if stored out-of-doors, shall be enclosed with a masonry enclosure, which shall be fully screened from view by landscaping.
- d. Decorative pole-top mounted high pressure sodium lighting fixtures shall be provided which shall be a maximum of 15 feet in height and shall provide a minimum of 0.2, a maximum of 0.5 and an average of 0.35 foot-candles throughout the lighted areas of the site. The lighting fixtures shall be shielded on top to prevent overhead sky glow and shall also be shielded from the residential buildings themselves. The lighting plan shall be designed to avoid glare or illumination off-site.
- e. HVAC equipment shall be screened from view with landscaping, fences, walls or architectural features.
- f. Outdoor balconies not exceeding 120 square feet each may be provided for each residential unit.

- g. A maximum of eight roof decks may be provided with no more than four roof decks for either Lot one in Block 131 or Lot one in Block 132. Each roof deck may be up to 550 square feet in size.
  - h. The exteriors of the buildings shall be consistent with the requirements set forth in section. The building materials to be used shall be subject to review and approval by the Planning Board.
- 17. Signs: A maximum of three monument signs identifying the multiple family communities shall not exceed an area of 32 square feet each exclusive of the supporting structure. Said signs may be illuminated only by external means and shall not be internally illuminated. The area of each sign shall be measured by drawing a rectangle encompassing the outer edges of the largest letters or symbols and may be approved by the township building code official and located on township property with owner consent. Directional signs up to a maximum of six square feet may be approved by the township building code official and located on Township property with owner consent.
- 18. Recreational Facilities: The permitted facilities are intended to be used and occupied exclusively by residents and their guests of either community and may be designed to be utilized exclusively for each development. The amenities listed below are permitted for each respective community (i.e. each community may have one swimming pool and club house):
  - a. A swimming pool with a maximum surface area of 3,500 square feet and related mechanical facilities for the exclusive use of the residents and their guests. The pool and related facilities shall not be located within any conservation area and shall be set back a minimum of 15 feet from any tract boundary, roadway, parking area or residential building and shall be fully screened from view with a dense, landscaped buffer or decorative masonry wall in addition to any required fencing, subject to site plan approval by the Planning Board.
  - b. A recreational clubhouse may be provided for each of the multiple family housing developments for the exclusive use of the residents and their guests. The building shall not exceed 6,500 square feet in floor area nor 26 feet in height.

- c. A maximum of two unlighted tennis courts, four unlighted bocce courts, one unlighted basketball court, and one unlighted dog run may be provided in addition to other active and passive recreational amenities, including but not limited to walking paths, gardens and gazebos; such facilities shall be for the exclusive use of the residents of the development and their guests.

150 - 18.3 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DISTRICT TWO

- A. If Redevelopment District One is redeveloped in accordance with the regulations for a Single Family Development contained within section 150-17.2 of the regulations the permitted uses are limited to the following:

- 1. One single family detached dwelling per lot with an attached or detached garage designed for not more than two passenger vehicles wherein all garage doors are located and screened such that they are not visible from the street.

- B. If Redevelopment District One is redeveloped in accordance with the regulations for the Multiple Family Housing Option contained 150-17.2 of these regulations the permitted uses are limited to the following:

- 1. Conservation open space and passive recreational parkland owned by a public or non-profit entity.
- 2. Active and passive recreational facilities for or by the Township of Verona.
- 3. Public parks created to provide public access to sites of historic or cultural interest.
- 4. Utility buildings and facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection.
- 5. Public Utility facilities and services, electrical and gas transmission lines and rights-of-way and other public utility buildings and facilities.

C. Requirements for Single Family Development, if provided:

1. A detached garage designed for not more than two passenger vehicles, may be provided for dwellings that does not include an attached garage, and further provided that the design of the garage complies with the provisions of these regulations specifically set forth herein at section 150-17.8 Section d.
2. A swimming pool and related facilities may be provided in compliance with the following: shall be located solely within the rear yard area; shall be set back from side and rear lot lines a distance of 40 feet; shall be densely buffered for a distance of 20 feet surrounding the pool area; and shall not exceed 750 square feet of water surface area in size. If a pool cabana is provided, it shall be set back 40 feet from the rear lot line and 20 feet from any side lot line.
3. One shed per lot may be provided, up to 100 square feet in floor area and set back a minimum of 20 feet from side and rear lot lines.
4. Satellite or dish antenna may be installed in the side yard or on a rooftop and as otherwise regulated at Section 150-17.1.
5. An attached or detached deck may be provided not exceeding a maximum of 200 square feet in area and located entirely within the rear yard.
6. Minimum Lot area: 18,000 square feet.
7. Minimum Lot Width: 100 feet at required building setback line; 75 feet at street line.
8. Minimum Lot Depth: 150 feet.
9. Minimum Conservation Area: 20 feet, which shall be located adjacent to the rear lot line; shall be for the purpose of prohibiting any re-grading or the removal of any tree over 30 feet high without the express authorization of the Verona Township Engineer, who shall permit the removal of such tree if and only if it is dead or diseased or poses an imminent threat to life or property; and shall be protected by an easement in favor of the Township of Verona, the terms and conditions of such easement to be reviewed by the Verona Township Attorney prior to the grant of final subdivision approval.
10. Minimum Front Yard: 40 feet.

11. Minimum Side Yard: 15 feet; combined yards for both sides shall be not less than 35 percent of lot width at building setback line.
12. Minimum Rear Yard: 40 feet of which at least 60% shall be unoccupied by accessory buildings or structures and impervious surfaces, including driveways, parking areas, decks, patios, sidewalks, pavement, pools, courts or other structures.
13. Maximum Building Coverage: 20% for all principal and accessory buildings.
14. Maximum Impervious Coverage: 35% total improved lot coverage.
15. Maximum Floor Area Ratio: 0.30.
16. Maximum Building Height: 2.5 stories, not to exceed 32 feet, for the principal building and 1 ½ stories, not to exceed 15 feet, for all accessory buildings and structures.
17. Corner Lots: The provisions of Section 150-5.3D shall apply to the development of a corner lot.
18. Other Provisions: The provisions of Article V and Article VII shall apply to any development in Redevelopment District Two.
19. Parking: Parking shall be provided on each lot as required by the Residential Site Improvement Standards (N.J.A.C. S:21 et seq.).
20. Driveway Access: No more than two driveway access points shall be permitted per lot, with all driveways and driveway access points to be located a minimum of five feet from any adjoining property line and no driveway access point to be located closer than 50 feet measured centerline to centerline to another driveway access point on the same lot and with no driveway access point exceeding a width of 12 feet measured at the front lot line.
21. Applicability: The applicability requirements set forth in Section 150-4.2 shall apply to the use and interpretation of the foregoing provisions for Redevelopment District Two.
22. General Regulations: The general regulations set forth in section 150-17.8 of these regulations shall apply to any developments in Redevelopment District Two.



150 - 18.4 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DEVELOPMENT DISTRICT THREE

A. If Redevelopment District One is Redeveloped in accordance with the regulations for a Single Family Development contained within section 150-17.2 of the regulations the permitted uses are limited to the following:

1. Permitted Development: All development occurring in Redevelopment District Three shall comply with the terms and conditions of section 150-17.2 of these regulations pertaining to development in Redevelopment District One, except as specifically provided in connection with this section 150-17.4(b).
2. Permitted Redevelopment Option - Attached Single family Residential Development:

The policy of the Mayor and Council is to provide only for single family detached residential development within the portions of the Redevelopment Area which are to be residentially developed. In order to facilitate the implementation of the Redevelopment Plan, however, attached single family residential development will be permitted within the Redevelopment District Three, provided that all of the following conditions and criteria shall be met:

a. Permitted Principal Uses.

1. Attached single family dwellings, each with an attached garage designed for not more than two passenger vehicles.
2. Utility buildings and facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection.
3. Public Utility facilities and services, electrical and gas transmission lines and rights-of-way and other public utility buildings and facilities.

b. Permitted Accessory Uses and Requirements therefore, if provided.

1. One common swimming pool, with a maximum water surface area of 3,500 square feet, and related facilities all for the exclusive use of the residents of Redevelopment District Three and their guests. Any pool and related facilities shall be set back from all tract boundaries a minimum of 50 feet and shall be screened with a dense, landscaped buffer for a distance of 25 feet surrounding the pool area.
  2. A maximum of two common tennis courts and related facilities for the exclusive use of the residents of Redevelopment District Three and their guests. Any such facilities shall not be lighted for play.
  3. One common recreational and maintenance building / clubhouse for the exclusive use of the residents of Redevelopment District Three and their guests. Such building shall not exceed 1,200 square feet in floor area and 1 ½ stories and 18 feet in height.
  4. One satellite or dish antenna as regulated in Section 150-7.11 which shall serve the entire development within Redevelopment District Three.
  5. Decks, which, if provided, shall be located only at the rear of each unit and shall occupy an area no larger than 200 square feet each.
3. Maximum Tract Size. The maximum tract size for the development shall be three acres exclusive of the access road leading up to the development.
  4. Minimum Conservation / Buffer Area. 50 feet, which shall be located around the entire perimeter of the tract; shall be for the purpose of prohibiting any re-grading or the removal of any tree over 30 feet high without the express authorization of the Verona Township Engineer, who shall permit the removal of such tree if and only if it is dead or diseased or poses an imminent threat to life or property; and shall be protected by an easement in favor of the Township of Verona, the terms and conditions of such easement to be reviewed by the Verona Township Attorney prior to the grant of final site plan approval. If the existing vegetation within the Conservation / Buffer Area is sparse, the Planning Board may require additional plantings of trees and shrubs, to include both native deciduous species and evergreens (for screening purposes, where appropriate). The required Conservation / Buffer Area shall be in addition to the requirement that the entirety of

Redevelopment District Three shall be set back a minimum of 100 feet from any land in the A-1 or R-3 Zoning Districts. The required Conservation / Buffer Area may be pierced by a generally perpendicular access road and / or subsurface utility lines and structures, if approved by the Planning Board.

5. Maximum Density and Number of Units. Attached single family residential development within Redevelopment District Three shall not exceed a maximum density of six dwelling units per net acre exclusive of the access road leading up to the development and shall not exceed a maximum of 18 dwelling units in total.
6. Maximum Number of Units per Building and Placement of Units. The maximum number of attached dwelling units in one building or building cluster shall not exceed six units, and units shall be entirely separated from one another by a common vertical wall such that no unit or portion of a unit shall be located over another unit or portion of another unit.
7. Maximum Improved Lot Coverage. The maximum improved lot coverage for the entire development shall not exceed 55 percent of the net tract area exclusive of the access road leading up to the development tract but inclusive of all roadways within the tract itself.
8. Maximum Floor Area Ratio. The maximum floor area ratio shall not exceed 125 on any individual lot and shall not exceed 0.45 on the net tract area exclusive of the access road leading up to the development.
9. Minimum Common Open Space. The minimum common open space shall be not less than 20 percent of the net tract area. Such common open space shall be set aside and deed-restricted as permanent common open space and, unless offered to and accepted by the Township of Verona, shall be deeded to a corporation, association or other organization established for the purpose of owning and maintaining all of the common elements, including open space, recreational facilities, parking areas, roads, sidewalks and other improvements and areas designed for use in common by the residents of the development as provided at N.J.S.A. 40:55D-43. The documents creating such corporation, association or other organization shall be submitted for review and approval by the Verona Township Attorney.
10. Individual Lot Requirements. If a developer creates fee simple lots within Redevelopment District Three, then each lot shall have a minimum lot area of 2,000 square feet and each lot shall have a front and rear yard of not less than 30 feet each.

11. Minimum Distances between Buildings. The provisions of paragraph ten above notwithstanding, all buildings or building clusters shall be separated from all other buildings or building clusters by the following minimum distances:
    - a. End to end: 50 feet, except that where buildings are angled, the minimum end to end distance may be reduced to 30 feet, provided a 50 foot or greater separation is achieved within the end to end overlap area.
    - b. Front to front: 65 feet.
    - c. Rear to rear: 65 feet.
    - d. Rear to front or front to rear: 65 feet.
  12. Maximum Building Height. 2.5 stories, not to exceed 32 feet, for the attached single family dwellings and 1 ½ stories, not to exceed 18 feet, for all accessory buildings and structures.
  13. Other Provisions. The provisions of Article V and Article VII shall apply to any development in Redevelopment District Three.
  14. Parking. Parking shall be provided for each dwelling unit as required by the Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.).
  15. Applicability. The applicability requirements set forth in Section 150-4.2 shall apply to the use and interpretation of the foregoing provisions for Redevelopment District Three.
  16. General Regulations. The general regulations set forth in section 150-17.8 of these regulations shall apply to all development in Redevelopment District Three.
- B. If Redevelopment District One is Redeveloped in accordance with the regulations for the Multiple Family Housing Option contained within section 150-17.2 of these regulations the permitted uses are limited to the following:
1. Conservation open space and passive recreational parkland owned by a public or non-profit entity.
  2. Active recreational facilities for or by the Township of Verona.
  3. Public parks created to provide public access to sites of historic or cultural interest.

4. Utility buildings and facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection.
5. Public Utility facilities and services, electrical and gas transmission lines and rights-of-way and other public utility buildings and facilities.

150 - 18.5 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DISTRICT FOUR

- A. Purpose: Redevelopment District Four is established to encompass a small portion of the Redevelopment Area located in the Township of Verona for the purposes of facilitating the redevelopment of land in the adjoining municipality with age-restricted housing and assisted living. The redevelopment plan does not contemplate that any of the principal structures will be located within the Township of Verona.
- B. Permitted Uses and Requirements, if provided:
  1. One access road or driveway serving a development in an adjacent municipality of an assisted living residence and/or age-restricted housing.
  2. Parking lots or portions thereof serving the development of age-restricted housing and/or assisted living, provided said parking lots or areas shall be located at least 50 feet from any property or street line in the Township of Verona and shall be screened from public view by a dense landscaped buffer at least 25 feet deep and further provided that if any parking is to be located within the Township of Verona, then the rate at which parking shall be provided on the site shall be as provided by the Residential Site Improvement Standards (NJAC.S:21 et seq.) for age-restricted housing units.
  3. Fences or masonry or stonewalls, not to exceed four feet in height, except that entry posts or pillars located on either side of the access road or driveway may be up to six feet in height. All fences and walls shall be set back at least ten feet from any existing or proposed street line within the Township of Verona.
  4. One monument sign conveying the name of the development, which sign shall not exceed 32 square feet in lettered area, regardless of the size of the monument structure to which it is attached. Said sign or

lettered area shall only be illuminated by external means and shall not be internally illuminated, and only the lettered area shall be permitted to be illuminated. The size of the lettered area shall be measured by drawing a rectangle encompassing the outside edges of the largest letters.

5. Open space and front yard area for a development in an adjacent municipality consisting of an assisted living residence and/or age-restricted housing.
  6. A gatehouse, security kiosk, key card operated gates or similar entry structure(s) not to exceed twelve feet in height and located immediately adjacent to or within the access road or driveway and at least twenty-five feet from any existing or proposed street line within the Township of Verona.
  7. Such landscaping, berms, screen plantings, detention and retention basins and subsurface utility structures as may be required for the permitted development in the adjacent municipality.
- C. Applicability: The applicability requirements set forth in Section 150-4.2 shall apply to the use and interpretation of the foregoing provisions for Redevelopment District Four.
- D. Site Plan Requirements: Any excavation, use or development of the land in Redevelopment District Four may require site plan approval by the Verona Township Planning Board. Site plan review and approval shall be confined to the jurisdiction of Verona Township, but at least six copies of the site plan or general development plan for the entire development of which any of the land in Redevelopment District Four is a part shall be submitted to the Verona Township Planning Board for informational purposes as part of the site plan application for the lands in Verona.

150 - 18.6 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DISTRICT FIVE

A. Permitted Principal Uses and Requirements:

1. Conservation open space and passive recreational parkland owned by a public or nonprofit entity.
2. Active recreational facilities for or by the Township of Verona or the County of Essex.
3. Public parks created to provide public access to sites of historic or cultural interest, provided that such parks shall be closed between sunset and sunrise.
4. Utility buildings and facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection.
5. Buildings for the administration of garbage collection and sewage disposal services, water distribution, electrical and gas transmission lines and rights-of-way and other public utility buildings and facilities.
6. Cellular Communication Tower.

B. Permitted Accessory Uses and Requirements, if provided:

1. Parking lots serving the above permitted uses.
2. Maintenance, educational and office buildings accessory to the park use, provided that no such building shall be greater than 3,000 square feet in floor area nor have a height exceeding 30 feet.
3. Signs erected by a governmental entity for public safety and informational purposes.
4. Lighting of parks, public ways, parking lots, pathways and active recreational areas, provided that no lighting other than that deemed necessary for security purposes shall remain on from one hour after the time a facility closes to the public until sunrise the next day.
5. Distribution facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection and sanitary, storm water collection and distribution facilities.

150 - 18.7 ZONING REGULATIONS & DEVELOPMENT REQUIREMENTS FOR DISTRICT SIX

A. Permitted Principal Uses and Requirement, if provided:

1. Parks and active recreational facilities for or by the Township of Verona.
2. Municipal government, public utility buildings and facilities including De-icing Storage Facilities.
3. Cellular Communication Tower.

B. Permitted Accessory Uses and Requirements, if provided:

1. Parking lots and pathways required for the above permitted use(s).
2. Maintenance areas, buildings and offices accessory to the park and recreational use(s).
3. Signs erected by a governmental entity for public safety and informational purposes.
4. Lighting of parks, public ways, parking lots and active recreational areas, provided that no lighting other than that deemed necessary for security purposes shall remain on from one hour after the time a facility closes to the public until sunrise the next day.
5. Distribution facilities related to the protection, preservation, storage or distribution of municipal or regional water supplies and works for watershed management and protection and sanitary, storm water collection and distribution facilities.



150 - 18.8 GENERAL REGULATIONS

A. Purpose and Applicability:

The purpose of the general regulations contained in this section is to ensure that the design and layout of developments within the Verona Redevelopment Area and each of the Districts thereof that will be developed by a private entity will be consistent with the objectives therefore set forth in the Verona Redevelopment Plan. To that end, the requirements of this section shall supplement and shall apply with the same force and effect as the zoning regulations set forth in section 150-17.2 through section 150-17.4 hereof.

B. Historic Preservation:

Development within the Verona Redevelopment Area shall occur in a way which provides for the creation of a public park encompassing “The White Rock” and the pond, the Town Line marker and the existing stone rows in its vicinity. To the extent that the boundaries of any of the Redevelopment Districts must be adjusted to provide for the preservation of these features and the lands around them within a public park, it is the intention of these regulations that such adjustments be made.

C. Design Standards:

1. Residential Site Improvement Standards:

All development within Redevelopment Districts One, Two and Three shall occur in accordance with the provisions of N.J.A.C. 5:21, et seq., the Residential Site Improvement Standards.

2. Building Materials and Design:

- a. The design vocabulary, which consists of the style, materials and colors to be used shall be presented to the Planning Board for review prior to the preparation of detailed architectural drawings. The style of dwellings, buildings, and all appurtenant structures for each multi-family community shall be complementary to one another and reminiscent of a similar architectural period.
- b. Single family detached dwellings adjacent to and across the street from each other shall differ, at least as to their style, façade treatment, colors and/or materials used, to insure variation in the streetscape.

c. The following principles shall be used in the design of all residential buildings:

1. Roofs shall have a minimum 4 on 12 pitch when a pitched roof is part of the architectural style of the building. Flatter roofs shall have articulated cornices. Mansard roofs shall be prohibited.
2. The exterior building surface materials may include wood, brick, stucco, stone, cultured brick or stone, or cementitious based material, however, aluminum or vinyl siding is specifically prohibited.
3. Roof material may be slate, wood or asphalt shingles designed to emulate the look of slate or wood.

d. Detached garages shall be designed in accordance with the following:

1. Detached garages shall be located in the rear yard only and shall be set back a minimum of ten feet from a side lot line and 25 feet from a rear lot line.
2. A detached garage shall be architecturally complimentary to the principal building.

e. Attached single family dwellings shall be designed in accordance with the following:

1. Each dwelling shall have a separate entrance articulated with a covered stoop or porch.
2. No more than two attached units shall be on a single plane. A minimum four foot front facade setback shall be provided between each pair of units.
3. The exterior of each building shall be of unified design articulated as a single building and shall be constructed of such material as wood, brick, stucco, stone, cultured brick or stone, or various types of siding.

3. Preservation of Natural Features:

- a. Where possible, clustering of development should be encouraged to preserve natural features such as trees, views, natural terrain, open waters and critical areas.

- b. No topsoil shall be removed from areas intended for lawns and open space. Topsoil moved during the course of construction shall be redistributed on the lot so as to provide at least four inches of cover to all areas, which cover shall be stabilized by seeding and/or planting in accordance with an approved plan.
- c. No soil shall be removed from or be imported to any site in excess of twenty cubic yards per year without the prior approval of the Township Engineer. For this purpose, a plan shall be submitted showing how the soil is to be distributed and stabilized, including grading contours. If the soil is to be imported, a plan shall be submitted describing the methodology and frequency of testing the soil to ensure its safe quality. Finally, the plan shall describe the size and number of vehicles that are proposed for hauling the removed or imported soil together with the hauling route.
- d. Clearance of existing vegetation shall be limited to the areas of approved public rights-of-way, public utility easements and other approved public or public serving improvements as well as building footprints and driveways and the areas immediately adjacent to these improvements that are required to be cleared for access during construction or necessary grading pursuant to the approved site plan or subdivision plat. Every effort shall be made to preserve the existing vegetation on the site in all other areas. All trees having a diameter at breast height (DBH) of six inches or more, which are not required to be removed pursuant to an approved site plan or subdivision plat and which are located 25 feet or more from the actual building site or five feet or more from any paved area shall be identified and protected prior to the commencement of and during construction. The limits of disturbance together with the locations and species of the trees to be preserved shall be indicated on the site plan and/or subdivision submission, along with the proposed means of protection.
- e. For the continued protection of certain natural features, the Board may require conservation easements.

4. Provisions of Underground Utility Service:

The developer shall arrange with the servicing utility for the underground installation of all distribution supply lines and service connections. Easements and dedication of additional right-of-ways and/or fee ownership of land necessary for installation of utilities shall be required as deemed necessary by the Township.

Clearing and re-grading of land necessary for the installation of utilities within public right-of-ways, easements, Township and/or County owned property, etc. is strictly limited to area required for the installation and maintenance of the utility.

All utility services connections shall be provided by underground connection.

ARTICLE XIX  
AFFORDABLE HOUSING

150 - 19.1 PURPOSE

The purpose of this article is to create the administrative mechanisms needed for the execution of Verona's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

150 - 19.2 ESTABLISHMENT OF MUNICIPAL HOUSING LIAISON POSITION AND COMPENSATION; POWERS AND DUTIES

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of the Municipal Housing Liaison for Verona.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Verona, including the following responsibilities which may not be contracted out:
  - 1. Serving as Verona's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents, and interested households;
  - 2. Monitoring the status of all restricted units in Verona's fair share plan;
  - 3. Compiling, verifying, and submitting annual reporting as required by COAH;
  - 4. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
  - 5. Attending continuing education programs as may be required by COAH;
  - 6. If applicable, serving as the administrative agent for some or all of the restrictive units in Verona as described in Subsection F below.

- D. Subject to approval by COAH, Verona may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of Verona. If Verona contracts with another entity to administer all or part of the affordable housing program, including the affordability controls and affirmative marketing plan, the Municipal Housing Liaison shall supervise the contracting administrative agent.
- E. Compensation. Compensation shall be fixed by the governing body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison shall be as follows:
  - 1. Affirmative marketing.
    - a. Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of Verona and the provisions of N.J.A.C. 5:80-26.15.
  - 2. Household certification.
    - a. Soliciting, scheduling, conducting and following up on interviews with interested households;
    - b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
    - c. Providing written notification to each applicant as to the determination of eligibility or noneligibility;
    - d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendixes J and K of N.J.A.C. 5:80-26.1 et seq.;
    - e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
    - f. Employing the random selection process as provided in the affirmative marketing plan of Verona when referring households for certification to affordable units.

3. Affordability controls.
  - a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
  - b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
  - c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
  - d. Communicating with lenders regarding foreclosures; and
  - e. Ensuring the issuance of continuing certificates of occupancy or certificates pursuant to N.J.A.C. 5:80-26.10.
4. Resale and rental.
  - a. Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and
  - b. Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rental.
5. Communicating with unit owners.
  - a. Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
  - b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and

- c. Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- 6. Enforcement.
  - a. Ensure that all restricted units are identified as affordable within the Tax Assessor's office and any municipal utility authority (MUA) and upon notification to the administrative agent of change in billing address, payment delinquency of two consecutive billing cycles, transfer of title, or institution of a writ of foreclosure on all affordable units, notifying all such owners that they must either move back to their unit or sell it;
  - b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
  - c. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;
  - d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
  - e. Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
  - f. Establishing a rent-to-equity program;
  - g. Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
  - h. Providing annual reports to COAH as required.
- 7. The administrative agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.



ARTICLE XX  
APPLICATION FOR A ZONE CHANGE

150-20.1 PURPOSE

The purpose of this article is to provide a procedure by which a property owner can file an application to amend the zoning district in which real property is located.

150-20.2 PLANNING BOARD REVIEW

An application for zone change shall be made to the Planning Board for its review and consideration in accordance with the procedures set forth in section 30-9 and as otherwise supplemented herein. The applicant shall submit 20 copies of the application for zone change to the Clerk of the Planning Board and shall pay the application fee and escrow fee for professional services in accordance with the fee schedule set forth in Chapter A175 (fees). The rules governing the conduct for the hearing of any such application for zone change shall be made by the Planning Board and shall otherwise be in accordance with the terms of Section 30-29 of the Verona Code.

150-20.3 NOTICE TO THE GOVERNING BODY

The Clerk of the Planning Board shall notify the governing body of the receipt of a completed application for zone change within ten days thereof.

150-20.4 DUTIES OF THE PLANNING BOARD

- A. The Planning Board shall conduct a hearing, accept testimony and evaluate the evidence submitted by the applicant regarding the merits of amending a zoning district in accordance with the application for amendment and shall vote on the merits of such amendment in accordance with regular Planning Board procedure. The Planning Board shall consider the testimony presented by the applicant and the applicant's witnesses and shall consider exhibits and evidence presented by the applicant. All interested parties shall have the right to testify and to present witnesses, exhibits and evidence whether any such testimony or exhibits or evidence is in favor or against the zone change. The majority vote of those members present and participating in such application shall govern.
- B. The Planning Board shall, prior to voting on the merits of a zone change, consider whether the proposed amendment would be consistent with the scope and intent of the Master Plan of the Township of Verona and whether the sound zoning principles, as set forth in the Municipal Land Use Law, would be promoted by such an amendment to the zoning district.

- C. If the Planning Board votes in favor of the application, it shall thereafter forward a recommendation to the governing body to amend the zoning district designation of the property that is the subject of the application.
- D. The Planning Board may, in the event of a vote in favor of an application, consider the merits of moving to amend the Master Plan if such amendment is deemed to be warranted by the Planning Board.
- E. After discussion and consideration, the Planning Board shall vote on whether or not the proposed zone change should be recommended to the governing body. A majority of the Planning Board members would be required to approve the zone change. Should the Planning Board vote in favor of the zone change, the Planning Board will submit, in writing, a recommendation to the governing board that the zone change be enacted.

#### 150-20.5 REPORT TO THE GOVERNING BODY

The Clerk of the Planning Board shall notify the governing body within ten days of the passage of the memorializing resolution of the Planning Board's decision to recommend a change to the zoning district designation in which the property is located, and the governing body shall thereafter introduce an ordinance for such zone change and shall thereafter proceed in accordance with all laws governing such procedures. In no event shall the governing body be obligated to pass any such ordinance. The Clerk of the Planning Board shall notify the governing body within ten days of the passage of the memorializing resolution of the Planning Board's decision not to recommend a change to the zoning district designation in which the property is located.

#### 150-20.6 RIGHT TO APPEAL

Any interested party shall have the right to appeal the decision of the Planning Board to the Superior Court. There shall be no right of appeal of the Planning Board's decision to the governing body.

## ARTICLE XXI DEVELOPMENT FEE

### 150-21.1 PURPOSE

In *Holmdel Builders' Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules. This article establishes the standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this article shall be used for the sole purpose of providing low- and moderate-income housing. This article shall be interpreted within the framework of COAH's rules on development fees.

### 150-21.2 BASIC REQUIREMENTS

The Township of Verona shall not spend development fees until COAH has approved a plan for spending such fees and the Township of Verona has received third round substantive certification from COAH or a judgment of compliance.

### 150-21.3 RESIDENTIAL DEVELOPMENT FEES

- A. Within all of the Township of Verona Zoning Districts, residential developers shall pay a fee of 1% of the equalized assessed value for residential development, provided no increased density is permitted.
- B. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized.

Example: If an approval allows for four units to be constructed on a site that was zoned for two units, the fees could equal 1% of the equalized assessed value on the first two units, and 6% of the equalized assessed value for the additional two units. However, if the zoning on the site has changed during the two-year period preceding the filing of such a variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

#### 150-21.4 NON RESIDENTIAL DEVELOPMENT FEES

- A. Within all of the Township of Verona's zoning district(s), nonresidential developers shall pay a fee of 2% of the equalized assessed value for nonresidential development.
- B. If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of 6% of the equalized assessed value for nonresidential development. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.

#### 150-21.5 ELIGIBLE EXACTIONS; INELIGIBLE EXACTIONS AND EXEMPTIONS

- A. Affordable housing developments shall be exempt from development fees. All other forms of new construction shall be subject to development fees unless exempted below.
- B. Developments that have received preliminary or final approval prior to the imposition of a Township development fee shall be exempt from development fees unless the developer seeks a substantial change in the approval.
- C. Development fees shall be imposed and collected when an existing structure is expanded or undergoes a change to a more intense use. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- D. Developers of tax-exempt or not-for-profit projects shall be subject to a reduced development fee of 1%.
- E. Developers of existing single family residential dwellings shall be exempt from development fees, including additions, renovations, rebuilding or replacement of an existing single family dwelling and the construction of accessory buildings or other structures on the same lot as the principal dwelling, provided no increase in density is permitted.

#### 150-21.6 COLLECTION OF FEES

Fifty percent of the development fee will be collected at the time of issuance of the building permit. The remaining portion will be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

#### 150-21.7 CONTESTED FEES

Imposed and collected development fees that are challenged shall be placed in an interest-bearing escrow account by Township of Verona. If all or a portion of the contested fees are returned to the developer, the accrued interest on the returned amount shall also be returned.

#### 150-21.8 AFFORDABLE HOUSING TRUST FUND

- A. There is hereby created a separate, interest-bearing housing trust fund in JPMorgan Chase Bank for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this article shall be deposited into this fund.
- B. Within seven days from the opening of the trust fund account, Township of Verona shall provide COAH with written authorization, in the form of a three-party escrow agreement between the Township, JPMorgan Chase Bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:94-6.16(b).
- C. No funds shall be expended from the affordable housing trust fund unless the expenditure conforms to a spending plan approved by COAH. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

## 150-21.9 USE OF FUNDS

- A. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Township's fair share. Such activities include, but are not limited to: rehabilitation, new construction, RCAs subject to the provisions of N.J.A.C. 5:94-4.4(d), ECHO housing, purchase of land for affordable housing, improvement of land to be used for affordable housing, purchase of housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, or administration necessary for implementation of the housing element and fair share plan. The expenditure of all funds shall conform to a spending plan approved by COAH.
- B. Funds shall not be expended to reimburse Township of Verona for past housing activities.
- C. After subtracting development fees collected to finance an RCA, a rehabilitation program or a new construction project that are necessary to address the Township of Verona's affordable housing obligation, at least 30% of the balance remaining shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal fair share plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.
  - 1. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, and rental assistance.
  - 2. Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the third round municipal fair share plan to make them affordable to households earning 30% or less of median income. The use of development fees in this manner shall entitle Township of Verona to bonus credits pursuant to N.J.A.C. 5:94-4.22.
  - 3. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. Township of Verona may contract with a private or public entity to administer any part of its housing element and fair share plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:94-7.

- E. No more than 20% of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including but not limited to salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a housing element and fair share plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Development fee administrative costs are calculated and may be expended at the end of each year or upon receipt of the fees.

#### 150-21.10 ONGOING COLLECTION OF FEES

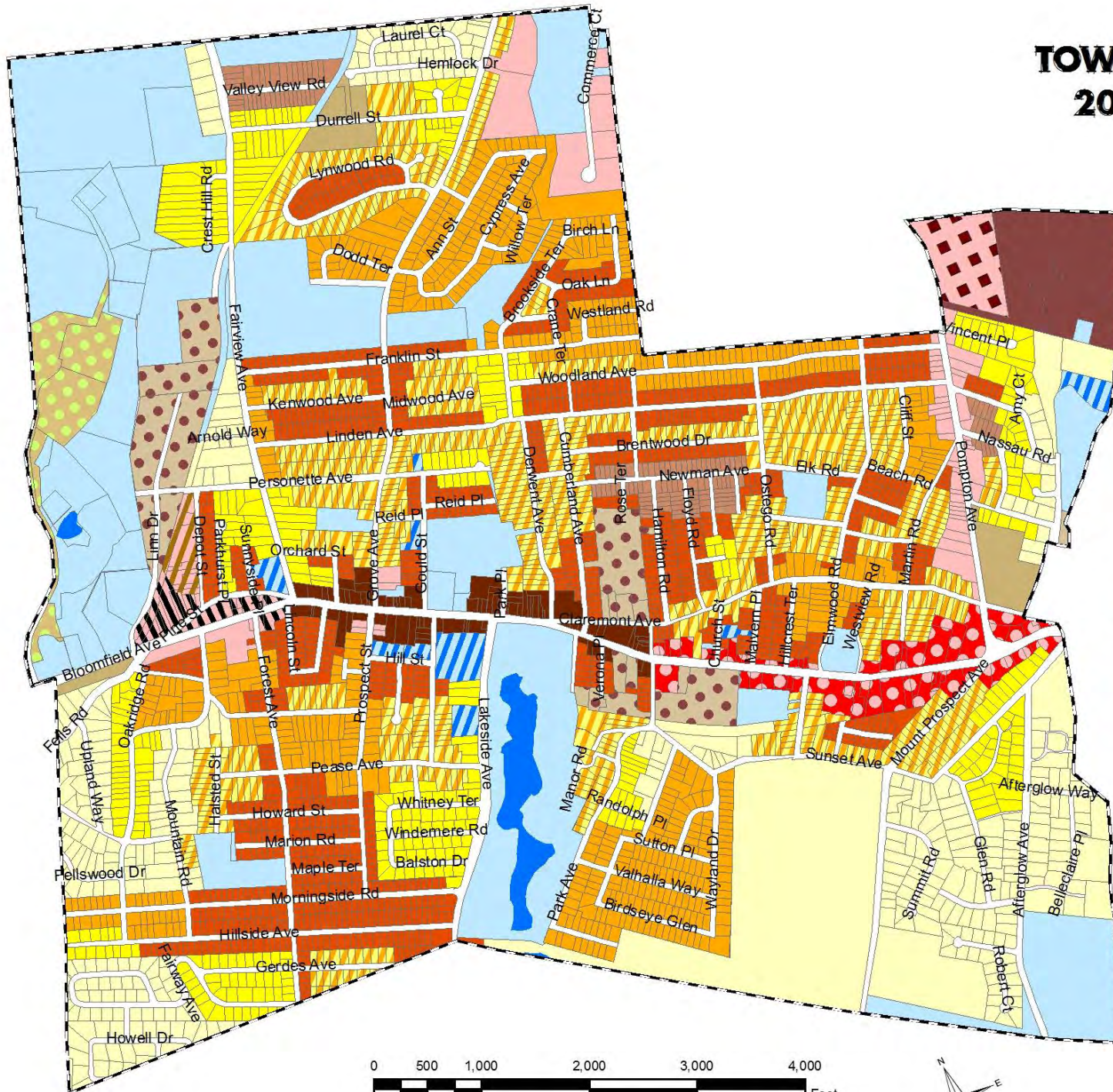
The ability for the Township of Verona to impose, collect and expend development fees shall expire with its substantive certification or not later than December 21, 2013, unless the Township of Verona has filed an adopted housing element and fair share plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Township of Verona fails to renew its ability to impose and collect development fees prior to December 31, 2013, it may resume the imposition and collection of development fees only by complying with the requirements of N.J.A.C. 5:94-6. The Township of Verona shall not impose a development fee on a development that receives preliminary or final approval after the expiration of its substantive certification or not later than December 31, 2013, nor will the Township of Verona retroactively impose a development fee on such a development. The Township of Verona will not expend development fees after the expiration of its substantive certification and not later than December 31, 2013.

**Township of Verona**  
**SUMMARY OF PERMITTED USE BULK SCHEDULE**

		<b>R-100</b>	<b>R-70</b>	<b>R-60</b>	<b>R-50B</b>	<b>R-50</b>	<b>R-40</b>	<b>A-1</b>	<b>A-1R</b>	<b>A-2</b>	<b>A-3*</b>	<b>C-2</b>	<b>R-CMO</b>	<b>MR</b>	<b>TC</b>	<b>ETC</b>	<b>RR</b>	<b>P</b>	<b>SP</b>	<b>T</b>
<b>Minimum</b>	Lot Size (Sq. Ft.)	12,000	8,400	7,200	7,500	5,000	4,000	174,240	43,560	348,480	8,400	15,000	12,000	6,000	2,000	12,000	435,600	10,000	65,340	N/A
	Lot Width (Ft.)	100	70	60	50	50	40	150	150	300	70	100	75	60	50	100	750	100	100	N/A
	Front Yard Setback (Ft.)	35	30	30	30	30	30	40	40	100	30	20	30	20	0	30	200	30	30	N/A
	One (Ft.)	9	8	8	8	8	8	15	15	100	8	15	8	15	0	20	50	20	8	N/A
	Both (Ft.)	20	18	18	18	18	18	40	40	250	18	35	18	35	0	40	100	40	18	N/A
	Both (% of lot width)	25	25	25	25	25	25	N/A	N/A	N/A	25	N/A	25	25	N/A	N/A	N/A	N/A	25	N/A
	Rear Yard Setback (Ft.)	30	30	30	30	30	30	25	25	150	30	50	30	50	20	30	40	40	30	N/A
<b>Maximum</b>	Height (Stories/Ft.)	2.5/30	2.5/30	2.5/30	2.5/30	2.5/30	2.5/30	2.5/35	2.5/35	10/120	2.5/35	2.5/35	2.5/35	2.5/35	3/50	3/50	2/50	3/50	2.5/35	N/A
	Lot Coverage (%)	20	20	25	25	30	30	60	25	25	20	30	30	30	80	40	40	N/A	30	N/A
	Improved Lot Coverage (%)	35	35	40	40	40	40	75	55	75	35	65	65	65	100	80	100	N/A	40	N/A
	Floor Area Ratio (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	50	N/A	N/A	N/A	100	N/A	N/A	N/A	N/A



# TOWNSHIP OF VERONA 2011 ZONING MAP



## RESIDENTIAL

### SINGLE-FAMILY

- R-100 (Very Low Density)
- R-70 (Low Density)
- R-60 (Medium Density)
- R-50B (Medium/High Density)
- R-50 (High Density)
- R-40 (Very High Density)

## MULTI-FAMILY

- A-1 (Low Rise)
- A-1R (Low Rise - Redevelopment)
- A-2 (High Rise)
- A-3 (Townhouse)

## COMMERCIAL

- R-CMO (Residential - Conditional Mixed Office)
- MR (Mixed Residential / Retail)
- C-2 (Professional Office and Business)
- TC (Town Center)
- ETC (Extended Town Center)
- RR (Regional Retail)

## PUBLIC

- P (Public)
- SP (Semi Public)
- T (Transportation)

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