

Chapter 285

SITE PLAN REVIEW

GENERAL REFERENCES

Municipal Utilities Authority — See Ch. 73.

Subdivision of land — See Ch. 297.

Planning Board — See Ch. 89.

Zoning — See Ch. 335.

Land use procedures — See Ch. 215.

§ 285-1. Site plan required; review. [Amended 12-18-1980 by Ord. No. 30-80; 6-24-1993 by Ord. No. 93-58; 12-8-1994 by Ord. No. 94-52; 12-22-1998 by Ord. No. 98-48; 2-9-2012 by Ord. No. 2012-05]

A. Approval required.

- (1) Except as hereinafter provided, there shall be no building permit or certificate of occupancy issued for any new construction or for any enlargement, alteration or addition to any existing structure for any commercial or industrial use, office building, garden apartment, apartment or structure designed for multifamily use where such use or uses are permitted by the Chapter 335, Zoning, of the Code of the Township of Lacey, unless the developer submits a site plan to and final approval is granted pursuant to a resolution of the Planning Board; provided, however, that a resolution granting final site plan approval by the Zoning Board of Adjustment shall substitute for that of the Planning Board whenever the Zoning Board of Adjustment has jurisdiction over site plans pursuant to N.J.S.A. 40:55D-76(b) and Chapter 335, Zoning, of this Code. No certificate of occupancy shall be given unless all construction conforms with the approved site plan.
- (2) Any change of use of an existing site requires site plan approval by the approving authority. The site must conform to the off-street parking requirement for the proposed new use as set forth elsewhere in this Code. Any addition, expansion or alteration to an off-street parking area, access drive or buffer shall require site plan approval. Any construction of a new off-street parking area, loading or storage area or drive which may or may not include the construction or alteration of a structure requiring issuance of a building permit shall also require site plan approval.

- B. Site plan approval shall not limit the requirements for submission of an application to the appropriate Board for subdivision, conditional use approvals and/or any and all variances that may be required either by ordinance or pursuant to state statute.
- C. Any change of an existing use to a use described above shall also require final site plan approval regardless of whether such change of use requires any new construction.
- D. The provisions herein shall not apply to detached one- or two-family dwelling unit buildings.
- E. Each application for site plan approval, when required pursuant to Section 8 of P.L. 1968, c. 285 (N.J.S.A. 40:27-6.6), shall be submitted by the applicant to the Ocean County Planning

Board for review or approval as required by the aforesaid sections, and the Planning Board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the Ocean County Planning Board or approval by the Ocean County Planning Board by its failure to report thereon within the required time period.

- F. The Planning Board, when acting upon applications for preliminary site plan approval, shall have the power to grant such exceptions for the requirements for site plan approval as may be reasonable and within the general purpose and intent of the provisions herein and within the provisions of N.J.S.A. 40:55D-1 et seq., if the literal enforcement of one or more provisions of this chapter is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.
- G. The Planning Board shall have the power to review and approve or deny conditional uses or subdivisions simultaneously with the review for site plan approval without the developer being required to make further application to the Planning Board or the Planning Board being required to hold further hearings. The longest time period for action by the Planning Board, whether it be for subdivision, conditional use or site plan approval, shall apply. Whenever approval of a conditional use is requested by the developer pursuant to the Municipal Land Use Act, notice of the hearing on the plat shall include reference to the request for such conditional use.
- H. Any site plan application proposing additional development to an existing site which requires not more than three additional parking spaces, not more than an additional 700 square feet of gross floor area and not constituting an expansion of lot coverage of more than 25% and which does not impact upon the major elements of the site, including but not limited to the drainage, access, circulation, parking or buffer and screening plans, or any other aspect deemed by the Zoning Officer to necessitate a major site plan application, shall be considered to be a minor site plan.
- I. Any modification, alteration, amendment or change to an approved site plan shall require the submission of an amended site plan and shall require amended site plan approval by the approving authority. However, under certain cases, minor changes or alterations necessitated by field construction conditions may be approved by the Township Engineer as field changes. Before any such field change may be reviewed or approved, the developer may request approval for such change, in writing, submitting any supporting data, plans or sketches to the Township Engineer.
- J. Any exterior renovation or modification to the access areas of an existing structure proposed for the purpose of complying with the provisions of the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., which does not affect the existing site plan elements of the property, including but not limited to parking, circulation, fire access and loading, and which does not increase the interior area of the structure or negatively impact the landscaping of the site, shall be exempt from the site plan approval requirements of this chapter.
- K. In appropriate cases and after submission of a survey or other sketch of the proposed modification, change or addition, together with the appropriate fees, the Planning Board of the Township of Lacey may grant a site plan waiver to any development which would otherwise require site plan approval, provided that the following conditions are met:
 - (1) The proposed development shall consist of a building addition or an attached or detached accessory structure for the purposes of exterior ground-mounted equipment

associated with solar/wind power, storage, solid waste management, refuse containment, ingress or egress, or other similarly accessory use.

- (2) The proposed development shall not require an increase in the number of parking spaces and shall have no impact upon drainage or other required improvements.
- (3) The proposed structure shall meet all the setback requirements of Chapter 335, Zoning.
- (4) The Planning Board shall find, after a brief presentation, without the requirement for public hearing or public notice that the submission of full amended or minor site plan is not necessary in order for protection of the general public health, safety and welfare of the Township of Lacey.

§ 285-2. Standards for consideration of site plan applications.

The Planning Board shall grant final approval of a site plan application if the detailed drawings, specifications and estimates based upon the application for final approval conform with the standards established herein:

- A. The details of the site plan are in accordance with the standards of Chapter 335, Zoning, and any and all other ordinances of the Township of Lacey which may be in existence at the time of the application and in harmony with any officially adopted comprehensive Master Plan of the Township of Lacey which may hereafter be adopted by said Township.
- B. The application is in compliance with the requirements of N.J.S.A. 40:55D-38.
- C. There is a provision, if required, for off-tract water, sewer, drainage and street improvements which are necessitated by land development, with any contributions for the cost of the same to be computed in accordance with N.J.S.A. 40:55D-42 and Chapter 215, Land Use Procedures, of this Code.
- D. Provisions for standards to encourage and promote flexibility and economy in layout and design to the use of planned unit development, planned unit residential development and residential cluster, provided that such standards shall be appropriate to the type of development permitted and provided further than an ordinance shall be adopted by the Township of Lacey setting forth the limits and the extent of any special provisions applicable to such planned developments.
- E. In the event there is a development which proposes construction over a period of years, provisions ensuring the protection of the interest of the public and the residents, occupants and owners of the proposed development in the total completion of the development.
- F. Preservation of existing natural resources on the site.
- G. Safe and efficient vehicular and pedestrian circulation, parking and loading.
- H. Landscaping and reasonable screening of structures from view of adjacent properties and streets, where necessary, at all seasons of the year, for the purposes of protecting the health, safety, general welfare, comfort and convenience of the public.
- I. Exterior lighting needed for safety reasons, in addition to any requirements for streetlighting.

- J. The site must conform to all applicable requirements of the New Jersey Barrier-Free-Access Standards. **[Added 12-18-1980 by Ord. No. 30-80]**
- K. The site must conform to all applicable requirements of the Flood Hazard Area Land Use Regulations, N.J.S.A. 58:16A-1 et seq. and the Lacey Township Construction Code for Flood Hazard Areas, Chapter 68, as amended. **[Added 12-18-1980 by Ord. No. 30-80]**
- L. The site must conform to the requirements of all outside agencies having jurisdiction over the subject site. Evidence of the receipt of all required outside agency approvals must be furnished, as a condition of final site plan approval, to the Planning Board. **[Added 12-18-1980 by Ord. No. 30-80]**
- M. Within the Pinelands Area, the site plan must conform to the development standards set forth in Chapter 335, Zoning,, and the review procedures set forth in Chapter 335, Zoning, of this Code. ¹ **[Added 2-14-1991 by Ord. No. 5-91]**

§ 285-3. Contents of preliminary application. [Amended 12-18-1980 by Ord. No. 30-80]

- A. Site plan applications shall be made upon forms to be supplied by the Board. A site plan application shall be deemed complete, pursuant to N.J.S.A. 40:55D-3, upon submission of the following:
 - (1) Three copies of the completed application form.
 - (2) Three copies of the completed technical checklist forms.
 - (3) An application fee as required by Chapter 211, Land Development Fees, of this Code.
 - (4) A certificate of property taxes being paid to date on the subject site.
 - (5) If the applicant or record owner of the tract is a corporation, a corporate ownership disclosure must be provided.
 - (6) A certified list of property owners within a two-hundred-foot radius of the subject tract.
 - (7) Complete applications for any variances from the requirements of the current Lacey Township Zoning Ordinance for which the applicant seeks relief.
 - (8) Six copies of the site plan containing or including all information and data as required below and in compliance with all requirements hereinafter set forth.
 - (9) Within the Pinelands Area, a certificate of filing from the Pinelands Commission, pursuant to Chapter 335, Zoning, of this Code. **[Added 2-14-1991 by Ord. No. 5-91]**
- B. The application, together with the site plan and all submissions, forms and the application fee, shall be submitted to the Planning Board Coordinator (Secretary) not later than 30 days prior to the date of the scheduled meeting of the Board. Should it be found upon review of any application that the application is deficient in any items as required above, the application shall be deemed to be incomplete and shall not be heard by the Planning Board until all deficiencies are corrected. If, upon review of the site plan submission, it should

1. Editor's Note: Former § 90-3, entitled "Costs and fees," as amended, which immediately followed this section, was repealed 7-23-1987 by Ord. No. 33-87. For current provisions, see Ch. 211, Land Development Fees.

be determined that the plans or technical submissions are deficient in the requirements set forth herein, the application shall also be deemed incomplete. Resubmission of any site plan which has been deemed incomplete must be accompanied with the required application forms and application fee for site plan resubmissions as herein required. **[Amended 5-11-1989 by Ord. No. 24-89]**

C. All site plans and supporting documents shall comply with the requirements hereinafter set forth and shall contain the following information and data:

- (1) One copy of site plan shall consist of a translucent tracing on a polyester drafting film (Mylar or equivalent). The size of the site plan sheet shall be not larger than thirty by forty (30 x 40) inches nor smaller than fifteen by twenty-one (15 x 21) inches. The site plan shall be clearly and legibly drawn, in black India ink, and shall conform to all standard engineering conventions and requirements for site development plans.
- (2) A scale of not less than 50 feet to the inch. All distances shall be in feet and decimals of a foot, and all bearings shall be given to the nearest 10 seconds. The error of closure shall not exceed one to ten thousand (1:10,000).
- (3) The names of all owners of record of all adjacent properties, and the block and parcel numbers of the properties. The lot(s) and block(s) of the tract which the subject site occupies and of all adjacent properties shall be shown on the site plan. The Tax Map sheet number of the most recent Lacey Township Tax Map must be noted on the site plan. A map showing the location of all properties within a two hundred-foot radius of the boundaries of the subject tract shall be provided, and the names of all property owners, as disclosed by a certified list from the Lacey Township Tax Assessor's office shall also be provided. The map may be shown on the site plan, if drawn to a scale large enough to be legible and clean, or can be on a separate plan sheet which shall be an integral part of the site plan.
- (4) Existing school, zoning and special district boundaries. Such features shall be shown on a separate map or as a key map on a special detailed map itself.
- (5) All property lines, existing and proposed street rights-of-way and edge of paving, all zoning district boundaries adjacent to or abutting the subject site, all building or setback lines as per the current requirements of the zoning district in which the subject site lies and all reservations, easements and areas dedicated to public use.
- (6) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.
- (7) Location of existing buildings which shall remain and all other structures, such as walls, fences, culverts, bridges, roadways, etc., with spot elevations of such structures. The outline of such structures shall be indicated by a dash line, and those that shall remain shall be shaded.
- (8) Location of all storm drainage structures and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow; and if any existing utility lines are underground, the estimated location of said already existing underground utility line shall be shown.

- (9) Existing and proposed contours at intervals of two feet where slopes are at 5% or greater and at intervals of five feet where slopes are less than 5%, referenced to the New Jersey Vertical Control Datum. Existing contours shall be shown in a dash line, and proposed contours shall be shown in a solid line. Top of curb and finished pavement (or gutter) elevations shall be shown for all parking and loading areas and drives.
- (10) Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wooded areas, single trees not in wooded areas with a diameter of six inches or more, as measured three feet above the base of the trunk, and other significant existing features, including previous flood elevations of watercourses, ponds and marsh areas as determined by survey.
- (11) Title of development, North arrow, written and graphic scale; the name, address and telephone number of the record owner, applicant and professional (engineer, land surveyor, land planner or architect) preparing the site plan.
- (12) A survey prepared by a licensed surveyor of the State of New Jersey, to accompany the site plan and to show the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use. The site plan may be accompanied by such other exhibits of an architectural or planning nature submitted by the applicant or as may be required by the rules of the Planning Board.
- (13) All existing and proposed streets adjoining or abutting the site shall be shown, together with profiles indicating centerline and gutter grades within 200 feet of the boundaries of the site. The type of paving surface, right-of-way width and pavement widths shall be shown, and a typical pavement cross section shall be shown for all proposed new streets or extensions of existing streets proposed by the site plan. The site plan shall also show the location and width of all sidewalks and the location and size of all utilities. All improvement construction shall conform to the applicable standards and specifications of the Township of Lacey.
- (14) The proposed use or uses of land and buildings and the proposed location of buildings, including proposed grades; the business or businesses that will occupy the site.
- (15) All means of vehicular access and egress to and from the site onto public streets, showing size and location of driveways, curb cuts and sidewalks. All existing drives within 200 feet of the subject site shall be shown, including the width of all drives; all sight triangles conforming to the requirements of the Township of Lacey, the County of Ocean and/or the New Jersey Department of Transportation, as applicable.
- (16) The location, design and capacity of any off-street parking or loading areas, showing the size and location of bays, aisles and barriers.
- (17) The location of all proposed waterlines, valves and hydrants and of all sewer lines or alternative means of water supply or sewage disposal and treatment in conformance with the applicable standards of the Township of Lacey and the Ocean County Sewerage Authority.
- (18) The proposed location and direction of illumination, amount of illumination expressed in average horizontal footcandles and the hour and time of proposed

outdoor lighting in conformance with all applicable standards of the Township of Lacey, including but not limited to the BOCA Basic Energy Conservation Code and Lighting Power Budget Determination Procedure, EMS-1 by the Illuminating Engineers' Society. Details of the proposed lighting fixtures, including type, nature of lighting, fixture construction and mounting height, shall be shown. All exterior illumination fixtures must be designed, constructed and installed such that no glare is reflected onto any road or highway or any adjacent properties.

- (19) The proposed screening and landscaping, including planting plan, in conformance with the applicable standards of the Township of Lacey and the Planning Board of the Township of Lacey.
- (20) The site plan must show in detail any proposed storm drainage system, including details of construction, location, grades, pipe slopes, inverts and rim elevations. Complete hydraulic and sizing calculations must be provided for all proposed storm drainage systems. Runoff calculations shall be provided for all sites and must be based on a ten-year design frequency storm based on Atlantic City Rainfall Intensity Curves. The location of any existing storm drainage facilities within a two-hundred-foot radius of the subject site must be shown. Should the site plan propose to utilize an existing storm drainage system, evidence that the existing storm drainage has the capacity to accept the additional runoff contribution from the subject site must be shown. If the existing storm drainage system to be utilized is other than the Township of Lacey system, evidence of approval by the agency or owner of that storm drainage system must be provided to the Planning Board.
- (21) Complete floor plans of the proposed building(s) on the site. Exterior elevation drawings of the proposed building(s) showing exterior treatment.
- (22) Location, size, details and nature of construction of all proposed exterior signs, including any illumination details, setbacks, heights, dimensions and anchoring details.
- (23) The area of the tract on which the site is located must be provided to both the nearest acre and nearest square foot.
- (24) Appropriate signature blocks for the approved signatures of the Planning Board Chairman, Secretary (Coordinator) and Engineer.
- (25) If the record owner of the tract on which the site is located is other than the site plan applicant or if the applicant is a contract purchaser of the tract, certification, signed by the record owner and notarized, must be provided on the site plan attesting approval of the filing of the site plan.
- (26) For any site that will be developed in stages, the Planning Board may require the applicant to submit a total development plan in such detail as required by the Planning Board.
- (27) A list of all outside agency approvals required for the site and the status of the applications for such approvals must be provided to the Planning Board.

- (28) A print of the soil erosion and sediment control plan as submitted to the Ocean County Soil Conservation District must be included with the site plan and be an integral part of the site plan submission.
- (29) If the site lies in a flood hazard area as delineated by the most current Federal Insurance Administration flood hazard boundary maps, the flood hazard zone must be noted on the site plan. The plan must conform to all requirements and standards of Chapter 68 of the Lacey Code and all other applicable laws governing construction in flood hazard areas.
- (30) The site plan must include complete design and construction details of any off-tract improvements proposed or required. All plans for off-tract improvements must conform to all applicable standards of the Township of Lacey.
- (31) Should the site plan contain more than one sheet, all sheets shall be numbered and bear a proper title block and identification.
- (32) Should the tract on which the site lies consist of more than a single Tax Map lot, a lot consolidation application must be made to the Planning Board consolidating all lots into a single Tax Map lot. Such lot consolidation applications may be made concurrent with the site plan application. Lot consolidation applications shall be made in accordance with the provisions of the Lacey Township Subdivision Ordinance, Chapter 93.
- (33) There shall be included in any new commercial site plan approval an indoor or outdoor recycling area for the collection and storage of commercially generated recyclable materials. **[Amended 8-27-1998 by Ord. No. 98-29²]**
 - (a) The dimensions of the recycling areas shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the Municipal Recycling Coordinator and shall be consistent with the district recycling plan adopted pursuant to Section 3 of P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13), and any applicable requirements of the Municipal Master Plan, adopted pursuant to Section 26 of P.L. 1987, c. 102.
 - (b) The recycling areas shall be conveniently located for the disposition of source-separated recyclable materials, preferably near a refuse dumpster.
 - (c) The recycling areas shall be well lit and shall be safely and easily accessible without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area, and the bins or containers placed therein, against theft of recycling materials, bins or containers.
 - (d) The recycling areas, or the bins or containers placed therein, shall be designed so as to provide protection against adverse environmental conditions which might render the collected material unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in

2. Editor's Note: This ordinance also renumbered former Subsection C(33) as C(34).

an outdoor recycling area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.

- (e) Signs clearly identifying the recycling area and the material accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
 - (f) Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.
- (34) Such other information or data as required by the Planning Board or Planning Board Engineer in order to determine that the details of the site plan are in accordance with the standards of the Township of Lacey and all other general law.

§ 285-4. Procedure for preliminary site plan approval.

- A. Upon submission to the administrative officer of the Planning Board of an application for preliminary site plan approval, said administrative officer shall review the application, together with all documents to be submitted with said application, and, if the application for development is found to be incomplete, the developer shall be notified, in writing, within 45 days of the original submission of such application of any deficiencies. In the event that no notification is received within 45 days, said application shall be deemed to be properly submitted. **[Amended 12-18-1980 by Ord. No. 30-80]**
- B. In the event the Planning Board requires any substantial amendment to the layout of improvements proposed by the developer which have been the subject of a hearing, an amended application for development shall be submitted and acted upon, as in the case of an original application for development.
- C. Upon submission to the administrative officer of a completed application for preliminary site plan approval which involves 10 acres of land or less and 10 dwelling units or less, the Planning Board shall grant or deny preliminary site plan approval within 45 days of such completed submission or within such further time as may be consented to by the developer. Upon submission of a completed application for preliminary site plan approval which involves more than 10 acres or more than 10 dwelling units, the Planning Board shall grant or deny preliminary site plan approval within 95 days of the date of such completed submission or within such further time as may be consented to by the developer. In the event that there is no action taken by the Planning Board within the time period provided for herein, said Board shall be deemed to have granted preliminary site plan approval of the site plan. **[Amended 12-18-1980 by Ord. No. 30-80]**
- D. Within the Pinelands Area, all preliminary site plan approvals shall be subject to the review and notice provisions set forth in Chapter 335, Zoning, of this Code. **[Added 2-14-1991 by Ord. No. 5-91]**

§ 285-5. Effect of preliminary site plan approval.

- A. Preliminary site plan approval of a site plan shall, except as provided herein, confer upon the applicant the following rights for a three-year period from the date of preliminary approval:

- (1) The general terms and conditions of the preliminary site plan approval shall not be changed, including but not limited to the use requirements; layout and design standards for street, curbs and sidewalks; lot size; yard dimensions and off-tract improvements; and any requirements pursuant to N.J.S.A. 40:55D-41, except that nothing herein shall be construed to prevent the municipality from modifying, by ordinance, such general terms and conditions of any preliminary site plan approval as relate to the public health, safety and welfare.
 - (2) The applicant may submit for final approval, on or before the expiration date of preliminary approval, the whole or a section or sections of the preliminary site plan, as the case may be.
 - (3) The applicant may apply for, and the Planning Board may in its discretion grant, extensions of preliminary site plan approvals for additional periods of at least one year but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern.
 - (4) In the event there is preliminary site plan approval for an area of 50 acres or more, the Planning Board may grant the rights referred to above herein for such a period of time, longer than three years, as shall be determined by the Board to be reasonable, taking into consideration:
 - (a) The number of dwelling units and the nonresidential floor area permissible under preliminary approval.
 - (b) Economic conditions.
 - (c) The comprehensiveness of the development.
- B. The applicant may apply for thereafter, and the Planning Board may thereafter grant, an extension to preliminary approval for such additional period of time as shall be determined by the Planning Board to be reasonable, taking into consideration the number of dwelling units and the nonresidential floor area permissible under preliminary approval, the potential number of dwelling units and the nonresidential floor area of the section or sections awaiting final approval, economic conditions and the comprehensiveness of the development, provided that if the design standards have been revised, such revised standards may govern.
- C. Within the Pinelands Area, preliminary site plan approval shall take effect as provided in Chapter 335, Zoning, of this Code. **[Added 2-14-1991 by Ord. No. 5-91]**

§ 285-6. Procedure for final site plan approval.

Final approval of site plans shall be as follows:

- A. The Planning Board shall grant final approval of a site plan application if the detailed drawings and specifications conform to the standards established herein for final approval and the conditions for preliminary approval have been complied with.
- B. Final approval shall be granted or denied within 45 days after submission of a completed application to the administrative officer, or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed shall

constitute final approval, and a certificate of the administrative officer as to the failure of the Planning Board to act shall be issued upon request of the applicant.

- C. Whenever review or approval of an application for a final approval is required by the Ocean County Planning Board pursuant to Section 8 of P.L. 1968, c. 285 (N.J.S.A. 40:27-6.6), the Planning Board shall condition any final approval upon timely receipt of a favorable report upon the application by the Ocean County Planning Board or approval by the Ocean County Planning Board by its failure to report thereon within its required time period.
- D. All final site plan approvals granted by the approving authority are subject to the developer's providing the Planning Board with evidence of receipt of all approvals by agencies having jurisdiction over the subject site. No final site plan shall be signed by the Planning Board in certification of site plan approval unless all such evidence of approvals has been provided and the off-site drainage assessment, if any, the site improvement construction inspection fee and any outstanding site plan review fees have been posted. **[Added 12-18-1980 by Ord. No. 30-80]**
- E. Upon signing of the final site plan by the Planning Board Chairman, Secretary (or Coordinator) and Engineer, the applicant shall provide the Planning Board Secretary with one duplicate Mylar and six paper prints of the approved site plan bearing the above signatures. **[Added 12-18-1980 by Ord. No. 30-80]**
- F. Within the Pinelands Area, all final site plan approvals shall be subject to the notice and review procedures set forth in Chapter 335, Zoning, of this Code. **[Added 2-14-1991 by Ord. No. 5-91]**
- G. A copy of the final site plan shall be submitted to the Township in digital form for updating of the Township Tax Map. **[Added 12-23-2003 by Ord. No. 2003-61]**

§ 285-7. Site improvement inspection; release. [Amended 3-17-1978; 12-18-1980 by Ord. No. 30-80]

- A. Procedure upon completion of improvements.
 - (1) When all of the required improvements have been completed, the obligor shall notify the governing body, in writing, by certified mail addressed in care of the Municipal Clerk, of the completion of said improvements and shall send a copy thereof to the Township Engineer. Thereupon, the Township Engineer shall inspect all of the improvements and shall file a detailed report, in writing, with the governing body, indicating either approval, partial approval or rejection of the improvements, with a statement of the reasons for any rejection. If partial approval is indicated, the cost of the improvements rejected shall be set forth.
 - (2) The governing body shall either approve, partially approve or reject the improvements on the basis of a report of the Township Engineer and shall notify the obligor, in writing, by certified mail, of the contents of said report and the action of said approving authority with relation thereto not later than 65 days after receipt of the notice from the obligor of the completion of the improvements. Where partial approval is granted, the obligor shall be released from all liability pursuant to his performance guaranty, except for that portion adequately sufficient to secure completion of the improvements not yet approved. The failure of the governing body to send or provide such notification to the obligor within 65 days shall be deemed to

constitute approval of the improvements, and the obligor and surety, if any, shall be released from all liability pursuant to said performance guaranty.

- B. If any portion of the required improvements is rejected, the Planning Board may require the obligor to complete such improvements and, upon completion, the same procedure or notification as set forth above shall be followed.
- C. Nothing herein shall be construed to limit the right of the obligor to contest by legal proceedings any determination by the governing body or by the Township Engineer.
- D. The developer, as a condition of final site plan approval, shall be required to post, in cash or certified check, site improvement construction inspection fees in an amount equal to 6% of the cost of site improvement construction, as estimated by the Planning Board Engineer. The developer shall also be required to reimburse the Township of Lacey for any additional inspection fees in excess of the posted fee, should additional site improvement construction inspection be required.
- E. In the event that final approval is by stages or sections of development pursuant to sections set forth in N.J.S.A. 40:55D-38, as amended, the provisions of this section shall be applied by stage or section.
- F. Prior to the issuance of any certificate of occupancy, an as-built survey of the site shall be provided, including but not limited to the location and finished floor elevation of all buildings, locations of all site access driveways, parking and loading areas and circulation plan elements, curbing, sidewalks, stormwater management measures, site elevations, grading and stormwater runoff direction, site identification and traffic control signage and lighting. [Added 12-22-1998 by Ord. No. 98-48]

§ 285-8. Contributions for off-tract improvements.

- A. In the event it is determined that the application for final site plan approval by the developer requires off-tract improvements, the contributions thereon shall be determined pursuant to the provisions of N.J.S.A. 40:55D-42.³

§ 285-9. Effect of final approval.

- A. The zoning requirements applicable to the preliminary site plan approval first granted by the Planning Board and all other rights conferred upon the developer pursuant to N.J.S.A. 40:55D-49, whether conditionally granted or otherwise, shall not be changed for a period of two years after the date of final approval.
- B. In a case of a site plan for a planned unit development or a planned unit residential development or a residential cluster of 50 acres or more or a conventional site plan for 150 acres or more, the Planning Board may grant the rights referred to in Subsection A above herein for such a period of time, longer than two years, as shall be determined by the Planning Board to be reasonable, taking into consideration the number of dwelling units and nonresidential floor area permissible under final approval, economic conditions and the comprehensiveness of the development. The developer may apply for thereafter, and the

3. Editor's Note: Former Subsection B, concerning the Planning Board Engineer determining if a site for which final site plan application has been made is subject to an off-tract storm drainage assessment, added 12-18-1980 by Ord. No. 30-80, which immediately followed this subsection, was repealed 12-22-1998 by Ord. No. 98-48.

Planning Board may grant, an extension of final approval for such additional period of time as shall be determined by the Planning Board to be reasonable, taking into consideration:

- (1) The number of dwelling units and the nonresidential floor area permissible under final approval.
 - (2) The number of dwelling units and the nonresidential floor area remaining to be developed.
 - (3) Economic conditions.
 - (4) Comprehensiveness of the development.
- C. Within the Pinelands Area, all final site plan approvals shall take effect as provided in Chapter 335, Zoning, of this Code. **[Added 2-14-1991 by Ord. No. 5-91]**

§ 285-10. Minor site plan; approval procedures. [Added 12-18-1980 by Ord. No. 30-80]

- A. "Minor site plan" means a development plan of one or more lots which proposes new development within the scope of development specifically permitted by ordinance as a minor site plan; does not involve the planned development, any new street or extension of any off-tract improvement which is to be prorated pursuant to N.J.S.A. 40:55D-42; and contains the information reasonably required in order to make an informed determination as to whether the requirements established by ordinance for approval of a minor site plan have been met.
- B. The Planning Board may waive notice and public hearing for an application for development if the Planning Board or if a designated Site Plan Subcommittee of the Planning Board, approved by the Chairman of the Planning Board, finds that the application for development conforms to the definition of "minor site plan." Minor site plan approval shall be deemed to be final approval of the site plan by the Board, provided that the Board or said Subcommittee may condition such approval on terms ensuring the provision of improvements pursuant to N.J.S.A. 40:55D-38, 40:55D-39, 40:55D-41 and 40:55D-53.
- C. Minor site plan approval shall be granted or denied within 45 days of the date of submission of a complete application to the administrative office or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed shall constitute minor site plan approval.
- D. Whenever review or approval of the application by the Ocean County Planning Board is required pursuant to N.J.S.A. 40:27-6.6, the Planning Board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the Ocean County Planning Board or approval by the Ocean County Planning Board by its failure to report thereon within the time period required.
- E. The zoning requirements and general terms and conditions, whether conditional or otherwise, upon which minor site plan approval is granted shall not be changed for a period of two years from the date of minor site plan approval.

§ 285-11. Off-street parking and loading requirements. [Added 12-18-1980 by Ord. No. 30-80]

In connection with every industrial, commercial, institutional, professional, recreational, residential or any other use, there shall be provided off-street parking spaces and parking lot standards in accordance with the following requirements:

A. Size and access.

- (1) Each dead storage bay of an off-street parking space may be perpendicular to the aisle, parallel to the aisle or at any angle between 60° and 90°. No angle-parking layout shall be permitted with an angle of less than 60°. The following are minimum stall and aisle dimensions:
 - (a) Perpendicular standard parking and angle parking stalls of 60° to 90°; stall width, nine feet; stall depth, 19 feet; aisle width, 25 feet. **[Amended 11-8-1984 by Ord. No. 61-84]**
 - (b) Parallel parking: stall width, 23 feet; stall depth, 10 feet; aisle width, 12 feet for a single lane and 20 feet for a double lane.
- (2) When the parking area is designed for angle parking, the stalls on both sides shall be so inclined as to permit a driver approaching from either end of the aisle to have access to the stalls on one side.
- (3) In parking lots having a capacity of more than 100 cars, a main access drive shall be provided from points of ingress and egress.
- (4) No parking shall be permitted on the main access drive, nor shall it serve as an access aisle to adjacent parking spaces.
- (5) All parking areas and driveways shall be clearly marked and shall include barrier lines, lane lines, directional arrows and stop lines.
- (6) Entrance and exit drives shall have a minimum width of 16 feet for those designed for one-way traffic and 30 feet for those carrying two-way traffic.
- (7) All access drives shall provide a minimum turning radius of 30 feet.
- (8) All off-street parking areas shall conform to the requirements of the New Jersey State Barrier-Free Access Code and shall contain the number of handicapped parking stalls required by the above noted code. Handicapped parking stalls shall have the minimum stall width as set forth in the Uniform Construction Code, and a minimum stall length of 19 feet. All handicapped parking stalls shall be located such that handicapped persons are not required to travel behind parking vehicles or across major access or internal drives in order to enter the site. All handicapped parking stalls shall be appropriately marked. **[Amended 12-22-1998 by Ord. No. 98-48]**

B. Location of parking. Where the required minimum parking spaces for a particular use, as set forth hereinafter, are at or greater than three parking spaces, the following regulations shall apply:

- (1) Where parking is permitted between the front building line and the street line, a safety island or raised median separating the public street from the parking area shall be provided in accordance with the following minimum requirements:
 - (a) The width of the safety island shall be that width between the proposed street curbline and a point five feet inside the property line. When this width is less than 15 feet, the parking area shall be reduced to provide a minimum width for the safety island of 15 feet. All required tree and shrub plantings shall be planted on the on-site portion of the safety island.
 - (b) Safety islands shall be raised a minimum of six inches above the adjacent parking area.
 - (c) Safety islands shall be topsoiled and seeded or otherwise landscaped, except that they may, in the alternative, be constructed of maintenance-free materials which provide a clear and unmistakable distinction between the parking area and the safety island.
 - (d) Notwithstanding the use of maintenance-free materials, there shall be provided at least one deciduous tree two inches in diameter at breast height every 40 feet or part thereof on all safety islands. A greater distance will be allowed for plantings, if necessary for traffic safety. The area between trees shall be planted with a minimum of three evergreen-type shrubs not exceeding 36 inches in height.
 - (e) No commercial signs or other aboveground obstructions other than plantings and light standards shall be permitted in the safety islands. **[Amended 12-22-1998 by Ord. No. 98-48]**
 - (f) Precast concrete wheel stops shall be provided in all parking stalls which abut a sidewalk or other walkway. The wheel stops shall be placed three feet from the face of any interior perimeter curbing. The wheel stops shall be of precast concrete and shall conform to the standard configuration as set forth in Figure (1) of this Code.⁴ Each wheel stop shall be anchored by means of a solid steel pin having a minimum diameter of one inch and a length of 36 inches, driven through each end of the stop and securing it firmly into the ground. **[Amended 11-8-1984 by Ord. No. 61-84]**
- C. Small parking areas. Parking lots having at least three but less than 10 spaces shall comply with all applicable requirements of Subsections A and B of this section and shall also be bordered by a five-foot, unbroken, landscaped dividing strip along all side property lines from the street line to the rear lot line, unless the Planning Board for good cause shall waive such requirements.
- D. Intermediate-size parking areas. Parking areas having more than 10 spaces but less than 51 spaces shall be designed to fulfill the following minimum requirements:
 - (1) A safety island or raised median shall be provided as herein described.

4. Editor's Note: Figure 1 is included at the end of this chapter.

- (2) A five-foot, unbroken, landscaped dividing strip shall be provided along all side property lines from the street line to the rear lot line, unless otherwise specified herein or unless the Planning Board for good cause shall waive such requirements.
 - (3) Not more than one two-way access driveway or two one-way access driveways shall be provided on any one street unless approval otherwise is obtained from the body, agency or official having jurisdiction over the plan.
 - (4) All safety islands and landscaped dividing strips shall be planted with at least one deciduous tree having a trunk two inches in diameter at breast height every 40 feet or part thereof, and the area between trees shall be planted with a minimum of three evergreen-type shrubs not exceeding 36 inches in height.
 - (5) All entrance and exit driveways shall be curbed on both sides from the street curb to a point at the beginning of access driveways or parking stalls.
- E. Large parking areas. Parking lots which have a capacity for parking more than 50 vehicles shall incorporate the following minimum design standards:
- (1) All entrance and exit driveways shall be curbed on both sides a minimum distance of 100 feet back from the street curb or to a major collector aisle.
 - (2) No parking stalls which shall require the use of the entrance and exit driveways as access aisles shall be permitted.
 - (3) All access driveways located along one-way streets or divided highways shall be separate one-way driveways. Said driveways shall be located so that vehicles enter the parking area at the beginning of the property and exit at the far end of the property unless other considerations, such as a median opening, dictate otherwise.
 - (4) All directional (one-way) driveways shall be marked by appropriate signs facing all peripheral service roads serving the property as well as the parking space.
 - (5) On lots having a frontage of 100 feet or less, driveways, exits and entrances shall be located as far as practical from an intersection. On lots having a frontage in excess of 100 feet, driveways, exits and entrances shall be located as near the middle line as practical. However, on such lots the entrance or exit driveways need not be located more than 500 feet from the intersection. For the purpose of locating the driveways, measurements shall be taken from the curblines of the intersection.
 - (6) No driveway shall be located less than 10 feet from the side property line or within 30 feet of an existing drive, whichever is greater.
 - (7) No property having a frontage of less than 100 feet shall have more than one deciduous tree two inches in diameter at breast height every 40 feet or part thereof on all safety islands. A greater distance will be allowed for plantings if necessary for traffic safety. The area between trees shall be planted with a minimum of three evergreen-type shrubs not exceeding 36 inches in height.
- F. Retaining walls and land banks.
- (1) In the event that parking is proposed on a lot or site having a slope greater than 10%, regardless of size, it shall be terraced utilizing retaining walls or properly reinforced

land banks and providing for adequate safety, stability and drainage. At no time shall a land bank that is not reinforced, nor any other earthen material having a greater elevation than the adjacent parking area and having a slope exceeding 3 to 1, be used. **[Amended 12-22-1998 by Ord. No. 98-48]**

- (2) When retaining walls or land banks or similar types of earthen material are necessitated adjacent to or within the parking area, they shall be kept in good repair or otherwise maintained so as to keep the parking area free of debris and dirt.
- G. Other considerations. All uses, including existing uses that are changed, expanded or modified as to structure or function, shall be bound by the above requirements. In addition, no unrestricted vehicular access shall be permitted between adjacent properties, except as provided herein or unless the Planning Board for good cause shall waive such requirements. Vehicular access, if agreed upon by the owners or possessors of adjacent properties, shall be limited to one opening providing two lanes of traffic and shall be located in such a manner as to offer continuity of a similar access drive on the adjacent property. The opening shall occur at a point having the greatest distance from the street line that would facilitate the joining of properties. Access shall be denied across the remainder of the side lines by the construction of a landscaped dividing strip five feet in width on the property being developed. If and when the adjacent property is developed, there shall be a similar dividing strip at least five feet wide. All dividing strips shall be landscaped as provided herein. However, nothing contained in this section shall be construed as requiring an applicant applying for site plan approval of an extension of an existing use to adhere to the minimum standards established by this section for such parking areas as existed prior to the enactment of this chapter, so long as the extended parking area is not interconnecting with the existing parking area.
- H. Screening of refuse area. These areas adjacent to or within the parking area designated as refuse storage and pickup areas shall be properly screened to prevent the unsightly display and the scattering of debris. The following minimum requirements shall apply:
- (1) The area shall be surrounded on at least three sides by a uniform fence not less than five feet and no more than eight feet in height. The fence shall be located and be of such type as to promote safety and ensure against creation of an unsightly condition. The fence must at all times be maintained so as to be kept in a sound, upright, fully repaired and painted condition or, if not painted, shall be made of such material as does not corrode, rust or change appearance if left unpainted. A gate shall be provided so as to provide an opening to the enclosure. This gate shall be so located as to prevent the visual display of refuse from any adjacent parking area or street. **[Amended 12-22-1998 by Ord. No. 98-48]**
 - (2) The above-described fence shall be exempt from the provisions of any Lacey Township ordinance regulating the height of fences and requiring permits therefor.
 - (3) No refuse area shall be located in any area considered to be a front yard or in any area of a site which fronts on any street.
- I. Special regulations for planned development and industrial zone development.
- (1) M-2, M-3 and M-6 Industrial Zones:

- (a) The land area of a tract on which the industry is located may be used for required off-street parking, except those portions thereof required for setback and those areas otherwise designated on the site plan of the industrial building as reserved for planting, screening or specified uses inconsistent with use as a parking area.
- (b) A developer of any industrial plant consisting of more than one industry situated on a tract of land under one ownership shall provide the same total off-street parking for the total of the industries situated thereon as would otherwise be required were all of the industrial buildings under single management. The developer must therefore make complete and adequate provisions for off-street parking for the tenants in his industrial development according to the requirements of this section, and each leasehold area on which a plant is situated in the industrial development shall provide the necessary number of off-street parking spaces as though the plant were under individual ownership.
- (2) Residential cluster development. All required off-street parking shall be in garages, on driveways or on lots. Parking lots shall be separated from streets by curbs and/or grass strips in accordance with the requirements of this section so that no vehicle shall be required to back directly onto a street from a parking lot.
- (3) Residential planned unit residential development (PRD) and planned residential retirement community (PRRC). Off-street parking areas shall be arranged so as to prevent through traffic to other parking areas. No more than 16 parking spaces in residential areas shall be permitted in a continuous row without being interrupted by approved landscaping. No more than 48 parking spaces shall be permitted without a safety-island divider of a type described hereinbefore in Subsection B of this section and of a minimum width of 10 feet. Off-street parking for all nonresidential uses shall be in accordance with the requirements of this section.

J. Off-street loading and unloading requirements.

- (1) No on-the-street loading or unloading shall be permitted in any industrial, commercial or office-commercial zone.
- (2) In all nonresidential uses, sufficient off-street loading and unloading spaces shall be provided to adequately accommodate such loading and unloading of vehicles as shall be necessary for the services to and from the nonresidential use situated on the lands.
- (3) Minimum required off-street loading and unloading spaces for office, wholesale, warehouse, manufacturing, processing or repairing uses. The following schedule of minimum off-street loading and unloading spaces for the uses specified in this Subsection J(3) shall not be construed as eliminating any need for such additional spaces as may be required under the provisions of the foregoing Subsection J(2):

Gross Floor Area

(square feet)	Loading/Unloading Spaces Required
Under 5,000	0
5,001 to 25,000	1
25,000 to 40,000	2
40,000 to 60,000	3

Gross Floor Area

(square feet)	Loading/Unloading Spaces Required
60,001 to 100,000	4

NOTE: The Planning Board may require a loading berth for sites with gross floor areas of less than 5,000 square feet under certain conditions.

- (4) Size and location. Each loading and unloading space shall be not less than 12 feet in width and 35 feet in length and shall have a minimum vertical clearance of 14 feet and may occupy all or any part of a required yard.
- (5) Off-street loading and unloading spaces for separate uses may be provided jointly if the total number of spaces so provided is not less than the sum of the separate requirements for each use, provided that all regulations governing the location of accessory spaces in relation to the use served are adhered to and that no accessory space or portion thereof shall serve as a required space for more than one use.

K. Additional parking and loading regulations.

- (1) Development and maintenance of parking and loading and unloading areas. Every parcel of land hereafter used as a public or private parking area for three or more vehicles or as a loading or unloading area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements:
 - (a) Such area shall be screened on the side or sides which adjoin residential uses of land in accordance with the standards and regulations set forth in Chapter 335, Zoning, of this Code regarding buffer zones and screening strips.
 - (b) Minimum distances and setbacks. No off-street loading or unloading area, parking area for three or more vehicles or part thereof shall be closer than 10 feet to any dwelling, school, hospital or other institution for human care located on an adjoining lot nor closer than two feet to any lot line.
 - (c) Surfacing, paving and curbing.

[1] All off-street parking areas for three or more vehicles or loading and unloading shall be of a bituminous concrete surface. For light duty, the surface shall consist of one-and-one-half-inch bituminous concrete surface course, mix 1 to 5; on two-inch bituminous stabilized base course, mix 1 to 2; on six-inch granular base course of dense graded aggregate, soil aggregate designation 1 to 5 or an approved equal. For heavy-duty, two-inch bituminous concrete surface course is required, mix 1 to 5; on three-inch bituminous stabilized base course, mix 1 to 2; on six-inch granular base course of dense graded aggregate, soil aggregate designation 1 to 5 or an approved equal. Pavement area subject to truck traffic, loading and delivery areas, major site access drives or access and circulation aisles for parking areas greater than 50 spaces shall be considered to require heavy-duty classification. The actual classification of pavement areas as either light- or heavy-duty shall be made by the Planning Board and Planning Board Engineer during technical reviews. Unless specifically waived by the Township Engineer, at the time of inspection a prime coat of asphaltic

cutback oil Type MC 70 or 250 shall be applied to all base courses at a rate of 0.10 to 0.25 gallon per square yard. The application shall be made not less than 12 hours in advance of paving. All surfacing, base, subbase/subgrade and paving construction methods and materials shall conform to the Standard Specifications for Road and Bridge Construction - 1961, as amended by the most current addenda or as modified herein or as otherwise directed by the Township Engineer. **[Amended 12-22-1998 by Ord. No. 98-48]**

- [2] Subgrade or subbase. All drives, parking areas and other paved site areas subject to vehicular travel shall be constructed on suitable subgrade or subbase. Where subbase or subgrade conditions are wet, spongy or of such a nature that surfacing would be inadvisable without first improving the subbase or subgrade to eliminate such conditions, the treatment of subbases or subgrades shall be made in the following manner: The area of unsuitable subgrade or subbase shall be excavated to a depth that shall be a minimum of 12 inches below the proposed top of subgrade or subbase elevation and backfilled with suitable subgrade material conforming to the specifications of the New Jersey Department of Transportation for upland embankment, Zone 3, and shall be placed in succeeding lifts not to exceed six inches in depth, and each lift to be thoroughly compacted using compaction methods and equipment as approved by the Township Engineer.
- [3] Curbing. All curbing shall be constructed of cast-in-place Portland cement concrete, Class B, 3,500 pounds per square inch twenty-eight-day compressive strength. All curbing, other than curbing on all state highways, shall conform to the standard detail of the New Jersey Department of Transportation for six-by-eight-by-eighteen-inch vertical curb. The curb reveal above the finished pavement elevation shall be six inches. All curbing placed along state highways shall conform to the standards of the New Jersey Department of Transportation.
- [4] Driveway aprons. In all locations where a drive entrance traverses a sidewalk, a driveway apron constructed of Portland cement concrete of not less than six inches compacted thickness, reinforced by six-by-six-by-ten-inch steel wire mesh. The apron shall extend from the curbline at the street to the inside edge of the sidewalk.
- (d) Lighting. All parking and loading areas must be adequately illuminated in accordance with standards of the Township of Lacey. All lighting must be designed and installed so that glare is reflected away from all streets and adjoining properties. All exterior lighting must conform to the requirements set forth in the BOCA Code regulations for energy use and all other applicable requirements of the Township of Lacey.
- (e) Drainage. All off-street parking or loading and unloading areas shall be graded and drained so as to dispose of all surface water without detriment to adjoining properties. All on-site storm drainage systems must conform to the standards of the Township of Lacey as outlined in Chapter 297, Subdivision of Land, and Chapter 335, Zoning, of this Code and as amended. Within the Pinelands Area,

the following standards shall apply only to the extent that they do not otherwise conflict with Chapter 335, Zoning. [Amended 2-14-1991 by Ord. No. 5-91]

[1] Method of calculations.

- [a] The determination of sizes of storm drainage pipes, retention and detention basins and all other storm drainage facilities to be used on site shall be determined by hydraulic computations, copies of which shall be included with the site plan. The runoff calculation must be based on the actual area of the site contributing to the storm drainage structure or system. The runoff computations shall be determined by the rational method and based on a ten-year frequency storm using the Atlantic City Rainfall Intensity-Duration Curve.
- [b] Rainfall intensity curves. The following coefficients of runoff shall be used in computing runoff volumes.

Surface	Coefficient C
Grass	0.30
Wooded areas	0.35
Walks, stoned areas, gravelled areas	0.85
Paved surfaces, roofs, drives and roads	1.00

- [2] All storm drainage systems shall be designed on the basis of a ten-year design storm frequency based on the Atlantic City Rainfall Intensity Curves.

[3] Pipes and materials.

- [a] All storm drainage pipe shall be reinforced concrete, Class III, Wall B, conforming to the latest standards of ASTM C-76. In those areas where extremely heavy wheel loadings or depth of cover problems exist, reinforced concrete Class IV, Wall B, shall be used. All pipe joints shall be fully mortared. The minimum inside pipe diameter shall be not less than 15 inches, and the minimum velocity shall be two feet per second with the pipe flowing one-fourth (1/4) full.
- [b] All materials and construction methods shall conform to the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction - 1961, as amended by the latest addenda, or as otherwise directed by the Township Engineer.

[4] Drainage inlets and manholes.

- [a] All storm drainage inlets shall conform to the standard detail of the New Jersey Department of Transportation for Type B inlets. Should conditions warrant the use of inlets of configurations other than the standard Type B, detailed drawings of all such inlets shall be included on the site plan.

- [b] All manholes shall conform to the New Jersey Department of Transportation standard configuration for Type A standard drainage manholes. If alternate types of manholes are proposed, detail drawings must also be provided on the site plan.
 - [5] Detention and retention facilities must be designed in accordance with the current standards of the New Jersey Department of Environmental Protection, Bureau of Water Resources, and the United States Soil Conservation Service, and as otherwise directed by the Planning Board Engineer. All such facilities must be designed in a manner that no adverse impact will result to lands downstream. All design proposals must be accompanied by complete hydrologic and hydraulic calculations supporting the sizing of the retention or detention facility, inflow/outflow calculations and nomographs, an assessment of any impact to lands downstream and complete design details as may be required by the Planning Board Engineer.
 - (f) Fire zones shall be provided in parking and loading areas as required by the Board of Fire Commissioners or, if there is no such Board, by the Planning Board. If there is such a Board of Fire Commissioners and, in the opinion of either the Planning Board or the Township Committee, it is necessary to establish fire zones, then the Planning Board or Township Committee shall forward a copy of any proposed site plan to the Board of Fire Commissioners for its report and recommendations.
- L. Employee parking. No on-the-street parking for employees shall be permitted in any industrial, commercial or office-commercial zone.
- M. Minimum off-street parking spaces required for various uses shall be as follows:
 - (1) Automotive repair, garage and body shop: one parking space for each 400 square feet of gross floor area.
 - (2) Automobile sales: 1.5 parking spaces for each 1,000 square feet of gross floor area for exclusive use of customers. In addition, there shall be provided at least 170 square feet of lot area for each vehicle stored on the premises to be sold, rented or otherwise used in the operation of the business. The lot area to be used to compute the number of vehicles that can be stored on the premises shall be the total lot area not used for building or customer parking as herein provided.
 - (3) Automotive service station: five parking spaces for the first service bay and three parking spaces for each additional service bay.
 - (4) Banks, savings and loan associations and similar financial institutions: one parking space for each 300 square feet of gross floor area.
 - (5) Bars, cocktail lounges, nightclubs, restaurants, cafes and diners: one parking space for every three seats and one additional parking space for each 400 square feet of gross floor area. **[Amended 12-9-1993 by Ord. No. 93-98]**
 - (6) Barber- and beauty shops: three parking spaces for each chair.

- (7) Bowling alleys: 3.5 parking spaces for each alley. Parking spaces for other commercial uses within the same building shall be computed separately in accordance with this chapter.
- (8) Business offices: one parking space for each 200 square feet of gross floor area.
- (9) Car washes: five parking spaces for employees, plus off-street storage space equal to at least three times the number of cars that can be in the wash process at one time. For self-wash or self-service car washes, the requirement for employee parking shall be eliminated.
- (10) Church, temple or chapel: one parking space for each four seats in the main auditorium. Where no individual seats are provided, 24 inches of bench shall be considered as one seat.
- (11) College or school, including academies, universities, technical and art schools and similar institutions of learning: one parking space for each four seats in the main auditorium, plus one parking space for each administrator, teacher and any other employee.
- (12) Public or private junior high schools and elementary schools: one parking space for each six seats in the main auditorium, plus one parking space for each administrator, teacher and any other employee.
- (13) Nursery schools, day camps and similar uses: one space for every employee, one parking space for each vehicle used to transport students and one additional space for each 500 feet of gross floor area.
- (14) Community center, library, museum and art gallery: one parking space for each 200 square feet of gross floor area.
- (15) Community club, private club and lodge: one parking space for each 100 square feet of gross floor area, plus one and one-half (1 1/2) spaces for each boat slip, where applicable.
- (16) Convalescent home, nursing home and rest home: one parking space for each three beds, plus one parking space for each two employees, including nurses and other staff.
- (17) Dental or medical offices: one parking space for each employee, an additional one parking space for each examination or treatment room and an additional parking space for each 250 square feet of gross floor area.
- (18) Drive-in restaurant: one parking space for each 35 square feet of enclosed floor area, plus one parking space for each four seats.
- (19) Driving range and miniature golf: one parking space for each tee or hole.
- (20) Dwelling units, as follows:
 - (a) Dwelling units: two parking spaces for each dwelling unit.
 - (b) Residential cluster development, planned unit residential development (PRD) and planned residential retirement community (PRRC): two parking spaces for each dwelling unit. One parking space shall be within 100 feet, and the second

shall be within 150 feet of the dwelling unit which they are intended to serve. In addition, there shall be provided off-street parking for guests at the rate of two parking spaces for each five dwelling units. Parking spaces for guests shall be located within 500 feet of the dwelling unit or units which they are intended to serve. All required off-street parking, whether for occupants or guests, shall be in garages, on driveways or on lots. Parking lots shall be separated from streets in accordance with all applicable provisions of this section, and in any event by curbs and/or grass strips, so that no vehicle shall be required to back directly onto a street from a parking lot.

- (21) Furniture, appliance stores or similar types of uses requiring large amounts of storage: one parking space for each 400 square feet of gross floor area up to 4,000, plus one parking space for each 800 square feet of gross floor area above 4,000.
- (22) Government, county or municipal offices: four parking spaces for each 1,000 square feet of gross floor area.
- (23) Hardware, automotive supply stores: one parking space for each 400 square feet of gross floor area in the public areas of the store.
- (24) Hospital (general, private or public, mental) or sanatorium: one parking space for each one and one-half (1 1/2) beds, plus one space for each employee on the shift having the greatest number of employees, plus one space for each staff and visiting doctor.
- (25) Hotel or motel: one parking space for each rental unit. Parking space for each commercial use within the building shall be computed separately according to the requirements for such use set forth herein. The Planning Board or Board having jurisdiction may allow up to 30% of the required parking for commercial uses in the hotel or motel to be satisfied by guest room parking.
- (26) Laundromats or similar coin-operated cleaning: one parking space for each three cleaning units or fraction of three cleaning units.
- (27) Manufacturing or industrial establishment, research or testing laboratory or similar uses: one parking space for each 500 square feet of gross floor area or two parking spaces for each three employees, whichever is greater. If the number of employees or the gross square footage of the principal building(s) cannot be determined at the time of application, then sufficient land area shall be reserved to provide a total number of spaces at the rate of one space for each 300 square feet of maximum lot coverage.
- (28) Marina, boatyard or boat sales: one and one-half (1 1/2) parking spaces for each boat slip, plus one space for each employee.
- (29) Meeting rooms, assembly or exhibition hall, as follows:
 - (a) Without fixed seats: one parking space for each 50 square feet of gross floor area.
 - (b) With fixed seats: one parking space for every four seats.
- (30) Mortuary or funeral home: one parking space for every 50 square feet in slumber rooms, parlors and funeral service rooms.

- (31) Personal service establishments: one parking space for each 200 square feet of gross floor area, plus one space for each vehicle used in connection with the business.
 - (32) Professional office uses, such as architectural, clerical, engineering, legal and similar uses: one parking space for each 200 square feet of gross floor area.
 - (33) Outdoor recreational facilities not specifically enumerated: two parking spaces per acre for the first 20 acres, one parking space per acre for the next 20 acres and one parking space for each 10 acres in excess of 40 acres.
 - (34) Public and private utilities, such as electrical substation, gas regulator, waterworks, pumping station and similar facilities: one parking space for each vehicle stored on the premises, plus one parking space for each employee on the shift which has the greatest number of employees.
 - (35) Retail stores, except as otherwise specified: one parking space for each 150 square feet of gross floor area.
 - (36) Studio (art, music, dance) for the purpose of giving instruction: one parking space for each 100 square feet of floor area used for giving such instruction.
 - (37) Shopping centers: 4.5 parking spaces for each 1,000 square feet of gross floor area. If more than 5% of the enclosed gross floor area of any shopping center is occupied by malls, lobbies, corridors, heating plants or other space not utilized for direct commercial purposes, the Planning Board may allow the required parking to be based on the gross leasable area, which, for the purposes of this chapter, shall be defined as the total floor area designated for tenant occupancy and exclusive use, including basements, mezzanines and upper floors. This definition shall not, however, include offices, theaters or similar nonretail occupancy.
 - (38) Theater: one parking space for each three seats.
 - (39) Veterinary or animal hospital: one parking space for each 200 square feet of gross floor area, plus one parking space for each staff veterinarian and employee.
 - (40) Warehouse, wholesale, machinery or large-equipment sales: one parking space for each 1,500 square feet of gross floor area, plus one space for each vehicle used in connection with the business.
 - (41) Any drive-in theater: an off-street waiting area between the street line and ticket booth sufficient to park 40 automobiles at one time.
 - (42) The parking space required for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Lacey Township Planning Board, based upon that use enumerated herein which is most similar to the proposed use. If there is no use enumerated herein having sufficient similarity to the proposed use to enable the Planning Board to establish rational parking requirements, the Planning Board may, in its discretion, direct the applicant to furnish the Planning Board with such data as may be necessary to enable the Planning Board to establish rational parking requirements.
- N. Miscellaneous criteria for calculating the amount of parking required. In computing the number of above-required parking spaces, the following rules shall govern:

- (1) In reference to required parking spaces for dwelling units, the first parking space provided within a garage shall count only as one-half (1/2) space. All other parking spaces in garages, on driveways and in parking lots shall count as a full space.
- (2) Where fractional spaces result, the required number shall be construed to be the nearest whole number.
- (3) Nothing in the above requirements shall be construed to prevent the joint use of off-street parking facilities by two or more uses, provided that the total of such spaces shall not be less than the sum of the requirements for various individual uses computed separately by the above requirements.
- (4) Nothing contained in Subsection N(3) above shall be deemed to apply to the parking requirements established for shopping centers in the foregoing Subsection M(37) of this section, unless a use within any particular shopping center shall require parking facilities exceeding 75% of the parking spaces available within the shopping center as a whole.
- (5) If any one use within any particular shopping center shall require parking in excess of 75% of the parking spaces available in the shopping center as a whole, the overall number of parking spaces required for said shopping center shall be increased by a number equal to 60% of the number of parking spaces required for the use requiring the highest number of parking spaces within said shopping center.
- (6) No part of off-street parking required for a structure or use shall be included as part of an off-street parking requirement for another use unless substantial proof and assurances are established that the use of this parking will not be simultaneous.
- (7) Except as otherwise specified in this section, all required parking facilities shall be located on the same lot or parcel as the structure or use they shall serve. In the case of nonresidential uses, parking facilities may be provided on other lots or parcels but shall not be more than 300 feet from the structure or use they shall serve.
- (8) Where special traffic problems exist, the Planning Board may require a special survey of conditions at the applicant's cost and require the location of entrances and exits in the parking lot to be altered to minimize congestion and hazard.

§ 285-12. Landscaping requirements. [Added 12-22-1998 by Ord. No. 98-47⁵]

- A. Wherever any part of this chapter imposes a landscaping or seeding requirement, natural vegetation may be substituted in all areas where it exists and has attained a height of at least six feet. The landscaping and seeding requirement shall still apply, however, in all areas not so covered.
- B. In conjunction with commercial, industrial or professional office uses, all areas of a lot not occupied by buildings, pavement or other surfacing and other required improvements shall, except as otherwise specifically provided, be landscaped by the planting of grass and/or ground cover, shrubs and trees. Two shrubs and one tree shall be provided for each 900 square feet of nonimproved area. Such trees and shrubs shall be of a type approved by

5. Editor's Note: This ordinance also provided for the renumbering of former § 285-12, Violations and penalties, as § 285-13.

the Planning Board, and trees shall have a minimum caliper of 1 1/2 inches at a height of one foot. The placement of the plant material shall be appropriate to enhancement of the property and in accordance with a landscape plan approved by the Planning Board.

- C. All such landscaped or seeded areas shall be continuously maintained by the owner of the land area which includes the landscaped or seeded area. In the event that any plant material shall fail to live, it shall be replaced as soon as practicable.

§ 285-13. Violations and penalties. [Amended 12-18-1980 by Ord. No. 30-80; 7-11-1996 by Ord. No. 36-96]

For any and every violation of the provisions of this chapter, the owner, developer, contractor, lessee, tenant or any other person having an interest in any building or premises where such violation has been committed or shall exist and who neglects or refuses to abate such violation within five days after written notice has been served upon him by personal service or by certified mail shall, upon conviction thereof, be subject to a fine of not more than \$1,000, to imprisonment for a term of not more than 90 days and/or to a period of community service of not more than 90 days, in the discretion of the court before whom a conviction is had. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this chapter.