

ARTICLE III

DEFINITIONS

SECTION 1 WORD USAGE

Words and phrases shall be presumed to have their ordinary meaning unless specifically defined or interpreted differently in the section following. Disputes concerning definition or interpretation of a word shall be resolved by the approving authority.

SECTION 2 INTERPRETATION

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

- a. Words used in the present include the future;
- b. Words used in the singular include the plural number and words in the plural include the singular number;
- c. The word "person" includes an individual, corporation, partnership;
- d. The word "building" shall include the word "structure";
- e. The term "used" shall include the words "arranged, designed or intended to be used";
- f. The term "occupied" shall include the words "arranged, designed, or intended to be occupied";
- g. The word "lot" includes the word "plot";
- h. The word "zone" includes the word "district";
- i. The word "premises" includes "vacant land";
- j. The word "shall" indicates a mandatory requirement;
- k. The term "may" indicates a permissive action.

This Development Ordinance, being necessary for the welfare of Gloucester City and its inhabitants, shall be construed liberally to effect the purposes of this Development Ordinance.

SECTION 3 **DEFINITIONS**

- A-1 **ACCESSORY STRUCTURE**: A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.
- A-2 **ACCESSORY USE**: A use customarily incidental and subordinate to the main use conducted on a lot, whether such accessory use be conducted in the principal or accessory building.
- A-3 **ACCESSWAY**: A single vehicular entrance and/or exit combination between a street and a lot.
- A-4 **ACTIVE RECREATION AREAS**: Includes parks and playgrounds and golf courses, tennis courts, swimming areas (lakes, rivers and pools), bicycle paths, indoor recreational facilities, etc.
- A-5 **ADMINISTRATIVE OFFICER**: The City clerk, unless a different municipal official is designated within this ordinance, by statute or by the City Council.
- A-6 **ADVERTISING SIGN**: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
- A-7 **AGENT**: One or more persons designated to represent the applicant before the Planning Board.
- A-8 **ALLEY**: A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
- A-9 **ALTERATIONS**: As applied to a building or a structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement whether by extension of a side or by increasing in height or by moves from one location or position to another.
- A-10 **AMENDMENT**: A means for making changes in the text of this ordinance and the zoning map as expressly authorized by the provisions of Article I of this ordinance.
- A-11 **ANIMALS, THREATENED OR ENDANGERED**: Those animals included on the State or Federal lists of Endangered or Threatened Species.

SECTION 3 **DEFINITIONS** (Cont'd)

- A-12 **APARTMENT**: A room or suite of rooms used as a single dwelling unit and located in a building in which there are two or more rooms or suites.
- A-13 **APPEAL**: A means for obtaining review of a decision, determination, order or failure to act, pursuant to the terms of this ordinance, as expressly authorized by the provisions of Article I, Section J. of this ordinance.
- A-14 **APPLICANT**: A developer submitting an application for development.
- A-15 **APPLICATION FOR DEVELOPMENT**: Application form and all accompanying documents required by ordinance for approval of a subdivision, site plan, planned development, conditional use, zoning variance or direction of the issuance of a permit issued pursuant to NJSA 40:55D-34 or 40:55D-36.
- A-16 **APPROVING AUTHORITY**: The planning board of the municipality, unless a different agency is designated by ordinance when acting pursuant to the authority of NJSA 40:55D-1 et seq.
- A-17 **ATTIC**: That part of a building which is immediately below and wholly or partly within the roof framing, not generally used as living space.
- A-18 **AUTOMOBILE SERVICE STATION**: Any building, land area or other premises or portion thereof used or intended to be used for the retail dispensing of sales of automobile fuels, which activity may be accompanied by accessory uses such as the sale of lubricants, tires, accessories or supplies, minor repairing of automobiles, a convenience store with a gross floor area of less than 1000 sq.ft. or a single bay auto wash; provided, however, that automobile wrecking, major repairing of automobiles, parking or storing of automobiles for hire and the operation of more than one towing vehicle shall not be deemed permissible accessory uses of an automobile service station.
- A-19 **AUTOMOBILE WRECKING**: The dismantling or disassembling of motor vehicles or trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
- A-20 **AUTOMOTIVE GARAGE**: Any commercial premises used for the repair or servicing of vehicles, but not including automotive wrecking.
- A-21 **AUTOMOTIVE SALES BUILDING**: A building for the sale of, hire of, or remuneration from automotive and other vehicles and equipment. This shall be interpreted to include auto accessory sales rooms but not the sale of "junked" vehicles and equipment.

SECTION 3 **DEFINITIONS** (Cont'd)

- B-1 **BASEMENT**: A story partly underground but having at least one half its height above the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or if used for businesses or dwelling purposes.
- B-2 **BERM**: A mound of soil on a site used as a view obstruction or noise abatement or similar buffer purposes, either natural or man-made.
- B-3 **BIKE PATH**: An unobstructed right-of-way designed, marked and paved exclusively for the use of foot-powered, non-motorized bicycles.
- B-4 **BLOCK**: The area abounded by one or more streets or a municipal boundary and of sufficient size to accommodate a lot or lots of the minimum size required in the zoning ordinance of Gloucester City and as further specified herein.
- B-5 **BOARD OF ADJUSTMENT**: The Zoning Board of Gloucester City, established pursuant to Section 56 of the Municipal Land Use Law, New Jersey Statute 40:55D-69, sometimes referred to as the Zoning Board of Adjustment.
- B-6 **BUFFER**: An area within a property or site generally adjacent to and parallel with the property line, consisting of either natural existing vegetation or created by the use of trees, shrubs, berms or fences.
- B-7 **BUILDING**: A combination of materials to form a construction adapted to permanent, temporary or continuous occupancy and having a roof.
- B-8 **BUILDING AREA**: The horizontal plan projection taken at grade level of all covered or roofed areas on a lot, whether permanent or temporary. In computing building area, cornices, eaves, gutters, steps and balconies are excluded.
- B-9 **BUILDING CODE**: The Uniform Construction Code of New Jersey, as from time to time adopted, re-adopted and amended.
- B-10 **BUILDING COVERAGE**: The percentage of lot area occupied by the ground area of principal and accessory buildings on such lot.
- B-11 **BUILDING FRONT**: That exterior wall of a building facing the front line of the lot.

SECTION 3 DEFINITIONS (Cont'd)

- B-12 **BUILDING, HEIGHT OF:** The vertical distance measured from the average elevation of existing grade to the highest point of the coping of a flat roof or the deck line of mansard roofs or to the average height of the highest gable of a pitch or hip roof. In no case will the ridge line be greater than ten feet high or exceed 35 feet, except where permitted.
- B-13 **BUILDING, PRINCIPAL:** A building in which is conducted the main or principal use of the lot, to which all other buildings on the lot are accessory.
- B-14 **BUILDING SETBACK LINE:** An established line within a property defining the minimum required distance between the face of any structure to be erected and an adjacent right-of-way or street line.
- B-15 **BULK:** The term used to describe size of buildings or other structures and their relationship to each other to open areas such as yards and to lot lines and includes the size, height and floor area of building or other structure; the relation of the number of dwelling units in a residential building to the area of the lot (usually called density); and all open areas in yard space relating to buildings and other structures.
- C-1 **CELLAR:** A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories, nor shall it be considered in the calculation of habitable area, as called for in various residential districts. (See basement)
- C-2 **CHANNEL:** The identifiable bed and banks of a natural stream, which conveys the constant or intermittent flow of the stream.
- C-3 **CHURCH:** A building used for public worship by a congregation, excluding buildings used exclusively for residential, educational, burial, recreational or other uses not normally associated with worship. The term church shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.

SECTION 3 DEFINITIONS (Cont'd)

- C-4 **CIRCULATION**: The systems, structures and physical improvements for the movement of people, water, air, sewage or power by such means as streets, highways, railways, waterways, towers, airways, pipes and conduits, and the handling of people and goods by such means as terminals, stations, warehouses and other storage buildings or trans-shipment points.
- C-5 **CLASSIFICATION OR ZONING CLASSIFICATION**: The district into which a parcel of land is placed and the body of regulations to which it is subjected by this ordinance and the zoning district map.
- C-6 **CLUB, MEMBERSHIP**: An organization catering exclusively to members and their guests, including premises and buildings for social, recreational, athletic or other purposes, which are not conducted primarily for financial gain, provided that there are no vending stands, merchandising or commercial activities conducted, except as required generally for the membership and purpose of such club and within the property boundaries of such facilities.
- C-7 **CLINIC**: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more of a group of physicians, dentists, psychologists or social workers practicing together.
- C-8 **COMMERCIAL BUILDING**: A building, the principal use of which is commercial use.
- C-9 **COMMERCIAL; USE OR PURPOSE**: Any use permitted in a commercial district.
- C-10 **COMMON OPEN SPACE**: An open space area within or related to a site designated as a development and designated and intended for the use and enjoyment of residents and owners of the development. Common open space may contain such complimentary structures and improvements as are necessary and appropriate for the use and enjoyment of residents and owners of the development.
- C-11 **COMPLETELY ENCLOSED BUILDING**: A building separated on all sides from the adjacent open area or from other buildings or structures by a permanent roof and by exterior walls or party walls, pierced only by windows or doors normally provided for the accommodation of persons, goods or vehicles. However, a parking structure, which has less than 50% of its outer wall space open, shall be considered a completely enclosed building.

SECTION 3 DEFINITIONS (Cont'd)

- C-12 **CONDITIONAL USE**: A use permitted in a particular zoning district, only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning ordinance and upon the issuance of an authorization therefore by the Planning Board. Conditional uses are specified by zoning district within this ordinance.
- C-13 **CONSTRUCTION OFFICIAL**: The City official specified in the Building code and designated as such by the City council.
- C-14 **CONTIGUOUS LAND**: Land and parcels which abut each other or are separated only by streets, ways, pipelines, electrical power lines, conduits or other rights-of-way owned or controlled by others.
- C-15 **CONVENTIONAL DEVELOPMENT**: Any development other than planned development.
- C-16 **CORPORATE OFFICE**: A building, comprised of more than 10,000 sq. ft. in which at least half are rented or occupied by a single corporation or firm and whose primary business is to serve as a regional or national center.
- C-17 **COUNTY MASTER PLAN**: Composite of the Master Plan for the physical development of the county in which the municipality is located, with the accompanying maps, plats, charts and descriptive and explanatory matter adopted by the county planning board pursuant to R.S. 40:27 and R.S. 40:27-4.
- C-18 **COUNTY PLANNING BOARD**: The Camden County Planning Board.
- C-19 **COURT, INNER**: An open, unoccupied space enclosed on all sides by the exterior walls of a building.
- C-20 **COURT, OUTER**: An open, unoccupied space enclosed on not more than three sides by the exterior walls of a building.
- C-21 **CUL-DE-SAC**: A minor land service street, closed at one end and having adequate vehicular turn area at the closed end.
- C-22 **CURB LEVEL**: The permanently established grade of the street in front of a lot.

SECTION 3 **DEFINITIONS** (Cont'd)

C-23 COVERAGE:

- a. **Building Coverage** - The building area covered by all buildings on a lot, including all roofed areas on a lot, fixed or temporary, expressed as a percentage of the lot area.
- b. **Impermeable Coverage** - The building coverage plus the area of all paved surfaces which cover a lot such as: required parking spaces, including necessary maneuvering areas, passageways and driveways giving access thereto, service areas, accessways, streets, walkways, patios and plazas.

D-1 DAYS: Calendar days.

D-2 DAY CARE: Daytime care or instruction of three (3) or more children away from their own homes for more than three (3), but less than 16 hours per day, by an individual, association, corporation, institution or agency, whether or not for compensation or reward.

D-3 DEDICATION: The transfer of property from private to public ownership for a public purpose.

D-4 DENSITY: The number of dwelling units per gross acre of land including streets, easements and open space portions of a development.

D-5 DESIGNATED USE AREA: An area shown on a plan of a planned development wherein particular types of dwelling units, commercial, industrial and/or common open space is situated, and that is employed for the purpose of calculating the maximum net density and/or area requirements applicable to the designated use. Such designated use area shall include land covered by particular uses, internal local streets or minor accessways, pedestrian ways, and all private yards but not development collector streets. The boundaries of such areas may, but need not, be the same with any existing or proposed record lot lines.

D-6 DETACHED HOUSE: One which has yard access on all four sides.

SECTION 3 DEFINITIONS (Cont'd)

- D-7 DEVELOPMENT: The division of land into two or more parcels; the construction, reconstruction, demolition, conversion, structural alteration, relocation or enlargement of any building or other structure; or of any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to NJSA 40:55D-1 et seq.
- D-8 DEVELOPMENT APPROVAL: Any approval granted by an approval agency, including appeals to the governing body, except certificates of occupancy and variances, pursuant to N.J.S.A. 40:55d-70, which do not otherwise include issuance of a construction permit, subdivision or site plan approval.
- D-9 [Reserved]
- D-10 DEVELOPMENT, MINOR: All development other than major development.
- D-11 DEVELOPMENT PERMIT: Any permit or certificate of compliance required to be issued for any development regulated by the Gloucester City zoning, subdivision, site plan review or official map ordinance.
- D-12 DEVELOPMENT REGULATION: The zoning, subdivision, site plan, and official map regulations of this Ordinance or other municipal regulation of the use and development of land.
- D-13 DEVELOPER: The legal or beneficial owner or owners of a lot of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- D-14 DISTRICT: A portion of the territory of Gloucester City, within which certain regulations and requirements or various combinations thereof apply, pursuant to the provisions of this ordinance.
- D-15 DISTRICT BOUNDARY LINE: The lines enclosing a district, as shown on the zoning Map. Any uncertainty as to the location of the district boundaries, as shown on the zoning district map, shall be resolved pursuant to Article II, Section 3, of this ordinance.

- D-16 DISTRICT BOUNDARY LOT: Any lot line of any lot or parcel of land, which coincides with a district boundary line or which is contiguous to any public or private right-of-way, containing a district boundary line.
- D-17 DRAINAGE: The removal of surface water or groundwater from land by drains, grading or other means and includes control of run-off to minimize erosion and sedimentation during and after construction or development and means necessary for water supply preservation or prevention or alleviation of flooding.
- D-18 DRAINAGE RIGHT-OF-WAY: The lands required for the installation of storm water sewer and/or drainage ditches, or the land area required along a natural stream, swale or other water course for preserving the channel or drainage way and providing for the flow or passage of water therein to safeguard the public from flood damage in accordance with the provisions of Gloucester City regulations or applicable state law.
- D-19 DRIVE IN ESTABLISHMENTS: Premises constructed for the sale of any goods or services by means or curb and/or window-counter service, whether to the motoring public or pedestrians.
- D-20 DRIVE THRU ESTABLISHMENTS: Premises, which have ordering and pick-up facilities, accessible by a designated driveway. Such facilities shall be accessory to and part of the structure of the primary facilities.
- D-21 DWELLING, MULTIPLE: A building or portion thereof containing more than two dwelling units.
- D-22 DWELLING, SINGLE FAMILY DETACHED: A detached building containing one dwelling unit only.
- D-22.1 DWELLING, SINGLE FAMILY ATTACHED/TOWNHOUSE/TWIN HOUSE: One of two attached dwelling units, each unit being arranged on separate lots, each of which is totally separated from the other by an unpierced wall extending from the ground to the roof.
- D-23 DWELLING, TWO FAMILY/DUPLEX: A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both units.

SECTION 3. DEFINITIONS (Cont'd)

- D-24 DWELLING UNIT: A building or entirely self-contained portion thereof, which contains complete housekeeping facilities for one family only and which has not enclosed space for cooking facilities in common with any other dwelling unit, except vestibules, entrance halls, porches or hallways. This definition of a dwelling unit shall not include a boat, trailer or other vehicle of any type nor a temporary shelter, such as a tent.
- D-25 DWELLING UNIT AREA: The area enclosed within the inside walls of the dwelling unit with a finished floor-to- structural ceiling height of not less than 7 ft. 6 in, excluding garages, porches and any spaces located below the top of the foundation wall.
- D-26 DWELLING UNIT CONVERSION: The rebuilding, remodeling, addition, alteration, extension or enlargement or conversion, in any manner, of an existing building to increase the number of dwelling units contained therein.
- E-1 EARTHBORNE VIBRATIONS: A cyclic movement of the earth due to the propagation of mechanical energy.
- E-2 EASEMENT: An interest in land owned by another that entitles its owner to specific limited use or enjoyment.
- E-3 ELECTRICAL TRANSMISSION LINE: Electric lines carrying more than 230 kvs.
- E-4 ENLARGEMENT: An addition to the floor area of an existing building, an increase in the size of any other existing structure or an increase in that portion of a tract of land occupied by an existing use.
- E-5 ENVIRONMENTAL COMMISSION: A municipal advisory body created, pursuant to P.L. 1968, c. 245 (C40:56A-1 et seq.).
- E-6 EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- E-7 EXISTING ELEVATIONS: The elevation of all portions of a site prior to any site preparation work related to a proposed use for which approval under or pursuant to this ordinance is required.
- E-8 EXTERIOR WALL: Any wall which defines the exterior boundaries of a building or its courts or of a structure.

SECTION 3 DEFINITIONS (Cont'd)

- F-1 **FAMILY**: One or more persons related by blood, marriage, adoption or guardianship, or any number of persons not so related occupying a dwelling unit and living as a single housekeeping unit.
- F-2 **FENCE**: An artificial constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
- F-3 **FINAL APPROVAL**: The official action of the Planning Board taken on a preliminarily approved major subdivision or site plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees property posted for their completion or approval conditioned upon the posting of such guarantees.
- F-4 **FLOOD DRAINAGE POTENTIAL**: The susceptibility of a specific land use at a particular location to damage by flooding and the potential of the specific land use to increase off-site flooding or flood-related damages.
- F-5 **FLOOD FRINGE AREA**: That portion of the flood hazard area outside of the floodway.
- F-6 **FLOOD HAZARD AREA**: The area delineated on the Flood Hazard Area Boundary Maps, prepared by the U.S. Department of Housing and Urban Development for Gloucester City.
- F-7 **FLOOD HAZARD DESIGN ELEVATION**: The highest elevation, expressed in feet above sea level as determined by the criteria set forth in "Flood Hazard Area" above.
- F-8 **FLOOD MAP**: A map prepared by the Department of Environmental Protection showing the channel, floodway and fringe area, or in the event such map has not been prepared, maps showing the flood hazard area.
- F-9 **FLOOD PLAIN**: For purposes of this Ordinance, the flood plain shall be the same as the flood hazard area.
- F-10 **FLOODWAY**: The portions of the flood plain adjoining the channel which are reasonably required to carry and discharge the flood water or flood flow of any natural stream. The floodway shall be delineated by the Department of Environmental Protection.

SECTION 3 DEFINITIONS (Cont'd)

- F-11 FLOOR AREA RATIO: Is the total gross floor area of all buildings or structures on a site, divided by the total area of the site.
- F-12 FLOOR AREA TOTAL: The sum of the gross horizontal areas of all floors of any building or buildings on a lot, measured from the interior walls. In particular, the total floor area shall be any basement or cellar space which has been improved for residential purposes (but in no case may that space, which is included as part of the total floor area, exceed 20% of the total basement area); all space other than basement or cellar spaces with structural headroom of at least 7 ft. 6 in. and all interior balconies and mezzanines.
- F-13 FOOT-CANDLE: A unit of illumination. Technically, the illumination at all points one foot distant from a uniform point source of one candle power.
- F-14 FRATERNAL ORGANIZATION: A group of people formally organized for a common interest, business or pleasure. Such groups shall be defined to be similar, but not limited to organizations such as the Masonic Lodge, Knights of Columbus, etc.
- G-1 GARAGE: A deck or building, or a part thereof, used or intended to be used for the commercial parking and storage of vehicles of one or more levels.
- G-2 GARAGE, PRIVATE: A building accessory to a dwelling unit used for the housing of not more than three (3) motor vehicles.
- G-3 GENERAL OFFICE: A building, comprised of more than 10,000 square feet in which at least half (1/2) are rented or occupied by non-corporate or non-professional service-oriented business concerns.
- G-3.1 GENTLEMEN'S CLUB: A licensed premises for the sale and consumption of alcoholic beverages wherein adult entertainment is provided by the licensee such as erotic dances performed by men or women, employed by the licensee with or without pay. A gentlemen's club shall not be considered a sexually oriented business as enumerated in Note 18 of this ordinance.
- G-3.2 GO-GO BAR: A licensed premises for the sale and consumption of alcoholic beverages wherein adult entertainment is provided by the licensee such as erotic dances performed by men or women, employed by the licensee with or without pay. A go-go bar shall not be considered a sexually oriented business as enumerated in Note 18 of this ordinance.
- G-4 GOVERNMENTAL AGENCIES: The government of the United States of America; the State of New Jersey or any other state, their political subdivisions, agencies or instrumentalities, and interstate and regional agencies exercising powers of government.

SECTION 3 DEFINITIONS (Cont'd)

G-5 GRADE: As follows:

- (a) For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street;
- (b) For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the centers of all walls adjoining the streets;
- (c) For buildings having no walls adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall, approximately parallel to and not more than twenty (20) feet from a street line, is to be considered as adjoining the street.

G-6 GROSS LEASABLE AREA: The total floor area designed for tenant occupancy, including basements, mezzanines and upper floors, if any, expressed in square feet, measured from center lines of joint partitions and exteriors of outside walls. The gross leasable area does not include the area of any common malls, walkways or public facilities, equipment and mechanical rooms and penthouses, or truck docks.

G-7 GROUND COVER: Low growing plants, grass or sod, which, in time form a dense mat covering the area in which they are planted, preventing the growth of unwatered plants while holding the soil in place. Examples: rose species, juga species, cotoneaster species, onymous species, ivy species, juniper species, honeysuckle species, pachysandra species, vine species and sod.

G-8 GREENBELT: An open area -- which may be maintained in a natural state planted with an evergreen buffer, surrounding a development or used as a buffer between land uses or to mark the edge of an urban or developed area.

H-1 HABITAT: The natural environment of an individual animal, plant, population, or community.

H-2 [Reserved]

SECTION 3 DEFINITIONS (Cont'd)

- H-3 **HABITABLE ROOM**: Any room or enclosed space used or intended to be used for sleeping, living, cooking or dining purposes, excluding, however, kitchens having less than 70 sq. ft. of floor area and further excluding such enclosed places as utility rooms, closets, pantries, bath or toilet rooms, hallways, cellars, storage spaces, garages. and similar spaces.
- H-4 **HEIGHT OF SIGN**: The vertical distance, measured between grade and the highest point of the highest element of the sign, excluding any incidental structural element, such as uplift cable for a projecting sign.
- H-5 **HISTORIC BUILDING**: Any building or structure which is designated by Gloucester City, county, state, or federal historic commissions or agencies for historic significance.
- H-6 **HISTORIC DISTRICT**: One or more historic sites and intervening or surrounding property significantly affecting or affected by the quality and character of the historic site or sites.
- H-7 **HISTORIC SITE**: Any real property, man-made structure, natural object or configuration or any portion or group of the foregoing of historical, archaeological, cultural, scenic or architectural significance.
- H-8 **HOME OCCUPATION**: A domestic use or occupation customarily conducted entirely within the dwelling and entered into solely by the inhabitants thereof, which is clearly incidental or secondary to the use of the building for dwelling purposes and does not change the character thereof or exert a deleterious influence upon surrounding properties.
- H-9 **HOSPITAL**: An institution proving health services and medical or surgical care to persons, primarily temporary, in-patients suffering from illness, disease, injury, deformity or other abnormal physical or mental condition and including as an integral part of the institution related facilities, such as laboratories, out-patient facilities or training facilities. "Hospital" does not include institutions for the permanent care of, or occupation by, the poor, infirm, incurable or insane.

SECTION 3 DEFINITIONS (Cont'd)

- H-10 **HOTEL**: A commercial establishment, containing twenty(20) or more individual sleeping rooms or suites, excluding accommodations for employees, each having a private bath attached thereto, for the purpose of providing overnight lodging facilities to the general public for compensation, with or without meals, and in which ingress and egress to and from all rooms may be made through an inside office or lobby, supervised by a person in charge at all hours. For the purposes of this Ordinance, "overnight" shall mean continued occupancy of a room or suite by the same person or persons for a period not to exceed fourteen (14) days.
- I-1 **IMMEDIATE FAMILY**: Those persons related by blood or legal relationship in the following manner: grandparents, grandchildren, parents, sons, daughters, brothers and sisters, aunts and uncles and first cousins.
- I-2 **IMPERMEABLE SURFACE**: Any surface which does not permit fluids to pass through or penetrate its pores and spaces., including buildings, paving and sidewalk areas.
- I-3 **INDUSTRIAL BUILDING**: Any building, the principal use of which, is an industrial use.
- I-4 **INDUSTRIAL USE OR PURPOSE**: Any use first permitted in an industrial district.
- I-5 **INSTITUTIONAL USE**: Any land used for the following public or private purposes: educational facilities, including universities, colleges, elementary and secondary and vocational schools, kindergartens and nurseries; cultural facilities such as libraries, galleries, museums, concert halls, theaters and the like; hospitals and convalescent facilities, as are integral to the operation of the hospital; medical and health service facilities, including nursing homes; supervised residential institutions, rehabilitation therapy centers and public health facilities; law enforcement facilities; military facilities; and other similar facilities.

SECTION 3 DEFINITIONS (Cont'd)

- I-6 **INTERESTED PERSON OR PARTY:**
- a. In a criminal or quasi-criminal proceeding, any citizen of the State of New Jersey; and
 - b. In the case of a civil proceeding in any court or in administrative proceeding before a municipal agency, any person whose right to use, acquire or enjoy property is or may be affected by any action taken under this ordinance or whose right to use, acquire or enjoy property under this ordinance or under any other law of this state or of the United States has been denied, violated or infringed upon by an action or failure to act under this ordinance.
- J-1 **JOINT IDENTIFICATION SIGN:** A sign which serves as common or collective identification for two or more commercial, resort or industrial uses sharing an office plaza, shopping center, industrial park or the like and which is located on such premises. Such sign shall be limited in content to identification of the plaza, center, park or the like, shared by such uses and shall not contain any reference to the individual uses sharing the plaza, center, park or the like.
- J-2 **JUNK YARD:** A lot, land or structure, or part thereof, used for the purchase, collection, storage, recycling or sale of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or vehicles.
- K-1 **KENNEL:** Any building or lot on which four or more domesticated animals, more than four months of age, are housed, groomed, bred, boarded, trained or sold.
- L-1 **LAND:** includes improvements and fixtures on, above or below the surface.
- L-2 **LANDSCAPE:** The total area of a site or property excluding the area occupied by building(s) but including other structures. The harmonious blending of these building(s) by the use of the existing topography or alterations to the existing topography, trees, shrubs, ground covers and/or mulches.
- L-3 **LANDSCAPE PLAN:** A plan clearly indicating the type of plant material to be incorporated into the overall design of the site. Such plan, at a minimum, shall show the texture, quantity, seasonal qualities, heights, size, spacing and organization of such plant material.

SECTION 3 DEFINITIONS (Cont'd)

L-4 LANES, INGRESS AND EGRESS: A private roadway designed to accomplish easy access into developed parcels. Minimum roadway widths for ingress and egress lanes shall be:

- (a) One-way - 18 ft.; and
- (b) Two-way - 30 ft.

or as described in individual articles, whichever is more stringent.

L-5 LOADING SPACE: Any off-street space, not less than 12 feet in width, 70 feet in length and 15 feet in height: available for the loading or unloading of goods; having direct access to a street or other public way; and so arranged that no vehicle is required to back into the public right-of-way.

L-6 LOT: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law to be used, developed or built upon as a unit.

L-7 LOT AREA: The surface of a land parcel determined by its boundary lines and expressed in terms of square feet or acres. Any portion of a lot included in a street right-of-way shall not be included in calculating lot area.

L-8 LOT CORNER: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points at the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

L-9 LOT COVERAGE: The percentage of lot area occupied by all buildings and impermeable surfaces on such lot.

L-10 LOT DEPTH: The mean horizontal distance from the front lot line to the rear lot line, measured perpendicular to the front lot line.

L-11 LOT DOUBLE FRONTAGE: A lot having frontage on two non-intersecting streets.

L-12 LOT FRONTAGE: The length of the front lot line measured at the street right of way line.

L-13 LOT, INTERIOR: A lot other than a corner lot.

SECTION 3 DEFINITIONS (Cont'd)

- L-15 LOT LINE, FRONT: In the case of an interior lot abutting upon only one street, the street line separating such lot from such street. In the case of a double frontage lot, each street line separating such lot from a street shall be considered a front lot line. In the case of a corner lot, the shorter street line separating such lot from a street shall be considered to be the front lot line.
- L-16 LOT LINE, REAR: That lot line, which is parallel to and most distant from the front lot line of the lot, provided, however that, in the case of irregular, triangular or gore-shaped lots, a line 20 ft. in length, entirely within the lot, parallel to and at the maximum possible distance from the front lot line shall be considered to be the rear lot line.
- L-17 LOT LINE, SIDE: Any lot line other than a front or rear lot line.
- L-18 LOT, MINIMUM AREA OF: The smallest lot on which a particular use or structure may be located in a particular district.
- L-19 LOT OF RECORD: A parcel of land which is a lot in a subdivision recorded on the records of the Recorder of Deeds of Camden County or which is described by a metes and bounds description that has been so recorded.
- L-20 LOT WIDTH: The mean horizontal distance between side lot lines, measured at right angle to the depth, provided, however, that lot width measured along the front lot line shall not be less than 80% of the required minimum lot width.
- M-1 MAINTENANCE GUARANTEE: Any security which may be accepted by the municipality for the maintenance of any improvements required by this ordinance or the Municipal Land Use Law, P.L. 1975, c.291 (1976) New Jersey Statute 40:55D, et seq., including but not limited to surety bonds, letters of credit under the circumstances specified in section 16 of P.L. 1975, c. 291 (40:55D-53.5), and cash.
- M-2 MAJOR SUBDIVISION: All subdivisions not classified as minor subdivisions.

SECTION 3 DEFINITIONS (Cont'd)

M-3 MANUFACTURED HOME: A unit of housing which:

1. Consists of one or more transportable sections which are substantially constructed off-site and, if more than one section, are joined together on-site and;
2. Is build on a permanent chassis and;
3. Is designed to be used, when connected to utilities, as a dwelling on permanent or non-permanent foundation and;
4. Is manufactured in accordance with the standards promulgated for a manufactured home by the secretary pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", Pub. L. 93-383 (42 U.S.C. Section 5401 et seq.) and the standards promulgated for a manufactured or mobile home by the commissioner pursuant to the "State Uniform Construction Code Act." P.L. 1975, C. 217 (c. 52:27-119 et. seq.).

M-4 MANUFACTURING, LIMITED: The adding of value to previously processed or raw materials by reshaping, reworking, assembly, combining, or other means. Limited manufacturing includes light industrial operations such as electronic, machine parts and small component assembly, as opposed to heavy industrial operations such as automobile assembly or milling activities.

M-5 MARINA: A facility for storing, fueling, berthing, or securing and launching of private pleasure craft that may include eating, sleeping and retail facilities for owners, crews and guests.

M-5 MARQUEE: Any hood, canopy, awning, or permanent construction which projects from the wall of a building, usually above an entrance.

M-6 MASTER PLAN: A composite of one or more written or graphic proposals for the development of the City as set forth in and adopted pursuant to section 19 of P.L. 1975, c. 291 (C. 40:55D-28).

SECTION 3 DEFINITIONS (Cont'd)

M-7 [RESERVED]

M-8 MINOR SUBDIVISION: Any subdivision containing not more than three lots fronting upon an existing approved and improved street, provided that such subdivision does not involve a planned development, any new street, or the extension of any off-tract improvement, the cost of which is to be prorated.

M-9 MOTEL: Any building containing more than ten (10) occupancy units which are rented or hired out to provide overnight lodging to the general public, with parking places adjacent to the bedrooms and which is subject to the laws and regulations of the State of New Jersey. For the purposes of this Ordinance, overnight shall mean continued occupancy of a room by the same person or persons for a period not to exceed fourteen (14) days.

M-10 MUNICIPAL AGENCY: The Gloucester City Planning Board, Board of Adjustment or Governing Body, when acting pursuant to the Municipal Land Use Law (NJSA 40:55D-1 et seq).

M-11 MUNICIPALITY: The City of Gloucester City or any city, borough, town, township or village.

N-1 NATURAL STREAM: A waterway consisting of a naturally eroded channel with visible evidence of banks and bed, as distinguished from a swale, which shows no evidence of natural erosion, except occasional gullying and from a ditch, which consists of an artificially excavated channel.

N-2 NAVIGABLE WATERS: Water capable of being traversed by pleasure craft.

N-3 NONCONFORMING LOT: A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

N-4 NONCONFORMING STRUCTURE: A structure, the size, dimension, or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.

SECTION 3 DEFINITIONS (Cont'd)

- N-5 **NONCONFORMING USE**: A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.
- O-1 **OFFICIAL COUNTY MAP**: The map with changes and additions thereto, adopted and established, from time to time, by resolution of the board of chosen freeholders of the county pursuant to R.S. 40:27-5.
- O-2 **OFF-SITE**: Means located outside the lot lines of the lot in question, but within the property (of which the lot is a part) which is the subject of a development application or contiguous portion of a street or right-of-way.
- O-3 **OFF-TRACT**: Means not located on the property which is the subject of a development application nor on a contiguous portion of a street or right-of-way.
- O-4 **ON-SITE**: Means located on the lot in question.
- O-5 **ON-TRACT**: Means located on the property which is the subject of a development application or on a contiguous portion of a street or right of way.
- O-6 **OPEN SPACE**: Means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.
- O-7 **OWNER**: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.
- P-1 **PARCEL**: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established and which is designed by its owner as land to be used as a unit.
- P-2 **PARKING AREA**: Any land area designed and used for the parking of not more than three vehicles.

SECTION 3 DEFINITIONS (Cont'd)

- P-3 **PARKING LOT**: Any land area used or intended to be used for the parking of more than three vehicles.
- P-4 **PARKING SPACE**: A space for the parking of a motor-driven vehicle within a public or private parking area.
- P-5 **PARKS AND PLAYGROUNDS**: Recreational facilities designed specifically for such uses as:
- (a) passive parks;
 - (b) tot lots and play areas;
 - (c) ballfields;
 - (d) picnic area, swimming area;
 - (e) jogging and vita paths.
- P-6 **PARTY IMMEDIATELY CONCERNED**: For the purposes of notice any applicant for development, the owners of the subject property and all owner of property and government agencies entitled to notice under section 7.1 of P.L. 1975, c. 291 (C. 40:55D-12).
- P-7 **PERFORMANCE GUARANTEE**: Any security, which may be accepted by the municipality, including but not limited to surety bonds, letters of credit under the circumstances specified in section 16 of P.L. 1991, c. 256 (C.40:55D-53.5), and cash.
- P-8 **PERIMETER LANDSCAPED OPEN SPACE**: A landscaped open space, intended to enhance the appearance of parking lots and other outdoor auto-related uses or to screen incompatible uses along district boundary lines by means of appropriate landscaping or screening. Perimeter landscaped open space shall be broken only by required access ways. Where a perimeter landscaped space is required, a landscaping plan shall be submitted for review.
- P-9 **PLACE OF WORSHIP**: An institution that people regularly attend to conduct organized religious services, meetings and other accessory uses associated therewith.
- P-10 **PLANNED COMMERCIAL DEVELOPMENT**: An area of a minimum contiguous or noncontiguous size as specified by the Ordinance to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses or both and any residential and other uses incidental to the predominant use as may be permitted by ordinance.

SECTION 3 DEFINITIONS (Cont'd)

- P-11 **PLANNED DEVELOPMENT**: means unit development, planned unit residential development, residential cluster, planned commercial development or planned industrial development.
- P-12 **PLANNED INDUSTRIAL DEVELOPMENT**: An area of a minimum contiguous or noncontiguous size, as specified by ordinance, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate industrial uses and any other uses incidental to the predominant uses as may be permitted by ordinance.
- P-13 **PLANNED UNIT DEVELOPMENT**: An area with a specified minimum contiguous or noncontiguous acreage of 10 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of non-residential uses to residential uses as shall be specified in the zoning ordinance.
- P-14 **PLANNING BOARD**: The municipal planning board established pursuant to section 14 of P.L. 1975, c.291,(C. 40:55D-23).
- P-15 **PLAT**: A map or maps of a subdivision or site plan.
- P-16 **PLAT, FINAL**: The final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with these regulations and which, if approved, shall be filed with the clerk of the County of Camden for recording in accordance with law. A plat that receives final approval shall have been prepared by a New Jersey professional engineer or land surveyor in accordance with all of the provisions of Chapter 141, Laws of 1960.
- P-17 **PLAT, PRELIMINARY**: The preliminary map indicating the proposed layout of the subdivision, which is submitted to the Planning Board for tentative approval and meeting the requirements of the subdivision/site plan section of this ordinance.
- P-18 **PLAT, SKETCH**: The sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification and meeting the requirements of the subdivision/site plan section of this ordinance.
- P-19 **PORCH**: A roofed, open "structure" projecting from the front, side or rear wall of a building.

SECTION 3 DEFINITIONS (Cont'd)

- P-20 **PRELIMINARY APPROVAL**: The conferral of certain rights pursuant to sections 34, 36, and 37 of P.L. 1975, c.291 (C. 40:55D-46; C. 40:55D-48; and C. 40:55D-49) prior to final approval after specific elements of a development plan have been agreed upon by the planning board and the applicant.
- P-21 **PRELIMINARY FLOOR PLANS AND ELEVATIONS**: Architectural drawings prepared during early and introductory stages of the design of a project illustrating in a schematic form its scope, scale and relationship to its site and immediate environs.
- P-22 **PREMISES**: A lot, plot or parcel of land, together with the buildings and structures thereon.
- P-23 **PRINCIPAL BUILDING**: A building in which is conducted the main or principal use of the lot on which said building is located.
- P-24 **PRIVATE CLUB OR LODGE**: A building and related facilities owned or operated by a corporation, association or group of persons for the social, educational or recreational purposes of members regularly paying dues, but not primarily for profit nor to render a service which is customarily carried on as a business.
- P-25 **PUBLIC AREAS**:
1. Public parks, playgrounds, trails, paths and other recreational areas;
 2. Other public open space;
 3. Scenic and historic sites;
 4. Sites for schools and other public buildings and structures.
- P-26 **PUBLIC DEVELOPMENT**: Development by any federal, state, City or other governmental agency.
- P-27 **PUBLIC DEVELOPMENT PROPOSAL**: A master plan, capital improvement program or other proposal for land development adopted by the appropriate public body or any amendment thereto.
- P-28 **PUBLIC DRAINAGE WAY**: The land reserved or dedicated for the installation of storm water sewers or drainage ditches or required along the channel and providing for the flow of water to safeguard the public against flood damage, sedimentation and erosion.

SECTION 3 DEFINITIONS (Cont'd)

- P-29 **PUBLIC IMPROVEMENT**: Any improvement, facility or service, together with its associated public site or right-of-way, necessary to provide transportation, drainage, utility, energy or similar essential services, including, but not limited to streets, drives, sidewalks, walkways and other vehicular and pedestrian circulation systems, together with customary improvements and appurtenances, such as signaling, signage, curbs and gutters, shade trees and landscaped buffers or parkways and street furniture; facilities incidental to a public transportation system, such as loading zones, turn-arounds, passenger waiting areas protected from inclement weather and pedestrian linkages between loading areas and activity areas; storm sewers and appurtenances, drainage ways, culverts, flood control basins and devices, retention and detention basins or areas to control storm run-off, erosion and sediment control structures and devices and other drainage structures, devices and facilities; water supply and distribution facilities and appurtenances, both for domestic use and for fire protection; sanitary sewage disposal and treatment facilities and appurtenances; public utility facilities and appurtenances for gas, electric and telephone service; and facilities and appurtenances for the production, conversion, distribution and storage of energy necessary for essential residential, resort, commercial and industrial uses permitted by this ordinance.
- P-30 **PUBLIC OPEN SPACE**: An open space area conveyed or otherwise dedicated to a municipal agency, board of education, state or county agency or other public body for recreational or conservation use.
- P-31 **PUBLIC SITE OR RIGHT-OF-WAY**: An area devoted to or planned for use as a public park, a public school, a federal, state, county or City building or facility site, another public use or facility or a right-of-way or easement for a street, transportation corridor, utility corridor, waterway or drainage-way owned or to be owned by a government agency.
- P-32 **PUBLIC UTILITY**: Any public utility regulated by the Board of Regulatory Commissioners and defined pursuant to C. 48:2-13.
- Q-1 **QUORUM**: The majority of the full authorized membership of a municipal agency.
- R-1 **RECREATIONAL AREA**: A private or public space, including essential buildings and structures used for play and recreational space for individuals.
- R-2 **RECREATION AREAS, ACTIVE**: Includes parks and playgrounds and golf courses, tennis courts, swimming areas (lakes, rivers and pools), bicycle paths and indoor recreational facilities.

SECTION 3 DEFINITIONS (Cont'd)

- R-3 **RECREATIONAL FACILITY, LOW INTENSIVE**: A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities, which have an insignificant impact on surrounding uses or on the environmental integrity of the area.
- R-4 **RENTAL**: A procedure by which services and/or real or personal property are temporarily transferred to another person for a specific time period in exchange for enumeration.
- R-5 **RESIDENTIAL CLUSTER**: An area to be developed as a single entity, according to a plan, containing residential housing units which have a common or public open space area as an appurtenance.
- R-6 **RESIDENTIAL USE OR PURPOSE**: A dwelling in which occupants actually live which is permitted in a residential district,
- R-7 **RESTAURANT**: An establishment in which food and drink may be procured, provided that such food or drink is to be consumed while seated at a table, counter or a booth while on the premises.
- R-8 **RESTAURANT, FAST FOOD**: An establishment, whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state for consumption either on the premises or for carry-out with consumption off the premises and whose design or principal method of operation permits or encourages self-service, high-turnover dining.
- R-9 **RE-SUBDIVISION**:
1. The further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or
 2. The alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, but does not include conveyances to combine existing lots by deed or other instrument.
- R-10 **RIGHT-OF-WAY LINE**: The boundary line of land used or intended for use as streets or other public ways and from which required setbacks for front yard and lot depths shall be measured.

SECTION 3 DEFINITIONS (Cont'd)

- R-11 **RIPARIAN LANDS**: Those tidal lands of the State of New Jersey which are now or were formerly flowed by mean high water.
- R-12 **RUN-OFF, SURFACE WATER**: Any overland flow of water across the ground surface.
- S-1 **SCHOOL, ELEMENTARY**: Any public or private institution licensed by the State and which meets the State requirements for elementary education.
- S-2 **SCHOOL, SECONDARY**: Any school licensed by the State and which is authorized to award diplomas for secondary education.
- S-3 **SCHOOL, VOCATIONAL**: A secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the State requirements as a vocational school.
- S-4 **SCREEN**: A structure or planting providing continuous view obstruction within the site or property consisting of fencing, berms and/or evergreen trees or shrubs.
- S-5 **SEASONAL HIGH WATER TABLE**: The level below the natural ground surface to which water seasonally rises in the soil in most years.
- S-6 **SEDIMENTATION**: The deposition of soil which has been transported from its site or origin by water, ice, wind, gravity or other natural means as a product of erosion.
- S-7 **SETBACK**: The minimum horizontal distance between the lot or property line and the front, side or rear line of a building (as the case may be) or any projection thereof, excluding uncovered steps.
- S-8 **SHOPPING CENTER**: A tract of land, with buildings or structures planned as a whole and intended for three or more retail establishments, with accessory parking and loading on the same site.
- S-9 **SHRUBS**: Any plant(s), deciduous or evergreen, generally multi-stemmed, classified and sold by height or spread, measured in inches or feet, listed in "Standards" set forth by the American Association of Nurserymen.

SECTION 3 DEFINITIONS (Cont'd)

- S-10 **SIGN**: Any object, device, display, structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal or civic organization; also merchandise and pictures or models of products or services incorporated in a window design.
- S-11 **SIGN, ADVERTISING**: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is location. Also know as billboards.
- S-12 **SIGN, ANIMATED OR MOVING**: Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.
- S-13 **SIGN, AWNING, CANOPY OR MARQUEE**: A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by ordinance.
- S-14 **SIGN, BANNER**: A temporary sign composed of light weight material either enclosed or not enclosed in a rigid form secured or mounted so as to allow movement of the sign caused by movement in the atmosphere.
- S-15 **SIGN, BULLETIN BOARD**: A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.
- S-16 **SIGN, BUSINESS**: A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.
- S-17 **SIGN, CONSTRUCTION**: A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

SECTION 3 DEFINITIONS (Cont'd)

- S-18 **SIGN, DIRECTIONAL**: Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."
- S-19 **SIGN FACE**: The area or display surface used for the message.
- S-20 **SIGN, FLASHING**: Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects.
- S-21 **SIGN, FREE STANDING**: Any non-movable sign not affixed to a building display, works of art, which in no way identify a product, or scoreboards located on athletic fields.
- S-22 **SIGN, GOVERNMENTAL**: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulations.
- S-23 **SIGN, GROUND**: Any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.
- S-24 **SIGN HEIGHT**: The vertical distance measured between grade and the highest point of the highest element of the sign, excluding any incidental structural element, such as uplift cable for a projecting sign.
- S-25 **SIGN, HOLIDAY DECORATION**: Temporary signs, in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.
- S-26 **SIGN, HOME OCCUPATION**: A sign containing only the name and occupation of a permitted home occupation.
- S-27 **SIGN, IDENTIFICATION**: A sign giving the nature, logo, trademark or other identifying symbol; address; or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.
- S-28 **SIGN, ILLUMINATED**: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

SECTION 3 DEFINITIONS (Cont'd)

- S-29 SIGN LIGHTING: Methods of illumination which may be divided into several types:
- a. **General**: The sign itself is neither lighted internally, nor has an external source of light specifically directed at it, rather, the sign depends on the general illumination of the area (e.g., parking lot, traffic or pedestrian areas) for its illumination.
 - b. **Internal**: The sign is made of translucent material with internal lights.
 - c. **Back Lit**: The letters are raised beyond the sign's background and cover the lighting sources, which illuminate the background.
 - d. **Spot lit**: The sign is lighted by spotlights specifically directed at it.
- S-30 SIGN, MEMORIAL: A sign, tablet or plaque memorializing a person, event, structure or site.
- S-31 SIGN, NAME PLATE: A sign, located on the premises, giving the name or address, or both, of the owner or occupant of a building or premises.
- S-32 SIGN, ON-SITE INFORMATIONAL: A sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.
- S-33 SIGN, POLE: A sign that is mounted on a free standing pole or other support so that the bottom edge of the sign face is ten (10) feet or more above grade.
- S-34 SIGN, POLITICAL: A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.
- S-35 SIGN, PORTABLE: A sign that is not permanent, affixed to a building, structure or the ground.
- S-36 SIGN, PRIVATE SALE OR EVENT: A temporary sign advertising private sales of personal property such as "house sales," "garage sales," "rummage sales" and the like or private not-for-profit events such as picnics, carnivals, bazaars, game nights, art fairs, craft shows and Christmas tree sales.
- S-37 SIGN, PROJECTING: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

SECTION 3 DEFINITIONS (Cont'd)

- S-38 **SIGN, REAL ESTATE:** A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.
- S-39 **SIGN, ROOF:** A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.
- S-40 **SIGN, TEMPORARY:** A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for thirty days.
- S-41 **SIGN, WALL:** A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from such building or structure.
- S-42 **SIGN, WARNING:** Signs limited to messages of warning, danger or caution.
- S-43 **SIGN, WINDOW:** A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structures through a window.
- S-44 **SITE PLAN:** A development plan of one or more lots on which is shown: the existing and proposed conditions of the lot, including, but not necessarily limited to, topography, vegetation, drainage, flood plains, marshes and waterways; the location of all proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices, and; any other information which may be reasonably required in order to make an informed determination, pursuant to an ordinance requiring review and approval of site plans by the planning board adopted pursuant to NJSA 40:55D-37 et seq.
- S-45 [RESERVED]
- S-46 [RESERVED]

SECTION 3 **DEFINITIONS** (Cont'd)

S-47 **SPECIMEN TREE**: Any tree of exceptional size, which is listed by the New Jersey Division of Parks and Forestry.

S-48 **STANDARDS OF PERFORMANCE**: Standards

- (1) adopted by ordinance pursuant to section 52d of P. L. 1975, c. 291, (C. 40:55D-65), regulating noise levels, glare, earthborne or sonic vibrations, heat, electronic or atomic radiation, noxious odors, toxic matters, explosive and inflammable matters, smoke and airborne particles, waste discharge, screening of unsightly object or conditions and such other similar matters as may be reasonably required by the municipality; or
- (2) required by applicable federal or state laws or municipal ordinances.

S-49 **STORY**: That part of any building comprised between the level of one finished floor and the level of the next higher finished floor, or if there is no higher finished floor, that part of the highest finished floor and the top of the roof beams.

S-50 **STORY, HALF**: Any space partially within the roof framing where the clear height of not more than 75% of such space between the top of the floor beams and the structural ceiling level is 7 ft. 6 in. or more.

S-51 **STREET**: Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is: an existing state, county or municipal roadway; or is shown on a plat heretofore approved, pursuant to law; or is approved by official action, pursuant to N.J.S.A. 40:55D-1 et seq.; or is shown upon a plat duly filed and recorded in the office of the county clerk prior to the appointment of a planning board and the granting of such board the power to review plats; and includes the land between the right-of-way lines, whether improved or unimproved, and may comprise pavements, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the right-of-way lines.

S-52 **STREET, LINE**: The dividing line between a lot and:

- a. a public street, road or highway; or
- b. a private street, road or way over which two or more dominant estates; have the right-of-way.

SECTION 3 DEFINITIONS (Cont'd)

S-53 **STRUCTURAL ALTERATION**: Any change in the supporting members of a building or any substantial change in the roof or in the exterior walls.

S-54 **STRUCTURE**: A combination of materials to form a construction for occupancy, use or ornamentation having a fixed location on, above or below the surface of land or attached to something having a fixed location on, above or below the surface of land.

S-55 **SUBDIVIDER**: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under this ordinance to effect a subdivision of land hereunder for himself or for another.

S-56 **SUBDIVISION**: The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this ordinance, if no new streets are created:

- a. divisions of land found by the Planning Board or subdivision committee thereof appointed by the chairman to be for agricultural purposes where all resulting parcels are 5 acres or larger in size;
- b. divisions of property by testamentary or intestate provisions;
- c. divisions of property upon court order, including but not limited to, judgments of foreclosure;
- d. consolidation of existing lots by deed or other recorded instrument; and
- e. the conveyance of one or more adjoining lots, tracts or parcels of land, owned by the same person or persons and all of which are found and certified by the administrative officer to conform to the requirements of the municipal development regulations and are shown and designated as separate lots, tracts or parcels on the tax map or atlas of the municipality.

The term subdivision shall also include the term "resubdivision".

S-57 **SUBDIVISION COMMITTEE**: A committee of at least three Planning Board members appointed by the chairman of the board for the purpose of reviewing subdivisions, in accordance with the provisions of this ordinance, and such duties relating to land subdivision, which may be conferred on this committee by the Board.

S-58 **SUBMERGED LANDS**: Those lands which are inundated with water throughout the year.

SECTION 3 DEFINITIONS (Cont'd)

- T-0.1 TAVERN/BAR: A public house so licensed where intoxicating liquors are sold at retail to be consumed on the premises. Food and entertainment may be provided.
- T-1 TEMPORARY USES: A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent building or structure. No use expressly permitted or permissible as a permanent or temporary use in any district pursuant to the provisions of this ordinance shall be allowed as a temporary use in any other district.
- T-2 TERRACE:
- a. A level plane or surfaced patio, directly adjacent to a principal building at or within 3 feet of grade, and not covered by any permanent structure.
 - b. A minor street, running parallel to local avenues, which divides existing residential blocks in half lengthwise.
- T-3 TRACT: A parcel, property or area of land comprised of one or more lots adjacent to one another established by a plat or otherwise as permitted by law to be used, developed or build upon as a unit.
- T-4 TRAILER: A recreational vehicle, travel trailer, camper or other transportable, temporary dwelling unit with or without its own motor power, designed and constructed for travel and recreational purposes to be installed on a non-permanent foundation if installation is required.
- T-5 TRAILER PARK (AUTOMOBILE TRAILER CAMP, OR CAMP SITE): Any park, trailer park, trailer court, camp site, lot, parcel of land or premises designed, maintained or intended for the purpose of supplying a location or accommodation for any trailer, mobile home, or trailer coach, and upon which such device may be parked, and shall include all buildings used or intended for use as part of the equipment thereof. It shall not be necessary within this definition to determine whether or not a fee may or will be charged for the use of equipment or parking facilities. Unoccupied trailers offered for sale, display and inspection shall not be included within this definition.
- T-6 TRANSCRIPT: A typed or printed verbatim record of the proceedings or reproduction thereof.
- U-1 USE: A "use" is any purpose for which a building or other structure or tract of land may be designed, arranged, intended, maintained or occupied, or any activity, occupation, business or operation carried on in a building or other structure on a tract of land.

SECTION 3 DEFINITIONS (Cont'd)

- U-2 USE, PRINCIPAL: The many or primary purpose or purposes for which land, a structure or building is designed, arranged, or intended or for which they may be occupied or maintained under the zoning ordinance.
- U-3 USED CAR LOT: An area used for the storage and display of used automobiles advertised for sale, including motorcycles, trucks or any other motorized vehicles.
- U-4 UTILITY DISTRIBUTION LINES: Main lines, conduits or pipes, located in a street, road, alley or easement through which natural gas, electricity, water, sewage or storm water discharge is distributed to or from service lines extending from the main line to the distribution system or the building or premises served.
- V-1 VARIANCE: Permission to depart from the literal requirements of a zoning ordinance, pursuant to section 47 and subsections 29.2b, 57c and 57d of P.L.1975, c.291, (C. 40:55D-40b, C. 40:55D-70c., C. 40:55D-70d.).
- V-2 VEGETATION: Any plant material, including grasses, shrubs and trees.
- W-1 WATERCOURSE: Any area of land, either naturally formed or artificially designed, for the storage, passage, retention or flow of water, including, but not limited to, the following: lake, pond, stream, canal, ditch or swale.
- W-2 WETLAND SOILS: Those soils designated as very poorly drained or poorly drained by the Soil Conservation Service of the United States Department of Agriculture, including, but not limited to: Atsion, Bayboro, Berryland, Colemantown, Elkton, Keansburg, Leon, Muck, Othello, Pocomoke, St. Johns and freshwater marsh and tidal marsh soil types.
- W-3 WETLANDS: Those lands, which are inundated or saturated by water at a magnitude, duration and frequency sufficient to support the growth of hydrophytes. Wetlands include lands with poorly drained or very poorly drained soils, as designated by the National Cooperative Soils Survey of the Soil Conservation Service of the United States Department of Agriculture.
- W-4 WETLANDS PERMIT: Any legal instrument issued pursuant to N.J.S.A. 13:9a-1 et seq. and N.J.A.C. 7:7A-1 et seq. permitting the applicant to engage in an activity specified therein.
- W-5 WHOLESALE ESTABLISHMENT: A business engaged in the sale of commodities in quantity, usually for resale or business use, chiefly to retailers, other businesses, industries and institutions.

SECTION 3 DEFINITIONS (Cont'd)

- W-6 **WINDOW, LEGAL**: A window or portion of a window (including a window either in addition to or as a substitute for mechanical ventilation), which is required by any applicable law or statute or other municipal codes or ordinances to provide light or ventilation to a room used for living purposes.
- Y-1 **YARD**: An open, unoccupied space on the same lot with the main building open and unobstructed from the ground upward.
- Y-2 **YARD, FRONT**: A yard extending the full width of the lot and extending from the front line of the main building, projected to the side lines of the lot to the street line.
- Y-3 **YARD REQUIREMENTS**: The regulations of this ordinance establishing minimum front, side and rear yard requirements and setback requirements for various uses, structures and districts.
- Y-4 **YARD, REAR**: A yard extending the full width of the lot and extending from the rear line of the lot to the rear line of the main building, projected to the side lines of the lot.
- Y-5 **YARD, SIDE**: A yard extending from the front yard to the rear yard between the main building and the adjacent side line of the lot.
- Z-1 **ZONING BOARD OF ADJUSTMENT**: see BOARD OF ADJUSTMENT.
- Z-2 **ZONING CLASSIFICATION**: see CLASSIFICATION OR ZONING CLASSIFICATION.
- Z-3 **ZONING DISTRICT**: see DISTRICT.
- Z-4 **ZONING DISTRICT MAP OR ZONING MAP**: The zoning district map shall consist of the map or maps approved by the City Council as a part of this ordinance or amended in conjunction with any amendment to this ordinance, which graphically portrays the zoning district boundaries identified in Article II of this ordinance.

SECTION 3 DEFINITIONS (Cont'd)

Z-5 ZONING PERMIT: A document signed by the administrative officer which:

- a. is required by ordinance as a condition precedent to commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building, and
- b. acknowledges that such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by a municipal agency, pursuant to sections 47 and 57 of P. L.1975, c.291(C. 40:55D-60, C. 40:55D-70).