

**DELANCO TOWNSHIP**

**ORDINANCE NO. 2011-13**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 110  
GOVERNING ZONING IN VARIOUS NAMED SECTIONS FOR THE  
ESTABLISHMENT OF STANDARDS IN THE DEFINITIONS, AMENDMENTS  
TO THE USE, BULK AND BUILDING STANDARDS IN THE C-1 ZONE  
DISTRICT AND C-2 ZONE DISTRICT, AND CREATION OF THE  
LIVE/ WORK L/W ZONE DISTRICT**

**WHEREAS**, the Township Committee of the Township of Delanco ("Township") is dedicated to improving and preserving the appearance of the Township for the betterment of the community; and

**WHEREAS**, the Township has reviewed existing Code provisions for the Township of Delanco, with regard to existing conditions. The program evaluated existing residential building siting in zone district C-1. In areas where lots are narrow and shallow, the C-1 Zoning shall be modified to a less intensive use of existing sites that are for the most part residential uses and structures. These arrangements are permitted outright and not conditionally permitted which is more akin to a home occupation. The revision of the bulk standards with performance requirements will promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of the neighborhood. The revisions encourage compatible infill in the existing developed and infill portions of the community.

**WHEREAS**, the Township has determined through 2000 census data that approximately 70% of dwelling units in the community are single family detached units and the remainder are attached dwellings. Due to bulk nonconformity to the zoning ordinance there is a pattern of neglect of attached dwellings due in part to the expense of improving an older home requiring variances from the ordinance. The revision of the bulk standards associated with existing attached dwellings with the existing performance requirements will promote the well-being of neighborhoods. The revisions encourage rehabilitation in the existing developed and infill portions of the community.

**NOW, WHEREFORE, IT IS HEREBY ORDAINED** by the Township Committee of the Township of Delanco as follows:

**SECTION I**

**DEFINITIONS** in §110-6:

Dwelling, Attached: An attached dwelling with ground floor outside access, attached to two or more one-family dwellings by common vertical walls without openings.

Dwelling, Multi-Family: Multi-family dwellings are buildings containing three (3) or more dwelling units including units that are located one over another.

Dwelling, Single Family Semidetached: Single family semi-detached dwellings are one-family dwellings attached to one other one-family dwelling by a common vertical wall, with each dwelling unit located on a separate lot

Dwelling, Two Family: Two family dwelling is one building 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 interior to the units.

Vehicle, Motor – A self-propelled device licensed as a motor vehicle and used for transportation of people or goods over roads.

## **SECTION II**

§110-14 entitled Off-Street Parking and Loading

In the Use: and Parking Space Required Section

Live/Work shall be added

One space per 350 SF of floor area dedicated to the commercial use

One space per nonresident employee

## **SECTION III**

Amend 110-15

Amend C adding

- (1) The landscape material shall be provided to create a streetscreen or a continuous visual screen of parking, loading, and service areas.
- (2) At the following locations within required screening areas, shrubs with a maximum height of 30 inches or less, approved by the Board as to type, location, and spacing shall be provide:
  - a. Within sight triangle easements,
  - b. Within 25 feet of intersections where sight triangle easements are not provided.
  - c. Within 25 feet of access drives.

## **SECTION IV**

Amend §110-35. C-1 Neighborhood Commercial District.

In addition to the list of permitted uses in the C-1 zoning district the following uses shall be listed as permitted:

Add number 16 to read as follows:

16. Existing Two Family Attached and Existing Single Family Semidetached dwellings subject to the schedule of Area and bulk requirements of the R-6 Zone District.

## **SECTION V**

Amend the schedule of bulk requirements §110:A1:

Note 1 shall read, For corner lots one side shall be considered the front yard and shall meet the greater setback and the other side facing a second street may be reduced by 40%.

## **SECTION VI**

§110-35 E. shall be inserted and E. moved to F.

E. Chapter 57 entitled Design Guidelines shall be applied accordingly.

## **SECTION VII**

Amend the schedule of bulk requirements §110:A1 to add a new Zone District:

Zoning District L/W

Single Family Detached and Mixed Use Buildings

1. Lot Area (square feet) – 4,500
2. Width (feet) – 40
3. Depth (feet) – 100
4. Front yard (feet) – 4 (Note 5)
5. One side yard (feet) – 8
6. Two side yards (feet) – 16
7. Rear yard (feet) – 25
8. Accessory Building & Structures
9. Side 4
10. Rear 4
11. Maximum Building Height
12. Principle (feet/stories) 35/ 2 ½
13. Accessory (feet/stories) 15/ 1
14. Max Lot Cover (%) – 75
15. Max Bldg. Cover (%) – 40

Existing Two Family Attached and Existing Single Family Semidetached

Residential and Mixed Use Buildings

1. Lot Area (square feet) – 5,000 (Two Family Attached) 2,500 (Single Family Semidetached)
2. Width (feet) – 40 (Two family attached) 22 (Single Family Semidetached)
3. Depth (feet) – 100
4. Front yard residential (feet) – 4 (Note 5)
5. Front yard commercial (feet) – 2
6. One side yard (feet) – 0
7. Two side yards (feet) – 12
8. Rear yard (feet) – 20
9. Accessory Building & Structures
10. Side 4

11. Rear 4
12. Maximum Building Height
13. Principle (feet/stories) 35/ 2 ½
14. Accessory (feet/stories) 15/ 1
15. Max Lot Cover (%) – 75
16. Max Bldg. Cover (%) – 40

## **SECTION VIII**

Add §110-35.1 L/W Live/ Work Commercial District

### **A. Permitted Principal Uses.**

- (1) Single-Family detached dwellings.
- (2) Existing Two Family dwellings.
- (3) Existing Single Family Semidetached dwellings
- (4) Home office of a sole practitioner architect, engineer, land surveyor, planner, landscape architect, or related professional.
- (5) Home office of a sole practitioner attorney, accountant, insurance broker, real estate broker, or related professional.
- (6) Home studio or facility of a sole practitioner artist, photographer, florist, teacher, musician, or related professional or business.
- (7) Home office of a sole practitioner doctor, dentist, chiropractor, physical therapist, psychologist, psychiatrist, speech therapist, personal trainer, or related medical professional practitioner, or physician.
- (8) Home facility of a sole proprietor hairdresser, yoga studio, barber, beauty parlor, or related professional or businesses, excluding tattoo parlors and body piercing facilities.
- (9) Family day care home.
- (10) Public parks, active and passive recreational facilities.
- (11) Governmental buildings and facilities.
- (12) Home Occupations

### **B. Permitted Accessory Uses.**

- (1) Private garages.
- (2) Utility sheds.
- (3) Private above-ground and below ground swimming pools.
- (4) Private greenhouses.
- (5) Fences and walls.
- (6) Decks and patios.
- (7) Gazebos.
- (8) Off-street parking

### **C. Conditional Uses.**

- (1) reserved

**D. Area and Bulk Regulations**

(1) The area and bulk regulations for this District shall be in accordance with the requirements set forth in the Schedule of Area and Bulk Requirements.

(2) For structures that convert to live/work buildings the minimum required residential living space is 800 square feet or 45% of the building area, whichever is less.

§110-35 E. shall be inserted and E. moved to F.

E. Chapter 57 entitled Design Guidelines shall be applied accordingly.

**SECTION IX**

Amend §110-36. C-2 Neighborhood Commercial District.

In addition to the list of permitted uses in the C-2 zoning district the following uses shall be listed as permitted:

In the C-2 zoning district the following use shall be listed as permitted:

13. Existing Two Family and Existing Single Family Semidetached dwellings pursuant to the provisions for the R-6 bulk, area, and yard requirements.

Uses listed as 13. through 15 shall become 14 through 16 and 17 shall be added

17. Where commercial uses occupy the ground floor or the first floor, residential units are permitted on any floor above the ground or the first floor at a density of not more than 25 dwelling units per acre.

**SECTION X**

§110-36 F. shall be inserted and F. moved to G.

F. Chapter 57 entitled Design Guidelines shall be applied accordingly.

**NOTICE**

The above entitled ordinance was passed on first reading at a meeting of the Township Committee of the Township of Delanco on March 21, 2011. It will be further considered for final passage after a public hearing at the regularly scheduled meeting to be held on April 18, 2011 at the Municipal Building, 770 Coopertown Road, Delanco, New Jersey at 7:30PM at which time and place any persons desiring to be heard upon the same will be given the opportunity to be heard. Copies of this ordinance will be made available at the Municipal Clerk's office to members of the general public who shall request them.

Janice M. Lohr, RMC

Municipal Clerk