

MOUNT LAUREL TOWNSHIP

ORDINANCE # 2023-10

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT LAUREL CHAPTERS 121 "REGISTRATION OF RENTAL PROPERTY," 124 "SITE PLAN REVIEW," 138 "SUBDIVISION OF LAND," AND 154 "ZONING" TO MODERNIZE THE CODE AND STREAMLINE REVIEW PROCEDURES

WHEREAS, the Zoning Board of Adjustment of the Township of Mount Laurel has the authority to hear applications from property owners or developers who are seeking relief from certain standards or requirements of the Township's zoning code, found at Chapter 154 of the Township Code; and

WHEREAS, the Zoning Board has prepared an Annual Report for the year 2022, which lists the actions taken by the Board on applications for variances and deviations from the Township's zoning code; and

WHEREAS, this Annual Report of the Zoning Board of Adjustment was transmitted to the Township Council along with a report on recommendations for zoning ordinance revisions, by the Zoning Board, in a letter dated January 4, 2023; and

WHEREAS, Township staff have also provided input and recommendations regarding the Zoning Code; and

WHEREAS, the Township Council wishes to address the recommendations of the Zoning Board of Adjustment and Township staff by amending the Township Code; and

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Mount Laurel, Burlington County, New Jersey, that the Land Development Regulations set forth in Chapters 121 Registration of Rental Property, 124 Site Plan Review, 138 Subdivision of Land, and 154 Entitled Zoning are hereby amended, modified, and supplemented as follows:

All new text to be inserted is in ***bold, italic, and underline*** type. All text to be deleted is in **~~bold and strikethrough~~** type.

Chapter 121 Rental Property

Article II Registration of Rental Property

§121-10 Periodic inspections.

C. Such inspection shall be for the purpose of determining Zoning Ordinance compliance, and to the extent applicable, to determine if the property complies with the Property Maintenance Code, Uniform Construction Code, BOCA Maintenance Code, Housing Code and/or Uniform Fire Safety Act, and to inspect certain rental dwellings for lead-based paint hazards in accordance with N.J.A.C. 5:28A et seq.

F. Lead-based paint inspection.

(1) All rental dwelling units registered with the Township of Mount Laurel are subject to periodic inspections for lead-based paint hazards in accordance with the lead-based paint inspection laws at N.J.A.C. 5:28A, except for the following:

(a) Dwellings that were constructed during or after 1978.

(b) Single-family and two-family seasonal rental dwellings which are rented for less than six-months duration each year by tenants.

(c) Dwellings that have been certified to be free of lead-based paint pursuant to N.J.A.C. 5:17-3.16(b) either after an abatement is completed or an evaluation has confirmed that there is no-lead based paint in the building.

(d) Rental dwellings that have been registered with the NJ Department of Community Affairs for at least ten years and have no outstanding lead violations from the most recent cyclical inspection performed on the dwelling.

(e) Dwellings with a valid lead-safe certificate.

(2) Periodic inspections for lead-based paint hazards shall be carried out at the time of registration renewal or the time of change of occupancy. The owner or agent shall notify the Township at the time of vacancy to coordinate the inspection.

(3) At the time of inspection, the inspector shall examine rental dwellings for deteriorated paint or visible surface dust, debris, or residue. If lead-based paint hazards are found during an inspection, the owner of the dwelling must remediate the hazard by interim controls or abatement in accordance with State laws. Any abatement must be carried out by a certified and licensed lead abatement contractor.

§121-13 Fees.

At the time of the filing of the registration form, the owner or agent of the owner must pay a fee for the purposes of covering administrative costs associated with the administration of this article in accordance with the following:

A. An annual registration fee of:

(1) \$200 per rental unit for the first 10 rental units of a rental property; and

(2) \$25 per rental unit for a rental property not subject to § 121-13A(1) above.

(3) \$30 per rental unit for periodic lead-based paint hazard inspection, \$20 of which shall be deposited into the State Lead Hazard Control Assistance Fund.

Chapter 124 Site Plan Review

Article III Completion of Construction; Fees; Guaranties

§124-11 Fees.

A. Minor site plan (Board approval) or Minor Site Plan Alteration Committee or amended plan fees shall be as follows:

- (1) Application fee: \$250; plus
- (2) Escrow: ~~\$750~~, \$4,000 for Minor Site Plan, \$1,000 for Minor Site Plan Alteration
- B. Preliminary major site plan fees, including amended approval, shall be as follows:
- (1) Application fee: \$275; plus
- (2) Residential escrow: \$2,000 plus \$50 per unit; or
- (3) Nonresidential escrow: \$4,000 plus ~~\$100 per lot~~ \$25 per 100 s.f. of building floor area to a maximum of \$15,000.
- C. Final major site plan fees, including amended approval, shall be as follows:
- (1) Application fee: \$275; plus
- (2) Residential escrow: \$2,000 plus \$50 per lot; or
- (3) Nonresidential escrow: \$3,000 plus ~~\$100 per lot~~ \$25 per 100 s.f. of building floor area to a maximum of \$10,000.
- D. Combined preliminary and final major site plan fees, including amended approval, shall be as follows:
- (1) Application fee: \$375; plus
- (2) Residential escrow: \$3,000 plus \$50 per unit; or
- (3) Nonresidential escrow: ~~\$4,000 plus \$100 per lot~~, \$5,000 plus \$200 per 100 s.f. of building floor area to a maximum of \$25,000.
- E. Waiver of site plan fees shall be as follows:
- (1) Application fee: \$100; plus
- (2) Escrow: \$200.
- F. Informal concept plan fees shall be as follows:
- (1) Application fee: \$100; plus
- (2) Escrow: \$500.
- G. Formal concept plan to the Planning Board fees shall be as follows:
- (1) Application fee: \$500; plus
- (2) Escrow: ~~\$1,000~~ \$2,000.
- H. Extensions of approval fees shall be as follows:
- (1) Application fee: \$150; plus
- (2) Escrow: \$250.
- I. Special meeting fees shall be as follows:
- (1) Application fee: \$100; plus
- (2) Escrow: \$250.
- J. Inspection fees shall be as follows: The escrow for inspection shall be 5% of the bonded amount, except for extraordinary circumstances at the time the performance bond is posted, or \$500, whichever is greater.
- K. Each applicant who shall submit a plan for site approval shall agree in writing, by execution of an escrow agreement, to pay all reasonable costs for professional review of the site plan and for inspection of improvements required by the Planning or Zoning Board. All costs shall be paid in full before any occupancy of the premises is permitted or occupancy permit is issued.

L. Conditional use fees shall be as follows:

- (1) Application fee: \$200; plus
- (2) Escrow: \$500-plus any variance, subdivision, or site plan escrow fees as applicable.

M. Publication of final decision fee shall be as follows: \$40.

N. Temporary uses or structures:

- (1) Application fee: \$100; plus
- (2) Escrow: \$500.

Chapter 138 Subdivision of Land

Article VI Administrative Procedures

§138-46 Fees.

The following schedule of fees shall be required for all applications and other matters pertaining to this chapter. No action shall be taken by the Planning or Zoning Board until all applicable fees have been paid. The schedule of fees shall be on file in the office of the Municipal Clerk and such other place or places as the Planning Board shall direct.

A. Initial application and sketch plan for minor subdivisions. The initial application for subdivision shall require payment of a fee of \$275, plus the posting of an escrow fee of ~~\$1,000~~ \$1,500 per lot. The amount placed in escrow shall be set up in an escrow fund to be placed with the Township Treasurer. Said fund shall be used to pay the fees of any professional personnel employed to process, review, inspect and make recommendations on the proposed subdivision, including but not limited to legal, engineering and planning services and including the Mount Laurel Fire Official or other persons so designated by the Mount Laurel Fire Commission. If at any time the escrow fund shall be deemed insufficient by the Planning or Zoning Board to cover actual or anticipated expenses, said fund shall be subject to increase on demand. In addition, an applicant for a major subdivision shall make payments to the escrow fund at both the preliminary approval and final approval stages in amounts as set forth below, unless the necessity for such increase in the escrow fund is waived by the Board. Any excess of the funds in the escrow account at the time of final acceptance of improvements will be returned to the subdivider upon his request in writing. If at any time it becomes evident that the escrow fund is or will be insufficient to cover the expenses of the Township's professionals, the subdivider shall increase the fund as required by the Planning or Zoning Board.

B. Major subdivisions. The following fees shall be applicable to major subdivisions:

- (1) Preliminary or amended preliminary plat.
 - (a) Application fee: \$275; plus
 - (b) Residential escrow: ~~\$2,000 plus \$50 per unit~~ \$3,000 plus \$100 per lot; or
 - (c) Nonresidential escrow: ~~\$3,000 plus \$100 per lot~~ \$5,000 plus \$100 per lot.

(2) Final or amended final plat.

- (a) Application fee: \$275; plus
- (b) Residential escrow: ~~\$2,000 plus \$50 per unit~~ \$3,000 plus \$100 per lot; or
- (c) Nonresidential escrow: ~~\$3,000 plus \$100 per lot~~ \$5,000 plus \$100 per lot.

(3) ~~Informal concept~~ Conceptual review:

- (a) Application fee: \$100; plus
- (b) Escrow: ~~\$500~~ \$2,000, to be used in conjunction with professional review of the concept plan.

CHAPTER 154 ZONING

Article I General Provisions

§154-5 Definitions and word usage.

ACCESSORY APARTMENT

A semi-independent residential dwelling unit containing sleeping quarters, a restroom, and a separate kitchen, that is wholly contained within a single-family dwelling, and is accessed primarily from within the principal single-family dwelling on the lot. Commonly referred to as an "in-law suite" or "mother-daughter suite".

ACCESSORY DWELLING UNIT

An independent residential dwelling unit either attached to a single-family dwelling, or located on the same lot as a single-family dwelling, and having an independent means of access to the dwelling unit from the principal single-family dwelling.

ACCESSORY RESIDENTIAL USE, HOME OCCUPATION

- (1) A business activity or use customarily carried on within a dwelling by the residents thereof, which use is incidental and subordinate to the residential use and for which there is no contact whatsoever with the public for any purpose other than through telephone or electronic communications.
- (2) ~~Accessory residential uses shall be subject to the following standards:~~
 - (a) ~~There shall be no more than one employee.~~
 - (b) ~~There shall be one off-street parking space in addition to those otherwise required by this chapter if deemed necessary for the operation as determined by the reviewing agency. If the additional parking changes the appearance of the site, then site plan approval from the Planning Board is required.~~
 - (c) ~~The area used for the above uses shall occupy no more than 15% of the total floor area, including basements if so used.~~
 - (d) ~~No storage of materials or products outside of the dwelling unit shall be permitted, including the use of vans, trucks and other vehicles to store materials and equipment.~~
 - (e) ~~The use shall be clearly incidental to the residential use of the dwelling unit and shall not change the essential residential character of the dwelling.~~
 - (f) ~~No external alterations inconsistent with the residential use of the dwelling unit shall be permitted.~~
 - (g) ~~No display of products shall be visible from outside the building.~~
 - (h) ~~Such accessory uses shall be conducted by the residential occupants, who must be continuous occupants of the dwelling while the use is in operation.~~
 - (i) ~~No advertising display shall be visible from the street or elsewhere other than a small professional nameplate, which shall not exceed two square feet in area.~~

ADULT DAY CARE

A non-residential facility typically operating several hours per day, providing meals and social and recreational activities under general supervision for elderly persons and/or adults with disabilities.

ASSEMBLY HALL

Any building or area used for the gathering of 50 or more individuals to participate in or observe programs for educational, instructional, political, civic, entertainment, or amusement activities.

CHURCH, HOUSE OF WORSHIP

- 1) A church, synagogue, temple, mosque, or other similar facility that is used for prayer or religious services by persons of similar beliefs as its primary use;
- 2) A special-purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.

GROUP HOME

Any ~~single-family dwelling~~ residence used in the placement of children or adults pursuant to law recognized and licensed as a group home, community residence for persons with developmental disabilities, community shelter for victims of domestic violence, or community residence for persons with head injuries by the appropriate agency of the State of New Jersey, where food, shelter, and guidance is provided to persons who require assistance, temporarily or permanently, in order to live in the community. Department of Institutions and Agencies in accordance with rules and regulations adopted by the Commissioner of Institutions and Agencies, provided, however, that no group home shall contain more than 12 children. All group home sites shall be subject to site plan review and be in conformance with applicable site plan and zoning standards, such as parking, drainage, lighting, signage, etc.

POLE BARN

A farm post frame building supported by poles set in the ground, which may lack lacks a foundation or basement, supported by poles set in the ground and wrapped with exterior siding comprised of corrugated steel, aluminum panels or wood, and is generally used to support agricultural activities as storage space or provide storage space for industrial equipment.

PRIVATE GARAGE, CARPORT

An accessory building or structure used for the storage and parking of any number of motor vehicles owned and used by the owner or tenant of the premises. ~~The building or structure may not be used for commercial purposes. Not more than two commercial vehicles may be stored in a private garage nor shall the space be available to the public.~~

Article III Residence Districts

154-15 General use regulations.

A. General. In residence districts, no building or other structure and no land shall be used and no building or other structure shall be built, altered or erected to be used for any purpose other than that of:

(6) Group homes, community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and family day-care homes, as specified in the Municipal Land Use Law. ~~All such uses shall be subject to subdivision and site plan review and be subject to all applicable standards of those ordinances.~~

154-19 Accessory uses.

A. Only the following accessory uses shall be permitted:

(2) Utility sheds ~~not exceeding ten by twelve (10 x 12) feet.~~

(3) Private garages, pole barns, pool houses, or ornamental structures ~~greenhouses, and all other accessory buildings not exceeding 1,000 square feet .~~

(7) Accessory residential use or home occupation, subject to the following standards:

(a) There shall be no more than one employee of the business to be carried out on the residential property.

(b) There shall be one off-street parking space in addition to those otherwise required by this chapter if deemed necessary for the operation as determined by the reviewing agency. If the additional parking changes the appearance of the site, then site plan approval from the Planning Board is required.

(c) The area used for the above uses shall occupy no more than 15% of the total floor area, including basements if so used.

(d) No storage of materials or products outside of the dwelling unit shall be permitted, including the use of vans, trucks and other vehicles to store materials and equipment.

(e) The use shall be clearly incidental to the residential use of the dwelling unit and shall not change the essential residential character of the dwelling.

(f) No external alterations inconsistent with the residential use of the dwelling unit shall be permitted.

(g) No display of products shall be visible from outside the building.

(h) Such accessory uses shall be conducted by the residential occupants, who must be continuous occupants of the dwelling while the use is in operation.

(i) No advertising display shall be visible from the street or elsewhere other than a small professional nameplate, which shall not exceed two square feet in area.

(8) Accessory apartment, subject to the following additional requirements:

(a) There shall be a maximum of one (1) accessory apartment within any single-family home.

(b) One (1) additional off-street parking space shall be provided in addition to any other parking requirements for the principal dwelling.

(c) Accessory apartments shall have a maximum floor area of 600 square feet.

(d) There shall be no more than one (1) bedroom or space for sleeping quarters in any accessory apartment.

(e) The accessory apartment shall only be occupied as living quarters by a member of the household that resides in the principal dwelling on the lot.

(f) The accessory apartment shall not be rented, leased, or sold separately from the principal dwelling on the lot.

~~B. Private garages, pole barns, private greenhouses, and all other accessory buildings larger than 1,000 square feet shall require site plan approval from the Planning Board. Reserved.~~

§154-21 Conditional uses.

A. Child-care centers may be authorized by the Planning Board as a conditional use in all residential districts subject to the following standards, specifications and criteria:

Article IV Major Commercial Planned Development Districts

§154-25 Use regulations.

A. In Major Commercial Planned Development Districts, no building or other structure and no land shall be used, and no building or other structure shall be built, altered or erected to be used for any purpose other than that of:

(29) Child-care centers as a permitted use, ~~subject to the standards set forth in §154-56C(7)~~

(32) Micro brewery, craft distillery, or winery subject to the standards set forth in ~~154-80.2~~ §154-80.3.

(33) Sales room, micro brewery, craft distillery, or craft winery, subject to the standards set forth in ~~154-80.3.~~ §154-80.4.

Article V Neighborhood Commercial Districts

§154-37 Use regulations.

H. Child-care centers as a permitted use ~~subject to the standards set forth in § 154-56C(7).~~

K. Micro brewery, craft distillery, or winery subject to the standards set forth in ~~§154-80.2.~~ §154-80.3.

L. Sales room, micro brewery, craft distillery, or craft winery, subject to the standards set forth in ~~§154-80.3.~~ §154-80.4

P. Adult day cares shall be permitted as a conditional use, subject to the following conditions:

(1) A designated vehicular drop-off and pick-up location shall be provided to the facility that is separated from the public right-of-way as an internal driveway.

(2) Off-street parking shall be provided at a minimum ratio of 1 parking space per every 2 program participants on a peak day, plus one space for every fleet vehicle to be stored on site.

Article VI Business Districts

§154-43 Use regulations.

C. Child-care centers as a permitted use ~~subject to the standards set forth in § 154-56C(7).~~

D. Cannabis alternative treatment center or cannabis retailer, as a conditionally permitted use subject to the following conditions:

F. Micro brewery, craft distillery, or winery in accordance with ~~§154-80.2.~~ §154-80.3.

G. Sales room, micro brewery, craft distillery, or craft winery, subject to the standards set forth in §154-80.3. §154-80.4

K. Adult day cares shall be permitted as a conditional use, subject to the following conditions:

(1) A designated vehicular drop-off and pick-up location shall be provided to the facility that is separated from the public right-of-way as an internal driveway.

(2) Off-street parking shall be provided at a minimum ratio of 1 parking space per every 2 program participants on a peak day, plus one space for every fleet vehicle to be stored on site.

Article VII Specially Restricted Industrial Districts

§154-49 Use regulations.

I. Child-care centers as a permitted use ~~subject to the standards set forth in § 154-56C(7).~~

K. Cannabis cultivator, manufacturer, distributor, wholesaler and delivery service, as a conditionally permitted use, subject to the following conditions:

P. Micro brewery, craft distillery, or winery, subject to the standards set forth in §154-80.2. §154-80.3.

Article VIII Industrial Districts

§154-56 Use regulations; performance standards.

C. Uses permitted other than industrial. In addition to industrial type structures and uses, the following types of structures or uses are permitted in Industrial Districts:

(8) Child care centers as a permitted use ~~subject to the following standards:~~

~~(a) The use will not injure or detract from the use of neighboring property.~~

~~(b) The use will not detract from the character of any residential neighborhood.~~

~~(c) The use of the property adjacent to the area included in the plan is adequately safeguarded.~~

~~(d) The property is suitable for the intended use.~~

~~(e) The use will serve the best interests of the Township.~~

~~(f) The use will not adversely affect public facilities and services, such as water, sewer, utilities and police and fire protection.~~

~~(g) The use will not adversely affect the existing drainage facilities.~~

~~(h) The use will not adversely affect the safe flow of traffic, and adequate roadway accesses shall be provided to protect roadways from undue congestion and hazards.~~

~~(i) All active recreation areas shall be fenced with a four-foot high vinyl covered chain-link fence or equivalent.~~

~~(j) All property lines adjacent to residential lots shall be buffered as specified in § 154-68.~~

~~(k) Outdoor areas located near hazardous areas as determined by the Planning Board shall be fenced or otherwise protected as directed by the Planning Board.~~

~~(l) The required outdoor play areas shall be green, open and unpaved for active recreational activities.~~

~~(m) Provision shall be made in the design of the parking lot for high turnover parking spaces for child pickup and drop-off.~~

~~(19) A cannabis cultivator, manufacturer, distributor, wholesaler and delivery service, subject to the following conditions: Reserved~~

~~(20) Cannabis alternative treatment center, or cannabis retailer, subject to the following conditions: Reserved~~

~~(25) Micro brewery, craft distillery, or winery in accordance with §154-80.2. §154-80.3~~

E. Conditional uses. The following uses shall be permitted as conditional uses in the Industrial District subject to the following standards, specifications, and criteria:

(2) A cannabis cultivator, manufacturer, distributor, wholesaler and delivery service, subject to the following conditions:

(a) Such facility shall meet all of the requirements for licensure, and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.

(b) Lot size, yard size, and lot area shall be regulated as specified:

[1] The minimum lot area shall be not less than 1 acre.

[2] The minimum lot width shall be not less than 100 feet.

[3] The minimum lot frontage shall be not less than 100 feet.

[4] The minimum lot front yard depth shall be not less than 50 feet.

[5] The minimum lot side yard width shall be not less than 50 feet.

[6] The minimum lot rear yard depth shall be not less than 50 feet.

(c) Shall not be any closer than 500 feet from any residential behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.

(d) Shall not be any closer than 500 feet from a residential district or use, as measured in a straight line from the nearest two points of the property lines. For the purposes of this conditional use requirement, the 500-foot distance limitation shall not apply if the cannabis business is separated from the residential use or district by a state highway of at least 4-lanes in width.

(e) Shall not be located within 500 feet of the property line of any existing church or house of worship, public or parochial k-12 school, private k-12 school, child-care center, or any existing public park, as measured in a straight line from the nearest two points of the property lines. For the purposes of this conditional use requirement, a child-care center shall refer only to those entities and organizations licensed by the NJ Department of Human Services or another State agency of appropriate jurisdiction, to operate a program for the care, maintenance and supervision of children who are not attended by their parents or guardians, such as a day-care, pre-k, child cooperative, or nursery school. For the purposes of this conditional use requirement, a child-care center shall not refer to facilities such as a seasonal day camp, drop-in tutoring center, or recreational facility. For the purposes of this conditional use requirement, a church or house of worship shall only apply to facilities recognized by the Township and tax assessed as a class F5D property, and the church or house of worship is the principal use of the property. For the purposes of this conditional use requirement, the 500-foot distance limitation shall not apply if the cannabis business is separated from the church, school, child care center, or park by a state highway of at least 4-lanes in width.

(f) No facility may permit on-site consumption of cannabis or cannabis products.

(g) No outside storage of any cannabis products or related materials shall be permitted.

(h) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises.

(3) Cannabis alternative treatment center, or cannabis retailer, subject to the following conditions:

(a) Such facility shall meet all requirements for licensure, and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.

(b) Lot, area, and bulk requirements:

[1] The minimum lot area shall be 20,000 square feet.

[2] The minimum front yard shall be 50 feet.

[3] The minimum side yard shall be 25 feet.

[4] The minimum rear yard shall be 50 feet.

(c) Shall not be located any closer than 500 feet from a residential behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines;

(d) Shall not be located any closer than 500 feet from a residential use or district, as measured in a straight line from the nearest two points of the property lines. For the purposes of this conditional use requirement, the 500-foot distance limitation shall not apply if the cannabis business is separated from the residential use or district by a state highway of at least 4-lanes in width.

(e) Shall not be located any closer than 500 feet from any public or private k-12 school, child care center, church or house of worship, or public park of the Township of Mount Laurel containing active recreation uses, as measured in a straight line from the nearest two points of the property lines. For the purposes of this conditional use requirement, a child-care center shall refer only to those entities and organizations licensed by the NJ Department of Human Services or another State agency of appropriate jurisdiction, to operate a program for the care, maintenance and supervision of children who are not attended by their parents or guardians, such as a day-care, pre-k, child cooperative, or nursery school. For the purposes of this conditional use requirement, a child-care center shall not refer to facilities such as a seasonal day camp, drop-in tutoring center, or recreational facility. For the purposes of this conditional use requirement, a church or house of worship shall only apply to facilities recognized by the Township and tax assessed as a class 15D property, and the church or house of worship is the principal use of the property; For the purposes of this conditional use requirement, the 500-foot distance limitation shall not apply if the cannabis business is separated from the church, school, child care center, or park by a state highway of at least 4-lanes in width.

(f) No facility may permit on-site consumption of cannabis or cannabis products.

(g) No outside storage of any cannabis, cannabis products or related materials shall be permitted;

(h) A security plan shall be submitted to the Mt. Laurel Township Police Department which shall demonstrate how the facility will maintain effective security and control of operations. The security plan shall identify the type and

manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on the premises;

(i) Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area.

(4) Adult day care, subject to the following conditions:

(a) A designated vehicular drop-off and pick-up location shall be provided to the facility that is separated from the public right-of-way as an internal driveway.

(b) Off-street parking shall be provided at a minimum ratio of 1 parking space per every 2 program participants on a peak day, plus one space for every fleet vehicle to be stored on site.

Article X Area and Height Requirements

§154-64 Yards.

A. Projections into yards.

(1) Projections of steps, sills, chimneys, eaves, cornices, ornamental features, **patios**, carports and other similar projections of buildings may extend into yards for a maximum distance of five feet and for a maximum area of 40 square feet.

(2) Patios, terraces, boardwalks, basketball courts, at-grade decks, and tennis courts. These improvements may be built at any size within the permitted building envelope. Outside the permitted building envelope, these improvements may not be greater than 250 square feet. However, any lot with a frontage of less than 50 feet shall be exempt from this section on the condition that there be a minimum side yard setback of two feet to the property line and rear yard setback of 10 feet to the property line and the total impervious coverage of the rear yard shall not exceed 250 feet outside the permitted building envelope. For lots with a road frontage of 50 feet or greater, a minimum setback of 10 feet shall be maintained from all property lines, and the total impervious coverage of the rear yard shall not exceed 250 feet outside the permitted building envelope. A zoning permit shall be required and a construction permit may be required.

(3) For any swimming pool, a surface of decking, patio, or boardwalk may be permitted for up to three (3) feet in width around the perimeter of the pool, and such decking, patio, or boardwalk shall not be considered as a part of the 250 square feet of maximum permitted coverage stated in paragraph (2) above. All such decking, patio, or boardwalk shall be setback a minimum of three (3) feet from any property line when immediately surrounding a swimming pool.

(4) Raised decks that will be constructed with a finished elevation greater than 3 feet above grade shall be considered a part of the principal building and subject to all bulk requirements for principal structures.

§154-65 Accessory buildings.

E. Number and height of accessory buildings.

(3) The size of accessory buildings shall be as follows: ~~in accordance with Article III, § 154-19.~~

(a) A utility shed shall be permitted to have a maximum area of 200 square feet on any property that is 30,000 square feet in area or less. On a property greater than 30,000 square feet, utility sheds shall be permitted to have a maximum size of 300 square feet.

(b) A private garage, pole barn, or other accessory storage structure shall have a maximum area of 1,000 square feet on any property that is 30,000 square feet or less in area. On a property that has an area greater than 30,000 square feet the maximum size of such structure shall be 1,200 square feet in area.

(c) A detached accessory building solely for the purpose of containing swimming pool equipment shall be exempt provided that the size does not exceed 60 square feet.

(d) All other accessory buildings shall have a maximum size of 1,000 square feet.

Article XI Supplemental Regulations.

§154-73 Temporary use or structure permit.

A. A permit for a temporary use or structure may be issued by the Township Council for any temporary structure or use, if it deems such structure or use to be beneficial to the general health, safety, or welfare of the community. A temporary use or structure permit issued by the Township Council shall be for a duration of no greater than thirty (30) days.

B. A temporary permit may be authorized by the Board of Adjustment or Planning Board, as may be appropriate, for a temporary nonconforming structure or use when it seems will be beneficial to the public health, safety, or general welfare, or which it deems necessary to promote the proper development of the community, provided that such temporary nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such permit shall be issued for a specified period of time not exceeding one year and may be renewed annually, for an aggregate period of not more than three years, including the original authorization. Such permit shall be granted through the regular procedures set forth in Chapter 124 Site Plan Review of this code, for any structure that is intended to be in place for greater than thirty (30) days. The review of an application for a temporary use or structure permit intended to be installed for greater than thirty (30) days shall be treated as a minor site plan application or use variance application as applicable, subject to the submission requirements of same, and any temporary structures shall be subject to the area, bulk, and height requirements of the applicable zoning district in which they are located.

C. A temporary permit may be authorized by the Zoning and Construction official, for a construction trailer, temporary sales office, or similar temporary structure that is necessary for the management of the construction, sales, or initial marketing of improvements related to any subdivision or site plan approval duly granted by the appropriate Board, provided that the structure is only permitted to be located on site for the duration of the construction, initial marketing, or sales period. The temporary structure must be removed from the site at the conclusion of construction, sales, or initial marketing of the development project, at no cost to the Township. Temporary construction trailers must be removed from the site within thirty (30) days of the issuance of a certificate of occupancy. Temporary sales or marketing structures shall be permitted to remain on site for a maximum of ninety (90) days following the issuance of a certificate of occupancy.

§154-76 Solar energy systems.

D. Ground-mounted solar energy systems within nonresidential districts shall comply with §154-21F and G as well as the following standards:

(5) Ground mounted solar arrays shall be permitted within the front yard area in non-residential districts when located on canopies above fuel pumps, or when located above a non-residential parking lot. Such ground mounted solar arrays shall meet any required setback for off-street parking. Such ground mounted arrays located within a front yard area shall not be subject to the screening requirements of paragraph (3) above.

§154-77 Prohibited uses.

O. Unless otherwise expressly permitted or authorized, no lot shall be used for more than one principal use.

§154-79 **Building and improvement coverage.** *Reserved.*

~~No lot, tract or parcel of ground shall be developed in such a manner so as to exceed eighty percent coverage of the land with buildings and/or improvements. Improvements shall include all paving, concrete and macadam or any other material which replaces land and/or landscaping. It is the intention of this provision to maintain at least 20% of the site in open and/or landscaped area for the purpose of percolation, aesthetics, buffering, preservation of natural features and other ecological considerations. This provision shall apply to all uses in all districts in the Township, unless a more restrictive standard is imposed elsewhere.~~

Article XII Signs

§154-92.4 All districts.

S. Temporary feather flag signs. One two-sided sign is permitted per business and shall only be displayed during business hours and shall be securely fastened to the ground. Said signs shall not be utilized *more than four times in a calendar year, and* no more than seven consecutive days *at one time for a maximum of twenty-eight (28) days in a calendar year;* shall not interfere with pedestrian walkways and circulation; shall only advertise goods sold on the property; **and** shall not exceed 10 feet high by 26 inches wide; *and shall be in good condition with no visible rips or tears in the fabric of the sign.*

Article XIV Board of Adjustment

§154-103 Fees and procedures

B. All applications made to the Board of Adjustment for hearing and relief specified in § 154-102A(1), (2), (3) and (4) shall be subject to fees as follows:

(1) "A" variance (appeals from Zoning Officer Decision):

(a) Application fee: \$250; plus

(b) Escrow: ~~\$250~~ \$500.

(2) "B" variance (interpretation of Zoning Ordinance):

(a) Application fee: \$250; plus

(b) Escrow: ~~\$250~~ \$750.

(3) "C" variance (bulk variance):

(a) Application fee: \$250; plus

(b) Escrow.

[1] Associated with either a site plan or subdivision: ~~\$200~~ \$500 per variance.

[2] Sign escrow for applications that do not involve a site plan or subdivision: ~~\$500~~ \$1,000. These fees are cumulative and are in addition to site plan and/or subdivision fees.

~~[3] Single-family detached home escrow not involving any planning, engineering or traffic engineering reviews: flat \$200. The flat escrow fees for single-family detached homeowners pertain only to simple applications involving no more than one Zoning Board of Adjustment public hearing meeting. An applicant shall pay an additional escrow fee for the second ZBA meeting that is equal to the initial escrow fee, and he/she shall be responsible for professional reviews required by the Zoning Board of Adjustment.~~

[4] ~~Single-family detached home escrow involving an application for a fence, walls, signs or roof-mounted renewable energy sources where the overall height of the house and the equipment is less than 10% of the height permitted in the zoning district~~ Bulk variance for single-family residential property: flat ~~\$500~~ \$1,000. The flat escrow fees for single-family detached homeowners pertain only to simple applications involving no more than one Zoning Board of Adjustment public hearing meeting. An applicant shall pay an additional escrow fee for the second ZBA meeting that is equal to the initial escrow fee, and he/she shall be responsible for professional reviews required by the Zoning Board of Adjustment.

[5] Non-residential uses not involving a site plan or subdivision: \$1,000 per variance.

(4) "D" variance (use variance):

(a) Application fee: \$250; plus

(b) Residential escrow: ~~\$1,000~~ \$2,000; or

(c) Nonresidential escrow: ~~\$1,500~~ \$5,000.

(d) These fees are in addition to any other variance, site plan or subdivision application and escrow fees.

(5) Conditional use fees shall be as follows:

(a) Application fee: \$200; plus

(b) Escrow: \$500 plus any variance, subdivision, or site plan escrow fees as applicable.

Article XXI O-3 Office-Residential District

§154-153 Permitted uses.

A: A building may be erected, used or occupied and a lot may be used or occupied for any of the following purposes and no other:

(6) Child care centers.

(7) Adult day care shall be permitted as a conditional use, subject to the following conditions:

(a) A designated vehicular drop-off and pick-up location shall be provided to the facility that is separated from the public right-of-way as an internal driveway.

(b) Off-street parking shall be provided at a minimum ratio of 1 parking space per every 2 program participants on a peak day, plus one space for every fleet vehicle to be stored on site.

Introduction Date: August 15, 2023

| | MOTION | AYE | NAY | ABSTAINED | ABSENT | TRANSMITTED |
|-----------|--------|-----|-----|-----------|--------|-------------|
| Cohen | | ✓ | | | | |
| Janjua | | ✓ | | | | |
| Moustakas | 1 | ✓ | | | | |
| Pritchett | 2 | ✓ | | | | |
| Steglik | | | | | ✓ | |

Publication Date: August 22, 2023

Public Hearing Date: October 2, 2023

| | MOTION | AYE | NAY | ABSTAINED | ABSENT | TRANSMITTED |
|-----------|--------|-----|-----|-----------|--------|------------------------------------|
| Cohen | | ✓ | | | | General Code Planning Zoning |
| Janjua | 1 | ✓ | | | | |
| Moustakas | 2 | ✓ | | | | |
| Pritchett | | | | | ✓ | |
| Steglik | | ✓ | | | | |

TOWNSHIP OF MOUNT LAUREL

BY: Stephen Steglik
 Stephen Steglik, Mayor

ATTEST: Meredith Rifulfy
 Meredith Rifulfy, Township Clerk