

ORDINANCE NO. 12-2013

AN ORDINANCE OF THE TOWNSHIP OF HARRISON, COUNTY OF GLOUCESTER, STATE OF
NEW JERSEY TO AMEND AND SUPPLEMENT CHAPTER 225 ENTITLED ZONING OF THE CODE
OF THE TOWNSHIP OF HARRISON (ARTICLE IX
PROFESSIONAL OFFICE DISTRICT PO-2)

WHEREAS, the Mayor and Committee, Township of Harrison, have determined that certain amendments to Chapter 225 entitled Zoning are necessary; and

WHEREAS, in all other respects Chapter 225 entitled Zoning shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. Chapter 225. Zoning is amended to add the following:

§ 225-___. Purpose.

A. The Professional Office District -2 (PO-2) is designed to provide for limited office and commercial uses in designated portions of residential districts in the Township of Harrison, which, by virtue of their location with regard to existing infrastructure such as transportation facilities, high traffic volume road frontages, other businesses, public services, commercial uses in general, and in particular residential uses, and this article, is intended to provide a logical transition in land use that is not incompatible with residential uses. Yoga studios, karate studios, pilates studios, dance studios, personal training and fitness facilities, as well as administrative, executive or professional organizations, manufacturer's representatives, administrative and clerical operations of government, industrial or commercial organization, or any combination of those specified herein are provided for. In addition, wellness services that may include Reiki and therapeutic massage shall be permitted as accessory uses provided that therapists are certified as required by the State of New Jersey.

B. Use regulations.

In the PO-2 District, a building may be erected, altered or used on a lot for any of the following uses or a combination of uses specially provided herein and no other:

(1) Uses by right; professional office, professional office building or commercial building for one or more of the following uses and professions:

(a) Physicians licensed by the State of New Jersey and generally engaging in all healing and caring for sick and ill.

(b) Dentists as may licensed by the State of New Jersey and all forms of dentistry.

(c) Surgeons licensed by the State of New Jersey and generally engaging in surgery procedures related to their occupation.

(d) Opticians licensed by the State of New Jersey and all forms of optician-related-type care.

(e) Insurance agency engaging in any and all forms of insurance.

(f) Any licensed real estate agency.

(g) Stock brokerage or investment firms.

(h) Attorneys.

(i) Engineers.

(j) Land surveying.

(k) Office uses relating to mortgages, financing, lending.

(l) Accountants.

(m) Architects.

(n) Management firms.

(o) Such other office uses which relate to clerical utilization of employees, excluding, however, sales, retail and wholesale of merchandise and/or goods, but excluding all forms of "sales and showroom" and warehousing.

(p) Agriculture, subject to the provisions of § **225-133**, Agricultural regulations.

(q) Yoga, karate, Pilates and/or dance studios

(r) Personal training and/or fitness classes

(2) Permitted accessory uses.

(a) Solar panels erected on the roof of a building or on the ground, subject to the requirements of § **225-132D**.

(b) Wellness services that may include Reiki and/or therapeutic massage are permitted accessory uses to Yoga studios, Pilates studios, as well as personal training and/or fitness classes subject to therapists being certified as required by the State of New Jersey.

B. Uses specifically prohibited:

(1) Veterinary use for veterinary sales of products and kennels.

(2) Any use requiring the primary utilization of vans, trucks or delivery vehicles as an overall part of the business.

(3) Reserved.

(4) Any use, occupation, or business which utilizes a drive-through service.

C. Special use regulations. All professional offices and office buildings shall be subject to the following special use regulations:

(1) Any building use in conjunction therewith shall be architecturally in keeping with the character of the area in which the site is located and shall specifically exclude sales-oriented structures, including storefronts, store windows, or other features which are normally associated with retail activities on the premises.

(2) No inventories or merchandise shall be maintained or displayed upon the premises, except samples for display purposes may be maintained in offices, provided they are not visible from the exterior, and provided no sales directly take place in the office or office buildings.

(3) Parking spaces shall be provided in accordance with the parking requirements set forth in § **225-86**(B)(2) and the regulations hereinafter set forth:

(a) All parking areas shall, wherever possible, be located to the rear of the required front yard and shall be appropriately landscaped and/or fenced for the benefit of any property owners adjoining or directly opposite their front, subject to site plan review.

(b) Landscaping for side and rear areas shall be not less than six feet in elevation if the premises sought to be used under professional office adjoin a residential use.

(4) Signs. Signs shall only be permitted in accordance with the specific sign regulations of the Township of Harrison as set forth in Article XIII, § **225-90** except as modified as follows: In addition to regulations in § **225-90**, permitted uses may be allowed one façade sign not to exceed 18 square feet. Sign shall be carved or painted. It may not be internally lighted, but may be indirectly lighted by gooseneck type lights.

(5) Any application for a building permit relating to a commercial building for original construction or conversion of an existing building or any substantial alteration of an existing building for a use permitted in this section shall be the subject matter of a site plan review by the Harrison Township Planning Board. The applicant shall accordingly make an application for site plan review pursuant to Chapters 174 and/or 176 of the Code of the Township of Harrison.

(6) In the event an application for permit shall require a variance not within the jurisdiction of the Planning Board to grant, action shall be taken by the Combined Planning Board for the entire application, including site plan review.

- (7) All applications shall be accompanied by copies of the proposed site plan in accordance with Chapters 174 and/or 176. The application fee for a site plan shall be in accordance with the Site Plan Ordinance now in effect or which may be hereinafter amended.
- (8) As deemed applicable, all applications shall be reviewed in the context of the Site 2 development considerations photographs in the July 2008 Master Plan Re-Examination Report.

D. General regulations.

- (1) Area regulations. The following areas and building coverage regulations shall apply to all lots in the PO-2 District:
 - (a) Minimum lot area – one acre
 - (b) Minimum Lot Frontage – 125 at curb
 - (c) Minimum Front yard Setback – 35 feet
 - (d) Minimum Side yard Setback – 20 feet
 - (e) Minimum Rear yard Setback – 50 feet
 - (f) Maximum coverage of building is limited to 25%.
 - (g) Maximum coverage of impervious surface is limited to 60%.
- (2) Parking space specifications. For purposes of this article, parking space shall be a space in a structure or on a lot which meets the size and other requirements of this section, is reserved for the parking of a motor vehicle and has direct access from the street and shall be designed in a safe manner so as to permit automobiles to come onto the lot, together with pedestrians walking upon the lot.
 - (a) Each parking space shall be not less than nine feet wide and 18 feet long.
 - (b) The isle space between rows or banks of parking space shall be not less than 24 feet for ninety-degree parking and not less than 20 feet for parking in angles of 60° or less.
 - (c) All parking spaces and traffic flow direction shall be clearly marked and well maintained.
 - (d) For purposes of this article, there shall be no distinction between compact cars and full-size cars for parking area regulations.
 - (e) Parking spaces shall be specifically reserved in accordance with the applicable laws of the State of New Jersey for the physically handicapped and/or such other ADA regulations as may be applicable for parking spaces and access to the building or buildings.

- (f) All parking to be utilized and accounted for in connection with this article shall be off-street parking. No on-street parking shall be counted or considered as parking spaces for any application under this section.
- (g) Each parking lot or area shall be separated from the street or highway by a raised curb, planting strip, wall, or other suitable barrier against unchanneled motor vehicle entrance or exit, except for necessary accessway for access, and the layout of such lot or area shall not be such as to require vehicles to back out onto a street.
- (h) Lighting. Parking areas shall be lit for use during nighttime, if applicable, and shall be shielded lighting and will be the subject matter of an isolux plan and review for lighting so as not to escape the property in question. Lighting shall be in accordance with fixed hours of operation which shall be disclosed in any application for site plan review.
- (i) Pedestrian walkways shall be required from any parking area to a public right-of-way and to the professional office building proposed to be built.
- (j) Landscape plan. Parking areas shall be landscaped so as to minimize the effect upon adjoining properties. Landscaping shall be in accordance except where inconsistent with this article and with Chapters 174 and/or 176.
- (k) Where nonresidential development abuts or is across the street from a residential use or residential zoning district: a buffer having a width of 100 feet comprised of at least a double-staggered row of evergreen trees, planted 10 feet at center.
- (l) Height restrictions. No building shall exceed a total of 35 feet in height.

E. Zone boundaries.

- (1) The following lands shall be zoned PO-2 as an overlay use in addition to the R-1 uses presently applicable:
 - (a) Block 45.01, Lot 5.01.
 - (b) Block 45.01, Lot 5.07.
 - (c) Block 45.01, Lot 5.09.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF HARRISON

BY: _____

LOUIS F. MANZO, MAYOR

ATTEST:

DIANE MALLOY, Municipal Clerk