

## ARTICLE 6 - SUPPLEMENTARY PROVISIONS

### 6.01 Amusement Centers

Amusement centers including bowling alleys, dance halls and similar uses shall provide proper parking areas with vehicular circulation designed so as to minimize traffic congestion, shall not be closer than ten (10) feet to any property line, shall provide adequate screening from any Residence District, and shall prevent offensive noise, vibration and lighting.

### 6.02 Animal Hospital and Similar Uses

No animal hospital, veterinary clinic and kennel shall be located closer than 100 feet to any Residence District, or existing restaurant, hotel, motel, tourist court or trailer camp. Adequate measures shall be taken to prevent offensive noise and odor.

### 6.03 Animals in Residence Districts

Farm animals other than customary pets shall not be kept in residence districts. Household pets shall be limited to four per family in residence districts.

### 6.04 Outdoor Advertisements and Signs (Defined in Article 11)

6.041 The following outdoor advertisements and signs are permitted in any zone, as limited in Section 6.044; if illuminated, they shall be of an enclosed lamp design, non-flashing, containing no colored illumination, and may also be of the reflector type.

- 6.0411 A sign indicating the name or number of the owner and/or premises or the accessory use of a dwelling for a home occupation or for professional purposes, provided that such sign shall not exceed one square foot in area.
- 6.0412 One bulletin board on church, school, or college property, not over 20 square feet in area;
- 6.0413 A sign on a farm, noting the sale of articles grown or produced on premises, provided that such sign shall not exceed six (6) square feet in area, shall be at least 10 feet from any public right-of-way and at least 50 feet from the nearest corner of a road intersection.
- 6.0414 Directional or informational signs of a public or quasi-public nature, not exceeding six (6) square feet in area. Such signs shall contain no advertising matter, and shall not be illuminated, but may be of the beaded reflector type.
- 6.0415 Real Estate Signs
- 6.04151 A temporary real estate sign, not exceeding six (6) square feet in area, indicating the sale or lease only of the property on which such



sign is displayed; provided that where parcels of land are offered for sale or lease, having a road frontage of 200 feet or more, a sign or signs totaling not more than 20 square feet in area for each 200 feet of frontage may be posted.

The sign shall be removed from the premises within 30 days after the sale or rental thereof.

6.04152 One temporary sign not exceeding 60 square feet in area in subdivisions containing less than 25 lots and located therein, and set back from every street line the distance required for a principal building in the district in which it is located.

6.04153 One temporary sign not exceeding 150 square feet in area in subdivisions containing 25 or more lots and located therein and set back from every street line a minimum distance in feet equal to the number of square feet of the sign, but such setback shall not be less than the distance

required for a principal building in the district in which the sign is located, and need not be more than 100 feet in any case.

6.0416 Construction Advertisements

Building contractors' and professional persons' temporary advertisements on or adjacent to buildings under construction, limited to a total area for all such signs of 150 square feet.

- ▼ 6.042 Business or industrial signs are permitted in business or industrial zones, under the following conditions, as limited in Section 6.044:

6.0421 Number of Signs

The number of signs shall be limited to three for each street on which the establishment fronts, one parallel, one projecting, and one free standing sign. In addition, one identification sign for a shopping center or other integrated group of stores, commercial buildings, or industrial buildings, may be added for each street on which the properties front; provided that no such signs shall be located within 100 feet of any existing principal building or adjoining residential premises on the same side of the street, or opposite land zoned for residential purposes on the other side of the street.





## 6.0422 Size of Signs

6.04221 The maximum size of a sign for one business or industrial establishment shall be as follows:

B-1 District - 50 square feet

B-2 District - 60 square feet

Other commercial or industrial districts - In square feet, four times the frontage of the lot on which the sign is located.

6.04222 The maximum size of a sign for a shopping center, or integrated group of stores or industrial establishments shall be 180 square feet.

## 6.043 Outdoor Advertisements

6.0431 Outdoor advertisements are limited to the B-3, B-4, M-1 and M-3 districts. However, they are also not permitted within the area extending 600 feet on either side of the center line of any limited access highway, except when such signs are so located that the matter displayed upon them is not visible to persons using such limited access highways.

## 6.0432 Adjacent to Selected Uses or Districts

No outdoor advertisement shall be permitted within 200 feet of any residence district,

nor facing any public or parochial school, library, church, hospital or similar institutional use.

6.0433 Spacing

No two outdoor advertisements shall be located closer to one another than the distance equal to one-fifth of their combined gross square foot area, except that no two such advertisements shall be closer to one another than 120 feet.

6.0434 Setbacks

Outdoor advertisements shall conform with all yard spaces required for the district in which they are located.

6.0435 Size

The total surface area of any outdoor advertisements, exclusive of structural supports and trim, shall not exceed in square feet, four times the frontage of the lot or tract on which it is or they stand, nor shall an individual advertisement exceed 300 square feet. However, where a lot or tract is already occupied by a use or structure exhibiting signs, the total surface area of signs and outdoor advertisements shall not exceed in square feet, four times the lot frontage.



6.044 All signs and outdoor advertisements shall be subject to the following conditions:

6.0441 Their surface area shall include the entire face or faces, and if composed of individual letters, figures or designs, the space between and around such letters, figures or designs.

6.0442 Any free standing or projecting sign or outdoor advertisement within 25 feet of a street right-of-way line shall be so placed as to allow clear and ample visual sight lines for driveways leading into a street, for the intersection of two streets, or a street with an alley.

6.0443 Height

6.04431 Maximum Height

No sign or outdoor advertisement shall project above the height limit of structures in the district in which it is located, nor shall it extend more than 20 feet above the highest part of the roof.

6.04432 Clearance

No hanging, suspended or projecting sign or outdoor advertisement shall have a vertical clearance of less

than 14 feet over any vehicular public way, nor less than nine feet over any pedestrian public way. In service station driveways, the minimum clearance shall be 12 feet. Public ways used in this subsection include privately owned sidewalks or drives, customarily used by the public.

6.0444 Projections

No sign or outdoor advertisement shall project from the wall of a building more than six feet.

6.0445 Lighting

If illuminated, the light shall be confined to the surface of the sign, or outdoor advertisement, which shall be so located and arranged as to avoid glare or reflection onto any portion of any adjacent highway or into the path of oncoming vehicles, or into any adjacent residential premises. No flashing or moving signs, or outdoor advertisements shall be permitted.

6.0446 Maintenance

All signs and outdoor advertisements shall be maintained in good condition as determined by the Zoning Board, otherwise they shall be ordered removed, after due notice.



6.05 Cemeteries, Crematories, Columbaria and Mausoleums

Due consideration shall be given to compatibility with adjacent land uses, existing or proposed highways, and any elements or factors deemed to affect the public health, safety and welfare of the surrounding area, and a minimum setback may be required from any property line for any structure, grave or place of temporary or permanent burial, and such walls, fences, and/or planting or shrubbery, trees or vines may be required as may be reasonable and proper to afford adequate screening.

6.06 Community Buildings, Social Halls, Lodges, Fraternal Organizations, Clubs and Similar Social or Recreational Establishments

Buildings housing any of these uses shall be distant not less than 20 feet from any other lot in any Residence District, and there shall be no external evidence of any gainful activity, however incidental, nor any access to any spaces used for gainful activity, other than within the building.

6.07 Day Nursery, Nursery School, Private Kindergarten, or Child Welfare Center

These uses may be permitted provided there is established and maintained in connection therewith, a suitably fenced and screened play lot meeting the requirements of the Zoning Officer, and provided that there is no nuisance created by reason of noise, health or other condition.

6.08 Drive-In Theatres

Where possible, access shall be to minor roads, rather than highways, to reduce congestion and accidents.

Theatre screens shall be placed so that they are not visible from a highway, or shall be screened with adequate fencing or planting.

No central loud speakers shall be permitted.

All parts of the theatre shall be at least 200 feet from any Residence District.

6.09 Golf Driving Ranges and Miniature Golf

6.091 All lighting installations shall be such and be so arranged as not to increase traffic hazards or to cause direct or glaring reflection into adjoining premises.

6.10 Home Occupations

A home occupation shall be an incidental use of a dwelling unit conducted only by residents of the building, who may not employ more than one additional non-resident person.

The following additional conditions shall be fulfilled:

6.101 Where permitted

Within a single dwelling unit, provided that only one home occupation per dwelling unit is permitted.

6.102 Evidence of Use

No exterior evidence of the home occupation shall be visible, other than a permitted sign.



### 6.103 Extent of Use

Not more than 20 per cent of the gross floor area of any dwelling unit may be used for a home occupation, except for medical and dental offices and foster

family care, which may use up to 40 per cent.

### 6.104 Permitted Uses

Fine arts studios, professional and medical offices, dressmaking, and similar occupations, but excluding beauty or barber shops, real estate or insurance

offices, commercial stables or kennels, and any occupation that may customarily require the use of a panel or delivery truck or similar vehicle. Outdoor storage of materials or products is also prohibited.

Any use which produces offensive and disturbing noise, smoke, odor or other objectionable effect is prohibited.

### 6.11 Hospitals and Related Uses

6.111 Hospitals, sanatoria, and convalescent or nursing homes shall locate future structures or extensions thereto, at least 100 feet distant from any lot in any Residence District, or any lot occupied by a dwelling, school, church or institution for human care.

6.112 Hospitals or sanatoria which do not primarily treat communicable diseases, insane or feeble-minded patients, epileptics, drug addicts or alcoholic patients, and

which are not penal or correctional institutions, shall have a minimum size of three acres. Other hospitals and sanitarium shall have a minimum size of 15 acres.

6.12 Junkyards and Similar Storage Areas, Including Automobile Wrecking

6.121 All junkyards shall be completely screened from roads or developed areas with a solid fence or wall six (6) feet or more in height, maintained in good condition, and painted except for masonry construction, or with suitable plantings.

6.122 No operations shall be conducted which shall cause a general nuisance or endanger the public health.

6.123 All existing junkyards shall comply with these requirements within one year of the date of this Ordinance, or shall then terminate their operation.

6.13 Motels

6.131 No motel shall have a lot area of less than one acre, nor a lot area per sleeping unit of less than 2,000 square feet.

6.132 Motels shall utilize collective sewers connected with a sewage disposal system approved by the State Department of Health.

6.14 Off-Street Loading and Parking

6.141 Off-Street Loading

6.1411 Number of loading spaces required

Every building which requires the receipt or distribution by vehicles of material or merchandise, shall provide off-street loading berths in accordance with the Table following:



## OFF-STREET LOADING SPACE REQUIREMENTS

| USES  | SQ. FT. OF FLOOR AREA   | REQUIRED OFF-STREET LOADING BERTHS |
|---|---|------------------------------------|
| 1. Schools  | 15,000 or more  | 1                                  |
| 2. Hospitals (in addition to space for ambulance)   | 10,000 - 300,000<br>For each additional 300,000 or major fraction thereof   | 1 additional                       |
| 3. Undertakers and Funeral Parlors                  | 5,000   | 1                                  |
| 4. Hotels and Offices                               | 10,000 or more  | 1                                  |
| 5. Commercial, Wholesale, Manufacturing and Storage | 10,000 - 25,000<br>25,000 - 40,000<br>40,000 - 60,000<br>60,000 - 100,000<br>For each additional 50,000 or major fraction thereof | 1<br>2<br>3<br>4<br>1 additional   |

### 6.142 Size and Location

- P. Each loading space shall be not less than 10 feet in width, 35 feet in length, and 14 feet in height and may occupy all or part of a required yard.
- Q. Person - an individual, partnership, public or private association, firm, trust, estate, municipality, corporation, public utility, or any other entity which is recognized by law as the subject of suits and actions.

### 6.142 Off-Street Parking

- R. In all districts off-street parking facilities shall be provided and properly maintained, as set forth in this section, for any building which is hereafter erected, enlarged or increased in capacity. Such facilities shall be made available for public use.

6.1421 Size and Access

Each off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles and be in useable shape and condition. Except in the case of dwellings, no parking area shall contain less than three spaces.

There shall be adequate ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall not be less than 10 feet in width in the case of a dwelling, and not less than 20 feet in width for two-way traffic or 12 feet in width for one-way traffic in all other cases.

Access to off-street parking areas shall be limited to several well-defined locations, and in no case shall there be unrestricted access along the length of a street or alley.

6.1422 Number of Parking Spaces Required

The number of off-street parking spaces required are set forth in the following table. Where the use of the premises is not specifically mentioned requirements for similar uses shall apply.



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## OFF-STREET PARKING SPACE REQUIREMENTS

| <u>USES</u>   | <u>REQUIRED PARKING SPACES</u>   |
|---|--|
| 1. Automobile Laundry   | 5 for each laundry machine   |
| 2. Automobile Sales and Service Garages                                     | 1 for each 400 sq. ft. of floor area   |
| 3. Banks or Professional Offices  | 1 for each 300 sq. ft. of floor area   |
| 4. Bowling Alleys   | 5 for each alley   |
| 5. Churches and Schools   | 1 for each 3.5 seats in an auditorium or 1 for each 17 classroom seats, whichever is greater   |
| 6. Community Buildings and Social Halls                                     | 1 for each 100 sq. ft. of floor area   |
| 7. Driving Ranges and Miniature Golf  | 1 for each tee   |
| 8. Dwellings (single and two-family)  | 1 for each family or dwelling unit   |
| 9. Food Supermarkets  | 1 for each 200 sq. ft. of floor area   |
| 10. Funeral Homes, Mortuaries   | 5 for each parlor  |
| 11. Furniture or Appliance Stores   | 1 for each 200 sq. ft. of floor area   |
| 12. Hospitals, Nursing and Convalescing Homes                               | 1 for each 3 beds, plus 1 for each employee  |
| 13. Hotels  | 1 space for each 2 living or sleeping units  |
| 14. Manufacturing Plants, Research or Testing Laboratories, Bottling Plants | 1 for each 1,000 sq. ft. of floor area, plus 1 for each 4 employees in the maximum working shift. The total parking area shall not be less than 25% of the building floor area |
| 15. Medical or Dental Offices   | 5 spaces for each doctor or dentist  |

| <u>USES</u>  | <u>REQUIRED PARKING SPACES</u>  |
|--|---|
| 16. Multiple Dwellings                                   | 1.5 spaces per dwelling unit  |
| 17. Restaurants, Beer Parlors and Night Clubs            | 1 for each 2.5 seats  |
| 18. Retail Stores and Shops                              | 1 for each 300 sq.ft. of floor area, where the floor area exceeds 1,000 sq. ft.                                       |
| 19. Rooming Houses and Dormitories                       | 1 for each 2 bedrooms   |
| 20. Service Stations                                     | 2 for each pump   |
| 21. Sports Arenas, Auditoriums, Theatres, Assembly Halls | 1 for each 3.5 seats  |
| 22. Trailer of Monument Sales, or Auctions               | 1 for each 2,500 sq. ft. of lot area  |
| 23. Wholesale Establishments or Warehouses               | 1 for each 2 employees or maximum shift. The total parking area shall not be less than 25% of the building floor area |



## 6.1423 Location of Facilities

2. such variance increases the risks to life and property.
- F. In all zones except as hereinafter provided for "B-2", required facilities shall be located on the same zone lot as the use to which they are accessory, or else within a radius of 400 feet; provided that required spaces conform with the provisions set forth herein, and that such spaces shall be in the same ownership as the use to which they are accessory and shall be subject to deed restrictions filed in an office of record, binding actions shall be maintained by the Borough. In addition, a report of the owner and his heirs or assigns to maintain the required number of spaces throughout the life of such use. In zone "B-2", required spaces may be provided by public or
1. that there is need and sufficient cause;
2. that failure to comply with the variance would result in exceptional hardship to the applicant;
3. that the proposed use is not prohibited by the Flood Hazard Protection Ordinance, (ii) not create nuisance, or conflict with any other applicable state or local ordinance.
- G. A complete set of plans and specifications for the required spaces shall be maintained by the Borough. In addition, a report of the owner and his heirs or assigns to maintain the required number of spaces throughout the life of such use. In zone "B-2", required spaces may be provided by public or

## ARTICLE VIII DEFINITIONS

Section 8.00 Private commercial parking facilities located within 1,000 feet of the principal use if approved by the Board of Adjustment.

Unless specifically defined, the words and phrases used in this Ordinance shall be interpreted so as to give this

6.143 Facilities or Requirements for Parking and/or Loading

### Section 6.143 Joint Facilities for Parking or Loading

- A. Accessory - a building, structure, or facility on the same lot with, and of a character generally incidental and subordinate to, the principal use or structure, may be provided jointly for separate uses
- B. Building - a structure of materials to form a permanent structure having walls and a roof. Included shall be and manufactured homes and trailers to be used for human habitation. if approved by the Board of Adjustment. The total number of spaces shall not be less
- C. Completely dry space - a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water
- than the sum of the separate requirements for each use, and shall comply with all regulations governing location of accessory spaces.

6.1432 Development of Parking and Loading Areas  
(Including Commercial Parking Lots, Auto-  
mobile or Trailer Sales Lots)

6.14321 Screening and Landscaping

Off-street parking areas for more than five vehicles, and off-street loading areas, shall be effectively screened on each side which adjoins or faces residential or institutional premises situated in any "R" District.

6.14322 Minimum Distances and Setbacks

No off-street loading area or parking area for more than five vehicles shall be closer than ten (10) feet to any adjoining dwelling, school, hospital, or similar institution. If it is located in any district other than "B-2" and it faces an "R" District, no parking area shall be located less than ten (10) feet from the established street right-of-way line within 50 feet of any "R" District. In a "B-2" Zone, off-street parking and loading areas require no setbacks from the established street right-of-way within 50 feet of any "R" District. However, parking arrangements shall not allow vehicles to project into the established street or alley right-of-way.



market value. **6.14323 Surfacing** Substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance. Surfacing shall consist of an asphalt-

- C. Any modification, improvement of any existing structure, to an extent or amount of market value, shall be elevated and/or floodproofed to the greatest extent (or Portland cement binder pavement (or similar durable and dustless surface), graded and drained to dispose of all surface water, and designed to provide for orderly and

## ARTICLE VII VARIANCES

### Section 7.00 General

If compliance with any Ordinance would result in an exceptional burden to a prospective builder, developer, or owner, upon request, grant relief from the application of the requirements.

Any lighting used to illuminate off-

### Section 7.01 Variance Procedures and Fees

Requests for variances shall be arranged so as to reflect the light away from adjoining premises

- A. No variance shall be granted for any development, construction, or use that would be in any "R" District.

## **6.15 Planned Building Groups**

- B. **6.151 Integrated Neighborhood and Community Shopping Centers**

**6.1511 Preliminary Plan and Minimum Size**  
The owner of a tract of land located in any district at or near where a proposed shop-

- C. If granted, a shopping center is shown on the Land Use Plan of

- D. In granting Plymouth, containing not less than two (2) acres in the case of a neighborhood shopping center (B-1 District type), and not less than

- E. Whenever a variance is granted, the Commission shall notify the applicant fifteen (15) acres in case of a community shop-

1. the granting of a variance shall be subject to the premium rates for such variance. The applicant shall submit to the Commission for its review a preliminary plan for the use and development of such tract of land for an integrated shopping center.

6.1512 Applicant's Financial Ability

In accepting such plan for review, the Commission must be satisfied that the proponents of the integrated neighborhood or community shopping center are financially able to carry out the proposed project; that they intend to start construction within one (1) year of the approval of the project and necessary change in zoning, and intend to complete it within a reasonable time as determined by the Commission.

6.1513 Commission Findings

It shall then be the duty of the Planning Commission to investigate and ascertain whether the location, size and other characteristics of the site, and the proposed plan, comply with the following conditions:

6.15131 Need Must be Demonstrated

The need for the proposed center at the proposed location, to provide adequate shopping facilities or service to the surrounding neighborhood or community, as the case may be, has been demonstrated by the applicant by means of market studies or such other evidence as the Planning Commission may require.