

ARTICLE II DEFINITIONS

Certain words, phrases, and terms in this Ordinance are defined as follows:

SECTION 201. WORD USAGE.

- A. Words used in the present tense include the future; singular number includes the plural number; and the plural number includes the singular number.
- B. The word "lot" includes the word "plot".
- C. The phrase "used" includes "arranged" "designed", "intended", "constructed", "altered", "maintained", "occupied", "converted," "rented," "leased," or "intended to be used".
- D. The term "such as", where used herein, shall be considered as introducing a typical or illustrative rather than an entirely exclusive or inclusive designation of permitted or prohibited uses, activities or structures.
- E. "Shall" and "will" are mandatory and "may" is permissive.
- F. The word "person" includes an individual, corporation, partnership, or any other legal entity.
- G. Either gender shall include the other.
- H. The word "includes" or "including" shall not limit the term to the specified example; but is intended to extend its meaning to all other instances of like kind and character.
- I. Any word or term not defined or referenced in Article II of this Ordinance shall be used with a meaning of standard usage as defined in Webster's New International Dictionary of the English Language, unabridged and latest edition.
- J. Whenever a term is used in this Ordinance that is not defined in this Ordinance, but is defined in the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*) such term is intended to have the meaning as defined in the Municipal Land Use Law.

SECTION 202. DEFINITIONS.

ABANDONMENT: the voluntary discontinuance of a non-conforming use or the voluntary vacating of a non-conforming structure, accompanied by intent not to re-establish such use or occupancy.

ACCESS MANAGEMENT PLAN: A document adopted by the New Jersey Department of Transportation (N.J.D.O.T.) in 1992, formally called the Highway Access Management Code. It contains goals and objectives intended to coordinate transportation planning and land use planning for any development that has frontage on any roadway under the jurisdiction of N.J.D.O.T. Access to these roadways may be denied should the proposal not meet the design criteria as established in the code.

ACCESSORY USE: A subordinate use or building in which the purpose is customarily incidental to that of the principal use or building and on the same lot.

ADDITION: The construction of a new improvement as part of an existing improvement when such new improvement changes the exterior appearance of the building or structure in any way. [R.S.I.S.]

ADMINISTRATIVE OFFICER: The Director of the Department of Community Development.

AFFORDABLE: A sales price or rent within the means of a low or moderate-income household, as defined by the New Jersey Council on Affordable Housing (C.O.A.H.).

AFFORDABLE HOUSING DEVELOPMENT: A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one hundred (100%) percent affordable development, as defined by C.O.A.H..

AGE-RESTRICTED DEVELOPMENT: A residential development including accessory buildings and required or permitted social, cultural, medical, and recreational facilities limited to certain age groups conforming to *24 CFR Part 100 Subpart E, Housing for Older Persons*, of the federal *Fair Housing Amendments Act of 1988*, as it may be amended or superseded.

AISLE: The travel way by which motor vehicles enter and depart parking spaces. [R.S.I.S.]

ALLEY: A service road that provides a secondary means of access to lots. [R.S.I.S.]

ALTERATIONS: Include, but are not limited to, the following:

1. All incidental changes or replacements in non-structural parts of building or other structure.
2. Minor changes or replacement in the structural parts of a building or other structure, limited to the following examples and others of similar character or extent:
 - a. Alteration of interior partitions to residential buildings provided that no additional dwelling units are created thereby.
 - b. Alteration of interior partitions in all other types of building or structures.
 - c. Making windows or doors in exterior walls.
 - d. Strengthening the load-bearing capacity in not more than ten percent (10%) of the total floor area to permit the accommodation of a specialized unit of machinery or equipment.
3. Any change in the supporting members of a building such as bearing walls, columns, beams or girders, or in the utility system or mechanical equipment of a structure which change materially alters its usability or capacity of function.

AMENITY: A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.

ANIMAL CLINIC: Any place where animals or pets are given medical or surgical treatment including short-term boarding only incidental to such hospital use.

ANIMAL KENNEL: Any building, structure, or premises in which animals are kept, boarded, bred, or trained for commercial gain.

APARTMENT: See DWELLING, MULTI-RESIDENTIAL.

APPEAL: A request for a review of the Administrative Officer interpretation of any provision of this ordinance or a request for a variance. [N.J.D.E.P.]

APPLICANT: A developer submitting an application for development. [R.S.I.S.] [M.L.U.L.]

APPLICATION FOR DEVELOPMENT: The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit. [R.S.I.S.] [M.L.U.L.]

APPROVING AUTHORITY: The Planning Board or Board of Adjustment of the municipality unless a different agency is designated by ordinance. [M.L.U.L.]

ARCADE: Any building or place which makes available four or more coin, token, or similar payment-operated machines which are for the purpose of skill and amusement.

ASSISTED LIVING FACILITY: Multi-residential housing designed for older adults that provides apartment-style housing, congregate dining, and similar assisted living services when needed, which is licensed by the Department of Health, in accordance with *N.J.A.C. 8:36*.

ATTIC: The part of a building that is immediately below and wholly or partly within the roof framing.

AUTO BODY SHOP: An establishment that repairs and repaints motor vehicles after collision, fire damage, water damage, or other natural disaster or for the purpose of restoration or modification.

AUTOMOBILE REPAIR FACILITY: Establishments primarily engaged in furnishing automotive repair, rental, leasing, and parking services to the general public.

AUTOMOBILE SALES: The use of any building, land, or other property for the display and sale of new automobiles, used automobiles, light trucks, vans, trailers, and/or recreational vehicles; including vehicle preparation, repair, and auto body work as accessory uses.

AVERAGE DAILY TRAFFIC (ADT): The number of vehicles that pass over a given point. [R.S.I.S.]

BALCONY: A level surfaced area that projects from the wall of a building and is enclosed by a railing or a parapet.

BAR: Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use, as regulated by the Alcohol Beverage Control Board of New Jersey.

BASE FLOOD: A flood that has a one (1%) percent chance of being equaled or exceeded in any given year. [N.J.D.E.P.]

BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides. [N.J.D.E.P.] The portion of a structure that is partly below grade which has half or more of its floor-to-ceiling height above the average level of the adjoining ground with a floor-to-ceiling height of not less than seven (7') feet. A basement shall be counted as a story if used for non-residential purposes.

BEDROOM: A room designed primarily for sleeping.

BERM: A mound of soil, either natural or constructed, used for one or more of the following purposes: screen, buffer, separator, landscape feature, noise attenuation, dam, or stormwater control. [R.S.I.S.]

BEST MANAGEMENT PRACTICES (BMP): Methods, measures, designs, performance standards, maintenance procedures, and other management practices that prevent or reduce adverse impacts upon or pollution of freshwater wetlands, open waters, and adjacent aquatic habitats.

BELGIAN BLOCK CURB: A curb constructed of rectangular-shaped ornate stone or granite blocks, usually placed vertically in a concrete foundation. [R.S.I.S.]

BICYCLE LANE: A portion of a roadway that has been designated by striping, signing, and pavement markings for the preferential or exclusive use of bicycles. [R.S.I.S.]

BICYCLE PATH: a bikeway physically separated from motorized vehicular traffic by an open space or barrier, and either within the highway right-of-way or within an independent right-of-way or easement. [R.S.I.S.]

BIKEWAY: Any road, path, or way that in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes. [R.S.I.S.]

BILLBOARD: See SIGN, BILLBOARD.

BIODEGRADABLE: Capable of being decomposed by the action of microorganisms.

BLOCK: A unit of land bounded by streets or combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

BOARD OF ADJUSTMENT: See ZONING BOARD.

BOARDING HOUSE: A dwelling or part thereof arranged or used for single-room occupancy where lodging, meals, or personal or financial services are provided to such residents.

BOLLARD: One of a series of posts preventing vehicles from entering an area.

BREAKAWAY WALL: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system. [N.J.D.E.P.]

BUFFER: Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

BUILD TO LINE: A line that is established in this Ordinance that is a certain horizontal distance from the street line or the lot line and the location to which a building or part of a building is required to be constructed

BUILDABLE AREA: The area of a lot remaining after the minimum yard and open space requirements of this Ordinance have been met and excluding the one hundred-year (100) flood plain, freshwater wetlands, and freshwater wetlands transition buffers.

BUILDING: A combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof. [M.L.U.L.]

BUILDING AREA: See FLOOR AREA.

BUILDING COVERAGE: The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

BUILDING HEIGHT: The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs.

BUILDING LINE: A line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered section of a building, the vertical plane will coincide with the most projected surface. All yard requirements are measured to the building line.

BUILDING SCALE: The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

BULK (c) VARIANCE: A departure from the standards and controls of the zoning ordinance that regulate setbacks, yard, frontage, lot size, or other similar physical requirements, which (if applied) would significantly interfere with the use of the property, as stated in *N.J.S.A. .40:55D-70c.*

BULK REGULATIONS: Standards and controls that establish the maximum size of buildings and structures on a lot and the buildable area within which the building can be located, including coverage, setbacks, height, floor area ratio, and yard requirements.

BUS SHELTER: A small, roofed structure, usually having three walls, located near a street with pedestrian access to the nearest sidewalk and designed primarily for the protection and safety of bus passengers.

CAFRA PLANNING MAP: The geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to *N.J.A.C. 7:7E-5B.3.* [N.J.D.E.P.]

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CAFRA CENTERS, CORES OR NODES: Those areas within boundaries accepted by the Department pursuant to *N.J.A.C. 7:8E-5B*. [N.J.D.E.P.]

CALIPER: See DIAMETER BREAST HEIGHT (D.B.H.).

CAPITAL IMPROVEMENT: A governmental acquisition of real property or major construction project. [M.L.U.L.]

CARTWAY: The actual road surface area from curb line to curb line that may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved or hard surface width. [R.S.I.S.]

CAMPER: See RECREATIONAL VEHICLE.

CEMETERY: Land used or intended for the burial of the deceased, including columbarium, crematories, mausoleums and mortuaries, when operated in conjunction with the cemetery within the boundaries.

CERTIFICATE OF OCCUPANCY (C.O.): A document issued by a Housing and/or Construction Official allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all the applicable municipal codes and ordinances.

CHANGE OF USE: Any use that substantially differs from the previous use of a building or land.

CHANNEL: Any natural or human-made waterway or course through which to convey the constant or intermittent flow of water. [R.S.I.S.]

CHILD CARE CENTER: Any home or facility, by whatever name known, which is maintained for the care, development or supervision of six or more children under 13 years of age who attend for less than 24 hours a day. For a facility that is located in a sponsor's home, the New Jersey Department of Human Services shall not count the children residing in the sponsor's home in determining whether the facility is serving the minimum number of children that would require it to be licensed as a center.

CHIMNEY: A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

CHURCH: See HOUSE OF WORSHIP.

CIRCULATION: Systems, structures, and physical improvements for the movement of people, goods, water, air, sewage, or power by such means as streets, highways, railways, waterways, sidewalks, bikeways, towers, airways, pipes, and conduits, and the handling of people and goods by such means as terminals, stations, warehouses, and other storage building or trans-shipment points. [M.L.U.L.]

CISTERN: A tank or reservoir used for storing rainwater.

CLINIC: An establishment where patients are admitted for examination and treatment on an outpatient basis (meaning they are not usually lodged overnight) by one or more physicians, dentists, psychologists, social workers, or other medical personnel.

CLUB: A building or portion thereof or premises owned or operated by a corporation, association, person, or persons for social, educational, or recreation purposes.

CLUSTER: A development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

COLLEGE: An educational institution authorized by the state to award associates, baccalaureate, or higher degrees.

COLLOCATION: The attachment of commercial wireless telecommunications antenna to an existing tower.

COMMERCIAL USE: Activity involving the sale of goods or services carried out for profit.

COMMERCIAL VEHICLE: Any vehicle that is required by law to bear any license plate other than that issued for passenger car use.

COMMON LATERAL: A lateral serving more than one (1) dwelling unit.

COMMUNICATION USE: Establishments furnishing point-to-point communication services, whether by wire or radio, either aurally or visually, including radio and television broadcasting stations, internet and telecommunications, and the exchange or recording of messages.

COMPACTION: The increase in soil bulk density. [N.J.D.E.P]

COMPLETE APPLICATION: An application form completed as specified by ordinance, checklist, and the rules and regulations of the municipal agency and all accompanying documents required by a checklist adopted by ordinance for approval of the application for development, including, where applicable, but not limited to, a site plan or subdivision plat, provided that the municipal agency subsequently may require such additional information not specified in the ordinance, or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met. An application shall not be deemed incomplete for lack of any such additional information or any revision in the accompanying documents so required by the municipal agency. An application shall be certified as complete immediately upon the meeting of all requirements specified in the ordinance and in the rules and regulations of the municipal agency and shall be deemed complete as of the day it is so certified by the ADMINISTRATIVE OFFICER for purposes of the commencement of the time period for action by the municipal agency.

COMPREHENSIVE PLAN: See MASTER PLAN.

CONCEPT PLAN: A preliminary presentation and attendant documentation of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

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 as contained in the Zoning Ordinance and upon the issuance of an authorization therefore by the Planning Board. [M.L.U.L.]

CONFERENCE CENTER: A training facility for personnel engaged in business, educational, scientific, or research endeavors, but not to include business or trade schools.

CONSERVATION AREA: Environmentally sensitive areas with characteristics such as steep slopes, wetlands, flood plains, high water tables, forest areas, endangered species habitat, dunes, or areas of sensitive natural land or uniqueness that have been designated biological for protection from any activity that would significantly alter their ecological integrity, balance, or character.

CONSOLIDATION: The removal of lot lines between contiguous parcels of land.

CONSTRUCTION: The installation, erection, reconstruction, alteration, conversion, demolition, removal or equipping of buildings or structures.

CONSTRUCTION PERMIT: Legal authorization for the erection, alteration, or extension of a structure.

CONTIGUOUS LAND: Land that is connected or adjacent to other land so as to permit the land to be used as a functional unit; provided that separation by lot line, streams, dedicated public roads which are not paved, rights-of-way, and easements shall not affect the contiguity of land unless a substantial physical barrier is created which prevents the land from being used as a functional unit.

CONVENTIONAL DEVELOPMENT: Development other than planned development. [M.L.U.L.]

CORE: A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation. [N.J.D.E.P.]

CORNER LOT: A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than one hundred and thirty five (135°) degrees.

COUNCIL ON AFFORDABLE HOUSING (COAH): “C.O.A.H.” or the “Council” means the New Jersey Council on Affordable Housing established under the Fair Housing Act, which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.

COUNTY: The County of Camden, State of New Jersey.

COUNTY MASTER PLAN: A 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 Camden County Planning Board. [M.L.U.L.]

COUNTY PLANNING BOARD: The Planning Board of the County of Camden.

COUNTY REVIEW AGENCY: An agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The County review agency may either be:

- A county planning agency; or
- A county water resource association created under *N.J.S.A 58:16A-55.5*, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances. [N.J.D.E.P.]

CUL-DE-SAC: See STREET, CUL-DE-SAC.

CULVERT: A closed or open conduit designed for the purpose of conveying an open channel watercourse under a road, highway, pedestrian walk, railroad embankment, or other type of overhead structure. [R.S.I.S.]

CURB: A stone, concrete, or other improved boundary marking the edge of the roadway or paved area. [R.S.I.S.]

DAM: An artificial dikes, levees, or other barriers, with appurtenances, for the purpose of impounding or retaining water. [R.S.I.S.]

DAYS: Calendar days. [M.L.U.L.]

DECK: A level surfaced area usually constructed of wood, generally adjacent to a principal building or accessory structure and not covered by a permanent roof.

DEDICATION: An appropriation of land to some public use made by the owner and accepted for such use by or on behalf of the public. [R.S.I.S.]

DEMOLITION: The removal of part or all of a building or structure.

DENSITY: The permitted number of dwelling units per gross area of land to be developed. [M.L.U.L.]

DEPARTMENT: For purposes of the Township Stormwater Management Ordinance, this refers to the New Jersey Department of Environmental Protection (NJ DEP). [N.J.D.E.P.]

DESIGNATED CENTER: A State Development and Redevelopment Plan Center, as designated by the State Planning Commission such as urban, regional, town, village, or hamlet. [N.J.D.E.P.]

DESIGN ENGINEER: A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project

requirements, creation and development of project design and preparation of drawings and specifications. [N.J.D.E.P.]

DESIGN STANDARDS: Standards that set forth specific improvement requirements. [R.S.I.S.]

DETENTION BASIN: A stormwater management basin or alternative structure designed to temporarily detain stormwater runoff. [R.S.I.S.]

DEVELOPER: The legal or beneficial owner or owners of a lot or 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. [M.L.U.L.]

DEVELOPMENT: The division of a parcel of land into two or more parcels, the construction, reconstruction, 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 this act. [M.L.U.L.]

DEVELOPMENT FEE: Money paid by a developer for the improvement of property as required in *N.J.A.C. 5:97-8.3*.

DEVELOPMENT REGULATION: A development control ordinance, zoning ordinance, subdivision ordinance, site plan ordinance, official map ordinance, or other municipal regulation of the use and development of land, or amendment thereto adopted and filed pursuant to this act. [M.L.U.L.]

DIAMETER BREAST HEIGHT (DBH): The diameter of a tree trunk measured in inches, four (4') feet above ground level.

DIAMETER INCHES: The sum total of the diameters, in inches, of existing viable trees being removed from a tract of land, for which proportional compensation is required.

DORMER: A projection from a sloping roof that contains a window.

DRAINAGE: The removal of surface water or ground water from land by drains, grading, or other means. This includes control of runoff to minimize erosion and sedimentation during and after construction or development and the means necessary for water supply preservation or prevention or alleviation of flooding. [M.L.U.L.]

DRAINAGE AREA: A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody. [N.J.D.E.P.]

DRAINAGE FACILITY: Any component of the drainage system. [R.S.I.S.]

DRAINAGE SYSTEM: Any natural and human-made components that contain, convey, absorb, store, treat, or dispose of surface water runoff or ground water. [R.S.I.S.]

DRIPLINE: The perimeter line on the ground, measured from the outermost edge of the vertical plane established by the branches of a tree.

DRIVEWAY: A private roadway providing vehicular access to a street or highway. [R.S.I.S.]

DWELLING: One or more rooms providing living facilities for one household, including equipment for cooking or provisions for the same.

DWELLING, ATTACHED: A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

DWELLING, DETACHED: A dwelling that is not attached to any other dwelling by any means.

DWELLING, DUPLEX: A building on a single lot containing two dwelling units each of which is totally separated from the other, one of which is wholly or partially above the other, with separate entrances at the ground level.

DWELLING, SEMI-DETACHED: A one-family dwelling attached to one other one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

DWELLING, TOWNHOUSE: A building containing three or more attached dwelling units erected in a row on adjoining lots, each unit being separate from the adjoining unit, but attached by a common or party wall and each unit having separate individual outside access and individual public water and sewerage facilities and connections.

EASEMENT: A right to use the land of another for a specific purpose. [R.S.I.S.]

EATING ESTABLISHMENT: See RESTAURANT.

ELECTRIC TRANSMISSION LINES: Electric lines which are part of an electric company's transmission and subtransmission system, which provide a direct connection between a generating station or substation of the utility company and another substation.

ELECTRIC TRANSMISSIONS FACILITY: Towers, plants, generating facilities or substations.

ELEVATED BUILDING: A non-basement building:

- Built in the case of a building in a Area of Special Flood Hazard to have the top of the elevated floor elevated above the ground level by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water;
- Adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. [N.J.D.E.P.]

ELEVATION:

- A vertical distance above or below a fixed reference level;
- A fully dimensioned drawing of the front, rear, or side of a building showing features such as windows, doors, and relationship of grade to floor level.

EMERGENCY SPILLWAY: A supplemental spillway whose function is to pass the design storm flows in the event the principal spillway fails to operate as designed or is blocked. [R.S.I.S.]

EMPOWERMENT NEIGHBORHOOD: A neighborhood designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to *N.J.S.A 55:19-69*. [N.J.D.E.P.]

ENCROACHMENT: Any obstruction or illegal or unauthorized intrusion in a delineated floodway, right-of-way, or on adjacent land.

ENVIRONMENTAL COMMISSION: A municipal advisory body of community environmental concerns and issues, pursuant to *P.L. 1968, c.245(C.40:56A-1 et seq.)*. [M.L.U.L.]

ENVIRONMENTALLY CRITICAL AREAS: An area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Non-game Species Program. [N.J.D.E.P.]

ENVIRONMENTAL IMPACT STATEMENT (EIS): An official statement of the effect of proposed development, and other major private or governmental actions, on the environment.

EQUALIZED ASSESSED VALUE: the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity. [N.J.D.E.P.]

ESCROW: A deed, bond, money, or piece of property delivered to a third person, to be delivered by the third person to the grantee only upon fulfillment of a condition.

EXCAVATION: The result of any act by which soil or rock is cut into, excavated, dug, quarried, uncovered, removed, displaced or relocated.

EXHIBIT: The sale of admission to view obscene material, per *N.J.S.A.2C:34-2 and N.J.S.A.2C:34-3*.

EXISTING USE: The use of a lot or structure at the time of the enactment of a regulating ordinance.

FAÇADE: The total wall surface, including door and window area, of a building's principle face. In the case of corner buildings that front on more than one street, only one face shall be used to calculate the facade area.

FAMILY: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

FAMILY DAY CARE HOME: Any private residence approved by the State of New Jersey that provides care for children on a regular basis, per *N.J.S.A. 40:55D-66.5b*.

FARM: An area of land which is actively devoted to agricultural, silvicultural or horticultural use and which occupies no less than five acres, exclusive of the land upon which the farmhouse is located and such additional land as may be provided in accordance with *N.J.S.A. 54:4-23.4, 54:4-23.5 and 54:4-23.11*.

FARM MARKET: A single or multiple purpose structure from which the agricultural and/or horticultural output and services of the commercial farm, as well as products and services related to that output that contribute to farm income are sold, prepared, or stored.

FENCE: An artificially constructed barrier of wood, masonry, stone, wire, metal, or any other manufactured material or combination of materials. [R.S.I.S.]

FILL: A human-made deposit of soil, rock or other materials.

FINAL APPROVAL: The official action of the Planning or Zoning Board taken on a preliminary 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 properly posted for their completion, or approval conditioned upon the posting of such guarantees. [M.L.U.L.]

FIRE LANE: An unobstructed paved or improved surface area clearly defined by pavement markings and signs, at least twelve (12') feet wide and designed to provide access for fire-fighting equipment.

FLAG LOT: A lot located to the rear of another lot, connected to the public street frontage common to both lots by a narrow strip of land.

FLOOD or FLOODING: A general and temporary condition of partial or complete inundation of normally dry areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source. [N.J.D.E.P.]

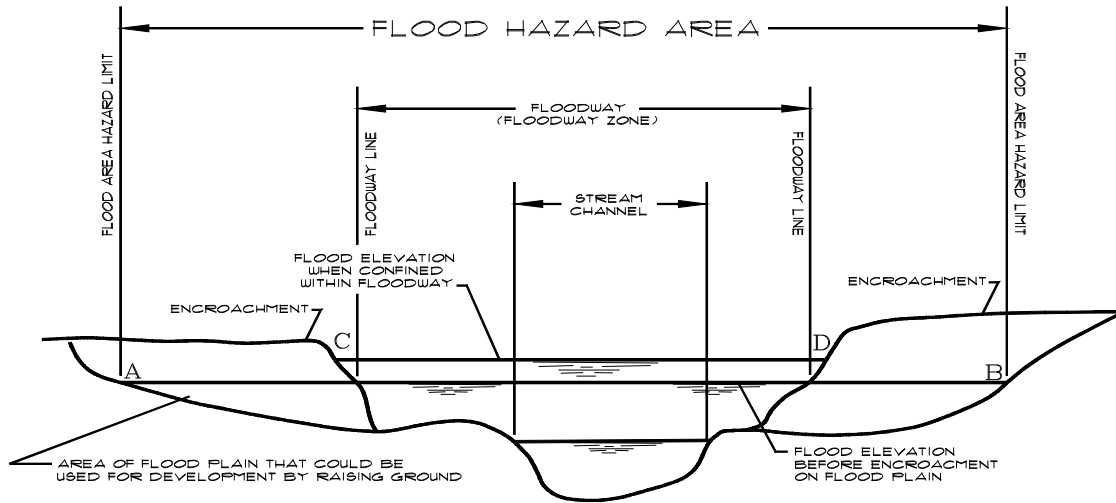
FLOOD FRINGE AREA: The portion of the flood hazard area outside the floodway.

FLOOD INSURANCE RATE MAP (FIRM): The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community [N.J.D.E.P.]

FLOOD INSURANCE STUDY (FIS): The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood. [N.J.D.E.P.]

FLOOD PLAIN: The channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater.

FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction. [N.J.D.E.P.]



LINE A-B IS THE FLOOD ELEVATION BEFORE ENCROACHMENT
 LINE C-D IS THE FLOOD ELEVATION AFTER ENCROACHMENT

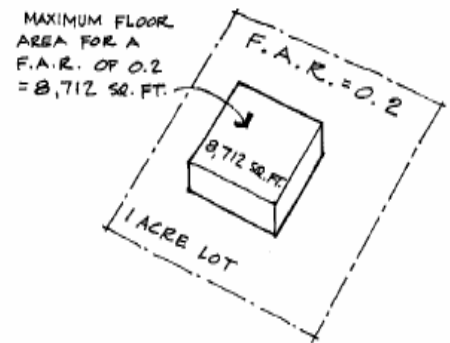
FLOOD PLAIN DIAGRAM

FLOOD HAZARD AREA: The land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. [N.J.D.E.P.]

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than two-tenths (0.2') foot. [N.J.D.E.P.]

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building, measured from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings.

FLOOR AREA RATIO (F.A.R.): The sum of the area of all floors of buildings or structures compared to the total area of the site. [M.L.U.L]



FLOOR AREA RATIO (F.A.R.)

$$F.A.R. = \frac{\text{TOTAL BUILDING FLOOR AREA}}{\text{TOTAL LOT AREA}}$$

FOOTCANDLE: The unit of illumination when the foot is the unit of length.

FRATERNAL ORGANIZATION: A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.

FRONTAGE: That side of a lot abutting on a street; the front lot line.

FUNERAL HOME: A facility operated by a licensed mortician used for the preparation of the deceased for burial, the display of the deceased, and rituals connected therewith before burial or cremation.

GARAGE: A deck, building, or parking structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

GARAGE, COMMERCIAL: An accessory structure used for the parking, storage, and/or repair of vehicles used in the operation of a non-residential use, or their customers or employees, that is not available to the general public for hire.

GARAGE, PRIVATE: A structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents thereof that is not a commercial enterprise available to the general public for such use.

GARAGE, PUBLIC: A structure, building or portion thereof used for the parking and storage of vehicles, but not repair, available to the general public for commercial gain.

GAS STATION: An establishment servicing motor vehicles with fuel, supplies, accessories, and minor repairs, but not including the storage, sale, or major repairs of motor vehicles.

GENERAL DEVELOPMENT PLAN (GDP): A comprehensive plan for the development of a planned development, per *N.J.S.A. C.40:55D-45.2*. [M.L.U.L.]

GEOGRAPHIC INFORMATION SYSTEM (GIS): A computer-based system for generating maps comprised of different informational elements.

GOLF COURSE: A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards that may include a clubhouse, dining and refreshment facilities, driving ranges and miniature golf courses as accessory uses.

GOVERNING BODY: The chief legislative body of the municipality, here being the Township Council of Cherry Hill. [M.L.U.L.]

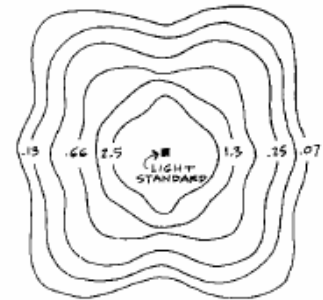
GRADE: The inclination of a sloping surface, usually expressed in percentage terms. [R.S.I.S.]

GRADING: Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

GRAY WATER: Domestic wastewater composed of wash water from kitchen, bathroom, and laundry sinks, tubs, and washers. Used as a strategy for reducing wastewater outputs from a building, by diverting it into productive uses such as subsurface irrigation, or on-site treatment and use for non-potable functions.

GREEN BUILDING STRATEGIES: Those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

GREEN DESIGN: To significantly reduce or eliminate the negative impact of buildings on the environment and on the building occupants, green building design and construction practices address: sustainable site



250-WATT/HIGH-PRESSURE SODIUM
20-FOOT MOUNTING HEIGHT

TYPICAL LIGHTING PATTERN
(SHOWN IN FOOTCANDLES)

planning, safeguarding water and water efficiency, energy efficiency, conservation of materials and resources, and indoor environmental quality. [U.S.G.B.C.]

GREENHOUSE: An enclosed structure of glass or clear plastic.

GREENHOUSE GAS (GHG): A gas, such as carbon dioxide or methane, which contributes to potential climate change.

GREENWAY: Any of the following:

1. A linear open space established along either a natural corridor, such as a riverfront, stream valley, or ridge line, or overland along a railroad right-of-way converted to recreational use, a canal, a scenic road, or other route; or
2. Any natural or landscaped course for pedestrian or bicycle passage; or
3. An open space connector linking parks, natural reserves, cultural features, or historic sites with each other and with populated areas.

GROSS LEASABLE AREA (GLA): The total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use. GLA does not include public or common areas such as utility rooms, stairwells, lobbies, etc.

GROUNDWATER: The supply of freshwater under the surface in an aquifer or geologic formation that forms the natural reservoir for potable water.

GROUP HOME: Any single-family dwelling used in the placement of children pursuant to law recognized as a group home by the Department of Human Services provided that no group home shall contain more than twelve (12) children, in accordance with *N.J.S.A. 40:55D-66c*. [M.L.U.L.]

GUTTER: A shallow channel, usually set along a curb or the pavement edge of a road, for purposes of catching and carrying off runoff water. [R.S.I.S.]

GYM: An establishment that provides facilities for aerobic exercises, running, exercise equipment, game courts, swimming, and/or shower facilities that are open to a paid membership, also known as a health club.

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

HABITABLE FLOOR: Any floor usable for living purposes that includes working, sleeping, eating, cooking or recreation, or the combination thereof; i.e. a floor used only for storage purposes is not a "habitable floor".

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [N.J.D.E.P.]

HIGH-RISE APARTMENTS: A group of one or more buildings of no less than six stories designed and constructed as a project with a singleness of use and operation and where joint or communal use is to be made of open acres by the occupants whether it is for recreation, parking of automobiles, or other communal purposes.

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. [M.L.U.L.]

HISTORIC PRESERVATION: The protection, rehabilitation, and restoration of districts, sites, buildings, structures, and artifacts significant in history, architecture, archaeology, or culture.

HISTORIC SITE: Any real property, man-made structure, natural object or configuration or any portion or group of the foregoing of historical, archeological, cultural, scenic or architectural significance. [M.L.U.L.]

HISTORIC STRUCTURE: Any structure that is:

ARTICLE II

- Listed individually in the *National Register of Historic Places* (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the *National Register*; or
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved State program as determined by the Secretary of the Interior; or (2) directly by the Secretary of the Interior in States without approved programs. [N.J.D.E.P.]

HOME OCCUPATION: Any legal occupation or employment conducted for financial compensation by a resident in the resident's dwelling unit. Home occupations shall be service oriented, incidental and subordinate to the residential use.

HOMEOWNERS ASSOCIATION: An organization in a development under recorded agreements through which each lot owner shall be a member and each dwelling unit is subject to a charge for a proportionate share of the expenses for the organization's activities and maintenance including maintenance costs levied against the association by the Township in accordance with *N.J.S.A. 49:55D-43*.

HORTICULTURAL CENTER: A structure predominantly used for the sale of products, equipment, or services that meet the needs of the general residential public in the pursuit of horticultural or garden activities.

HOSPITAL: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical officers, and staff residences.

HOT TUB: See SWIMMING POOL.

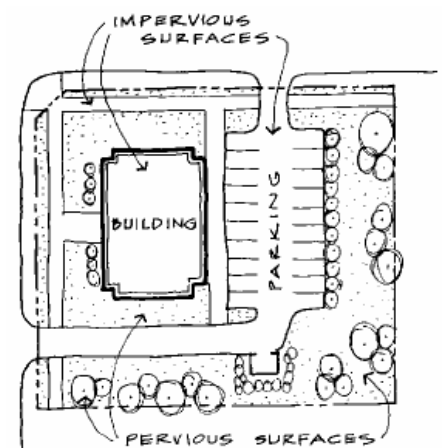
HOTEL: A building or buildings consisting of individual sleeping units designed for transient travelers and not for permanent residency with centralized lobby.

HOUSE OF WORSHIP: A building or structure, or groups of buildings or structures that by design and construction are primarily intended for conducting organized religious services and associated accessory uses. For purposes of this Ordinance, the word "Church" shall include: chapels, cathedrals, temples, and similar designations, as well as parish houses, convents, and such accessory uses.

HOUSEHOLD: A person or group of people living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food with the dwelling unity.

HOUSING UNIT: A room or group of rooms used by one or more individuals living separately from others in the structure, with direct access to the outside or to a public hall and containing separate bathroom and kitchen facilities.

IMPERVIOUS (IMPERMEABLE) SURFACE: A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. [N.J.D.E.P.]



IMPROVEMENT: Any permanent structure that becomes part of, placed upon, or is affixed to real estate. [R.S.I.S.]

INCLUSIONARY DEVELOPMENT: A residential housing development in which a percentage of the dwelling units is affordable to low- and moderate-income households, as defined by C.O.A.H.

INDUSTRIAL PARK: A tract of land that is planned, developed, and operated as an integrated facility for a number of individual industrial uses, with consideration to transportation facilities, circulation, parking, utility needs, aesthetics, and compatibility.

INFILTRATION: The process by which water seeps into the soil from precipitation. [N.J.D.E.P.]

INFRASTRUCTURE: Facilities and services needed to sustain industry, residential, commercial, and all other land use activities.

INSTITUTIONAL USE: A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

INTERESTED PARTY: Those persons and/or organizations considered: (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 an administrative proceeding before a municipal agency, any person, whether residing within or without the municipality, whose right to use, acquire, or enjoy property is or may be affected by any action taken under this act, or whose rights to use, acquire, or enjoy property under this act, or under any other law of this State or of the United States have been denied, violated or infringed by an action or a failure to act under this act. [M.L.U.L.]

INTERIOR LOT: A lot other than a corner lot.

INTERSECTION: The location where two or more roadways cross at grade without a bridge.

ISLAND: For street design purposes, it is a raised area, usually curbed, placed to guide traffic and separate lanes, or used for landscaping, signing, or lighting. [R.S.I.S.]

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

JUNKYARD: Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of JUNK or scrap material.

KNOWINGLY: Per *N.J.S.A.2C:34-3*, having either (a) knowledge of the character and content of the material or film described herein; or (b) failed to exercise reasonable inspection which would disclose its character and content.

LAND: Land includes improvements and fixtures on, above or below the surface. [M.L.U.L.]

LANDSCAPING: The installation of plant material and/or natural materials as a part of development according to a plan approved by the approving authority.

LATERALS: Pipes conducting sewage from individual buildings to larger pipes called trunk, or interceptor, sewers that usually are located in street rights-of-way. [R.S.I.S.]

LEGAL DESCRIPTION: See METES AND BOUNDS.

LEVEL OF SERVICE: A description of traffic conditions along a given roadway or at a particular intersection.

LOCAL UTILITY: Any, utility, authority, commission, special district, or other corporate entity not regulated by the Board of Regulatory Commissioners under *Title 48 of the Revised Statutes* that provides gas, electricity, heat, power, water, or sewer service to a municipality or the residents thereof; any sewerage

authority created pursuant to *N.J.S.A. 40:14A-1 et seq.*; or any utilities authority created pursuant to *N.J.S.A. 40:14B-1 et seq.* [M.L.U.L.]

LONG-TERM CARE FACILITY: An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for twenty-four (24) or more consecutive hours to two or more patients who are not related to the governing authority or its members by marriage, blood, or adoption.

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

LOT AREA: An area of land that is determined by the limits of the lot lines bounding that area and is always expressed in terms of square feet.

LOT COVERAGE: The area of a lot covered by any impervious surface.

LOT DEPTH: The shortest horizontal distance between the front line, or the boundary of the street right-of-way if the front lot line lies within an area used or to be used as a street, and the rear lot line. In case of a triangular lot having no rear line, the distance shall be measured to a line parallel to the front lot line which shall not be less than ten (10') feet in length measured between its intersection with the side lot lines.

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

LOT, INTERIOR: A lot, the side lines of which do not abut the street.

LOT, IRREGULAR: Any lot that does not conform to the definition of a corner lot or an interior lot including, but not limited to, through lots, pie and reverse pie shaped lots, flag lots, triangular lots with double street frontages, multi-sided lots and other lots that are irregular in shape.

LOT LINES, FRONT: The line separating the lot from the street line.

LOT LINE, REAR: Any lot line, except a front lot line, which is parallel to, or within forty-five (45°) degrees of being parallel to, and does not intersect any street line. In the case of a corner lot, the owner or developer may show a different designation, see definition of CORNER LOT for requirements.

LOT LINE, SIDE: Any lot that is not a front lot line or a rear lot line. In the case of a corner lot, the owner or developer may make a different designation. See definition of CORNER LOT for requirements.

LOT WIDTH: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

LOWEST FLOOR: The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements. [N.J.D.E.P.]

MAINTENANCE GUARANTEE: Any security that may be accepted by a municipality for the maintenance of any improvements required by this act, including but not limited to surety bonds, letters of credit, and cash. [M.L.U.L.]

MAJOR COLLECTOR: The highest order of residential street, which conducts and distributes traffic between lower-order residential streets and higher-order streets (arterials and expressways). [R.S.I.S.]

MAJOR DEVELOPMENT: To determine stormwater management requirements, major developments are any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. [N.J.D.E.P.]

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle". [N.J.D.E.P.]

MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale. [N.J.D.E.P.]

MANUFACTURING: Establishments engaged in the treatment or processing of raw products and the production of articles or finished products from raw or prepared materials by giving them new forms or qualities.

MESSAGE PARLOR: See *General Code*.

MASS TRANSIT: A public common carrier transportation system for people having established routes and fixed schedules

MASTER PLAN: A composite of one or more written or graphic proposals for the development of the municipality as set forth in and adopted, here as the official Master Plan of the Township of Cherry Hill. [M.L.U.L.]

MAYOR: See *General Code*.

MEDIA: Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes, but is not limited to, books, newspapers, magazines, movies, videos, sound recordings, CD-roms, DVDs, internet uses, other magnetic media and undeveloped pictures.

MEDIAN: A barrier separating traveled ways of traffic flowing in opposite directions. [R.S.I.S.]

MEDICAL BUILDING: A building that contains establishments dispensing health care, medical, dental, and related services.

MEDICAL CENTER: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

MEMORIALIZATION: See RESOLUTION.

METES AND BOUNDS: A method of describing the boundaries of land by directions (bounds) and distances (metes) from a known point of reference.

MID-RISE APARTMENTS: A group of multi-residential dwellings, architecturally designed with some of the units placed on top of other units, for sale or rental of the individual units in an elevator apartment structure of no less than four stories and no more than six (6) stories in height.

MINING: See RESOURCE EXTRACTION.

MINOR COLLECTOR: A middle order of residential street, which provides frontage for access to lots, and carries traffic to and from adjoining residential access streets. [R.S.I.S.]

MIXED USE: Two or more different uses, one of which is residential. [R.S.I.S.]

MOBILE HOME/MODULAR HOME: See MANUFACTURED HOME. For the purposes of this Ordinance, travel trailers and campers shall not be considered mobile homes.

MOTEL: See HOTEL.

MULCH: A layer of wood chips, dry leaves, straw, hay, plastic, or other materials placed on the surface of the soil around plants to retain moisture, prevent growth of weeds, stabilize soil, and aid plant growth. [R.S.I.S.]

MULTI-RESIDENTIAL DEVELOPMENT: A development other than one- or two-family detached dwellings where the dwellings are arranged so that there are more than two units attached, regardless of the presence of lot lines. [R.S.I.S.]

MUNICIPAL FACILITY: Buildings, grounds and accessory structures used for municipal purposes, including but not limited to public utilities, fire, rescue and police uses and parks and playgrounds.

MUNICIPAL LAND USE LAW (M.L.U.L.): *N.J.S.A. 40:55D-1 et seq.* The State enabling legislation authorizing municipalities to adopt master plans, approve and administer ordinances, site plans, zoning and/or subdivision ordinances. The M.L.U.L. establishes conditions governing the operation and administration of municipal planning and development approval agencies.

MUNICIPALITY: Any city, borough, town, township, or village. [M.L.U.L.]

MUNICIPAL AGENCY: A municipal planning board or board of adjustment, or a governing body of a municipality when acting pursuant to this act and any agency which is created by or responsible to one or more municipalities when such agency is acting pursuant to this act. [M.L.U.L.]

MUNICIPAL RESIDENT: A person who is domiciled in the municipality. [M.L.U.L.]

MUSEUM: A multi-disciplinary learning environment, which is open to the general public providing exhibits, activities and programs for the education and enjoyment of families, groups, and individuals.

NEIGHBORHOOD: An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as rivers.

NEW CONSTRUCTION: For purposes of the Township Stormwater Management Ordinance, new construction refers to structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures. [N.J.D.E.P.]

NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN (*State Development and Redevelopment Plan*): The plan prepared and adopted pursuant to the *State Planning Act*.

NEW MANUFACTURED HOME PARK or SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality. [N.J.D.E.P.]

NODE: An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form. [N.J.D.E.P.]

NON-CONFORMING LOT: A lot of which the area, dimension, or location 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. [M.L.U.L.]

NON-CONFORMING STRUCTURE: A structure of which the size, dimension or location 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 reason of such adoption, revision, or amendment. [M.L.U.L.]

NON-CONFORMING USE: A use or activity that 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 adoption, revision or amendment. [M.L.U.L.]

NON-POINT SOURCE POLLUTION: Pollution from any source other than from any discernible, confined, and discrete conveyances (agricultural, construction, subsurface disposal, and/or urban runoff).

NONSTRUCTURAL MANAGEMENT PRACTICES: Those controls of stormwater runoff and non-point source pollution that are not structural in nature, such as landscaping techniques, source controls, zoning, setbacks, buffers, or clustering.

NUISANCE: An interference with the enjoyment and use of property.

NURSING HOME: A long-term care facility in which more than one room or an area exceeding four hundred (400) square feet is used for the accommodation, reception or treatment of the aged or the sick who are residents therein, excluding members of the resident's family.

NUTRIENT: A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms. [N.J.D.E.P.]

OBSCENE FILM: Any motion picture film or preview or trailer to a film, not including newsreels portraying actual current events or pictorial news of the day, in which a scene, taken by itself depicts a specified anatomical area or specified sexual activity, or the simulation of a specified sexual activity, or verbalization concerning a specified sexual activity; and emits sensuality sufficient, in terms of the duration and impact of the depiction, to appeal to prurient interest, per *N.J.S.A.2C:34-3*.

OBSCENE MATERIAL (UNDER 18): Per *N.J.S.A.2C:34-3*, for those under 18 years of age, any description, narrative account, display, depiction of a specified anatomical area or specified sexual activity contained in, or consisting of, a picture or other representation, publication, sound recording, live performance or film, which by means of posing, composition, format or animated sensual details, emits sensuality with sufficient impact to concentrate prurient interest on the area or activity.

OBSCENE MATERIAL: Per *N.J.S.A.2C:34-2*, for those age 18 or older, any description, narrative account display, or depiction of sexual activity or anatomical area contained in, or consisting of, a picture or other representation, publication, sound recording, live performance, or film, which by means of posing, composition, format or animated sensual details:

1. Depicts or describes in a patently offensive way, ultimate sexual acts, normal or perverted, actual or simulated, masturbation, excretory functions, or lewd exhibition of the genitals,
2. Lacks serious literary, artistic, political, or scientific value, when taken as a whole, and
3. Is a part of a work, which to the average person applying contemporary community standards, has a dominant theme taken as a whole, which appeals to the prurient interest.

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 *N.J.S.A. 40:27-5*. [M.L.U.L.]

OFFICIAL MAP: A map adopted by the Township Ordinance, pursuant to *N.J.S.A. 40:55D-32*. [M.L.U.L.]

OFF-SITE: Located outside the lot lines of the lot in question, but within the property (of which the lot is a part) that is the subject of a development application or contiguous portion of a street or right-of-way. [M.L.U.L.]

OFF-STREET PARKING SPACE: A storage area for a motor vehicle that is directly accessible to an access aisle and is not located on a dedicated street right-of-way. [R.S.I.S.]

OFF-TRACT: When not be located on the property that is the subject of a development application, nor on a contiguous portion of a street or right-of-way. [M.L.U.L.]

ARTICLE II

OFFICE: A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government, and generally furnished with desks, tables, files, and communication equipment.

OFFICE PARK: A development on a tract of land that contains a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

OFFICE, PROFESSIONAL: The office of a member of a recognized profession maintained for the conduct of that profession.

ON-SITE: To be located on the lot in question. [M.L.U.L.]

ON-STREET PARKING SPACE: A storage area for a motor vehicle that is located within a dedicated right of way. [R.S.I.S.]

ON-TRACT: Located on the property that is the subject of a development application or a contiguous portion of a street or right-of-way. [M.L.U.L.]

OPEN SPACE: 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. [M.L.U.L.] For clarification, stormwater management basins, ghosted parking, and contiguous areas under one hundred (100) square feet are not considered open space, unless otherwise specified.

OPEN SPACE RATIO: Total area of open space divided by the total site area in which the open space is located.

OUTDOOR SEATING: Adjacent area to a restaurant and/or retail use where the primary function is the serving of food for consumption that occurs in an unroofed area as part of a permitted use on a lot.

OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

OVERLAY ZONE: A zoning district that encompasses one or more underlying zones and that imposes additional requirements above those required by the underlying zone.

OWNER: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

PAD SITE: A portion of a shopping center or office park development used for a freestanding building containing no more than two establishments and its associated parking and circulation areas that operates independently of the main development.

PARAPET: The extension of the main walls of a building above the roof level.

PARCEL: See LOT.

PARK: See OPEN SPACE.

PARKING AREA: A ground-level, generally open area that provides storage for motor vehicles that may provide access to dwelling units and has aisles that carry traffic with destination or origin in the lot itself. [R.S.I.S.]

PARKING LANE: A lane usually set on the sides of streets designed to provide on-street parking. [R.S.I.S.]

PARKING SPACE: That area required for the storage of one passenger vehicle, including necessary aisle or driveway space providing access thereto. [R.S.I.S.]

PARTY IMMEDIATELY CONCERNED: For purposes of notice, any applicant for development, the owners of the subject property, and all owners of property and government agencies entitled to notice. [M.L.U.L.]

PASSENGER VEHICLE: A motor vehicle with no more than two (2) axles and/or four (4) wheels, less than ten thousand (10,000 lbs.) pounds in gross weight, and designed primarily for the transport of persons, per the Township Motor Vehicles & Traffic Regulations Title 39.

PATIO: A level, landscaped, and/or surfaced area usually adjacent to a principal building or accessory structure at or within three feet of finished grade.

PAVEMENT: A surface created to facilitate passage of people and/or vehicles, usually constructed of brick, stone, concrete, or asphalt. [R.S.I.S.]

PEAK-HOUR TRAFFIC: The largest number of vehicles passing over a designated section of a street during the busiest one-hour period during a twenty-four (24) hour period.

PEDESTRIAN: An individual who travels on foot.

PEDESTRIAN GENERATOR: A development which will realize high facility usage by persons arriving on foot. [R.S.I.S.]

PEDESTRIAN WAY: A right-of-way easement provided for the purpose of pedestrian access and passage.

PERFORMANCE GUARANTEE: Any security, which may be accepted by a municipality, including but not limited to surety bonds, letters of credit. [M.L.U.L.]

PERFORMANCE STANDARDS: Standards adopted regulating noise levels, glare, earth borne 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 objects or conditions and such other similar matters as may be reasonably required by the municipality or required by applicable Federal or State laws or municipal ordinances. [M.L.U.L.]

PERMITTED USE: Any use allowed in a zone and subject to the restrictions applicable to that zone.

PERSON: Any individual, party, proprietorship, corporation, company, partnership, firm, association, Cherry Hill Township, political subdivision, or other legal entity of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq*, *N.J.S.A.2C:33-12.2*, and *N.J.S2C:34-6* [N.J.D.E.P.]

PERSONAL SERVICES: Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

PERVIOUS (PERMEABLE) COVER: any surface that permits a significant portion of surface water to be absorbed. [R.S.I.S.]

PLACE OF AMUSEMENT: An establishment designed for entertainment, amusement, and recreational uses such as a theater, a skating rink, a virtual reality game facility, a miniature golf course and related activities. This definition shall not be construed to include places of sexual entertainment, zoos and animal parks, or go-cart or moto-cross tracks or retail sales of sexually explicit gifts.

PLAN: The map of a subdivision or site plan; used interchangeably in this ordinance with PLAT.

PLAN, CONCEPT: A preliminary plan and documentation of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification [R.S.I.S.]; an informal plan.

PLAN, FINAL: The final map of all or a portion of the subdivision or site plan that is presented by the approving authority for final approval in accordance with these regulations.

PLAN, MINOR: The map of a minor subdivision or minor site plan of sufficient accuracy to be used for the purpose of discussion and meeting the requirements of this Ordinance.

PLAN, PRELIMINARY: The preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the approving authority for consideration for preliminary approval, meeting the requirements of this Ordinance.

PLANNED DEVELOPMENT: Any of the following:

- **Residential cluster:** A contiguous or non-contiguous 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. [M.L.U.L.]
- **Planned unit development:** An area with a specified minimum contiguous or non-contiguous acreage 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 non-residential uses to residential uses as shall be specified herein. [M.L.U.L.]
- **Planned commercial development:** An area of a minimum contiguous or non-contiguous size as specified by this Ordinance to be developed as 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 predominate use as may be permitted herein. [M.L.U.L.]

PLANNED UNIT RESIDENTIAL DEVELOPMENT: An area with a specified minimum contiguous or noncontiguous acreage of five acres or more to be developed as a single entity according to a plan containing one or more residential clusters, which may include appropriate commercial, or public or quasi-public uses all primarily for the benefit of the residential development. [M.L.U.L.]

PLANNING BOARD: The municipal agency established pursuant to *N.J.S.A. 40:55D-23*. [M.L.U.L.]

PLAT: See PLAN.

PLOT: See LOT.

POLLUTANT: Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the *Atomic Energy Act of 1954*, as amended (*42 U.S.C. 2011 et seq.*), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and non-hazardous pollutants. [N.J.D.E.P.]

PORCH: Roofed, open areas that may be glazed or screened, usually attached to or part of and with direct access to or from a building. A porch becomes a room when the space enclosed is heated or air-conditioned and, if glazed, when the percentage of window to wall area is less than fifty (50%) percent.

POTABLE WATER SUPPLY: Water suitable for drinking or cooking purposes.

PRELIMINARY APPROVAL: The conferral of certain rights prior to final approval after specific elements of the development plan have been agreed upon by the applicable board and the applicant. [M.L.U.L.]

PRINCIPAL USE: The primary or predominant use of any lot or parcel.

PRIVATE INSTRUCTIONAL FACILITIES: A business, not registered with or meeting the requirements of the New Jersey Department of Education as a vocational facility, which is operated for profit for any or all of the following: tutoring, instruction, guidance, test preparation, training in computer operation and related skills, and/or similar instruction and guidance.

PROHIBITED USE: A use that is not permitted in a zone district.

PUBLIC DRAINAGE WAY: The land reserved or dedicated for the installation of stormwater sewers or drainage ditches, or required along a natural stream or watercourse for preserving the biological as well as drainage function of the channel and providing for the flow of water to safeguard the public against flood damage, sedimentation and erosion and to assure the adequacy of existing and proposed culverts and bridges, to induce water recharge into the ground where practical, and to lessen non-point pollution. [M.L.U.L.]

PUBLIC HEARING: A meeting announced and advertised in advance that is open to the public, with the public given an opportunity to talk and participate.

PUBLIC OPEN SPACE: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, State or county agency, or other public body for recreational or conservation uses.

PUBLIC USE: The use of land or buildings for public administration, public works, and public open space; municipal use.

PUBLIC UTILITY: Any public utility regulated by the Board of Regulatory Commissioners and defined pursuant to *N.J.S.A. 48:2-13*. [M.L.U.L.]

PUMPING STATION: A building or structure containing the necessary equipment to pump a fluid to a higher level.

QUASI-PUBLIC USE: A use owned and operated by a nonprofit, religious, or eleemosynary institution and providing educational, cultural, recreational, religious, or similar types of programs.

QUORUM: The majority of the fully authorized membership of Planning Board, Zoning Board, or Council. [M.L.U.L.]

RECHARGE: The amount of water from precipitation that infiltrates into the ground and is not evapotranspired. [N.J.D.E.P.]

RECREATIONAL AREA: A private or public space, including essential buildings and structures, used for play and recreation space for individuals.

RECREATIONAL VEHICLE: A vehicle which is [1] built on a single chassis; [2] four hundred (400) square feet or less when measured at the longest horizontal projections; [3] designed to be self-propelled or permanently towable by a light duty truck; and [4] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [N.J.D.E.P.]

REDEVELOPMENT AREA: An area designated by the Township as an “area in need of redevelopment and/or rehabilitation”. The inclusion of a property in a redevelopment area entitles a developer in such an area to various financial incentives through the Township, Camden County Improvement Authority, and various State agencies so as to develop such a property to be more productive as a source of employment and tax revenue in accordance with *N.J.S.A. 40A-12A et seq.*

REGION: The geographic area surrounding the greater Cherry Hill Township, here being the Delaware Valley Region that surrounds the city of Philadelphia.

REHABILITATION: The upgrading of a building previously in a dilapidated or substandard condition for human habitation or use.

REMOVAL: To partially or completely cause a structure or portion of a structure to change to another location, position, station or residence.

REPAIR: To restore by replacing a part or putting together what is torn or broken.

REPLACE: The act or process of replicating any exterior feature that is used to substitute for an existing and deteriorated or extensively damaged architectural feature.

RESIDENTIAL HEALTH CARE FACILITY: Any facility so defined by *N.J.S.A. 26:2H-1 et seq.* and regulated by the New Jersey Department of Health and Senior Services.

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. [M.L.U.L.]

RESOURCE EXTRACTION: The dredging, digging, extraction, mining and quarrying of sand, gravel, or minerals for commercial purposes not including, however, the private or agricultural extraction and use of extracted material by a landowner.

RESOLUTION: Findings of fact and conclusions based thereon in each decision on any application for development in writing adopted by the municipal agency, per *N.J.S.A. 40:55D-10g*.

RESTAURANT: A public eating facility where patrons are seated at tables, booths or counters and food orders are taken and served to the patrons by waiters or waitresses at such tables, booths or counters.

RESTAURANT, FAST-FOOD: A public eating facility where patrons purchase food while within the physical premises of the restaurant or from a drive-thru window, which is obtained by self-service or from an employee of the establishment over a counter, for consumption either within the establishment or away from the premises.

RESTAURANT, DRIVE-THRU: Any restaurant, refreshment stand, snack bar, dairy bar, hamburger stand or hot dog stand where food is served primarily for consumption outside the building, off the premises or in automobiles parked on the premises, regardless of whether or not additional seats or other accommodations are provided for customers inside the building.

RESTORATION: The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period that is selected.

RETAIL SALES: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

RETAIL SERVICES: Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate and insurance, personal service, motion pictures, theatres, amusement and recreation services, health, educational, and social services, museums, and concert halls.

RETAILER (ADULT): For the specific purposes of *N.J.S.A.2C:34-3.1*, any person who operates a store, newsstand, booth, concession or similar business with unimpeded access for persons under 18 years old, who is in the business of making sales of periodicals or other publications at retail containing pictures, drawings or photographs.

RETAINING WALL: A structure erected between lands of different elevation to protect structures and/or to prevent the washing down or erosion of earth from the upper slope level.

RETENTION BASIN: A stormwater management basin designed to retain some water on a permanent basis. [R.S.I.S.]

REVERSE FRONTAGE: A through lot that is not accessible from one of the parallel or non-intersecting streets upon which it fronts.

RIGHT-OF-WAY (ROW): A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or stormwater sewer main, shade tree, or for another special use. [R.S.I.S.]

RIVER BASIN: The total area drained by a river and its tributaries.

ROOF: The outside top covering of a building.

ROOFLINE: The apex, or highest point, of the roof.

ROOMING HOUSES: Any building, together with any related structure, accessory building, and land appurtenant thereto, and any part thereof, which contains two or more units of dwelling space arranged or intended for single room occupancy, exclusive of any such unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents.

RUNOFF: The portion of rainfall, melted snow, irrigation water, and any other liquids that flows across the ground surface and eventually is returned to streams.

SATELLITE DISH ANTENNAE: A parabolic or dish-shaped antenna or any other apparatus or device that is designed for the purpose of receiving radio waves.

SEDIMENT: Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion. [N.J.D.E.P.]

SCENIC AREA: An open area of natural features that is visually significant or geologically or botanically unique.

SCHOOL: Any building or part thereof that is designed, constructed, or used for education or instruction in any branch of knowledge.

SEDIMENT: Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water or gravity as a product of erosion.

SEDIMENTATION: The deposition of soil that has been transported from its site of origin by water, ice, wind, gravity or other natural means as a product of erosion. [M.L.U.L.]

SEPTIC SYSTEM: An underground system with a septic tank used for the decomposition of domestic wastes.

SEPTIC TANK: A watertight receptacle which receives the discharge of sanitary sewage from a building sewer or part thereof, and is designed and constructed so as to permit settling of settleable solids from the liquid, partial digestion of the organic matter, and discharge of the liquid portion into a disposal field or seepage pit. [R.S.I.S.]

SERVICE STATION: See AUTO REPAIR FACILITY and/or GAS STATION.

SETBACK LINE: The line parallel to the street line or lot line formed by the intersection of the plane of the lot with a plane established by the point of a building nearest to the street line or lot line.

SETBACK, REQUIRED: A line that is established in this Ordinance a minimum horizontal distance from the street line or the lot line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

SEXUALLY-ORIENTED BUSINESS: A commercial establishment, per *N.J.S.A.2C:33-12.2* & *N.J.S.A.2C:34-6* that either:

1. as one of its principal business purposes offers for sale, rental, or display any of the following: Books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations which depict or describe a "specified sexual activity" or 'specified anatomical area'; or still or motion picture machines, projectors or other image-producing devices which show images to one person per machine at any one time, and where the images so displayed are characterized by the depiction of a "specified sexual activity" or "specified

anatomical area”; or instruments, devices, or paraphernalia which are designed for use in connection with a “specified sexual activity”; or

2. regularly features live performances characterized by the exposure of a “specified anatomical area” or by a “specified sexual activity,” or which regularly shows films, motion pictures, video cassettes, slides, or other photographic representations which depict or describe a “specified sexual activity” or “specified anatomical area”

SEWER: Any pipe or conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment plants or receiving streams. [R.S.I.S.]

SHADE TREE: A tree, usually deciduous, planted primarily for overhead canopy.

SHALLOW FLOODING, AREA OF: A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. [N.J.D.E.P.]

SHED: A small structure, either freestanding or attached to a larger structure, serving for storage or shelter.

SHOPPING CENTER: One or more building or parts thereof, designed as a unit to be occupied by one or more business enterprises for the conduct of business or conducted as an integrated and cohesively planned development.

SHOULDER: The area between the moving traffic lanes and curb used for emergency stopping of vehicles or parking. [R.S.I.S.]

SHOW: Specifically per *N.J.S.A.2C:34-3*, cause or allow to be seen.

SIDEWALK: An improved path for pedestrian use outside the cartway. [R.S.I.S.]

SIGHT TRIANGLE: A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection (also known as a sight easement). [R.S.I.S.]

SIGN: Any object, device, display, or 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, design, symbols, fixtures, colors, illumination, or projected images.

SIGN, ANIMATED or MOVING: Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.

SIGN, AWNING, CANOPY, or MARQUEE: A sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance.

SIGN, BANNER: A sign that may or may not contain a message constructed of cloth, canvas, plastic, or other flexible material typically suspended or hung by cord, string, or rope from a structure.

SIGN, BENCH: A sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or roadway.

SIGN, BILLBOARD: A sign that 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.

SIGN, BUSINESS: A sign that 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.

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, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the project.

SIGN, DIRECTIONAL: Signs limited to directional messages, principally for pedestrian and vehicular traffic.

SIGN, DIRECTORY: A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities.

SIGN, FAÇADE: The 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 that does not project more than twelve (12") inches from such building or structure.

SIGN, FACE: The area or display surface used for the message.

SIGN, FLASHING: Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

SIGN, FREESTANDING: Any non-movable sign not affixed to a building.

SIGN, GOVERNMENTAL: A sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.

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.

SIGN, ILLUMINATED: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

SIGN, INFLATABLE: Any display capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.

SIGN, MENU: A sign associated with a drive-through eating establishment, which lists the foods and beverages available for sale, along with the price per item. The name of the restaurant that the drive-through is connected may be listed, as well as the logo.

SIGN, MOBILE: A sign that is not permanent, affixed to a building, structure, or the ground.

SIGN, MONUMENT: A freestanding sign, also known as a ground sign, that is attached to the ground which the entire bottom is in contact with the ground and is independent of any other structure.

SIGN, NAMEPLATE: A sign located on the premises that gives the name and/or address of the owner or occupant of a building or premises.

SIGN, NEON: A sign manufactured utilizing neon tubing, which is visible to the viewer.

SIGN, OFF-PREMISES: See SIGN, BILLBOARD.

SIGN, POLE: A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6') feet or more above grade.

SIGN, POLITICAL: A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

SIGN, PROJECTING: A sign that is wholly or partly dependent upon a building for support and that project more than twelve (12") inches from such building.

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.

SIGN, ROOF: A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge 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.

SIGN, SUSPENDED: A sign hanging down from a marquee, awning, or porch that would exist without the sign.

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 a short period of time.

SIGN, VENDING MACHINE: Any sign, display, or other graphic attached to or part of a coin-operated machine dispensing food, beverages, or other products.

SIGN AREA: The entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.

SITE: The lot or lots upon which development is to occur or has occurred. [N.J.D.E.P.]

SITE PLAN, MAJOR: All site plans not defined as minor.

SITE PLAN, MINOR: A development plan of one or more lots which (1) proposes new development or alterations to structures, not otherwise exempt from site plan review and approval, involving grading, clearing or disturbance of less than five thousand (5,000) square feet of land area; (2) does not involve planned development, any new street extension or off-tract improvement which is prorated pursuant to Section 30 of the Municipal Land Use Law (N.J.S.A. 40:55D-42); and (3) contains the information required in Article XXVIII of this Ordinance. [M.L.U.L.]

SITE IMPROVEMENT: Any construction work on, or improvement in connection with, residential development; limited to, streets, roads, parking facilities, sidewalks, drainage structures, and utilities. [R.S.I.S.]

SLOPE: The deviation of a surface from the horizontal, usually expressed in percent or degrees.

SOIL: All unconsolidated mineral and organic material of any origin [N.J.D.E.P.]. The arable layers of unmodified sediments beneath the surface material and above the bedrock. [R.S.I.S.]

SOIL EROSION: The gradual alteration of soil by crustal movement or by processes of weathering, transportation, and sedimentation. [R.S.I.S.]

SOIL REMOVAL: See RESOURCE EXTRACTION.

SOLAR PANEL: A large array of connected solar cells that directly converts the energy in light into electrical energy through the process of photovoltaics.

SOLID WASTE: Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing.

SPECIFIED ANATOMICAL AREA: Per N.J.S.A.2C:33-12.2, N.J.S.A.2C:34-3, & N.J.S.A.2C:34-6, when either (a) Less than completely and opaquely covered human genitals, pubic region, buttock or female breasts below a point immediately above the top of the areola; or (b) Human male genitals in a discernibly turgid state, even if covered.

SPECIFIED SEXUAL ACTIVITY: Per N.J.S.A.2C:33-12.2 and N.J.S.A.2C:34-3, any activity of the following:

1. Human genitals in a state of sexual stimulation or arousal; or
2. Any actual or simulated act of human masturbation, sexual intercourse or deviate sexual intercourse; or
3. Fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast.

SPECIMEN TREE: A tree with a diameter of twenty-four (24") inches or greater; a unique, rare, or otherwise specifically selected plant or tree which most typically represents a whole class or group in

shape or form; a tree of historical importance; or a tree specifically designated as such by the municipality.

STABLE: A structure on a tract qualifying as a farm for housing horses or ponies and products used for the keeping and handling of horses or ponies.

START OF CONSTRUCTION: The first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. For purposes of the Township Stormwater Management Ordinance, this refers to other than new construction or substantial improvements under the *Coastal Barrier Resources Act (P.L. No. 97-348)* includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred and eighty (180) days of the permit date. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [N.J.D.E.P.]

STATE: The State of New Jersey or any of its agencies.

STATE DEVELOPMENT & REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA 1): An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the state's future redevelopment and revitalization efforts. [N.J.D.E.P.]

STATE PLAN & POLICY MAP: The geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies. [N.J.D.E.P.]

STEEP SLOPES: Slopes over fifteen (15%) percent gradient.

STREAM: A natural watercourse containing flowing water for at least part of the year. [N.J.D.E.P.]

STREAM, INTERMITTENT: A stream with a drainage area of fifty (50) acres or greater. [N.J.D.E.P.]

STREAM, PERENNIAL: A stream that flows continuously throughout the year in most years. [N.J.D.E.P.]

STORM DRAIN: A conduit that collects and transports runoff.

STORMWATER: Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment. [N.J.D.E.P.]

STORMWATER DETENTION: A provision for temporary storage of stormwater runoff, and the controlled release of such runoff during and after a flood or storm. [R.S.I.S.]

STORMWATER RETENTION: A provision for the permanent storage of a fixed volume of water. [R.S.I.S.]

STORMWATER MANAGEMENT: The control and management of stormwater to minimize the detrimental effects of surface water runoff.

STORMWATER MANAGEMENT BASIN: An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands). [N.J.D.E.P.]

STORMWATER MANAGEMENT MEASURE: Any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances. [N.J.D.E.P.]

STORMWATER RUNOFF: Water flow on the surface of the ground or in storm sewers, resulting from precipitation. [N.J.D.E.P.]

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. No story shall be deemed to a first story if its floor level is more than six feet above the level from which the height of the building is measured. A mezzanine floor shall be counted as story if it covers over one-third (1/3) of the area of the floor next below it. For the purpose of this Ordinance, a split-level dwelling shall be considered a one-story structure.

STREET: Any street, avenue, boulevard, road, parkway, viaduct, drive or other way meeting that is any of the following:

1. an existing state, county or municipal roadway;
2. shown upon a plat heretofore approved pursuant to law;
3. approved by *N.J.S.A. 40:55D-1 et seq.*; or
4. shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board of the power to review plats; and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line. [M.L.U.L.]

STREET, ARTERIAL: A higher-order, interregional road in the street hierarchy; conveys traffic between centers; should be excluded from residential areas. [R.S.I.S.]

STREET, COLLECTOR: A street that collects traffic from local streets and connects with minor and major arterials.

STREET, CUL-DE-SAC: A street with a single means of ingress and egress and having a turnaround, the design of which may vary. [R.S.I.S.]

STREET, LOCAL: A street designed to provide vehicular access to abutting property and to discourage through traffic.

STREET, NEIGHBORHOOD: A type of residential access street conforming to traditional subdivision street design, which provides access to building lots fronting on a street and provides parking on both sides of street. [R.S.I.S.]

STREET, RESIDENTIAL ACCESS: The lowest order of residential street, designed to carry traffic at slowest speed that provides frontage for access to private lots, and carries traffic having destination or origin on the street itself. [R.S.I.S.]

STREET HIERARCHY: A hierarchical approach to street design classifies streets according to function, from high-traffic arterial roads to streets, whose function is residential access. [R.S.I.S.]

STREETSCAPE: All of the elements that constitute the physical makeup of a street and that, as a group, define its character, including building frontage, street paving, street furniture, landscaping, including trees and other plantings, awnings and marques, signs, and lighting.

STREET FURNITURE: Constructed, aboveground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, fountains, and telephone boots, that have the potential for

enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to and used by the public.

STREET LINE: That line determining the limit of the highway rights of the public, either existing or contemplated.

STREET TREE: A tree in a public place, street, landscape easement or right-of-way adjoining a street constituting a large tree in size when mature.

STRUCTURE: A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land. [M.L.U.L.]

STUB STREET: A street that is to be extended when the adjacent property is developed.

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. Any of the following shall not be considered subdivisions within the meaning of this ordinance if no new streets are created:

1. Divisions of land found by the Planning Board to be for agricultural purposes where all resulting parcels are five (5) acres or larger in size;
2. Divisions of property by testamentary or intestate provisions;
3. Divisions of property upon court order including but not limited to, judgments of foreclosure;
4. Consolidation of existing lots by deed or other recorded instrument; and
5. 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". [M.L.U.L.]

SUBDIVISION, MAJOR: Any subdivision not classified as a minor subdivision. [M.L.U.L.]

SUBDIVISION, MINOR: Any division of land meeting all of the following criteria:

1. Contains an aggregate of not more than four (4) lots, including 3 new lots and the remaining parcel;
2. Does not involve a planned development.
3. Does not involve any new street.
4. Does not require the extension of any off-tract improvement, the cost of which is to be prorated pursuant to *N.J.S.A. 40:55D-42*.
5. Meets the criteria for filing an application for a minor subdivision as otherwise required in this Ordinance. [M.L.U.L.]

SUBGRADE: The prepared surface upon which pavements and shoulders are constructed. [R.S.I.S.]

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50%) percent of the market value of the structure before the damage occurred. [N.J.D.E.P.]

SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds fifty (50%) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions
- Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure". [N.J.D.E.P.]

SURFACE WATER: Water on the Earth's surface exposed to the atmosphere, such as rivers, lakes, streams, and oceans.

SURVEY: (1) The process of precisely ascertaining the area, dimensions, and location of a piece of land; (2) Determining the characteristics of persons, land, objects, buildings, or structures by sampling, census, interviews, observations, or other methods.

SWALE: A low-lying or depressed land area commonly wet or moist, which can function as an intermittent drainage way. [R.S.I.S.]

SWIMMING POOL: Any structure, including in-ground, above-ground and on-ground swimming pools, hot tubs, whirlpools and spas, which are intended for swimming or recreational bathing that contains water over twenty-four (24") inches in depth or a surface area less than two hundred and fifty (250) square feet.

SYNAGOGUE: See HOUSE OF WORSHIP.

TAVERN: See BAR.

TAX MAP: The recorded map of delineated lots or tracts in a municipality showing boundaries, bearings, sizes, and dimensions, including the block and lot numbers.

TEMPORARY STRUCTURE: A structure without any foundation or footings that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

TEMPORARY USE: A use established for a limited duration with the intent to discontinue at the expiration of the time period.

TENANT: An occupant of land or premises who occupies, uses, and enjoys real property for a fixed time, usually through a lease arrangement with the property owner and with the owner's consent.

TENURE: The status of an occupied housing unit as either owner-occupied or renter-occupied.

TERRACE: See PATIO.

THEATER: A building or any part of a building primarily devoted to showing motion pictures, or primarily devoted to dramatic, musical or performing arts performances.

THROUGH LOT: A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

TIDAL FLOOD HAZARD AREA: A flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean. [N.J.D.E.P.]

TOWER: Any ground or roof-mounted pole, spire, structure, or combination thereof that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including supporting lines, cables, wires, braces, and masts. The term includes radio and television transmission towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

TOWN CENTER: The traditional center of a village or town that is often surrounded by governmental and cultural buildings.

TOWNHOUSE: See DWELLING, TOWNHOUSE.

TOWNSHIP: The Township of Cherry Hill, Camden County, New Jersey.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND): A development that exhibits several of the following characteristics: alleys, streets laid out on a grid system, buildings oriented to the street, front porches on houses, pedestrian-orientation, compatible, mixed land uses, village squares and greens. The basic goal is integration of the activities of potential residents with work, shopping, recreation, and transit all within walking distance.

TRAFFIC CALMING: A technique that uses physical devices to reduce traffic speed and volume while maintaining mobility and access for the purpose of balancing the needs of motorists with those of pedestrians, bicyclists, playing children and other users of street space.

TRAILER: A structure standing on wheels or originally intended to have wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying, transporting or storing materials, goods, or objects.

TRANSCRIPT: A typed or printed verbatim record of the proceedings or reproduction thereof. [M.L.U.L.]

TRAVELED WAY: The portion of a cartway used for vehicular travel. [R.S.I.S.]

TREE: Any woody perennial plant, having a trunk or main stem with a caliper of eight (8") inches or greater at maturity.

TRIP: A single one-way vehicle movement to or from a property or study area. [R.S.I.S.]

TRIP GENERATION: The total number of vehicle trips produced by a specific land use or activity.

URBAN ENTERPRISE ZONES: A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, *N.J.S.A. 52:27H-60 et. seq.* [N.J.D.E.P.]

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD: A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority. [N.J.D.E.P.]

URBAN REDEVELOPMENT AREA: Previously developed portion(s) of areas:

- Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- Designated as CAFRA Centers, Cores or Nodes;
- Designated as Urban Enterprise Zones; and
- Designated as Urban Coordinating Council Empowerment Neighborhoods. [N.J.D.E.P.]

USE: Any activity, occupation, business, or operation carried on or intended to be carried on, in a building or on a tract of land.

USE, PRINCIPAL: The main or primary purpose or purposes, for which land or a structure, building and / or sign or use therefore is designed, arranged or intended or for which they may be occupied or maintained under the Land Development Ordinance. All other structures, buildings, signs or uses on the same lot and incidental or supplementary thereto and permitted under the Zoning Ordinance shall be considered accessory uses.

USE (d) VARIANCE: A deviation from the zoning ordinance standards pertaining to permitted uses, conditionally permitted uses, floor area ratio (FAR), permitted density, or height provisions, per *N.J.S.A. §C.40:55D-70d*.

VACANCY: Any unoccupied land, structure, or part thereof that is available and suitable for occupancy.

VARIANCE: Permission granted to depart from the literal requirements of a zoning ordinance pursuant to *N.J.S.A. 40:55D-40b, -70c, and -70d*. [M.L.U.L.]

ARTICLE II

VEGETATION: Any plant material, including native grasses or groundcover, shrubs and trees.

VETERINARIAN: See ANIMAL CLINIC.

WATERSHED: The natural drainage area, catchment, or other area of land that drains water, sediment, and dissolved materials to a common outlet at some point along a stream channel

WATERS of the STATE: The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of New Jersey or subject to its jurisdiction. [N.J.D.E.P.]

WETLAND(S): An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. [N.J.D.E.P.]

WETLANDS, FRESHWATER: Lands that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation pursuant to *N.J.A.C. 7:7A-1.4*.

WOODED AREA: An area or stand of trees, irrespective of property lines, where the majority of the trees have a circumference of fifteen (15") inches or more (measured at a height of twelve (12") inches above ground level) that covers a land area of one-quarter acre or more.

YARD: An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the ground upward except as may be specifically provided in this Zoning Ordinance.

YARD, FRONT: A space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

YARD, REAR: A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

YARD, SIDE: A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.

ZONING BOARD: An officially constituted body whose principal duties are to hear appeals and, where appropriate, grant variances from the strict application of the zoning ordinance, this being the Zoning Board of Adjustment of Cherry Hill.

ZONING OFFICER: The administrative officer designated to administer the Zoning Ordinance and issue zoning permits, this being the Zoning Officer of the Township of Cherry Hill.

ZONING PERMIT: A document signed by the Administrative Officer that (1) is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building and (2) acknowledges that such use, structure, or building complies with the provisions of the municipal ordinance or variance therefore duly authorized by a municipal agency. [M.L.U.L.]

