

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2009-01

AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 13, OF THE CODE OF THE TOWNSHIP
OF LAFAYETTE ENTITLED “ZONING”

BE IT ORDAINED by the Township Committee of the Township of Lafayette that the Ordinance entitled “Chapter XIII Zoning Ordinance of the Township of Lafayette” shall be and is hereby amended to provide as follows:

MOTOR VEHICLE FUELING STATION ORDINANCE
AND
MOTOR VEHICLE SERVICE STATION ORDINANCE

§13-5 Definitions:

Motor Vehicle Fueling Station - means the entire lot on which there is a land area, building or other premises used for the retail dispensing or sales of motor fuels.

Motor Vehicle Service Station - means the entire lot on which there is a land area, building or other premises used for the servicing and repair of motor vehicles.

§12 - “Exhibit 1 - Trip Generation Rates by Major Land Use Categories” - reference to service stations is amended to read “motor vehicle fueling station.”

§13-12.2.b - Conditional Uses Permitted - Services Stations - is hereby repealed.

§13-14.b.5. - Motor Vehicle Fueling Stations - fueling stations as a conditional use is hereby repealed.

New language for §13-14.b.5:

§13-14.b.5. - Motor Vehicle Service Stations - Motor Vehicle Service Stations shall be a conditional permitted use provided the following conditions can be met:

1. Distance requirements. The motor vehicle service station shall be at least two hundred (200’) feet from any residential zone line and two hundred (200’) feet from any property upon which is located any building used as a theater, auditorium or other place of public assembly, capable of seating over 100 persons, such as but not limited to a church, hospital for humans, college, school, public library, or institution for dependents or children or any public playground or athletic field. The measurement for purposes of determining this distance requirement shall begin at the lot line of the motor vehicle service station and extend to the nearest lot line of the residential zone or property in question.

2. Mixed use. No part of any motor vehicle service station shall be used for any other purpose.

3. Minimum lot area and frontage. The minimum lot size for any lot upon which any motor vehicle service station is located shall be three acres and the minimum street frontage of said lot shall be two hundred (200’) feet.

4. Driveways. Driveways to and from any lot upon which is located a motor vehicle service station shall have an unrestricted width of not less than sixteen (16’) feet nor more than

twenty-five (25') feet, shall be located not nearer than fifteen (15') feet from any lot line nor fifty (50') feet from any street intersection and shall be designed so that exiting vehicles do not have to back out across any public sidewalk, street, highway, or right-of-way. There shall be no more than two (2) driveways on any one street.

5. Off-Street Parking.

a. The minimum number of on-site parking spaces required is two (2) spaces for each bay, plus one (1) space for each employee on the largest shift.

b. Parking shall be screened from public view using building location and landscaping, to the maximum extent possible.

6. Paving requirements. The area of all driveways and other areas over which motor vehicles are intended to be driven or parked on any lot upon which is located a motor vehicle service station shall be paved.

7. Outdoor repair prohibited. On any premises upon which a motor vehicle service station is located, all services or repairs to or for motor vehicles, other than such minor items as the changing or filling of tires with air, shall be conducted within the confines of a building capable of being wholly enclosed.

8. Vehicle Sales. Sales and display of vehicles are prohibited.

9. Setback restrictions. No part of any building used as a motor vehicle service station nor any part of any accessory structure shall be erected within thirty-five (35) feet of any lot line. This area shall be fully landscaped and parking and circulation aisles shall be prohibited in this area with the exception of access drives.

10. Landscaping. Fifty (50%) percent of the planted trees and shrubs shall be evergreen species.

11. Expansion of motor vehicle service stations. No permit for the alteration or expansion of any existing motor vehicle stations shall be issued except under compliance by the applicant with all the provisions of this Chapter.

12. Fuel and propane dispensation. The dispensation of motor fuels and propane is not permitted.

§13-14.1 - Motor Vehicle Fueling Stations - Motor vehicle fueling stations existing as of the effective date of this chapter are permitted as prior nonconforming uses. Motor vehicle fueling stations are regulated as follows:

a. Modifications. No deviation from the approved site plan which first permitted the construction of a fueling station or combined fueling station with a convenience store is permitted without returning before the Land Use Board for site plan approval to make changes and must comply with the design standards of the Gateway Plan where appropriate.

b. Paving requirements. The area of all driveways and other areas over which motor vehicles are intended to be driven or parked on any lot upon which is located a motor vehicle fueling station shall be paved; however, no expansion of impervious coverage is permitted without returning before the Land Use Board for site plan approval to make changes.

c. Repairs. Repairs are prohibited other than such minor items as pumping air into tires or the adding of oil to motor vehicles.

d. Vehicle sales. The sale and display of vehicles is prohibited.

e. Propane tanks. Propane tanks shall be located underground for onsite use.

f. Signage. Motor vehicle fueling stations shall comply with the sign ordinance located at §13-17. In addition, customary lettering or other insignia which are a structural part of a motor fuel pump consisting only of the brand name, lead warning sign, price indicator and other information required by law is permitted.

g. Outdoor dining. Outdoor dining is only permitted where it conforms to the outdoor dining ordinance located at §13-15.2.

h. Litter. Litter from food or other items purchased on site is not permitted and is a violation of §3-2.1 of the Lafayette General Ordinance.

i. Lighting. Lighting shall comply with the lighting plan approved at the time of Site Plan Approval. Any proposed change must be reviewed by the Land Use Board and conform with Gateway Plan design standards and the lighting ordinance located at §12-7.2.a.11.

j. Inflatables. Inflatable figures cannot be displayed as part of a promotion, advertisement or seasonal celebration.

k. Landscaping. The landscaping of the motor vehicle fueling station shall comply and be maintained in accordance with the plan provided by the landscape architect at the time of original Site Plan Approval or the owner shall return before the Land Use Board to obtain approval for changes which shall conform with the Gateway Plan found at §12-8.e if applicable.

l. Buffering. Buffering of all kinds required as part of Site Plan Approval shall be maintained. If the owner wishes to deviate from the approved plan, the owner shall return before the Land Use Board with a landscaping plan that illustrates the proposed changes and conforms with §12-8.e(4).

m. Propane sales. The sale of propane is not permitted.

§13-6.11 - Prohibited Uses in All Zones

h. Motor Vehicle Fueling Stations.

NOTICE

The above Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting held on January 6, 2009 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on February 3, 2009.

Mayor:

Municipal Clerk: