

i. The planning board shall be reasonable in its consideration of plans for alterations, additions, or demolition of structures, (located within the historic district) which have little historic or architectural significance unless such alterations, additions, or demolition would seriously impair the visual character of the surrounding area.

j. The planning board should be guided in its consideration of plans for alterations, additions, or demolition of existing structures by reports of the historic preservation commission using as the criteria of evaluation those developed by the National Trust for Historic Preservation.

12-10A.8 Planning Board Action.

a. Demolition or removal of an historic or architecturally significant structure may be forbidden or postponed for up to six months from date of public hearing of the application. The planning board shall, during this hiatus, consult civic groups and public agencies to ascertain how the borough may preserve the building and/or premises. The planning board shall attempt with the owner to establish feasible plans for preservation of structures where moving or demolition thereof would be a great loss to the public and to the borough.

b. When it is appropriate and expedient to move an historic or architecturally significant structure to another site within the borough to preserve it, upon approval of the relocation plans by the planning board, said structure may be relocated providing it fulfills the area regulations of said zone as to lot size, set back and yard area.

c. The planning board shall issue a certificate of appropriateness upon approval of the application. A building permit shall not be issued until such certificate of appropriateness has been issued by the planning board.

d. In case of disapproval the planning board shall state its reasons therefor in writing and may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, materials and the like, of the building or structure involved.

e. Upon approval of the plans, the planning board shall cause a certificate of appropriateness, dated and signed by the chairman, to be issued to the applicant or affixed to the plans.

12-10A.9 Time Period. If the planning board shall fail to take action within 45 days of the finding by the zoning officer that an application for issuance of permits is not part of a development as described in subsection 12-10A.6, supra, the application shall be deemed to be

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approved, except where the applicant has consented to the extension of the time limit.

12-10A.10 *Fees.* None required.

12-10A.11 *Violations and Penalties.* Fines and penalties for violations of any of the above subsections shall be in accordance with section 12-20 of the Hopewell Borough Zoning Ordinance of 1968 as amended.

12-11 Schedule of Area, Yard and Building Regulations.*

The schedule of area, yard and building regulations, attached and made a part of this chapter, sets forth the regulations of this chapter with respect to minimum lot size, yard areas, maximum lot coverage, maximum height and minimum floor area for each of the various zones. Unless modified elsewhere in this chapter, such standards shall be deemed to be the minimum requirements or maximum intensity permitted in each of the several zones.

12-12 R-75 Residential Zone.

12-12.1 *Permitted Primary Uses.*

- a. One-family dwellings.
- b. Duplex dwellings.
- c. Rented rooms—one rented room per dwelling unit.
- d. Churches and similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups.
- e. Noncommercial parks, playground and recreational areas, municipal parks, playgrounds and buildings.
- f. Pursuant to N.J.S.A. 40:55D-66.1 and N.J.S.A. 40:55D-66.2, community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries, subject to the same requirements applicable to single-family dwelling units located within the district.

* **Editor's Note:** The schedule referred to herein can be found at the end of this chapter.

12-12.2 *Permitted Secondary Uses.*

- a. Private garages.
- b. Normal residential storage structures not in excess of 100 square feet of floor area.
- c. Animal shelters for domestic pets not in excess of 50 square feet of floor area.
- d. Other normal residential structures such as swimming pools, barbecues, and trellises.
- e. Off-street parking areas.
- f. Wireless communication antennas in accordance with the requirements specified in section 12-17B of this chapter.

12-12.3 *Conditional Uses.* (See also section 12-18)

- a. Public utility uses.
- b. Public and private schools.
- c. Professional office use.
- d. Club houses.

12-12.4 *Other Provisions and Requirements.*

- a. Off-street parking space together with appropriate access thereto shall be provided on the same property as it is intended to serve in accordance with the following minimum standards:
 1. *Dwellings.* Two spaces for each dwelling unit of the family type and one for each rented room. This space requirement may be reduced by the number of spaces provided in private garages. Driveways may be used as required parking spaces for single-family dwellings.
 2. *Churches and Other Public Meeting Places.* One space for each four seats.
 3. *Other Public Buildings.* One space for each 400 square feet of total floor area.
 4. *Noncommercial Parks, Playgrounds, and Recreation Areas.* Two spaces for each acre devoted to such use.
- b. Churches and other such uses shall provide a minimum lot area of three acres.

12-13 R-75P Residential Zone.

12-13.1 *Permitted Primary Uses.*

- a. One-family dwellings.
- b. Churches and similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups.
- c. Noncommercial parks, playground or recreational areas, municipal parks, playgrounds and buildings.
- d. Farms, except livestock and poultry, but including horticultural uses and greenhouses.
- e. Pursuant to N.J.S.A. 40:55D-66.1 and N.J.S.A. 40:55D-66.2, community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries, subject to the same requirements applicable to single-family dwelling units located within the district.

12-13.2 *Permitted Secondary Uses.* All secondary uses permitted in the R-75 Zone.

12-13.3 *Conditional Uses.* [See section 12-18].

- a. All conditional uses permitted in the R-75 Zone.

12-13.4 *Other Provisions and Requirements.* The same additional provisions and requirements as given for the R-75 zone shall apply.

12-14 R-100 Residential Zone.

12-14.1 *Permitted Primary Uses.*

- a. All primary uses permitted in the R-75P zone.
- b. Cluster residential developments as provided in subsection 12-14.5.

12-14.2 *Permitted Secondary Uses.* All secondary uses permitted in the R-75P zone.

12-14.3 *Conditional Uses.*

- a. All conditional uses permitted in the R-75P zone.
- b. *Reserved.*
- c. Wireless communication antennas and wireless communication towers in accordance with the conditions, standards and limitations specified in section 12-17B of this chapter.

12-14.4 *Other Provisions and Requirements.* The same additional provisions and requirements as given for the R-75P zone shall apply.

12-14.5 *Cluster Residential Developments.*

a. *Application.* In the case of cluster residential developments, the provisions of the appended Schedule of Area, Yard and Building Requirements may be modified in accordance with the provisions below listed.

1. Lot areas of individual lots may be reduced to not less than 11,250 square feet for interior lots and 13,500 square feet for corner lots provided that:

(a) The land area, which would otherwise be required for house lots but which is not so used under the permitted lot size reduction provisions of this section, shall be devoted instead to the contiguous common open space.

(b) The contiguous common open space so provided shall be not less than three acres in area.

(c) The average lot area shall be not less than the minimum lot area otherwise required by the Schedule of Requirements for the zone district in which the development is located.

2. If lot areas are reduced in accordance with paragraph a.1 above then the provisions of the Schedule of Requirements for minimum yard sizes, minimum lot width, and maximum percent of lot coverage, for the R-75 zone shall apply.

b. *Definitions.* As used in subsection 12-14.5, the following definitions shall apply:

1. *Cluster Residential Development.* Any major subdivision in the R-100 zone employing the reduction in lot area provisions of paragraph 12-14.5a.1, and approved as a cluster subdivision by the planning board under the provisions of the land subdivision ordinance of the borough.

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2. *Common Open Space.* The land set aside within a cluster subdivision which shall be preserved as open space and for open space uses only.

3. *Open Space Uses.* Any use of common open space for park or open unroofed recreational purposes, conservation of land or other natural resources, or historic or scenic purposes.

4. *Average Lot Area.* Sum of the area of all house lots together with the area of all lots to be devoted to common open space, exclusive of streets, divided by the total number of house lots.

12-14A R-O Residence-Office Zone.

12-14A.1 Permitted Primary Uses.

a. Individual uses already in existence in this zone, at the date of passage of this section, shall be considered permitted uses in this zone, but shall conform to all other requirements of this zone. Upon passage of this section, the zoning officer shall make a determination as to the use of each parcel and building in this zone. Each use shall be assigned an appropriate general use category (residential, business, industrial, public and institutional) and sub-category (single-family, two-family, etc.; retail, service, etc.; manufacturing, warehousing, etc.; church, park, etc.). The zoning officer shall maintain a record of such uses and no change of use, under this section, from the existing general use category or sub-category shall be permitted except to a permitted use in this zone.

b. All primary uses permitted in the R-75 zone.

c. Professional and business offices.

12-14A.2 Permitted Secondary Uses.

a. All secondary uses permitted in the R-75 zone.

b. All secondary uses permitted in the M-R zone.

12-14A.3 Conditional Uses. (See also section 12-18)

a. Public utility uses.

b. Public and private schools.

c. Club houses.

12-14A.4 *Other Provisions and Requirements.*

a. The off-street parking standards in residential, business, and industrial zones in this chapter shall apply, as appropriate, to all uses in this zone.

12-14B Reserved.*

12-14C Reserved.**

12-14D S Service Zone.

12-14D.1 *Purpose.* It shall be the purpose of this zone district to provide development standards that will help insure a harmonious mix of existing and future nonresidential and residential uses in a limited area of the borough.

12-14D.2 *Permitted Primary Uses.*

a. Offices for professional, executive, engineering and administrative purposes.

b. Scientific or research laboratories devoted to research, design or experimentation and processing and fabricating incidental thereto.

c. The warehousing or storage of goods and products such as building materials, farm supplies, and the like which may be sold from the premises to the general public.

d. Special merchandise retail establishments are permitted which are primarily intended to serve an area beyond the confines of the borough and its immediate environs, and which are limited to the following:

1. Antique shops, art supply shops, craft shops, gift shops, and other retail establishments which offer a similar range of merchandise.

2. Lumber yards and hardware stores.

***Editor's Note:** Former section 12-14B, R-R Railroad Station Zone, previously codified herein, was repealed in its entirety by Ordinance No. 679.

****Editor's Note:** Former section 12-14C, TH Townhouse Zone, previously codified herein, was repealed in its entirety by Ordinance No. 679.

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3. Food and liquor stores, drug stores, clothing stores, and general merchandise stores and similar types of retail establishments are not included in this permitted category.

e. Residential uses as permitted in, and in accordance with, the requirements of the R-75 zone district.

f. Municipal parks, playgrounds and buildings.

12-14D.3 *Permitted Secondary Uses.*

a. Private garage and storage buildings which are necessary to store any vehicles, equipment or materials on the premises.

b. Off-street parking.

12-14D.4 *Reserved.**

12-14D.5 *Prohibited Uses.* The following uses are specifically prohibited in this zone:

a. The open storage of two or more unregistered or unlicensed motor vehicles or material which has been a part of any motor vehicle.

b. Incineration, reduction, storage or dumping of refuse, rancid fats, or garbage.

c. Sales of new or used motor vehicles and motor vehicle service stations.

d. Fuel oil depots and automobile repair shops.

12-14D.6 *Other Provisions and Requirements.*

a. *Parking requirements.*

1. Residential uses:

(a) Dwellings as required in R-75 zone.

2. Nonresidential uses:

(a) One off-street parking space shall be provided for each employee on the maximum work shift or one space for each 300 square feet of total floor area, whichever is greater.

***Editor's Note:** Former subsection 12-14D.4, Townhouse Development Standards, previously codified herein, was repealed in its entirety by ordinance No. 679.

(b) Each use located in this zone shall provide truck loading and unloading space and adequate access thereto, if required, on the same lot and in other than the required front yard so as to permit the transfer of goods in other than a public street.

(c) Parking and loading areas may be located in side and rear yards only.

3. All off-street parking facilities shall conform to the requirements of subsection 12-5.4.

b. *Landscape Requirements.*

1. Nonresidential uses shall provide landscaping to screen parking and loading areas from adjacent properties and from the public street.

2. All uses shall provide one street tree for each 25 feet of street frontage.

c. *Outdoor Storage Requirements.*

1. Any equipment, goods or materials stored in the open shall be located in a required yard area and shall be screened from view by a solid fence or wall.

2. Trash storage and recycling storage areas shall not be located in any front yard area and shall be fenced or screened from public view.

b. *Traditional Development Option.* A traditional development shall be harmonious with the historic village scale and character of the borough, ensure the protection of open space, farmlands, and natural resources, and not exceed the capacities of roads, sewer, water, and other elements of the community's infrastructure. The traditional development option will assure compatibility of the proposed land uses with surrounding uses by incorporating higher standards of land planning and site design than could be accomplished under conventional zoning categories and provide a superior quality of development exceeding that which could be achieved under conventional zoning regulations and procedures. See the provisions provided in subsection 12-18.2h.

c. Wireless communication antennas and wireless communication towers in accordance with the conditions, standards and limitations specified in section 12-17B of this chapter.

12-14.4 *Other Provisions and Requirements.* The same additional provisions and requirements as given for the R-75P zone shall apply.

12-14.5 *Cluster Residential Developments.*

a. *Application.* In the case of cluster residential developments, the provisions of the appended Schedule of Area, Yard and Building Requirements may be modified in accordance with the provisions below listed.

1. Lot areas of individual lots may be reduced to not less than 11,250 square feet for interior lots and 13,500 square feet for corner lots provided that:

(a) The land area, which would otherwise be required for house lots but which is not so used under the permitted lot size reduction provisions of this section, shall be devoted instead to the contiguous common open space.

(b) The contiguous common open space so provided shall be not less than three acres in area.

(c) The average lot area shall be not less than the minimum lot area otherwise required by the Schedule of Requirements for the zone district in which the development is located.

2. If lot areas are reduced in accordance with paragraph a.1 above then the provisions of the Schedule of Requirements for minimum yard sizes, minimum lot width, and maximum percent of lot coverage, for the R-75 zone shall apply.

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b. *Definitions.* As used in subsection 12-14.5, the following definitions shall apply:

1. *Cluster Residential Development.* Any major subdivision in the R-100 zone employing the reduction in lot area provisions of paragraph 12-14.5a.1, and approved as a cluster subdivision by the planning board under the provisions of the land subdivision ordinance of the borough.

2. *Common Open Space.* The land set aside within a cluster subdivision which shall be preserved as open space and for open space uses only.

3. *Open Space Uses.* Any use of common open space for park or open unroofed recreational purposes, conservation of land or other natural resources, or historic or scenic purposes.

4. *Average Lot Area.* Sum of the area of all house lots together with the area of all lots to be devoted to common open space, exclusive of streets, divided by the total number of house lots.

12-14A R-O Residence-Office Zone.

12-14A.1 Permitted Primary Uses.

a. Individual uses already in existence in this zone, at the date of passage of this section, shall be considered permitted uses in this zone, but shall conform to all other requirements of this zone. Upon passage of this section, the zoning officer shall make a determination as to the use of each parcel and building in this zone. Each use shall be assigned an appropriate general use category (residential, business, industrial, public and institutional) and sub-category (single-family, two-family, etc.; retail, service, etc.; manufacturing, warehousing, etc.; church, park, etc.). The zoning officer shall maintain a record of such uses and no change of use, under this section, from the existing general use category or sub-category shall be permitted except to a permitted use in this zone.

b. All primary uses permitted in the R-75 zone.

c. Professional and business offices.

12-14A.2 Permitted Secondary Uses.

a. All secondary uses permitted in the R-75 zone.

b. All secondary uses permitted in the M-R zone.

12-15 B-R Business Zone.12-15.1 *Permitted Primary Uses.*

a. Apartment dwellings and rented rooms and all primary uses permitted in the R-75 residential zone.

b. Retail business establishments such as the following:

1. Stores selling groceries, specialty foods, meats, baked goods and other such food items;

2. Drug and pharmaceutical stores;

3. Stationery, tobacco and newspaper stores, luncheonettes and confectionery stores;

4. Package liquor stores and taverns;

5. Antique and general merchandise stores;

6. Hardware, appliance, furniture and electronic stores;

7. Clothing, accessory and jewelry stores;

8. Automotive dealers and auto supply stores, provided that all sales are conducted within an enclosed building and that no auto service facilities are provided unless approved as a motor vehicle service establishment pursuant to subsection 12-15.3b;

9. Restaurants, tea rooms and coffee shops; and

10. Art galleries and art studios, book stores, card and gift shops and florists.

c. Personal service establishments which are primarily engaged in providing services involving the care of a person or his or her personal needs or apparel, such as the following:

1. Barber and beauty shops;

2. Shoe repair shops;

3. Tailor shops, dry cleaning pickup shops and self-service laundries;

4. Residential professional offices as defined in subsection 12-4.55; and

5. Personal massage establishments.

d. Other business establishments, such as the following:

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1. Horticultural uses including greenhouses when operated in conjunction with a retail business establishment of the type permitted by paragraph b. above.
2. Business and professional offices, banks and financial institutions (see subsection 12-4.12 for definition of business office);
3. Commercial schools, conducted for profit; and
4. Theaters and similar places of public assembly.

12-15.2 *Permitted Secondary Uses.*

- a. Off-street parking facilities for the use of customers and employees.
- b. Private garage space for the storage of commercial vehicles used in conjunction with a permitted business use.
- c. Wireless communication antennas in accordance with the requirements specified in section 12-17B of this chapter.

12-15.3 *Conditional Uses.* (See section 12-18).

- a. Public utility uses.
- b. Motor vehicle service establishments.
- c. Pet grooming and supply uses.

12-15.4 *Other Provisions and Requirements.*

a. Truck loading and unloading facilities and space, and adequate access thereto, shall be provided on the property in other than the front yard area in sufficient amount to permit the transfer of goods in other than a public street.

b. Off-street parking facilities shall not be located within 20 feet of the boundary of a residential zone unless screened by a solid fence and a landscape buffer of at least ten feet in depth.

Off-street parking facilities shall be located at the rear or side of buildings; parking areas in excess of 20 cars shall contain internal landscaping, including at least one tree per four spaces and designated pedestrian walkways.

c. As a minimum, the uses enumerated below shall provide the specified number of parking spaces with suitable means for ingress and egress:

1. *Dwellings*. Two spaces for each dwelling unit of the family type and one for each rented room. This space requirement may be reduced by the number of spaces provided in private garages. Driveways may be used as required parking spaces for single-family dwellings.
2. *Churches and Other Similar Public Meeting Places*. One space for each four seats.
3. *Club Houses*. One space for each two members.
4. *Other Public Buildings*. One space for each 400 square feet of total floor area.
5. *Reserved*.
6. *Residential Professional Offices*. One space for each 100 square feet of total floor area devoted to such use, but in no case less than three such spaces in addition to the spaces required for the dwelling.
7. *Retail Business or Personal Service Establishment*. One space for each 200 square feet of total floor area in excess of 1,400 square feet of total floor area devoted to such use. In the case of several such uses sharing a common parking area, such multiple uses shall be considered a single use for the purpose of determining parking need.
8. *Theaters and Other Places of Public Assembly*. Theaters and other similar places of public assembly shall provide off-street parking at the rate of one space for each three seats plus one space for each employee.
9. *Business and Professional Offices, Banks and Financial Institutions*. One space for each 250 square feet of total floor area.
10. *Off-Street Parking Requirements for a Combination of Uses in the Same Structure or Related Structures*. The parking requirements for each use shall be computed separately and then added together to determine the total number of required spaces. In all questionable cases, or for uses not enumerated, the planning board shall determine the required number of spaces, utilizing as a guide the requirements for the uses which are specifically enumerated.

12-15.5 *Maximum Store Size*. In order to maintain the village scale and character of this business zone, no individual retail business establishment, as permitted in subsection 12-15.1b. of this section shall exceed a gross floor area of 2,000 square feet, and no individual personal service establishment, as permitted in subsection 12-15.1c. of this section shall exceed a gross floor area of 1,000 square feet, and no

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individual building housing any such uses shall exceed a total ground floor area of 12,000 square feet.

12-16 FP Farm Preservation Zone.*

***Editor's Note:** Former section 12-16, M-R, Industrial Zone, previously codified herein and containing portions of Ordinance No. 217, was repealed in its entirety by Ordinance No. 679.

12-16.1 *Purpose.* It shall be the purpose of this zone district to identify those areas in the borough that have been designated for farm preservation under any borough, county, or state program that limits the use of land in such areas for agricultural purposes and related accessory uses as permitted in the zone district.

12-16.2 *Permitted Uses.* Permitted uses are limited to such uses authorized by the farmland preservation program that designated the parcels in the zone district for such purposes.

12-16.3 *Area, Yard and Building, and Off-Street Parking Regulations.* Area, yard and building regulations, and off-street parking requirements in the FP zone district shall be the same as those required in the R-100 residence zone.

12-16A P Public Zone.

12-16A.1 *Purpose.* It shall be the purpose of this zone district to identify those areas in the borough that are in public ownership (borough, county, state or federal) and those areas owned by private, nonprofit organizations that provide public service to the borough.

12-16A.2 *Permitted Uses.*

- a. Noncommercial parks, playgrounds, and recreational areas;
- b. Public schools and public buildings;
- c. Permanent open space;
- d. Public parks, playgrounds, and designated conservation areas;
and
- e. Municipal buildings, structures and facilities.

12-16A.3 *Permitted Secondary Uses.*

- a. Off-street parking for the primary uses; and
- b. Accessory uses and structures customarily incidental and subordinate to the primary use.

12-16A.4 *Area, Yard and Building Regulations.* These requirements shall be the same as those provided in the R-75 residence zone.

12-17 M-H Mixed Housing Residential Zone.

12-17.1 *Purpose.* It shall be the purpose of this zone district to provide housing standards which will encourage a mixture of dwelling unit types, sizes and cost levels at a density compatible with surrounding development and designed to relate favorably to the physical, social and aesthetic character of the borough; and to encourage imaginative planning and design techniques appropriate for the special features of the land in the zone.

12-17.2 *Related Definitions.*

a. *Mixed Housing Development.* A housing development consisting of single-family detached dwelling units and a maximum of one-third townhouse dwelling units, and conforming to the appropriate development standards of this zone district.

b. *Townhouse.* One dwelling unit in a line of at least three but no more than eight connected dwelling units where each dwelling unit is compatibly designed in relation to all other units, but is distinct by such design features as width, setback, roof design, color, exterior materials, fenestration and other features, singularly or in combination. Each dwelling unit may have up to two and one-half stories but nothing in this definition shall be construed to allow one unit over another.

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12-17.3 *Permitted Primary Uses.*

- a. Mixed housing developments.
- b. All primary uses permitted in the R-100 zone.

12-17.4 *Secondary Permitted Uses.* All secondary uses permitted in the R-100 zone.

12-17.5 *Residential Density.*

- a. All mixed housing developments shall include both townhouse units and single-family detached units at a gross density of not more than three units per acre.
- b. Single-family detached units not part of a mixed housing development shall conform to the density requirements of the R-100 zone district.

12-17.6 *Height, Area, Yard and Access Requirements.*

a. *Mixed Housing Developments.*

1. Minimum lot size for a mixed housing development shall be ten acres. The lot size of each parcel within a mixed housing development shall be determined under subsection 12-17.8b below.

2. Minimum depth for all yards on the border of a mixed housing development shall be 30 feet, except that where adjacent to a public street the depth shall be 40 feet. The yard requirements for each parcel within a mixed housing development shall be determined under subsection 12-17.8b, below.

3. Maximum lot coverage, as to each single family detached dwelling unit lot and collectively in total as to all improvements in the entire development, shall be 35 percent.

4. No building shall exceed 35 feet or two and one-half stories in height.

5. All mixed housing developments shall have two means of access to a public street. In those instances in which mixed housing development streets connect to existing improved borough streets, the new street shall maintain the scale and character of the existing street in terms of paving width, curbing and sidewalk type and location, street trees, etc.

6. Floor Area ratio requirements shall be as follows:

Townhouse unit lot	.50
Duplex unit lot	.30
One-family attached unit lot	.24

12-17.7 *Off-Street Parking Requirements.*

- a. *Nonresidential Uses.* As required in zone district R-75.
- b. *Residential Uses.*
 1. Two spaces for each dwelling unit with three or more bedrooms.
 2. One and three-quarters spaces for each dwelling unit with two bedrooms.
 3. One and one-half spaces for each dwelling unit with one bedroom or less.
 4. Off-street parking areas shall not exceed 20 percent of total lot area.
 5. Parking in any required yard area shall be prohibited.

12-17.8 *Additional Requirements for Mixed Housing Developments.*

- a. Recreation space shall be provided at the rate of 400 square feet or area for each dwelling unit and recreation areas shall be built and equipped with suitable facilities for all resident age groups.
- b. Development proposals shall be subject to the site plan review requirements of Chapter XIII and planning board findings shall be in accordance with R.S. 40:55D-45.
- c. All dwelling units shall be connected to and adequately served by approved public water, public sewerage and drainage systems.
- d. All streets, both internal and external driveways, parking areas, sidewalks, curbs, gutters, street lighting, shade trees, water mains, water systems, culverts, storm sewers, sanitary sewers, pumping stations, retention ponds and such other improvements which may be found to be necessary in the public interest shall be installed at the expense of the developer and shall be completed to the satisfaction of the planning board before a certificate of occupancy may be issued. In lieu of total completion of the above, a performance bond may be accepted.
- e. In any development which proposes a homeowner's association, or other form of residents' organization for the ownership, maintenance, and for the preservation of common open spaces or recreational areas or other facilities, such organization shall be established before the sale or rental of any dwelling units. The form of such organization shall be subject to the review and approval of the borough attorney and his review shall be guided by the standards of R.S. 40:55D-43.

12-17A Sign Regulations.

12-17A.1 *Purpose.* The purpose of this section is to specify and regulate signage for appropriate advertising and communication purposes that will not, by reason of size, location, design, construction or manner of display, endanger the public safety of individuals; confuse, mislead, distract or obstruct the vision necessary for traffic safety; create visually or aesthetically undesirable land uses; or otherwise endanger the public health, safety, welfare or morals of residents or travelers of the Borough of Hopewell.

12-17A.2 *Definitions.* As used in this section, the following terms shall have the meanings indicated:

Approving Authority shall mean the Planning Board, Zoning Board of Adjustment or Zoning Officer of the Borough of Hopewell.

Awning Sign shall mean any sign or message that is mounted, painted or otherwise attached to an awning or other window or door covering that is permitted by the Borough of Hopewell Zoning Ordinance.

Bench Sign shall mean a sign located on or attached to any part of the surface of a bench, seat or chair placed on or adjacent to a public roadway.

Design Enhancement Feature shall mean any portion of a sign structure intended to improve the physical appearance of a sign, including roofs, molding, lattice and other decorative features.

Directory-of-Occupants Sign shall mean a sign or plate listing tenants or occupants of a building and which may indicate their respective professions or business activities.

Facade shall mean the total wall surface, including door and window area, of a building's principal face. In computing the permitted sign area, only one face of a building may be used as the principal face.

Flashing Sign shall mean an illuminated sign in which the artificial light is intermittent or is not maintained in a stationary position or constant intensity. Signs lit by means, such as neon, LED or other such technology that flash or strobe

Freestanding Sign or Display shall mean any sign or display not affixed to a building