

**ORDINANCE O – 2 – 2017**

**ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 96,  
ENTITLED “UNIFIED DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ELK  
TO IMPLEMENT THE ZONING TEXT RECOMMENDATIONS OF THE  
2016 MASTER PLAN REEXAMINATION**

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**WHEREAS**, the Township of Elk strives to adopt and implement land use regulations that advance the goals and objectives of the Township as set forth in the Master Plan in a clear and consistent fashion; and

**WHEREAS**, the Elk Township Planning Board has adopted by Planning Board Resolution No. 2016-19 after a public hearing on July 20, 2016, a Reexamination of the Master Plan in accordance with N.J.S.A. 40:55D-89; and

**WHEREAS**, the Master Plan Reexamination included specific recommendations for two new zoning overlays and revisions to the existing zones.

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

**Section 1.**

Add a new §96-71.1 entitled “Lake Gilman Overlay (LGO)”:

**§ 96-71.1 Lake Gilman Overlay (LGO)**

- A. Purpose and Intent. The purpose of the Lake Gilman Overlay Zoning District is to provide homeowners within the Lake Gilman community the potential to add reasonable additions and updates to their homes and lots without requiring zoning relief. This unique community requires unique zoning to allow for the continuance of residents to live there as well as to protect their unique community.
- B. Permitted uses. The following uses are permitted in the LGO Lake Gilman Overlay:
- (1) Single family detached dwellings;
  - (2) Accessory uses customarily incidental and subordinate to the above such as sheds, garages, pools, small wind energy systems and the like.
- C. Conditional Uses.
- (1) Home occupations in accordance with §96-79A.
- D. Bulk Regulations for single-family detached units. Non-conforming lots shall be considered permitted if existing at the time of adoption of this ordinance.
- (1) Minimum lot size of 15,000 square feet.
  - (2) Minimum lake frontage (if lakefront): 60 feet

- (3) Minimum frontage on private road: 50 feet
- (4) Minimum lot width: 50 feet
- (5) Minimum Lot depth: 150 feet
- (6) Minimum principal building setback from lake: 30 feet
- (7) Minimum principal building setback from private road: 30 feet
- (8) Minimum side yard setback: 10 feet each side
- (9) Minimum accessory structure setback from lake: 30 feet
- (10) Minimum accessory structure setback from private yard: 10 feet
- (11) Minimum accessory structure setback from side yards: 3 feet shed, 5 feet carport or garage
- (12) Maximum building coverage: 30%
- (13) Maximum impervious coverage: 40%
- (14) Minimum driveway/pavement setback from side yard: 5 feet
- (15) Minimum total aggregate open space not less than: 40 acres

## **Section 2.**

Add a new §96-78.1 entitled "Neighborhood Commercial Overlay (NCO):"

### **§96-78.1 Neighborhood Commercial Overlay (NCO)**

- A. Purpose and Intent. The purpose of the Neighborhood Commercial Overlay Zoning District is to provide expanded potential for commercial uses along designated areas on Buck Road and Route 77.
- B. Permitted uses. The following uses are permitted in the NCO Neighborhood Commercial Overlay.
  - (1) All permitted uses within the Sections 96-76 and 96-77 C-1 and C-2 Commercial Districts.
  - (2) Medical Offices
  - (3) Child development/day care centers
  - (4) Private education uses such as tutoring, martial arts and dance studios
- C. Lot and building requirements shall follow the C-2 §§96-77.C, 96-77.D, 96-77.E, 96-77.F and 96-77.G requirements.

## **Section 3.**

Add the following permitted uses to §96-77B.(2) Commercial-Highway District (C-2) as follows:

- (q) Supermarket/grocery store
- (r) Convenience store
- (s) Barber shop or hair salon
- (t) Coffee shop

## **Section 4.**

**Severability.**

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

**Section 5.**

**Repealer.**

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

**When effective.**

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

**TOWNSHIP OF ELK**

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**EDWARD POISKER, MAYOR**

**ATTEST:**

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**DEBORA R. PINE, TOWNSHIP CLERK**

<b>FINAL ADOPTION ROLL CALL VOTE</b>						
<b>COMMITTEE MEMBER</b>	<b>Motion to Adopt</b>	<b>Second</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Nicholson						
Pantaleo						
Poisker						
Rambo						
Sammons						

**NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, held on May 4, 2017. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on June 1, 2017 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the said Municipal Building, 680 Whig Lane Road, Monroeville, New Jersey, to the members of the general public who shall request the same.

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**DEBORA R. PINE, TOWNSHIP CLERK**