

## **N.J.A.C. 19:66-2.1**

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### ***New Jersey Administrative Code > TITLE 19K. CASINO CONTROL COMMISSION/CASINO REINVESTMENT DEVELOPMENT AUTHORITY > CHAPTER 66. CASINO REINVESTMENT DEVELOPMENT AUTHORITY TOURISM DISTRICT LAND DEVELOPMENT RULES > SUBCHAPTER 2. DEFINITIONS***

#### **§ 19:66-2.1 Definitions**

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The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Accessory use or structure" means a structure or use that:

1. Is subordinate to and serves a principal building or a principal use;
2. Is subordinate in area, extent, and purpose to the principal structure or principal use served;
3. Contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; or
4. Is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this chapter.

"Act" means and refers to the act providing for the establishment of the Atlantic City Tourism District, P.L. 2011, c. 18 (N.J.S.A. 5:12-218 et seq.).

"Administrative appeal" means a method for obtaining review of a decision, determination, interpretation, order, failure, or refusal to act, pursuant to the terms of this chapter as expressly authorized by the provisions of N.J.A.C. 19:66-14.3.

"Alley" means a thoroughfare not more than 20 feet wide that affords only a secondary means to access to abutting property.

"Amusement pier" means any structure extending into navigable waters from the shore of such navigable waters that is either built or maintained for the purpose of providing various facilities for entertainment, including, but not limited to, rides, carousels, roller coasters, ferris wheels, bowling, golf driving ranges, miniature golf, batting cages, water sports, go-karts, bumper cars, roller rinks, arcades, simulation video games, booths for conducting carnival games or the sale of items, theaters for live show entertainment and/or motion pictures, outdoor and/or enclosed restaurants, and retail stores.

"Amusements" means an indoor or outdoor place that is maintained or operated for the amusement, patronage, or recreation of the public to include any coin-controlled amusement devices, including motorized rides, water slides, miniature golf, batting cages, pinball, pool tables, miniature golf course, driving ranges, and similar uses. Amusements includes devices that carry or convey passengers along, around, or over a fixed area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Amusements also includes booths for the sale of items, food, and drink.

"Apartment" means a room or suite of rooms used as a single dwelling unit and located in a building in which there are two or more such rooms or suites offered for rent.

"Apartment building" means either:

1. Low-rise: A residential structure of no more than three stories;
2. Mid-rise: A residential structure of four to seven stories; or
3. High-rise: A residential structure of eight or more stories.

"Appeal" means a means for obtaining judicial review of a final agency action.

"Applicant" means a person, including any corporate entity, submitting an application for development, or otherwise seeking an interpretation or relief under this chapter.

"Application" or "application for development" means the application form and all accompanying documents submitted by an applicant or otherwise required by the provisions of this chapter for approval of a Certificate of Land Use Compliance (CLUC), subdivision plat, site plan, development, conditional use, variance, or waiver from the strict application of this chapter, request for reconsideration, or appeal.

"Arcade" means a continuous area parallel and open to the street or to an urban open space, which is accessible to the public at all times and conforms to the following requirements:

1. It shall adjoin a front lot line or urban open space boundary, extend for the full length of or a minimum of 100 feet along such front lot line or urban open space boundary, and at no point be above the level of adjoining public sidewalk or urban open space;
2. It shall be covered by a permanent canopy or part of a building allowing at least 12 feet of headroom; and
3. It shall have a minimum depth of eight feet and a maximum depth of 20 feet, measured perpendicular to the front lot line or urban open space boundary.

Portions of an arcade that are obstructed by columns, building services, or similar features do not qualify as an arcade area, but landscaping or works of art may occupy qualified arcade area, provided that a minimum clear width of six feet remains for pedestrian circulation along the length of the arcade and that public access from the street or urban open space is nowhere obstructed for a length of more than 20 feet or for an aggregate length of more than 65 percent of the arcade's total length within the lot. Access openings between obstructions shall not be less than six feet in width.

"Arterial street or road" means any street serving major traffic movements designed primarily as a traffic carrier that is part of a network of through streets and that provides service and access to abutting properties only as a secondary function.

"Attic" means that part of a building which is immediately below and, wholly or partly, within the roof framing.

"Authority" means the Casino Reinvestment Development Authority.

"Automobile repair" means general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers.

"Automobile service station" means any building, land area, or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automobile fuels, which activity may be accompanied by accessory uses, such as sales of lubricants, tires, accessories, or supplies, minor repairing of automobiles, or a single-bay auto wash; provided, however, that automobile wrecking, major repairing of automobiles, parking, or storing of automobiles for hire and the operation of more than one towing vehicle shall not be deemed permissible accessory uses of an automobile service station.

"Bar" means a place of business duly licensed by the Alcoholic Beverage Control governing body for the sale and on-premises consumption of alcoholic beverages by the drink as the principal or primary use, whether or not food service is served.

"Base Flood Elevation (BFE)" is the elevation as shown on the Federal Emergency Management Agency's (FEMA) Base Flood Elevation (BFE) Maps.

"Beach bar" means a place of business duly licensed by the Alcoholic Beverage Control and the city of Atlantic City for the sale and on-premises consumption of alcoholic beverages by the drink situated on the beachfront.

"Block" means a tract of land bounded by streets, or by a combination of streets, public land, railroad rights-of-way, waterways, or other barrier to the continuity of development.

"Boardinghouse" may a building, other than a motel or hotel, where, for compensation and by prearrangement for definite periods, meals or lodging are provided for three or more persons.

"Boardwalk" means an elevated public pedestrian walkway constructed as a public right-of-way (ROW) along the oceanfront within the Tourism District of Atlantic City.

"Buffer" means an area within a property or site, generally adjacent to, and parallel with, the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to continuously limit view of and/or sound from the site to adjacent sites or properties.

"Building" means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or a permanent foundation.

"Building Code" means the Uniform Construction Code of New Jersey, as from time-to-time adopted, readopted, and amended.

"Building front" means the exterior wall of a building facing the front line of the lot.

"Bulkhead" means a vertical shore protection structure installed to withstand the forces of waves and currents. A bulkhead is not a "revetment" or a "gabion."

"CAFRA Area" means the "coastal area" defined in the New Jersey Coastal Area Facility Review Act (CAFRA) at N.J.S.A. 13:19-4.

"Cash for gold store" means an establishment whose business includes buying and selling precious stones, gold, silver, platinum or other precious metals, jewelry, coins, or similar goods and licensed by the State of New Jersey Office of Weights and Measures.

"Casino" means as defined pursuant to the provisions of P.L. 1977, c. 110 (as amended), the New Jersey Casino Control Act.

"Casino hotel" means a single building under one ownership, located within the limits of the city of Atlantic City as the limits were defined as of November 2, 1976, and containing not fewer than 500 sleeping units, each of at least 325 square feet measured to the center of perimeter walls, including bathroom and closet space and excluding hallways, balconies, and lounges; each containing private bathroom facilities; and each held available and used regularly for the lodging of tourists and convention guests and conforming in all respects to the facilities requirements contained in the New Jersey Casino Control Act. For the purpose of exceeding the maximum casino size specified in the Casino Control Act, an approved casino hotel may, by means of physical connection, annex additional buildings or facilities. "Physical connection," for the purposes of this definition, means an enclosed permanent pedestrian passageway. In no event shall the main entrance or only access to an approved casino hotel be through a casino.

"Catering services" means an establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

"Cellar" means a portion of a building located partly or wholly underground, having 1/2 or more of its clear floor-to-ceiling height below grade.

"Certificate of Land Use Compliance" (CLUC) means the document signed and sealed by the Land Use Regulation enforcement officer, as a condition precedent to the commencement of a use or the alteration, conversion, construction, erection, installation, reconstruction, rehabilitation, or restoration, of a structure or building, evidencing that such use, structure, or building complies with the provisions of this chapter.

"City" means the city of Atlantic City.

"Classification" or "zoning classification" means the zoning district into which a parcel of land is placed and the body of rules to which it is subjected by this chapter and the Tourism District Zoning Map.

"Clinic" means a facility for examining and treating persons with medical problems on an outpatient basis, including ambulatory care, urgent care, or similar medical services that generally require a stay of less than 24 hours. A clinic shall not be considered a treatment facility for narcotic, psychiatric, or alcohol rehabilitation.

"Coastal wetlands" means the Coastal Wetlands designated by the Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq., and the Coastal Zone Management Rules, N.J.A.C. 7:7.

"Collector street or road" means any street designed to gather traffic from local streets and connect with arterial streets.

"Commercial building" means a building, the principal use of which is a commercial use.

"Commercial pier" means any structure extending into navigable waters from the shore of such navigable waters that is either built or maintained for the purpose of providing various facilities for commercial or retail activities including, but not limited to, entertainment, theaters for live shows and/or motion pictures, outdoor and/or enclosed restaurants, breweries and/or distilleries, bars, night clubs, and retail stores.

"Concert hall" means a large public building designed for the performance of concerts. The building may have stage fixed or removable seating.

"Conditional use" means any use specifically listed as a conditional use in the rules applicable to the zoning district in which it is to be located.

"Condotel" means a building containing condominium units, rooms, or suites of rooms, with or without culinary facilities and subject to a timeshare plan.

"Craft breweries and distilleries" means an establishment that brews ales, beers, meads, and/or similar beverages on the premises, which conducts the retail sale of beer (malt beverages with alcohol content as defined by Federal law). Such establishments may also include restaurants as an accessory use.

"Curb level" means the permanently established grade of the street in front of a lot.

"Custom crafts" means articles for sale of artistic quality or effect or handmade workmanship. Examples include candle making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and similar associated activities.

"Dedication" means the transfer of property from private to public ownership for a public purpose.

"Density" means the permitted number of dwelling units per gross area of land to be developed.

"Developer" means 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.

"Development" means 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 any use or change in the use of any building or other structure or land; or any extension of use of land for which permission may be required pursuant to this chapter. For purposes of complying with CAFRA, "development" means the construction, relocation, or enlargement of the footprint of development of any building or structure and all site preparation therefor, the grading, excavation, or filling on beaches and dunes, and shall include residential development, commercial development, industrial development, and public development, provided, however, that development does not include repairs or maintenance, such as replacing siding, windows, or roofs, unless such repairs or maintenance are associated with enlargements that are not exempt under CAFRA pursuant to N.J.A.C. 7:7-2.2(c)4.

"Development regulation" means this chapter and any other code or regulation applicable to the use and development of land or any amendment thereto adopted and filed pursuant to the provisions of all applicable State statute and rules.

"District" means a portion of the territory of the City known as the Atlantic City Tourism District, or any part thereof, established pursuant to the Act within which certain rules and requirements or various combinations thereof apply pursuant to the provisions of this chapter.

"District boundary line" means the lines enclosing a distinct zoning district as shown on the zoning map of the Tourism District.

"District boundary lot" means any lot or parcel of land, any lot line of which coincides with a district boundary line or which is contiguous to any public or private ROW containing a district boundary line.

"Division" or "LURE" means the Authority's Land Use Regulation and Enforcement Division.

"Drainage" means the removal of surface water or groundwater from land by drains, grading, or other means and includes control of runoff to minimize erosion and sedimentation during and after construction or development and means necessary for water supply preservation or prevention or alleviation of flooding.

"Dwelling" means any structure or portion thereof that is designed or used for residential purposes, including:

1. Duplex dwelling. A dwelling designed for and occupied by not more than two families in separate dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall.
2. Multiple-family dwelling. A dwelling designed for or occupied by more than two families.
3. Single-family detached dwelling. A dwelling designed for and intended to be occupied by not more than one family and surrounded by open space or yards and having no roof, wall, or floor in common with any other dwelling unit.
4. Townhouse dwelling. A row of four or more adjoining dwelling units, each of which is separated from the others by one or more unpierced walls extending from ground to roof.
5. Single-family attached dwelling. Two or three adjoining dwelling units, each of which is separated from the other(s) by one or more unpierced walls extending from ground to roof.

"Dwelling unit" means any room or group of rooms located within a dwelling forming a single habitable unit, with facilities that are used or intended to be used for living, sleeping, cooking, eating, and sanitation by one family.

"Educational use" means public, parochial, and private elementary and secondary schools duly licensed by the State of New Jersey, attendance at which is in sufficient compliance with the compulsory education requirements of the State. This definition shall be deemed to include all activities secondary or subordinate to the main activity of such institution, which activities are a part of the normal operation of the school or institution as set forth in its charter.

"Educational college/instructional uses" means any building or group of buildings, the use of which meets State requirements for primary, secondary, or higher education. A public, parochial, or private institution that provides educational instruction to students.

"Enlargement" means an addition to the floor area of an existing building, an increase in the size of any other existing structure or an increase in that portion of a tract of land occupied by an existing use.

"Entertainment and entertainment facilities" means any establishment (indoors or outdoors) where entertainment, either passive or active, is provided for the pleasure of the patrons, either independent or in conjunction with any other use. Such entertainment includes, but is not limited to, theaters, carnivals, nightclubs, vocal and instrumental music, dancing, karaoke, comedy, acting, and similar activities.

"Exception" means permission to depart from the design standards of this chapter.

"Existing grade" means the existing undisturbed elevation of land, ground, and topography preexisting or existing on a lot, parcel, or tract of land at the time of the adoption of this chapter.

"Existing ocean pier" means the existing ocean piers are limited to the footprint of the following five piers, as depicted on the New Jersey Department of Environmental Protection's 1995-1997 National Aerial Photographic Program imagery (GIS): Garden Pier; Steel Pier; Steeplechase Pier, except that Steeplechase Pier may be connected to the boardwalk provided the connecting portion of the pier does not exceed the width of the existing Steeplechase Pier; Central Pier; and Million Dollar Pier also known as "Ocean One" (See N.J.A.C. 7:7-9.47(c)).

"Expressway" means a divided highway of four lanes or more that provides a high degree of service to through traffic and is designed with no direct access to individual uses on abutting properties.

"Extension" means an increase in the amount of existing floor area within an existing Building.

"Exterior wall" means any wall that defines the exterior boundaries of a building or its courts or of a structure.

"Family" means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit. For purposes of this definition, "family" does not include any society, club, fraternity, sorority, association, lodge, federation, or like organizations; or any group of individuals who are in a group living arrangement as a result of criminal offenses.

"Filling" means the depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever.

"Final plat" means the final map of all or a portion of a subdivision meeting the requirements of this chapter.

"Finish elevations" means the proposed elevations of the land surface of a site after completion of all site preparation work related to the proposed use for which approval under or pursuant to this chapter is required.

"Finished grade" means the completed surface of lawns, walks, and roads brought to grade(s) as shown on official plans, or designs relating thereto, or as existing if no plans or designs have been approved.

"Flood hazard area" means as defined in N.J.A.C. 7:13, Flood Hazard Area Control Act Rules.

"Floodplain" means as defined in N.J.A.C. 7:13, Flood Hazard Area Control Act Rules.

"Floodway" means as defined in N.J.A.C. 7:13, Flood Hazard Area Control Act Rules.

"Floor area" means the sum of the gross horizontal areas of several floors of a building measured from the exterior faces of the exterior walls or from the center-line of a wall separating two buildings. The floor area of a building shall include all floors at or above the finished grade. The floor area shall include attic floor area only to the extent that such floor area meets the dimensional standards for habitable floor area.

"Floor Area Ratio" or "FAR" means the floor area of the building or buildings on any lot divided by the lot area of such lot. When used in this chapter, the floor area ratio multiplied by the lot area in question produces the maximum amount of floor area that may be constructed on such lot.

"Freshwater wetlands" means the Freshwater Wetlands designated by the Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq., and the Coastal Zone Management Rules, N.J.A.C. 7:7.

"Garage" means a deck or building, or part thereof, used or intended to be used for the parking and storage of vehicles at one or more level, including:

1. A private garage. An accessory building or structure or portion of a main building or structure for the parking of passenger motor vehicles and in which no occupation, business, or services for profit are conducted.
2. A public garage. A garage, other than an accessory garage, which is open to the public with or without a fee for the hourly, daily, or monthly parking of motor vehicles.

"Gas station and convenience center" means a gasoline station and convenience store located on the same lot and planned and operated and maintained as an integrated planned development. The term may include an accessory on the premise where consumption of food and beverage is sold on-site.

"Government uses" means a building or structure owned, operated, or occupied by a municipal, county, State, or Federal governmental agency to provide a governmental service to the public.

"Habitable floor area" means the floor area in a habitable room (any room or enclosed space used or intended to be used for sleeping, living, cooking or dining purposes, excluding, however, kitchens having less than 70 square feet of floor area and further excluding such enclosed places, as utility rooms, closets, pantries, bath or toilet rooms, hallways, cellars, storage spaces, garages, and similar spaces), which has a clear floor-to-ceiling height of not less than seven and one-half feet over an area having no horizontal dimension of less than seven feet; provided, however, that no floor area where the ceiling height over such floor area is less than five feet shall be considered habitable floor area.

"Hearing" means the Authority's Land Use Regulation and Enforcement Division quasi-Judicial Hearing publically held with such frequency and on such dates and times, as duly noticed in accordance with applicable law.

"Hearing officer" means as defined at land use regulation hearing officer.

"Height of building" means the vertical distance measured from Base Flood Elevation (BFE) to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

"Height of sign" means the vertical distance measured between grade and the highest point of the highest element of the sign excluding any incidental structural element, such as uplift cable for a projecting sign.

"Home occupation" means a business, profession, occupation, or trade conducted for gain or support entirely within a residential building or a structure accessory thereto, which use is incidental and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.

"Hospital" means an institution regulated in accordance with N.J.A.C. 8:43G-1.3.

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"Hotel" means a building or group of buildings containing more than six rooms or suites used or intended to be used for lodging of a transient clientele for compensation, at least 75 percent of the rooms of which have their principal entrance from an interior hallway common to more than two rooms. A common lobby and registration desk along with regular maid service, such as bedding and linen changes shall be provided. Common dining and recreation rooms, shops, and service establishments may be provided as accessory uses. This definition shall not be construed to include a rooming house or a boarding house as defined in the Rooming and Boarding House Act of 1979, P.L. 1979, c. 496 (N.J.S.A. 55:13B-1 et seq.).

"House of worship" means a building or structure, or group of buildings or structures, that is/are: used primarily by groups of persons organized as a nonprofit organization recognized by the Federal Internal Revenue Service as a 501c(3) organization; and used primarily for organized religious services and the accessory uses associated therewith. This definition shall include, but not be limited to: chapels, churches, congregations, temples, mosques, shrines, and similar structures.

"Institutional" means public and public/private group use of a nonprofit nature, typically engaged in public service (for example, houses of worship, nonprofit cultural centers, charitable organizations).

"Land" means improvements and fixtures on, above, or below the surface.

"Land use administrator" means, unless otherwise designated by resolution of the Authority, any Authority employee or retained consultant authorized by the Executive Director to administer and enforce any provisions of this chapter.

"Land Use Regulation and Enforcement Division" means the administrative body within the CRDA that administers land use regulation and enforcement and otherwise enforces this chapter and the land use provisions of the Act.

"Land use regulation enforcement officer" means the individual designated by the Authority to serve as land use regulation enforcement officer, who shall administer the day-to-day review of applications, issue Certificates of Land Use Compliance, and otherwise enforce this chapter and the land use provisions of the Act and who may serve as land use administrator.

"Land use regulation hearing officer" means the individual designated by the Authority to conduct hearings in accordance with the Act and this chapter, and who may serve as the land use administrator.

"Live/work studio" means a single unit (for example, studio, loft, or one bedroom) consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit may be the primary dwelling of the occupant.

"Loading space" means an unobstructed, hard-surfaced area, no part of which is located in any street or public ROW, and the principal use of which is for the standing, loading, or unloading of trucks and trailers.

"Local street" means any street designed to provide access to abutting property and carry local traffic.

"Lot" means 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, including:

1. Corner lot shall mean a lot abutting upon two or more streets at their intersection or junction, or a lot bounded on two sides by a curving street where it is possible to draw two intersecting tangents, one commencing at each of the two points of intersection of the lot lines and street line, which intersect with each other to form an interior angle of less than 135 degrees. Any portion of a "corner lot" whose nearest frontage measured along the front lot line is more than 50 feet from the point of intersection of the two street lines or of the two tangents shall be subject to the rules applicable to an interior lot.

2. Double frontage lot means a lot having frontage on two nonintersecting streets.

3. Interior lot means a lot other than a corner lot.

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"Lot area" means the total horizontal area included within the lot lines, including:

1. Lot area per dwelling unit, which means that portion of the lot area required by the applicable provisions of this chapter for each dwelling unit located on a lot.
2. Minimum area of lot, which means the smallest lot on which a particular use or structure may be located in a particular zoning district.

"Lot coverage" means the percentage of lot area occupied by the principal and accessory buildings on such lot at grade level or above, excluding roof overhangs.

"Lot depth" means the mean horizontal distance from the front lot line to the rear lot line, measured perpendicular to the front lot line.

"Lot line" means a line bounding a lot that divides one lot from another or from a street or any other public space or a private road including:

1. Front lot line, which means, in the case of an interior lot abutting upon only one street, the street line separating such lot from such street; or in the case of a double frontage lot or corner lot, each street line separating such lot from a street shall be considered a front lot line.
2. Rear lot line, which means that lot line that is parallel to and most distant from the front lot line of the lot; provided, however, that in the case of an irregular, triangular, or gore-shaped lot, a line 20 feet in length, entirely within the lot, parallel to, and at the maximum possible distance from, the front line shall be considered to be the rear lot line.
3. Side lot line, which means any lot line other than a front or rear lot line.

"Lot width" means the mean horizontal distance between side lot lines, measured at right angles to the depth; provided, however, that lot width measured along the front lot line shall not be less than 80 percent of the required minimum lot width.

"Lounge" means a public room, as in a hotel, theater, or club, in which to sit and relax.

"Maintenance guaranty" or "guaranty" means any security, which may be accepted by the Authority for the maintenance of any improvement required by this chapter.

"Major site plan" means a development plan, not considered as a minor site plan, of one or more lots on which is shown:

1. The existing and proposed conditions of the lot including, but not necessarily limited to, topography, vegetation, drainage, floodplains, marshes, and waterways; and
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices; and
3. Any other information that may be reasonably required in order to make an informed determination pursuant to the provisions of this chapter.

"Major subdivision" means any subdivision not classified as a minor subdivision or major subdivision.

"Marina" means facilities for the docking, anchoring, mooring, launching, storing, fueling, sales, rental, and service of commercial, pleasure, and recreational boats and related boating materials, equipment, and structures, whether land- or water-based and having five or more boat slips.

"Marine sciences and technology use" means a research facility relating to naval architecture, marine engineering, and ocean engineering to marine-related research in the fields of environmental science and technology, oceanography, computational mechanics research, and information technology.

"Massage parlor" means any establishment where, for any form of consideration, massage or other manipulation of the human body is offered as a service, and where all practitioners are licensed by the State of New Jersey Department of Law and Public Safety, Division of Consumer Affairs, New Jersey Board of Nursing as certified massage therapists. This does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or any service or treatment provided by a licensed medical doctor or chiropractor, where massage is offered as an incidental or accessory service.

"Master Plan" means the Tourism District Master Plan, as adopted by the Authority pursuant to Resolution 12-14 dated February 1, 2012, as readopted pursuant to Resolution 12-23 dated February 21, 2012, as amended by Resolution 17-47 dated April 18, 2017, and as may be amended by the Authority from time to time.

"Medical office, clinic, or lab" means office space used by health care professionals for the examination and/or treatment of patients on an outpatient basis, with no overnight stays by patients. A medical office may include a medical lab and/or clinic that is a facility offering diagnostic or pathological testing and analysis of blood, blood fluids, pathological specimens, DNA sampling and analysis, and any other diagnostic test generally recognized in the healthcare industry. A medical office, clinic, or lab shall not be considered a treatment facility for narcotic, psychiatric, or alcohol rehabilitation.

"Minor site plan" means an application for non-residential development that:

1. Does not exceed parcels of one acre in size;
2. Consists of a maximum building gross floor area of 10,000 square feet;
3. Consists of a maximum of three stories;
4. Based on the parking requirements, would require no more than 25 parking spaces; and
5. Contains the information reasonably required in order to make an informed determination as to whether the requirements established by this chapter for approval of a minor site plan have been met.

"Minor subdivision" means a subdivision of land that does not involve any of the following: the creation of no more than three lots, a planned development pursuant to this chapter, the laying out of any new street or the extension of any off-tract improvement.

"Mixed use" means the development of a tract of land or building or structure with two or more different uses, such as, but not limited to, residential, office, retail, public, or entertainment, in a compact urban form.

"Motel" means a building or group of buildings used or intended to be used for lodging of a transient clientele for compensation and which has individual entrances from the outside of the building for more than 25 percent of the dwelling or rooming units located therein.

"Municipal Land Use Law" or "MLUL" means the Municipal Land Use Law, P.L. 1975, c. 291 (N.J.S.A. 40:55D-1 et seq.).

"Nonconforming lot" means a lot that does not comply with the lot requirements for any permitted use in the zoning district in which it is located.

"Nonconforming sign" means any sign lawfully existing as of January 2, 2018, or any amendment to it rendering such sign nonconforming, which does not comply with this chapter.

"Nonconforming structure" means a structure the size, dimension, or location of which 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 reasons of such adoption, revision, or amendment.

"Nonconforming use" means any use lawfully being made of any land, building, or structure, other than a sign, as of January 2, 2018, rendering such use nonconforming, which does not comply with this chapter governing use for the zoning district in which such land, building, or structure is located.

"Non-point source impacts" means impacts to water quality generated from diffuse sources within an urbanized environment that may, cumulatively, cause degradation of surface and/or groundwater quality from pollutants.

"Off site" means located outside the lot lines of the lot in question but within the property, of which the lot is a part, which is the subject of a development application or the closest half of the street or right-of-way abutting the property of which the lot is a part.

"On-site" means located on the lot in question and excluding any abutting street or ROW.

"Open porch" means a roofed open structure projecting from the exterior wall of a building and having at least 70 percent of the total area of the vertical planes forming its perimeter unobstructed in any manner between floor and ceiling except by insect screening.

"Open space" means 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 or support its use for recreation and conservation purposes.

"Parks" means a noncommercial, not-for profit facility designed to serve the recreation needs of the residents of the community. Such facilities include subdivision recreation facilities (neighborhood parks), community parks, regional parks, and special use facilities, all as may be described in the recreation and open space element of the Master Plan. Such facilities may also include, ballfields, football fields, and soccer fields, and similar activities.

"Parking area" means any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, private driveways, and legally designated public streets.

"Parking lot" means any land area used or intended to be used for the parking of more than three vehicles, including an accessory parking lot (a parking lot that may or may not be on the same lot as another use and for which it provides parking) and a freestanding parking lot (a parking lot that is not accessory to a particular use but which is itself the primary use).

"Parking space" means a space for the parking of a motor-driven vehicle within a public or private parking area.

"Pawn shop" means an establishment whose business includes selling, buying, or receiving any tangible personal property, or equipment previously owned, such as antiques, precious stones, gold, silver, platinum, or other precious metals, jewelry, coins, any tools, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, bric-a-brac, luxury clothing, furs, purses, watches, desktops, laptops, tablets, computers, portable GPS units, cell phones, gaming systems and video game consoles, or similar goods, and is licensed by the State of New Jersey, Department of Banking and Insurance, Licensing Services Bureau-Banking to loan money on the collateral of secondhand goods.

"Person" means an individual, corporation, governmental unit (excluding the Authority), or other similar entity engaged in activities subject to this chapter.

"Personal services" means an act by which the skills of one person are utilized for the benefit of another, provided no function involves manufacture, cleaning, storage, or distribution of products or goods, except for cleaning and

repairing of clothing and similar personal accessories. Personal services include, but are not limited to, dry cleaning and pressing service, linen supply, barber shops, beauty shops, diaper service, shoe repair, funeral services, indoor recreation, health and fitness clubs/spas, steam baths, massage parlors, reducing salons, gyms, clothing rental, locker rental, porter services, nail salons, secondhand goods shops, pet hotels, pet grooming, pawn shops, cash or gold stores, and similar uses.

"Pet hotel" means boarding for dogs and other domesticated animals for overnight or daily stays, and may include pet grooming and training.

"Pier" means any structure extending into navigable waters from the shore of such navigable waters that is either built or maintained for the purpose of providing a berth for watercraft or for loading or unloading cargo or passengers onto or from the watercraft (may include a temporary boat hoist without roof or walls) or carries various structures and amusement facilities.

"Plat" means a map or maps of a subdivision or site plan.

"Pop-up uses" means uses established on vacant land, lots, or parking lots that are not an extension of the same uses contained and functioning within an adjacent structure, intended to operate on a seasonal or similar type temporary basis. In addition, such uses are generally characterized by the need to establish booths, stalls, tables, or other similar temporary devices for the sale of goods or by the sale of goods from vans, trailers, food carts, station wagons, or other similar type vehicles.

"Preliminary plat" means the preliminary map indicating the proposed layout of the subdivision.

"Premises" means a lot, or parcel of land, together with the buildings and structures thereon.

"Principal building" means a building in which is conducted the main or principal use of the lot on which the building is situated.

"Private club, lodge, or grounds" means a building and related facilities, owned or operated by a corporation, association, or group of persons, for social, educational, or recreational purposes for members regularly paying dues, but not primarily for profit nor to render a service that is customarily carried on as a business.

A building or related facilities owned or operated by a corporation, association, or group of individuals established for the fraternal, social, educational, recreational, or cultural enrichment of its members and not primarily for profit, and whose members meet certain prescribed qualifications for membership and pay dues.

"Professional office" means the office of a member of a recognized profession maintained for the conduct of that profession. It includes, but is not limited to, an office for the use of accountants, doctors, attorneys, architects, real estate agents, insurance brokers, dentists, engineers, or similar professionals.

"Public areas" means areas dedicated to any governmental agency for use as public parks, playgrounds, trails, paths, and other recreational areas; other public open spaces; scenic and historic sites; and sites for schools and other public buildings and structures.

"Public improvement" means any improvement, facility, or service, together with its associated public site or ROW, necessary to provide transportation, drainage, utility, energy, or similar essential services, including, but not limited to, streets, drives, sidewalks, walkways, and other vehicular and pedestrian circulation systems, together with customary improvements and appurtenances, such as signaling, signage, curbs, and gutters, shade trees, and landscaped buffers or parkways, and street furniture; facilities incidental to a public transportation system, such as loading zones, turnarounds, passenger waiting areas protected from inclement weather, and pedestrian linkages between loading areas and activity areas; storm sewers and appurtenances, drainage-ways, culverts, flood control basins and devices, retention and detention basins or areas to control storm runoff, erosion and sediment control structures and devices, and other drainage structures, devices, and facilities; water supply and distribution facilities and appurtenances both for domestic use and for fire protection; sanitary sewage disposal and treatment facilities and appurtenances; public utility facilities and appurtenances for gas, electric, and telephone service; and facilities

and appurtenances for the production, conversion, distribution, and storage of energy necessary for essential residential, resort, commercial, and industrial uses permitted by this chapter.

"Public site" means an area devoted to or planned for use as a public park; a public school; a Federal, State, county, or City building or facility site; another public use or facility; or easement for a street transportation corridor, utility corridor, waterway, or drainage-way owned or to be owned by a government agency.

"Public utility station" means a structure that is owned and/or operated by a utility provider that provides utility service to the general public for a fee. The structure may include, without limitation, an electrical transfer station, switching station, or pump station and all equipment that is ancillary and incidental to the primary operation, but excludes, recycling, and solid waste transfer stations.

"Recreation" means one or more of the following:

1. "Indoor recreation" means a commercial recreational land use conducted entirely within a building that may include an arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, tennis court, and similar uses.

2. "Outdoor recreation" means predominantly participant uses conducted in open or partially enclosed or screened facilities. May include driving ranges, miniature golf, swimming pools, tennis courts, outdoor racquetball courts, motorized cart and motorcycle tracks, motorized model airplane flying facilities, water features, and fields used for active recreational activities, paintball, laser tag, orienteering, golf driving ranges, water parks, amusements, and similar uses.

3. "Passive recreation" means activities that involve relatively inactive or less energetic pursuits, such as engaging in board or table games, picnicking, sitting, and walking.

"Rectories" means the place of residence of the staff of a place of worship.

"Restaurant" means any establishment, however designated, at which food is sold for consumption on the premises, normally to patrons seated within an enclosed building, and may include take-out restaurants. Uses with outdoor seating shall also be considered restaurants. A drive-thru facility may or may not be included as part of a restaurant. A bar may be an accessory use to the restaurant.

"Retail sales" means establishments engaged in the selling or rental of goods or merchandise (usually to the general public for personal use or household consumption, although they may also serve business and institutional clients) and rendering services incidental to the sale of such goods. It includes, but is not limited to, apparel, apparel accessories, groceries, foodstuffs, bakeries, drugstores, packaged liquor sales, gift shops, hardware stores, florists, arts and crafts stores, bookstores, and arts and crafts.

"Right-of-way" or "ROW" means a City, county, or State right-of-way.

"Riparian license" means see "tidelands instrument."

"Secondhand goods" means new or used items not owned by the original manufacturer, retailer, or wholesaler.

"Secondhand goods shop" means an establishment whose business includes selling, buying, or receiving any tangible personal property, or equipment previously owned, such as antiques, precious stones, gold, silver, platinum or other precious metals, jewelry, coins, any tools, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, bric-a-brac, luxury clothing, furs, purses, watches, desktops, laptops, tablets, computers, portable GPS units, cell phones, gaming systems and video game consoles, or similar goods.

"Sedimentation" means the deposition of soil that has been transported from its site or origin by water, ice, wind, gravity, or other natural means as a product of erosion.

"Sign" means 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, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, the City, or any fraternal, religious, or civic organizations; merchandise pictures or models of products or services incorporated in a window display, works of art which in no way identify a product; graffiti; running, flashing, or phasing lights, which are integral to or serve to accent a principal structure or specific architectural components thereof; or scoreboards located on athletic fields. Particular functional and structural types of signs follows.

1. "Advertising sign" means 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;

2. "Animated or moving sign" means any sign, or part thereof, which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation. Animated signs include the following types:

(a) "Electrically energized animated sign" means illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:

i. "Animated electrically energized flashing signs," which means illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) varies with the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle; and

ii. "Animated electrically energized illusionary movement signs," which means illuminated signs exhibiting the illusion of movement by means of a preprogrammed repetitious sequential switching action in which illuminated elements of the sign and are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns;

(b) "Mechanically energized animated sign" means signs manifesting a repetitious pre- programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives; and

(c) "Naturally energized animated sign" means signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.

3. "Awning, canopy, or marquee sign" means a sign that is mounted or painted on or attached to an awning, canopy, or marquee that is otherwise permitted by this chapter. No such sign shall project above, below, or beyond the physical dimensions of such awning, canopy, or marquee.

4. "Bulletin board sign" means a sign that identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the name or names of the person or persons connected with it, and greetings, announcements of events, or activities occurring at the institution or similar messages.

5. "Business sign" means 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.

6. "Construction sign" means a temporary sign erected on premises on which construction is taking place during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans and the owners, financial supporters, sponsors, and similar persons or firms having a role or interest with respect to the structure or project.

7. "Electronic billboard sign" means a sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs may include, but are not limited to, displays using incandescent lamps and light-emitting diodes (LED).
8. "Governmental sign" means a sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance, or governmental regulation.
9. "Ground sign" means any sign, other than a pole sign, placed upon or supported by the ground independently of any other structure.
10. "Historical or architectural designation sign" means a sign designed to provide information on the architectural or historical qualities of a structure, building, or site.
11. "Holiday decorations" means temporary signs in the nature of decorations, clearly incidental to, and customarily and commonly associated with, any national, local, or religious holiday. Any other provision of this chapter to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination, or animation.
12. "Home occupation sign" means a sign containing only the name and occupation of a permitted home occupation.
13. "Identification sign" means a sign giving the name, 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.
14. "Illuminated sign" means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.
15. "Joint-identification sign" means a sign that serves as common or collective identification for two or more commercial, resort, or industrial uses sharing an office plaza, shopping center, industrial park, or the like and which is located on such premises. Such sign shall be limited in content to identification of the plaza, center, or park shared by such uses, and shall not contain any reference to the individual uses sharing the plaza, center, or park.
16. "Memorial sign" means a sign or tablet memorializing a person, event, or structure.
17. "Nameplate sign" means a sign giving the name or address, or both, of the owner or occupant of a building or premises on which it is located.
18. "On-site informational sign" means a sign commonly associated with and limited to information and directions necessary or convenient for persons coming on the property, including signs marking entrances and exits, parking areas, one-way drives, restrooms, pickup and delivery areas, and the like.
19. "Pole sign" means a sign that is mounted on a freestanding pole or other supports, so that the bottom edge of the sign face is six feet or more above grade.
20. "Political sign" means a temporary sign announcing or supporting political candidates or issues in connection with any national, State, or local election.
21. "Portable sign" means a sign that is not permanently affixed to a building, a structure, or the ground.
22. "Private sale or event sign" means a temporary sign advertising private sales of personal property at house sales, garage sales, rummage sales, and the like, or private, not-for-profit events such as picnics, carnivals, bazaars, game nights, art fairs, craft shows, and Christmas tree sales.
23. "Projecting sign" means a sign that is, wholly or partly, dependent upon a building for support and which projects more than 12 inches from such building.

24. "Real estate sign" means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located, excluding sold-by signs.

25. "Roof sign" means a sign that is mounted upon the roof of a building or which is wholly dependent upon a building for support and which projects more than six inches above the highest point 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.

26. "Temporary sign" means a banner, sign, or advertising display constructed of durable material, such as, cloth, canvas, fabric, paper, plywood, or other light material, either portable or stationary, used to display information relating to a land use or event of limited duration, for example, sales, promotions, discounts, new services, new ownership, grand openings, and special events.

27. "Wall sign" means a 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 12 inches from such building or structure.

28. "Warning sign" means a sign limited to messages of warning, danger, or caution.

29. "Wayfinding sign" means signs, landmarks, or other visual graphic communication that are part of a government sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations. Typical wayfinding signs include: gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional, and pedestrian kiosk.

30. "Window sign" means a sign that is applied or attached to the exterior or interior of a window or located within three feet of the interior of a window and which can be seen from the exterior of the structure.

"Sign face" means the area made available by a sign structure for the purpose of displaying the message.

"Site" means the lot or lots upon which a proposed development is to be constructed.

"Site preparation" means physical activity that is an integral part of a continuous process of land development or redevelopment for a particular development, which must occur before actual construction of that development, but does not include the taking of soil borings, performing percolation tests, or driving of less than three test pilings.

"Sketch plat" means the sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification.

"Story" means 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, the space between the floor and the ceiling next above it and including basements used for the principal use.

"Street" means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way that is an existing State, county, or municipal roadway; or which is shown upon a plat heretofore approved pursuant to law; or which is approved by official action as provided in the MLUL or which is shown on a plat that was duly filed and recorded in the office of the Atlantic County Recorder prior to the appointment of the Authority and the grant thereto of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines. The boardwalk shall not be considered a street.

"Street line" means the dividing line between a lot and a street or a private road or way over which two or more dominant estates have the ROW or the boardwalk.

"Structural alteration" means any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.

"Structure" means 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, but excluding any structure, as defined by the CAFRA rules that are or may be constructed over water.

"Subdivision" means 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. The following shall not be considered subdivisions, if no new streets are created: divisions of land found by the Authority to be for agricultural purposes where all resulting parcels are five acres or larger in size; divisions of property by testamentary or intestate provisions; division of property upon court order, including, but not limited to, judgments of foreclosure; consolidation of existing lots by deed or other recorded instrument; and 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 Authority to conform to the requirements of this chapter and are shown as separate lots, tracts, or parcels on the Tax Map of the City. The term subdivision shall also include the term "resubdivision."

"Tattoo parlors" means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; and/or
2. Creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

"Tax map" means the then current Tax Map promulgated by the City.

"Temporary uses" means uses established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses are primarily outdoors and do not involve the construction or alteration of any permanent building or structure.

"Terrace" means a level plane or surfaced patio, directly adjacent to a principal building at or within three feet of grade and not covered by any permanent structure.

"Theater" means a building used for dramatic, operatic, motion pictures, or other performance, for admission to which entrance money is received.

"Tidelands instrument" means a written document conveying, leasing, or licensing lands owned or claimed to be owned as present or formerly flowed tidelands by the State of New Jersey to public entities or private interests pursuant to N.J.S.A. 12:3-1 et seq., and 13:1B-13 et seq. Tidelands instruments include licenses, long-term leases, conveyances (often called grants), and management agreements. These documents are recorded in the office of the clerk of the county or registrar of deeds and mortgages of the county in which the property is located. This definition shall remain consistent with any future updates to the Coastal Zone Management Rules.

"Tourism District" means the area established within the City by resolution of the Authority in accordance with the Act. See also "District" defined in this section.

"Variance" means permission to depart from the literal requirements of this chapter.

"Waiver" means permission to depart from the document or information submission requirements of this chapter.

"Warehousing" means a building used primarily for the storage of goods and materials.

"Waterfront development permit" means any legal instrument issued by the State of New Jersey pursuant to N.J.S.A. 12:5-3, prior to the development or improvement of the waterfront.

"Water supply system" means any installation or structure designed to provide a potable water supply.

"Wetlands permit" means any legal instrument issued pursuant to N.J.S.A. 13:9A-1 et seq., and 13:9B-1 et seq., and N.J.A.C. 7:7 or 7:7A.

"Wholesale establishment" means a business engaged in the sale of commodities in quantity, usually for resale or business use, chiefly to retailers, other businesses, industries, and institutions.

"Wireless telecommunications towers and facilities" means a Federal Communications Commission-licensed facility, designed and used for the purpose of transmitting, receiving, and relaying voice and data signals from various wireless communication devices and equipment.

1. "Wireless antennas" means typically a panel type antenna approximately six to 12 inches wide and three to six feet in height, but may also include whip antennas and satellite dish antennas and small/micro cell sites and Distributed Antenna System (DAS) units. Wireless antennas are mounted on existing or new buildings and can be flush or roof mounted; and

2. "Wireless towers" means a structure designed and constructed to support one or more antennas used by commercial wireless telecommunication facilities and including all appurtenant devices attached to it. A tower can be freestanding (solely self-supported by attachment to the ground) or supported (attached directly to the ground and with guy wires) of either lattice or monopole construction.

"Yard" means:

1. A required open space on a lot between a lot line and a building or structure which is unoccupied and unobstructed from grade to the sky, except for the following permitted obstructions:

i. Statuary, arbors, trellises, and barbecue stoves;

ii. Awnings and canopies;

iii. Bay windows and balconies projecting not more than 36 inches from an exterior wall for a distance not more than 1/3 of the length of such wall, provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of 22 1/2 degrees with the wall in question;

iv. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like projecting not more than 36 inches from an exterior wall;

v. Fire escapes or outside stairways projecting from an exterior wall not more than 36 inches;

vi. Flagpoles;

vii. Non-mechanical laundry-drying equipment, except in a front yard;

viii. Off-street parking and loading, but only as expressly authorized in accordance with the provisions of this chapter;

ix. Terraces;

x. Recreational equipment, except in a front yard;

xi. HVAC equipment, except in a front yard;

xii. Handicap ramps; and

xiii. Steps/stoops a maximum of eight feet wide are permitted to encroach up to four feet into front and rear yard setback requirements.

2. Front Yard -- A Yard extending the full width of the lot between the street line and the front yard line.

3. Rear Yard -- A Yard extending the full width of the lot in the area between the rear lot line and the rear yard line.
4. Side Yard -- A yard between a side lot line and a side yard line.

"Yard depth" means:

1. "Front yard depth" means the minimum distance between the front lot line to the front yard line.
2. "Rear yard depth" means the minimum distance between the rear lot line to the rear yard line.

"Yard line" means:

1. "Front yard line" means a line drawn parallel to a front lot line at a distance therefrom equal to the depth of the required front yard.
2. "Rear yard line" means a line drawn parallel to a rear lot line at a distance therefrom equal to the depth of the required rear yard.
3. "Side yard line" means a line drawn parallel to a side lot line at a distance therefrom equal to the depth of the required side yard.

"Yard requirements" means the rules of this chapter establishing minimum front, side, and rear yard requirements and setback requirements for various uses, structures, and districts.

"Zoning district" means as set forth in the definition of "district" as defined in this section.

"Zoning District Map" or "Zoning Map" means the map drawn and approved by the Authority that graphically shows all zoning district boundaries and zoning classifications within the Tourism District, and adopted as an element of the Authority Master Plan.

Annotations

## Notes

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Chapter Notes

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