

ZONING

290 Attachment 2

Borough of Emerson

Schedule I: Lot, Yard, Height and Setback Requirements(n)

[Amended 1-31-1977 by Ord. No. 672; 6-4-1991 by Ord. No. 988; 9-25-2001 by Ord. No. 1184; 3-19-2002 by Ord. No. 1197; 4-23-2002 by Ord. No. 1200; 7-11-2006 by Ord. No. 1305; 5-20-2014 by Ord. No. 1478; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Zone District	Primary Use	Height Limit		Minimum Lot Area (square feet)	Minimum Lot Depth (feet)	Minimum Lot Width (feet)	Minimum Yard Requirements				Maximum Building Coverage for all Structures	Maximum Impervious Coverage	Maximum Floor Area Ratio	Maximum Open Space Ratio	Property Size Test	
							Front	Rear	Side						Envelope	Coverage
		Stories	feet	Each	Both											
R-22.5	Single-family residence	2 1/2	35	22,500	N/A	150	35	35	20	40	25%	15%	N/A	N/A	8,800	5,625
	Interior lot															
	Corner lot															
R-10	Single-family residence	2 1/2	32	10,000	N/A	100	25(b)	35	15	35	25%	15%	N/A	N/A	2,600	2,500
	Interior lot															
	Corner lot															
R-7.5	Single-family residence	2 1/2	32	7,500	N/A	75	20(b)	35	8	20	30%	15%	N/A	N/A	2,475	2,250
	Interior lot															
	Corner lot															
ML-10(o)	Single-family residence	2 1/2	32	10,000	N/A	100	25(b)	35	15	35	25%	15%	N/A	N/A	2,600	2,500
	Interior lot															
	Corner lot															
CBD-10	Retail commercial	See § 290-69, Table A, Area and Bulk Requirements for CBD-10 and CBD-15														
CBD-15	Retail commercial															
LB	Nonretail commercial without industrial	2 1/2	35	40,000	N/A	150	(d)	(d)	(d)	(d)	(d)	(d)	(d)	(d)	N/A	N/A
RC	Retail commercial	2 1/2	35	5,000	N/A	50	20(b)	30	(c)	(c)	35%	N/A	N/A	N/A	N/A	N/A
IM	Industrial manufacturing	2 1/2	35	15,000	N/A	100	25(b)	40	(c)	(c)	35%	N/A	N/A	N/A	N/A	N/A
RB	Single-family and two-family residence	2 1/2	35	10,000(j)	N/A	100(j)	20(b)	35(e)(g)(h)	7(e)(h)	17(e)(h)	25%	15%	N/A	N/A	N/A	N/A
	Interior lot															
	Corner lot															

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NOTES:

- (a) The maximum height of accessory structures shall be 15 feet.
- (b) Or the average setback of residences within 200 feet of the lot in question within the intersecting street. The residence shall not be less than noted footage nor less than the average of the residences within the stated distance.
- (c) None required, except if abutting a residence zone, then 1.5 times the side yard required in the residence zone. If a side yard is provided and it is not abutting a residence zone, the side yard shall be at least six feet. However, access to the rear yard, at least 15 feet wide, must be provided, either as a side yard, as easement from an adjoining yard having access to the street, or a drive from a side street.
- (d) For LB uses, the following development standards shall apply:

Front ¹ (feet)	Yards		FAR ³	Maximum		Height (feet)
	Rear (feet)	Side ²		OSR ⁴	OSR ⁴	
50	50	20% lot width	0.35	0.30	0.30	20
50	50	30% lot width	0.50	0.30	0.30	35

- ¹ Measured on horizontal plane.
- ² No side yard shall be less than 15 feet for both sides or seven feet for any one side.
- ³ Including accessory structures.
- ⁴ Areas provided under OSR, open space ratio, may not be used for parking or structures. It may be used for driveways, signs or front, rear and side yards.

FAR, floor area ratio, is defined as the ratio of total floor area to total lot area.

OSR, open space ratio, is defined as the ratio of the cross-sectional area of the structure or structures, measured on a horizontal plane at finished grade level, to total lot area.

- (e) Open steps and eave overhangs may encroach on the front yard, but not on the rear yard or side yard.
- (f) In the LB, RC and IM Zones, except as may be required in the following notes, the following shall be the minimum setbacks measured from the center line of the street to any open doors on the structure or to the nearest projection of any portion of the structure within nine feet zero inches of ground level.

Zone	Minimum Setback (feet)	
	On County Road	On Borough Street
RC	58	30
LB	75	35
IM	85	60

- (g) If on one side of a street within a given block within any district of the Borough of Emerson there is a pronounced uniformity or alignment of the fronts of existing buildings and of depths of front yards greater than or less than the depths of front yard requirements as hereinbefore specified, a front yard shall be required in connection with any construction, which front yard shall conform as nearly as possible to those provided for existing buildings in that block, except that no front yard shall be in excess of 25% of the lot depth, anything hereinabove to the contrary notwithstanding.
- (h) When a lot in a nonresidential zone abuts a lot in a residential zone, there shall be provided in the nonresidential zone along such abutting line a forty-foot yard, and a five-foot-high hedge or wall shall be provided and maintained on the nonresidential lot along such abutting line back on the building setback line. Twenty feet of such yard closest to the residential zone shall not be used for parking, driveways or aisleways.
- (i) The minimum lot width shall be measured at the property line and shall be maintained for an additional 40 feet toward the rear line of the lot. Building lots on a cul-de-sac shall have at least 85% of the minimum lot width at the property line, as measured by a straight line between the two points made by the intersection of the side lot lines with the property line, and the minimum lot width at the setback line also as measured by the straight-line distance.
- (j) When a single-family residence is constructed in the RB Zone, the lot area and lot width requirements of the R-7.5 Zone shall apply.
- (k) Side street: 35 feet.
Interior lot: 20 feet.
- (l) Side street: 25 feet.
Interior lot: 15 feet.
- (m) Side street: 22 feet.
Interior lot: eight feet.
- (n) For additional requirements pertaining to the OSC Zone, see § 290-22.
- (o) For alternate development regulations for the ML-10 Single-Family Zone, see § 290-17.1.
- (p) Notwithstanding the foregoing, the width of the dwelling shall never exceed 73% of the existing lot width.
- (q) Provided that, where an entire block is to be redeveloped pursuant to the Redevelopment Plan, the minimum lot area shall coincide with the block as depicted on that map.
- (r) Additional height is permitted in accordance with § 290-70A(3) of Article XIII.
- (s) Corner parcels with rights-of-way located on three sides may reduce the required depth by 55% and reduced side yards of five feet for each yard.
- (t) For CBD-10 and CBD-15 uses, the following front yard development standards shall apply:

	Minimum Front Yard (feet)		Maximum Front Yard (feet)	
	From Kinderkamack Road	From Other Streets	From Kinderkamack Road	From Other Streets
CBD-10	10 ¹	5	25 ¹	15
CBD-15	15 ²	N/A	50 ²	N/A

¹In accordance with the streetscape requirements set forth in § 290-70B(1) of Article XIII.

²In accordance with the streetscape requirements set forth in § 290-70B(2) of Article XIII.