

SECTION 100

TITLE AND PURPOSE

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101 Title.

A comprehensive Ordinance regulating and limiting the uses of land and the uses and locations of buildings and structures; regulating and restricting the height and bulk of buildings and structures and determining the area of yards and other open spaces; regulating and restricting the density of population; dividing the Town of Hackettstown into districts for such purposes; adopting a map of said Town showing boundaries and the classification of such districts; establishing rules, regulations and standards governing the subdivision and development of land within the Town; establishing a Planning Board and a Zoning Board of Adjustment; and prescribing penalties for the violation of its provisions.

102 Short Title.

The short form by which this chapter may be known shall be "THE LAND DEVELOPMENT ORDINANCE OF THE TOWN OF HACKETTSTOWN".

103 Purpose.

The chapter is adopted pursuant to N.J.S.A. 40:55D-1, et seq., in order to promote and protect the public health, safety, morals, and general welfare, and in furtherance of the following related and more specific objectives:

- o To secure safety from fire, flood, panic, and other natural and manmade disasters;
- o To provide adequate light, air and open space;
- o To ensure that the development of the Town of Hackettstown does not conflict with the development and general welfare of neighboring municipalities, the county and State as a whole;
- o To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, and preservation of the environment;
- o To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;

- o To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational and commercial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- o To encourage the location and design of transportation routes which will permit the free flow of traffic while discouraging location of such facilities and routes which will result in congestion or blight;
- o To provide a desirable visual environment through creative development techniques and good civic design and arrangements;
- o To promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land;
- o To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial and recreational development to the particular site;
- o To encourage senior citizen community housing construction;
- o To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- o To promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.
- o To further the goals and policies of the Master Plan of the Town of Hackettstown.

104 Interpretation of Standards.

The provisions of this Ordinance shall be held to be the minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations or resolutions, the provisions of this Ordinance shall control. Where other laws, rules, regulations or resolutions require greater restrictions than are imposed by this Ordinance, the provisions of such other laws, rules, regulations or restrictions shall control.

105 Prohibited Uses.

All uses not expressly permitted in this Ordinance are prohibited. Additionally, no more than one (1) principal building shall be situated on any lot unless specifically permitted by this Ordinance.

106 Compliance.

All applicable requirements shall be met at the time of construction, enlargement, alteration, moving or change in the use of a structure or structures and shall apply to the entire structure or structures, whether or not the entire structure or structures were involved in the construction, enlargement, alteration, moving or change in use.

In all instances, the Planning Board or Zoning Board of Adjustment, as the case may be, shall exercise the application of the requirements of the Ordinance in a reasonable manner, considering both the existing and proposed development of the subject site.