

**TOWNSHIP OF FAIRFIELD
ORDINANCE # 2009-03**

**AN ORDINANCE AMENDING CHAPTER 45 AND 42 OF THE CODE OF THE
TOWNSHIP OF FAIRFIELD REGARDING ZONING AND LAND
SUBDIVISION**

WHEREAS, the Township of Fairfield has enacted a Stormwater Management Plan;

WHEREAS, the Township Engineer has recommended that the Zoning AND Land Subdivision Ordinances be amended for the purpose of incorporating non-structural stormwater management strategies outlined in the Township's Stormwater Management Plan.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Fairfield that it does hereby supplement and amend Chapters XLII and XLV Land Subdivision and Zoning Ordinance of the Township of Fairfield as follows:

SECTION 1: The table in Section 45-12.7a. is amended to increase the buffer width from 10 feet to 20 feet.

SECTION 2: Section 45-12.7g shall be amended to read as follows (emphasis added for amended portions):

No structure, activity, storage of materials, driveways or parking of vehicles shall be permitted in a buffer area, other than the crossing of utilities or non-structural stormwater measures. No land disturbance shall occur within a buffer area except for utilities and non-structural stormwater management measures.

SECTION 3: Section 45-12.7h.1. shall be amended to read as follows (emphasis added for amended portions):

A solid and continuous landscaped screen shall be planted and maintained to conceal the parking and loading areas, eliminate the glare of vehicle lights throughout the year and camouflage the building from the abutting residential areas. The landscaped screen shall consist of native vegetation including evergreen trees, such as hemlock, Douglas fir, Norway spruce, etc. Evergreen trees shall not be less than eight (8') feet high when planted, and the lowest branches shall be not more than one (1') foot above the ground. In the event that the existing evergreen trees do not cover the required area from the ground, said landscaping screen shall be supplemented with evergreen shrubbery. A Landscape Architect or Licensed Engineer shall certify that native vegetation species are being utilized pursuant to this section.

SECTION 4: Section 45-12.11a shall be amended to add the following sentences to the end of the section:

Raw materials shall not be stored in such a form or manner that natural forces such as precipitation, wind, or evaporation can transfer them off the lot, directly or indirectly. Materials or wastes that create a pollutant or hazard must be enclosed in appropriate containers.

SECTION 5: Section 45-12.11e shall be amended to read as follows: Outdoor storage is prohibited in all zones except L-1, L-2 and C-3.

SECTION 6: The language in Section 45-17h.1 shall be stricken and amended to read as follows:

Where the area proposed for tree removal is to be occupied by a building or other similar structure, the area permitted to be cleared shall extend a maximum of 30 feet beyond the building footprint. In the case of a street or roadway, driveway, patio, swimming pool, recreation area, utility line easement or right-of-way the area to be cleared shall extend a maximum of 15 feet beyond the edge of these structures or areas. A minimum of ten percent of existing forested areas shall be protected from disturbance.

SECTION 7: Section 45-18 is amended to include the following sentences at the end of the section:

For all non-residential development applications, whenever a variance for maximum impervious coverage is granted, the property owner must mitigate the impact of the additional impervious surfaces unless the stormwater management plan for the development provided for these increases in impervious surfaces. This mitigation effort must address water quality, flooding and groundwater recharge as described in Section 42-10.1.

SECTION 8: The top of page 4539 reference number "45-7" shall be removed and replaced with "45-19".

SECTION 9: The language in Section 45-19.1a shall be stricken and amended to read as follows:

Whenever there is more than one (1) use conducted on any one premises, parking spaces shall be provided in accordance with the combined requirements of each use as shown in the above schedule unless it can be demonstrated through a parking generation analysis prepared by a qualified traffic engineer that the peak parking demand is less than the total number of spaces required by ordinance. Where re-development takes place on a site and a reduced number of parking spaces is approved, excess impervious pavement shall be removed and replaced with green space which is to be utilized for stormwater management strategies.

SECTION 10: The second sentence shall be amended by removing the wording "that necessitates restriping of parking spaces".

SECTION 11: The first sentence of Section 45-19.5d.1 shall be amended to read as follows (emphasis added for amended portions):

In residential zones, R-1, R-2, R-5 and any other property used for detached residential dwellings, the edge of the driveway or parking pavement shall not be closer than four (4') feet to a side property line and no driveway shall be less than twelve (12') feet in width or more than eighteen (18') feet in width.

SECTION 12: Section 45-19.5d.2 shall be amended to read as follows (emphasis added for amended portions):

Driveways for newly constructed residences or modification to existing driveways must be surfaced with bituminous asphalt, concrete or permeable paving materials as

