

Patent

**The Illustrated
Book of
DEVELOPMENT
DEFINITIONS**

NEW EXPANDED EDITION

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Comment: Transition lots (or lots in transition zones) serve as logical “change” lots between two zones. For example, a lot between a business and residential zone might allow parking for the business use (with adequate setbacks, buffering, and landscaping) or a higher-density residential use. The zoning ordinance may also establish an intermediate size for the transition lot. For instance, if located between a 40,000-square-foot residential zone and a 20,000-square-foot residential zone, the transition lot might be required to have a minimum of 30,000 square feet. The transition lot also might be part of a lot-averaging design. See LOT AVERAGING.

LOT AREA

The total area within the lot lines of a lot, excluding any street rights-of-way.

LOT AVERAGING

A form of development that permits a reduction in individual lot areas and bulk requirements, provided that the number of lots remains the same as permitted without lot averaging.

Comment: Lot averaging has proven to be an excellent and much simpler way of preserving open space than other techniques such as transfer of development rights, which often requires the establishment of sending and receiving zones and the establishment of a transfer bank. Lot averaging is basically the same as cluster development, except that cluster development usually requires that the common open space be designated for the use and enjoyment of the residents and owners of the development and generally is owned by a homeowners association. While lot averaging also allows the open space to be so designated, it also permits, for example, that the open space be permanently deed-restricted for agricultural purposes and sold to a farmer or retained by a single property owner for his or her own open space use.

In Cranbury Township (Middlesex County), New Jersey, the lot-averaging provision has permanently saved considerable acreage for farming. The technique works as follows in the Farm Preservation Zone (areas currently farmed without public water or sewers): The bulk regulations in this zone call for a minimum of 6 acres for each dwelling unit. An applicant wanting to develop a parcel of land using the lot-averaging technique must first lay out the property in a conventional, fully conforming, 6-acre-per-lot subdivision to establish the maximum number of lots that could be developed without lot averaging. The township then grants

a density bonus of 25 percent, provided at least 70 percent of the land is preserved in open space or agriculture. If the parcel is 120 acres, for example, and a fully conforming subdivision resulted in 16 lots (excluding losses from roads and irregularly shaped boundaries), the applicant would be permitted to develop with a 25 percent bonus, or 20 lots. The minimum lot size would be consistent with septic, water treatment, and water requirements. In the example, the actual lot sizes would be between 1 and 1.8 acres. The 70 percent preservation requirement would result in 84 acres saved.

The key to encouraging lot averaging is the bonus provision. It offsets the additional cost of laying out a conventional subdivision plat and any reduction in value by allowing smaller lots. But as builders have pointed out, the local market for 1-acre lots is much greater than for 6-acre lots, so the present value may be as much for the smaller lots as for the larger ones. In addition, the conventional layout required to determine the maximum lot yield does not call for detailed engineering plans.

While the example used is a farm zone, lot averaging works in all residential zones as long as the density in the developed parts of the tract can be accommodated.

LOT COVERAGE

That part of the lot that is covered by impervious surfaces. *See* BUILDING COVERAGE; IMPERVIOUS SURFACE.

LOT DEPTH

The average distance measured from the front lot line to the rear lot line. *See* Figure 10.

Comment: For lots where the front and rear lot lines are not parallel, the lot depth should be measured by drawing several evenly separated lines from the front to rear lot lines, at right angles to the front lot line, and averaging the length of these lines.

LOT FRONTAGE

The length of the front lot line measured at the street right-of-way line. *See* Figure 10.

Comment: On corner lots, each side abutting the street is considered the frontage, and in many ordinances, such lots have two front yards, two side yards, and no rear yards. *See* *Comment* under LOT, CORNER.

LOT LINE

A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space. *See* Figure 14.