

§ 244-57. HC Highway Commercial Zone.

A. Permitted principal uses of buildings and structures are as follows:

- (1) All principal uses permitted in the NC Neighborhood Commercial Zone.
- (2) Art, dance, gymnastics, music or other similar instructional school.
- (3) Auto parts store; excluding, however, auto repair shop and installation services.
- (4) Bar/cocktail lounge/nightclub.
- (5) Bicycle rental, repair or sales establishment.
- (6) Bowling alley.
- (7) Building materials retail sales establishment; excluding, however, lumberyards or other similar uses requiring outdoor storage.
- (8) Commercial office.
- (9) Commercial retail use.
- (10) Contractor's office, showroom, garage, warehouse and shop; provided, however, that all materials and equipment are stored within a completely enclosed building.
- (11) Department store.
- (12) Municipal parks, playgrounds and other municipal buildings and uses as are deemed appropriate and necessary by the Township Committee.
- (13) Federal, state, county and other public buildings and grounds; excluding, however, public schools, parks, playgrounds or other public recreational uses or areas.
- (14) Funeral home.
- (15) Furniture store.
- (16) Garden center.
- (17) Indoor commercial health/recreational facility.
- (18) Nurseries and greenhouses.
- (19) Personal or professional service establishment.
- (20) Pet shop; excluding, however, the boarding or treatment of animals.
- (21) Printing, lithography, publishing or photocopying establishment.
- (22) Restaurant with or without a liquor license, including drive-through and fast-

food restaurants where space permits safe traffic movement. Drive-in restaurants are not permitted. **[Amended 3-28-2005 by Ord. No. 20-05]**

- (23) Shopping centers.
- (24) Shops of artisans, carpenters, craftsmen, electricians, painters, plumbers, printers or other similar trade.
- (25) Sign shop.
- (26) Supermarket.
- (27) Theater (indoor only).
- (28) Vocation/trade school, operated for profit.
- (29) Combinations of two or more of the above permitted uses in one principal building.
- (30) Other uses similar to those listed above.
- (31) Raising of horses and other livestock.
- (32) Essential services.
- (33) Mini warehousing and self-storage. **[Added 12-23-2002 by Ord. No. 50-02]**
- (34) Bank and financial institution. **[Added 5-27-2003 by Ord. No. 12-03]**

B. Permitted accessory uses of building and structures are as follows:

- (1) Bulk storage, subject to the provisions of § 244-152.
- (2) Fences and walls, subject to the provisions of § 244-190.
- (3) Off-street loading, subject to the provisions of § 244-196.
- (4) Off-street parking, subject to the provisions of § 244-197.
- (5) Satellite dish antennas, subject to the provisions of § 244-165.
- (6) Signs, subject to the provisions of § 244-207.
- (7) Other customary accessory uses, buildings and structures which are clearly incidental to the principal use(s) and building(s).
- (8) Hospitals and philanthropic eleemosynary uses (§ 244-123). **[Added 5-27-2003 by Ord. No. 12-03]**

C. Conditional uses, subject to the provisions of Article VIII of this chapter, are as follows:

- (1) Automobile repair shop (motor vehicle repair shop) (§ 244-109).
- (2) Automobile sales establishment for new and/or used cars (§ 244-110).

- (3) Automobile service station (gas station or motor vehicle service station (§ 244-111)).
- (4) Car wash (§ 244-112).
- (5) Churches and places of worship (§ 244-115).
- (6) Commercial recreational activities (§ 244-116).
- (7) Drive-in restaurant (§ 244-118).
- (8) Health care facility (§ 244-120).
- (9) Hotel or motel (§ 244-124).
- (10) Mini storage facility (§ 244-126).
- (11) Public utilities (§ 244-128).
- (12) Veterinary clinic, hospital or animal care facility (§ 244-132).
- (13) Solar energy facilities. In addition to the conditional use requirements set forth at § 244-133.1, solar energy facilities in the HC Zone shall be subject to the following conditions: **[Added 1-27-2015 by Ord. No. 01-15; amended 8-25-2015 by Ord. No. 20-15]**
 - (a) The solar collectors and accessory equipment setback shall be 50 feet or the accessory building setback requirement of the applicable zoning district, whichever distance is greater. For contiguous properties under common ownership, the setback may be reduced to zero feet along the common property lines.
 - (b) The height of the solar collectors and any mounts shall not exceed 12 feet when oriented at maximum tilt. For solar collectors attached to open-sided carports located within parking areas, the maximum height shall not exceed 25 feet.
 - (c) All projects are net-metered projects limited in annual energy generation capacity to the previous calendar year's energy demand.
 - (d) All solar or photovoltaic energy systems shall require major site plan approval.
 - (e) When a new driveway or road is required for access to the solar or photovoltaic systems, the surface shall be suitable to accommodate maintenance as well as emergency vehicles.
 - (f) All solar or photovoltaic energy system installations must be performed by a qualified installer, and prior to operation the electrical connections must be inspected by the Township or other appropriate electrical inspection agency, as determined by the Township. In addition, any interconnection to the public utility grid must be inspected by the

appropriate public utility.

- (g) Ground areas beneath solar panels shall be planted with a seed mixture of grasses that are both native and non-native to the region, are noninvasive and are best suited to prevent soil erosion and the spread of weeds or other invasive species and will promote biodiversity. The ground area shall be mowed as needed, the frequency of such mowing to be determined in consultation with the Township's professionals, the Ocean County Soil Conservation District and any other agency having jurisdiction over the installation of the solar panels. **[Amended 3-8-2016 by Ord. No. 05-16]**
 - (h) Solar panels shall not be included in any calculation of impervious surface or impervious cover in accordance with N.J.S.A. 40:55D-38.1.
 - (i) With the exception of carport installations, ground areas beneath solar panels shall be planted with a seed mixture of native, noninvasive, shade-tolerant grasses in order to prevent soil erosion and the spread of weeds or other invasive species and to promote biodiversity and a natural habitat; the ground area shall be mowed on a regular basis.
- D. Area, yard and building requirements for the HC Zoning District are as follows: **[Amended 5-27-2003 by Ord. No. 12-03]**

Requirements	Type of Lot	
	Interior	Corner
Lot requirements:		
Lot area (square feet)	40,000	45,000
Lot width (feet)	175	200
Lot frontage (feet)	175	200*
Lot depth (feet)	200	200
Principal building requirements:		
Front yard setback (feet)	60	60
Rear yard setback (feet)	40	—
Side yard setback, each side (feet)	25	25
Maximum building height (feet)	35	35
Accessory building requirements:		
Front yard setback (feet)	Not permitted in front yard	
Rear yard setback (feet)	25	—
Side yard setback (feet)	25	25
Maximum building height (feet)	15	15

Requirements	Type of Lot	
	Interior	Corner
Maximum building coverage (combined coverage of all principal and accessory buildings)	30%	30%
Maximum impervious coverage	75%	75%
Parking area setbacks:		
Setback from right-of-way (feet)	20	20
Setback from property line (feet):		
Residential use	20	20
Nonresidential use	10	10