

§ 320-2. Zone Map, transect zones and permitted uses.

- A. Transect Zone Map. The following map, "Transect Zone Map," codifies the location and identification of each transect as well as special districts within the Town.¹ The permitted uses for each transect zone or special district are listed in § 320-2C.
- B. Transect zone district and special district descriptions. The following subsection provides the general description and character of each transect zone district and special district.
- (1) T-1 — Natural Areas. The T-1 Transect Zone covers the majority of wetlands, water and wetland buffers and lands which are already preserved from development including parks and cemeteries. Uses permitted in the T-1 Transect include parks and recreation uses for active parks, ecoparks and nature preserves for passive recreation including walking trails and bike paths.
 - (2) T-2 — Rural Reserved Areas. The T-2 Transect Zone covers large tracts of land that are undeveloped, farmlands, former quarries, etc., which are located in the outskirts of Town and should be preserved from intensive development and kept as areas which are open and rural in nature.
 - (3) T-3 — Neighborhood Residential. The T-3 Transect Zone covers the majority of the single-family residential areas that span out from the downtown and neighborhood center areas and permitted uses generally include single-family residential and accessory apartments.
 - (4) T-4 — Neighborhood Services. The T-4 Transect Zone covers smaller mixed-use neighborhood centers and supports larger neighborhood centers that provide local services to neighborhoods. T-4 uses are generally mixed-use buildings with retail and/or offices on the first floor and offices and/or apartments on the upper floors.
 - (5) T-5 — Town Core Support Area/Neighborhood Cores. The T-5 Transect Zone covers the area surrounding the Town Core that provides the majority of the housing and employment that directly supports the Town Core. The T-5 Transect also provides for Neighborhood Cores to serve some of the neighborhoods which are closer to the Town Core area. The permitted uses in the T-5 Transect generally include mixed-use, hotels, offices and multifamily buildings.
 - (6) T-6 — Town Core. The T-6 Transect is a higher density, mixed and multiple use downtown area. This area provides for the majority of retail and commercial uses within the Town and should be identified as the Central Business District within the Town. This area has residential and office uses over the commercial uses to support day and evening uses in the downtown.
 - (7) Special District 1: Hospital District - SD-1 covers the Newton Medical Center and support services for the hospital. The district is intended for hospital and medical uses and offices.
 - (8) Special District 2: College District - SD-2 covers the Sussex County Community

1. Editor's Note: The map is included at the end of this chapter.

College campus. The district is intended for a college use and college support services. Student housing is permitted.

- (9) Special District 3: Retail/Manufacturing District - SD-3 covers the area along US Route 206 at its intersection with North and South Park Drive. This area includes existing large-scale retail and industrial uses. The area has potential to accept relocated light manufacturing and industrial uses which currently exist in redevelopment areas.
 - (10) Special District 4: Industrial/Manufacturing District - SD-4 covers the existing industrial site and adjacent lands along and across from Sparta Avenue. This area includes an existing manufacturing facility and has potential for additional manufacturing and light industrial development to provide industries and employment within the Town. This area also has potential to accept relocated light manufacturing and industrial uses which currently exist in redevelopment areas. Where proposed development abuts residential areas, year-round buffers should be provided.
 - (11) Special District 5: Office/Manufacturing District - SD-5 covers the Sparta Avenue redevelopment area, where office, light industrial and manufacturing uses are permitted.
 - (12) Special District 6: Schools District - SD-6 covers the Newton High School, Halsted Street School and Merriam Avenue Elementary School. The district is intended for school uses and support services.
 - (13) Special District 7: Senior Community District - SD-7 covers the Bristol Glen/United Methodist Homes Continuing Care and Assisted Living Facility. This district is intended for a continuing care retirement community and related support services.
 - (14) Special District 8: Power Substation District - SD-8 covers the Newton Power Substation. The district is intended for use as a power substation and related uses.
 - (15) Special District 9: Planned Neighborhood Development District - SD-9 covers approximately 52 acres along High Street at the western edge of Town. This area is intended for a planned mixed-use and residential district that will incorporate affordable housing.
- C. Permitted uses. The following tables show permitted uses by transect zone and special district. A mix of uses is permitted based on building types designated as such. Unless expressly permitted in the table, all other uses are deemed to be prohibited. [**Amended 6-25-2012 by Ord. No. 2012-17 ; 2-4-2014 by Ord. No. 2014-1 ; 1-28-2015 by Ord. No. 2015-1 ; 4-24-2017 by Ord. No. 2017-6 ; 2-26-2018 by Ord. No. 2018-2 ; 6-11-2018 by Ord. No. 2018-9 ; 11-26-2018 by Ord. No. 2018-21 ; 6-24-2019 by Ord. No. 2019-5 ; 6-28-2021 by Ord. No. 2021-12]**

Permitted Uses Table — Transect Zones

KEY:

P — Permitted

NP — Not Permitted

PS — Permitted On Any Level Except Street Level

C — Conditional Use

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
Government/Civic/Institutional							
	Public, private or parochial school	NP	NP	P	P	P	NP
	Institutional use	NP	NP	P	P	P	P
	General hospital, nursing home, convalescent home	NP	NP	NP	P	P	NP
	Community garden	P	P	P	P	P	P
	Emergency services	NP	NP	P	P	P	P
	Plaza/square/piazza	NP	NP	NP	P	P	P
	Hospital/medical center	NP	NP	NP	NP	NP	NP
	Cultural uses (museum/gallery/library)	NP	NP	NP	P	P	P
	Park/playground	P	P	P	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	House of worship	NP	P	P	P	P	P
	All public buildings and uses	NP	NP	NP	P	P	P
	Government or public utility use (not including storage uses and garages)	P	P	P	P	P	P
	Governmental administrative /institutional uses	NP	NP	NP	P	P	P
	Judicial	NP	NP	NP	NP	P	P
	Law enforcement	NP	NP	NP	P	P	P
	Public works	P	P	P	P	P	P
	Community center/ senior center	NP	P	P	P	P	P
	Cemeteries	C	C	C	NP	NP	NP
Commercial Retail Services							
	Antique stores	NP	NP	NP	P	P	P
	Appliance stores	NP	NP	NP	P	P	P
	Arts and crafts stores	NP	NP	NP	P	P	P
	Bakeries	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Banks	NP	NP	NP	P	P	P
	Beauty salons, spas and barber shops	NP	NP	NP	P	P	P
	Bed-and-breakfasts	NP	C	C	P	P	P
	Auto body shops	NP	NP	NP	C	C	NP
	Bookstores (excluding adult bookstores)	NP	NP	NP	P	P	P
	Camera and photographic supply stores	NP	NP	NP	P	P	P
	Candy and ice cream shops	NP	NP	NP	P	P	P
	Cannabis delivery	NP	NP	NP	C	NP	NP
	Cannabis retailer	NP	NP	NP	C	NP	NP
	Clothing apparel and shoe stores	NP	NP	NP	P	P	P
	Child-care centers	NP	NP	P	P	P	P
	Coffee shops	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Computer supplies and software stores	NP	NP	NP	P	P	P
	Cosmetic stores, beauty supply stores and perfumeries	NP	NP	NP	P	P	P
	Delicatessens	NP	NP	NP	P	P	P
	Department stores	NP	NP	NP	P	P	P
	Diners, cafes and restaurants	NP	NP	NP	P	P	P
	Drugstores	NP	NP	NP	P	P	P
	Electronics, audio and cell phone stores	NP	NP	NP	P	P	P
	Farmers' market	P	P	P	P	P	P
	Florists	NP	NP	NP	P	P	P
	Food (health) and supplement stores	NP	NP	NP	P	P	P
	Furniture stores	NP	NP	NP	P	P	P
	Garden supply stores	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Gas stations	NP	NP	NP	C	C	NP
	Grocery stores and specialty food stores	NP	NP	NP	P	P	P
	Hobby, toy and game stores	NP	NP	NP	P	P	P
	Home goods, furnishings and accessories stores	NP	NP	NP	P	P	P
	Hotels (excluding extended stay/ efficiencies/ single room occupancies)	NP	NP	NP	NP	P	P
	Jewelers and watch stores (excluding pawn shops)	NP	NP	NP	P	P	P
	Luggage and leather goods	NP	NP	NP	P	P	P
	Meat markets	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Motor vehicle sales	NP	NP	NP	C	C	C
	Musical instruments and supplies stores	NP	NP	NP	P	P	P
	Optical goods stores	NP	NP	NP	P	P	P
	Package goods stores/ liquor stores	NP	NP	NP	P	P	P
	Paint, wallpaper, and/or hardware stores	NP	NP	NP	P	P	P
	Pet grooming, pet shops and pet supplies	NP	NP	NP	P	P	P
	Pharmacies	NP	NP	NP	P	P	P
	Photographers and picture framers	NP	NP	NP	P	P	P
	Recreational facilities, i.e., gym, bowling alley	NP	NP	NP	P	P	P
	Souvenir shops	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Sports and recreation stores (excluding gun stores)	NP	NP	NP	P	P	P
	Stationery, office supply and card stores	NP	NP	NP	P	P	P
	Taverns and bars	NP	NP	NP	P	P	P
	Tattoo parlor	NP	NP	NP	P	P	P
Business/Office/Professional							
	General and professional offices	NP	NP	NP	P	P	P
	Business services	NP	NP	NP	P	P	P
	Laboratory (medical/dental)	NP	NP	NP	P	P	NP
	Office (dental, medical, veterinary, administrative)	NP	NP	NP	P	P	P
	Photo or art studios	NP	NP	NP	P	P	P
	Home occupations	NP	C	C	P	P	PS
	Professional occupations	NP	C	C	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Licensed taxicab business office	NP	NP	NP	C	C	NP
Light Industrial							
	Research and development	NP	NP	NP	P	NP	NP
	Warehouse and storage	NP	NP	NP	P	P	NP
	Light manufacturing	NP	NP	NP	P	P	NP
	Product filling and assembly	NP	NP	NP	P	P	NP
	Artisanal workshop	NP	NP	NP	P	P	P
	Food and beverage production	NP	NP	NP	P	P	P
	Cannabis cultivator	NP	NP	NP	C	C	NP
	Cannabis manufacturer	NP	NP	NP	C	C	NP
	Cannabis wholesaler	NP	NP	NP	C	C	NP
	Cannabis distributor	NP	NP	NP	C	C	NP
Residential							
	Single-family detached	NP	P	P	P	P	NP
	Duplex	NP	NP	P	P	P	NP
	Age restricted	NP	NP	NP	P	P	NP

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Residential over commercial	NP	NP	NP	P	P	P
	Flats or lofts (elevator fed)	NP	NP	NP	P	P	PS
	Group care (elder-care, extended care, special care)	NP	C	C	P	P	P
	Live/work	NP	NP	NP	P	P	P
	Residential cluster development	NP	C	C	NP	NP	NP
Other							
	Club, lodge or fraternal organization	NP	C	C	P	P	P
	Farming and agricultural uses	P	C	C	NP	NP	NP
	Parking structure as principal use	NP	NP	NP	P	P	P
	Surface parking as principal use	NP	NP	NP	P	P	NP

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Temporary uses	P	NP	NP	P	P	P
Accessory Uses							
	Accessory apartment	NP	P	P	P	P	NP
	Carport	NP	P	P	P	P	NP
	Private garage	NP	P	P	P	P	NP
	Storage shed	NP	P	P	P	P	NP
	Surface parking lot	NP	NP	NP	P	P	P
	Parking structure	NP	NP	NP	P	P	P
	Sidewalk cafe (March 1 - Dec. 1 provided snow and ice are not present)	NP	NP	NP	P	P	P
	Street furniture	P	P	P	P	P	P
	Drive-through facility	NP	NP	NP	P	P	P
	Outdoor display (March 1 - Dec. 1 provided snow and ice are not present)	NP	NP	NP	P	P	P

Use		Transect					
		T-1	T-2	T-3	T-4	T-5	T-6
	Outdoor storage	NP	NP	NP	NP	NP	NP

* Professional offices are permitted on the first floor or street level north of Main Street in the T-6 Zone.

Permitted Uses Table — Special Districts

KEY:

P — Permitted

NP — Not Permitted

PS — Permitted On Second Floor Or Above Only

C — Conditional Use

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
Government/Civic/Institutional										
	Public, private or parochial school	NP	P	NP	NP	NP	P	NP	NP	P
	Institutional use	P	P	NP	NP	NP	P	P	NP	NP
	General hospital, nursing home, convalescent home	P	NP	NP	NP	NP	NP	P	NP	NP
	Community garden	P	P	NP	NP	P	P	P	NP	P
	Emergency services	P	P	P	P	NP	NP	P	NP	P
	Plaza/square/piazza	P	P	NP	NP	P	P	P	NP	P
	Hospital/medical center	P	NP	NP	NP	NP	NP	P	NP	NP
	Cultural uses (museum/gallery/library)	P	P	P	NP	NP	P	NP	NP	P
	Park/playground	P	P	P	P	P	P	P	NP	P
	House of worship	P	P	P	P	P	P	P	P	P

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	All public buildings and uses	NP	P	NP	NP	NP	P	P	NP	P
	Government or public utility use (not including storage uses and garages)	P	P	P	P	P	P	P	P	P
	Governmental administrative/institutional uses	NP	P	NP	NP	NP	P	P	NP	P
	Judicial	NP	NP	NP	NP	NP	NP	NP	NP	NP
	Law enforcement	NP	P	NP	NP	NP	P	NP	NP	P
	Public works	P	P	P	P	P	P	P	P	P
	Community center/senior center	P	P	P	NP	P	P	P	NP	P
	Cemeteries	C	NP	C	NP	NP	NP	NP	NP	C
Commercial Retail Services										
	Antique stores	NP	NP	P	NP	P	NP	NP	NP	P
	Appliance stores	NP	NP	P	NP	P	NP	NP	NP	P
	Arts and crafts stores	NP	NP	P	NP	P	NP	P	NP	P
	Bakeries	NP	P	P	NP	P	NP	P	NP	P
	Banks	NP	P	P	NP	P	NP	P	NP	P
	Beauty salons, spas and barber shops	NP	NP	P	NP	P	NP	P	NP	P
	Bed-and-breakfasts	NP	NP	P	NP	P	NP	NP	NP	P
	Body shops	NP	NP	C	C	NP	NP	NP	NP	NP
	Bookstores (excluding adult bookstores)	NP	P	P	NP	P	NP	P	NP	P
	Camera and photographic supply stores	NP	NP	P	NP	P	NP	P	NP	P

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Candy and ice cream shops	NP	P	P	NP	P	NP	P	NP	P
	Cannabis delivery	NP	NP	C	NP	NP	NP	—	—	—
	Cannabis retailer	NP	NP	C	NP	NP	NP	—	—	—
	Clothing apparel and shoes stores	NP	NP	P	NP	P	NP	P	NP	P
	Child-care centers	P	P	P	P	P	P	P	NP	P
	Coffee shops	P	P	P	NP	P	NP	P	NP	P
	Computer supplies and software stores	NP	NP	P	NP	P	NP	NP	NP	P
	Cosmetic stores, beauty supply stores and perfumeries	NP	NP	P	NP	P	NP	P	NP	P
	Delicatessens	P	P	P	NP	P	NP	P	NP	P
	Department stores	NP	NP	P	NP	P	NP	NP	NP	P
	Diners, cafes and restaurants	NP	P	P	NP	P	NP	P	NP	P
	Drugstores	NP	NP	P	NP	P	NP	P	NP	P
	Electronics, audio and cell phone stores	NP	NP	P	NP	P	NP	NP	NP	P
	Farmers' markets	P	P	P	P	P	P	P	P	P
	Florists	P	NP	P	NP	P	NP	P	NP	P
	Food (health) and supplement stores	NP	NP	P	NP	P	NP	P	NP	P
	Furniture stores	NP	NP	P	NP	P	NP	NP	NP	P
	Garden supply stores	NP	NP	P	NP	P	NP	NP	NP	P

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Grocery stores and specialty food stores	NP	NP	P	NP	P	NP	NP	NP	P
	Hobby, toy and game stores	NP	NP	P	NP	P	NP	NP	NP	P
	Home goods, furnishings and accessories stores	NP	NP	P	NP	P	NP	NP	NP	P
	Hotels (excluding extended stay/ efficiencies/ single room occupancies)	NP	NP	P	NP	P	NP	NP	NP	P
	Jewelers and watch stores (excluding pawn shops)	NP	NP	P	NP	P	NP	NP	NP	P
	Luggage and leather goods	NP	NP	P	NP	P	NP	NP	NP	P
	Meat markets	NP	NP	P	NP	P	NP	NP	NP	P
	Motor vehicle sales	NP	NP	C	C	NP	NP	NP	NP	NP
	Musical instruments and supplies stores	NP	NP	P	NP	P	NP	NP	NP	P
	Optical goods stores	NP	NP	P	NP	P	NP	NP	NP	P
	Package goods stores/ liquor stores	NP	NP	P	NP	P	NP	NP	NP	P
	Paint, wallpaper, and/or hardware stores	NP	NP	P	NP	P	NP	NP	NP	P

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Pet grooming, pet shops and pet supplies	NP	NP	P	NP	P	NP	NP	NP	P
	Pharmacies	P	NP	P	NP	P	NP	P	NP	P
	Photographers and picture framers	NP	NP	P	NP	P	NP	NP	NP	P
	Recreational facilities, i.e., gym, bowling alley	NP	P	P	NP	P	NP	P	NP	P
	Souvenir shops	P	P	P	NP	P	NP	P	NP	P
	Sports and recreation stores (excluding gun stores)	NP	NP	P	NP	P	NP	NP	NP	P
	Stationery, office supply and card stores	P	NP	P	NP	P	NP	P	NP	P
	Taverns and bars	NP	NP	P	NP	P	NP	NP	NP	P
	Tattoo parlor	NP	NP	P	NP	NP	NP	NP	NP	P
Business/Office/Professional										
	General and professional offices	NP	NP	P	NP	P	NP	NP	NP	P
	Business services	NP	NP	P	NP	P	NP	NP	NP	P
	Laboratory (medical/dental)	P	NP	P	NP	P	NP	NP	NP	P
	Medical office (professional, dental, medical, veterinary, administrative)	P	NP	P	NP	P	NP	P	NP	P
	Photo or art studios	NP	NP	P	NP	NP	NP	NP	NP	P
	Home occupations	NP	NP	NP	NP	NP	NP	NP	NP	C

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Professional occupations	NP	NP	C	C	NP	NP	C	NP	C
	Licensed taxicab business offices	NP	NP	C	C	NP	NP	NP	NP	NP
Light Industrial										
	Research and development	P	NP	P	P	P	NP	NP	NP	NP
	Warehouse and storage	NP	NP	P	P	P	NP	NP	NP	NP
	Light manufacturing	NP	NP	P	P	P	NP	NP	NP	NP
	Product filling and assembly	NP	NP	P	P	P	NP	NP	NP	NP
	Artisanal workshop	NP	NP	P	P	P	NP	NP	NP	NP
	Food and beverage production	NP	NP	P	C	C	NP	NP	NP	NP
Residential										
	Single-family detached	NP	NP	P ²	NP	NP	NP	P	NP	P
	Duplex	NP	NP	P ³	NP	NP	NP	P	NP	P
	Age restricted	NP	NP	NP	NP	NP	NP	P	NP	P
	Residential over commercial	NP	P	P	NP	P	NP	P	NP	P
	Flats or lofts (elevator fed)	NP	P	NP	NP	P	NP	P	NP	P
	Group care unit (elder-care, extended care, special care)	P	NP	NP	NP	NP	NP	P	NP	C
	Live/work	NP	NP	P	NP	P	NP	P	NP	P
	Residential cluster	NP	NP	NP	NP	NP	NP	NP	NP	NP
Other										

2. Subject to § 320-27B(1).
3. Subject to § 320-27B(1).

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Club, lodge or fraternal organization	NP	P	P	C	C	NP	C	NP	C
	Farming and agricultural uses	C	C	NP	NP	NP	NP	C	NP	C
	Parking structure as principal use	P	P	P	NP	P	NP	P	NP	P
	Surface parking as principal use	NP	P	P	NP	NP	NP	P	P	P
	Temporary uses	P	P	P	P	P	P	P	P	P
Accessory Uses										
	Accessory apartment	NP	NP	NP	NP	NP	NP	NP	NP	P
	Carport	NP	NP	NP	NP	NP	NP	P	NP	P
	Private garage	NP	NP	NP	NP	NP	NP	P	NP	P
	Storage shed	NP	NP	NP	NP	NP	NP	P	NP	P
	Surface parking lot	P	P	P	P	P	P	P	P	P
	Parking structure	P	P	P	NP	P	P	P	NP	P
	Sidewalk cafe (March 1 - Dec. 1 provided snow and ice are not present)	NP	P	P	NP	NP	NP	P	NP	P
	Street furniture	P	P	P	NP	P	P	P	NP	P
	Drive-through facility	NP	NP	P	NP	NP	NP	NP	NP	NP
	Outdoor displays (March 1 - Dec. 1 provided snow and ice are not present)	NP	P	P	NP	NP	NP	P	NP	P

Use		Districts								
		SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
	Temporary outdoor storage of manufactured items pending shipment (max. 48 hours)	NP	NP	P	P	P	NP	NP	NP	NP