

Chapter 102. Development Regulations

Part 5. Zoning and Design Requirements for Nonresidential Districts

Article X. Zoning Requirements

§ 102-111. B-1A District.

[Added 4-29-1997]

- A. Purpose. This district has been established in recognition of the need to provide adequate housing to meet the unique requirements of senior citizens with respect to design and proximity to open space, recreation and shopping areas. It is intended that this zone provide an opportunity for the development of assisted living residential opportunity. The area included within this zone is proximate to a major street system, including State Highway Route 34 and Route 537, along with the commercial uses thereon, while also providing the advantages of an open, rural residential atmosphere due to the adjacent AG District zoning. In addition, the following provisions recognize that current infrastructure limitations require water to be obtained from groundwater sources and that the Raritan-Magothy Aquifer is the shallowest aquifer with the capability of serving an assisted living residence permitted by the terms of this section without potential adverse impact upon existing wells in the area in and around the B-1A District and that any such development shall therefore be required to utilize such aquifer for groundwater requirements.
- B. Permitted principal uses. The following shall be permitted as principal uses:
- (1) Assisted living residences.
 - (2) All principal uses permitted in the AG Agricultural District Development. Such uses shall be in accordance with the requirements and standards set forth in these regulations for the AG Agricultural District, provided for in this chapter, and the schedule of limitations applicable thereto.
 - (3) The growing, cultivating, farming, manufacturing, distribution, or selling of medical and/or recreational marijuana, and/or paraphernalia that facilitates its use, shall be a prohibited principal, accessory or conditional use.
[Added 8-8-2018 by Ord. No. 2018-13; amended 4-14-2021 by Ord. No. 2021-6]
- C. Conditional uses. The following shall be permitted as conditional uses:
- (1) All conditional uses permitted in the AG Agricultural District. Development of such uses shall be in accordance with the requirements and standards set forth for conditional uses in the AG Agricultural District and provided for by this chapter and the schedule of limitations applicable thereto.
- D. Design standards.
- (1) The design standards applicable in the AG Agricultural District under this chapter shall apply to any permitted or accessory or conditional use otherwise allowed in the AG Agricultural District.
 - (2) An assisted living residence shall be subject to the following design standards:
 - (a) Any such development shall be required to utilize the Raritan-Magothy Aquifer as the exclusive source of groundwater for any water delivery systems to the development, whether potable or nonpotable.
 - (b) Any such development shall include the following:

- [1] Outdoor recreational facilities, such as shuffleboard Courts, bocce Courts or putting greens;
 - [2] Indoor recreational facilities, with a minimum area of 500 square feet, for activities such as card games, board games, etc., and for the showing of movies;
 - [3] A library with a minimum area of 200 square feet;
 - [4] Congregate dining facilities (the minimum area shall be 3.33 square feet per person based upon the maximum number of permitted residents of facility);
 - [5] Health care facilities and services, including but not limited to security facilities, administrative offices and storage facilities; any such administrative office shall be located entirely within the principal building and shall only be used to provide administrative services for the assisted living residence;
 - [6] Gift shops/convenience shops with personal hygiene aids, sundries and reading materials;
 - [7] Walking facilities, which shall include landscaped seating areas at its beginning, midpoint and end;
 - [8] Laundry rooms (one for each 30 units; minimum of one per floor);
 - [9] Physical therapy facilities;
 - [10] A worship area with a minimum area of 150 square feet; and
 - [11] An indoor exercise area with a minimum area of 400 square feet.
- (c) A minimum all-season evergreen buffer shall be provided around the perimeter of the site, designed in accordance with the standards set forth in § **102-115** of this chapter.
- (3) Parking requirements. The following parking requirements shall apply as design standards for an assisted living residence:
- (a) Required parking spaces may be provided by any combination of enclosed or open spaces, but in no event shall the parking facilities be more than 150 feet from the building that they are intended to serve.
 - (b) The arrangement and location of internal roads, garages and parking areas shall be subject to the approval of the Planning Board and shall be designed to ensure safe and adequate circulation for senior citizen residents and their guests.
 - (c) Curb ramps shall be provided at all street corners in parking areas and at designated pedestrian crossings.
 - (d) Reasonable yard lighting shall be provided to illuminate the parking areas, walkways, driveways and premises at night and shall be shielded from all residences.
- (4) Architectural standards. The following architectural design requirements shall apply as design standards for an assisted living residence. The architectural design of all buildings devoted to assisted living residences must be consistent with the ultimate purpose of achieving independent, self-reliant and pleasant living arrangements for senior citizens and should take into account the desires and needs of older persons for privacy and participation in social and community activities. At the same time, provisions should be made to accommodate the limitations that sometimes accompany advanced years so that independent living can be sustained. Such provisions shall include but not be limited to the following:
- (a) The threshold of rooms shall be flush with the floor;
 - (b) Grab bars shall be provided beside toilets and in bathtubs or shower stalls;
 - (c) Ramps shall be provided leading to all structures;
 - (d) Dwelling units and structures containing dwelling units and support services functions and facilities for the residents thereof shall be designed and constructed so as to be free of architectural barriers which should prohibit or limit access to or utilization of the dwelling units by physically handicapped or disabled individuals;
 - (e) The use of stairways shall be minimized; and

- (f) The development shall be restricted to the satisfaction of the Planning Board to the effect that no unit shall be occupied by more than two persons. At least 50% of all units shall be restricted to occupancy by one person.

E. Accessory uses.

- (1) The following accessory uses shall be permitted in connection with an assisted living residence as a principal use:
 - (a) Linen service facilities,
 - (b) Nursing services,
 - (c) Housekeeping services,
 - (d) Beautician services,
 - (e) Meeting rooms,
 - (f) Social rooms.
 - (g) Snack bars/ice cream parlors.
 - (h) Medical offices for visiting doctors.
- (2) All support facilities, functions and services shall be designed and made available only for the use and benefit of resident users of the assisted living residence and their guests.
- (3) Solar energy panels mounted at ground level, located in rear or side yards only and which shall be screened from view from public streets and neighboring properties by screening planting, fencing or a combination thereof such as to provide the proper shielding after two growing seasons. Location and screening requirements do not apply to solar energy panels mounted flush or nearly flush with building sides or roofs.
[Added 8-10-2011]
- (4) Wind energy systems; subject to § **102-82.1**.
[Added 8-10-2011]