

Chapter 13. Land Use and Development Regulations

§ 13-10.6. B-2 Highway Business Zone.

[Ord. No. 324, § 10.6; Ord. No. 2005-55; Ord. No. 2006-81; Ord. No. 2009-133; Ord. No. 2009-150, § 3; Ord. No. 2016-244 § 9]

- a. Permitted Uses. Uses within the following categories shall be permitted uses within the highway business zone unless otherwise specified in subsection **13-10.6d** as a use requiring a conditional use approval.
1. Retail and wholesale stores, shops and markets, provided that:
 - (a) All goods or products fabricated or process incidental to such use shall be sold on the premises or distributed from the premises.
 - (b) Such fabricating or processing that is done on the premises shall not include a processing activity which would involve a physical or chemical process that would change the nature and/or character of the product and/or raw material.
 - (c) Such fabricating or processing shall be confined to the first floor and basement of the premises and no supplies, materials or goods shall be stored out-of-doors, except in conformance with the requirements of subsection **13-5.18** and subsection **13-8.6**.
 2. Personal service establishments, such as, but not limited to, barbershops, and beauty shops and tailoring and dressmaking shops.
 3. Business and professional offices and banks and fiduciary institutions.
 4. Restaurants, lunchrooms, bars and other eating and drinking establishments.
 5. (Reserved)
 6. Art, dancing, music, gymnastics and other similar instructional schools.
 7. Schools for vocational instruction.
 8. Scientific or research laboratories devoted to research, design and/or experimentation, and processing and fabricating incidental thereto, provided that no materials or finished products shall be manufactured, processed or fabricated on the premises for sale, except such as are incidental to the laboratory activities or are otherwise permitted in this zone.
 9. Publication of newspapers and periodicals.
 10. The offices, showrooms, warehouses and garages of contractors in the building trade.
 11. Federal, state, county and municipal buildings and grounds, but excluding schools.
 12. Essential services.
 13. Child care centers pursuant to N.J.S.A. 40:55D-66.6 and N.J.S.A. 40:55D-66.7 of the Municipal Land Use law which are required to be licensed by the Department of Human Services pursuant to N.J.S.A. 30:5B-1, et seq.

14. Artisanal Manufacturing provided that:

- (a) Manufacture and production is performed by a manual worker or craftsman of commercial goods, such as jewelry, metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food products.
- (b) Artisanal manufacturing may include a retail component.
- (c) Artisanal Manufacturing does not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property, and is limited to 5,000 square feet of gross floor area.

15. Microbreweries.

16. Gas Stations.

17. Apartments over ground level retail sales and services uses along Union Avenue, subject to the following standards:

- (a) Density: One dwelling unit per 8,000 square feet of lot area.
- (b) Each second story dwelling shall contain a minimum of 860 square feet of gross floor area.
- (c) Site plan approval shall be required prior to the issuance of any building permit to construct a second story dwelling.
- (d) Second story dwellings shall contain at least one bedroom, as a separate room, and be limited to a maximum of two bedrooms.
- (e) Parking for Mixed-Use Buildings.
 - (1) A minimum of 3.5 parking spaces for every 1,000 square feet of gross commercial floor area shall be provided.
 - (2) Parking for residential uses shall comply with Residential Site Improvement Standards.
 - (3) Shared Parking on Adjacent Parcels. When land uses on adjacent parcels create shared parking areas with pedestrian and/or vehicular circulation paths and access points that are under common ownership or controlled by a reciprocal easement agreement, the collective parking requirements for development on those properties may comply with the standards set forth in paragraphs (1) and (2) above.
- (f) Shared parking on noncontiguous parcels. Required parking for mixed-used buildings may be supplied at a noncontiguous parcel, provided:
 - (1) Parking is available within one 1,000 feet of the mixed-use development:
 - (2) Both the mixed-use development and the parking facility comply with parking lot design standards;
 - (3) Off-site parking spaces may not already be designated as required parking for some other use.
 - (4) Documentation conforming the ownership and/or management arrangement for any shared parking arrangement shall be submitted prior to approval by the Planning Board. Properties with extra parking retain expansion rights equivalent to that number of extra spaces.
 - (5) Provided a mixed-use building(s) complies with off-street parking lot design standards, legal on-street parking along the tract's street frontage may be counted toward the development's minimum parking requirements.

- (6) The minimum required number of parking spaces may be reduced by 25% provided a mixed-use building is within 2,500 feet of a designated transit stop.

b. Required Accessory Uses.

1. Off-street parking subject to the provisions of subsection **13-8.20**.
2. Off-street loading subject to the provisions of subsection **13-8.19**.

c. Permitted Accessory Uses.

1. Fences subject to the provisions of subsection **13-8.13**.
2. Signs subject to the provisions of subsection **13-8.26**.
3. Bulk storage subject to the provisions of subsection **13-8.6**.
4. Other customary accessory uses and buildings which are clearly incidental to the principal use and building.

d. Conditional Uses: Subject to the provisions of section **13-9** of this chapter.

1. Motor vehicle service stations (subsection **13-9.9**).
2. (Reserved)
[Deleted by Ord. No. 2016-244 § 9]
3. Public utilities (subsection **13-9.3**).
4. Drive-in restaurants (subsection **13-9.6**).
5. Hotels and motels (subsection **13-9.7**).
6. Shopping centers (subsection **13-9.8**).
7. (Reserved)
[Deleted by Ord. No. 2016-244 § 9]
8. Commercial recreation activities (subsection **13-9.12**).
9. Bulk storage of fuel provided the storage area is used solely in conjunction with a retail or wholesale outlet and that the storage containers are built below the ground.
10. Trailers, excluding boat and construction trailers and trailers used in delivery, loading and unloading operations, to be used for storage or sale of goods or merchandise or in which commercial services are rendered for a period not exceeding two months. Prior to the expiration of the two month duration of the conditional use the applicant may apply for one extension not to exceed 30 days and shall be permitted to continue the use until the decision of the Planning Board if all fees required for the application have been paid.
11. Wind energy systems or facilities subject to the specifications, standards and regulations established in subsection **13-10.15** of this chapter.
12. Churches (subsection **13-9.2**).
13. Drive-through banks.

e. Yard and Building Requirements.

1. Minimum lot area: 25,000 square feet.
2. Minimum lot width: 300 feet.
3. Minimum lot frontage: 300 feet.

4. Minimum lot depth: 150 feet.
5. Minimum front setback: 35 feet.
6. Minimum rear yard setback:
 - (a) Principal building - 20 feet.
 - (b) Accessory building - 15 feet.
7. Minimum side yard setback:
 - (a) Principal building - 10 feet, with two combined side yards not less than 25% of the lot width, except that the combined side yards need not exceed 40 feet.
 - (b) Accessory building - 10 feet.
8. Maximum building height: 35 feet subject to the provisions of subsection **13-5.12**. In any event, the building shall not contain more than three useable floor levels counted vertically at any point in the building above the grade level as determined by the average grade elevation of the corners of the building.
9. Maximum lot coverage: 50%.
10. Minimum unoccupied open space: 10%.
11. Buffer areas along State Highway 36 should be a minimum of five feet wide; side and rear buffer areas are subject to subsection **13-8.4**.
12. Floor area ratio of any commercial building shall not exceed 1.5.