

*Township of Barnegat, NJ
Monday, July 7, 2025*

Chapter 55. Land Use

Article II. Zoning District Regulations

§ 55-20. C-PHD PLANNED HIGHWAY DEVELOPMENT COMMERCIAL.

[Amended 6-2-97 by Ord. No. 1997-14 § 2; 8-4-97 by Ord. No. 1997-15 § 2; 8-17-98 by Ord. No. 1998-13 §§ 5—6; 10-5-98 by Ord. No. 199-22 § 5]

The following regulations apply in the C-PHD Zone.

A. Permitted Uses.

- (1) Hotels and motels.
- (2) Retail trade and service establishments, including the sale of groceries, baked goods, fishing supplies, gifts, apparel, antiques, housewares, and appliances, barber and beauty shops, laundries and such other similar uses.
- (3) Business and professional offices.
- (4) Funeral homes.
- (5) Restaurants and take out restaurants.
- (6) Fast food restaurants, subject to the design standards listed in this Code pursuant to § **55-190**.
- (7) Automotive filling stations.
- (8) Sales establishments for automobiles, trucks, vehicle campers, boats, boat trailers and other equipment, provided that repair and body work is clearly incidental to the principal use and is carried out entirely within the building; and auto laundries.
- (9) Sales establishment for lumber and other building materials and related equipment and apparatus.
- (10) Animal hospitals.
- (11) Product assembly.
- (12) Product packaging.
- (13) Vehicle body shops, body repairs and painting.
- (14) Municipal offices and fire and rescue stations.
- (15) Public schools and colleges.
- (16) Day nurseries.
- (17) Parks and preserves.

- (18) Libraries and museums.
- (19) Hospitals, clinics, convalescent homes and nursing homes.
- (20) Places of worship, including parish and educational buildings.
- (21) Nonprofit civic, social and fraternal organizations.
- (22) Recreational clubs, including swimming and tennis clubs.
- (23) The erection, construction, alteration or maintenance by a public utility or municipal agency of underground distribution or collection systems for the furnishing of adequate service by such utility or agency to the use on the same lot and/or surrounding neighborhood or for the public health, safety or general welfare.
- (24) Roadside stands for the retail sale of garden produce, similar goods and related supplies and products.
- (25) Detached single-family dwelling for residential purposes together with its accessory uses. The area and bulk regulations for single-family residential dwellings in the R-10 Residential Zone shall apply.
- (26) Warehousing.
- (27) Distribution centers—including wholesale outlets.
- (28) Garden center.
- (29) Transportation equipment storage/parking facility.
- (30) Nursing homes.
- (31) Bed and breakfast inns and tourist homes: Owner-occupied dwellings providing overnight guest accommodations and prepared meals to transients for compensation. A bed and breakfast inn shall contain no more than ten (10) guest rooms; provide a minimum of two (2) off-street, on-site parking spaces plus one (1) space per guest room; restrict the duration of the stay of patrons to a maximum of fourteen (14) consecutive nights; and restrict the service of meals to overnight guests. Individual kitchen facilities or kitchenettes in the guest rooms shall be prohibited.
[Amended 2-16-99 by Ord. No. 1999-4]
- (32) Ambulance dispatch service.
- (33) Commercial recreations establishments, including bowling alleys and theaters.
- (34) Auctions—excluding permanent flea markets.
- (35) Light manufacturing.
- (36) Car wash.
- (37) Light machinery service and assembly.
 - (a) The fabrication, assembly or processing of goods or materials or the storage of bulk goods and materials where such activities or materials create no significant hazard from fire or explosion or produce no toxic or corrosive fumes, gas smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes or objectionable effluent (discharges).
 - (b) Size is limited by existing zoning (building foot print) to fifty percent (50%) of available land and to two-story structures.
- (38) Automotive repair garages.
- (39) Convenience stores.

B. Accessory and Temporary Uses.

- (1) One (1) accessory apartment in a permitted establishment, such apartments to be no less than seven hundred (700) square feet in area.
- (2) Temporary on-site construction trailers for which permits may be issued for periods up to one (1) year, subject to renewal.
- (3) Signs as provided for in this chapter.
- (4) Off-street parking as provided for in this chapter.
- (5) Storage sheds, provided that they do not exceed a total area of one hundred eighty (180) square feet.

C. Conditional Uses. The following uses shall be permitted in the C-PHD Zone, subject to the issuance of a conditional use permit in accordance with the provision of this chapter.

- (1) **[Deleted 8-5-96 by Ord. No. 1996-28 § 2]**
- (2) **[Deleted 8-5-96 by Ord. No. 1996-28 § 2]**
- (3) Public utility uses, such as water towers, electric substations, radio towers and transmission lines, which must be provided above ground.
- (4) **[Deleted 8-17-98 by Ord. No. 1998-13 § 6]**
- (5) Commercial indoor recreation establishments, including bowling alleys and theaters.
- (6) Contractor yards.
- (7) Storage yards.
- (8) State licensed boarding homes.
- (9) Assisted living facilities, nursing and convalescent homes and long-term care facilities may be permitted in those zoning districts specified, subject to the issuance of a conditional use permit and adherence to the minimum requirements of the particular zone and the following standards:
 - (a) A statement shall be submitted with the application setting forth the full particulars regarding the use, activities and buildings.
 - (b) The site shall have frontage on and have primary direct access to and from a county road or a New Jersey State Highway or a Barnegat Township improved road.
 - (c) Minimum requirements shall be as follows:
 - [1] Minimum area, yard and building requirements.
 - [a] Lot requirements.
 - [I] Lot area: five (5) acres.
 - [II] Lot width: two hundred (200) feet.
 - [III] Lot frontage: two hundred (200) feet.
 - [IV] Lot depth: two hundred (200) feet.
 - [b] Principal building requirements.
 - [I] Front yard setback: one hundred (100) feet.
 - [II] Rear yard setback: fifty (50) feet.

- [III] Side yard setback, each side: fifty (50) feet.
- [c] Accessory building requirements. Accessory building requirements shall be the same as those established for the particular zoning district within which the facility is located.
- [d] Maximum building coverage (combined coverage of all principal accessory buildings) shall be twenty percent (20%).
- [2] Maximum principal building height: thirty-five (35) feet, provided, however, that the height of a structure, or portion thereof, may exceed the maximum as otherwise permitted in § **55-129**, provided that the front, rear and side yard requirements set forth above shall be increased by one (1) foot for each foot by which the height of the structure, or part thereof, exceeds the permitted maximum height; and further provided that in no case shall any proposed structure, or part thereof, exceed three (3) usable floors (stories) and fifty (50) feet in height.
- [3] Maximum accessory building height: thirty-five (35) feet.
- (d) All support facilities, functions and services shall be intended for the use and benefit of the resident users of the facility and their guests.
- (e) Support services, functions and facilities within a facility or development may include the following or similar personal services:
 - [1] Indoor and outdoor recreational facilities.
 - [2] Physical therapy facilities.
 - [3] Entertainment facilities.
- (10) A fuel and convenience store subject to the following standards:
[Amended 12-5-2023 by Ord. No. 2023-35]
 - (a) Minimum requirements shall be as follows:
 - [1] Minimum area, yard and building requirements.
 - [a] Lot requirements:
 - [I] Lot area: one-and-a-half (1.5) acres.
 - [II] Lot width: one hundred (100) feet.
 - [III] Lot depth: one hundred seventy five (175) feet.
 - [b] Principle building requirements.
 - [I] Front yard setback building - measured from NJSH DTS (Desired Typical Section) Line: twenty (20) feet; all other streets thirty (30) feet.
 - [II] Side yard setback building: fifteen (15) feet.
 - [III] Combined side yard setback building: thirty (30) feet.
 - [c] Accessory building requirements.
 - [I] Front yard setback canopy - measured from NJSH DTS (Desired Typical Section) Line: twenty-five (25) feet, all other streets thirty (30) feet.
 - [II] Side yard setback canopy: twenty (20) feet.
 - [III] Combined side yard setback building: thirty (30) feet.
 - [d] Maximum building coverage shall be thirty-five (35%) percent.

- [e] Maximum impervious coverage shall be eighty (80%) percent.
 - [f] Maximum principal building height: thirty-five (35) feet.
 - [g] Refuse area side yard setback: five (5) feet.
 - [h] Refuse area rear yard setback: ten (10) feet.
- [2] Site design requirements.
- [a] Building setbacks shall not apply to underground storage tanks.
 - [b] Detention basins and storm water management features as well as retaining walls shall be permitted in front yard areas.
 - [c] At least one point of access shall be provided directly from a State Highway.
 - [d] At minimum two points of ingress/egress shall be provided.
 - [e] No part of any automobile filling station may be used for residential or sleeping purposes.
 - [f] No junked motor vehicle or boat or part thereof or any unlicensed or unregistered motor vehicle shall be permitted on the premises of any fuel and convenience store.
 - [g] The exterior display and parking of motor vehicles, trailers, boats or other similar equipment for sale purposes shall not be permitted as part of a fuel and convenience store.
 - [h] No parking of vehicles shall be permitted on an unpaved area.
 - [i] Lawn area shall be provided at five (5) feet from the right of way or property line except ingress/egress drives.
 - [j] Oversized vehicle parking shall be permitted.
- [3] Signage requirements.
- [a] A maximum of one (1) free-standing site identification sign per street frontage shall be permitted, subject to the following standards:
 - [I] The maximum height from ground level to the uppermost portion of the sign, including any posts, brackets and other supporting elements shall not exceed eighteen (18) feet.
 - [II] The maximum width of the sign, including any posts, brackets and other supporting elements, shall not exceed ten (10) feet.
 - [III] The maximum area of the primary sign panel shall not exceed twenty-four (24) square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed four (4) feet, internally-illuminated channel letters or back-lit letters shall be permitted.
 - [IV] The maximum area of electronic message board for price display only shall not exceed thirty-six (36) square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed three (3) feet.
 - [V] The maximum area of secondary sign panels shall not exceed eight (8) square feet for a total not to exceed thirty-two (32) square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed one (1) foot.

- [VI] No portion of such sign shall be located within ten (10) feet of any Parcel line or within any clear sight triangle.
 - [VII] No portion of such sign shall project or extend over sidewalks, walkways, driveway or parking areas.
 - [VIII] The free-standing monument identification sign may identify or advertise any of the uses contained with the fuel and convenience store definition.
 - [IX] The base of the free-standing monument identification sign shall be provided with an enhanced landscape buffer. Such buffer shall contain ground-level landscaping and shrubs and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.
 - [X] Where signage is to be relocated from an existing business immediately contiguous to the fuel and convenience store said relocated business shall be entitled to an additional eighteen (18) square foot panel on each free standing identification sign.
- [b] A maximum of three (3) directional signs shall be permitted, subject to the following standards:
- [I] The maximum size of the sign shall not exceed seven (7) square feet.
 - [II] The maximum height from ground level to uppermost portion of the sign, including any posts, brackets and other supporting elements shall not exceed three (3) feet.
 - [III] The maximum height of the sign shall not exceed four (4) feet.
 - [IV] The maximum width of the sign shall not exceed three (3) feet.
 - [V] The maximum height of individual letters, numbers of other characters, images or logos shall not exceed twelve (12) inches.
 - [VI] No portion of such sign shall be located within ten (10) feet of any Parcel line or within any clear sight triangle.
 - [VII] No portion of such sign shall project or extend over sidewalks, walkways, driveways or parking areas.
 - [VIII] The base of the directional signs shall be provided with an enhanced landscape buffer. Such buffer shall contain ground-level landscaping.
- [c] A maximum of two (2) wall-mounted building signs shall be permitted, subject to the following standards:
- [I] The maximum size of the sign shall not exceed seventy (70) square feet for a total not to exceed one hundred five (105) square feet.
 - [II] The maximum height of the sign shall not exceed six (6) feet.
 - [III] The maximum width of the sign shall not exceed sixteen (16) feet.
 - [IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed four (4) feet.
 - [V] No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.
- [d] A maximum of two (2) canopy-mounted signs shall be permitted, subject to the following standards:

- [I] The maximum size of the sign shall not exceed twelve (12) square feet.
 - [II] The maximum height of the sign shall not exceed two (2) feet.
 - [III] The maximum width of the sign shall not exceed eight (8) feet.
 - [IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed eighteen (18) inches.
 - [V] No portion of such sign shall extend above or beyond the limits of the side of the canopy to which it is affixed.
- [e] A maximum of two (2) canopy spanner signs over the fuel dispensers shall be permitted, subject to the following standards:
- [I] The maximum size of the sign shall not exceed forty (40) square feet.
 - [II] The maximum height of the sign shall not exceed two (2) feet.
 - [III] The maximum width of the sign shall not exceed twenty (20) feet.
 - [IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed eighteen (18) inches.
 - [V] Spanner signs shall be non-illuminated.
- [f] A maximum of two (2) air pump sign shall be permitted, subject to the following standards:
- [I] The maximum size of the sign shall not exceed two (2) square feet.
 - [II] The maximum height of the sign shall not exceed two (2) feet.
 - [III] The maximum width of the sign shall not exceed three (3) feet.
 - [IV] The maximum height of individual letters, numbers or other characters, images or logos shall not exceed six (6) inches.