

Township of Lacey, NJ  
Wednesday, June 15, 2022

## Chapter 335. Zoning

### Article IX. Zone Regulations

#### § 335-58. O-C Office-Commercial Zone.

[Added 2-5-1981 by Ord. No. 4A-81]

- A. Permitted uses. Within the O-C Office-Commercial Zone, no premises, lot, land area, building or structure shall be used, and no building or structure shall be erected or altered, to be used in whole or in part unless it complies with the schedule of general regulations, the regulations of this chapter, and is used wholly for one or more of the following uses:
- (1) Offices and office buildings of professional persons, such as, but not limited to, accountants, architects, dentists, engineers, lawyers, physicians and realtors.
  - (2) Municipal buildings and other governmental and/or public uses, but not including warehouses, workshops or other such uses or activities.
  - (3) Retail establishments where goods are sold or personal services are rendered to the general public and which, by reason of the size of the establishment, the nature of the goods sold or services rendered, and the scale, nature and character of the activity and facility, clearly relates to serving the convenience of the local community. Examples of permitted uses are as follows: bakeshop, banks, barber or beauty shop, bookstore, clothing and accessories shop, delicatessen, gift shop, pharmacy and yard goods shop.
  - (4) Uses similar in character, including accessory uses, to the above-described permitted uses.  
[Added 12-26-1996 by Ord. No. 96-63; amended 7-24-1997 by Ord. No. 97-30]
  - (5) Churches and other places of worship, Sunday school buildings and parish houses for the presbyter and ministerial staff, provided that such use constitutes a tax-exempt organization duly recognized as such pursuant to Section 501(d) of the United States Internal Revenue Code of 1954<sup>[1]</sup> or any such future corresponding provisions of the United States Code as may hereinafter be duly enacted.  
[Added 7-13-2017 by Ord. No. 2017-18]  
[1] *Editor's Note: See 26 U.S.C. § 501(d).*
  - (6) Public schools and parochial schools.  
[Added 7-13-2017 by Ord. No. 2017-18]
  - (7) Public recreational and community center buildings and grounds.  
[Added 7-13-2017 by Ord. No. 2017-18]
  - (8) Private, nonprofit recreational and community buildings, clubs and activities of quasi-public, social, fraternal or recreational character, such as golf and tennis clubs, camps and veterans' or fraternal organizations which are not of a commercial character.  
[Added 7-13-2017 by Ord. No. 2017-18]
  - (9) Nursery schools and day-care centers.  
[Added 7-13-2017 by Ord. No. 2017-18]

- (10) Public recreational and community center buildings and grounds.  
[Added 7-13-2017 by Ord. No. 2017-18]

- (11) Public libraries and museums.  
[Added 7-13-2017 by Ord. No. 2017-18]

B. Conditional uses by permit. In addition to the above-described permitted uses for the O-C Office-Commercial Zone, the following shall be classified as conditional uses subject to the approval of the Planning Board upon compliance with the standards and regulations set forth in § 335-78 of this chapter:

[Amended 12-26-1996 by Ord. No. 96-63; 7-24-1997 by Ord. No. 97-30]

- (1) Multiple commercial structures.
- (2) Restaurants and other such eating establishments wherein the principle use consists of the sale of food and beverages for on-premises consumption, but excluding fast-food operations, as defined in § 335-58C(1).
- (3) Liquor stores in accordance with § 335-78C(20) and additional applicable provisions of § 335-78C.  
[Added 12-23-2004 by Ord. No. 2004-58]

C. Prohibited uses. Uses of the following nature are not permitted under any circumstances in the O-C Office-Commercial Zone:

- (1) "Fast-food operations," which, for the purposes of this section, are defined as follows: a building, structure or other establishment which has as its principal business the sale of prepared or quickly prepared food or drink in disposable containers or wrappers, for consumption either on or off the premises, whether or not interior seating facilities are provided, except that a retail grocery delicatessen or other store selling food items primarily for home preparation or home consumption shall not be considered a prohibited fast-food operation under this chapter.

- (2) Taverns and other such establishments wherein the use consists, in whole or in part, of the sale of alcoholic beverages for on-premises consumption.<sup>[2]</sup>

[2] *Editor's Note: Former Subsection C(3), which immediately followed this subsection and dealt with liquor stores, was repealed 12-23-2004 by Ord. No. 2004-58. Former Subsection C(4), which followed that subsection and dealt with restaurants, was repealed 12-26-1996 by Ord. No. 96-63.*

D. Special development standards for O-C Office-Commercial Zone.

- (1) Driveways, driveway openings and curb cuts.

(a) All development and use of land within this zone shall be designed and operated in such a manner that driveway openings, curb cuts or other access areas for the passage of vehicular traffic directly between any off-street parking areas and the public highway presently and commonly known as Lacey Road are to be eliminated wherever feasible.

(b) Driveways, driveway openings, curb cuts or other means of access for the passage of vehicular traffic from any site or off-street parking area to an abutting residential street are prohibited.

- (2) <sup>[3]</sup>In the event that more than one principal building or structure is constructed, developed or otherwise used on any one lot, there shall be a minimum distance of 10 feet between each such principal building.

[3] *Editor's Note: Former Subsection D(2), dealing with retail establishment use, was repealed 7-24-1997 by Ord. No. 97-30, which ordinance also renumbered former Subsection D(3) as Subsection D(2).*



- E. Anything contained within the Zoning Ordinance of the Township of Lacey notwithstanding, with respect to any single-family residential dwelling in existence on the date of the adoption of this amendatory subsection and located within the boundaries of the O-C Office-Commercial Zone, the minimum building setbacks on front, side and rear, for both principal and accessory structures, shall be those established for the R-75 Zone for both interior and corner lots as set forth in Tables 2 and 3<sup>[4]</sup> of Chapter **335** of the Lacey Township Code.

[Added 7-23-1998 by Ord. No. 98-25]

[4] *Editor's Note: Tables 2 and 3 are located at the end of this chapter.*

- F. Types of housing permitted as an accessory use.

[Added 9-12-2013 by Ord. No. 2013-26]

(1) Dwelling units in mixed-use buildings.

- (a) Any building containing both residential and nonresidential uses shall have a secured entrance for the residential uses.
- (b) No dwelling unit shall be permitted on the same floor level as a nonresidential use.
- (c) Dwelling units shall be permitted only in buildings in which the ground floor is devoted to retail sales, professional office or personal service uses.
- (d) Dwelling units shall be no less than 700 square feet in area.
- (e) A maximum of two apartments shall be permitted unless age-restricted.