

§ 160-166. Permitted uses. [Amended 11-7-1980; 8-2-1991]

The H-D Zone District is designed for and permits only the following uses as herein regulated:

- A. Retail stores, including supermarkets, variety stores, furniture and other large retail outlets.
- B. Restaurants, including drive-in establishments providing automobile service.
- C. Indoor facility of amusement or assembly.
- D. Club or lodge.
- E. Bus station.
- F. Veterinarian services.
- G. Laboratory (scientific or industrial research testing, experimental), provided that no processing shall be permitted, except insofar as such processing is incidental to a research, experimental or testing process and there is no commercial production or storage of goods, material or any other substance for sale except as may be produced by a small pilot plant for off-site sale or for storage necessary for scientific research.
- H. Newspaper publishing; printing establishment.
- I. Wholesale establishment.
- J. Commercial greenhouse.
- K. Contractor's craftsman's or general contractor's service shop, including welding and similar shops.
- L. Professional and administrative offices.
- M. New and used car dealerships.
- N. Parking facilities as regulated in § 160-79 of this chapter.
- O. Conditional uses as regulated in Article XIV of this chapter.
- P. Signs as regulated in § 160-86 of this chapter.
- Q. Accessory uses customarily incident to the above uses.
- R. Customary and conventional farming operations as permitted by § 160-128A(3), including the construction of residences that are accessory to such farming operations, and customary farm buildings as permitted by § 160-128B(7). **[Amended 6-2-2005 by Ord. No. 2005-15]**
- S. Vehicle repair. **[Added 3-14-2005 by Ord. No. 2005-3]**
- T. Convenience stores. **[Added 2-22-2007 by Ord. No. 2007-5]**
- U. Minor solar or photovoltaic energy facility or structure in accordance with Article XXX, § 160-201B. **[Added 12-12-2012 by Ord. No. 2012-6]**

§ 160-167. Prohibited uses.

Any use other than those listed in § 160-166 is prohibited. Specifically prohibited are the following:

- A. Residential construction or conversion.
- B. Industrial uses involving any process or manufacture, fabrication, assembly and disassembly other than repair.
- C. Storage buildings and yards, fuel-distributing plants, lumberyards or warehouses, unless an accessory use.
- D. Auction establishments.
- E. Outdoor amusements.
- F. Junkyards, secondhand materials yards or the dismantling of automobiles.
- G. Used car dealerships except as provided in § 160-168J of this article.
- H. Adult bookstores.

§ 160-168. Required conditions. [Amended 9-5-1986; 5-6-1988; 12-1-1989; 8-2-1991]

The following requirements shall be complied with in the H-D Zone:

- A. Minimum lot area. Every lot shall have a minimum lot area of 2.00 acres measured within 350 feet of the front street right-of-way line; provided, however, that premises connected to and serviced by public sewer collection and potable water supply systems shall have a minimum lot area of 1.00 acre measured within 250 feet of the front street right-of-way line. The calculation of lot areas shall exclude any lot or portion thereof which has a dimension of less than 200 feet between the street line and the side or rear lot lines, measured perpendicular to the lot width dimension line. The calculation of lot area shall be subject to the provisions of § 160-110.
- B. Lot width. The minimum lot width measured at the front yard setback line shall be at least 250 feet. The measurement of lot width shall be subject to the provisions of § 160-110.
- C. Lot frontage. The minimum lot frontage measured along the front street right-of-way line shall be at least 200 feet, of which at least 20 feet immediately adjacent to the street upon which the lot has frontage and extending for the full frontage of the lot must be set aside for the purposes of providing buffering from the public road and providing for proper sight distance. Within such area, the owner shall establish and maintain a planting of grass and/or horticultural ground cover. Other landscape materials may be incorporated, provided that there is no obstruction to vision other than a tree trunk in the area between two feet and seven feet above ground level. No other use shall be made of this buffer area other than for a single driveway to provide access to the use for each 150 feet of frontage upon a public road. Such driveway shall not exceed 32 feet in width.
- D. Lot coverage.

- (1) The building coverage, as defined in § 160-5 of this chapter, shall not exceed 20%.
- (2) The aggregate coverage, as defined in § 160-5 of this chapter, shall not exceed 40%.
- E. Front yard. There shall be a front yard of not less than 50 feet.
- F. Side yard. There shall be two side yards which shall total not less than 60 feet; provided, however, that no side yard shall be less than 25 feet, and further provided that no building shall be closer than 50 feet to any residential zone district boundary line.
- G. Rear yard. There shall be a rear yard of not less than 50 feet.
- H. Building height. No building shall exceed a height of 35 feet or two stories, whichever is the lesser.
- I. Truck loading and unloading facilities shall be provided on the property in other than the front yard area in sufficient amount to permit the transfer of goods in other than a public street where possible.
- J. The storage of used cars is only permitted in connection with new car and used car dealerships and only if adequately screened by fencing and suitable plant material from adjoining properties. In no event shall the storage of used cars be closer than 50 feet to any street right-of-way line and 30 feet to any other property line.
- K. Access barrier. Each use established in this zone shall set aside an area at least 50 feet in width immediately adjacent to any street upon which the lot has frontage and extending for the full frontage of the lot for purposes of providing for proper sight distance and buffering from the public road. Where a legally preexisting, nonconforming residential use or residence zone lies on the opposite side of any street (excluding Route 46) from a use established in this zone, the area set aside as an access barrier shall be increased to at least 100 feet. Within such area, the owner shall establish and maintain a planting of grass and/or horticultural ground cover. Other landscape materials may be incorporated, provided that there is no obstruction to vision other than a tree trunk in the area between two feet and seven feet above ground level. No use, other than for such accessways as are provided for in Subsection L below, shall be made of this buffer area. In addition, standards for access and spacing within state highways, including but not limited to dimensions, geometry, acceleration and deceleration lanes, signs and markings, shall be in accordance with the State Highway Access Management Code, latest edition, promulgated pursuant to the 1989 State Highway Access Management Act.¹ **[Amended 7-26-2007 by Ord. No. 2007-13]**
- L. Accessways. Each separate use grouping of attached buildings or grouping of uses permitted as part of a single integrated plan shall have not more than two accessways to any one public highway or street. Neither of such accessways shall be more than 32 feet in width. The intent of this subsection is to encourage the use of common accessways by two or more permitted highway uses in order to reduce the number and closeness of access points along the highway and to encourage the fronting of commercial structures upon a marginal street, private roadway or similar area and not directly upon a public highway. Adequate deceleration and acceleration lanes shall be provided in the vicinity of shopping centers and in other locations

1. Editor's Note: See N.J.S.A. 27:7-89 et seq.

where desirable.

- M. Off-street parking and loading. Off-street parking and loading areas shall be provided in accordance with the general provisions of Articles IX and XI. In addition, areas provided for the loading and unloading of delivery trucks and other vehicles and for the servicing of establishments or shops by refuse collectors and fuel and other service vehicles shall be so arranged that they may be used without blocking or otherwise interfering with the use of accessways or automobile parking facilities.
- N. Wherever the property line of a lot upon which is located a commercial use in this zone abuts the boundary of a residence zone or a legally preexisting nonconforming residential use, an area of not less than 50 feet in width shall be set aside as a buffer area and used for no other purpose. For lots in the zone with a lot depth of between 500 feet and 999 feet the buffer area which abuts the boundary of a residence zone shall be increased to 100 feet in width and the buffer area which abuts a legally preexisting nonconforming residential use shall be increased to 75 feet in width. For lots in the zone with a lot depth which is equal to or exceeds 1,000 feet the buffer area which abuts the boundary of a residence zone shall be increased to 200 feet in width and the buffer area which abuts a legally preexisting nonconforming residential use shall be increased to 100 feet in width. Lots within this zone upon which a commercial use is developed that exceeds 120,000 square feet of floor area shall provide a buffer of at least 150 feet in width adjacent to all lot lines which abut a residence zone or legally preexisting nonconforming residential use. For the purposes of this section the terms "abut" or adjacent" shall apply to all lots which are either contiguous to the subject lot or directly across a street, easement or right-of-way from the subject lot. Said buffer area shall be landscaped pursuant to the provisions of § 160-99. Prior to the issuance of a zoning permit, the Zoning Officer shall submit the applicant's plans for such buffer area to the appropriate land use board for its approval. **[Amended 7-26-2007 by Ord. No. 2007-13]**