

§ 25-1-10. HIGHWAY COMMERCIAL DISTRICT (HC) REGULATIONS. [Amended 12-18-2018 by Ord. No. 28-18]

Purpose. The purpose of the HC Highway Commercial District is to provide for the development of nonresidential uses that serve the greater Bayshore region and high density residential uses.

§ 25-1-10.1. Permitted principal uses. [Ord. No. 13-90 ; amended 11-22-2016 by Ord. No. 22-16 ; 12-18-2018 by Ord. No. 28-18]

- a. All uses generally considered of a commercial, retail or business character including professional offices and banks, and all outdoor retail sales, display, and storage of merchandise, and new car and boat sales, except live poultry market and the slaughtering of animals or fowl.
- b. Hotels and motels.
- c. Club, exclusive of a swimming pool club subject to § 25-1-15.
- d. Building for the retail sale of agricultural or horticultural products, exclusive of livestock or poultry. No flowers, fruits or vegetables shall be sold at retail out of doors.
- e. Billiard parlor, bowling alley, theater, moving picture theater, except for drive-in theaters.
- f. Restaurant, cocktail lounge, bar and other similar places of food or liquid consumption.
- g. Church or other place of worship, parish house, Sunday school building subject to § 25-1-15.
- h. Public utility building or structure, telephone exchange.
- i. Personal service establishment, shop for custom work, or group thereof.
- j. New car dealership and showroom. Used car sales shall be accessory and incidental to the principal use.
- k. High-density residential development.
- l. Mixed use development.
- m. Car wash.
- n. Funeral homes.
- o. Gym/exercise facility.

§ 25-1-10.2. Permitted accessory uses. [Ord. No. 13-90 ; amended 12-18-2018 by Ord. No. 28-18]

- a. Signs subject to § 25-1-17.
- b. Parking garages, off-street parking and loading areas.
- c. Accessory uses and structures customarily incidental to a principal permitted use.

- d. Accessory storage within a wholly enclosed permanent building of materials, goods and supplies intended for sale, processing or consumption on the premises, goods and supplies intended for new and used car and boat sales.

§ 25-1-10.3. Conditional uses. [Ord. No. 13-90 ; amended 12-18-2018 by Ord. No. 28-18]

- a. Drive-in restaurants subject to conditions set forth in § 25-1-15.3.

§ 25-1-10.4. Development standards. [Ord. No. 13-90 ; amended 12-18-2018 by Ord. No. 28-18]

As set forth in § 25-1-16 unless specific standard is set forth hereinafter or within § 25-1-14 (General Regulations) and § 25-1-15 (Supplemental Regulations).

- a. High-density residential development.
 - 1. High-density residential development shall be permitted within the HC zone along the south side of NJSH Route 36 between the Garden State Parkway and the municipal border with Hazlet Township.
 - 2. High-density residential buildings shall have a minimum lot area of not less than three acres with a minimum lot width of 200 feet.
 - 3. Maximum permitted density: 100 units per acre.
 - 4. The first floor of the mixed use buildings may include commercial/retail uses as permitted in the GC or HC Zone.
 - 5. Minimum setbacks:
 - (a) From any other property line: Each principal building shall be set back at least 50 feet.
 - (b) Landscaped buffer zone to a New Jersey State Highway shall be at least 20 feet.
 - 6. Maximum building coverage shall not exceed 20%.
 - 7. Maximum impervious coverage shall not exceed 70%.
 - 8. Maximum building height shall not exceed 12 stories or 125 feet.
 - 9. The maximum length of any dwelling structure shall not exceed 250 feet and the exterior wall on any such building shall not exceed a length of 50 feet, unless there is a variation in the surface plane of such wall at least once every 50 feet, with such variation consisting of either a recess or protrusion of the surface plane for a minimum depth of five feet.
 - 10. Minimum building separation: The minimum distance between building facades shall be 50 feet.
 - 11. The following accessory uses shall be permitted within a principal multiple dwelling structure for the use of its residents:

- (a) Laundry rooms, recreational rooms, personal storage lockers and other similar accessory uses, which are for the common benefit of all residents of the multifamily dwelling.
 - (b) A leasing office, building manager or superintendent's office, including space for the storage of maintenance equipment, may be provided within a principal multifamily building for the purpose of serving such building or community.
12. Minimum outdoor usable open space shall be 5% of the overall property area.
- (a) Required usable open space shall be easily accessible to the occupants of all of the dwelling units on the premises.
 - (b) Areas attributed to swimming pools and other outdoor recreational structures shall be counted toward meeting the usable open space requirement, provided that not more than 25% of any recreational structure shall be covered by a roof.
 - (c) No portion of any required front yard or any required planting area shall be used for required usable open space.
 - (d) No portion of any required usable open space shall be used for driveways or parking spaces.
 - (e) Required usable open space shall be subject to site plan review as to design and layout, shall be attractively landscaped and shall be of a design to accommodate the needs of the occupants of the dwelling units it is designed to serve.
13. Off-street parking requirements:
- (a) The number and size of spaces required shall be in accordance with N.J.A.C. 5:21, the Residential Site Improvement Standards, and § 25-1-18.
 - (b) Off-street parking facilities shall be located no closer than 25 feet to any building facade and shall not be located in any required front yard setback.
 - (c) All off-street parking spaces and drive aisles shall be screened to prevent headlight glare on on-site residential structures and adjacent properties.
 - (d) All off-street parking spaces and maneuvering areas shall be set back from landscaping so as to not encroach or damage such landscaped areas by vehicle overhangs.
14. Signs subject to § 25-1-17.
- b. Mixed use development.
- 1. Mixed use development shall be permitted within the HC zone along the south side of NJSH Route 36 between the Garden State Parkway and the municipal border with Hazlet Township.
 - 2. Mixed use development uses shall have a minimum lot area of not less than 30,000 square feet with a minimum lot width of 100 feet.

3. Maximum permitted residential density: 40 units per acre.
4. The first floor of the mixed use buildings may include commercial/retail uses as permitted in the GC or HC Zone.
5. Minimum setbacks:
 - (a) Front yard: 50 feet.
 - (b) Side yard: six feet for one side yard, 16 feet for both side yards.
 - (c) Rear yard: 40 feet.
6. Maximum building coverage shall not exceed 35%.
7. Maximum impervious coverage shall not exceed 90%.
8. Maximum building height shall not exceed 3 1/2 stories or 40 feet.
9. The maximum length of any dwelling structure shall not exceed 200 feet and the exterior wall on any such building shall not exceed a length of 50 feet, unless there is a variation in the surface plane of such wall at least once every 50 feet, with such variation consisting of either a recess or protrusion of the surface plane for a minimum depth of five feet.
10. Minimum building separation: The minimum distance between building facades shall be 40 feet.
11. The following accessory uses shall be permitted within a principal multiple dwelling structure for the use of its residents:
 - (a) Laundry rooms, recreational rooms, personal storage lockers and other similar accessory uses, which are for the common benefit of all residents of the multifamily dwelling. A minimum of 15 square feet per dwelling unit shall be dedicated to recreation or common use rooms.
 - (b) A leasing office, building manager or superintendent's office, including space for the storage of maintenance equipment may be provided within a principal multifamily building for the purpose of serving such building or community.
12. Minimum outdoor usable open space shall be 50 square feet per dwelling unit.
 - (a) Required common space shall be easily accessible to the occupants of all of the dwelling units on the premises.
 - (b) No portion of any required front yard or any required planting area shall be used for required usable open space.
 - (c) No portion of any required usable open space shall be used for driveways or parking spaces.
 - (d) Required usable open space shall be subject to site plan review as to design and layout, shall be attractively landscaped and shall be of a design to accommodate

the needs of the occupants of the dwelling units it is designed to serve.

13. Off-street parking requirements:

- (a) The number and size of spaces required shall be in accordance with N.J.A.C. 5:21, the Residential Site Improvement Standards, and § 25-1-18.
- (b) Off-street parking facilities shall be located no closer than 15 feet to any building facade.
- (c) All off-street parking spaces and drive aisles shall be screened to prevent headlight glare on on-site residential structures and adjacent properties.
- (d) All off-street parking spaces and maneuvering areas shall be set back from landscaping so as to not encroach or damage such landscaped areas by vehicle overhangs.

14. Signs subject to § 25-1-17.

§ 25-1-10.5. Off-street parking and loading requirements. [Ord. No. 13-90 ; amended 12-18-2018 by Ord. No. 28-18]

Requirements are contained in § 25-1-18, Tables 1 and 2.

§ 25-1-10.6. Other required conditions. [Ord. No. 13-90 ; amended 12-18-2018 by Ord. No. 28-18]

- a. All uses shall be conducted wholly within a completely enclosed building, except for service stations, banks, dry cleaners, florists, parking lots, off-street parking and loading facilities and boat storage, docking and display areas.
- b. All uses abutting a residential district shall be screened as required in Subsection 25-1-14.6.