

§ 360-7. Zoning Map. [Amended 4-27-2021 by Ord. No. 2021-05]

The boundaries of the above districts shall be as shown on the map attached to and made a part of this chapter, which map shall be known as the "Zoning Map of the Township of Pequannock." Said map and all notations, references and data shown thereon are hereby incorporated by reference into this chapter. The Zoning Map is on file and available for public inspection at the Planning Office.

§ 360-38. CBD-2 Central Business District-2. [Added 11-23-2021 by Ord. No. 2021-16]

In the CBD-2 Central Business District-2, the following regulations shall apply:

- A. Use regulations. A building may be erected or used and a lot may be used or occupied for the following purposes and no other:
- (1) Permitted uses.
 - (a) Retail sales.
 - (b) Retail services.
 - (c) Personal services.
 - (d) Restaurants.
 - (e) Bars, taverns, inns, pubs, grog shops and other such similar establishments holding a Class C liquor license such that alcoholic beverages may be consumed or purchased on the premises.
 - (f) Commercial entertainment.
 - (g) Business, professional and governmental offices and banks, excluding banks with drive-in facilities accessory to an office-bank type of facility.
 - (h) Churches and houses of worship, parish houses and convents.
 - (i) Community centers operated as an accessory use to churches and houses of worship.
 - (j) Public parks and playgrounds.
 - (2) Accessory uses.
 - (a) Apartments above commercial that meet the following criteria:
 - [1] The habitable floor area devoted to residential use(s) shall not exceed 3/4 of total habitable floor area of the building or structure containing said residential use(s).
 - [2] Any dwelling unit shall have a minimum of 600 square feet of habitable floor area.
 - [3] Parking shall be provided for residential use in accordance with § 360-58.

- (b) Signs, as permitted by the Township Sign Ordinance.¹
 - (c) Off-street parking and loading as required by this chapter, provided that parking shall not be conducted as the principal use of any lot.
 - (d) Outdoor dining and sidewalk cafes incidental to restaurants.
- (3) Conditional uses. All conditional uses shall meet the requirements of Article VII of this chapter.
- (a) Multifamily structure.
 - (b) Brewery/Distillery.
 - (c) Clubs, lodges and similar establishments.
 - (d) Outdoor display of merchandise.
- (4) Prohibited uses. The following uses are specifically prohibited:
- (a) Adult book and/or gift stores.
 - (b) Adult mini-motion-picture theaters.
 - (c) Adult motion-picture theaters.
 - (d) Hotels.
 - (e) Motels.
 - (f) Pawnshops.
 - (g) Dance halls distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for either observation or participation by patrons therein.
 - (h) Establishments offering live entertainment which is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, either for observation or participation by patrons therein.
 - (i) Gasoline, service and automobile, motorcycle and commercial vehicle sales and service establishments.
 - (j) Boardinghouses.
 - (k) Tattoo and body piercing parlors.
 - (l) Funeral homes or mortuary establishments.
 - (m) Medical offices.

1. Editor's Note: See Art. XIII, Signs.

- (n) Shopping centers.
- (o) Dog kennels.
- (p) Light industrial uses.
- (q) Heavy industrial uses.
- (r) Any other trade or use that is noxious or offensive or extremely hazardous by reason of the emission of odor, dust, smoke or gas or explosive potential.

B. Bulk regulations.

- (1) Lot area. A lot area of not less than 4,000 square feet for each lot shall be provided.
- (2) Lot width. A minimum width shall be 40 feet.
- (3) Height. No structure shall exceed four stories or 45 feet in height, whichever is less. For buildings that are within 100 feet of residential zones, no structure shall exceed three stories or 35 feet in height, whichever is less.
- (4) Front yard. There shall be a front yard maximum of 10 feet in depth. No parking shall be permitted in the front yard.
- (5) Rear yard. There shall be a rear yard minimum of 25 feet in depth. Parking shall be permitted in the rear yard, but no closer than 10 feet to any property line.
- (6) Side yard. There shall be a side yard minimum of zero feet in depth.
- (7) Coverage. No more than 60% of the lot shall be covered by buildings, and not more than 90% of the lot shall be covered by impervious surfaces, including buildings.
- (8) Screening, landscaping and open space. Landscaping, as required by the approved site plan, shall be maintained for the life of the property to standards as approved in the site plan. Where a non-single-family residential use abuts a single-family residential zone or an area which is used as a single-family residence, a landscape buffer of at least 15 feet in width shall be provided on the non-single-family residential lot. The buffer may be located in the required yard area but shall not include parking or driveways and shall be planted and maintained in a manner acceptable to the Planning Board and approved as part of the site plan. The effect of such buffer shall be to screen the business use in the CBD-2 Zone from the adjacent residences. Special attention shall be paid to screening parking, loading and mechanical systems. In lieu of said buffer area, the non-single-family residential lot shall include a solid eight-foot fence in conformance with other requirements of this chapter as approved by the Planning Board.
- (9) Lot frontage. There shall be a minimum lot frontage of 50 feet.
- (10) Proximity to residential zone or use.
 - (a) Notwithstanding any other provisions of this section, no structure in the CBD-2 Zone shall be constructed closer than 30 feet to the nearest residentially zoned or used property or public parkland, and no parking area or access drive shall be

located closer than 10 feet to any residentially zoned or used parcel of land or any public park.

- (b) A fifteen-foot buffer shall be established, which shall be extensively planted in accordance with the requirements of a site plan approved by the Planning Board, but the minimal effect will be to screen the bulk, parking, loading and service areas from adjacent existing or proposed residential or park uses. Said buffer area shall include a solid fence in conformance with other requirements of this chapter as approved by the Planning Board.
- (c) Buffering areas as required above will not be required when a park area meeting the minimum requirements of the F.A.R. Schedule and open space provisions of this section, including the proximity to residential property, is donated by the developer to the Township, county, state or federal government.