

§ 245-224. Permitted uses. [Amended 6-26-1979 by Ord. No. 354-2B-79; 7-15-1980 by Ord. No. 354-2M-80; 9-23-1980 by Ord. No. 354-1B-80; 12-31-1990 by Ord. No. 354-2H-90; 12-31-1990 by Ord. No. 354-2J-90; 8-6-2001 by Ord. No. 354-2JJ-01; 3-25-2003 by Ord. No. 354-2C-03; 4-5-2011 by Ord. No. 9-11; 3-27-2012 by Ord. No. 5-12; 4-15-2014 by Ord. No. 9-14]

The following are permitted uses in the B-3 Zone:

A. Commercial and office complex uses, such as:

- (1) Retail stores, shops and markets, provided that:
 - (a) Any goods or products fabricated or processed are incidental to the retail uses and shall be sold at retail on premises.
 - (b) Such fabricating or processing as is done on the premises shall not require the employment of more than five persons at any one time.
 - (c) Such fabricating or processing shall be confined to the first floor and basement of the premises, and that no supplies, materials or goods, whether or not fabricated or processed upon the premises, are stored out of doors.
- (2) Personal service establishments, such as barber and beauty shops, tailoring and dressmaking shops and dry-cleaning and laundry collection shops, provided that no more than 1/3 of the floor space is utilized for processing and self-service laundries, provided that public sewerage facilities are available, and appliance repair shops.
- (3) Business and professional offices, banks and fiduciary institutions.
- (4) Restaurants and lunchrooms, bars and other eating and drinking establishments.
- (5) Microbrewery. **[Added 6-27-2017 by Ord. No. 13-17]**
- (6) Studios for such activities as aerobics, fitness and personal training, domestic animal training, martial arts, dance, music and art, health and fitness facilities, and indoor batting cages and indoor basketball courts shall be considered permitted uses and not conditional uses subject to the requirements of § 245-286.
- (7) Telephone exchanges and offices, telegraph and express offices and other public utility installations.
- (8) Commercial parking lots for private passenger vehicles.
- (9) Private schools conducted for profit but excluding public schools or private schools not conducted for profit.
- (10) Mortuaries.
- (11) Distribution centers. The sale of goods in bulk or wholesale quantities may be conducted in conjunction with retail operations in the B-3 Zone, provided that:
 - (a) (Reserved)

- (b) Retail sales are conducted in at least 25% of the gross floor area of each principal building.
 - (c) Access and parking for the bulk sales area for both service and customer vehicles are separate from retail customer access, whether by a separate driveway or an interior service road.
 - (d) All other access, parking and sign standards conform to those required for shopping centers in the B-3 Zone, and other regulations set forth for the B-3 Zone are complied with.
- (12) Taxicab and limousine services.
- (13) Craft cidery and meadery. **[Added 7-26-2022 by Ord. No. 15-22]**
- (14) Craft distillery. **[Added 7-26-2022 by Ord. No. 15-22]**
- (15) Winery salesroom. **[Added 7-26-2022 by Ord. No. 15-22]**
- (16) Instructional winemaking facility. **[Added 7-26-2022 by Ord. No. 15-22]**
- B. (Reserved)
- C. Municipal parks, playgrounds and other municipal buildings and uses as are deemed appropriate and necessary by the Township Council.
- D. Boat sales and showrooms not in conjunction with a marina may be permitted, provided that the following standards and conditions are complied with:
- (1) Outdoor storage of inventory shall not be stored closer than 25 feet to a right-of-way line or side or rear lot line not closer than 10 feet to a building.
 - (2) If adjacent to a residential zone or existing residential use, a twenty-five-foot-wide buffer area shall be provided. Said buffer areas shall consist of evergreen plantings and/or screen fencing capable of providing appropriate screening of the operations of the lot from adjoining residential uses and districts.
 - (3) One parking space shall be provided for each 200 square feet of gross floor area or as otherwise determined by the Planning Board.
- E. (Reserved)
- F. Long- and short-term care medical facilities, including but not limited to:
- (1) Adult day-care facilities.
 - (2) Rehab facilities.
 - (3) Assisted living facilities.
 - (4) Nursing homes.
- G. Municipal buildings, volunteer first-aid buildings and firehouses.

H. Public libraries.

§ 245-225. Accessory uses.

Permitted accessory uses shall be accessory uses as defined in Part 1 of this chapter.

§ 245-226. Conditional uses. [Amended 9-23-1980 by Ord. No. 354-1B-80; 12-8-1981 by Ord. No. 354-2EE-81; 2-23-1982 by Ord. No. 354-2II-82; 4-13-1982 by Ord. No. 354-2LL-82; 7-20-1982 by Ord. No. 354-2OO-82; 12-31-1990 by Ord. No. 354-2J-90; 6-3-1991 by Ord. No. 354-2K-91; 6-11-2001 by Ord. No. 354-2II-01; 3-23-2004 by Ord. No. 354-2A-04; 11-28-2006 by Ord. No. 37-06; 4-5-2011 by Ord. No. 9-11; 4-19-2011 by Ord. No. 13-11; 4-15-2014 by Ord. No. 9-14]

The following uses are defined as conditional uses and may be permitted, subject to the requirements as set forth for each particular use in Article XXXII, § 245-279 et seq.:

- A. Utility installations, provided that the requirements of Article XXXII are met.
- B. Gasoline filling stations, gasoline service stations, general auto repair and convenience stores, but excluding body repair, and provided that the requirements of Article XXXII, § 245-284 are met.
- C. Automobile sales and/or rental facilities, provided that the conditions of § 245-289 are met.
- D. Hotels, provided that the conditions of Article XXXII, § 245-288, are met.
- E. Shopping centers, provided the conditions of Article XXXII are met.
- F. (Reserved)
- G. Commercial recreation, provided that the requirements of § 245-286 are met, such as but not limited to:
 - (1) Miniature golf.
 - (2) Driving ranges.
 - (3) Game rooms.
 - (4) Amusement centers.
 - (5) Billiards.
 - (6) Tennis.
 - (7) Racquetball.
 - (8) Batting/basketball cages.
 - (9) Studios (i.e., aerobic, art dance, music, weight or martial arts).
 - (10) Bowling alleys.

- (11) Movie theaters.
- (12) Athletic, health and fitness facilities.
- (13) Swimming clubs.

H. Miniwarehouses, provided that the conditions of Article XXXII are met.

§ 245-227. Area, yard and building requirements.

Area, yard and building requirements shall be as specified in the schedule in § 245-10 of this chapter, unless modified in accordance with Article XXXIII, § 245-299 et seq.

§ 245-228. Off-street parking.

Off-street parking, loading and vehicular access. Off-street parking spaces shall be provided for the use of patrons and employees as further detailed in Article XXXV, § 245-310 et seq., of this chapter.

§ 245-229. Sign requirements.

Sign requirements shall be as per Article XXXVI, § 245-312 et seq., of this chapter.

§ 245-230. Affordable Housing Trust Fund contribution. [Added 5-25-1993 by Ord. No. 354-2D-93]

The provisions of this article are subject to the mandatory fee contribution to the Brick Township Affordable Housing Trust Fund established in Article VI.

§ 245-231. Miscellaneous requirements. [Amended 5-27-1980 by Ord. No. 354-2I-80; 1-28-1986 by Ord. No. 354-2MMM-86]

A. Landscaping and buffer requirements.

- (1) Total landscaped area shall be a minimum of 20% of the total lot area.
- (2) Whenever the property line of an occupied lot in the B-3 Zone abuts or is directly across a street from a residential use or zone, a buffer zone of at least 50 feet in width shall be established in accordance with the provisions of § 245-409. The buffer zone may be increased depending upon the character and intensity of the proposed use.

B. Driveways. Such driveways shall be provided as are necessary to provide proper means of ingress and egress for the parking areas, subject to the restrictions set forth in §§ 245-310 and 245-311A.

C. Directional signs. Directional signs shall be provided in conjunction with said driveways which are necessary for the proper guidance and control of vehicular traffic, provided that not more than one such sign is erected in conjunction with each such driveway, and further provided that the signs conform to the applicable restrictions set forth in Article IV, § 245-11 et seq.

§ 245-231.1. Performance standards. [Added 6-27-2017 by Ord. No. 13-17]

All uses permitted in the B-3 Zone shall conform to the performance standards set forth in § 245-250 of this chapter.