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Chapter 295. Zoning

[HISTORY: Adopted by the Township Committee of the Township of Eagleswood 3-5-1975 by Ord. No. 2-75 (Ch. 103 of the 1977 Township Code). Amendments noted where applicable.]

GENERAL REFERENCES

- Land Use Board — See Ch. 9, Art. I.
- Environmental Commission — See Ch. 9, Art. II.
- Building construction — See Ch. 89.
- Construction debris recovery — See Ch. 115.
- Excavations and soil removal — See Ch. 131.
- Fees — See Ch. 135.
- Flood damage prevention — See Ch. 145.
- Mobile home parks — See Ch. 176.
- Sewer disposal systems — See Ch. 213.
- Sewers — See Ch. 215.
- Soil erosion and sediment control — See Ch. 226.
- Stormwater quality — See Ch. 241.
- Trees — See Ch. 263.
- Docks and wharves — See Ch. 278.
- Subdivision of land — See Ch. 285.

Article I. General Provisions

§ 295-1. Purpose.

- A. The purpose of this chapter shall be to encourage the most appropriate use of land throughout the municipality; to conserve and stabilize the value of property; to prevent the overcrowding of lands and buildings; to avoid undue congestion in the streets; to ensure safety from fire and other dangers; to facilitate adequate provisions for community utilities and facilities, such as transportation, water, sewerage, schools, parks and other public requirements; to provide adequate open spaces for light and air; to promote the health, safety, morals and general welfare; and to accomplish such other projects and purposes of zoning as are now and may be hereinafter set forth in enabling legislation.
- B. For these purposes, this chapter designates, regulates and restricts the use of buildings, structures and land for agriculture, residence, commerce, trade or other purposes; regulates the height, number of stories and size of buildings or other structures hereinafter erected or altered; regulates and determines the size of yards and other open spaces; and regulates and limits the density of population. In order to effect these purposes, this chapter divides the Township into zones and districts of such number, shape and area as may be deemed best to carry out the purposes of this chapter.

Article II. Official Zoning Map; Establishment of Zones

§ 295-2. List of zones.

[Amended 12-11-1984 by Ord. No. 8-84; 4-29-1999 by Ord. No. 4-99; 12-16-2002 by Ord. No. 2002-14; 10-25-2004 by Ord. No. 2004-22^[1]]

In order to regulate and limit the heights and size of buildings; to regulate and limit the intensity of the use of land; to regulate and determine the areas of open spaces surrounding buildings; and to classify, regulate and restrict the location of trades and industries and the location of the buildings designed for specified industrial, business, residential and other uses, the Township of Eagleswood is hereby divided into zones, which shall be known as:

RC	Residential District
R-A5	Residential District
R-A3	Residential District
R-1	Residential District
R-3	Residential District
R-2AH	Residential District
C-1	Marine Commercial District
C-2	Highway Commercial District
C-2/V	Highway Commercial/Village Zone District
C-3	Neighborhood Commercial District
LB	Limited Business Zone
PA	Preservation Area
FA	Forest Area
R/R-OS	Resort/Recreation-Open Space District
	Airport Safety Hazard Overlay Zone

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 295-3. Official Zoning Map.

The boundaries of the various zones established herein are shown upon the map accompanying this chapter, made a part thereof and entitled "Official Zoning Map of Eagleswood Township." The Zoning Map and all notations, references and other information shown thereon are a part of this chapter and are as much a part as if such information set forth on said map were fully described and set forth herein. This Zoning Map, properly attested, is on file in the office of the Township Clerk.

§ 295-4. Zoning considerations.

In the creation of the respective zones by this chapter, careful consideration to the peculiar suitability of each and every zone for the particular regulations applied thereto and the necessary, proper and comprehensive grouping and arrangements of the various uses and densities of population has been given.

§ 295-5. Interpretation of zone boundaries.

Where uncertainty exists as to boundaries of any zone shown on the Official Zoning Map, the following rules shall apply:

- A. Where such zone boundaries are indicated as approximately following street lines, streams or lot lines, such lines shall be such boundaries.
- B. In unsubdivided property where a zone boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the map.
- C. Where any street is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- D. Where a question arises as to the exact location of a district boundary line, the Land Use Board shall make the final determination in accordance with such rules and regulations as it may hereafter adopt.

§ 295-6. RC Residential Conservation District.

[Added 12-16-2002 by Ord. No. 2002-14^[1]]

- A. Purpose. The purpose of this zone district is to recognize the environmental sensitivity of the freshwater and tidal wetlands areas of Eagleswood Township and the ecological importance for the coastal areas for wildlife management. This zone district is to provide for public open space and low-density residential uses.
- B. Permitted principal uses of buildings and structures are as follows:
- (1) Detached single-family dwelling units.
 - (2) Federal, state, county and municipal buildings, facilities and open space preserves.
 - (3) Essential services.
- C. Permitted accessory uses of building and structures are as follows:
- (1) Off-street parking and loading areas.
 - (2) Private residential swimming pools and tennis courts.
 - (3) Storage sheds.
 - (4) Detached garages.
- D. Permitted conditional uses, subject to the provisions of Article IV of this chapter are as follows:
- (1) Churches and nonprofit private schools.
 - (2) Campgrounds in existence at the time of the adoption of this chapter.
 - (3) Home occupations in accordance with the provisions of § 295-32B.
 - (4) Home professional offices in accordance with the provisions of § 295-32A.
 - (5) Private parks and playgrounds or private clubs operated for gain or that charge a fee for membership privileges.^[2]
- [2] *Editor's Note: Original § 103-6D(6), regarding single-family dwellings on lots with a minimum of one acre, and original § 103-6D(7), regarding single-family dwellings on lots with a minimum of two acres, which immediately followed this subsection, were repealed 4-27-2009 by Ord. No. 2009-02.*
- (6) Public utilities.
- E. Area, yard and building requirements:
- (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: 200 feet.
 - (3) Minimum lot depth: 200 feet.
 - (4) Minimum front yard setback: 50 feet.
 - (5) Minimum side yard setback: 25 feet.
 - (6) Minimum combined side yard setback: 50 feet.
 - (7) Minimum rear yard setback: 50 feet.
 - (8) Minimum accessory building side and rear yard setbacks: 15 feet.
 - (9) Maximum principal building height: 35 feet.
 - (10) Maximum accessory building height: 24 feet.
 - (11) Maximum lot coverage: 3%.
 - (12) Lot frontage: 160 feet.
[Added 4-25-2005 by Ord. No. 2005-7]
- F. Permitted signs.
- (1) Signs advertising the sale, rent or lease of the land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.
 - (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building, project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
 - (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
 - (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.
- [1] *Editor's Note: This ordinance also repealed original § 103-6, RA Residential District, as amended by Ord. Nos. 8-84, 9-86 and 12-87.*

§ 295-7. R-A5 Residential District.

[Added 12-16-2002 by Ord. No. 2002-14]

- A. The purpose of this zone district is to recognize the lack of suitable access and infrastructure in certain sections of the Township, regional planning designations, to encourage development in centers and areas of suitable access and infrastructure and to provide for an appropriate rural residential density and uses.
- B. Permitted principal uses of buildings and structures are as follows:
- (1) Detached single-family dwelling units.
 - (2) All farm and agricultural activities, provided that no buildings shall be permitted within 50 feet of any property line.
 - (3) Stables housing horses for private use, provided that no building shall be located within 50 feet of any lot line.
 - (4) Recreational facilities.
 - (5) Federal, state, county and municipal buildings and grounds, including public schools and public parks and playgrounds.
 - (6) Essential services.
- C. Permitted accessory uses of building and structures are as follows:
- (1) Private swimming pools and tennis courts.
 - (2) Detached garages.
 - (3) Storage sheds.
- D. Permitted conditional uses, subject to the provisions of Article IV of this chapter, are as follows:
- (1) Churches and nonprofit private schools.
 - (2) Home occupations in accordance with the provisions of § 295-32B.
 - (3) Home professional offices in accordance with the provisions of § 295-32A.

- (4) Private parks and playgrounds or private clubs operated for gain or that charge a fee for membership privileges.
 - (5) Public utilities.
- E. Area, yard and building requirements.
- (1) Minimum lot area: five acres.
 - (2) Minimum lot width: 200 feet.
 - (3) Minimum lot depth: 200 feet.
 - (4) Minimum front yard setback: 50 feet.
 - (5) Minimum side yard setback: 25 feet.
 - (6) Minimum combined side yard setback: 50 feet.
 - (7) Minimum rear yard setback: 50 feet.
 - (8) Minimum accessory building side and rear yard setbacks: 15 feet.
 - (9) Maximum principal building height: 35 feet.
 - (10) Maximum accessory building height: 24 feet.
 - (11) Maximum lot coverage: 3%.
 - (12) Lot frontage: 160 feet.
[Added 4-25-2005 by Ord. No. 2005-7]
- F. Permitted signs.
- (1) Signs advertising the sale, rent or lease of the land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.
 - (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building, project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
 - (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
 - (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.

§ 295-8. R-A3 Residential District.

[Added 12-16-2002 by Ord. No. 2002-14]

- A. Purpose. The purpose of this zone district is to recognize the lack of suitable access and infrastructure in certain sections of the Township, regional planning designations, to encourage development in centers and areas of suitable access and infrastructure and to provide for an appropriate rural residential density and uses.
- B. Permitted principal uses of buildings and structures are as follows:
- (1) Detached single-family dwelling units.
 - (2) All farm and agricultural activities, provided that no building shall be permitted within 50 feet of any property line.
 - (3) Stables housing horses for private use, provided that no building shall be located within 50 feet of any lot line.
 - (4) Recreational facilities.
 - (5) Federal, state, county and municipal buildings and grounds, including public schools and public parks and playgrounds.
 - (6) Essential services.
- C. Permitted accessory uses of building and structures are as follows:
- (1) Private residential swimming pools and tennis courts.
 - (2) Storage shed.
 - (3) Detached garage.
- D. Permitted conditional uses, subject to the provisions of Article IV of this chapter, are as follows:
- (1) Churches and nonprofit private schools.
 - (2) Home occupations in accordance with the provisions of § 295-32B.
 - (3) Home professional offices in accordance with the provisions of § 295-32A.
 - (4) Private parks and playgrounds or private clubs operated for gain or that charge a fee for membership privileges.
 - (5) Public utilities.
- E. Area, yard and building requirements.
- (1) Minimum lot area: three acres.
 - (2) Minimum lot width: 200 feet.
 - (3) Minimum lot depth: 200 feet.
 - (4) Minimum front yard setback: 50 feet.
 - (5) Minimum side yard setback: 25 feet.
 - (6) Minimum combined side yard setback: 50 feet.
 - (7) Minimum rear yard setback: 50 feet.
 - (8) Minimum accessory building side and rear yard setbacks: 15 feet.
 - (9) Maximum principal building height: 35 feet.
 - (10) Maximum accessory building height: 24 feet.
 - (11) Maximum lot coverage: 3%.
 - (12) Lot frontage: 160 feet.
[Added 4-25-2005 by Ord. No. 2005-7]
- F. Permitted signs.
- (1) Signs advertising the sale, rent or lease of the land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.

- (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building, project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
- (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
- (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.

§ 295-9. R-1 Residential Zone.

[Amended 7-6-1979 by Ord. No. 7-79; 6-22-1982 by Ord. No. 8-82; 12-11-1984 by Ord. No. 8-84; 9-8-1987 by Ord. No. 12-87]

A. Permitted uses.

- (1) Single-family dwellings.
- (2) Public schools.
- (3) Public parks and playgrounds.
[Amended 12-16-2002 by Ord. No. 2002-14]
- (4) Accessory uses and buildings.
- (5) Municipal buildings deemed necessary by the Township of Eagleswood.

B. Conditional uses, subject to the provisions of Article IV of this chapter.

- (1) Necessary public utilities.
- (2) Public governmental buildings other than those required by the Township.
- (3) Church and nonprofit private schools.^[1]
[1] *Editor's Note: Original § 103-7B(4), which immediately followed this subsection, was repealed 2-15-1996 by Ord. No. 9-96.*
- (4) Home occupations (§ 295-32B).
- (5) Home professional offices (§ 295-32A).

C. Minimum building size and height limit.

- (1) Residential dwellings: 35 feet.
- (2) Accessory buildings: 24 feet.
- (3) Minimum gross habitable floor area.
 - (a) One-bedroom dwelling: 800 square feet.
 - (b) Two-bedroom dwelling: 900 square feet.
 - (c) Three-bedroom dwelling: 1,000 square feet.
 - (d) Four-or-more-bedroom dwelling: 1,100 square feet.

D. Minimum lot requirements.

- (1) Lot area: one acre.
- (2) Lot width: 150 feet.
- (3) Minimum lot frontage.
 - (a) Interior lot: 75 feet.
 - (b) Corner lot: 125 feet on both streets.

E. Minimum yard requirements.

- (1) Front yard: 40 feet; except on major streets: 60 feet.
- (2) Rear yard: 30 feet.
- (3) Side yard: 15 feet.
- (4) Accessory buildings, unattached.
 - (a) Side: eight feet.
 - (b) Rear: 10 feet.

F. Permitted signs.

- (1) Signs advertising the sale, rent or lease of the land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.
- (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
- (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
- (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.^[2]
[2] *Editor's Note: Original § 103-7G, which immediately followed this subsection, was repealed 8-9-1988 by Ord. No. 22-88.*

§ 295-10. R-3 Residential Zone.

[Amended 12-11-1984 by Ord. No. 8-84; 9-8-1987 by Ord. No. 12-87]

A. Permitted uses.

- (1) Single-family dwellings.
- (2) Public schools.
- (3) Public parks and playgrounds.
[Amended 12-16-2002 by Ord. No. 2002-14]
- (4) Accessory uses and buildings.
- (5) Municipal buildings deemed necessary by the Township of Eagleswood.
- (6) Bed-and-breakfast in accordance with Article XIII of this chapter and the guidelines set forth in §§ 295-89 through 295-92.
[Added 12-16-2002 by Ord. No. 2002-14]

B. Conditional uses, subject to the provisions of Article IV of this chapter.

- (1) Necessary public utilities.
 - (2) Public or governmental buildings other than those required by the Township.
 - (3) Church and nonprofit private schools and cemeteries.^[1]
 - [1] *Editor's Note: Original § 103-8B(4), which immediately followed this subsection, was repealed 2-15-1996 by Ord. No. 9-96.*
 - (4) Home occupations (§ 295-32B).
 - (5) Home professional offices (§ 295-32A).
- C. Minimum building size and height limit.
- (1) Residential dwellings: 35 feet.
 - (2) Accessory buildings: 24 feet.
 - (3) Minimum gross habitable floor area.
 - (a) One-bedroom dwelling: 800 square feet.
 - (b) Two-bedroom dwelling: 900 square feet.
 - (c) Three-bedroom dwelling: 1,000 square feet.
 - (d) Four-or-more-bedroom dwelling: 1,100 square feet.
- D. Minimum lot requirements.
- (1) Lot area: 15,000 square feet.
 - (2) Lot width: 90 feet.
 - (3) Minimum lot frontage.
 - (a) Interior lot: 50 feet.
 - (b) Corner lot: 100 feet on both streets.
- E. Minimum yard requirements.
- (1) Front yard: 40 feet; except on major streets: 60 feet.
 - (2) Rear yard: 30 feet.
 - (3) Side yard: 15 feet.
 - (4) Accessory buildings, unattached.
 - (a) Side: five feet.
 - (b) Rear: 10 feet.
- F. Permitted signs.
- (1) Signs advertising the sale, rent or lease of land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.
 - (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
 - (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
 - (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.

§ 295-11. R-2AH Residential Zone.

[Added 6-27-2005 by Ord. No. 2005-9; amended 8-22-2005 by Ord. No. 2005-12]
 The R-2AH Residential Zone shall consist of Block 4, Lot 211 as shown on the Tax Map of the Township of Eagleswood.

- A. Permitted uses.
- (1) Single-family dwellings.
 - (2) Public schools.
 - (3) Public parks and playgrounds.
 - (4) Accessory uses and buildings.
 - (5) Municipal buildings deemed necessary by the Township of Eagleswood.
- B. Conditional uses, subject to the provisions of Article IV of this chapter.
- (1) Necessary public utilities.
 - (2) Public or governmental buildings other than those required by the Township.
- C. Maximum building size and height limit.
- (1) Residential dwellings: 35 feet.
 - (2) Accessory buildings: 12 feet.
 - (3) Minimum gross habitable floor area:
 - (a) One-bedroom dwelling: 800 square feet.
 - (b) Two-bedroom dwelling: 900 square feet.
 - (c) Three-bedroom dwelling: 1,000 square feet.
 - (d) Four-or-more-bedroom dwelling: 1,100 square feet.
- D. Minimum lot requirements.
- (1) Lot area: 20,000 square feet.
 - (2) Lot width: 90 feet.
 - (3) Lot depth: 200 feet.
 - (4) Minimum lot frontage: 80 feet.
- E. Minimum yard requirements.
- (1) Front yard: 40 feet.

- (2) Rear yard: 30 feet.
 - (3) Side yard: 12 feet.
 - (4) Accessory buildings, unattached.
 - (a) Side: five feet.
 - (b) Rear: 10 feet.
 - (5) Setbacks from Route 9.
 - (a) Principal buildings: 100 feet.
 - (b) Accessory buildings: 50 feet.
- F. Permitted signs.
- (1) Signs advertising the sale, rent or lease of land or buildings upon which such signs are located. Such signs shall not exceed eight square feet in area, shall be distant from the street line not less than 1/2 of the front yard depth and shall not be illuminated.
 - (2) Signs or bulletin boards not exceeding 20 square feet in area, identifying a public building project, school or similar use. Such signs shall be solely for the purpose of displaying the name of the building or institution and its activity or service. They may be illuminated but not flashing.
 - (3) A sign or nameplate, nonilluminated, identifying the owner or occupant of the building or dwelling unit, provided that the surface area does not exceed six square feet on any one side.
 - (4) Signs of a temporary nature that identify an engineering or architectural contractor engaged in the construction of a building, provided that the surface of such signs shall not exceed or total more than 32 square feet in area, and provided that such signs are removed prior to occupancy of the building.
- G. Affordable housing. Notwithstanding any other chapter provisions, a developer of residential housing units within this zone, in lieu of setting aside housing units for low- and moderate-income households, may by agreement with the municipality make a payment into the Township of Eagleswood municipal affordable housing trust fund.
- H. Culs-de-sac. Notwithstanding any other chapter provisions, the maximum cul-de-sac length shall be 1,500 feet.
- I. Nonapplicability of certain chapter provisions. Notwithstanding any other chapter provisions, chapter provisions governing tree removal or tree restoration by landscaping or reforestation shall not be applicable to development in this zone district.

§ 295-12. C-1 Marine Commercial District.

[Amended 7-10-1984 by Ord. No. 5-84; 12-11-1984 by Ord. No. 8-84; 9-8-1987 by Ord. No. 12-87]

- A. Permitted uses.
- (1) Single-family dwellings.
 - (2) Boat sales, rental and repairs; service and retail sale of bait and tackle.
 - (3) Marine accessories, hardware and fuel and service.
 - (4) Boat yards and marinas.
 - (5) Restaurants and food stores, which include places for the sale of soft drinks, ice cream, etc.
 - (6) Uses of local, neighborhood marine-oriented business nature.
 - (7) Radio equipment sales and service.
 - (8) Home occupation.

[Added 5-15-1997 by Ord. No. 8-97; amended 12-16-2002 by Ord. No. 2002-14^[1]
^[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
 - (9) Bed-and-breakfast in accordance with Article XIII of this chapter and the guidelines set forth in §§ 295-89 through 295-92.

[Added 12-16-2002 by Ord. No. 2002-14]
- B. Conditional use.^[2]
- ^[2] *Editor's Note: None listed in text of original ordinance or amendment thereto.*
- C. Building height limit and area.
- (1) Not to exceed 35 feet.
 - (2) Commercial business and professional buildings shall have a minimum of 860 square feet.
 - (3) Minimum floor area per unit.
 - (a) One-story, one-bedroom: 700 square feet.
 - (b) One-story, two-bedroom: 800 square feet.
 - (c) One-story, three-bedroom: 900 square feet.
 - (d) Two-story: same square footage as one-story, provided the minimum first-story elevation is 75% of the total square footage.
- D. Minimum lot requirements.
- (1) Lot area: 10,000 square feet.
 - (2) Lot width: 80 feet.
 - (3) Lot depth: 100 feet.
 - (4) Minimum lot frontage: 80 feet.
- E. Minimum yard requirements.
- (1) Front: 40 feet.
 - (2) Rear: 30 feet.
 - (3) Side: 12 feet.
 - (4) Accessory buildings, unattached.
 - (a) Side: 10 feet.
 - (b) Rear: 10 feet.
 - (c) Height: 24 feet.

[Added 5-22-2006 by Ord. No. 2006-11]
- F. Off-street parking shall be as provided in § 295-27.
- G. Permitted signs.
- (1) A business or advertising freestanding sign not in excess of 32 square feet in surface area per side that may advertise trade names, products and prices.

[Amended 5-15-1997 by Ord. No. 8-97]

- (2) One wall sign shall be permitted for each principal use in a building. However, wall signs shall not extend more than 12 inches from the face of the building, nor shall same exceed 20% of the wall area.
 - (3) Flashing signs or signs with intermittent or moving illumination of any kind shall be prohibited.
 - (4) No part of any sign shall be closer than 10 feet to a street right-of-way line or 10 feet to any lot line.
 - (5) No person shall place, maintain or display, upon or in view of any street, any unauthorized sign, signal, marking or device which is an imitation of or resembles an official traffic control device or railroad sign or signal or which attempts to disrupt the movement of traffic. No person shall place, maintain or display any sign which hides from view or interferes with the movement of traffic or the effectiveness of any traffic control device.
 - (6) No sign shall be constructed or erected above the permitted building height limit, nor shall any sign be erected on or be attached to a roof of any building.
- H. Notwithstanding the provisions of this section, a building permit for the construction of one single-family residence and permitted accessory uses may be issued for such construction on existing tax lots of record on May 1, 1984, provided the following conditions can be met:
- (1) The lot has a minimum of 40 feet of frontage on an improved public street;
 - (2) The lot has a minimum area of 4,000 square feet;
 - (3) Minimum front yard setback is 20 feet; and
 - (4) Minimum side yard setback is five feet, and the combined side yard setback is 15 feet.

§ 295-13. C-2 Highway Commercial District.

[Amended 12-11-1984 by Ord. No. 8-84; 9-8-1987 by Ord. No. 12-87]

A. Permitted uses.

- (1) Any use permitted in the C-1 and C-3 Districts, with the exception of residential uses, which shall not be permitted. All residential uses existing prior to April 27, 2009, shall be considered permitted uses and may proceed with applications or permits as long as they comply with the regulations established within Chapters **285** and **295**.
[Amended 4-27-2009 by Ord. No. 2009-02]
- (2) Auto, truck and trailer sales, service, storage, repair, parking or sales lots for new or used vehicles, provided that dismantled or junked cars unfit for operation on the highway shall not be stored therein.
- (3) Automobile service stations, provided that all gasoline pumps or appliances for dispensing gasoline which are installed outside of enclosed buildings shall be located not less than 30 feet from the street right-of-way.
- (4) Bakeries, whose products may be sold at retail or wholesale.
- (5) Department stores and retail stores.
- (6) Drive-ins and open-air restaurants.
- (7) Boat sales and service establishments and marinas.
- (8) Bowling alleys.^[1]
[1] *Editor's Note: Original § 103-10A(9), which immediately followed this subsection, was repealed 5-20-2002 by Ord. No. 2002-2.*
- (9) Offices of a commercial nature, where the business conducted on the premises is entirely within a completely enclosed building or where there is no storage of supplies or equipment on any required front or side yard. Contractor storage and warehousing shall not be considered a permitted use.
[Amended 4-24-2006 by Ord. No. 2006-9]
- (10) Sales, service and repair establishments dealing with cabinets and electrical, heating, air-conditioning, plumbing or printing equipment.
- (11) Liquor stores, taverns or bars.
- (12) Restaurants, diners, etc., including the sale of alcoholic beverages.
- (13) Home occupation.
[Amended 12-16-2002 by Ord. No. 2002-14^[2]]
[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (14) Health-care facility.
[Amended 12-16-2002 by Ord. No. 2002-14]
- (15) Bed-and-breakfast in accordance with Article **XIII** of this chapter and the guidelines set forth in §§ **295-89** through **295-92**.
[Added 12-16-2002 by Ord. No. 2002-14]

B. Conditional use.^[3]

[3] *Editor's Note: None listed in text of original ordinance.*

C. Building height limit shall not exceed 45 feet.

D. Minimum lot requirements.

- (1) Lot area: 30,000 square feet.
- (2) Minimum lot width: 150 feet.
- (3) Lot depth: 150 feet.
- (4) Minimum lot frontage: 150 feet.

E. Minimum building setbacks.

- (1) Front: 30 feet.
[Amended 4-27-2009 by Ord. No. 2009-02]
- (2) Rear: 30 feet.
- (3) Side: 20 feet.
- (4) Accessory buildings, unattached.
 - (a) Side: 10 feet.
 - (b) Rear: 10 feet.
 - (c) Height: 24 feet.
[Added 5-22-2006 by Ord. No. 2006-11]

F. Off-street parking shall be as provided in § 295-27.

G. Permitted signs.

- (1) A business or advertising freestanding sign not in excess of 32 square feet in surface area per side that may advertise trade names, products and prices.
[Amended 5-15-1997 by Ord. No. 8-97]
- (2) A shopping center shall be permitted two freestanding business signs each not over 32 square feet in surface area per side. No part of either sign shall be closer than 10 feet from a street right-of-way line or 10 feet from a side lot line. When only one such identification sign is erected, the total surface area may be increased by 50%.
- (3) No part of any sign shall be closer than 10 feet to a street right-of-way line or 10 feet to a side lot line.
[Amended 5-15-1997 by Ord. No. 8-97]

- (4) One wall sign shall be permitted for each principal use contained within a building. Wall signs, however, shall not extend more than 12 inches from the face of the building, nor shall the same exceed 20% of the area of the wall upon which the sign is mounted.
[Added 5-15-1997 by Ord. No. 8-97]
- (5) Flashing signs or signs with intermittent or moving illumination of any kind shall be prohibited.
[Added 8-22-2005 by Ord. No. 2005-14]

§ 295-14. C-2/V Highway Commercial/Village.

[Added 12-16-2002 by Ord. No. 2002-14]

- A. Purpose. The purpose of the Highway Commercial/Staffordville Village Zone District is to provide a compact core of commercial and mixed use land uses offering services, employment and community activities for the residents of Staffordville and the surrounding area. The zone district is intended to be pedestrian-oriented and contain public facilities. In accordance with these public purposes, development, redevelopment and reuse applications are encouraged to implement the municipal goals of this district through the following measures:
- (1) Shared parking facilities, cross-access easements between parking areas.
 - (2) Parking situated in the rear or sides of buildings to enhance pedestrian access.
 - (3) Access walkways from one building to another, where appropriate, to encourage pedestrian circulation.
 - (4) Streetscape features, including sidewalks, sitting areas (benches or ledges) or small semipublic areas, to enhance pedestrian usage.
 - (5) Architectural treatments, which are compatible with the surrounding uses, complementary to the Village Center and consistent with the Township's history and character.
 - (6) Landscaped and green areas around buildings and within parking areas which exceed municipal standards.
- B. Permitted principal uses of buildings and structures are as follows:
- (1) Any use permitted in the C-1 and C-3 Districts, with the exception of residential uses, which shall not be permitted. All residential uses existing prior to April 27, 2009, shall be considered permitted uses and may proceed with applications or permits as long as they comply with the regulations established within Chapters **285** and **295**.
[Amended 4-27-2009 by Ord. No. 2009-02]
 - (2) Auto, truck and trailer sales, service, storage, repair, parking or sales lots for new or used vehicles, provided that dismantled or junked cars unfit for operation on the highway shall not be stored therein.
 - (3) Automobile service stations, provided that all gasoline pumps or appliances for dispensing gasoline which are installed outside of enclosed buildings shall be located not less than 30 feet from the street right-of-way.
 - (4) Bakeries, whose products may be sold at retail or wholesale.
 - (5) Department stores and retail stores.
 - (6) Drive-ins and open-air restaurants.
 - (7) Boat sales and service establishments and marinas.
 - (8) Bowling alleys.
 - (9) Offices of a commercial nature, where the business conducted on the premises is entirely within a completely enclosed building or where there is no storage of supplies or equipment on any required front or side yard. Contractor storage and warehousing shall not be considered a permitted use.
[Amended 4-24-2006 by Ord. No. 2006-9]
 - (10) Sales, service and repair establishments dealing with cabinets and electrical, heating, air-conditioning, plumbing or printing equipment.
 - (11) Liquor stores, taverns or bars.
 - (12) Restaurants, diners, etc., including the sale of alcoholic beverages.
 - (13) Home occupation.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- C. Permitted accessory uses of buildings and structures are as follows:
- (1) Parking and loading facilities.
 - (2) Storage sheds.
- D. Permitted conditional uses, in accordance with Article IV of this chapter, are as follows:
- (1) An owner-occupied single-family residential unit as an upper-floor use above a specified nonresidential use otherwise permitted in the C-2/V Zone, and further provided that:
 - (a) The nonresidential use shall be located on the ground-floor level.
 - (b) Separate access for the residential use is provided.
 - (c) Off-street parking for the residential unit is provided in accordance with the New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21, as amended.
 - (d) Minimum residential unit requirements. The residential unit shall contain complete kitchen, toilet, bathing, sleeping facilities and living space.
 - (e) In no case shall there be more than one residential unit per structure or lot.
 - (f) An owner-occupied single-family residential unit shall only be allowed over the following permitted uses:
 - [1] Boat sales, service and retail sales of bait and tackle.
 - [2] Restaurants.
 - [3] Radio equipment sales and service.
 - [4] Bakeries.
 - [5] Retail stores.
 - [6] Commercial and professional offices.
 - [7] Sales, service and repair establishments dealing with cabinets and electrical, heating, air-conditioning, plumbing or printing equipment.
 - [8] Barbershops or beauty parlors.
 - [9] Catering business.
 - [10] Food stores.
 - [11] Funeral homes.
 - [12] Hardware and furniture stores.^[2]
[2] *Editor's Note: Original § 103-10.1D(1)(f)[13], Laundromats and coin-operated dry-cleaning units, which immediately followed this subsection, was repealed 4-27-2009 by Ord. No. 2009-02.*
 - [13] Photography studios.
 - [14] Hobby or novelty shops.
 - [15] Shops for the repair of bicycles, shoes, watches, locks, electrical and radio equipment or similar commodities and small appliances.
 - [16] Tailoring and dressmaking, but not laundromats and dry-cleaning establishments.
[Amended 4-27-2009 by Ord. No. 2009-02]

[17] Taxis, autocabs, limousine and livery services.

E. Minimum lot requirements.

- (1) Lot area: 30,000 square feet.
- (2) Minimum lot width: 150 feet.
- (3) Lot depth: 150 feet.
- (4) Minimum lot frontage: 150 feet.

F. Minimum building setbacks.

- (1) Front: 30 feet.
[Amended 4-27-2009 by Ord. No. 2009-02]
- (2) Rear: 30 feet.
- (3) Side: 20 feet.
- (4) Accessory buildings, unattached.
 - (a) Side: 10 feet.
 - (b) Rear: 10 feet.
 - (c) Height: 24 feet.
[Added 5-22-2006 by Ord. No. 2006-11]

G. Off-street parking shall be as provided in § 295-27.

H. Permitted signs.

- (1) A business or advertising freestanding sign not in excess of 32 square feet in surface area per side that may advertise trade names, products and prices.
- (2) A shopping center shall be permitted two freestanding business signs, each not over 32 square feet in surface area per side. No part of either sign shall be closer than 10 feet from a street right-of-way line or 10 feet from a side lot line. When only one such identification sign is erected, the total surface area may be increased by 50%.
- (3) No part of any sign shall be closer than 10 feet to a street right-of-way line or 10 feet to a side lot line.
- (4) One wall sign shall be permitted for each principal use contained within a building. Wall signs, however, shall not extend more than 12 inches from the face of the building, nor shall the same exceed 20% of the area of the wall upon which the sign is mounted.
- (5) Flashing signs or signs with intermittent or moving illumination of any kind shall be prohibited.
[Added 8-22-2005 by Ord. No. 2005-14]

I. Building height shall not exceed 45 feet.
[Added 9-22-2003 by Ord. No. 2003-11]