

§ 142-23. HC Highway Commercial Zone District.

- A. HC District designated. The HC District is established on the properties within the Township as shown on the map and designated on the Zoning Map, as amended hereby.¹
- B. Purpose and intent.
- (1) In furtherance of the Master Plan Reexamination and Land Use Element Amendment (herein known as the Master Plan) adopted March 21, 2007, the creation of this HC District is part of a cohesive economic development plan intended to improve the primary commercial corridors within the Township and help to achieve a better balance between residential and commercial development. The Master Plan calls for the creation of a highway commercial district within the area delineated as this zoning district in order to facilitate and stimulate commercial development along Route 130. The Master Plan further recommends appropriate planning designs, uses, and architectural review in order to maximize benefits and minimize negative externalities and impacts.
 - (2) The intent of the HC Zone is to provide commercial uses that serve Township residents as well as residents of the surrounding municipalities. As stated in the 2007 Master Plan Reexamination and Land Use Element, the following types of uses are not the intended types of uses for the HC Zone: new or used sales or rentals of motor vehicles; motels; adult book stores; adult movie theaters; drug paraphernalia stores; junkyards; massage parlors; tarot card readings/fortune-telling establishments; tattoo parlors; and body piercing studios. **[Amended 11-14-2014 by Ord. No. 2014-23]**
- C. Permitted uses:
- (1) Designed shopping complex: a building or group of abutting buildings designed to be utilized by more than one permitted use where such building or group of abutting buildings is constructed at one time. The area and yard requirements shall be applied to the one building or group of abutting buildings as one structure.
 - (2) Retail stores: automotive-related stores with the parts store being at least 50% of the total square feet.
 - (3) Service activities, such as but not limited to banks, barbershops, beauty salons, tailors, shoe repair, dry cleaners (except no chemical dry cleaning is permitted on the premises), jewelry repair, and legal services.
 - (4) Business offices, including but not limited to medical offices and governmental offices.
 - (5) Restaurants, including drive-through facilities.
 - (6) Indoor and outdoor recreational uses, such as health spas, gyms, tennis and racquetball courts.
 - (7) Combination office service and/or retail sales.
 - (8) Hotels with a one-hundred-room minimum and a restaurant on the premises.

1. Editor's Note: The Zoning Map is included at the end of this chapter.

D. Accessory uses permitted:

- (1) Off-street parking. See § 142-41.
- (2) Fences and walls. See § 142-36.
- (3) Garages, storage buildings and other customary accessory uses incidental to the principal use.
- (4) Temporary construction trailers and one sign not exceeding 32 square feet advertising the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a building permit and concluding with the issuance of a certificate of occupancy or one year, whichever is less, provided that the trailer and sign are on the site where construction is taking place and set back at least 15 feet from street and lot lines.
- (5) Amateur radio antennas and antenna support structure not to exceed 45 feet in height, unless the structure is retractable. The height of a retractable antenna structure shall not exceed 45 feet when the structure is not being used for the transmission and/or reception of amateur radio signals and 65 feet when the structure is fully extended and in use for the transmission and/or reception of amateur radio signals. Satellite dish antennas shall be installed in accordance with the standards specified in § 142-33.1H.

E. Conditional uses:

- (1) House of worship. See § 142-61M.
- (2) Service stations with convenience stores of over 2,500 square feet. See § 142-61F. **[Amended 7-13-2021 by Ord. No. 2021-20]**

F. Area and yard requirements.

- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum lot width: 150 feet.
- (3) Minimum lot frontage: 150 feet.
- (4) Minimum lot depth: 250 feet.
- (5) Minimum front yard setback: 35 feet. **[Amended 11-14-2014 by Ord. No. 2014-23]**
- (6) Minimum side yard setback: 20 feet.
- (7) Minimum rear yard setback: 30 feet.
- (8) Maximum impervious surface ratio: 0.65.
- (9) Minimum gross floor area: 3,000 square feet.
- (10) Maximum floor area ratio: 0.25.
- (11) Minimum parking setbacks: 20 feet, front yard; 10 feet, rear and side yards.

(12) Minimum driveway side yard setback: 10 feet.

(13) Maximum building height: 35 feet or three stories.

G. Nonconforming lots. See § 142-40.

H. Performance and design standards. The following criteria and guidelines shall be used by all municipal agencies in reviewing applications for site plan approval. They are intended to provide a framework within which the designer of the site development is free to exercise creativity, invention, and innovation. Where a development involves an existing building or site upon which an existing building is located, the existing building shall be repaired, renovated, and restored to comply with this section. Three-dimensional illustrative architectural renderings shall be submitted as part of any site plan application. The renderings may be digital. These color renderings shall be considered part of any approvals granted and shall not be substantially changed.

(1) Exception. The performance and design standards described in this section shall be used as the Township's presumptive minimum requirements for subdivision and site plan development and as criteria for evaluating the plan and design of such development plans. However, the guidelines and standards are not intended to restrict creativity, and an applicant may request that the performance and design standards be modified or waived. To gain approval of such modification or waiver, the applicant shall demonstrate criteria for variances pursuant to N.J.S.A. 40:55D-70.

(2) Building massing.

(a) Buildings should avoid long, uninterrupted wall or roof planes. Building wall offsets, including both projections and recesses, shall be required in order to provide architectural interest and variety and relieve the visual effect of a single, long wall. Similarly, roofline offsets should be provided along any roof measuring longer than 75 feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long roof.

(b) Larger buildings should reduce the appearance of bulk through recesses, offsets, changes of plane, stepped terraces or other devices which break down and articulate building mass.

(3) Architecture. Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) is discouraged. Franchise of national chains are encouraged to follow building design standards provided herein to create a unique building that is compatible with surrounding buildings.

(4) Facades and exterior walls.

(a) Facades should be designed to balance vertical and horizontal elements of composition. In general, facades should present a vertical division into base, middle or shaft and capital or cornice, as well as a pattern of horizontal subdivisions into bays, where appropriate. Separation of a facade into these components helps relate a building to the human scale.

- (b) Undifferentiated facades, facades where the vertical elements overwhelm the horizontal elements indicative of changes in level or use, expansive blank walls, or facades with extended horizontal fenestration should not be permitted.
 - (c) Facade colors should be low-reflective, subtle, natural or earth-tone colors. Bright reds, oranges, yellows, or other high-intensity colors are not permitted. Neon tubing is not permitted to outline windows, signs, buildings, structures or architectural details.
- (5) Building location and orientation.
- (a) Spatial relationships between buildings and other structures should be geometrically logical and/or architecturally formal.
 - (b) Buildings should be located to allow for adequate fire and emergency access.
 - (c) In a multiple building development, buildings located on the interior of a site should front towards and relate to one another, both functionally and visually. To the extent possible, multiple building developments should be organized around features, such as courtyards and quadrangles, which encourage pedestrian activity.
- (6) Roofs.
- (a) The type, shape, pitch, texture and color of a roof should be considered as an integral part of the design of a building and should be architecturally compatible with the style, materials, colors and details of such buildings.
 - (b) Rooflines should be varied with a change in height every 75 linear feet in a building length. Rooflines should be used to add interest to and reduce the massive scale of large buildings.
 - (c) Flat roofs are not permitted on one-story buildings.
 - (d) Mansard roofs are not permitted.
 - (e) Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, masonry, chimneys, cupolas, clock towers and other similar elements, are encouraged, provided that they are architecturally compatible with the building.
- (7) Mechanical screening. All mechanical equipment, whether placed on the ground, roof or other location, should be screened from ground level view with an acceptable material compatible with the architectural scheme of the development.
- (8) Storefronts.
- (a) Storefronts are an integral part of a building. The building's facade should dictate the storefront's composition in terms of spacing and alignment of buildings and windows. Storefronts should be designed to be compatible with the overall character of the facade, to maximize pedestrian interest, and to maintain a pedestrian scale.
 - (b) Buildings with multiple storefronts should be unified through the use of

architecturally compatible styles, colors, details, awnings, signage, and lighting fixtures on all storefronts.

(9) Pedestrian circulation and walkways.

- (a) Walkway design ("walkway" shall mean a path provided for pedestrian use through a site) shall promote pedestrian circulation within each site and throughout the district; walkways shall be separate and distinct from motor vehicle circulation and, to the greatest extent possible, provide a pleasant route for users, promote enjoyment of the site and encourage incidental social interaction among pedestrians.
- (b) Walkways should be constructed of brick, colored/textured concrete pavers or slabs, or some combination thereof that is compatible with the style, materials, colors, and details of the surrounding buildings as well as with the public sidewalks. The functional, visual and tactile properties of the paving materials should be appropriate to the proposed functions of pedestrian circulation. Walkways should be raised and curbed along buildings and within parking lots, where suitable.
- (c) Barrier-free walkway systems shall be provided to allow pedestrian access to buildings or uses from parking lots and public sidewalks.

(10) Exterior spaces.

- (a) Outdoor gathering space shall be provided within each development, as appropriate. Gathering space for employees shall be located in the rear of the development and should be sufficiently screened.
- (b) The layout, materials and details used in the treatment of exterior spaces shall be selected to enhance their immediate surroundings. Public and semipublic exterior spaces should be functional and provide amenities for their users, in the form of textured paving, landscaping, lighting, street trees, benches, trash receptacles and other items of street furniture, as appropriate.

(11) Parking lot and loading area landscaping, buffering and screening.

- (a) See § 142-41.
- (b) Landscaped islands and other green space should be consolidated into useful areas and not just narrow strips of grass or plantings.
- (c) In the HC Zone, site plans shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and commercial uses shall be designed with textured paving, landscaping, and street furniture.
- (d) Parking lot layout shall take into consideration pedestrian circulation and activities. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving and shall be integrated into the wider network of walkways. Pavement textures shall be required on pedestrian accessways, and

strongly encouraged elsewhere in the parking lot, as surfacing materials or when used as accents.

- (e) Parking lot layout shall take into consideration adjacent parking areas. An interconnection between parking areas along Route 130 is encouraged.
- (12) Access frontage. Because this zone has frontage along median-divided Route 130, curb cuts must be located with the intention of minimizing the total number of curb cuts. Driveway access should be located in accordance with New Jersey Department of Transportation standards and regulations from any public street intersecting with Route 130.
- (13) Landscaping.
- (a) See § 142-47.
 - (b) Landscaping shall be provided as approved by the reviewing board to provide shade, designate entrances, screen parking from roads, buffer utility areas, and provide aesthetic interest throughout the year. **[Amended 11-14-2014 by Ord. No. 2014-23]**
 - (c) Extensive landscaping shall be required in accordance with a plan conceived for each site as a whole. All areas of a site not occupied by buildings, parking lots, other improvements or textured paving shall be intensively landscaped by the planting of grass or other ground cover; masses of shrubs; and trees as part of site plan approval. Landscaping shall be integrated with other functional and ornamental site design elements, where appropriate, such as ground paving materials, paths and walkways, gazebos, fences and walls, street furniture, art and sculpture.
 - (d) Protection of existing plantings. Maximum effort shall be made to save existing plantings. No material or temporary soil deposits shall be placed within four feet of shrubs or 10 feet of trees designated to be retained. Protective barriers or tree wells shall be installed around each plant and/or group of plants that are to remain on the site. Snow fences and silt fences are examples of acceptable barriers.
 - (e) Slope plantings. Landscaping in the area of cuts and fills and/or terraces shall be sufficient to prevent erosion, and all slopes steeper than one foot vertically to three feet horizontally shall be planted with ground covers appropriate for the purpose and soil conditions, water availability and environment.
 - (f) Maintenance. See § 142-47L. Additionally, plantings shall be watered regularly and in a manner appropriate for the specific plant species through the first growing season, and dead or dying plants shall be replaced by the applicant during the next planting season.
 - (g) All applications for development shall include plans for water irrigation on all landscaping, buffering and lawn area. The approved irrigation plan shall be constructed, installed and maintained by the developer and/or subsequent owner.

(14) Lighting.

- (a) See § 142-37.
- (b) All light fixtures and light poles proposed as part of a site plan should be ornamental and compatible with the architectural style of the building. Lighting standards that are not compatible with the architecture design of the building, such as cobra heads or shoeboxes, are not permitted.
- (c) The lighting plan should take into consideration the hours of operation of the proposed use. The lights should be designed so that they can be reduced or turned off when they are not necessary. A timer may be necessary to regulate the hours.
- (d) The maximum cutoff angle shall be used to shield light source, glare and unwanted light from adjacent properties and motorists approaching on bounding roads and highways.

(15) Signage. See § 142-48.

- (16) LEED. To the extent feasible, development within the HC Zone should follow the guidelines of the U.S. Green Council's Leadership in Energy and Environmental Design (LEED).