

§ 35-111.14. Site Plan Approval. [1982 Code § 134-10N]

Site development plan approval in accordance with Article 500, Site Plan Review, of this chapter shall be required prior to the issuance of building permits for the erection of all permitted and conditionally permitted uses and structures. Such approval shall also be required prior to the issuance of a certificate of occupancy for a change of use of a permitted or conditionally permitted use.

§ 35-111.15. Door and Window Visibility. [1982 Code § 134-100; Ord. No. 1088-25-02; Ord. No. 1135-12-04]

All storefront windows, glass doors, or doors with glass openings, may have signs, shades, blinds, curtains, drapes, or other coverings on such glass doors, or doors with glass openings, provided that the area covered does not exceed twenty (20%) percent of the total window, glass door or door with a glass opening. All such windows, glass doors or doors with glass openings must remain at all times eighty (80%) percent unobstructed.

§ 35-112. B-H HIGHWAY AND REGIONAL BUSINESS ZONE.**§ 35-112.1. Objectives. [1982 Code § 134-11A]**

It is the purpose of the B-H Highway and Regional Business Zone to provide for the common needs of regionally oriented uses, such as shopping centers, hotels, motels, theaters, auditoriums and offices, and to encourage common facilities, such as service drives, customer parking, landscaping, malls, colonnades and pedestrian walks, truck loading and unloading and utilities for each to utilize and to share in common, and highway-oriented office uses.

§ 35-112.2. Permitted Uses. [1982 Code § 134-11B; Ord. No. 1293-03-10]

In the B-H Highway and Regional Business Zone, no buildings or premises shall be used and no building or part of a building shall be erected, constructed or altered which shall be arranged, intended or designed to be used for any purpose other than the following uses:

- a. Regionally oriented retail shopping centers consisting of integrated development of such uses as retail stores and shops housed in an enclosed building or buildings and utilizing such common facilities as customer parking areas, pedestrian walks, truck loading and unloading space, utilities and sanitary facilities and gasoline filling stations.
- b. Theaters and auditoriums.

§ 35-112.3. Conditionally Permitted Uses. [1982 Code § 134-11C; amended 9-10-2024 by Ord. No. 1624-12-24]

- a. Uses. Conditionally permitted uses shall be as follows:
 1. Professional, business and governmental offices.
 2. Banks and savings-and-loan institutions.
 3. Post offices.

4. Hotels and motels.
5. Cannabis Retail Establishments.

b. Conditional Use Requirements.

Cannabis Retail Establishments shall be subject to only the following conditions as set forth in subsection 35-112.3b,1-9, as a Conditionally Permitted Use in the B-H Zone. Cannabis Retail Establishments shall be exempt from the requirements set forth in paragraph c.

1. Site development plan approval in accordance with Article 500, Site Plan Review of this chapter shall be required prior to the issuance of building permits for the erection of all conditionally permitted structures. Such approval shall also be required prior to the issuance of a certificate of occupancy for a change of use of a conditionally permitted use.
2. Parking Requirement. A Cannabis Retail Establishment shall provide one off-street parking space for every two hundred square feet of gross floor area (excluding utilities and storage of noncannabis items) utilized by a Cannabis Retail Establishment.
3. No more than one cannabis retail establishment shall be conditionally permitted in the B-H Zone in the Borough of Little Ferry.
4. A cannabis retail establishment shall have an odor mitigation and/or security plan in place.
5. A cannabis retail establishment shall have frontage on US Route 46.
6. A cannabis retail establishment shall be no less than 1,000 feet from an elementary school, secondary school or high school, and no less than 500 feet from a church, public park, or state licensed drug rehabilitation facility. All measurements pursuant to this section shall be measured by a straight line from the nearest boundary of each property.
7. A cannabis retail establishment shall not operate outside of the hours of 9:00 a.m. - 10:00 p.m.
8. Consumption of cannabis shall be strictly prohibited at a cannabis retail establishment.
9. Prior to commencing retail operations in the Borough, an approved cannabis retailer shall be licensed by the State of New Jersey and shall maintain such licenses in good standing at all times. An applicant shall not require a license from the State of New Jersey to file and have action taken on the application by the appropriate land use board.

c. Other Requirements. Other requirements for conditional uses shall be as follows:

1. Off-Street Loading Requirements. There shall be no loading or unloading from the street in the B-H Zone.
2. Landscaped Open Space Area. In order to provide for much needed pervious area for drainage purposes, a minimum of twenty (20%) percent of the total lot area shall be maintained in lawns, gardens, buffer strips, woodlands or other forms of landscaping subject to site plan approval.

3. The parking requirements for professional or business office uses shall be met within two hundred (200) feet of the site. The Planning Board shall review all off-street parking lots as provided in Article 500, Site Plan Review, but in no case shall off-street parking be provided off-site without Planning Board approval, nor shall parking standards be less than those specified in this section.

§ 35-112.4. Permitted Accessory Uses. [1982 Code § 134-11D]

Permitted accessory uses shall be as follows:

- a. Accessory uses and structures customarily incidental to a principal permitted use.
- b. Garages to house delivery trucks or other commercial vehicles, only when accessory to a permitted nonresidential use, and public and private parking.

§ 35-112.5. Prohibited Uses. [1982 Code § 134-11E; Ord. No. 1293-03-10; amended 8-17-2021 by Ord. No. 1557-15-21; 1-24-2023 by Ord. No. 1587-1-23; 9-10-2024 by Ord. No. 1624-12-24]

Any uses other than those uses permitted by subsection 35-112.1 — 35-112.4 shall be prohibited without in any way limiting the generality and prohibition of this section. Nothing contained in this article shall be construed to permit any of the following uses in any B-H Highway and Regional Business Zone:

- a. Laboratory or industrial uses.
- b. Wholesaling or warehousing.
- c. Automobile repair shops.
- d. Commercial garages.
- e. Body shops.
- f. Paint shops.
- g. Gasoline service stations.
- h. Car wash establishments.
- i. Driving schools.
- j. Automotive uses, including new and used car sales and servicing, new and used truck sales and servicing, new and used tractor and farm equipment sales and servicing, tires, battery, muffler, upholstery or radiator and other automotive accessory shops or stores.
- k. Cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis distributors and cannabis delivery services as said terms are defined in Section 3 of P.L. 2021, c. 16,[1] but not the delivery of cannabis items and related supplies by a delivery service. [Added 8-17-2021 by Ord. No. 1557-15-21; amended 9-10-2024 by Ord. No. 1624-12-24]
- l. All classes of “smoke shops” as said term is defined in Chapter 35, § 35-103b of the

Ordinances of the Borough of Little Ferry. [Added 1-24-2023 by Ord. No. 1587-1-23]

- m. All classes of “vape shops” as said term is defined in Chapter 35, § 35-103b of the Ordinances of the Borough of Little Ferry. This provision shall not apply to retail electronic smoking device establishments that obtained licenses pursuant to Chapter 4, § 4-22 on or before the date of adoption of Ordinance No. 1587-1-23. [Added 1-24-2023 by Ord. No. 1587-1-23]

§ 35-112.6. Area and Yard Requirements. [1982 Code § 134-11F]

Area and Yard Requirements for the B-H Highway and Regional Business Zone.

Type	Requirement
THE LOT	
Minimum area (square feet)	80,000
Maximum lot coverage (percent)	30
Width (feet)	150
Depth (feet)	200
Front yard setback (feet)	50
1 side yard (feet)	25
Both side yards (feet)	50
Rear yard (feet)	35
Minimum landscaped area (percent)	20
THE STRUCTURE	
Maximum height	
Stories	2
Feet	30

§ 35-112.7. Off-Street Parking Requirements. [1982 Code § 134-11G; amended 9-10-2024 by Ord. No. 1624-12-24]

- Commercial uses shall have one space for each employee, plus one space for each two hundred (200) feet of floor area.
- Eating and drinking establishments shall be as provided in subsection 35-111.7.
- For uses not listed above, required parking spaces shall be according to the category which most nearly approximates each particular use as determined by the Planning Board.
- The parking requirements for professional or commercial uses shall be met within two hundred (200) feet of the site. The Planning Board shall review all off-street parking lots as provided in Article 500, Site Plan Review, but in no case shall off-street parking be provided

off site without Planning Board approval, nor shall parking standards be less than those specified in the off-street parking requirements of the Code of the Borough of Little Ferry.

§ 35-112.8. Off-Street Loading Requirements. [1982 Code § 134-11H]

In the B-H Highway and Regional Business Zone, every structure in excess of 5,000 square feet of gross floor area, other than a professional building, shall provide, at the side or rear of the structure, a minimum of one off-street loading space, fifteen by thirty (15 x 30) feet, subject to Planning Board approval. There shall be no loading or unloading from the street.

§ 35-112.9. Screening of Parking and Loading Areas. [1982 Code § 134-11I]

In the B-H Highway and Regional Business Zone, all parking areas and loading and unloading areas in conjunction with any nonresidential use shall be screened from adjacent residential districts and parks by a hedge, fence or wall at least six feet in height, or other protective device as approved by the Planning Board. In no event, however, shall any fence or wall be erected within the required front yard setback.

§ 35-112.10. Signs. [1982 Code § 134-11J; Ord. No. 1223-04-07]

See Section 35-710, Signs.

§ 35-112.11. Landscaped Open Space Area. [1982 Code § 134-11K]

In order to provide for much needed pervious area for drainage purposes, a minimum of twenty (20%) percent of total lot area shall be maintained in lawns, gardens, buffer strips and woodlands, subject to site plan approval.

§ 35-112.12. Planted Buffer Strip. [1982 Code § 134-11L]

Where a lot in a B-H Highway and Regional Business District abuts a lot in any residential district, there shall be provided along such lot lines on such business lot a planted buffer strip at least equal to the width or depth of that required in the residential district, but in no case shall such yard be smaller than that required for the district in which such lot is located, and in said yard a strip of twenty (20) feet abutting the residential district shall not be utilized for roadway or parking and shall be landscaped and planted so as to create an effective evergreen visual screen.

§ 35-112.13. Door and Window Visibility. [1982 Code § 134-11M; Ord. No. 1135-12-04]

All windows, glass doors, or doors with glass openings, may have signs, shades, blinds, curtains, drapes or other coverings on such glass doors or doors with glass openings, provided that the area covered does not exceed twenty (20%) percent of the total window, glass door or door with a glass opening. All such windows, glass doors or doors with glass openings must remain at all times eighty (80%) percent unobstructed.

§ 35-112.14. Sight Rights. [1982 Code § 134-11N]

Visibility at intersections shall be the same as provided in subsection 35-108.7b1.

§ 35-112.15. Site Plan Approval. [1982 Code § 134-110]

Site development plan approval in accordance with Article 500, Site Plan Review, of this chapter shall be required prior to the issuance of building permits for the erection of all permitted and conditionally permitted uses and structures. Such approval shall also be required prior to the issuance of a certificate of occupancy for a change of use of a permitted or conditionally permitted use.

§ 35-113. I-L LIGHT INDUSTRIAL ZONE.⁶**§ 35-113.1. Objectives. [Ord. No. 1410-18-14]**

The purpose of the I-L Light Industrial Zone is to provide for light industrial manufacturing, assembling, packaging, processing, warehousing and similar or complementary activities.

§ 35-113.2. Permitted Uses. [Ord. No. 1410-18-14; amended 3-27-2018 by Ord. No. 1491-2-18]

In the I-L Light Industrial Zone, no building or premises shall be used, and no building or part of a building shall be erected, constructed or altered, which shall be arranged, intended or designed to be used for any purpose other than the following uses. More than one permitted principal use may be combined within a building or site.

- a. Brewery/winery/distillery.
- b. Contractor's yard or facilities.
- c. Data center.
- d. Day-care and nursery school.
- e. Ground-mounted solar energy facility on a site 20 acres or larger.
- f. Laboratory.
- g. Light manufacturing.
- h. Machine repair and service.
- i. Office.
- j. Self-storage.
- k. Warehousing and distribution.
- l. Wholesale.

§ 35-113.3. Conditionally Permitted Uses. [Ord. No. 1410-18-14; amended 9-10-2024 by Ord. No. 1625-13-24]

6. Editor's Note: Ord. No. 1410-18-14 amended § 35-113 in entirety. Former § 35-113, regarding signs, was derived from the 2010 Code §§ 35-113.1 — 35-113.14, and amended by Ord. Nos. 1135-12-04, 1223-04-07.

Block 12 Land Desc 310 X 100 Owners Name
 Lot 23 Bldg Desc 1SCB46 Street Address
 Qual Addl Lots City & State
 Acct# 000000 Acreage 0.712 Class 4A Property Location 140 RT 46 W
 Bank 00000 Land 1,085,000 Exemption
 Zip 07643 Impr 560,200 Code
 Zone BH Total 1,645,200 Value 0
 Net Taxable Value Deductions
 Cd No-Ow

SITE INFORMATION DESCRIPTION SKETCH

Sewer:
 Water:
 Gas:
 Topography:
 Road:

BUILDING INFORMATION
 Type and Use:
 Story Height:
 Style:
 Exterior Fin:

Roof Type:
 Roof Material:
 Foundation:
 Condition:
 Quality:
 Source:

Bath: Mod: Avg: Old:
 Kitchen: Mod: Avg: Old:
 Room Count: Tot: Bdn:
 Year Built: 1975
 Eff Age (Years): 47
 Livable Area: 0

SALE DATE 03/14/06
 SALE PRICE 1500000