

19:4-4.40 Waterfront recreation zone; buffer requirements

(a) There shall be a 25-foot wide strip of landscaped open space, with heavy vegetative screening, where any development borders a specially planned area, a residential planned unit development, or the low density residential zone.

Amended by R.1985 d.408, effective August 5, 1985.
See: 16 N.J.R. 3423(b), 17 N.J.R. 1916(a).

(b) deleted.

19:4-4.41 Waterfront recreation zone; environmental performance standards

(a) All uses in the waterfront recreation zone shall comply with the following environmental performance standard categories of N.J.A.C. 19:4-6:

1. Environmental performance standards category "A": noise, vibration; airborne emissions and radioactive materials;
2. Environmental performance standards category "B": fire and explosion hazards; glare;
3. Residential development: all category "A" environmental performance standards shall apply;
4. All water quality standards shall apply;
5. Particulate source emission: 0.2 pounds per hour per acre of lot, or the New Jersey State Standard, whichever is more restrictive.

Amended by R.1988 d.154, effective April 4, 1988.
See: 19 N.J.R. 2386(a), 20 N.J.R. 813(a).

Added new (a)3; renumbered old 3-4 to 4-5.
Administrative Correction in (a): Stylistic.
See: 22 N.J.R. 2184(a).

19:4-4.42 Waterfront recreation zone; design of structures and other improvements

(a) The design of structures and other improvements shall comply with the requirements of N.J.A.C. 19:4-6.18.

(b) Uses shall be designed to focus on the river as a recreational and visual resource.

(c) Any structures built in this zone shall be designed and constructed to minimize visual obstruction to views of the Hackensack River from adjacent properties or roadways and from within the zone itself.

Amended by R.1985 d.408, effective August 5, 1985.
See: 16 N.J.R. 3423(b), 17 N.J.R. 1916(a).

(b) and (c) added.

Historical Note

Sections 33 through 42 of this Subchapter were originally cited as Article 6-105.

19:4-4.42A Neighborhood commercial zone; purposes

The purposes of the neighborhood commercial zone are to provide for the development and redevelopment of properties in the identified commercial areas in close proximity to existing residential areas, and to promote small lot commercial development along major roadways. The intent of the zone is to encourage commercial uses that will be compatible with the established residential character of the area and to provide necessary services to the residents.

New Rule, R.1996 d.492, effective October 21, 1996.
See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

19:4-4.42B Neighborhood commercial zone; permitted uses

(a) Permitted uses in the neighborhood commercial zone are the following:

1. Banks and financial institutions; with drive through facilities permitted only as accessory uses to full service banking facilities;
2. General retail establishments;
3. Personal services;
4. Professional, business and medical offices;
5. Dance, martial arts, music, voice, photographic, gymnastic, and other related studios;
6. Houses of worship;
7. Laboratory: medical, dental or optical;
8. Clinics: medical, dental or optical;
9. Health clubs;
10. Restaurants, except drive-in restaurants;
11. Car washes;
12. Essential public services; and
13. Existing single to four-family dwellings.

New Rule, R.1996 d.492, effective October 21, 1996.
See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

19:4-4.42C Neighborhood commercial zone; special exceptions

(a) Special exception uses permitted in the neighborhood commercial zone are the following:

1. Community residential facilities of six or more residents;
2. Adult and child care centers; and
3. Automobile service stations.

New Rule, R.1996 d.492, effective October 21, 1996.
See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

19:4-4.42D Neighborhood commercial zone; use limitations

(a) Use limitations within the neighborhood commercial zone include the following:

1. All operations, activities, and storage (except parking, loading, and refuse/recycling areas) shall be conducted within completely enclosed buildings.
2. Outdoor seating areas, accessory to a permitted or special exception use, not exceeding 15 percent of the principal use, are permitted. In the case of a restaurant, the outdoor seating areas shall not be greater than 15 percent of the interior seating area.
3. All permitted business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold on the premises where produced.
4. In all restaurants, the serving of food shall be the principal use. Any entertainment shall be permitted only as an accessory use to that principal use and shall not be the main focus of the use on the site/in a specific restaurant. No accessory entertainment use shall occupy more than 25 percent of the restaurant's customer seating area.
5. Pump island canopies are not permitted at automobile service stations.
6. No car wash shall be located closer than 1,000 feet to another car wash.

New Rule, R.1996 d.492, effective October 21, 1996.
See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

19:4-4.42E Neighborhood commercial zone; accessory uses

Accessory uses in the neighborhood commercial zone shall be as provided for in N.J.A.C. 19:4-4.145, unless specifically stated in this chapter.

New Rule, R.1996 d.492, effective October 21, 1996.
See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

19:4-4.42F Neighborhood commercial zone; area and bulk regulations

(a) Area and bulk regulations within this zone shall be directly dependant upon, and related to, lot size, as follows:

1. Small lot development requirements shall be as follows:
 - i. The lot area shall be a minimum of 5,000 square feet, and a maximum of 7,500 square feet;
 - ii. The lot width shall be a minimum of 50 feet;
 - iii. The side yards shall be a minimum of three feet on each side. A minimum side yard of 13 feet, 10 feet of which is a paved driveway, shall be provided where a side yard is used for access to parking in a rear yard;

iv. The front yard shall be a minimum of five feet;

v. The rear yard shall be a minimum of five feet where the commercial use does not abut a residential use. Where the commercial use abuts a residential use, the minimum rear yard shall be 10 feet;

vi. The building height shall be, at a maximum, 35 feet, or two stories, whichever is less;

vii. The building area shall not cover more than 40 percent of the total lot area;

viii. The total impervious coverage shall not exceed 85 percent of lot area. The minimum open space provision shall be 15 percent; and

ix. Buffers shall be heavily landscaped, of not less than 10 feet, and shall be provided between any permitted use and existing adjacent residential uses. A buffer shall not be required between adjacent mixed use developments where the residential use is on the second floor above commercial uses. A minimum buffer of five feet width shall be provided along the front property line.

2. Large lot development requirements shall be as follows:

i. The lot area shall be a minimum of 7,501 square feet;

ii. The lot width shall be a minimum of 70 feet;

iii. The side yards shall be a minimum of 10 feet on one side with a total of 25 feet;

iv. The front yard shall be a minimum of 25 feet;

v. The rear yard shall be a minimum of five feet where the commercial use does not abut a residential use. Where the commercial use abuts a residential use, the minimum rear yard shall be 10 feet;

vi. The building height shall be a maximum of 35 feet, or two stories, whichever is less; except that retail commercial uses shall be limited to 25 feet, or one story, whichever is less;

vii. The building area shall not cover more than 40 percent of the total lot area;

viii. The total impervious coverage shall not exceed 85 percent of lot area. Minimum open space provision shall be 15 percent; and

ix. Buffers shall be heavily landscaped, of not less than 10 feet, and shall be provided between any permitted use and existing adjacent residential uses. Where existing residential uses are located across from the property line of a proposed commercial development, a heavily landscaped buffer of not less than 15 feet shall be provided along the commercial uses front property line. A minimum buffer of five feet in width shall otherwise be provided along the front property line.