

F. ***Minimum off-street parking.*** Each individual use shall provide off-street parking spaces according to the standards set forth in Section 25:508.

G. ***Minimum off-street loading for non-residential uses.***

1. Each individual use shall provide off-street loading and unloading areas according to the minimum standards set forth in Section 25:508.
2. The need, location and design for trash and garbage locations shall be considered and determined at the time of site plan review.

H. ***Permitted signs.***

1. Detached dwellings:
  - a. Information and direction signs. (See Section 25:514.)
  - b. The maximum height shall not exceed six feet (6') and maximum area shall not exceed two (2) square feet, except for a home occupation sign which shall not exceed four (4) square feet in area.
  - c. The minimum set back for a sign shall be fifteen feet (15') from all property lines.
2. Churches, schools, farms, fire and emergency services stations and other public or quasi-public institution may have one (1) free-standing sign not to exceed ten feet (10') in height and not to exceed sixteen (16) square feet in area.
3. Each permitted non-residential, school or church, fire or emergency services use may have one (1) sign either free-standing or attached, not exceeding an area equivalent to five percent of the front facade or sixteen (16) square feet, whichever is smaller.

Free-standing signs shall be located no closer than fifteen feet (15') to any lot line, and shall not exceed six feet (6') in height. Where an individual activity has direct access from the outside, a sign not exceeding one (1) square foot identifying the name of the activity may also be attached to the building at the entrance to the activity.

4. See Section 25:514 for additional standards.

(Ord. No. 1997-05, § V, 9-9-1997; Ord. No. 1999-13, § VII, 8-10-1999; Ord. No. 2002-16, 6-24-2002)

**25:408. CC—Community Commercial; HC—Highway Commercial.**

A. ***Principal permitted uses on the land and in buildings.***

1. Retail sales of goods and services.
2. Garden centers engaged in the retail sales of living plant material and related garden equipment, vegetation and produce. Outside areas for [the] storage, sale and display [of living plant material] shall conform to all bulk and design requirements for the zone.
3. Banks, including drive-in facilities.
4. Offices and office buildings.

5. Restaurants, bars and taverns.
6. Hotels and Motels as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
7. Car Washes as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
8. Health clubs, bowling alleys, skating rings and other similar indoor recreational activities.
9. Legitimate theaters in the HC District Only.
10. Shopping centers comprised of the preceding uses in the HC District Only.
11. Automobile sales through franchised new car dealers in the HC District Only.
12. Service stations as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
13. Public Utility Uses as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
14. Clubs, fraternal organizations and lodges which are non-profit uses established for eleemosynary and/or civic purposes in the HC District only.
15. Adult uses in the HC District only as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
16. Self-Storage or Mini-Warehouse Facilities in the HC District only as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
17. Billboards as Conditional Uses under N.J.S.A. 40:55D-67 (see Section 25:601 for standards).
18. Child care centers for which, upon completion, a license is required from the Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq.
19. Mixed uses of any of the above.
20. Retail uses of over 5,000 sq. ft. as a conditional use when any lot used abuts a Township public right-of-way subject to the following:
  - (a) Whenever there is a higher category right-of-way abutting the site, that shall be the primary access.
  - (b) Whenever there is a higher category right-of-way abutting the site, the use shall front on that roadway.
  - (c) There shall be a full traffic impact statement submitted including the impact on adjacent intersections and on the abutting Township right-of-way with ameliorative measures to be taken by the applicant. When any such ameliorative measures require approvals from other governmental agencies, the local reviewing boards may mandate those approvals be obtained prior to local approval.

21. Residential uses in the HC Zone under the bulk regulations of the R-20 Zone subject to the condition that they existed lawfully as of July 1, 1999. However, said properties shall still be considered nonconforming uses.
22. The property may be developed as a Planned Development in accordance with Section 25:606.

**B. Accessory uses permitted.**

1. Off-street parking.
2. Fences and walls (see Section 25:503 for standards).
3. Signs.
4. Garages and storage buildings.
5. Temporary construction trailers and one (1) sign not exceeding seventy-five (75) square feet, advertising the prime contractor, subcontractor(s), financing institution and similar data for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a certificate of occupancy or one (1) year, whichever is less, provided the trailer(s) and sign are on the site where construction is taking place and are set back at least thirty feet (30') from all street and lot lines.
6. Radio, television and satellite dish antennae (see Section 25:513 for standards).

**C. Maximum building height.**

1. No building shall exceed thirty feet (30') in height and two and one half (2.5) stories except as allowed in Section 25:602.
2. A building used exclusively for offices or hotels is permitted up to fifty-five feet (55') or five (5) stories in height, subject to the conditions and restrictions set forth in Section 25:602.

**D. Area and yard requirements for CC and HC Districts.**

<u>Principal Building Minimum:</u>	<u>Individual Uses CC District</u>	<u>Individual Uses HC District</u>	<u>Shopping Centers HC District<sup>(1)</sup></u>
Lot area	0.25 ac.	1 ac.	8 ac.
Lot frontage	100'	150'	400'
Lot width	100'	150'	400'
Lot depth	100'	150'	400'
Side yard			
(one)	10'	25'	100'
(aggregate)	25'	N/A	N/A
Front yard	25'	75'	100'
Rear yard	35'	50'	100'
<u>Accessory Building Minimum:</u>			
Distance to side line	10'	20'	100'

Distance to rear line	35'	35'	100'
Distance to other building	15'	20'	20'

Maximum:

Floor Area Ratio	0.25	0.20	0.20
Impervious Surface Ratio	0.75	0.75	0.75

(1) More than one (1) principal building shall be permitted. All buildings shall be separated by a minimum of twenty feet (20'), provided that the separation is to be used solely for pedestrian circulation. All buildings shall be separated by a minimum of fifty feet (50') where any part of the separation is to be used for parking or vehicular circulation. The separation requirements should not be construed to prohibit covered pedestrian walkways when the roof or covering of the walkway extends between the buildings.

**E. General requirements.**

1. One (1) building may contain more than one (1) use provided that the total floor area ratio and lot coverage of the combined uses does not exceed the maximums specified for the district and, further, that each use occupies a minimum gross floor area of seven hundred fifty (750) square feet.
2. At least the first twenty feet (20') adjacent to any street line and ten feet (10') adjacent to any lot line in the CC District and at least the first fifty feet (50') adjacent to any street line and fifteen feet (15') adjacent to any lot line in the HC District shall not be used for parking and shall be planted and maintained in lawn area or ground cover and landscaped with evergreen shrubbery.
3. No merchandise, products, unenclosed waste, equipment or similar material or objects shall be displayed or stored outside, except for permitted garden centers.
4. No on-site storage of waste shall be permitted for more than ninety (90) days.
5. All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or plantings and maintained in good condition. In any case, no less than forty (40%) percent of the total lot area within the CC District and no less than forty-five (45%) percent of the total lot area within the HC District shall be landscaped, including any permanent water area.
6. The minimum setback area shall include a planted buffer of fifty feet (50') in width in the GC Districts, along with any common property line with a residential district. A combination of berming and evergreen trees, a minimum of eight to ten feet (8'-10') in height and twelve feet (12') on center in a double staggered row when planted shall be required. Fencing may also be used to enhance the buffer. (see section 25:506 E. for additional standards).
7. Any new development of 5,000 square feet or more in the HC Zone, on a lot which has frontage on any right-of-way in addition to Route 130 or Route 206, shall submit a full traffic impact study including the impact on adjacent intersections and residential

areas, ameliorative measures that can be taken, and status of any NJDOT reviews of those measures. No local approval shall be given until NJDOT approval is granted for such improvements as are necessary to minimize those impacts.

**F. *Minimum off-street parking.*** Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by computing individually the parking requirements for each different activity and adding the resulting numbers together. No parking area or driveway shall be located within five feet (5') of any side or rear property line in the CC District or within ten (10) feet of any property line within the HC District. Complete building perimeter parking is prohibited.

1. Retail and service activities, banks and offices shall provide parking at the ratio of one (1) parking space per two hundred (200) square feet of net habitable floor area or part thereof. Additionally, drive-in banks shall provide room for at least twelve (12) automobiles per drive-in window and/or lane for queuing purposes.
2. Garden centers shall provide parking at the ratio of six (6) spaces per one thousand (1,000) square feet of net habitable floor area of buildings plus one-half (.5) space per one thousand (1,000) square feet of outside storage, sale or display area.
3. Restaurants, bars and taverns shall provide one (1) parking space for every three (3) seats.
4. Theaters shall provide one (1) parking space for every three (3) seats.
5. Automobile sales shall provide ten (10) spaces for customer convenience separated from vehicular displays and not used by employees.
6. Shopping centers shall provide parking at the ratio of six and one-half (6.5) parking spaces per one thousand (1,000) square feet of net habitable floor area.
7. Parking areas for individual uses shall be designed to be interconnected with adjacent properties and shall utilize common entrance(s) and exit(s) where feasible, to minimize access points to the street.
8. See Section 25:508 for additional standards.

**G. *Minimum off-street loading and unloading.***

1. Each principal use shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide that area at the side or rear of the building. Each space shall be at least fifteen feet by forty feet (15' x 40') and at least one (1) space shall be provided for each building. Additional spaces may be necessary and required dependent upon the specific activity. There shall be no loading or unloading from the street.
2. There shall be at least one (1) trash and garbage pick-up location provided by each building which shall be separated from the parking spaces by either a location within

the building or in a pick-up location outside the building which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of all three.

If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s), provided the container in no way interferes with or restricts loading and unloading functions.

**H. Permitted signs.**

1. **Uses in the CC district:** One free-standing sign for each improved public right-of-way abutting the site in addition to any facade signage permitted. If free-standing, the sign shall be set back from all street and property lines a distance equivalent to one (1) linear foot for each one and one-half (1.5) square feet of sign area. Where a principal use occupying at least seven hundred fifty (750) square feet of segregated area has direct access, from the outside, a sign not exceeding four (4) square feet in area, identifying the name of the activity, may also be attached to the building at the entrance. The height of the sign shall not exceed sixteen feet (16').
2. **Uses in the HC district:** Each principal commercial building not part of a shopping center or each shopping center may have one free-standing sign for each improved public right-of-way abutting the site in addition to an attached sign shall ((1) major sign, either free-standing or attached) not exceed five (5%) percent of the front facade of the principal building or seventy-five (75) square feet, whichever is smaller. Free-standing signs shall be set back at least thirty (30) feet from all street and property lines. Where a principal use occupying at least seven hundred fifty (750) square feet of segregated area has direct access from the outside, a sign not exceeding eight (8) square feet in area identifying the name of the activity shall be permitted )the height of the sign shall not exceed sixteen feet (16')).

(Ord. No. 1996-2, § 3, 3-11-1996; Ord. No. 1998-08, § 3, 5-19-1998; Ord. No. 1998-09, § 13, 6-9-1998; Ord. No. 1999-13, § IX, 8-10-1999; Ord. No. 1999-15, § II, 11-9-1999; Ord. No. 2000-05, § II.1, 5-9-2000; Ord. No. 2000-08, § IV, 5-23-2000)

**25:409. GC-I—General Commercial and GC-II—General Commercial.**

**A. Principal permitted uses on the land and in buildings.**

1. Banks, including drive-in facilities.
2. Retail sales of goods and services.
3. Offices and office buildings with multi-tenant space.
4. Restaurants, bars and taverns.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2003-15

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO CLARIFY THE  
DEFINITION OF A MINOR SITE PLAN.

WHEREAS, the Township Committee of the Township of Bordentown believes that a definitional clarification of a minor site plan is necessary.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown as follows (deletions are bracketed; additions are underlined):

25:202

*Site Plan, Major:* Any development not classified as a minor site plan.

*Site Plan, Minor:* (a.) Any development plan that is limited to the proposed construction of any permitted accessory use(s) other than fences and signs, such as a home occupation or off-street parking area, as the accessory uses are specifically permitted in Section 400 of this Chapter; or (b.) any development plan consisting of an expansion of, or addition to, an existing conforming structure and/or use not exempted from site plan review by Section 25:802 B.1 of this Chapter and not accounting for more than ten percent (10%) additional building coverage and not exceeding more than five hundred (500) square feet of enclosed and roofed area; or (c.) any development plan, not exempted from site plan review, involving less than 5,000 square feet of disturbance of the land area; provided that [the] a development plan under a, b, or c does not involve alterations to the site, a change of use (with or without alterations to the site), a planned development, the installation of any road improvements or the expansion of public facilities and does not adversely affect the development of an adjoining property or properties.

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GEORGE CHIDLEY, MAYOR

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COLLEEN ECKERT, TOWNSHIP CLERK

INTRODUCED: JULY 28, 2003

ADOPTED: AUGUST 25, 2003

**TOWNSHIP OF BORDENTOWN**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE  
LAND DEVELOPMENT ORDINANCE WITH RESPECT TO  
PERMITTING LOCAL OR PERSONAL SERVICES IN THE HIGHWAY  
COMMERCIAL AND GENERAL COMMERCIAL ZONING DISTRICTS**

**ORDINANCE NO. 2009 - 30**

***WHEREAS***, the Township Committee of the Township Bordentown has reviewed its Land Development Ordinance (Zoning Ordinance) with respect to the zoning districts where local or personal service establishments such as beauty salons, barber shops, and nail salons; tailors; dry cleaning operations; shoe repair shops; appliance repair shops; and upholstery shops are a permitted use; and

***WHEREAS*** the Township Committee of Bordentown has determined that this type of use is currently only a permitted use in the Professional Office (PO) zoning district; and

***WHEREAS*** there are currently no stated purposes for any of the zoning districts contained in the current Zoning Ordinance; and

***WHEREAS***, the land development pattern that currently exists in the commercial zoning districts throughout the Township – particularly the Community Commercial (CC), Highway Commercial (HC), General Commercial (GC-I) – contain a number of such existing uses; and

***WHEREAS***, the development of these types of uses in the existing commercial zoning districts have resulted in no detriment to the current zoning scheme or Master Plan of the Township. These uses provide a complement to other existing permitted uses and are located on the major transportation corridors that traverse the Township such as Routes 130 & 206. These major transportation corridors provide appropriate and adequate access to such types of uses; and

***WHEREAS***, amending the existing Zoning Ordinance to permit these uses will result in the protection and enhancement of the quality of life in the Township for residents while fostering the promotion of appropriate activities for businesses within the Township; and

***WHEREAS*** the Township Committee of Bordentown has consulted with the relevant professionals and submitted this matter for review to the Bordentown Township Planning Board.

***NOW, THEREFORE, BE IT ORDAINED*** by the Township Committee of the Township of Bordentown that the following amendments be made to the Bordentown Land Development Ordinance, Chapter 25, as follows:



**Section I.** Section 25:202 – Specific Definitions – shall be amended to include the following definition:

***Personal Services:*** Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services include the following types of uses: laundry, including cleaning and pressing services where the cleaning process is conducted at a separate location; beauty shops; barber shops; nail salons; shoe repair; funeral homes; weight loss centers; health clubs; health spas; and clothing rental.

**Section II.** Section 25:408A – Permitted Uses in the CC and HC Zoning Districts – shall be amended to include personal service establishments as a conditionally permitted use in accordance with the provisions contained in NJSA 40:55D-67 (see Section 25:601 for standards.)

**Section III.** Section 25:409 A– Permitted Uses in the GC-I and GC-II Zoning Districts - shall be amended to include personal service establishments as a conditionally permitted use in the GC-I Zoning District in accordance with the provisions contained in NJSA 40:55D-67 (see Section 25:601 for standards.)

**Section IV.** Section 25:601 shall be amended to include a new section – Personal Service Establishments. It shall read as follows:

Q. Personal Service Establishments.

1. Personal Service Establishments, with the exception of a funeral home, are a conditionally permitted use only in a mixed-use retail or shopping center. Funeral homes shall be permitted as a principal use on an individual lot or parcel of land.
2. Off-Street Parking. The minimum number of required off-street parking spaces shall be the sum of the requirements for each of the individual uses, computed separately in accordance with this Ordinance; parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use. All of the minimum number of required off-street parking spaces shall be provided on the site where the mixed-use retail or shopping center is located. The minimum number of off-street parking spaces for each use is as follows:
  - a. Barber and Beauty salons – 3 parking spaces per chair.
  - b. Nail Salons – 2 parking spaces per chair or station.

- c. Cleaning or Pressing Services – 1 parking space per 2 employees or 1 parking space per 300 square feet of gross floor area; whichever is greater.
  - d. Shoe Repair Services – 1 parking space per 350 square feet of gross floor area.
  - e. Clothing Rental or Tailor Shops – a minimum of 5 parking spaces or 1 parking space per 350 square feet of gross floor area, whichever is greater.
  - f. Funeral Homes – 1 parking space per 5 seats of capacity or 1 parking space per 150 square feet of floor area in parlors or assembly areas.
  - g. Weight loss centers, Health Spas and / or Health Clubs – 1 parking space per 250 square feet of gross floor area.
3. Beauty shops, barber shops, nail salons, weight loss centers, and health clubs must comply with any local, county, or state licenses, health codes and standards, including periodic inspections by public health inspectors.

**Section V.** Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect notwithstanding.

**Section VI.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**Section VII.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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Colleen Eckert, Municipal Clerk

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Mayor William J. Morelli