

TOWNSHIP OF OLD BRIDGE

AN ORDINANCE OF THE TOWNSHIP OF OLD BRIDGE AMENDING CHAPTER 250 OF THE CODE OF THE TOWNSHIP OF OLD BRIDGE, ENTITLED “OLD BRIDGE TOWNSHIP LAND DEVELOPMENT ORDINANCE” BY AMENDING VARIOUS SECTIONS OF SAME PURSUANT TO 2011 MASTER PLAN LAND USE PLAN ELEMENT AND LAND USE PLAN ELEMENT AMENDMENT DATED MAY 2013 AMENDING THE 2011 OLD BRIDGE TOWNSHIP MASTER PLAN

BE IT ORDAINED by the Township Council of the Township of Old Bridge, County of Middlesex and State of New Jersey as follows:

SECTION 1: PURPOSE

The purpose of this Ordinance is to revise certain sections and incorporate new sections to the Old Bridge Township Land Development Ordinance pursuant to the recommendations of the Planning Board set forth in the 2011 Master Plan Land Use Plan Element adopted by the Township Planning Board on July 12, 2011 and the 2013 Master Plan Amendment Land Use Plan Element adopted by the Township Planning Board on May 22, 2013.

SECTION 2: AMENDMENT TO SECTION 250-35 “Zoning Map.” §250-35, “Zoning Map,” of the Code of the Township of Old Bridge is hereby amended in its entirety to read as follows:

§250-35 Zoning Map. The official Zoning Map of the Township of Old Bridge dated September 13, 2013 is hereby amended by revised Map dated January 26, 2015 and incorporated herein by reference. Copies of the new Zoning Map are on file in the office of the Township Clerk.

SECTION 3: AMENDMENT TO SECTION 250-37 “Establishment and purposes of zones.” §Section 250-37, “Establishment and purposes of zones” of the Code of the Township of Old Bridge is hereby amended as follows (additions are underlined; deletions have strikethrough):

EDO-1 Economic Development Opportunity Zone – 1:
The purpose of the EDO-1 zone (areas having a one acre minimum lot size) is to permit on a small scale a mix of office, retail, and light industrial uses to allow Old Bridge Township to attain the goals of accommodating market forces, increasing the local ratable base, expanding the local and regional jobs base, providing a more diverse mix of goods and services to residents and businesses within the municipality and region, achieving an improved balance of residential and non-residential development within the municipality, and utilizing suitable land for development in a more efficient, functional and aesthetic manner, while controlling and managing highway access and traffic congestion, minimizing impacts on adjacent and nearby residential development, and protecting environmentally sensitive areas

EDO-3 Economic Development Opportunity Zone – 3
The purpose of the EDO-3 zone (areas having a three acre minimum lot size) is to permit a mix of office, retail, and light industrial uses to allow the Township to attain the goals of accommodating market forces, increasing the local ratable base, expanding the local and regional jobs base, providing a more diverse mix of goods and services to residents and businesses within the municipality and region, achieving an improved balance of residential and non-residential development within the municipality, and utilizing suitable land for development in a more efficient, functional and aesthetic manner, while controlling and managing highway access and traffic congestion, minimizing impacts on adjacent and nearby residential development, and protecting environmentally sensitive areas.

SECTION 4: NEW SECTION: § 250-38.5. Economic Development Opportunity District Zoning and Design Standard.

A. EDO-1 Zoning District.

1. Purpose. The purpose of the EDO-1 zone is to permit on a small scale a mix of office, retail, and light industrial uses to allow Old Bridge Township to attain the goals of accommodating market forces, increasing the local ratable base, expanding the local and regional jobs base, providing a more diverse mix of goods and services to residents and businesses within the municipality and region, achieving an improved balance of residential and non-residential development within the municipality, and utilizing suitable land for development in a more efficient, functional and aesthetic manner, while controlling and managing highway access and traffic congestion, minimizing impacts on adjacent and nearby residential development, and protecting environmentally sensitive areas.

2. Application of Land Development Ordinance. The provisions and requirements of the Old Bridge Township Land Development Ordinance shall apply to the EDO-1 Zoning District, except as otherwise modified herein. Anything not covered under this section shall be governed by applicable regulations elsewhere in the Land Development Ordinance.

3. Definitions. General. The definitions of words used herein shall be common usage unless otherwise defined in the Land Development Ordinance or elsewhere herein.

COMMERCIAL STREET: A street that provides access from an adjoining highway to a commercial development within an Economic Development Opportunity (EDO) zoning district. A commercial street shall provide on-site access to commercial development and shall extend to side property lines to connect to future commercial development on adjoining parcels of land within an EDO zoning district. A commercial street shall have a width of at least thirty feet (30') and shall have concrete curbs and sidewalks and street trees in accordance with the provisions of this ordinance. The design of a commercial

street shall employ traffic calming techniques, such as curb bump-outs at intersections and speed tables, where determined by the Township Engineer.

CONVENIENCE STORE: A retail establishment of greater than 2,000 square feet and up to 5,000 square feet selling primarily food products, household items, newspapers and magazines, candy, and beverages, and freshly prepared foods such as sandwiches and salads for off-premises consumption.

MINI MART: A retail establishment of up to 2,000 square feet that is located on the same lot and is accessory to a gasoline station.

4. Regulation of Uses. Any use not specifically listed as a permitted use, an accessory use or a conditional use shall be deemed a prohibited use. This provision shall be liberally construed as protective of the Township's zoning scheme and the public health, safety, morals and general welfare. Any doubt as to the permitted nature of any use shall be resolved in interpreting the doubtful use as prohibited.

5. Permitted Uses. The land uses permitted in the EDO-1 District (as established by the North American Industrial Classification System (NAICS)) are set forth herein below, except as otherwise indicated:

- a. Manufacturing:** Retail Bakeries, Confectionery Manufacturing from Purchased Chocolate, Non-chocolate Confectionery Manufacturing, Jewelry (except Costume) Manufacturing, Costume Jewelry, Novelty Manufacturing, Cheese Manufacturing, Ice Cream and Frozen Dessert, Cookie and Cracker, Pasta, Tortilla, Snack Food, Coffee and Tea, Seasoning and Dressing, Soft Drink, Cut and Sew Apparel, Footwear, Printing and Related Support Activities, Pharmaceutical and Medicine and Micro Brewery, and Cut Stone and Stone Product that are operated in enclosed buildings and structures.
- b. Retail Trade:** Furniture Stores, Home Furnishings Stores, Electronics and Appliance Stores, Building Material and Supplies Dealers, Lawn and Garden Equipment and Supplies Stores, Grocery Stores, Specialty Food Stores, Beer, Wine and Liquor Stores, Health and Personal Care Stores, Clothing Stores, Shoe Stores, Jewelry, Luggage and Leather Goods Stores, Sporting Goods, Hobby and Musical Instrument Stores, Book, Periodical and Music Stores, Other General Merchandise Stores, Florists, Office Supplies, Stationery and Gift Stores, Pet and Pet Supplies Stores, Art Dealers, Tobacco Stores, Automotive Parts and Accessories Stores, Tire Dealers, Floor Covering Stores, Window Treatment Stores, Home Centers, Paint and Wallpaper Stores, Hardware Stores, Convenience Stores, Meat Markets, Fish and Seafood Markets, Fruit and Vegetable Markets, Baked Goods Stores, Confectionary and Nut Stores, Pharmacies and Drug Stores, Cosmetics, Beauty Supplies, Perfume Stores, Optical Goods Stores, Food (Health) Supplement Stores, Department Stores, Warehouse Clubs and Supercenters, Brew Pub and Rental Cars.

- c. **Information:** Software Publishers, Motion Picture and Video Production, Sound Recording Industries, Data Processing, Hosting and Related Services, and Newspaper Publishing, Periodical Publishing and Book Publishing.
- d. **Finance and Insurance:** Depository Credit Intermediation, Activities Related to Credit Intermediation, Securities and Commodity Contracts Intermediation and Brokerage, Securities and Commodity Exchanges, Other Financial Investment Activities, Insurance Carriers, Agencies, Brokerages and Other Insurance Related Activities, Insurance and Employee Benefit Funds, Other Investment Pools and Funds, and Mortgage and Non-Mortgage Loan Brokers.
- e. **Real Estate and Rental and Leasing Services:** Offices of Real Estate Agents and Brokers, Consumer Goods Rental, General Rental Centers and Office of Real Estate Appraisers.
- f. **Professional, Scientific and Technical Services:** Legal Services, Accounting, Tax Preparation, Bookkeeping and Payroll Services, Architectural, Engineering and Related Services, Specialized Design Services, Computer Systems Design and Related Services, Management, Scientific and Technical Consulting, Scientific Research and Development Services, Advertising Agencies, Public Relations Agencies, Media Buying Agencies, Media Representatives, Landscape Architectural, Building Inspection Services, Surveying & Mapping Services, Administrative and General Management Consulting Services, Environmental Consulting Services, Photography Services, and Veterinary Services.
- g. **Management of Companies and Enterprises:** Management of Companies and Enterprises.
- h. **Administrative and Support and Waste Management:** Office Administrative Services, Employment Services, Business Support Services, Travel Arrangement and Reservation Services, Investigation and Security Services.
- i. **Health Care and Social Assistance:** Offices of Physicians, Offices of Dentists, Offices of Other Health Practitioners, Outpatient Care Centers, Medical and Diagnostic Laboratories, Home Health Care Services, Other Ambulatory Health Care Services, Nursing and Residential Care Facilities, Community Care Facilities for the Elderly, Individual and Family Services, Vocational Rehabilitation Services, Child Day Care Services.
- j. **Arts, Entertainment and Recreation:** Promoters of Performing Arts, Sports and Similar Events (This sector involves the service of promoting events and excludes the actual facility in which the event occurs, e.g. a theatre, an arena, etc.), Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures, and Theater Companies (excluding Adult Entertainment) and Museums.

- k. **Accommodation and Food Services:** Full-Service Restaurants, Limited-Service Eating Places, excluding fast-food drive-through restaurants.
- l. **Other Services (except Public Administration):** Electronic and Precision Equipment Repair and Maintenance, Personal Care Services, Coin-Operated Laundries and Drycleaners, Dry-cleaning and Laundry Services (except Coin-Operated), Pet Care (except Veterinary) Services, Photofinishing Laboratories (except One-Hour), One-Hour Photofinishing.
- m. **Tradesmen:** Electricians, Carpenters, Plumbers, Woodworking and Cabinet Makers and similar trades.
- n. **Wholesale Trade:** Professional and Commercial Equipment, Household Appliances and Electrical and Electronic Goods, Hardware, Heating and Plumbing Equipment, Sporting and Recreational Goods and Supplies, Toy and Hobby Goods and Supplies, Jewelry, Watch, Precious Stone, and Precious Metal, Stationary and Office Supplies, Drugs and Druggists' Sundries and Wholesale Electronic Markets and Agents.
- o. **Educational Services:** Cosmetology and Barber Schools, Fine Arts Schools, Language Schools, Exam Preparation and Tutoring, and Automobile Driving Schools.

6. **Conditionally Permitted Uses.** The land uses that are conditionally permitted in the EDO-1 District (As established by the North American Industrial Classification System (NAICS)) are set forth herein below, except as otherwise indicated:

- a. **Accommodations and Food Services:** Hotels (except Casino Hotels) and Motels, provided that the following conditions are met:
 - (i) Minimum lot size of three (3) acres;
 - (ii) maximum building height of five (5) stories and sixty-five (65) feet, and
 - (iii) The residential buffer shall be increased by five (5) feet for every five (5) feet that the proposed building exceeds thirty-five (35) feet, e.g., sixty-five (65) foot high building would require a residential buffer that is increased by thirty (30) feet.
- b. **Retail:** Gasoline Stations, including Gasoline Station with Convenience Store or Mini Mart and Convenience Store serving gasoline, provided that the following conditions are met:
 - (i) For Gasoline Stations with Convenience Store or Convenience Store serving gasoline, a minimum lot size of three (3) acres.
 - (ii) The conditions set forth in the Land Development Ordinance, Chapter 250-41.H are met, except as modified herein below:
 - (1) §250-41 H (1) shall not be required.

(2) §250-41 H (6) shall not be required.

(3) §250-41 H (11) shall not be required.

(iii) Gas pump islands are to serve both sides of an island simultaneously.

(iv) With respect to Gasoline Stations having a Convenience Store and Convenience Store serving gasoline, the parking requirements of §250 Attachment 6, Appendix F, Schedule of Required Parking Spaces, Category: Office and Commercial; Use or Occupancy: Retail and Services (5 or less stores) are to be met, except that areas designated for automobile parking at gasoline islands shall not be included in number of parking spaces provided.

(v) For purposes of determining the total number of parking spaces provided, areas designated as garage bays or areas where automobiles are parked on site awaiting repair or having been repaired, shall not be included as part of the calculation.

c. Other Services (except Public Administration): (1) Automotive Repair and Maintenance, provided that the following conditions are met:

(i) The conditions set forth in the Land Development Ordinance, Chapter 250-41.H are met except as modified herein below:

(1) §250-41 H (1) shall not be required.

(2) §250-41 H (6) shall not be required.

(3) §250-41 H (11) shall not be required.

(ii) For purposes of determining the total number of parking spaces provided, areas designated as garage bays or areas where automobiles are parked on site awaiting repair or having been repaired, shall not be included as part of the calculation.

(2) Personal and Household Goods Repair and Maintenance provided that:

(i) All outside storage of materials and goods are appropriately screened from all property lines.

(3) Religious Organizations, Grantmaking and Giving Services, Social Advocacy Organizations, Civic and Social Organizations and Business, Professional, Labor, Political and Similar Organizations, provided that:

(i) A minimum lot size of two (2) acres is provided; and

(ii) The conditions set forth in the Land Development Ordinance, Chapter 250-41.O are met.

7. Design Standards. In addition to the Design Standards otherwise set forth in Article X of the Land Development Ordinance, the following design standards shall apply to all developments in the EDO-1 Zoning District. Where standards contained herein conflict with the standards otherwise set forth in Article X, the standards herein shall govern.

- (a) Orientation and Spacing of buildings:
- (1) The longer of the front facades of commercial buildings shall be oriented, as reasonably as possible, to be parallel to adjoining highways, roads and commercial streets.
 - (2) The front facades of commercial buildings shall be aligned, as reasonably as possible, to one another.
 - (3) Commercial buildings shall be oriented toward adjoining public rights-of-way of highways and roads.
 - (4) Buildings shall be designed with architectural treatments (fenestration, porticos, recesses, porches, colonnades, brick/stone/masonry accents, etc.) so that every façade that can be easily seen from any street, public parking lot or public area will not contain a blank wall space greater than 40 feet in length.
- (b) Signage shall comply with section 250-52.D of the Land Development Ordinance, with the following exception:
- (1) Freestanding signs shall be the monument type with a masonry base that is complemented with landscaping, shall not exceed twelve (12) feet in height, shall not exceed 144 square feet in area for each side of the sign that is limited to two (2) sides on which information is provided.
- (c) Site Lighting shall comply with section 250-75 of the Land Development Ordinance, with the following exceptions:
- (1) All street lamps shall be of an antique style as depicted in the illustration entitled, Street Lamp Detail, no. TCD 19 of the Town Centre District. Box-type and cobra-head-type shall be prohibited.
 - (2) Pedestrian lighting shall have a maximum height of eight (8) feet.
- (d) Buffers and Landscaping:
- (1) Buffers shall comply with section 250-54 of the Land Development Ordinance.
 - (2) Landscaping shall comply with section 250-74 of the Land Development Ordinance.
- (e) Street furniture:
- (1) Benches, trash receptacles and planters shall be provided in common sitting areas and, when provided, at bus stops.
 - (2) Bicycle parking spaces for bicycle racks shall be provided at the following rates: minimum one (1) space per seven thousand five hundred square feet of gross floor area for non-residential uses.
- (f) Sidewalk, Street, Parking and Commercial Building Relationships:
- (1) Sidewalks, which are at least five (5) feet wide, shall be integrated connecting all parking areas throughout the site.
 - (2) Sidewalks, which are at least five (5) feet wide, shall be provided along both sides of all commercial streets.

- (3) Sidewalks, which are at least six (6) feet wide, shall be provided along the frontage of the site.
- (4) Sidewalks, which are at least twelve (12) feet wide, shall be provided along the front access areas to commercial buildings.
- (5) Parking areas and commercial buildings shall be separated by a minimum distance of fifteen (15) feet.
- (6) Commercial streets shall extend to the side property line when adjoining sites are zoned EDO-1 so as to provide future street connections. In the event there are no adjoining sites zoned EDO, commercial streets may not be extended to the side property line unless the Board finds it advantageous to provide for a future street connection on an adjoining site.

8. Yard Area and Bulk Requirements. With regard to bulk and yard requirements for principal and accessory buildings associated with principal permitted and conditional uses in the EDO-1 district, the following requirements shall apply. Anything not covered under this section shall be governed by applicable regulations elsewhere in the Land Development Ordinance.

Principal Buildings

Minimum Lot Area	1 acre
Minimum Lot Width	125 feet
Minimum Front Yard	50 feet
Minimum Side Yard	25 feet
Minimum Total Two Side Yards	50 feet
Minimum Rear Yard	50 feet
Maximum Height	2 stories, 30 feet, except for hotels as set forth in Paragraph 6(a) herein.

Accessory Buildings

Minimum Side Yard	50 feet
Minimum Rear Yard	50 feet
Maximum Height	2 stories, 30 feet

Floor Area Ratio (FAR) and Landscape Area Ratio (LAR)

Permitted Uses and Conditional Uses. The FAR for principal permitted and conditional uses shall not exceed 0.30. The minimum LAR for permitted uses shall be 0.40.

9. Accessory Uses. Shall include accessory uses customarily incidental and ancillary to a permitted or conditional use.

B. ECONOMIC DEVELOPMENT OPPORTUNITY ZONE-3 (EDO-3)

1. Purpose. The purpose of the EDO-3 zone (areas having a three acre minimum lot size) is to permit a mix of office, retail, and light industrial uses to allow the Township to attain the goals of accommodating market forces, increasing the local ratable base, expanding the local and

regional jobs base, providing a more diverse mix of goods and services to residents and businesses within the municipality and region, achieving an improved balance of residential and non-residential development within the municipality, and utilizing suitable land for development in a more efficient, functional and aesthetic manner, while controlling and managing highway access and traffic congestion, minimizing impacts on adjacent and nearby residential development, and protecting environmentally sensitive areas.

2. **Application of Land Development Ordinance.** The provisions and requirements of the Old Bridge Township Land Development Ordinance shall apply to the EDO-3 Zoning District, except as otherwise modified herein. Anything not covered under this section shall be governed by applicable regulations elsewhere in the Land Development Ordinance.

3. **Definitions.** General. The definitions of words used herein shall be common usage unless otherwise defined in the Land Development Ordinance or elsewhere herein.

COMMERCIAL STREET: A street that provides access from an adjoining highway to a commercial development within an Economic Development Opportunity (EDO) zoning district. A commercial street shall provide on-site access to commercial development and shall extend to side property lines to connect to future commercial development on adjoining parcels of land within an EDO zoning district. A commercial street shall have a width of at least thirty feet (30') and shall have concrete curbs and sidewalks and street trees in accordance with the provisions of this ordinance. The design of a commercial street shall employ traffic calming techniques, such as curb bump-outs at intersections and speed tables, where determined by the Township Engineer.

CONVENIENCE STORE: A retail establishment of greater than 2,000 square feet and up to 5,000 square feet selling primarily food products, household items, newspapers and magazines, candy, and beverages, and freshly prepared foods such as sandwiches and salads for off-premises consumption.

MINI MART: A retail establishment of up to 2,000 square feet that is located on the same lot and is accessory to a gasoline station.

4. **Regulation of Uses.** Any use not specifically listed as a permitted use, an accessory use or a conditional use shall be deemed a prohibited use. This provision shall be liberally construed as protective of the Township's zoning scheme and the public health, safety, morals and general welfare. Any doubt as to the permitted nature of any use shall be resolved in interpreting the doubtful use as prohibited.

5. **Permitted Uses.** The land uses permitted in the EDO-3 District (as established by the North American Industrial Classification System (NAICS)) are set forth herein below, except as otherwise indicated:

- a. **Manufacturing:** Retail Bakeries, Confectionery Manufacturing from Purchased Chocolate, Non-chocolate Confectionery Manufacturing, Jewelry (except Costume) Manufacturing, Costume Jewelry, Novelty Manufacturing, Cheese

Manufacturing, Ice Cream and Frozen Dessert, Cookie and Cracker, Pasta, Tortilla, Snack Food, Coffee and Tea, Seasoning and Dressing, Soft Drink, Cut and Sew Apparel, Footwear, Printing and Related Support Activities, Pharmaceutical and Medicine and Micro Brewery, and Cut Stone and Stone Product that are operated in enclosed buildings and structures.

- b. **Retail Trade:** Furniture Stores, Home Furnishings Stores, Electronics and Appliance Stores, Building Material and Supplies Dealers, Lawn and Garden Equipment and Supplies Stores, Grocery Stores, Specialty Food Stores, Beer, Wine and Liquor Stores, Health and Personal Care Stores, Clothing Stores, Shoe Stores, Jewelry, Luggage and Leather Goods Stores, Sporting Goods, Hobby and Musical Instrument Stores, Book, Periodical and Music Stores, Department Stores, Other General Merchandise Stores, Florists, Office Supplies, Stationery and Gift Stores, Pet and Pet Supplies Stores, Art Dealer, Tobacco Stores, Automotive Parts and Accessories Stores, Tire Dealers, Floor Covering Stores, Window Treatment Stores, Home Centers, Paint and Wallpaper Stores, Hardware stores, Convenience Stores, Meat Markets, Fish and Seafood Markets, Fruit and Vegetable Markets, Baked Goods Stores, Confectionary and Nut stores, Pharmacies and Drug Stores, Cosmetics, Beauty Supplies, Perfume Stores, Optical Goods Stores, Food (Health) Supplement Stores, Department Stores, Warehouse Clubs and Supercenters, Brew Pub and Rental Cars.
- c. **Information:** Software Publishers, Motion Picture and Video Production, Sound Recording Industries, Data Processing, Hosting and Related Services, Newspaper Publishing, and Periodicals Publishing and Book Publishing.
- d. **Finance and Insurance:** Depository Credit Intermediation, Activities Related to Credit Intermediation, Securities and Commodity Contracts Intermediation and Brokerage, Securities and Commodity Exchanges, Other Financial Investment Activities, Insurance Carriers, Agencies, Brokerages and Other Insurance Related Activities, Insurance and Employee Benefit Funds, and Mortgage and Non-Mortgage Loan Brokers, and Other Investment Pools and Funds.
- e. **Real Estate and Rental and Leasing Services:** Offices of Real Estate Agents and Brokers, Consumer Goods Rental, General Rental Centers, and Office of Real Estate Appraisers.
- f. **Professional, Scientific and Technical Services:** Legal Services, Accounting, Tax Preparation, Bookkeeping and Payroll Services, Architectural, Engineering and Related Services, Specialized Design Services, Computer Systems Design and Related Services, Management, Scientific and Technical Consulting, Scientific Research and Development Services, Advertising Agencies, Public Relations Agencies, Media Buying Agencies, Media Representatives, Landscape Architectural, Building Inspection Services, Surveying & Mapping Services, Consulting Services, Photography Services and Veterinary Services.

- g. **Management of Companies and Enterprises:** Management of Companies and Enterprises.
- h. **Administrative and Support and Waste Management:** Office Administrative Services, Employment Services, Business Support Services, Travel Arrangement and Reservation Services, Investigation and Security Services.
- i. **Health Care and Social Assistance:** Offices of Physicians, Offices of Dentists, Offices of Other Health Practitioners, Outpatient Care Centers, Medical and Diagnostic Laboratories, Home Health Care Services, Other Ambulatory Health Care Services, Nursing and Residential Care Facilities, Community Care Facilities for the Elderly, Individual and Family Services, Vocational Rehabilitation Services, Child Day Care Services.
- j. **Arts, Entertainment and Recreation:** Promoters of Performing Arts, Sports and Similar Events (This sector involves the service of promoting events and excludes the actual facility in which the event occurs, e.g. a theatre, an arena, etc.), Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures, Theater Companies (excluding Adult Entertainment) and Museums.
- k. **Accommodation and Food Services:** Full-Service Restaurants, Limited-Service Eating Places.
- l. **Other Services (except Public Administration):** Electronic and Precision Equipment Repair and Maintenance, Personal Care Services, Coin-Operated Laundries and Drycleaners, Dry-cleaning and Laundry Services (except Coin-Operated), Pet Care (except Veterinary) Services, Photofinishing Laboratories (except One-Hour), One-Hour Photofinishing.
- m. **Wholesale Trade:** Professional and Commercial Equipment, Household Appliances and Electrical and Electronic Goods, Hardware, Heating and Plumbing Equipment, Sporting and Recreational Goods and Supplies, Toy and Hobby Goods and Supplies, Jewelry, Watch, Precious Stone, and Precious Metal, Stationary and Office Supplies, Drugs and Druggists' Sundries and Wholesale Electronic Markets and Agents.
- n. **Educational Services:** Cosmetology and Barber Schools, Fine Arts Schools, Language Schools, Exam Preparation and Tutoring, and Automobile Driving Schools.

6. **Conditional Uses.** The land uses that are conditionally permitted in the EDO-3 District (For non-residential uses, as established by the North American Industrial Classification System (NAICS)) are set forth herein below, except as otherwise indicated:

a. Retail: (1) Gasoline Stations, including Gasoline Station with Convenience Store or Mini Mart and Convenience Store serving gasoline, provided that the following conditions are met:

- (i) For Gasoline Stations with Convenience Store or Convenience Store serving gasoline, a minimum lot size of three (3) acres.
- (ii) The conditions set forth in the Land Development Ordinance, Chapter 250-41.H are met, except as modified herein below:
 - (1) §250-41 H (1) shall not be required.
 - (2) §250-41 H (6) shall not be required.
 - (3) §250-41 H (11) shall not be required.
- (iii) Gas pump islands are to serve both sides of an island simultaneously.
- (iv) With respect to Gasoline Stations having a Convenience Store and Convenience Store serving gasoline, the parking requirements of §250 Attachment 6, Appendix F, Schedule of Required Parking Spaces, Category: Office and Commercial; Use or Occupancy: Retail and Services (5 or less stores) are to be met, except that areas designated for automobile parking at gasoline islands shall not be included in number of parking spaces provided.
- (v) For purposes of determining the total number of parking spaces provided, areas designated as garage bays or areas where automobiles are parked on site awaiting repair or having been repaired, shall not be included as part of the calculation.

(2) New Car Dealers, Used Car dealers and Recreational Vehicle Dealers, provided that:

- (i) The conditions set forth in the Land Development Ordinance, Chapter 250-41.M are met.

b. Educational Services: Junior Colleges, Colleges, Universities and Professional Schools, Business Schools and Computer and Management Training, Technical and Trade Schools, Other Schools and Instruction, and Educational Support Services, provided that:

- (i) A minimum lot size of five (5) acres.

c. Health Care and Social Assistance: General Medical and Surgical Hospitals, provided that:

- (i) The conditions set forth in the Land Development Ordinance, Chapter 250-41.F are met.

d. Accommodations and Food Services: Hotels (excepting Casino Hotels) and Motels, provided that the following conditions are met:

- (i) Minimum lot size of three (3) acres;

- (ii) Maximum building height of five (5) stories and sixty-five (65) feet, and
- (iii) The residential buffer shall be increased by five (5) feet for every five (5) feet that the proposed building exceeds thirty-five (35) feet, e.g., sixty-five (65) foot high building would require a residential buffer that is increased by thirty (30) feet.

e. **Other Services (except Public Administration):** (1) Automotive Repair and Maintenance, provided that the following conditions are met:

(i) The conditions set forth in the Land Development Ordinance, Chapter 250-41.H are met, except as modified herein below:

- (1) §250-41 H (1) shall not be required.
- (2) §250-41 H (6) shall not be required.
- (3) §250-41 H (11) shall not be required.

(ii) For purposes of determining the total number of parking spaces provided, areas designated as garage bays or areas where automobiles are parked on site awaiting repair or having been repaired, shall not be included as part of the calculation.

(2) Personal and Household Goods Repair and Maintenance, provided that:

(i) All outside storage of materials and goods are appropriately screened from all property lines.

(3) Religious Organizations, Grantmaking and Giving Services, Social Advocacy Organizations, Civic and Social Organizations and Business, Professional, Labor, Political and Similar Organizations, provided that:

- (i) A minimum lot size of two (2) acres is provided; and
- (ii) The conditions set forth in the Land Development Ordinance, Chapter 250-41.O are met.

7. Design Standards. In addition to the Design Standards otherwise set forth in Article X of the Land Development Ordinance, the following design standards shall apply to all developments in the EDO-1 Zoning District. Where standards contained herein conflict with the standards otherwise set forth in Article X, the standards herein shall govern.

(a) Orientation and Spacing of buildings:

- (1) The longer of the front facades of commercial buildings shall be oriented, as reasonably as possible, to be parallel to adjoining highways, roads and commercial streets.
- (2) The front facades of commercial buildings shall be aligned, as reasonably as possible, to one another.
- (3) Commercial buildings shall be oriented toward adjoining public rights-of-way of highways and roads.
- (4) Buildings shall be designed with architectural treatments (fenestration, porticos, recesses, porches, colonnades,

brick/stone/masonry accents, etc.) so that every façade that can be easily seen from any street, public parking lot or public area will not contain a blank wall space greater than 40 feet in length.

(b) Signage shall comply with section 250-52.D of the Land Development Ordinance, with the following exception:

Freestanding signs shall be the monument type with a masonry base that is complemented with landscaping, shall not exceed twelve (12) feet in height, shall not exceed 144 square feet in area for each side of the sign that is limited to two (2) sides on which information is provided.

(c) Site Lighting shall comply with section 250-75 of the Land Development Ordinance, with the following exceptions:

- (1) All street lamps shall be of an antique style as depicted in the illustration entitled, Street Lamp Detail, no. TCD 19 of the Town Centre District. Box-type and cobra-head-type shall be prohibited
- (2) Pedestrian lighting shall have a maximum height of eight (8) feet.

(d) Buffers and Landscaping:

- (1) Buffers shall comply with section 250-54 of the Land Development Ordinance.
- (2) Landscaping shall comply with section 250-74 of the Land Development Ordinance.

(e) Street furniture:

- (1) Benches, trash receptacles and planters shall be provided in common sitting areas and, when provided, at bus stops.
- (2) Bicycle parking spaces for bicycle racks shall be provided at the following rates: minimum one (1) space per seven thousand five hundred square feet of gross floor area for non-residential uses.

(f) Sidewalk, Street, Parking and Commercial Building Relationships:

- (1) Sidewalks, which are at least five (5) feet wide, shall be integrated connecting all parking areas throughout the site.
- (2) Sidewalks, which are at least five (5) feet wide, shall be provided along both sides of all commercial streets.
- (3) Sidewalks, which are at least six (6) feet wide, shall be provided along the frontage of the site.
- (4) Sidewalks, which are at least twelve (12) feet wide, shall be provided along the front access areas to commercial buildings.
- (5) Parking areas and commercial buildings shall be separated by a minimum distance of fifteen (15) feet.

- (6) Commercial streets shall extend to the side property line of a site when adjoining sites are zoned EDO-3 so as to provide future street connections. In the event there are no adjoining sites zoned EDO, commercial streets may not be extended to the side property line unless the Board finds it advantageous to provide for a future street connection on an adjoining site.

8. Yard Area and Bulk Requirements. With regard to bulk and yard requirements for principal and accessory buildings associated with principal permitted and conditional uses in the EDO-3 district, the following requirements shall apply. Anything not covered under this section shall be governed by applicable regulations elsewhere in the Land Development Ordinance.

Principal Buildings

Minimum Lot Area	3 Acres
Minimum Lot Width	150 feet
Minimum Front Yard Setback	50 feet from state highways 25 feet from Commercial Streets
Minimum Side Yard Setback	25 feet
Minimum Total Two-Side Yard Setbacks	50 feet
Minimum Rear Yard Setback	50 feet for lots along the periphery of the tract/site
Maximum Height	4 stories and 48 feet, except for hotels as set forth in Paragraph 6(d) hereof.

Accessory Buildings

Minimum Side Yard Setback	25 feet
Minimum Rear Yard Setback	25 feet
Maximum Height	2 stories and 30 feet

Floor Area Ratio (FAR) and Landscape Area Ratio (LAR)

- a. **Permitted Uses.** The FAR for principal permitted uses shall not exceed 0.35. The minimum LAR for principal permitted uses shall be 0.40.
- b. **Conditional Uses.** The maximum FAR for conditional uses shall not exceed .35. The minimum LAR for conditional uses shall be 0.40.

9. Accessory Uses. Shall include accessory uses customarily incidental and ancillary to a permitted or conditional use.

SECTION 4: INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

SECTION 6: COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 7: NOTICE

The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

SECTION 8: EFFECTIVE DATE

A. Except as set forth at subparagraphs B and C hereof, this Ordinance shall take effect on the earlier of the following dates: (1) on the date the Mayor affixes his/her signature thereto and returns same to the Municipal Council by delivering it to the Municipal Clerk pursuant to N.J.S.A. 40A:69A-41 or (2) on the tenth day following presentment to the Mayor of the Ordinance pursuant to N.J.S.A. 40:69A-41 applicable when the Mayor has failed to return the Ordinance; whichever occurs first. In addition, in accordance with the provisions of § 250-35(B) (1)(a) of the Township's Land Development Ordinance, this Ordinance amending the Township's zoning map shall not take effect until the Zoning Map has been amended in accordance with the provisions of § 250-35 of the Township's Land Development Ordinances.

B. If the Mayor vetoes the Ordinance (in the manner set forth at N.J.S.A. 40:69A-41), this Ordinance shall become effective upon the Township Council's vote to override the Mayor's veto.

C. Notwithstanding any other provision hereof, this Ordinance shall not take effect less than twenty (20) days after its final passage by the Council and approval by the Mayor, where such approval is required, unless the Council shall have also adopted a resolution declaring an emergency and at least two thirds (2/3) of all the members of the council vote in favor of such resolution.