

§ 141-81. C-1 Commercial Districts. [Amended 1-14-1981 by Ord. No. 80-38; 11-25-1981 by Ord. No. 81-32]

In C-1 Commercial Districts the following regulations shall apply:

- A. Use regulations. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes, and no other: **[Amended 8-28-2002 by Ord. No. 02-27; 12-30-2002 by Ord. No. 02-32]**
- (1) Single-family detached dwelling.
 - (2) Agriculture, including the raising and harvesting of crops and all forms of gardening and other forms of horticultural practices, but not including the keeping of farm animals or poultry.
 - (3) Any one or more of the following uses when authorized as a conditional use by the Board of Adjustment:
 - (a) Place of worship. **[Amended 12-30-2002 by Ord. No. 02-38]**
 - (b) (Reserved) *Editor's Note: Former Subsection A(3)(b), Municipal use, was repealed 12-30-2002 by Ord. No. 02-38. See now § 141-76.1.*
 - (c) Club or lodge, provided that the principal activity shall not be one which is customarily carried on as a business, and provided that all services shall be for members and their guests only.
 - (d) Passenger station for public transportation; telephone central office; and other public utility use.
 - (4) (Reserved) *Editor's Note: Former Subsection A(4), Community center, noncommercial park or recreational use, was repealed 12-30-2002 by Ord. No. 02-38. See now § 141-76.1.*
 - (5) Signs in accordance with the provisions of § 141-86 herein.
 - (6) Accessory use on the same lot with and customarily incidental to any of the foregoing permitted uses, including fuel sales as accessory to a permitted retail use.
 - (7) Home occupations.
 - (8) Any use permitted in a R-4 or R-5 Residential District; provided, however, that the R-4 or R-5 Zoning District is contiguous to the existing C-1 Commercial District. **[Added 3-31-1982 by Ord. No. 82-7]**
 - (9) Retail establishments, including groups thereof as a shopping center, for the sale of food, beverage, drugs, dry goods, variety merchandise, tailoring and dressmaking, furnishing and other household supplies and appliances excluding commercial and industrial supplies, sale and repair of jewelry, clocks, electronic devices, optical goods, musical instruments, scientific and professional instruments and florist shops.
 - (10) Business and professional offices, office supplies, studio, bank, including drive-through window, and other financial institutions, municipal buildings, library, museum and passenger station for public transportation.
 - (11) Bakery selling products on the premises, confectionery, restaurant, cafe, luncheonette; provided, however, that outdoor counters for pedestrians and service to windows of motor vehicles parked for that purpose shall not be permitted, but this shall not be construed to prohibit drive-through pickup windows.
 - (12) Personal service shop, including barbershop, beauty salon, shoe repair, tailor, dressmaker and pickup for dry cleaning and laundry.
 - (13) Apartments when arranged on a second floor as an integral part of a building, the

ground floor front of which is constructed and maintained for uses authorized by Subsection A(2) through (5) above.

- (14) Restaurant, cafe, diner or other place serving food and lawful beverages, provided that the seating capacity of such establishment does not exceed 36 persons and provided further that outdoor counters for pedestrians and service to windows of motor vehicles parked for that purpose shall not be permitted, but this shall not be construed to prohibit drive-through pickup windows.
- B. Height regulations. The maximum height of any building for any use permitted in Subsection A(1) through herein shall be 35 feet, and for any other use permitted herein a building may exceed such height if for every one foot in excess of 35 feet in height there shall be added one foot of depth or width to each required yard.
- C. Area, width, yard and coverage regulations.
- (1) Minimum lot area and width. For any use permitted in Subsection A herein, there shall be a lot area of not less than 5,000 square feet and a lot width of not less than 50 feet at the building line, and for any other use permitted herein there shall be no minimum lot area or lot width, provided that sufficient open space is made available on the lot for the off-street parking and loading required in § 141-87 herein.
 - (2) Yard regulations.
 - (a) Front yard. There shall be a front yard on each lot the depth of which shall be not less than 10 feet; provided, however, that where off-street parking is located in the front yard, the depth shall be not less than 40 feet.
 - (b) Side yards.
 - [1] Where a building adjoins another on the side lot line and a common party wall is used, no side yard shall be required.
 - [2] Where a building is not erected on a side lot line, the side yard not abutting a street shall be not less than 10 feet in width.
 - [3] On a corner lot there shall be a side yard abutting the street having a width not less than 10 feet; provided, however, that where off-street parking is located in such side yard, the depth shall be not less than 40 feet.
 - (c) Rear yard. There shall be a rear yard on each lot the depth of which shall be not less than 35 feet.
 - (3) Coverage regulations.
 - (a) Building coverage. Not more than 50% of the area of any lot shall be occupied by buildings.
 - (b) Lot coverage. Not more than 85% of the area of any lot shall be occupied by buildings, paving, sidewalks or other impervious materials.
- D. Screening. Along any side or rear lot line abutting a residential use or district there shall be installed a masonry wall or opaque fencing having a height not less than six feet but which shall not extend into the front yard, and provided that such screen shall be approved by the Planning Board.
- E. Ingress and egress for off-street parking. Under no circumstances shall off-street parking be arranged to permit vehicles to back directly from off-street parking spaces into a public street.
- F. Outdoor display of merchandise. There shall be no display of merchandise or products for sale in a front yard or in a side yard abutting a street; provided, however, that trees and shrubs and other plants may be displayed in such yards of a nursery sales establishment but not closer to the side or front lot lines than 10 feet.

- G. Planning Board approval. The Planning Board shall approve the site plan prior to issuance of any construction permit or prior to the issuance of a use and occupancy permit for any change in use requiring an increase in off-street parking spaces or involving a change in surface drainage.
- H. Buffer strips.
- (1) All lots or parts of lots in the C-1 and P-1 zones that are improved with a predominantly nonresidential use and whose side or rear lines are adjacent to a residential zone, shall be screened from such residential zone by landscaped buffer strips or other such screening along said side or rear lines as may be approved by the Planning Board.
 - (2) Within required buffer areas, a solid and continuous landscape screen shall be planted and maintained. Said landscaping shall consist of massed evergreen or a combination of evergreen and deciduous trees of at least five feet in height, so as to continually restrict a clear view beyond said buffer strip.
 - (3) The required height of the buffer strip shall be measured in relation to the elevation of the edge of the adjacent area to be screened. In such cases as the ground elevation of the location at which the screen is to be planted is less than the elevation of the edge of the adjacent area, the required height of the screen shall be increased in an amount equal to said difference in elevation. In the event that the ground elevation of the location at which the screen is to be planted is greater than that at the edge of the adjacent area, the required height of the screen may be reduced in an amount equal to said difference in elevation, provided that in no case shall the required height be reduced more than two feet.
 - (4) The entire buffer strip shall be at least six feet in width and shall be graded and planted with grass seed or sod and such other shrubbery or trees as may be desired by the owner. The entire area shall be attractively maintained and kept clean of all debris and rubbish. When a buffer strip is required for a restaurant use, said buffer strip shall be 12 feet in width.
 - (5) In the event that any of the plantings in accordance with the above requirements do not live, they shall be replaced within one year.
 - (6) The certificate of occupancy for the use of the premises shall not be issued until such time as the landscaping requirements, buffer strips and/or other approved dividers, as required by this chapter and as approved by the Planning Board, are either actually installed in full compliance herewith or, in the event that the season is not appropriate, a performance guaranty of 125% of the cost, as estimated by the Township Engineer, has been deposited with the Township Building Inspector. Such guaranty shall be in the form of cash, and the depositor shall agree in making the deposit that, if performance is not completed within the time specified by the Building Inspector on the receipt delivered to the depositor, the Township may complete the requirements charging the cost against the deposit; otherwise, the deposit shall be returned in full after the satisfactory completion of the work.
 - (7) In required buffer areas where a natural buffer strip is considered by the Planning Board to be impracticable or inappropriate, an opaque fence may be substituted in whole or in part for a natural buffer, provided that its specifications are approved by the Planning Board.