

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 769

AN ORDINANCE AMENDING SECTION 405-3  
OF THE CODE OF THE TOWNSHIP OF UPPER DEERFIELD

BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland and the State of New Jersey as follows:

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Section 405 - 3 "Terms defined" is hereby amended as follows:

AGRICULTURAL SERVICES - A facility or use principally established to serve on-site farming or ranching activities including but are not limited to the following: Auditing and Accreditation, Organic Certification, Local Food Research & Development, Lab Testing and Approval, Market Research and Analysis, Grants and Opportunities, Transportation Research, Plant Variety Protection, Research and Promotion Programs, Pesticide Data Programs.

~~ASSISTED LIVING FACILITY - Residences for the frail elderly that provide rooms, meals, personal care, and supervision of self-administered medication.~~

ASSISTED LIVING RESIDENCE - A facility licensed to provide apartment-style housing and congregate dining that ensures the availability of assisted living services when needed, for four or more adult persons unrelated to the proprietor. Apartment units offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

AUTOMOBILE REPAIR GARAGE - Any premises used for the retail sales of oil or other products necessary for the maintenance and operation of motor vehicles and for servicing and repairs thereof, including vehicular painting and/or bodywork, and where no junked or unregistered vehicles are kept or stored.

~~AUTOMOBILE SERVICE STATION - Any premises used for the retail sales of gasoline, oil or other products necessary for the maintenance and operation of motor vehicles and for servicing and minor repairs thereof, but where no~~

~~vehicular painting and/or bodywork is done and where no junked or unregistered vehicles are kept or stored.~~

COMMUNITY/ CORPORATE CENTER - A facility used for recreational, social, educational, cultural and business meeting activities.

~~COMMUNITY SHOPPING CENTER - See "planned commercial development."~~

CONVENIENCE STORE - A retail establishment of up to 6,000 square feet selling primarily food products, household items, newspapers and magazines, candy, beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.

CREMATORIUM - A funeral establishment containing properly installed, certified apparatus intended for use in the act of cremation.

DATA CENTER - A facility that contains a large group of networked computer servers typically used by organizations for the remote storage, processing, or distribution of large amounts of data.

FARM MARKET - An accessory farm building or structure with requisite off-street parking and loading space designed for seasonal sale of unprocessed agricultural and/or horticultural products, and home-made handicrafts, with at least 51% of its sales consisting of goods produced on the farm on which it is located. No commercially-packaged handicrafts or commercially-processed or packaged foodstuffs shall be sold at a farm market.

~~GARAGE, REPAIR - A building used for the off-street storage of motor vehicles, the provision of incidental motor fuel service, the sale of accessories and the repair of motor vehicles, excluding bodywork.~~

GASOLINE SERVICE STATION - An area of land, including any structures thereon, used primarily for the retail sale and direct delivery to motor vehicles of motor fuel and lubricants, as well as such incidental services as the lubrication and hand washing of motor vehicles and the sale, installation and minor repair of automotive accessories such as tires and batteries, but where no vehicular painting and/or bodywork is done and where no junked or unregistered vehicles are kept or stored.

GUEST ROOM (HOTEL/MOTEL) - A one-story room that is not susceptible to permanent division and which may contain a kitchen or kitchenette and not more than one bathroom.

HOME OCCUPATION - An occupation, craft or skill conducted for the generation of revenue entirely within a dwelling, or in an accessory structure located on the same lot or tract as a dwelling. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the home occupation except as permitted by the Township Code. Home occupations are intended to be limited to low intensity uses that produce or repair a product, but can be operated in such a way that they do not adversely affect adjacent properties.

HOME PROFESSIONAL OCCUPATION - The office or studio in the residence of a physician, surgeon, dentist, lawyer, architect, professional planner, licensed land surveyor, engineer, barber or beautician, psychologist, accountant, teacher or other state or federal recognized profession for which a permit or license is issued, but excluding any school, class or similar activity whether licensed or not, including but not limited to dance, martial arts, aerobics, exercise or music activities. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the home professional occupation except as permitted by the Township Code.

INDUSTRIAL PARK - [See "planned industrial development."](#)

An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate industrial uses and any other uses incidental to the predominant use as may be permitted by this chapter.

~~[MANUFACTURED HOME PARK OR SUBDIVISION](#) - [In connection with floodplain regulations contained in § 405-25 herein, a parcel \(or contiguous parcels\) of land divided into two or more manufactured home lots for rent or sale. \(See also "mobile home park."\)](#)~~

MOTEL - A type of hotel providing a series of rental units operated as a single business for the primary purpose of providing lodging for transient guests and

where only a general kitchen and dining room are provided within the building or as an accessory use thereto. An office and single dwelling (for the hotel manager) may be provided in conjunction with the operation of a motel.

PLANNED COMMERCIAL DEVELOPMENT CENTER - An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses, or both, and any residential or other uses incidental to the predominant use that may be permitted by this chapter.

~~PLANNED DEVELOPMENT - A planned retirement residential development.~~

~~PLANNED INDUSTRIAL DEVELOPMENT—An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate industrial uses and any other uses incidental to the predominant use as may be permitted by this chapter.~~

~~PLANNED UNIT DEVELOPMENT - An area with a minimum of 250 contiguous acres or more to be developed according to a plan as a single entity, containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as provided by this chapter.~~

~~PLANNED UNIT RESIDENTIAL DEVELOPMENT—An area with a minimum of 100 contiguous acres or more to be developed as a single entity according to a plan, containing one or more residential clusters, which may include appropriate commercial or public or quasi-public uses, all primarily for the benefit of the residential development~~

PLANNED RESIDENTIAL RETIREMENT DEVELOPMENT - An area with a specified minimum contiguous acreage of 12 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters designed and intended to serve the needs of individuals 55 years of age and older, which may include commercial or public or quasi-public uses all primarily for the benefit of the residential retirement development.

PUBLIC UTILITY - The use of land for public utility purposes by an entity providing pipeline, gas, electrical, telephone, telegraph, water, or sewage service.

“Public utility” also includes the use of land for utility purposes, whether or not owned, controlled, or operated by a public entity, whose services are performed for or commodities delivered to the public or any portion thereof. Private energy production, transmission relay, repeater, translator, radio and television towers and equipment, and cable television facilities are also considered public utilities. “Public utility” does not include airports or television, radio or community television antenna system administration offices, or other types of administrative offices or maintenance yards.

ROADSIDE STAND - A temporary accessory building or structure not to exceed 300 square feet of gross floor area with no space for customers within the structure, designed for seasonal sale of agricultural and/or horticultural products grown on the property on which the stand is located. The intermittent sale of homegrown produce as an accessory use not involving a building or structure, not occupying more than 300 square feet and not creating any undue traffic hazards shall not be deemed to constitute a "roadside stand."

SELF-SERVICE STORAGE FACILITY - A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual compartmentalized, and controlled-access stalls or lockers for the storage of customers' good and wares.

~~SHOPPING CENTER - A group of commercial establishments planned, constructed and managed as a single entity with customer and employee parking, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.~~

~~SUPERMARKET - A retail establishment having 10,000 square feet or more of floor area devoted primarily to selling food and other convenience and household goods.~~

~~TOURIST HOUSE - A private home where rooms are rented for overnight accommodation. A "tourist house" shall also include a bed-and-breakfast establishment which, in addition to providing overnight accommodation to tourists, also provides a breakfast to said overnight guests.~~

TRUCK TERMINAL - A facility used by a motor freight company for the receipt, transfer, short-term storage, and dispatching of goods unloaded from interstate trucks and/or intermodal trailers and containers carried on the railroad and loaded onto local delivery trucks.

**BE IT FURTHER ORDAINED** by the Township Committee of the Township of Upper Deerfield that in all other respects the provisions of Chapter 405 of the Code of the Township of Upper Deerfield shall remain as heretofore and unaltered by the provisions hereof.

**BE IT FURTHER ORDAINED** by the Township Committee of the Township of Upper Deerfield that all ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

This Ordinance shall take effect in the time and manner prescribed by law.

#### **NOTICE**

Notice is hereby given that the foregoing proposed Ordinance was introduced and passed by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held on January 18, 2018, and will be further considered for final adoption at a public hearing to be held by said Township Committee on Thursday, February 15, 2018 at 7:00 P.M., then prevailing time, at the Municipal Building, Seabrook, New Jersey.

Township Clerk  
Roy Spoltore