

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 773

AN ORDINANCE AMENDING SECTION 405-4, 405-5, ATTACHMENT 2, AND ATTACHMENT 4 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:

Section 1.

Section 405 – 4 Districts enumerated is hereby amended as follows:

405-4 Districts enumerated.

[Amended 12-19-1991 by Ord. No. 381]

For the purpose of this chapter, the Township of Upper Deerfield is divided into the following zone districts:[1]

P Public

A Agriculture

R-1 Residential

R-2 Residential

R-3 Residential

R-4 Residential

B-1 Business

B-2 Business

B-3 Business

GI General Industry

Floodplain

Airfield Hazard Area

Town Center (with Entertainment Overlay)

[Added 11-19-2009 by Ord. No. 643]

Business Park

[Added 11-19-2009 by Ord. No. 643]

Neighborhood Commercial

[Added 11-19-2009 by Ord. No. 643]

Eco-Industrial

[Added 11-19-2009 by Ord. No. 643]

Agricultural Business

[Added 11-19-2009 by Ord. No. 643]

Ag-Bus Agricultural-Business District

[Added 11-19-2009 by Ord. No. 643]

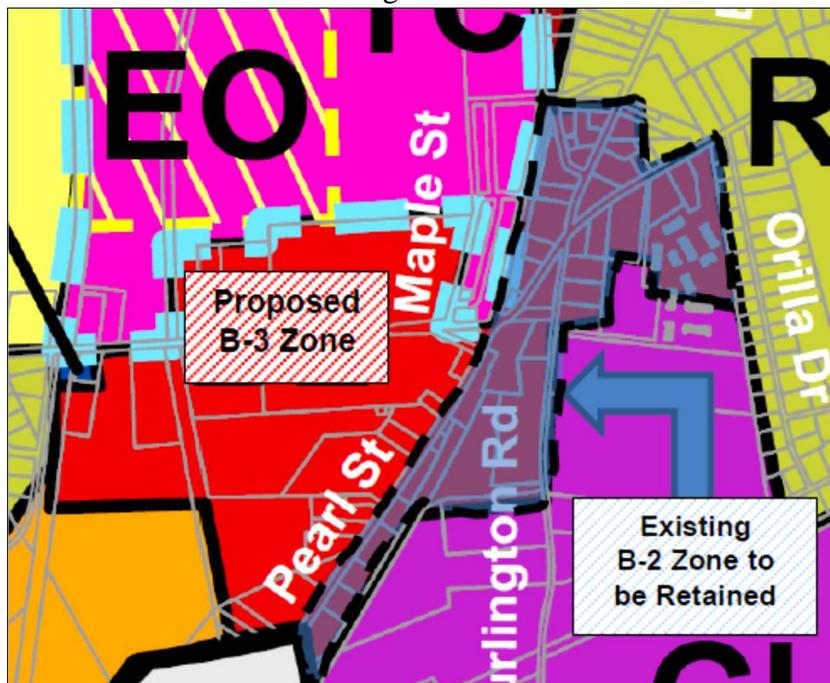
[1] Editor's Note: In accordance with N.J.S.A. 40A:12-7, within the Township's Redevelopment Area, the zoning and development standards set forth in the Redevelopment Plan (see Ch. A430) constitute an overlay to supersede the zoning and development standards otherwise set forth in Ch. 405.

Section 2.

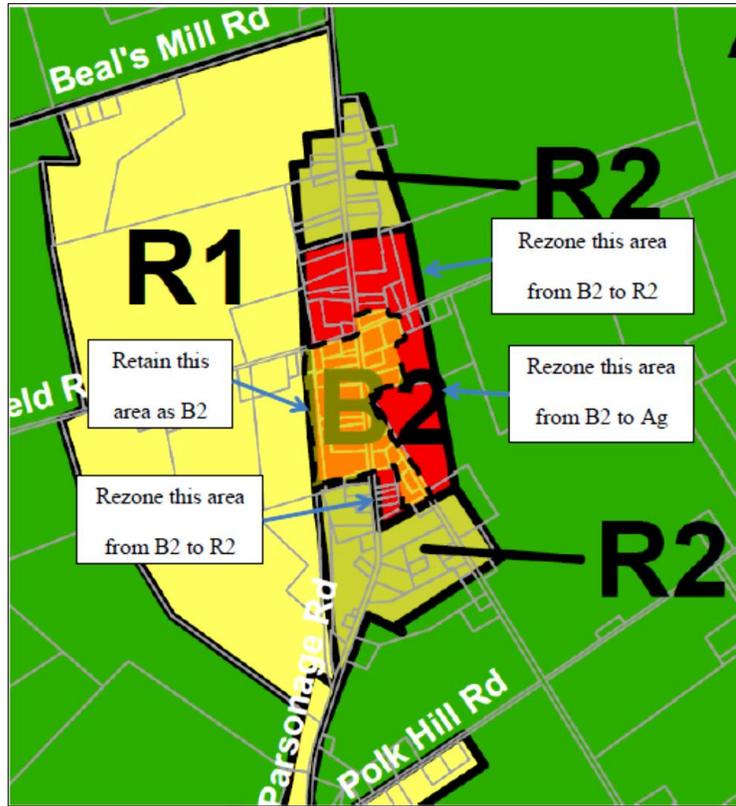
Section 405 – 5 Zoning Map is hereby amended as follows:

1. B-2 and B-3 Zone Revisions.

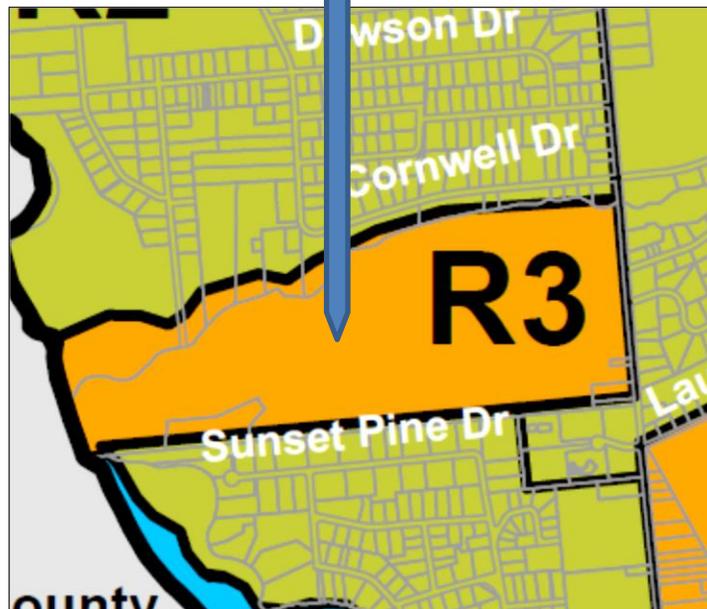
- a. Retain the existing B-2 zone designation for the area south of Landis Avenue and east of N. Pearl Street.
- b. Convert the remainder of the existing B-2 zone to a new B-3 zone.



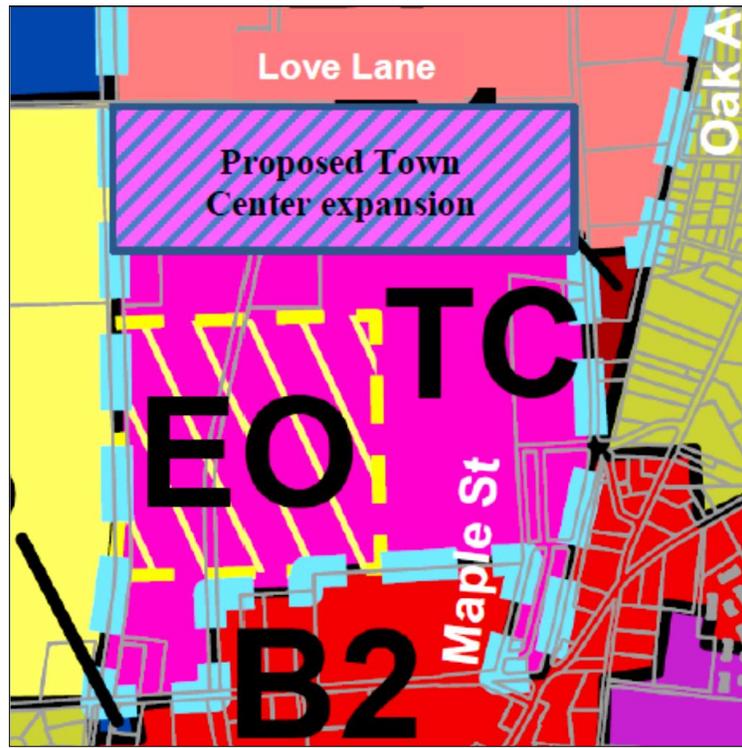
2. Deerfield Street. Rezone portions of the existing B-2 Zone to R-2 Residential Zone and Agricultural Zone as indicated on the following exhibit.
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3. Sunset Lake. Rezone Block 1601, Lots 1, 2 and 5 and Block 1701, Lot 12 from R-3 Residential Zone to Public Zone.



4. Highway 77 Redevelopment Area. Extend northern boundary of Town Center Zone to Love Lane as per the following exhibit.



Section 3.

Attachment 2 – Schedule of District Regulations is hereby amended by adding the following:

Schedule of District Regulations
B-3 Business District

Permitted Uses. Site plan review as per §405-69A(2) is required of all new and expanded uses	Minimum Lot Sizes		Minimum Yard			Maximum	
	Area (acres)	Width ¹ (feet)	Front (feet)	Side (feet)	Rear (feet)	Height (feet)	Lot Coverage (percent)
In any B-3 District only the following uses are permitted by right:							
(1) Principal uses							
(a) Professional office centers as per §405-50	3	200	40	25	20	35	70
(b) Banks and financial institutions	2	200	30	25	20	35	70
(c) Professional office buildings and	2	200	30	25	20	35	75

complexes							
(d) Personal service shops and minor appliance or office machinery repair shops	1	150	30	25	20	35	70
(e) Restaurants and other prepared food outlets, including those permitting the on-premise consumption of alcoholic beverages pursuant to §114 – Article II	2	200	30	25	20	35	75
(f) Theaters, auditoriums, and similar facilities	3	200	30	25	30	50	80
(g) Indoor commercial recreation, including fitness centers	2	200	50	25	30	35	70
(h) Small-scale and medium-scale retail stores, including retail alcoholic beverage sales of off premise consumption (package goods)	2	200	30	25	20	35	75
(i) Health care, medical offices and clinics	2	200	30	25	20	35	75
(2) Conditional uses. The following conditional uses in accordance with §405-70 are permitted:							
(a) Planned commercial (shopping center) as per §405-47	§405-47	N/A	N/A	30	N/A	35	N/A
(3) Accessory uses, located on the same lot with a permitted principal or conditional use:							Additional Coverage Permitted
(a) Signs as per §405-31	N/A	N/A	N/A	20	30	N/A	0
(b) Temporary use of mobile home or mobile office as per §405-44A(1)	N/A	N/A	30	30	30	25	5
(c) Agricultural use/purpose activities (non-livestock) as part of a farm	N/A	N/A	N/A	See Note 4	See Note 4	20	5

(d) Accessory uses and structures customarily incidental to any other permitted use, including outdoor storage, as per §405-29	N/A	N/A	N/A	20	30	35	5
(e) Essential services as per §405-23	N/A	N/A	N/A	20	30	35	5
(f) Fences, walls and hedges as per §405-24	N/A	N/A	N/A	N/A	N/A	N/A	0
(g) Off-street parking as per §405-27	N/A	N/A	§405-27	§405-27	§405-27	N/A	0
(h) Off-street loading as per §405-28	N/A	N/A	§405-28	§405-28	§405-28	N/A	0
(i) Indoor storage facilities	N/A	N/A	N/A	N/A	N/A	N/A	0
(j) Wind, solar photovoltaic energy, communication facilities as per §405-34	N/A	N/A	§405-34	§405-34	§405-34	N/A	5
(k) Beekeeping as per §405-41B(6)	2	N/A	§405-41B(6)	§405-41B(6)	§405-41B(6)	N/A	0

NOTES:

1 Direct access to an arterial roadway, as classified in the Township's adopted Master Plan, shall be prohibited unless the frontage of the property involved is 500 feet or greater. In cases where the frontage is less than 500 feet, any lot shall utilize reverse frontage, a marginal access street or access from an abutting roadway which is not classified as an arterial or from adjoining property. [Amended 1-19-1996 by Ord. No. 449]

2 Minimum habitable floor area shall be: 900 square feet for a one-story dwelling, 1,200 square feet for a split-level dwelling and 1,500 square feet for a two-story dwelling. (See text for other types of dwellings.)

3 N/A = Not applicable; however, check chapter text if cited with use.

4 The requirement for this particular use shall be the same as that cited for the permitted use which it is an accessory use thereto. In the case of the minimum percent of coverage for an accessory use whenever cited, such percentage shall be in addition to what was cited above for the permitted use.

5 Additional standards and requirements for a given conditional use may be specified by reference of the Planning Board as part of site plan review. All uses must conform to county, state and federal laws.

6 Former Subsection (2)(j) pertained to former Article IX, Planned Development, which was deleted 6-16-2005 by Ord. No. 559.



Section 4.

Attachment 4 – Schedule of District Regulations is hereby amended as per the following:

Use	Site Plan Approval (subject to public water/sewer)		Conditional Uses Permitted (subject to § 405-70 and as indicated)	Minimum Development Area	Minimum Lot Dimensions for Individual Uses			Minimum Yard Setbacks			Maximum Height of Principal Buildings		Maximum Height of Accessory Buildings		Maximum Impervious Coverage of Lot (percent)			
	Principal Uses	Accessory Uses			Area	Width (feet)	Depth (feet)	Principal Buildings (feet)			Accessory Buildings (feet)			Stories		Feet	Stories	Feet
								Front	Side	Rear	Front	Side	Rear					
Commercial	Town Center that includes a mix of permitted principal uses Small-scale and medium-scale retail stores, <u>including retail alcoholic beverage sales of off premise consumption (package goods)</u> Personal services Indoor recreation, fitness centers, health clubs Health care facilities Banks and financial services Restaurants, <u>including those permitting the on-premise consumption of alcoholic beverage pursuant to §114 – Article II</u> Professional offices	Public agency or government office buildings Parks, playgrounds, playfields and other public recreational facilities Essential services as per § 405-23 Fences, walls hedges per § 405-24 Off-street parking as per § 405-27 Off-street loading as per § 405-28 Signs as per § 405-31 Roof-mounted solar panels, communication facilities § 405-34 Bikeways as per § 405-63A(2) Child-care center Sidewalk cafe	Large-scale retail stores per § 405-59	10 acres Any development of a retail structure greater than 35,000 square feet shall be required to provide attached/ interconnected retail space along the “Main Street” of the Town Center at 1000 square feet for every 10,000 square feet over the 35,000 square foot threshold	0.50 acres (detached)	100	150	20	10	30	35	5	5	2 1/2	35	1 1/2	15	60%
		2,000 square feet (attached – minimum of three distinct uses)			20	75	0	0	25	NA	NA	NA	2 1/2	35	NA	NA	90%	
	Motel Hotel	NA	NA	NA	0.50 acres	100	150	25	10	25	35	5	5	2 1/2	35	1 1/2	15	60%
Entertainment District Overlay	Cinema Playhouse Miniature golf	NA	Sidewalk cafe	5 acres	0.50 acres (detached)	100	150	20	10	25	35	5	5	2 1/2	35	1 1/2	15	60%
					2,000 square feet (attached – minimum of three distinct uses)	20	75	0	0	25	NA	NA	NA	2 1/2	35	NA	NA	50%
Institutional	Community/corporate center (meeting hall)	NA	NA	2 acres	5,000	100	50	20	10	10	NA	NA	NA	2 1/2	35	NA	NA	25%
	Cultural facilities	NA	NA	2 acres	35,000	85	75	50	15	20	NA	NA	NA	2 1/2	35	NA	NA	40%

NOTES:

1. One monument entrance sign for the entire development not to exceed 50 square feet and no higher than six feet.
2. Such sign must be constructed of durable materials and not raised on poles; decorative materials must be used for structure.
3. One wall-mounted sign not to exceed 45 square feet or 3% of building facade, whichever is less.
4. On-street parking is permitted subject to an appropriate plan utilizing Smart Growth Design.

Building Setbacks – All Zones.

Unless a greater setback is required by the schedules in this exhibit, all buildings shall be set back a minimum distance from the abutting street line(s) based on the Functional Classification of the street as follows:

Functional Classification	Setback (feet)
Local	10
Collector	25
Arterial	50

Section 5.

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.

James Crilley, Chairman

Adopted: March 15, 2018

Attested:

Roy J. Spoltore, Township Clerk

First Reading: February 15, 2018

Publication: February 21, 2018

Publication of Final Adoption: March 20, 2018
