

LAND DEVELOPMENT CODE

12-21 HD HIGHWAY DEVELOPMENT DISTRICT.

12-21.1 Primary Intended Use.

This zone district is limited to business uses of a retail sales and service type such as stores, shops, business and professional offices, restaurants, banks, theaters, recreational instruction studios, and accessory uses customarily incident to the above uses. Sidewalk sales are permitted in the Highway Development District. Additionally, hotels, and outdoor dining are permitted as conditional uses pursuant to Section 12-25. (Ord. No. 581 § 12-16.1; Ord. No. 769 § 1g; Ord. No. 94-990 § 1; Ord. No. 2013-1623 §3; Ord. No. 2014-1654 § 1)

12-21.2 Prohibited Use.

Any use other than those listed in subsection 12-21.1 is prohibited and, in addition, the following uses are specifically prohibited:

- a. Any type of residential construction use.
- b. Any type of industrial operation or use including any process of manufacture, fabrication, assembly, disassembly, extraction, treatment conversion or alteration of any material unless clearly incidental or accessory to the permitted principal use.
- c. Gasoline service stations.
- d. Any business operation conducted outside the confines of a building, or any business operation which results in the storage or display of any article or merchandise outside the confines of a building such as a lumber yard, auto sales and the like; except sidewalk sales.
- e. All uses prohibited in subsections 12-12.2 and 12-16.2.
(Ord. No. 581 § 12-16.2)

12-21.3 Required Conditions.

Every one of the following requirements shall be complied with in the Highway Development district:

- a. *Height.* No building shall exceed a height of two (2) stories or thirty-five (35) feet, whichever results in the lesser height.
- b. *Front Yard.* There shall be a front yard of not less than one hundred seventy-five (175) feet.
- c. *Side Yards.* There shall be two (2) side yards and no side yard shall be less than twenty-five (25) feet.
- d. *Rear Yard.* There shall be a rear yard of at least sixty-five (65) feet.

e. *Landscaping and Buffer Areas.* Those portions of the entire site that are not used for off-street parking or buildings shall be attractively planted and maintained with trees, shrubs, plants and grass lawn as required by the Planning Board.

f. *Distance Between Buildings.* No building shall be erected closer than fifty (50) feet to any other building situated on the same lot.

g. *Utilities.* Each business building shall be provided with adequate utilities such as water and sewage facilities as well as drainage facilities to properly dispose of all surface water as required by the Borough Engineer and approved by the Planning Board.

h. *Trash Disposal.* Each business building shall provide an area or areas, concealed from any customers' parking area or any adjacent property for orderly deposit and pick-up of trash approved as part of the Site Plan.

i. *Nuisances.* No stores or shops shall use any noisemaking devices such as phonographs, loud speakers, amplifiers, radios, television sets or similar devices so situated so as to be audible outside the confines of any building. No smoke, fumes or objectionable odors shall be emitted from any building. Outdoor storage or the display of any article or merchandise placed on the exterior premises of any building is prohibited, except the display of merchandise incidental to sidewalk sales.

j. *Parking.* Parking and loading shall be in accordance with Section 9-10.
(Ord. No. 581 § 12-16.3)