

LAND DEVELOPMENT CODE

12-18 I INDUSTRIAL DISTRICT.

12-18.1 Primary Intended Use.

In the Industrial District a building may be erected or used and a lot may be used or occupied for any of the following purposes and uses and no other:

a. *The processing of stone, trees, tree parts, or rock products.* Processing shall include grinding, polishing, coloring and otherwise treating the raw materials, as well as, the further use of such products in the manufacture of derivative or secondary products which are substantially different in form or character from the original raw materials.

b. *Bulk storage, wholesale and warehousing.* (1) Wholesale establishments including, but not limited to, lumber and building materials sales, machinery sales and service, contractors' heavy equipment sales, rental and service and nursery and landscaping sales; (2) the storage of building material, trees, tree parts and bulk materials; (3) the parking or storage of vehicles or the maintenance or repair of commercial and industrial vehicles or equipment; and (4) parcel delivery and service distribution facilities.

c. Shops such as construction and industrial trade shops, boat works (custom building and repair), ornamental iron workshops and monument works.

d. The manufacture or assembly of small parts and equipment.

e. Public utilities and facilities.

f. Self-storage facilities.

g. Fuel oil storage and distribution.

h. Recycling facility for the recycling of concrete, trees, tree parts, asphalt and soil.

i. Retail sales shall be allowed as an accessory use incidental and subordinate to uses permitted in this zone. Areas devoted to retail sales shall be limited to one thousand (1,000) square feet.

j. *Materials recovery facility* shall be subject to the following:

1. Materials to be recovered and recycled are limited to construction, demolition, and bulky solid waste, and

2. Demonstration that the applicant-user can comply with all Somerset County and State Department of Environmental Protection rules and regulations, including, but not limited to, N.J.A.C. 7:26-2.1 et seq; and

3. Capacity of facility is less than one hundred (100) tons per day; and

4. All construction, demolition and bulky solid waste materials shall be delivered, separated and processed within an enclosed building.

(Ord. No. 2015-1699 § 2)

k. Other accessory uses on the same lot and customarily incidental to the principal use, such as office and shipping facilities, machine shop, locker room, boiler room, scale house, concrete plant, asphalt plant and rock crushers. (Ord. No. 2015-1699 § 2)
(Ord. No. 95-1030 § 12-15.1; Ord. No. 2013-1627; Ord. No. 2015-1699 § 2)

12-18.2 Prohibited Use.

Any use other than those in subsection 12-18.1 is prohibited as well as any use which is predominantly retail oriented or will produce or emit injurious noise, fumes, smoke, odor, vibration or hazard to the community. (Ord. No. 95-1030 § 12-15.2)

12-18.3 Required Conditions.

The following conditions must be complied with in the Industrial District:

- a. *Minimum Lot or Condominium Area.* The Industrial District may be subdivided into separate lots or condominium areas which shall have a minimum area of fifty thousand (50,000) square feet, and a shape which can accommodate a one hundred (100) foot diameter circle.
- b. *Height.* No building shall exceed a height of two (2) stories or thirty-five (35) feet, whichever is the lesser.
- c. *Front Yard.* There shall be a front yard of not less than ten (10) feet.
- d. *Side Yards.* There shall be a fifteen (15) foot setback along one (1) side of the property which shall be kept clear for the purpose of emergency access.
- e. *Rear Yard.* There shall be a fifteen (15) foot rear yard setback which shall be kept clear for emergency equipment access.
- f. *Access.* The individual lots or condominium parcels shall be provided access by a private drive within a right-of-way of at least forty (40) feet in width. A declaration of rights shall be recorded.
- g. The maximum lot area coverage shall be seventy-five (75%) percent.
- h. *Minimum Frontage.* Each lot or condominium parcel shall have a minimum frontage of fifty (50) feet along the private right-of-way.
- i. Prior to final site plan or subdivision approval, a condominium or property owners association shall be established to take care of the development and maintenance of all private facilities and services supporting this district including, but not limited to private road, entrance and railroad gate, storm water management, perimeter fencing and berming, pond security, water supply, sewerage collection and treatment facilities, signage and slope stability.
- j. That portion of the Industrial District above elevation 400 and between the elevation and the Residential District(s) shall be a conservation area where no building or industrial activity shall take place, as shown on the Zone Boundary Amendment Map prepared by Yannacone Associates, Inc. dated March 23, 1995 and amended to April 27, 1995.
- k. Parking and loading shall be provided in accordance with Section 9-10.
(Ord. No. 95-1030 § 12-15.3; Ord. No. 2005-1377 § 3)

12-19 I-2 LIGHT INDUSTRIAL ZONE DISTRICT.

12-19.1 Primary Intended Use.

This zone district is provided for existing light industrial workshops and other similar uses. Because of the limited capacity of local streets adjacent to this zone, uses which generate nonresidential vehicle traffic are to be limited and uses which have large numbers of commercial vehicles are prohibited.

- a. Workshops of craftsman and tradesman in the construction industry, ornamental ironwork workshops, monument workshops and similar workshop establishments.
 - b. Self-storage facilities.
 - c. Light industrial workshops and/or assembly of small parts workshops.
- (Ord. No. 96-1057 § 1; Ord. No. 2005-1376 § 1)

12-19.2 Accessory Uses.

Customary and incidental accessory uses to a principal use such as office, shipping facilities, machine shop, locker room, fuel storage, employee parking and equipment parking are permitted. (Ord. No. 96-1057 § 1)

12-19.3 Accessory Structures.

Customary and incidental accessory structures to the principal structure such as storage sheds and garages are permitted. The height shall not exceed one (1) story or fifteen (15) feet whichever is the lesser. All yards for an accessory structure shall be a minimum of fifteen (15) feet. No accessory structure shall be located in the front yard. (Ord. No. 96-1057 § 1)

12-19.4 Prohibited Uses.

- a. Retail sales of goods and services.
 - b. Vehicle maintenance and repair facilities.
 - c. Distribution or warehousing.
 - d. Commercial waste hauler depot or waste transfer station.
 - e. Fuel distribution business.
 - f. Trucking uses.
 - g. Storage and/or parking of equipment and/or vehicles not accessory to the principal permitted use.
- (Ord. No. 96-1057 § 1)

12-19.5 Required Conditions.

- a. *Height.* No building shall exceed a height of two (2) stories or thirty (30) feet, whichever is the lesser.

b. *Front Yard.* Not less than ten (10) feet for existing structures and not less than forty (40) feet for new structures.

c. *Side Yards.* Not less than fifteen (15) feet for existing structures and not less than the height of the principal structure for new structures.

d. *Rear Yard.* Not less than fifteen (15) feet for existing structures and not less than the height of the principal structure for new structures.

e. *Minimum Lot Area.* There shall be a minimum lot area, as defined, of twenty thousand (20,000) square feet; the lot shape shall be such that the minimum lot width at the front setback line is one hundred (100) feet.

f. Maximum lot area coverage for structures is thirty (30%) percent.

g. Maximum impervious coverage is seventy (70%) percent.

(Ord. No. 97-1057 § 1)

12-19.6 Buffer Areas.

All required setbacks shall be landscaped areas and shall not contain any structures, storage, parking or other similar improvements or uses. Where the property abuts a residential zone, a fifteen (15) foot buffer shall be established consisting of either natural vegetation or landscape plantings to form a vision proof barrier into the I-2 property. (Ord. No. 96-1057 § 1)

12-19.7 Parking.

a. Parking shall be provided as in Section 9-10 of this chapter.

b. Parking shall only be permitted for those commercial vehicles which are owned or used by an on-site use permitted in this zone district.

c. No more than forty (40%) percent of vehicle parking shall be for commercial and/or nonresidential type vehicles.

(Ord. No. 96-1057 § 1)

12-19.8 Vehicle Operation.

No commercial vehicle associated with permitted land uses within the zone shall be operated on the property, nor ingress and egress, the property between the hours of 7:00 p.m. and 7:00 a.m. In the event of an emergency service provided by any of the permitted land uses, these hours of operation shall not apply. (Ord. No. 96-1057 § 1)