

Township of Denville, NJ

Friday, May 6, 2016

## Chapter 19. Land Use

### Article 5. Zone Regulations

#### 19-5.1404. Permitted accessory uses.

[Ord. No. 3-99, § 2]

Permitted accessory uses are established as follows:

- a. The installation of wireless telecommunications antennas on existing structures subject to minor site plan approval pursuant to Subsection 19-4.1405A and consistent with Visual Compatibility Requirements of Subsection 19-5.727 of this chapter.

#### 19-5.15. B-2 HIGHWAY BUSINESS DISTRICT.

##### 19-5.1501. Primary intended use.

[Ord. No. 2-77, § 19-5.1501; Ord. No. 12-02, § 6]

This zone is designed for commercial use of the highway sales and distribution type as well as those uses permitted in the B-1 District unless herein prohibited. Also permitted in this zone are:

- a. Motels, provided all of the following requirements are complied with:
  1. No motel building or buildings shall be erected or constructed upon any lot containing an area of less than one acre and no such lot shall have less than 200 feet of frontage upon an improved highway providing the principal means of access.
  2. Not more than 25% of the lot area devoted to a motel development may be occupied by the principal and accessory buildings.
  3. There shall be a minimum of 40 units in any single motel development.
  4. Notwithstanding the provisions of Subsection 19-5.1503c, all motel developments shall provide side yards of at least 20 feet, however, all other provisions of Subsection 19-5.1503 shall be complied with.
  5. One parking space shall be provided for each motel unit plus additional parking adequate to serve the needs of accessory uses such as restaurants, all in compliance with the provision of Subsections 19-5.802 and 19-5.803.
  6. Type of construction shall meet with the requirements of the fire zone.
  - 7.

No building permit shall be issued for a motel building or buildings until a site plan shall have been submitted and approved in accordance with Section 19-4, Subdivision and Site Plan Review.

- b. Nursing homes.
- c. (Reserved)
- d. Accessory uses customarily incident to the above uses.
- e. Signs as regulated in Section 19-5.9.

### 19-5.1502. Prohibited use.

[Ord. No. 2-77, § 19-5.1502; Ord. No. 12-02, § 7]

No business shall be conducted outside the confines of a building unless specifically permitted in Subsection 19-5.1501 nor shall the following be permitted:

- a. Outdoor storage except as permitted in Subsection 19-5.714.
- b. Residential uses, construction or conversion to residential uses including apartments over businesses.
- c. The storing or treating of used materials.
- d. Mechanical amusement rides, exhibitions of wild animals, amusement arcades or similar commercial amusements except in connection with a transient carnival or circus having a special permit from the Township Council.
- e. Bulk storage of explosives, inflammable or poisonous gases, the bulk storage of crude oil or any of its volatile products or other inflammable liquids, unless in a public garage as regulated in Subsection 19-5.1004.
- f. Outdoor storage or parking in the open of trucks or of tractors, cranes, bulldozers, power shovels, or other similar apparatus or equipment, except during the course of construction at or on the premises.
- g. Trailer camps or other storage or parking of trailers.
- h. Used car lots except as regulated in Subsection 19-5.1501c.
- i. Any use prohibited in the industrial district unless specifically permitted in Subsection 19-5.1501.
- j. Retail automotive sales, including new and used car sales, automotive parts stores and vehicle lubrication services.
- k. Fast-food establishments and any eating or food establishment having a drive-through window.

### 19-5.1503. Required conditions.

[Ord. No. 2-77, § 19-5.1503; Ord. No. 28-81, § 4]

The following requirements shall be complied with in the B-2 Zones:

- a. Height. No building shall exceed a height of two stories provided the building is not higher than 30 feet.

- b. Front yard. There shall be a front yard setback of 40 feet. Off-street parking as regulated in Section 19-5.8 is permitted within the front yard provided no parking area is closer than 10 feet to the front street property line, nor 10 feet to any building.
- c. Side yard. There shall be two side yards and no side yard shall be less than 10 feet. Off-street parking as regulated in Section 19-5.8 is permitted provided no part of the parking area shall be closer than 10 feet to any property line, nor five feet to any building.
- d. Rear yard. There shall be a rear yard of at least 20 feet unobstructed by buildings or other permanent structures provided a fence may be permitted. Off-street parking as regulated in Section 19-5.8 is permitted in the rear yard, provided no part of the parking area shall be closer than 10 feet to any property line, nor five feet to any building.
- e. Landscaping. Those portions of all yards that are not used for off-street parking shall be planted and regularly maintained, as approved by the Planning Board.
- f. Nuisances. No noise, smoke, fumes, glare, dust, vibrations or odors shall be discernible beyond the lot occupied by any structure or use.
- g. Special boundary line buffer area. Where a building in the B-2 Zone abuts a residential zone boundary line, buildings shall be set back 50 feet and off-street parking and access drives shall be set back 20 feet to establish a buffer area as defined herein. Said buffer area shall be suitably landscaped as approved by the Planning Board.  
Before the issuance of a building permit for any permitted use, the Planning Board shall review a site development plan of the proposed use and shall ascertain that all requirements of this Article are complied with.

### 19-5.1504. Permitted accessory uses.

[Ord. No. 3-99, § 2]

Permitted accessory uses are established as follows:

- a. The installation of wireless telecommunications antennas on existing structures subject to minor site plan approval pursuant to Subsection 19-4.1405A and consistent with Visual Compatibility Requirements of Subsection 19-5.727 of this chapter.

### 19-5.1505. Permitted conditional uses.

[Ord. No. 3-99, § 2]

Permitted conditional uses are established as follows:

- a. Wireless telecommunication towers in compliance with Subsection 19-5.727a2, 3 and 4 and Subsection 19-5.1009 of this chapter.