

WEST AMWELL TOWNSHIP

Ordinance 6, 2014

AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE
TOWNSHIP OF WEST AMWELL

BE IT ORDAINED by the Township Committee of the Township of West Amwell, Hunterdon County, State of New Jersey, that the following changes be made to Part 4, Zoning:

Section 1

Chapter 109. Land Development, Part 4. Zoning, Article XII: District Regulations shall be amended and supplemented as follows:

§ 109-87 LHC Limited Highway Commercial Zone

... (no changes)

C. Conditional Uses

... (no changes)

7. Drive-throughs

Chapter 109. Land Development, Part 4. Zoning, Article XV. Specific Requirements for Certain Conditional Uses shall be amended and supplemented as follows:

... (no changes)

§ 109-112. Fast-food restaurants.

Fast-food restaurants are a conditional use in the zones specified, provided that such uses shall adhere to the following:

- A) The minimum lot size for a fast-food restaurant shall be 2.5 acres, with a minimum buildable area of 2.0 acres.*
- B) Within the front setback area of any property containing a fast-food restaurant there shall be a minimum forty-foot landscaped buffer strip adjacent to the front property line. Only improvements associated with access drives and signs shall be permitted within this area.*
- C) Fast-food restaurants must have frontage on and have access to a primary or secondary arterial roadway.*
- D) Maximum lot coverage cannot exceed 50%.*
- E) Storage areas, trash areas and service areas shall be located in such a manner as to be screened from direct public view and such areas shall be maintained in a neat, clean and orderly fashion at all times.*
- F) (delete)*

... (no changes)

§ 109-112.2. Drive-throughs

Drive-throughs are a conditional use in the zones specified. The required conditions are as follows:

- A) *The use which the drive-through will serve shall be a permitted use in the zone district.*
- B) *A bypass lane shall be provided. No median or curbing shall prevent a vehicle in an adjacent lane from accessing the bypass lane.*
- C) *Noise levels from any speaker system or other noise associated with the drive-through shall not exceed 50 decibels at any property line of the site.*
- D) *Drive through facilities, such as aisles, related signage and windows, shall be not be located between the building line and a public street.*
- E) *Drive through facilities, such as aisles, related signage and windows, shall have a minimum setback of 50 feet to the nearest property line. Where adjacent to a residential use or district, the minimum setback shall be 75 feet.*
- F) *Vehicle stacking shall not impede or impair access into or out of parking spaces, drive aisles for site circulation, or loading and trash storage areas.*
- G) *Signage for use by drive-through users shall not face a public street. This shall not apply to directional signs.*

Chapter 109. Land Development, Part 4. Zoning, Article XVIII. Outdoor Storage shall be amended and supplemented as follows:

Article XVIII. Requirements for Certain Uses

§ 109-130. Outdoor Storage.

A. Commercial Vehicles in Residential Zones

A commercial vehicle used in connection with a business or a vehicle on which is contained advertising matter intended to promote the interest of a business shall not be parked or stored in a parking area serving the business unless the vehicle is parked in the side or rear yard. In residential zones, not more than one commercial vehicle (any vehicle which is customarily used as a commercial vehicle shall be considered such with or without commercial registration) may be kept on the premises, provided:

- 1. It does not exceed a rated capacity of 8,500 GVW.*
- 2. It is used by a resident of the premises.*
- 3. It is not parked on the street, and, when parked, is located in the side or rear yard, and not within the front yard.*

B. Recreational vehicles, travel trailers and horse trailers.

Recreational vehicles and travel trailers may not be occupied in any zone; however, one unoccupied travel trailer or recreational vehicle or one horse trailer may stand on any lot in a residential zone, provided that the vehicle must either be garaged or stored in a side or rear yard at least 15 feet from any property line.

C. Disabled and nonregistered vehicles.

Disabled and/or nonregistered vehicles may not be stored in any zone except in an enclosed garage, unless the same are awaiting repair at a licensed public garage or unless the same are new vehicles being stored or displayed at an auto sales and showroom. For the purpose of this chapter, the term "disabled" shall refer to a motor vehicle which is in such a state of disrepair that it cannot readily be made operable in conformance with all requirements of the New Jersey Division of Motor Vehicles.

D. Use of trailers in connection with site construction.

The use of trailers in any zone in connection with site construction shall be permitted subject to the following restrictions and regulations:

1. Such trailers shall only be used as temporary sales offices and/or field offices, although not more than one night watchman or similar person may live in temporary residence in such trailer.
2. Such trailers shall not be moved onto a construction site until 90 days prior to the date upon which construction actually commences and shall be removed from such site on or before the issuance of a final certificate of occupancy, unless a later removal is authorized by the Board.
3. A permit for the location and use of any such trailer shall be obtained from the Zoning Officer. Such permit shall be renewed every 12 months.

E. Storage as part of commercial operation.

The outdoor storage or display of any article or material as part of a commercial operation is permitted subject to the following regulations:

1. The outdoor storage of any article or material, other than merchandise for sale on the premises, is permitted in any nonresidential zone, provided that such storage shall be limited to the side and rear yards only and shall be screened by fencing, planting or both along any lot line adjoining a residential zone and elsewhere as approved by the Board. The height of the fence shall be equal to or greater than the height of the material stored, provided that neither the height of the material stored nor of the fence shall exceed six feet. Materials stored outdoors shall be kept in an orderly manner at all times and shall not include any discarded or abandoned articles.
2. Material stored outdoors shall be located at least 10 feet from any property line.
3. The outdoor storage of merchandise for sale on the premises is permitted in the front, side and rear yards of properties in the HC and LI Zones, provided the same is located at least 25 feet from a street right-of-way line and 10 feet from a property line. The area devoted to such storage shall be approved by the Board and shall be screened along any side or rear lot line adjoining a residential zone. The height of

the material stored outdoors shall not exceed six feet except in the LI Zone where the height of stored material shall not exceed 25 feet. No article or material shall be stored in any required parking area or so located as to interfere with vehicular or pedestrian traffic movement or safety. In addition, no article or material shall be stored or displayed on a sidewalk.

4. Not more than 50% of any yard shall be devoted to outdoor storage or display.

§ 109-131. Drive-throughs

In addition to any applicable conditional use or other requirements, drive-throughs shall meet the following standards:

- A) Drive through facilities, such as aisles, related signage and windows, shall be buffered from adjacent residential uses consistent with §109-197.*
- B) Stacking for a total of 6 cars shall be provided; stacking may be accommodated in multiple drive-through aisles.*
- C) Stacking lanes shall not enter or exit directly into a public street; they shall be integrated with the on-site circulation pattern.*
- D) Crosswalks shall be provided where pedestrian traffic may cross drive-through aisles.*
- E) Drive through aisles shall have a minimum width of 12 feet.*
- F) Drive through aisles shall have a minimum interior curb radius of 10 feet.*

§ 109-132. Reserved.

§ 109-133. Reserved.

§ 109-134. Reserved.

Section 2:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3:

This Ordinance shall take effect immediately upon final passage and publication as provided by law, and upon filing a copy thereof with the Hunterdon County Planning Board in accordance with N.J.S.A. 40:55D-16.

APPROVED BY TOWNSHIP COMMITTEE

Zach Rich, Mayor

ATTEST:

Lora L. Olsen, RMC
Township Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading at a meeting of the governing body of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, held on May 28, 2014. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the municipal building, 150 Rocktown-Lamb. Rd., Lambertville NJ on June 25, 2014 at 7:00 p.m. All interested parties will be heard at this time.