

LAND USE AND DEVELOPMENT

165 Attachment 2

Borough of Wharton

Schedule XI-1

Schedule of District Use Regulations

Borough of Wharton, New Jersey

[Amended 6-7-1999 by Ord. No. O-15-99; 12-20-1999 by Ord. No. O-20-99; 5-8-2000 by Ord. No. O-7-2000; 9-17-2012 by Ord. No. O-19-12; 11-27-2017 by Ord. No. O-17-17; 7-16-2018 by Ord. No. O-11-18; 6-26-2023 by Ord. No. O-11-23]

No building or premises shall be erected, altered or used except for uses designated for each district as follows:

Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
R-40	<ol style="list-style-type: none"> 1. Single-family detached dwellings 2. Community residences, subject to § 165-93A 3. Municipal buildings and facilities 	<ol style="list-style-type: none"> 1. Essential services, subject to § 165-95B 2. Public, private or parochial schools for general education licensed by the State of N.J., subject to § 165-95C 3. Churches, temples or other places of worship, including parish houses, Sunday schools, rectories, parsonages or convents, subject to § 165-95A 4. Veterans, civic and community clubs, subject to § 165-95E 5. Satellite dish antennas, subject to § 165-95G 6. Home occupations, subject to § 165-94J 	<ol style="list-style-type: none"> 1. Private garages, subject to § 165-94C 2. Swimming pools and tennis courts, subject to § 165-94D 3. Garden houses, sheds and playhouses 4. Fences and walls, subject to § 165-94E 5. Signs, subject to Article XV 6. Off-street parking, subject to Article X, Design Standards for Site Plans 7. Offices of resident professionals, subject to § 165-94G
R-15	Any R-40 Zone permitted principal use under the same conditions as prescribed herein	Any R-40 conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein
R-10	Any R-15 Zone permitted principal use under the same conditions as prescribed herein	Any R-40 conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein

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Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
R-75	1. Any R-10 Zone permitted principal use under the same conditions as prescribed herein	Any R-40 conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein
RM-75	1. Single-and two-family detached dwellings 2. Community residences, subject to § 165-93A 3. Municipal buildings and facilities	Any R-40 conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein
A	1. Multifamily dwellings, garden apartments and townhouses 2. Community residences, subject to § 165-93A	Any R-40 Zone conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein except item 7
AH-1	1. Townhouses and multifamily residential dwelling units 2. Community residences, subject to § 165-93A	Any R-40 Zone conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein except item 7
AH-2	1. Townhouses and multifamily residential dwelling units 2. Community residences, subject to § 165-93A	Any R-40 Zone conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein, except item 7
AH-3*	1. Apartments over permitted B-1 commercial uses	Same as B-1	Same as B-1
AH-4*	1. Apartments over permitted B-1 commercial uses; 2. Apartments; 3. Garden apartments	Same as B-1	Same as B-1
AH-OO*	1. Multifamily dwellings; 2. Garden apartments; 3. Apartments over permitted commercial uses	Same as underlying zone	Same as underlying zone

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Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
SH	<ol style="list-style-type: none"> 1. Multifamily dwellings 2. Community residences, subject to § 165-93A 	Any R-40 Zone conditional use under the same conditions as prescribed therein	Any R-40 Zone permitted accessory use under the same conditions as prescribed therein except item 7
CBD	<ol style="list-style-type: none"> 1. Retail trade and service establishments, excluding automobile sales and taxi and limousine operations 2. Eating and drinking establishments 3. Business and professional offices 4. Banks and financial institutions 5. Multifamily dwellings above the first story of any structure housing a first story devoted to the uses enumerated above, and subject to § 165-93C 6. Municipal buildings and facilities 7. Child-care centers, subject to § 165-93B 	<ol style="list-style-type: none"> 1. Essential services, subject to § 165-95B 2. Service stations, subject to § 165-95D 3. Veterans, civic and community clubs, subject to § 165-95E 4. Satellite dish antennas, subject to § 165-95G 5. Houses of worship, subject to § 165-95A 	<ol style="list-style-type: none"> 1. Off-street parking and loading facilities 2. Signs 3. Accessory storage within a wholly enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises 4. Fences 5. Child-care centers, subject to § 165-94H
B-1	<ol style="list-style-type: none"> 1. Retail trade and service establishments, excluding taxi and limousine operations 2. Eating and drinking establishments 3. Automobile sales 4. Business and professional offices 5. Banks and financial institutions 6. Municipal buildings and facilities 7. Child-care centers, subject to § 165-93B 	Any CBD Zone conditional use under the same conditions as prescribed therein	Any CBD Zone permitted accessory use under the same conditions as prescribed therein

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Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
B-2	<ol style="list-style-type: none"> 1. Retail trade and service establishments, excluding taxi and limousine operations 2. Eating and drinking establishments 3. Automobile sales 4. Business and professional offices 5. Banks and financial institutions 6. Municipal buildings and facilities 7. Child-care centers, subject to § 165-93B 8. Wholesale clubs 9. Supermarkets 10. Car wash, subject to § 165-93E 11. Cannabis retailer, east of West Union Turnpike 	<ol style="list-style-type: none"> 1. Essential services, subject to § 165-95B 2. Service stations, subject to § 165-95D 3. Veterans, civic and community clubs, subject to § 165-95E 4. Satellite dish antennas, subject to § 165-95G 5. Hotels and motels, subject to § 165-95F 	<ol style="list-style-type: none"> 1. Off-street parking and loading facilities 2. Signs 3. Accessory storage within a wholly enclosed permanent structure for material goods and supplies intended for sale or consumption on the premises 4. Fences 5. Child-care centers, subject to § 165-94H
I-1	<ol style="list-style-type: none"> 1. Manufacturing and industrial operations 2. Warehousing, distribution and storage facilities, excluding outdoor storage of any kind 3. Research laboratories 4. Business, executive and administrative offices ancillary to the permitted industrial uses 5. Child-care center, subject to § 165-93B 6. Indoor and outdoor commercial recreation facilities 	<ol style="list-style-type: none"> 1. Essential services, subject to § 165-95B 2. Satellite dish antennas, subject to § 165-95G 3. Service station, subject to § 165-95D 	<ol style="list-style-type: none"> 1. Off-street parking and loading facilities 2. Signs 3. Executive dining rooms, cafeterias or other areas designed for lounging or feeding only those persons who are occupants to the particular structure involved, and said facilities shall not be available to the public at large 4. Fences 5. Child-care centers, subject to § 165-94H

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I-2	<ol style="list-style-type: none"> 1. Light manufacturing limited to processes of assembly, reassembly, fabrication, packaging and repackaging of materials, and products confined to the production of finished products or parts thereof from component parts and semifinished products and not involving reduction, conversion or manufacturing of primary raw materials, and subject to the performance standards set forth in § 165-100 2. Laboratories devoted to research, design and/or experimentation, and the processing and fabrication incidental thereto, subject to the performance standards set forth in § 165-100 3. Warehousing, distribution and storage facilities, provided that no more than 85% of the gross floor area is used for such purposes 4. Buildings for business, professional, and executive and administrative offices 5. Indoor recreation facility, a building or portion of building designed and equipped for the conduct of sports and leisure-time activities. 	Any I-1 Zone conditional use under the same conditions as prescribed herein	Any I-1 Zone permitted accessory use under the same conditions as prescribed herein

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Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
I-3	<ol style="list-style-type: none"> 1. Manufacturing limited to processes of assembly, reassembly, fabrication, packaging and repackaging of nonvolatile and nontoxic materials, and products confined to the production of finished products or parts thereof from component parts and semifinished products and not involving reduction, conversion or manufacturing of primary raw materials, and subject to the performance standards set forth in § 165-100 2. Laboratories devoted to research, design and/or experimentation, and the processing and fabrication incidental thereto, but not involving any chemical or liquid treatment, processes or wastes, and subject to the performance standards in § 165-100 3. Buildings for business, professional, executive and administrative purposes 4. Distribution centers, provided that they do not include the storage of hazardous material as defined by the New Jersey Department of Environmental Protection and the Federal Department of Transportation, or outdoor storage of any kind (except accessory 	<ol style="list-style-type: none"> 1. Essential services, subject to § 165-95B 	<ol style="list-style-type: none"> 1. Off-street parking and loading facilities 2. Signs 3. Executive dining rooms, cafeterias or other areas designed for lounging or feeding only those persons who are occupants to the particular structure involved, and said facilities shall not be available to the public at large 4. Fences 5. Child-care centers, subject to § 165-94H 6. Offices ancillary to the principal use

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Zone	Principal Permitted Uses	Conditional Uses	Accessory Uses
	<p>outdoor storage permitted), and subject to the performance standards set forth in § 165-100, the Borough Construction Code Official and Fire Department, and provided that not more than 75% of the gross floor area is utilized for such purposes</p> <p>5. Indoor recreation facility, a building or portion of building designed and equipped for the conduct of sports and leisure-time activities</p>		
ALR	<p>1. Adult living campus community residences, subject to § 165-93A</p> <p>2. Community residences, subject to § 165-93A</p>	<p>1. Essential services, subject to § 165-95B</p> <p>2. Veterans, civic and community clubs, subject to § 165-95E</p> <p>3. Satellite dish antennas, subject to § 165-95G</p> <p>4. House of worship, subject to § 165-95A</p> <p>5. Home occupations, subject to § 165-94J</p>	<p>1. Off-street parking and loading facilities</p> <p>2. Signs</p> <p>3. Houses of worship contained within the principal building</p> <p>4. Facilities to sell or provide personal services to residents, including small gift or necessity shops, provided they are for the sole use of the residents</p> <p>5. Recreation facilities for the sole use of the residents</p>
OAL	<p>1. Eating and drinking establishments</p> <p>2. Business and professional offices</p> <p>3. Banks and financial institutions</p> <p>4. Assisted living facilities</p> <p>5. Child-care centers, subject to § 165-93C</p>	<p>1. Essential services, subject to § 165-95B</p> <p>2. Veterans, civic and community clubs, subject to § 165-95E</p> <p>3. Satellite dish antennas, subject to § 165-95G</p> <p>4. Houses of worship, subject to § 165-95A</p>	<p>1. Off-street parking</p> <p>2. Signs</p> <p>3. Accessory storage within a wholly enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises</p> <p>4. Fences</p> <p>5. Child-care centers, subject to § 165-94H</p>

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MB	<ol style="list-style-type: none"> 1. Retail trade and service establishments (excluding drive-through) 2. Eating and drinking establishments (excluding drive-through) 3. Catering facilities 4. Business and professional offices 5. Banks and financial institutions 6. Light industrial uses as provided in § 165-101C(1) 	<ol style="list-style-type: none"> 1. Parking and storage of trucks and trailers 	<ol style="list-style-type: none"> 1. Off-street parking and loading 2. Signs 3. Fences and walls 4. Outdoor eating and drinking establishments/cafes 5. Decks and walkways, outdoor seating areas and promenade structures

*Subject to requirements of Schedule XI-3