

ZONING

20 Attachment 2

Township of Upper

**SCHEDULE B - March 9, 2020
COMMERCIAL AND MIXED USE DISTRICTS
PERMITTED PRINCIPAL (P), CONDITIONAL (CU) AND ACCESSORY (A) USES
[Amended 5-26-2020 by Ord. No. 005-2020]**

	RC	CM2	CM4	CMP	M	TV	TC	TCC
Uses	Resort Commercial	Commercial District	Rural Commercial	Commercial Pinelands	Mining	Tuckahoe Village	Town Center	Town Center Core
1. Retail sale of goods and services	P	P	P	P		P	P	P
2. Restaurants, bars and taverns	P	P	P	P		P	P	P
3. Offices and office buildings	P	P	P	P		P	P	P
4. Banks ¹	P	P	P	P		P	P	P
5. Marinas	P	P	P	P		P	P	P
6. Day-care centers	P	P	P	P		P	P	P
7. Indoor theaters and bowling alleys		P	P	P			P	P
8. Retail garden centers ²		P	P	P		P	P	P
9. School of dance, drama, karate, or any similar instructional institution		P	P	P			P	P
10. Recreation, exercise and health clubs and facilities		P				P	P	P
11. Shopping centers ¹³		P	P	P			P	P
12. House of worship	P	P	P	P		P	P	P
13. Laboratories of an experimental, research or testing nature ³		P	P	P				
14. Wholesale distribution centers and warehousing ⁴		P	P	P			P	P
15. Public park-and-ride facilities		P	P	P		P	P	P
16. Museums, art galleries and other cultural and civil facilities of a similar nature						P	P	P
17. Mixed-use building						P	P	P
18. Home occupations						P	P	P
19. Bed-and-breakfast facilities						P		
20. Single-family detached dwelling						P		

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21. Nonnuclear electric generating plant and associated offices, storage facilities and incidental uses (See Subsection 20-4.9)								
22. Public buildings and grounds						P	P	P
23. Existing resource extraction operations and excavation activities and associated uses (See Subsection 20-4.10)					P			
24. Auto sales		P	P	P			P	P
25. Assisted living facilities							CU	CU
26. Residential dwelling units ⁵							P	P
27. Adult retirement community (ARC)							CU	CU
28. Auto services		CU	CU	CU			CU	CU
29. Public utility		CU	CU	CU			CU	CU
30. Car washes		CU	CU	CU			CU	CU
31. Hotels and motels, including ancillary uses such as conference halls, banquet rooms, and recreational facilities		CU	CU	CU		P	P	P
32. Repair garages (automobile and boat), auto body shops, metal working and welding shops for automobiles and boats		CU	CU	CU			CU	CU
33. Used auto sales ¹¹		CU	CU	CU			CU	CU
34. Self-service storage facilities		CU	CU	CU				
35. Off-street parking (See Subsection 20-5.7)	A	A	A	A	A	A	A	A
36. Signs (See Subsection 20-5.10)	A	A	A	A	A	A	A	A
37. Fences and walls (See Subsection 20-5.3)	A	A	A	A	A	A	A	A
38. Travel trailers and campers ⁶						A		
39. Temporary construction trailers ⁷	A	A	A	A	A	A	A	A
40. One dwelling unit ¹²	A	A				A		
41. Boat mooring slips, catwalks, piers, docks, landings or observation decks ⁸	A	A						

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42. Garages to house delivery trucks and other commercial vehicles, storage buildings and other customary uses incidental to the principal use ⁹	A	A	A	A	A	A	A	A
43. Employee cafeterias ¹⁰					A			
44. Concrete and asphalt recycling (See Subsection 20-4.10)					A			
45. One tool shed not to exceed an area of 120 square feet						A		
46. Private residential swimming pools (See Subsection 20-5.11)						A		
47. Residential agriculture						A		
48. Affordable accessory apartment	A	A					A	A

Schedule B Notes

- ¹ Banks with drive-through facilities are permitted in the CM2, CM4, CMP Districts. For the TC and TCC District, see Subsection 20-4.7c.5.
- ² Maximum outdoor storage, sale or display for retail garden centers shall not exceed four times the building coverage.
- ³ Process shall occur only within completely enclosed buildings which do not produce noticeable noise, vibration, smoke, dust, odors, heat or glare outside of building(s) on a minimum three-acre site.
- ⁴ Activities shall be conducted entirely within enclosed buildings on minimum three-acre site.
- ⁵ Residential dwelling units are permitted in the TC and TCC Districts as part of mixed-use projects. Additionally, freestanding residential buildings may be constructed within the TC District in accordance with the specific requirements set forth in Subsection 20-4.7c2 and 3.
- ⁶ Travel trailers and campers to be parked or stored only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situate on a lot.
- ⁷ Temporary construction trailers and one sign not exceeding 32 square feet advertising the prime contractor, subcontractors, architect, financing institution, or similar data for the period of construction beginning with the issuance of a construction permit and concluding with issuance of a certificate of occupancy, or one year, whichever is less, provided said trailer(s) and sign are on the site where construction is taking place and set back at least 15 feet from the street and lot lines. Temporary construction trailers may not be located on the street or on the right-of-way unless application is made to the Construction Official, who may, for exceptional reasons, grant a temporary permit for the location of such construction trailer on the street or road right-of-way, which permit shall be effective for a period of 90 days and be renewed for good cause shown, for an additional period of 90 days. Within the “M” Mining District, the sign may not exceed 100 square feet.
- ⁸ On waterfront properties boat mooring slips, catwalks, piers, docks, landings or observation decks. Such structures shall be built on pilings, and the width of the structure shall not exceed twice the clearance between the structure and the surface of the wetlands (as defined and mapped under the Wetlands Act of 1970

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N.J.S.A. 139A-1 et seq.). These uses will necessitate New Jersey Department of Environmental Protection approval for a type “A” permit pursuant to the Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.). The structure shall meet applicable side yard and building coverage requirements of this chapter. (Rear yard requirements do not apply.) No boats moored at a residential property shall be lived in.

⁹ Garages shall not exceed 20 feet in height, and storage sheds shall not exceed 15 feet in height.

¹⁰ Use of the cafeteria is limited to service the employees of the principal use.

¹¹ Minimum three-acre site.

¹² The minimum gross floor area for the dwelling unit shall be 650 square feet. The floor area for the dwelling unit shall not be construed to fulfill the minimum gross floor area required for the commercial use. Within the Pinelands Area, such attached dwellings shall be located on a lot of at least 3.2 acres and shall otherwise comply with the standards of Subsection 20-5.14. For any dwelling unit added after January 1, 2016, said dwelling unit must be an affordable accessory apartment and comply with Subsection 20-4.19. [Ord. #003-2016]

¹³ Shopping centers shall include the above-listed permitted uses numbers 1 through 10.