

**CRANBURY TOWNSHIP ORDINANCE 10-16-22**

**AN ORDINANCE REVISING AND AMENDING THE REGULATIONS PERTAINING TO THE HC HIGHWAY COMMERCIAL AND GC GENERAL COMMERCIAL ZONES IN CHAPTER 150, "LAND DEVELOPMENT" IN THE CODE OF THE TOWNSHIP OF CRANBURY**

**WHEREAS**, on September 15, 2016, the Cranbury Township Planning Board adopted an amendment to the Cranbury Township Master Plan; and

**WHEREAS**, the Planning Board described the purpose of the amendment in its report entitled "Amendment to the Master Plan for Cranbury Township: Highway Commercial (HC) and General Commercial (GC) Zones," prepared by Phillips Preiss Grygiel, LLC, Planning and Real Estate Consultants; and

**WHEREAS**, the Planning Board's report stated:

The purpose of this Amendment to the Township of Cranbury Master Plan is to reexamine the permitted uses and development standards of the Highway Commercial (HC) and General Commercial (GC) districts in Cranbury Township, and to recommend changes intended to spur new development and redevelopment along the Route 130 Corridor that will promote the purposes of the Cranbury Master Plan and the Municipal Land Use Law. The recommended changes to zoning in this amendment are focused on the HC and GC districts within the Township. The proposed revisions have the potential to further advance a number of the Township's planning goals and objectives. The refinements recommended herein do not include any changes to the classifications or boundaries of the HC or GC zones within the Township. Rather, the proposed changes are recommended given the dearth of applications for new development within the above-referenced districts following the 2010 Master Plan and the associated zoning amendments enacted in 2011 intended to implement the recommendations of the Master Plan, as well as the additional refinement following the 2013 Amendment to the Land Use Element pertaining to the Route 130 Corridor and subsequent zoning amendments enacted in 2013.

**WHEREAS**, this Ordinance is intended to effectuate the Planning Board's amendment to the Master Plan, for the reasons set forth in the Planning Board's report; and

**WHEREAS**, upon introduction by the Township Committee, this Ordinance will be referred to the Planning Board for review and report as required by the Municipal Land Use Law, N.J.S.A. 40:55D-26(a).

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Cranbury, as follows:

**SECTION 1.** Chapter 150, Section 7 of the Land Development Ordinance, “Definitions,” is amended to add the following:

**ASSISTED LIVING FACILITY.** A residential health care facility furnishing rooms, meals, dietary services, personal care and supervision of medication to the frail elderly who are ambulatory and not in need of skilled nursing care. They may provide other services, such as recreational activities, financial services and transportation.

**SECTION 2.** Chapter 150, Section 11 of the Land Development Ordinance, “Uses Permitted in all Zones,” is amended to add the following underlined language:

B. Houses of worship. Houses of worship are permitted in all zones except the A-100, R-LI, HC and GC Zones in accordance with the following requirements:

**SECTION 3.** Chapter 150, Section 20 of the Land Development Ordinance, “Highway Commercial (HC) District,” is replaced in its entirety with the following:

A. Purpose. To provide along the Route 130 Corridor, close to the Village Hamlet area, larger retail stores providing goods and services that are unlikely or inappropriate to locate in the Village Commercial VC district in downtown Cranbury, and smaller, less regionally oriented uses provided for in the General Commercial (GC) District

B. Permitted Uses.

The following uses, and those which are substantially similar to them, shall be permitted in the HC-Highway Commercial District:

- (1) Clothing and shoe stores
- (2) Luggage, leather goods stores and jewelry
- (3) Book stores, news dealers and newsstands
- (4) Gift, novelty and souvenir stores
- (5) Office supply and stationary stores

- (6) Sporting goods, hobby, toy and game stores, sewing and needlework stores, musical instruments and supply stores
- (7) Pet and pet supply stores
- (8) Retail bakeries, food and specialty food stores including but not limited to meat, fish, seafood, baked goods, confection, nut stores, and other specialty foods.
- (9) Beer, wine and liquor stores
- (10) Restaurants, cafeterias, delis, caterers, coffee shops, bars and taverns, snack and nonalcoholic beverage bars, but no fast food restaurants or drive-in or drive-through restaurants
- (11) Furniture stores and home furnishings stores, including but not limited to floor covering and window treatment stores
- (12) Household appliance and electronic stores
- (13) Hardware, paint and wallpaper stores, and other buildings material dealers.
- (14) Art dealers, photograph and portrait studios
- (15) Florists, nursery, garden centers and farm supply stores, but not outdoor power equipment stores
- (16) Automotive parts and accessory stores, including tire dealers
- (17) Passenger car rental and leasing
- (18) Pharmacies and drug stores
- (19) Barbers, beauty shops and nail salons
- (20) Health and personal care stores, including food and health supplement stores
- (21) Optical goods stores, cosmetics, beauty supplies and perfume stores
- (22) Real estate agents and brokers
- (23) Travel agencies, tour operators
- (24) Art dealers
- (25) Banks, including drive-through banks, savings institutions and credit unions
- (26) Loan brokers, including but not limited to mortgage brokers, security brokers and commodity contract brokers

- (27) Insurance agencies and brokers, including but not limited to claims adjusting and third party administration of insurance and pension funds
- (28) Management of companies and enterprises, including bank holding companies, offices of other holding companies, and corporate subsidiary and regional managing offices
- (29) Accounting, payroll and tax preparation services.
- (30) Professional and business offices, including but not limited to lawyers, notaries, public accountants, tax preparation services, payroll and other accounting services, architects, landscape architects, engineers, planners, surveyors, mapping, drafting and building inspection services
- (31) Offices for scientific and technical services including but not limited to market research, public opinion polling, commercial photographs, translation and interpretation services.
- (32) Offices for medical practitioners including but not limited to physicians, mental health specialists and practitioners, dentists, chiropractors, optometrists, podiatrists, and physical, occupational and speech therapists.
- (33) Diagnostic imaging centers
- (34) Home health care services
- (35) Blood and organ banks
- (36) Employment services, including placement agencies, executive search services, temporary help services and professional employer organizations
- (37) Business support services, including but not limited to document preparation, telephone answering, telemarketing, contact centers, private mail centers, collection agencies, credit bureaus, court reporting and stenotype services, and repossession services.
- (38) Design services, including interior, industrial, graphic and other specialized design services
- (39) Computer programming, system design, facility management and other computer-related services.
- (40) Management, scientific and technical consulting services, including but not limited administrative, general management human resources, marketing, environmental process, physical distribution and logistics and other scientific consulting services.

- (41) Advertising, public relations and relating services, including but not limited to media buying and representative direct mail advertising, material distribution services and other services related to advertising
- (42) Investigation and security services, including security guard and patrol services, armored car services, security system services and locksmiths
- (43) Services to buildings and dwellings including janitorial services and carpet and upholstery cleaning
- (44) Packaging and labeling services, convention and trade show organizing services and other support services
- (45) Retail Shopping centers combining uses that are permitted within the zone
- (46) Hotels and Inns
- (47) Self-storage warehouses
- (48) Health clubs, gyms, Pilates, yoga, dance and martial arts studios, and uses which are substantially similar.
- (49) Assisted Living Facilities
- (50) Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

C. Conditionally Permitted Uses.

In addition to the conditional use standards set forth below for each conditional use permitted in the HC Highway Commercial Zone, all of the conditionally permitted uses shall be located on the east side of U.S. Route 130.

- (1) Car wash establishments, subject to the following additional standards:
  - (a) The car wash facility shall adhere to the area and bulk regulations for the HC Highway Commercial District as set forth in §150-20D.
  - (b) No parking area, driveway aisle, loading area or outdoor working area shall be located within 15 feet of a front or rear property line, or within 20 feet of a side property line. Within these setbacks to the side or rear of the property, a landscaped buffer of at least 10 feet in width shall be provided for screening purposes.

- (c) All mechanical car wash facilities shall be located within an enclosed building whose entry shall not face the front property line, and shall be capable of being locked and secured during hours when the facility is closed.
  - (d) Entrance into the car wash building faces a residential use or zone, the entrance to the car wash, including the portion where cars are vacuumed or prepared prior to entry into the building shall be screened by means of opaque fence or wall of at least six feet in height with landscaping adjacent property.
  - (e) All outdoor cleaning equipment including vacuum cleaners, buffer, steam cleaners, compressor air hose and the like shall be located in the side or rear yard, and if provided the applicant shall provide evidence that the state noise standards shall be adhered to.
  - (f) Only hand-drying of vehicles shall be permitted in the front yard. A maximum of four spaces per mechanical car wash lane may be provided in the front yard for this purpose.
  - (g) A double row of vehicular stacking spaces shall be provided behind the entrance to the car wash building with space for no less than eight (8) vehicles per lane. No part of the stacking lane shall be permitted in the front yard.
  - (h) Additional off-street parking spaces shall be provided for employees on maximum shift, as well as for the storage of vehicles that are undergoing treatment of a longer duration, such as detailing. Additionally, two parking spaces shall be provided for each self-service vacuum position.
  - (i) All wash water generated from the car wash, including that which is generated outside the car wash building, shall be contained within a spill containment pad to prevent run-on of storm water from adjacent paved areas, and shall be collected via a drain system which discharges into the sewer system. A water recycling system to reuse the rinse water shall be included in the facility.
  - (j) No outdoor public address system, bells, or music shall be permitted.
  - (k) The hours of operation shall be limited to 7:00 a.m. until 8:00p.m. Monday through Friday and 7:00a.m. until 6 p.m. Saturday and Sunday.
- (2) Coffee Shops, with drive-through, subject to the following additional standards
- (a) Two drive-through lanes shall be provided, one for stacking and the other as a by-pass lane.
  - (b) Each drive-through lane shall be a minimum of nine (9) feet wide, and the drive-through stacking lane shall allow for the continuous stacking of 8 vehicles

(a total length of 160 feet) without blocking or encroaching upon entry or exit driveways, or driveway aisles used for access into or out of parking stalls.

(c) In addition to the drive-through lanes, parking stalls be provided at a ratio of 1 space per one hundred and fifty (150) square feet, and with no less than twenty (20) spaces in total.

(3) Fuel stations and convenience stores, subject to the following additional standards

(a) No fuel pump shall be located less than 35 feet from any public right-of-way or property line.

(b) At least two driveways shall be provided, as least 18 feet wide and no more than 30 feet wide, and located not less than 20 feet from any adjoining property or corner of an intersecting public street. Such driveways shall be separated by a distance of at least 100 feet measured from the centerline of each driveway. No more than two curb cuts may be permitted per street frontage, and no more than three curb cuts on corner lots.

(c) No servicing, repair, auto body work, automobile sales, towing or any other automobile-related activities shall be permitted except for the sale of automobile accessories, such as oil or window washer fluid and the provision of one or more air pumps.

(d) No overnight parking shall be permitted.

(e) A canopy may be provided over the fuel service area, but such canopy shall contain only one sign or logo.

(f) Canopy illumination, if any, shall be limited to recessed lights installed underneath the canopy. Any such lights shall be directed downward and shall employ cut-off shield to minimize glare, nuisance to adjacent property owners, and sky glow. Average light levels underneath the canopy shall not exceed 5 footcandles, nor shall any light levels at the property line exceed 0.1 footcandle.

(g) For a fuel service station, only one freestanding sign shall be permitted, which may include price information, and shall not exceed 60 square feet in area or 20 feet in height and shall not be located closer than 20 feet from any public right-of-way. If the site has frontage on a second public street, a second freestanding sign may be provided, subject to the same dimensional limitations and setback requirements.

(h) One wall sign on any convenience store or accessory fuel service station building shall be permitted per street frontage, and shall not exceed 40 square feet in area.

(i) No storage or display or any kind shall be permitted outdoors.

(j) A curbed, landscaped area, at least 15 feet in width, shall be installed and maintained and shall extend along all front, side and rear property lines.

(k) Off-street parking for fuel service stations shall be provided at a ratio of one space for each two pumps and a minimum of four spaces. This shall be in addition to the parking that may be required for a convenience store pursuant to Subsection C(3)(m) below, if the fuel service station is located on the same property as the convenience store.

(l) No convenience store shall exceed one story or 24 feet or have a floor area which exceeds 6,000 square feet.

(m) Off-street parking for the convenience store shall be provided at a ratio of one space for each 150 square feet of floor area. This shall be in addition to the parking that may be required for a fuel service station pursuant to Subsection C(3)(k) above, if the convenience store is located on the same property as the fuel service station.

(n) One truck loading space at least 10 feet wide by 50 feet long with a height clearance of 14 feet shall be provided for the convenience store and shall be located to the rear of the store. To the extent necessary to block views of the loading area from the street, a fence, wall, plantings or a combination hereof shall be provided to shield views of such loading space.

(o) A standalone convenience store may have a freestanding sign of the same dimensions, height and location as that permitted by a fuel service station. However, if both uses are located on the same property, the convenience store may have a second such freestanding sign, provided the total area of the two signs does not exceed 100 square feet.

(4) Automotive oil change and lubrication shops, subject to the following additional standards

(a) Such establishments shall meet the bulk requirements for the HC Zone, a variance from which shall be deemed to be a d(3) variance pursuant to NJSA 40:55 D-70 d(3)



- (b) All service, repair work, cleaning or other automotive-related services shall be performed in a fully enclosed building.
- (c) No repair bay shall face a public street.
- (d) No towing or automotive sales shall be permitted on the premises.
- (e) All overnight parking of vehicles shall be confined to the rear yard and screened from view by buildings or solid fences or landscaping.
- (f) Off-street parking in the amount of ten (10) spaces per service bay shall be provided, but in no case shall less than twenty (20) off-street parking spaces be provided.
- (g) A curbed landscaped area at least 15 feet in width shall be installed and maintained along all front, side and rear property lines.
- (h) No more than one monument sign and on wall sign shall be permitted, which size and location shall adhere to the standards set forth for signs in the HC zone, and no other signs, sandwich boards or displays or shall be permitted, temporarily or otherwise on the premises.

(5) Recreational vehicle and boat dealers, subject to the following additional standards

- (a) Such establishments shall meet the bulk requirements for the HC Zone, a variance from which shall be deemed to be a d(3) variance pursuant to NJSA 40:55 D-7 d(3).
- (b) All service and repair work, or any other related services shall be performed within a fully enclosed building.
- (c) A curbed landscaped area of at least 25 feet in depth shall be provided along the front property line, and shall not be used for the display or storage of boats or vehicles.

D. Prohibited Uses.

The following uses and those uses which are substantially similar to them are specifically prohibited in the HC-Highway Commercial District.

- (1) Tattoo parlors and tanning salons.
- (2) Fast food restaurants.

- (3) Residential uses, aside from Assisted Living Facilities.
- (4) General automotive maintenance and/or repair, including transmissions, exhaust, mechanical and electrical systems.
- (5) Automotive body maintenance and/or repair, including glass replacement shops.

E. Area and bulk regulations.

- (1) Minimum lot area: two acres.
- (2) Minimum lot frontage: 150 feet.
- (3) Front yard depth: 75 feet minimum and a maximum of 100 feet.
- (4) Minimum side yard width: 20 feet.
- (5) Minimum rear yard depth: 35 feet.
- (6) Maximum permitted floor area (FAR):
  - (a) For one-story buildings: 0.30.
  - (b) For two- or three-story buildings: 0.40.
- (7) Maximum building height: 40 feet or three stories, whichever is less however, one story buildings may not exceed 24 feet in height.
- (8) Maximum impervious coverage.
  - (a) The maximum impervious lot coverage shall be 60% utilizing standard, impervious paving techniques for all paved surfaces. However, alternative porous paving systems that provided stormwater infiltration and storage may be used to attain a total lot coverage of 75% with no more than 60% of the lot coverage being impervious surfaces and up to a maximum of an additional 15% of the lot coverage being pervious paving surfaces.
  - (b) Only pavers over a pervious base or turf blocks, both of which are suitable for lesser-used area, such as overflow parking areas and emergency or maintenance access roads, shall be counted as pervious surfaces towards the allowable additional 15% of lot coverage above the maximum sixty-percent standard impervious paving. An approved, maintenance plan incorporating best management practices shall be required upon approval.

**SECTION 4.** Chapter 150, Section 21 of the Land Development Ordinance, “General Commercial (GC) District,” is replaced in its entirety with the following:

A. Purpose. The purpose of this district is to encourage regionally oriented retail and automotive-related services and sales. Envisioned for larger, modern suburban-style shopping centers that will allow Cranbury to provide retail goods and services that are not appropriate for the Historic Village downtown are, and to make Cranbury’s retail sector more competitive with retail offerings in adjacent communities.

B. Permitted Uses.

The following uses, and those which are substantially similar to them, shall be permitted in the GC-General Commercial District

- (1) All uses which are permitted in the HC-Highway Commercial District (§150-20B)
- (2) New and used car dealers.
- (3) Motorcycle, ATV and other motor vehicle dealers.
- (4) Outdoor power equipment stores.

C. Conditionally Permitted Uses

- (1) The same uses permitted conditionally in the HC-Highway Commercial District (§150-20C) shall be permitted conditional uses in the GC district, and subject to the same conditional use standards.

D. Prohibited Uses

The following uses, and those substantially similar to them, shall be prohibited in the GC-General Commercial District.

- (1) The same uses which are prohibited in the HC-Highway Commercial District (§150-20D).

E. Area and Bulk Regulations

- (1) Minimum lot area: three acres
- (2) Minimum lot frontage: 200 feet.
- (3) Minimum front yard depth: 75 feet minimum.
- (4) Minimum side yard width: 20 feet minimum.
- (5) Minimum rear yard depth: 35 feet minimum.
- (6) Maximum FAR: 0.40.
- (7) Maximum building height: 40 feet or 3 stories whichever is less; however one story buildings shall not exceed 24 feet in height.
- (8) Maximum lot coverage:
  - (a) The maximum impervious lot coverage shall be 60% utilizing standards, impervious paving techniques for all paved surfaces. However, alternative porous paving systems that provided stormwater infiltration and storage may be used to attain a total lot coverage of 75%, with no more than 60% of the lot coverage being pervious paving surfaces.
  - (b) Only pavers over a pervious base or turf blocks, both of which are suitable for lesser-used areas, such as overflow parking areas and emergency or maintenance access roads, shall be counted as pervious surfaces towards the allowable additional approved, maintenance plan incorporating best management practices shall be required upon approval.

**SECTION 5.** Chapter 150, Section 43 of the Land Development Ordinance, “Parking and loading functions,” is amended to add the following underlined language:

A. Off-street parking spaces

- (2) The following minimum number of parking spaces shall be provided for uses specified per gross floor area unless otherwise indicated.

Land or Building Use: Assisted Living Facilities

Minimum Standards (number of spaces): 0.5 spaces per dwelling unit

**SECTION 6.** Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

**SECTION 7.** Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 8.** Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on October 10, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on October 24, 2016 at 7:00 p.m., and during the week prior and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office (or by going to the Township's website: [www.cranburytownship.org](http://www.cranburytownship.org), then click on Document Library, New Ordinances) to the members of the general public who shall request the same at no charge.

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Kathleen R. Cunningham, RMC  
Municipal Clerk