

Chapter 203. Land Use and Development

Article IX. Commercial Districts

§ 203-74. Village Commercial District.

[Added 7-7-1997 by Ord. No. 1261-97]

- A. Purpose. The purpose of this section is to encourage commercial and office uses that are compatible with the historic and residential character of the area generally along Main Street and Mill Street from the eastern end of Gaskill Park to Railroad Avenue by: permitting uses that promote the conversion of existing buildings in a manner that maintains and restores the exterior architectural character of the building and is reflective of the historic character of the district; discourages the development of highway-oriented commercial uses that require numerous curb cuts, large parking fields and generate high traffic volumes; minimizes visual and functional conflicts between residential and nonresidential uses within and adjacent to the district; encourages shared parking and shared driveways and encourages uses that minimize noise and congestion.
[Amended 8-3-2009 by Ord. No. 1655-2009]

- B. Permitted principal, accessory and conditional uses.
[Amended 10-16-2017 by Ord. No. 1858-2017]

(1) Permitted principal uses for the Village Commercial District shall be as follows:

- (a) Studios for artist, craftsmen, photography, dance or music.
- (b) Personal service establishments.
- (c) Business offices.
- (d) Bicycle and scooter rental establishments
- (e) Professional offices.
- (f) Single-family detached dwellings.
- (g) Bed-and-breakfast establishments (see § **203-196.2**).
- (h) Clubs, lodges or fraternal organizations.
- (i) Restaurants and cafes, excluding drive-in or drive-through restaurants.
- (j) Existing places of worship.
- (k) Retail stores and shops.
- (l) Funeral parlors.
- (m) Minor repair operations for electronics, jewelry, watches, shoes and appliances.
- (n) Museums, art galleries and similar uses.
- (o) Theaters.

(p) Bars, pubs and taverns, including establishments holding a restricted brewery license as defined at N.J.S.A. 33:1-10.

(q) Health and exercise facilities.

(2) Accessory uses.

(a) Private garages and storage sheds.

(b) Private swimming pools (see § 203-178).

(c) Off-street parking and loading areas.

(d) Other accessory buildings or structures supportive of the permitted principal use.

(3) Conditional uses.

(a) Residential dwelling uses in a mixed-use building subject to the following conditions:

[1] Residential dwelling units shall not occupy any part of the first floor of any building.

[2] Nonresidential uses shall not be permitted on an upper floor where there is a residential unit.

[3] For developments with five or more residential units, Pinelands development credits shall be acquired and redeemed at a rate of one right for every four non-income-restricted units (25% of all market units).

(b) Mixed residential/commercial buildings up to three stories in height subject to the following conditions:

[1] Uses in the building comply with the conditions of Subsection **B(3)(a)** (above).

[2] The development provides an amenity that advances an objective of the Mays Landing Neighborhood plan, such as, but not limited to, provides parking to serve the surrounding area, provides a street level open space/plaza area.

[3] The exterior architecture of the structure shall be in keeping with the existing character of the Mays Landing Historic District.

C. Area and bulk requirements. Area and bulk requirements for the Village Commercial District shall be as follows:

[Amended 10-16-2017 by Ord. No. 1858-2017]

Maximum building height

Principal	2.5 stories or 35 feet
Accessory building/structure	1.5 stories or 15 feet
Minimum lot area	5,000 square feet
Maximum impermeable coverage	75%
Setback requirements	
Front yard	Minimum: 5 feet or the smaller of the adjacent buildings, whichever is less. Maximum: 10 feet
Side yard	20 feet aggregate/minimum 8 feet on one side
Rear yard	20 feet
Minimum landscaped area	25%

D. Parking requirements. Parking requirements for the Village Commercial District shall be as follows:

[Amended 9-6-2011 by Ord. No. 1699-2011; 10-16-2017 by Ord. No. 1858-2017]

(1) Minimum number of spaces.

- (a) Uses with frontage on Main Street or Mill Street shall not be required to provide additional on-site parking, provided there is no increase in the gross floor area of the building. Lots with frontage on Main Street or Mill Street which have existing parking or loading areas shall not be permitted to reduce the supply of such parking or loading, and the supply may be increased, but there shall be no new direct access drives to the parking or loading areas from Main Street or Mill Street. If a new building is constructed or an existing building expanded along Main Street or Mill Street, on-site parking shall be expanded or off-site parking shall be required to accommodate the added floor area.
- (b) Parking for residential uses shall comply with the requirements of the Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.).
- (c) Nonresidential uses in the VC District shall comply with the parking requirements of § **203-60**. The required parking shall be either provided on site, in the Township-maintained public parking lot, pursuant to Subsection **D(1)(d)** (below), or through a common or shared parking arrangement, pursuant to Subsection D(3).
- (d) Use of the public parking lot. If a change of use results in an increased parking requirement, the property owner shall not be required to construct the additional parking on-site, or seek a parking variance, provided that they comply with the following:

- [1] All existing parking spaces on site, if any, are maintained.
- [2] All areas on site that can reasonably be used for parking, pursuant to the setback requirements of Subsection D(2), and the stormwater management standards of this chapter, are developed for parking.
- [3] There is no increase in the area of the building used for nonresidential uses.
- [4] The owner shall install signs on-site, as directed by the Board professional, informing patrons of the availability and location of public parking.
- [5] The owner and tenant shall execute an agreement with the Township requiring the owner, tenant and all employees to park in the nearest public parking lot at all times. Violation of this agreement shall be considered a violation pursuant to § **203-218** and subject to the penalties set forth in that section.
- [6] The owner/tenant shall pay to the Township an annual fee of \$100 per space, to be used towards the upkeep and maintenance of the public parking lot.

(e) Parking design standards.

[1] Minimum parking setbacks.

Front	The front building setback line or 25 feet, whichever is greater
Side	5 feet
Rear	5 feet
Building	8 feet

- [2] Exceptions to required setbacks. A parking area shared by uses located on two or more adjacent lots may extend to and over the boundary lines of the lots it serves, provided that the outer perimeter of the parking area complies with the setback requirements.
- [3] Common and shared parking areas. Common and shared parking areas and accessways shall be permitted and encouraged subject to the following:

- [a] Parking requirements may be reduced to account for shared parking among uses. The reduced parking must be justified to the Planning Board's Traffic Engineer for recommendation to the Planning Board. In no instance will reduction of over 25% be approved. In addition, the shared parking must be reasonably close to each of the facilities as determined by industry standards, with a maximum walking distance of 300 feet.
- [b] Access agreements and maintenance agreements or other suitable legal mechanisms shall be provided where necessary.
- [c] Liability safeguards for all property owners and lessees served by the common or shared parking areas and/or accessways shall be guaranteed to the satisfaction of the Township Solicitor.
- (f) Bicycle racks. Bicycle racks shall be incorporated in the parking and circulation design of commercial and office uses in the VC District to promote alternate means of access for employees and patrons/clients.
- (g) Loading areas. See § **203-60E**.

E. Standards for buildings and site improvements.
[Amended 10-16-2017 by Ord. No. 1858-2017]

- (1) All commercial uses occupying existing structures in the Village Commercial District shall retain the existing architectural facade characteristics of the building and architecturally relate to the historic characteristics of the surrounding area.
- (2) New commercial structures shall incorporate a pedestrian-friendly design, including, but not limited to, orienting the building towards the street rather than a parking area and providing pedestrian access from street to the building.
- (3) New commercial structures shall be designed to maintain the architectural characteristics of existing structures considered common to this area, particularly those designated as historically significant buildings found in the Village Commercial District. Site improvements, such as, but not limited to, lighting, fences, sidewalks, etc., shall be consistent with the historic characteristics of the surrounding area.

F. Signs. The sign standards established at § **203-214** for the Historic District shall be applicable to development in the Village Commercial District. Historically significant buildings shall have historic plaques designating the date and historic value of the building. Such plaques shall be consistent with the recommended prototypes shown in Figure 78A-71.1 or as approved by the Historic Preservation Commission.^[1]

[1] *Editor's Note: Figure 78A-71.1 is located at the end of this chapter.*

G. Other standards. All nonresidential used in the VC District shall comply with the standards and controls applicable to the GC District found in § **203-62** (Landscaping), 203-60 (Lighting) and 203-64 (Fences), provided that the style and materials installed are consistent with approved Historic District standards.