

**55-19. C-N NEIGHBORHOOD COMMERCIAL ZONE.**

**[Amended 8-4-97 by Ord. No. 1997-29 § 3; 8-17-98  
by Ord. No. 1998-13 §§ 4, 7; 10-5-98 by Ord. No.  
1998-22 § 4]**

**The following regulations apply in the C-N Zone. A. *Permitted Uses.***

- (1) Retail trade and service establishments, including the sale of groceries, baked goods, fishing supplies, gifts, apparel, antiques, housewares, and appliances, barber and beauty shops, laundries and such other similar uses.**
- (2) Business and professional offices.**
- (3) Automotive filling stations.**
- (4) Day nurseries.**
- (5) Parks and preserves.**
- (6) The erection, construction, alteration or maintenance by a public utility or municipal agency of underground distribution or collection systems for the furnishing of adequate service by such utility or agency to the use on the same lot and/or surrounding neighborhood or for the public health, safety or general welfare.**

- (7) Restaurants.
- (8) Bed and breakfast inns and tourist homes: Owner-occupied dwellings providing overnight guest accommodations and prepared meals to transients for compensation. A bed and breakfast inn shall contain no more than ten (10) guest rooms; provide a minimum of two (2) off-street, on-site parking spaces plus one (1) space per guest room; restrict the duration of the stay of patrons to a maximum of fourteen (14) consecutive nights; and restrict the service of meals to overnight guests. Individual kitchen facilities or kitchenettes in the guest rooms shall be prohibited. [Amended 2-16-99 by Ord. No. 1999-4]
- (9) Ambulance dispatch service (no on-site maintenance).
- (10) Auctions—not to include permanent flea markets.
- (11) Funeral homes.
- (12) Home building supply center.
- (13) Car wash.
- (14) Municipal offices and fire and rescue stations.
- (15) [Amended 11-3-03 by Ord. No. 2003-41] Detached single-family dwellings for residential purposes, together with their accessory structures. The single-family dwellings shall conform to the following minimum building requirements:
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|--|--------------------|
| Front yard setback                             | 40 ft.             |
| Side yard setback (one side)                   | 10 ft.             |
| Side yard setback (both sides)                 | 25 ft.             |
| Rear yard setback                              | 35 ft.             |
| Maximum percentage of lot coverage by building | 20%                |
| Maximum building height                        | 2.5 stories/35 ft. |

Accessory building side yard setback	5 ft.
Accessory building rear yard setback	10 ft.

**B. *Accessory and Temporary Uses.***

- (1) One (1) accessory apartment in a permitted establishment, such apartments to be no less than seven hundred (700) square feet in area.**
- (2) Temporary on-site construction trailers for which permits may be issued for periods up to one (1) year, subject to renewal.**

(3) Signs as provided for in this chapter.

C. *Conditional Uses.* The following uses shall be permitted in the C-N Zone, subject to the issuance of a conditional use permit in conformance with the provisions of this chapter:

- (1) [Deleted 8-5-96 by Ord. No. 1996-28 § 2]
- (2) [Deleted 8-5-96 by Ord. No. 1996-28 § 2]
- (3) Public utility uses, such as water towers, electric substations, radio towers and transmission lines, which must be provided above ground.
- (4) Nursing homes.
- (5) Commercial recreation establishments including bowling alleys and theaters.
- (6) Motel/hotel.
- (7) State licensed boarding homes.
- (8) Automotive repair garages, subject to the requirements of § 55-180.1 and § 55-200 through § 55-202.
- (9) Assisted living facilities, nursing and convalescent homes and long-term care facilities may be permitted in those zoning districts specified, subject to the issuance of a conditional use permit and adherence to the minimum requirements of the particular zone and the following standards:
  - (a) A statement shall be submitted with the application setting forth the full particulars regarding the use, activities and buildings.
  - (b) The site shall have frontage on and have primary direct access to and from a county road or a New Jersey State Highway or a Barnegat Township improved road.

(c) Minimum requirements shall be as follows:

[1] Minimum area, yard and building requirements.

[a] Lot requirements.

[I] Lot area: five (5) acres.

[II] Lot width: two hundred (200) feet.

[III] Lot frontage: two hundred (200) feet.

[IV] Lot depth: two hundred (200) feet.

[b] Principal building requirements.

[I] Front yard setback: one hundred (100) feet.

[II] Rear yard setback: fifty (50) feet.

[III] Side yard setback, each side: fifty (50) feet.

[c] Accessory building requirements. Accessory building requirements shall be the same as those established for the particular zoning district within which the facility is located.

[d] Maximum building coverage (combined coverage of all principal and accessory buildings) shall be twenty percent (20%).

[2] Maximum principal building height: thirty-five (35) feet, provided, however, that the height of a structure, or portion thereof, may exceed the maximum as

otherwise permitted in § 55-129, provided that the front, rear and side yard requirements set forth above shall be increased by one (1) foot for each foot by which the height of the structure, or part thereof, exceeds the permitted maximum height; and further provided that in no case shall any proposed structure, or part thereof, exceed three (3) usable floors (stories) and fifty (50) feet in height.

[3] Maximum accessory building height: thirty-five (35) feet.

- (d) All support facilities, functions and services shall be intended for the use and benefit of the resident users of the facility and their guests.
- (e) Support services, functions and facilities within a facility or development may include the following or similar personal services:
  - [1] Indoor and outdoor recreational facilities.
  - [2] Physical therapy facilities.
  - [3] Entertainment facilities.
  - [4] Libraries.
  - [5] Food preparation facilities.
  - [6] Dining facilities.
  - [7] Linen service facilities.
  - [8] Nursing services.
  - [9] Housekeeping services.
  - [10] Health care facilities and services, including nursing beds, security

facilities, administrative offices, storage facilities, chapels, facilities for the temporary lodging of guests and limited service facilities.

[11] Medical day care/social day care (adult day services).

[12] Personal care centers (haircutting, shampooing, personal grooming, etc.).

(f) Parking facilities for the residents, employees and visitors of the assisted care facility shall be provided based on a total of the following:

[1] One (1) space per State licensed assisted living dwelling unit. Provided however, that the applicant shall be allowed to provide, at the time of initial construction, one (1) parking space for every three (3) dwelling units, but reserve an adequate area for future construction of the additional required parking spaces should the actual operating experience demonstrate that the amount of parking initially provided is insufficient.

[2] One (1) space per day-shift employee.

[3] One (1) space per ten (10) independent living units for visitor parking.

[4] Where fractional spaces result in the calculation of the requirements, the required number shall be construed to be the nearest whole number.

(g) Any health care facility shall be licensed by and/or meet all applicable standards of Federal, State and county regulatory agencies.

(h) **Minimum residential floor area.** The requirements contained in this section are designed to promote and protect the public health, to prevent overcrowded living conditions, to guard against the development of substandard neighborhoods, to conserve established property values and to contribute to the general welfare.

[1] **Assisted living housing apartments** (Required total floor area includes bathrooms, kitchenettes, closets, vestibules, etc.):

[a] **Studio apartments:** three hundred fifty (350) square feet.

[b] **One (1) bedroom apartments:** five hundred (500) square feet.

[c] **Two (2) bedroom apartments:** seven hundred (700) square feet.

[2] **An additional fifty (50) square feet per unit is required for common dining and recreational space.**