

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

ORDINANCE 2021-22

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY AMENDING CHAPTER 65 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED “ZONING” TO ADOPT AND ENACT ARTICLE VII “HCC - HOMESTEAD COMMERCIAL CENTER”, AND TO AMEND THE MANSFIELD TOWNSHIP ZONING MAP, 65 ATTACHMENT 1 “TABLE OF ZONING AMENDMENTS” AND 65 ATTACHMENT 2 “ZONING SCHEDULE OF AREA AND BULK REGULATIONS”.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, as follows:

SECTION ONE: Purpose: As part of the original and amended General Development Plan approval for the Homestead residential development in Mansfield Township, a non-residential area was established and set aside to serve the commercial and shopping needs of the community and the surrounding area. A shopping center was developed on Block 42.01, Lot 1 and Block 42.30, Lot 151 known “Homestead Plaza”. Although the shopping center has been developed with commercial, nonresidential uses generally following the C-1 Neighborhood Commercial Zoning District standards, the area has never been included in a zoning district with permitted, conditional and accessory uses designated for the area. The intent and purpose of this Ordinance to establish the permitted, conditional and accessory uses for the area that reflect the current commercial and shopping needs of the community and surrounding area within the HCC Homestead Commercial Zoning District established herein.

SECTION TWO: Chapter 65 “Zoning” is hereby amended to adopt and enact a new Article VII (previously reserved) “HCC Homestead Commercial Center” as follows:

Article VII: HCC Homestead Commercial Center

§ 65-20. Permitted uses.

It is the purpose of the HCC Homestead Commercial Center Zoning District C-1 Zone to permit development and redevelopment of community-scale commercial and office uses, and compatible mixed uses within the existing developed shopping center in Block 42.01, Lot 1 and Block 42.30, Lot 151. In the HCC Homestead Commercial Center land, buildings or premises shall be used by-right only for one or more of the following uses; provided, however, that no single business establishment or institutional use shall occupy a total floor area in excess of 10,000 square feet, except for grocery stores, which shall not occupy a total floor area in excess of 20,000 square feet.

- A. Health care and related uses**, such as: adult daycare services; licensed childcare services and pre-schools; medical and diagnostic laboratories; outpatient care services; and vocational rehabilitation services.

- B. **Educational uses**, such as: business, technical, and trade schools; instructional academies for fine, martial, and performing arts, language, driving, etc; and tutoring and test preparation services; and training academies.
- C. **Banks and finance, insurance, and real estate uses**, such as: banks and credit unions; and finance, insurance and real estate offices.
- D. **Eating and drinking establishments**, such as: full-service restaurants, where patrons order and are served while seated and pay after eating; limited-service restaurants, where patrons order and pay before eating at the restaurant or elsewhere; buffets and cafeterias, where patrons serve themselves and eat seated at the restaurant; and caterers & catering halls.
- E. **Personal and household services**, such as: dry-cleaning and laundry services; hair, nail, skin, diet, and weight care services; pet care services; photography studios and photofinishing services; tailoring and dressmaking services; and repair services for personal and household items, such as cameras, jewelry, musical instruments, precision equipment, and timepieces; computer, electronic, and telecommunication equipment; footwear, leather goods, and luggage; furniture, furnishings, and upholstery; home appliances; medical and optical supplies; mortuary; and similar items.
- F. **Recreational uses**, such as: art galleries; libraries, museums and historical sites; private and commercial athletic, exercise, fitness, spa, sports, and wellness centers; and similar indoor facilities.
- G. **Retail sale of fresh, packaged, and prepared foods and related items**, including food markets, convenience stores and small specialty supermarkets, such as: baked goods and tortillas; beer, wine, and liquor; hot and cold beverages, ice, and soft drinks; dairy items; meats; confections, dessert, nuts, and snacks; fish and seafood; flowers; fruit and vegetables; herbs, seasonings, and spices; tobacco and other consumable foodstuffs.
- H. **Retail sale and associated repair of personal items**, such as: clothing, accessories and shoes; jewelry, luggage, and leather goods, optical care and medical supplies; pet and pet supplies; pharmacies and health and personal care supplies; and similar items.
- I. **Retail sale and associated repair of home improvement and household items**, such as: appliances and electronic devices; building equipment, materials and supplies; furniture, home furnishings, and decorations; hardware; lawn and garden equipment, materials, and supplies; and similar items.
- J. **Retail sale and associated repair of other domestic and small business items**, such as: artworks and craftworks, including production studios and galleries; audio, gaming, and video electronic media, including rentals; automobile parts and supplies; books, newspapers, magazines, music, periodicals, and other non-electronic media; computers and telecommunication device and accessories; office supplies, stationery, cards, and gifts; hobbies, toys, and sporting goods; and similar items.
- K. **Professional, scientific, and technical services**, such as: accounting, tax preparation, bookkeeping, and payroll services; advertising, public relations, and related services; architectural, engineering, and related services; computer systems design and related services; home improvement contractor services without equipment and materials storage; legal services; management, scientific, and technical consulting services; marketing research and public opinion

polling; physicians, dentists and other licensed health practitioners; specialized design services; translation and interpretation services; and veterinary services.

- L. Administrative and support services**, such as: business support services; copying, photocopying and printing services; employment services; facilities support services; investigation and security services; mailing, packaging and labeling services; office administrative services; property maintenance, janitorial and similar services; and travel arrangement and reservation services.
- M. Contractor Offices**, including an office of a carpenter, contractor, plumber, electrician, painter, roofer, or similar non-nuisance business, subject to the conditions of § 65-14.J.
- N. Government buildings, facilities, and uses**, including parks, playgrounds, and municipal parking facilities.
- O. Utility substations**, subject to the following requirements:
 - 1. No storage of materials and trucks and no repair facilities or housing of repair crews except within completely enclosed buildings shall be permitted.
 - 2. The architectural design of the exterior of any building shall be in keeping with other structures in the neighborhood.
 - 3. Screening shall be developed in accordance with the requirements of this chapter. All plants not surviving one year after planting must be replaced.
- P. Solar energy systems**.
- Q. Community stormwater management basins** and green infrastructure systems, per N.J.A.C. 7:8.
- R. Decentralized/shared/cluster wastewater management systems**, per N.J.A.C. 7:9A.
- S. Publicly-owned and privately-owned wastewater treatment works**, per N.J.A.C. 7:14A.

§ 65-21. Accessory uses.

Only the following accessory uses shall be permitted:

- A.** Accessory uses on the same lot with and customarily incidental to any of the above permitted uses.
- B.** An eating and drinking establishment or retail prepared foods sales establishment shall be permitted to operate outdoor cafes in adjacent courtyards, plazas and on sidewalks as an accessory use, provided pedestrian circulation and access to store entrances shall not be impaired and the following standards and guidelines are met:
 - 1 To allow for pedestrian circulation, a minimum of five feet of sidewalk along the curb and to the entrances of the establishment shall be free of tables and other encumbrances.
 - 2 Outdoor cafes not occupying sidewalks shall be delineated by permanently placed

planters, fencing and/or walls. Outdoor cafes occupying sidewalk areas shall be delineated by moveable enclosures.

- 3 Awnings, canopies or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors.
- 4 Outdoor cafes shall provide outdoor trash receptacles.
- 5 Tables, chairs, planters, trash receptacles and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.
- 6 Outdoor entertainment is prohibited.
- 7 Outdoor cafes shall be located a minimum of 50 feet from all residential lot lines.
- 8 Operators or owners of establishments with outdoor cafes shall be responsible for trash pick-up and shall maintain a litter-free and well-kept appearance within and immediately adjacent to the outdoor cafe.
- 9 Outdoor cafes shall not be entitled to additional signage, beyond what is permitted for the main use.

C. Delivery services for all eating and drinking establishments.

D. Indoor dancing and entertainment uses for full-service eating and drinking establishments;

E. Off-street parking and loading, per § 65-96 through 99.1.

F. Electric vehicle service stations, which may be counted as part of the use(s) minimum off-street parking requirement.

G. Signs, per § 65-113.

H. Roof-mounted solar energy systems.

§ 65-22 Prohibited uses.

In addition to those listed in Article XIX “General Regulations”, § 65-88 “Prohibited Uses”, the following uses also shall be prohibited in the HCC Homestead Commercial Center zoning district:

A. Automotive sales/leasing, repair, washing/detailing.

B. Gasoline service stations.

§ 65-23. Area and bulk regulations.

Area and bulk requirements shall be as follows:

A. Lot size: 7,500 square feet minimum.

- B.** Lot width: 50 feet minimum.
- C.** Lot depth: 150 feet minimum.
- D.** Lot coverage: 40 % maximum for single-family uses, with or without accessory apartment units; 70 % maximum for all other uses.
- E.** Front yard: 20 feet minimum from Township streets; 0 feet from all other.
- F.** Side yards: 20 feet aggregate total with an eight-foot minimum, each, provided that, when a written agreement is provided by adjoining property owners, no side yard shall be required where two or more commercial uses abut side to side, between properties of separate ownership. In case of a series of abutting structures paralleling a public right-of-way, an open and unobstructed passage of at least 30 feet in width shall be provided at grade level at intervals of not more than 300 feet.
- G.** Rear yards: 25 feet minimum.
- H.** Height: 2.5 stories maximum.

§ 65-23.1 Other regulations.

- A.** All other regulations of this chapter shall be followed, as required.
- B.** All improvements and uses shall be set back a minimum of 25' from the right- of-way line of all contiguous streets.
- C.** The buildings, sizes, shapes, site positions and architectural design shall be considered along with the landscape and natural features.
- D.** There shall not be any outside storage and sales of materials unless the following conditions and standards are met to the satisfaction of the Consolidated Land Use Board of Mansfield Township:
 - 1.** The use will not injure or detract from the use of neighboring property.
 - 2.** The use will not detract from the character of the neighborhood.
 - 3.** The use of the property adjacent to the area included in the plan is adequately safeguarded.
 - 4.** The property is suitable for the intended use.
 - 5.** The use will serve the best interests of the Township.
 - 6.** The use will not adversely affect public sewers and facilities, such as water, sewer, police and fire protection.
 - 7.** The use will not adversely affect the drainage facilities in the adjacent neighborhood.
 - 8.** The use will not adversely affect the safe flow of highway traffic and adequate roadway accesses

are provided to protect roadways from undue congestion and hazards.

9. There shall be no storage, display or sale of any merchandise whatsoever in the front yard setbacks unless the criteria set forth herein is met.
10. All merchandise accessible to the public shall be adequately safeguarded to prevent injury to persons.

SECTION THREE: Chapter 65 “Zoning”, Article II, Districts”, Section 65-3 “Zoning Map and Boundaries” is hereby amended to amend the Mansfield Township Zoning Map to include the boundaries of the HCC Homestead Commercial Center zoning district as adopted in this Ordinance.

SECTION FOUR: Chapter 65 “Zoning”, 65 Attachment 1: “Table of Zoning Map Amendments” is hereby amended to add this Ordinance creating the HCC Homestead Commercial Center zoning district.

SECTION FIVE: Chapter 65 “Zoning”, 65 Attachment 2: “Zoning Schedule of Area and Bulk Requirements” is hereby amended to add the Area and Bulk Requirements for the HCC Homestead Commercial Center zoning district, as set forth in §65-23 above.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

CERTIFICATION

I, **LINDA SEMUS, RMC, CMR, Municipal Clerk** of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an Ordinance which was introduced by the Mansfield Township Committee, County of Burlington, State of New Jersey at their regular meeting held on October 20, 2021, with a Second Reading, public hearing and final adoption scheduled for November 4, 2021.

LINDA SEMUS, RMC, CMR
Municipal Clerk

INTRODUCED: October 20, 2021
ADOPTION: