

**TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**ORDINANCE # 02-13-08**

**AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, REVISING CHAPTER 150, LAND DEVELOPMENT, OF THE CODE OF THE TOWNSHIP OF CRANBURY BY AMENDING THE LIST OF PERMITTED AND CONDITIONALLY PERMITTED USES IN THE HIGHWAY COMMERCIAL (HC) AND GENERAL COMMERCIAL (GC) ZONING DISTRICTS**

**WHEREAS**, on February 21, 2013, the Cranbury Township Planning Board adopted an amendment to the Land Use Plan Element of the Cranbury Township 2010 Master Plan; and

**WHEREAS**, the purpose of the amendment is “to reexamine the permitted uses and development standards of the non-residential zones along the Route 130 Corridor in Cranbury Township, and to recommend changes that will spur new development and redevelopment that will promote the purposes of the Cranbury Master Plan and the Municipal Land Use Law”; and

**WHEREAS**, the amendment inter alia recommends changes to the Highway Commercial (HC) and General Commercial (GC) zoning districts to spur new development or redevelopment within those zones; and

**WHEREAS**, more specifically, the amendment “recommends an increase in the variety of permitted uses in the HC and GC zones, in order to further the Township’s economic development goals by allowing a wider variety of uses along the Route 130 Corridor, thereby generating ratables, employment opportunities and providing a greater variety of goods and services to the residents of Cranbury”; and

**WHEREAS**, the amendment and the recommendations contained therein are intended to further several goals of the 2010 Master Plan; and

**WHEREAS**, the Township Committee agrees with the recommendations of the Planning Board set forth in the amendment and wishes to implement those recommendations; and

**WHEREAS**, the Township Committee finds that doing so will further general health, safety, morals and welfare of the Township’s residents and business owners and will benefit the public;

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

Section 1. Definitions Amended. Section 150-7, “Definitions,” in Chapter 150, “Land Development”, of the Code of the Township of Cranbury (“Code”) is hereby amended by adding thereto the following two new definitions:

**BIG BOX GENERAL RETAIL STORE** — A retail store with a ground floor area of 60,000 square feet or more in which the general merchandise, including but not limited to the following, comprise over twenty percent (20%) of the gross floor area: toys, clothing, sporting goods, automotive supplies, electronics, appliances, home and garden, supplies, pool supplies and equipment, discount dollar items, bedding, photo processing, a portrait studio, cell phone sales, a bank, pet shop, video rental, hair and/or nail salon, hardware, jewelry, banks and fast food outlets.

**WAREHOUSE/DISCOUNT CLUB** — A retail store selling a wide variety of merchandise in which customers purchase large, wholesale quantities of the store’s products, and where the customers may be required to pay an annual membership fee.

Section 2. Permitted Uses in Highway Commercial (HC) District Amended. Subsection 150-20B of the Code is hereby amended by adding new uses to the list of permitted uses in the HC District, as follows (additions are underlined; deletions are in [brackets]):

B. Permitted uses.

- (1) Stores providing retail goods and services as listed below, as well as all uses substantially similar to them:
  - (a) Agricultural supplies and accessories.
  - (b) Home and garden centers inclusive of lawn tractors and utility trailers, as well as hardware stores, paint supply, plumbing supply, electrical supply, tile and granite sales, carpet and floor covering, home decor and furnishings, and appliance stores.
  - (c) Sporting and hobby stores, such as sporting goods, scuba supplies and service, pool supply, pet shops and supplies, party rental, hobby and craft shops, and supply stores.
  - (d) Pharmacies and/or drugstores.
  - (e) Banks, including banks with drive-through windows.
  - (f) Automobile parts and supplies, car rental and automobile service-only establishments.

- (2) General, professional and medical office, including offices on the second floor over retail uses.
  - (3) Retail shopping centers, combining a number of retail establishments permitted in the zone, with or without second floor offices.
  - (4) Hotels and inns.
  - (5) Wholesale, interior storage and contractors.
  - (6) Stores selling books, music, DVDs, and other media.
  - (7) Office supplies and stationery stores.
  - (8) Bakeries.
  - (9) Restaurants and eating and drinking establishments except fast food restaurants or drive-through restaurants.
  - (10) Liquor stores, bars, and taverns.
  - (11) Establishments selling and servicing computers, electronic goods, and appliances.
  - (12) Grocery stores and food stores.
- ([6]13) Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

Section 3. Conditional Uses Added to Highway Commercial (HC) District. Section 150-20 of the Code is hereby amended by a new subsection B.1, “Conditionally permitted uses,” to the uses and standards in the HC District, to read as follows:

B.1. Conditionally permitted uses.

- (1) Car wash establishments, subject to the following 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) If the 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 6 feet in height with landscaping adjacent to the residential use or zone to soften its visual appearance from the adjacent property.
- (e) All outdoor cleaning equipment including vacuum cleaners, buffers, steam cleaners, compressor air hoses 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 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 2 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 am until 8 pm Monday through Friday and 7:00 am until 6 pm Saturday and Sunday.

Section 4. Prohibited Uses in Highway Commercial (HC) District Amended. Subsection 150-20C of the Code is hereby amended by adding new uses to the list of prohibited uses and removing uses from the list of prohibited uses in the HC District, as follows (additions are underlined; deletions are in [brackets]):

C. Prohibited uses. The following uses are specifically prohibited:

- (1) Automobile sales or camper, trailer, truck, boat or motorcycle sales, except as permitted pursuant to § 150-20B(1)(b).
- (2) Gas stations.
- (3) Convenience stores.
- [ (4) Restaurants and eating and drinking establishments. ]
- ([5]4) Supermarkets, warehouse/discount clubs and big-box general retail stores.
- ([6]5) Self-storage warehouses.
- ([7]6) Residential development of any kind.

Section 5. Permitted Uses in General Commercial (GC) District Amended. Subsection 150-21B of the Code is hereby amended by adding new uses to the list of permitted uses in the GC District, as follows (additions are underlined; deletions are in [brackets]):

B. Permitted uses.

- (1) Stores providing retail goods and services as listed below, as well as all uses substantially similar to them:
  - (a) Agricultural supplies and accessories.
  - (b) Home and garden centers, such as hardware stores, paint supply, plumbing supply, electrical supply, tile and granite sales, carpet and floor covering, home decor and furnishings, and appliance stores.
  - (c) Sporting and hobby stores, such as sporting goods, supplies and service, pool supply, pet shops, party rental, hobby and craft stores, and supply stores.
  - (d) Automobile parts and supplies, car rental and automobile service-only stores.
- (2) General, professional and medical offices, including offices on the second floor over retail uses.
- (3) Retail shopping centers, combining a number of retail establishments permitted in the zone, with or without second floor offices.
- (4) Commercial recreational uses such as gyms, health clubs and bowling alleys.
- (5) Wholesale, storage and contractors.
- (6) Business services.
- (7) Regionally, automotive-oriented establishments such as automobile, camper, trailer and truck sales and service.
- (8) Supermarkets, grocery or specialty food stores.
- (9) Stores selling books, music, DVDs, and other media.
- (10) Office supplies and stationery stores.
- (11) Bakeries.
- (12) Restaurants and eating and drinking establishments except fast food restaurants or drive-through restaurants.
- (13) Liquor stores, bars, and taverns.

(14) Establishments selling and servicing computers, electronic goods, and appliances.

~~(9)~~15) Accessory uses and accessory buildings customarily incidental to the above uses and located on the same lot.

Section 6. Conditional Uses Added to General Commercial (GC) District. Section 150-21C of the Code is hereby amended by the following new uses to the list of conditional uses in the GC District, to read as follows (additions are underlined; deletions are in [brackets]):

C. Conditionally permitted uses. [(Reserved)]

(1) Fuel service stations and convenience stores, subject to the following standards:

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

(b) At least two driveways shall be provided, at least 18 feet wide and no more than 25 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 washer fluid.

(d) No automobiles or trucks or commercial vehicles shall be parked overnight on the premises.

(e) A canopy may be provided over the fuel service area, but such canopy shall not contain any signage, logo or be painted in bright or garish colors, nor shall the face of the canopy be illuminated.

- (f) Lighting below the canopy shall not exceed 10.0 foot candles in any location.
- (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, be higher than 20 feet, and no closer than 20 feet from the public right-of-way. If the site has frontage on a second public street, a second freestanding sign may be permitted, but shall not be located within 100 feet of any intersecting streets, measured at the property line.
- (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, nor shall such sign be internally illuminated.
- (i) No storage or display of 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 across all front, side and rear property lines.
- (k) In addition to the fuel service station, additional off-street parking shall be provided at a ratio of one space for each two pumps and a minimum of 4 spaces. This shall be in addition to the parking that may be required for a convenience store, if the fuel station is located on the same property.
- (l) No convenience store shall exceed one story or have a floor area which exceeds 6,000 square feet.
- (m) Parking for the convenience store shall be one space for each 150 square feet of floor area.
- (n) One truck loading space of no less than 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 thereof 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 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.

Section 7. Severability. If any section or subsection of this ordinance is adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the specific section(s) or subsection(s) so adjudged and the remainder of the ordinance shall be deemed valid.

Section 8. Effective date. This ordinance will take effect upon its passage and publication and upon the filing of a copy of said ordinance with the Middlesex County Planning Board, as required by law.

The ordinance published herewith was originally 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 February 25, 2013. The ordinance 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, 23A North Main Street, in the Township of Cranbury on March 26, 2013 at 7 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 to the members of the general public who shall request the same.

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Kathleen R. Cunningham, RMC, Clerk