

Article XII HC Highway Commercial District

§ 224-67 Intent.

[1997 Code § 224-67]

A. Intent. The purpose of the Highway Commercial District is to encourage major commercial concentration with easy highway access, with sufficient controls.

B. Regulations in District. The use, height and area regulations of Sections 224-67 to 224-72, inclusive, and those regulations set forth elsewhere in this chapter, where applicable to these sections, and general regulations of Article XVIII are the regulations in Commercial District HC.

§ 224-68 Permitted uses.

[1997 Code § 224-67; Ord. No. 13-97]

A building or land shall be used only for the following purposes:

A. Principal uses and buildings.

(1) Retail stores and service establishments.

(2) Restaurants and bars.

(3) General business and professional offices.

(4) Banks.

(5) Motels.

(6) Gasoline service stations and auto repair garages, provided that:

(a) Excepting for gasoline and oil sales, changing of tires or other minor services, all repair work shall be carried on in fully enclosed structures.

(b) Equipment or parts, including junk vehicles, shall not be stored outdoors.

(c) All gasoline and similar substances shall be stored underground at least 25 feet from any property line other than a street line. No gasoline pump shall be erected within 20 feet of any street or property line.

(7) Golf and tennis recreational uses.

(8) Places containing games. Any land or building or portion thereof containing any amusement games, pinball machines or electronic entertainment machines, computers or devices of any kind are considered to be potentially in conflict with Article I, Section 224-1 hereof wherein they might increase congestion in the streets and impede traffic circulation, interfere with the protection of public safety regarding fire, panic and other dangers and interfere with the health and general welfare of the community by providing an environment for the frequent gathering of unsupervised young people in crowded quarters and an attractive nuisance for the youth of the community. For these reasons, such uses are not compatible with all geographical areas within the HC Highway Commercial District. It is the intent of this section, therefore, to permit uses as described in this subsection only when they are in compliance with the following regulations:

(a) No land or building or portion thereof containing any amusement games, pinball machines or electronic entertainment machines, computers or devices of any kind shall be established in the HC Highway Commercial District or any zone within 500 feet of any public or private school, playground, religious school, community center, recreational facility or place of worship.

(b) No such use shall be established in the HC Highway Commercial District or any zone within 500 feet of any premises or business licensed for the purpose of plenary distribution of alcoholic beverages. The purpose and intent of this provision is to prevent or curtail the illegal provision of alcoholic beverages to minors congregating in the game establishment by persons of age to purchase alcoholic beverages in nearby bars, etc.

(c) In any place where such games of amusement are installed, there shall be at least 50 square feet of gross floor space for each machine, game or device. Every such establishment shall have clearly marked two exits for the purpose of ingress and egress, which shall be kept opened and clear of obstruction at all times.

(d) No person, firm or corporation operating such establishments shall permit anyone under the age of 18 to frequent said establishments on the days and during the hours on which regular academic classes are being held in the public and/or private school systems, including but not limited to the high school system in which Absecon City students are enrolled.

(e) There shall be present on the premises of all such establishments during all hours of operation of the business one adult for each 10 machines and/or games and/or devices (or portion thereof) operating within the establishment. The purpose herein is to require the provision of adult supervision for the expected congregation of minors within the establishment.

(f) The provisions of this paragraph A(8) shall not apply to businesses licensed for the purpose of retail plenary distribution of alcoholic beverages.

B. Accessory uses.

Any use and building reasonably and customarily incidental to any of the principal uses permitted, provided that they do not create conditions detrimental to the health, safety or general welfare of the community.

C. Conditional uses.

(1) Drive-in restaurants, subject to the standards of this chapter and to Planning Board review and approval.

(2) Hotels, subject to the conditions and controls set forth for hotels in the Highway Development District (Article XIV).

§ 224-69 Area, yard and bulk regulations.

[1997 Code § 224-69; Ord. No. 13-97]

A. Lot size.

(1) Retail stores and service establishments, restaurants and bars, general business and professional offices, gasoline service stations, auto repair garages and banks: 15,000 square feet minimum.

(2) Drive-in restaurants: 30,000 square feet minimum.

(3) Motels: 30,000 square feet minimum.

B. Lot width.

(1) Retail stores and service establishments, restaurants and bars, general business and professional offices, gas stations, auto repair garages and banks: 100 feet minimum.

(2) Motels: 200 feet minimum.

(3) Drive-in restaurants: 200 feet minimum.

C. Lot depth, all uses: 100 feet minimum.

D. Lot coverage, all uses: 65% maximum impervious coverage.

E. Front yard setback, all uses: 35 feet minimum.

F. Side yard setback: 35 feet minimum, except where the property adjoins another used for the same purpose, in which case the setback of that side may be reduced to 15 feet.

G. Rear yard. Retail stores and service establishments, restaurants and bars, general business and professional offices, gas service stations and automobile repair garages, banks and motels and drive-in restaurants all must have a thirty-foot minimum setback.

H. Height.

(1) Gasoline service stations and auto repair garages (on northern side of U.S. 30): one story; 25 feet maximum. All other uses: 50 feet height maximum from western City line bordering Galloway Township to Illinois Avenue on the southern side of U.S. 30. All other uses in remainder of zone: 2 1/2 stories; 35 feet.

(2) From Illinois Avenue easterly to the conservation and recreation zone of the southerly side of U.S. 30 a sixty-foot height is permitted. Gasoline service stations and auto repair garages in this area: maximum one story; 25 feet in height. All other uses in remainder of zone: 2 1/2 stories; 35 feet.

I. Building length: 100 feet maximum.

J. Distance between two or more buildings on the same lot: 35 feet minimum.

K. Structural size: 1,400 square feet minimum for principal and accessory use.

[§ 224-70 Other regulations.](#)

[1997 Code § 224-70]

All uses, principal and accessory, within this district are subject to Planning Board review.

[§ 224-71 Landscaping buffers and fences.](#)

[1997 Code § 224-71]

[A.](#) All areas not covered by roadways and parking areas or sidewalks shall be landscaped. A complete site plan showing all proposed planting shall be required for review and approval conforming to Article [XX](#), Section [224-129](#) of this chapter. Additional standards shall be as follows:

[\(1\)](#) Two trees consisting of eight feet of minimum height at planting for each 1,000 square feet of floor area in accordance with the planting schedule, tree specifications and tree species as approved by the Planning Board shall be provided.

[\(2\)](#) All perimeter setbacks shall have a buffer strip eight feet wide consisting of trees, evergreens and deciduous plant material. The only exception to this requirement shall be roadway frontage, where the buffer strip will be eight feet wide in areas not used for driveways or sight triangles.

[\(3\)](#) All irregular spaces in parking areas not used for parking shall be landscaped and bordered with natural materials.

[\(4\)](#) All planting required shall be maintained and replaced regularly.

[B.](#) Fences shall be permitted, provided that:

[\(1\)](#) They are in the rear yard only.

[\(2\)](#) They are placed inside of both the property line and required buffer strip.

[\(3\)](#) They are limited to six feet in height above grade.

[\(4\)](#) They do not enter either side yard or the building to more than half of the building's length.

[§ 224-72 Parking.](#)

[1997 Code § 224-72]

Parking lot design shall conform to Article [XX](#), Section [224-128](#) of this chapter.