

ORDINANCE #2710-23-0605

AMENDING CHAPTER 102-104 OF THE BOROUGH CODE TO PERMIT TWO FAMILY RESIDENCES IN THE PROFESSIONAL OFFICE-RESIDENTIAL "PO-R" ZONE

BE IT ORDAINED by the Borough Council of the Borough of Somerville, in the County of Somerset and State of New Jersey, Schedule A "Permitted Uses and Structures" shall read as follows:

This schedule sets forth the permitted principal, accessory and conditional uses in each zone district, except as may be otherwise modified, supplemented or prohibited by this chapter. The classification and definition of uses shown in the schedule, except uses noted as "NA" in the schedule or as may be otherwise indicated by this chapter, are based upon the Standard Industrial Classification Manual, 1987 edition. For uses with a "NA" designation, the S.I.C. classification is not applicable; the definitions in the text of the ordinance apply. Additional regulations in the text of the ordinance also apply to the application of this schedule. Footnotes to this schedule, indicated in lower case letters, are provided at the end of the schedule. [Amended 12-17-01 by Ord. 2118; 12-29-03 by Ord. 2152]

ZONE DISTRICT

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
RESIDENTIAL																	
Single family detached	NA	P	P	P	P	---	P	---	---	---	P	---	---	---	---	---	---
Single family, patio home	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Duplex	NA	---	---	P	P	---	---	---	---	---	P	---	---	---	---	---	---
Two-family, except duplex	NA	---	---	P	P	---	P	---	---	---	P	---	---	---	---	---	---
Triplex	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Quadruplex	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Townhouse	NA	---	---	P-a	---	---	---	---	---	---	---	---	---	---	---	---	---
Garden apartment	NA	---	---	P-a	P	P-b	---	---	---	---	---	---	---	---	---	---	---
Mid-rise apartment	NA	---	---	P-a	---	P-b	---	---	---	---	---	---	---	---	---	---	---
High rise apartment	NA	---	---	---	---	P-b	---	---	---	---	---	---	---	---	---	---	---
Apartment in nonresidential bldg.	NA	---	---	---	---	---	P-c	P-d	P-d	P-d	P-d	---	P-d	---	---	---	P-e
Community residence or shelter	NA	P	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---

RETAIL TRADE

BUILDING MATERIALS AND GARDEN SUPPLIES																	
Lumber and other bldg. materials	521	---	---	---	---	---	---	---	---	---	---	C	C	C-x	---	---	---
Paint, glass and wallpaper stores	523	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Hardware stores	525	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Retail nurseries and garden	526	---	---	---	---	---	---	---	---	---	---	C	C	C-x	---	---	---

supply stores																		
Mobile home dealers	527	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---	
GEN'L MERCHANDISE STORES																		
Department stores, variety stores, miscellaneous general merchandise stores	531	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---	
	533	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---	
	539	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---	
FOOD STORES																		
Grocery stores, meat & fish markets, fruit & vegetables markets, candy, nut and confectionery stores, dairy products stores, retail bakeries, miscellaneous food stores	541	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	542	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	543	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	544	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	545	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	546	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	
	549	---	---	---	---	---	---	P-f	P-f	---	P-f	P-f	P-f	C-f,x	---	---	---	

P = PERMITTED PRINCIPAL USE A = PERMITTED ACCESSORY USE C = CONDITIONAL USE --- = PROHIBITED USE

SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)

ZONE DISTRICT

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
RETAIL TRADE - CONTINUED																	
AUTOMOTIVE DEALERS AND GAS. SERVICE STATIONS																	
New and used car dealers	551	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
Used car only dealers	552	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
Auto and home supply stores	553	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Gasoline service stations	554	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Boat, recreational vehicle, motorcycle and other automotive dealers	555,556	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
	557,559	---	---	---	---	---	---	---	---	---	---	C	P	C-x	---	---	---
APPAREL AND ACCESSORY STORES																	
Men's, boys, women's and family clothing stores, women's	561	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	562	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---

accessory and specialty stores, children's and infants' wear stores, shoe stores and miscellaneous apparel and accessory stores	563	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	564	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	565	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	566	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
HOME FURNITURE, FURNISHINGS & EQUIPMENT STORES																	
Home furniture and furnishings stores, household appliance stores, radio, television and computer stores	571	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	572	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
	573	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
EATING AND DRINKING PLACES	58	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A
MISCELLANEOUS RETAIL																	
Drug stores and proprietary stores	591	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Liquor stores	592	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Used merchandise stores	593	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Miscellaneous shopping goods stores	594	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A
Nonstore retailers	596	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	---
Cannabis Retailers	453998	---	---	---	---	---	---	---	---	---	---	P-ff	---	---	---	---	---
Fuel & bottle gas dealers	598	---	---	---	---	---	---	---	---	---	---	A-g	A-g	A-g,x	---	---	---
Other retail stores	599	---	---	---	---	---	---	P	P	---	P	P	P	C-x	---	---	A

WHOLESALE TRADE

DURABLE GOODS																	
Motor vehicles, parts and supplies	501	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Furniture & homefurnishings	502	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Lumber & construction materials	503	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---
Professional and commercial equipment and supplies	504	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---

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SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)

ZONE DISTRICT

USE	SIC #	R-1	R-2	R-3	G	SC	PO-R	B-1	B-2	B-3	B-4	B-5	B-6	I-1	I-2	CG	H
-----	-------	-----	-----	-----	---	----	------	-----	-----	-----	-----	-----	-----	-----	-----	----	---

PUBLIC UTILITIES	NA	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	C
------------------	----	----	----	----	----	----	----	---	---	---	---	---	---	---	---	---	---

CONSTRUCTION

GENERAL BUILDING CONTRACTORS	15	--	--	--	--	--	--	--	--	--	--	--	--	P-r	P-r	--	--
HEAVY CONSTRUCTION, EXCEPT BUILDINGS	16	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
SPECIAL TRADE CONTRACTORS	17	--	--	--	--	--	--	--	--	--	--	--	--	P-r	P-r	--	--

MANUFACTURING

FOOD & KINDRED PRODUCTS	20	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
TOBACCO PRODUCTS	21	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
TEXTILE MILL PRODUCTS	22	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
APPAREL AND OTHER TEXTILE PRODUCTS	23	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
LUMBER & WOOD PRODUCTS	24	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
FURNITURE AND FIXTURES	25	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
PAPER AND ALLIED PRODUCTS	26	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
PRINTING AND PUBLISHING	27	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
CHEMICALS AND ALLIED PRODUCTS INCLUDING INDUSTRIAL GASES	28	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
PETROLEUM AND COAL PRODUCTS	29	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
RUBBER & MISCELLANEOUS PLASTIC PRODUCTS	30	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
LEATHER AND LEATHER PRODUCTS	31	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--	
STONE, CLAY GLASS AND CONCRETE PRODUCTS	32	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	

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SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)

ZONE DISTRICT

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MANUFACTURING - CONTINUED																	

PRIMARY METAL INDUSTRIES	33	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
FABRICATED METAL PRODUCTS	34	--	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--
INDUSTRIAL AND COMMERCIAL MACHINERY AND EQUIPMENT	35	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ELECTRONIC AND OTHER ELECTRIC EQUIPMENT	36	--	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--
TRANSPORTATION EQUIPMENT	37	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
INSTRUMENTS AND RELATED PRODUCTS	38	--	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--
MISCELLANEOUS MANUFACTURING INDUSTRIES	39	--	--	--	--	--	--	--	--	--	--	C	C	P-s	P-s	--	--

AGRICULTURE, FORESTRY AND FISHING

AGRICULTURAL PRODUCTION, CROPS																	
Ornamental nursery products	01	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
AGRICULTURAL SERVICES																	
Veterinary services (pets only)	0742	--	--	--	--	--	P-t	P-t	P-t	P-t	P-t	P-t	P-t	P-t	P-t	--	--
Animal specialty services for domestic pets	0752	--	--	--	--	--	P-u	P-u	P-u	P-u	P-u	P-u	P-u	--	--	--	--
Landscape counseling, planning	0781	--	--	--	--	--	P	P-d	P-d	P	P	P	P	P	P	--	--
Lawn and garden services, ornamental shrub & tree services	0782	--	--	--	--	--	--	--	--	--	--	--	--	P-r	P-r	--	--
	0783	--	--	--	--	--	--	--	--	--	--	--	--	P-r	P-r	--	--

NONCLASSIFIABLE ESTABLISHMENTS

Public parks	NA	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home offices	NA	A-v	A-v	A-v	--	--	A-v	--	--	--	--	--	--	--	--	--	--

ACCESSORY STRUCTURES

Private garages	NA	A	A	A	A	A	A	--	--	--	A	--	--	--	--	A	A
Storage buildings	NA	A	A	A	A	A	--	--	--	--	--	--	--	--	--	A	A
Surface parking areas	NA	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Parking decks	NA	--	--	--	--	--	--	A	A	A	--	A	A	A	A	A	A
Private recreational structures (pools, tennis courts, basketball courts, etc.)	NA	A-w	A-w	A-w	A-w	A-w	A-w	--	--	--	A-w	--	--	--	--	--	--

Signs	NA	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Helicopter pad	NA	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A
Family day care homes	NA	A	A	A	A	A	A-w	---	---	---	---	---	---	---	---	---	---
Sidewalk cafes	NA	---	---	---	---	---	---	A	A	---	A	---	---	---	---	---	---

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SCHEDULE A - PERMITTED USES AND STRUCTURES (CONTINUED)

FOOTNOTES TO SCHEDULE A

SIC numbers and definitions shall be as defined in the latest edition of the North American Industry Classification System (NAICS)

a = Permitted as part of a planned residential development only.

b = Must be restricted to occupancy by senior citizens.

c = Limited to one (1) apartment in any principal building, and subject to special regulations in the text of the ordinance.

d = Must be located only on upper floors.

e = Must be restricted to occupancy by hospital personnel and their immediate families.

f = SIC 543 - Outdoor sales prohibited unless specifically permitted elsewhere in the text of the ordinance.

SIC 542 & 549 - The slaughter and cleaning of live animals and the sale of live animals is prohibited.

g = Limited to liquid petroleum gas (bottled gas) dealers and the sale of firewood.

h = Limited to only garment pressing, and agents for laundries and drycleaners (SIC 7212) and coin operated laundries and clothes tailoring shops.

Coin operated laundries are prohibited fronting on Main Street, located between South Doughty and Park Avenues

i = Limited to only birth certificate agencies, computer photography or portraits, debt counseling or adjustment services to individuals, and genealogical services.

j = Does not include comfort station operation, locker rental or restroom operation.

k = Does not include photocopying and duplicating services.

l = Limited to medical equipment rental and leasing; appliance rental and leasing; electronic equipment rental and leasing; furniture rental and leasing; office machine rental and leasing; party supplies rental and leasing; piano rental and leasing; live plants rental and leasing; rental and leasing of dishes, silverware and tables; television rental and leasing; and video recorder and player rental and leasing.

m = Limited to repair and related services pertaining only to those goods which are permitted to be sold at retail in the same zone district.

n = Does not include amusement parks and any outdoor services.

o = Does not include any in-patient care.

p = Limited to Taxicab establishments primarily serving locations in the Borough of Somerville and surrounding areas in close proximity.

q = Does not include the warehousing and storage of toxic, volatile, highly flammable or otherwise hazardous materials, except in small amounts ancillary to the principal use.

r = Subject to regulations on the outdoor storage of equipment and materials.

s = Limited to activities which involve the fabrication, reshaping, reworking, assembly or combining of products from previously prepared materials and which does not involve the synthesis of chemicals or chemical products or the processing of any raw materials. By way of example, but not limitation, includes light industrial operations such as electronic machine parts and small component assembly, as opposed to heavy industrial operations such as automobile manufacturing.

t = Limited to veterinarians and veterinary services for domestic pets, and excludes animal or pet hospitals.

u = Limited to only domestic pet grooming, pedigree record services for domestic pets, and vaccinating of domestic pets.

v = Limited to detached single family dwellings and subject to special requirements for home offices.

w = Limited to such facilities accessory to a permitted residential use on the same lot.

x = Subject to the conditional use requirements of § 102-116O as well as any other conditional use requirements that may apply to the specific use.

y = Only antennas mounted on an existing building or other structure as set forth in § 102-116M(2); no freestanding antennas permitted [Amended

6-16-03 by Ord. 2143].

aa= Hotel shall contain a min. of 25 rooms

bb= Limited to retail stores offering courier services (e.g. "UPS Store") that are not trucking terminals, hubs, warehouses, etc.

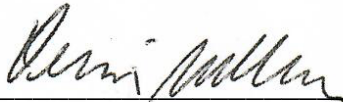
cc= excluding employment services which place day laborers

dd=If located on the ground floor, use cannot exceed 9 months

ee=must include retail sale of supplies/associated equipment, etc.

ff= Must comply with all regulations adopted by Chapter 61 of the Borough Code entitled "Cannabis"

Introduction: June 5, 2023
First Publication: June 22, 2023
Adoption: July 5, 2023
Final Publication: July 11, 2023



Dennis Sullivan, Mayor



Kevin Sluka, Clerk/Administrator