

N.J.A.C. 19:66-5.1

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 1, January 2, 2018

New Jersey Administrative Code > TITLE 19K. CASINO CONTROL COMMISSION/CASINO REINVESTMENT DEVELOPMENT AUTHORITY > CHAPTER 66. CASINO REINVESTMENT DEVELOPMENT AUTHORITY TOURISM DISTRICT LAND DEVELOPMENT RULES > SUBCHAPTER 5. ZONE DISTRICT USE STANDARDS

§ 19:66-5.1 Establishment of zoning districts

(a) The Tourism District is divided into the following zoning districts:

1. Beach District (B);
2. Resort Commercial (RC);
3. Ducktown Arts (DA);
4. Central Business District (CBD);
5. Gateway (GWAY);
6. Marina (M);
7. Gardner's Basin (GB);
8. Bader Field (BADER);
9. Thorofare Waterfront (TW);
10. Lighthouse One (LH-1);
11. Lighthouse Two (LH-2);
12. Kentucky Avenue Renaissance (KAR);
13. Absecon Inlet (AI);
14. Open Space (OS); and
15. Beach Conservation (BC).

Annotations

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N.J.A.C. 19:66-5.2

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§ 19:66-5.2 General provisions

(a) The following provisions shall apply to all zoning districts:

1. The design of all improvements shall comply with the provisions of this chapter.
2. Minimum lowest floor elevations for structures shall comply with the standards of the FHACA Rules at N.J.A.C. 7:13-12.5 and the Uniform Construction Code.
3. Renewable and/or sustainable energy systems, such as photovoltaic, wind energy, hydropower, or geothermal system installations, and other systems determined by the Authority engineer to be renewable and/or sustainable energy system installations, shall be subject to the following:
 - i. Such systems are permitted as principal uses in non-residential zoning districts only and as accessory uses in all zoning districts;
 - ii. Such systems mounted on or in a building located in zoning districts allowing residential uses shall be permitted as accessory uses. All other systems in zoning districts allowing residential uses shall require special exception approval;
 - iii. Any structure associated with such system(s) shall comply with all bulk requirements of the zoning districts, except that ground-mounted photovoltaic arrays installed over vehicular use areas may be permitted at a minimum setback of five feet from side and rear property lines in non-residential zoning districts; and
 - iv. All performance standards set forth in this chapter shall apply.

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§ 19:66-5.3 General use limitations

- (a) Any use not expressly permitted in this subchapter shall be deemed prohibited in all zoning districts.
- (b) There shall be no more than one principal building or use on any lot or parcel, unless otherwise permitted under this chapter.
- (c) The following use limitations shall apply:
 - 1. No slaughtering of animals or boarding of livestock shall be permitted in any zoning district.
 - 2. Except for restaurants, all operations, activities, and storage shall be conducted within completely enclosed buildings, with the exception of the following, when conforming to this chapter:
 - i. Public utility equipment and operations that cannot be located in an enclosed structure, including electric generating, transmission, and distribution equipment;
 - ii. Outdoor storage areas must be screened with an opaque architectural screen or fence that substantially conforms to the color and building materials of the principal structure, and of a height not less than the height of the materials stored, or not higher than eight feet, whichever is less; and
 - iii. Temporary uses are permitted in all zoning districts, except the Beach Conservation (BC) and the Open Space (OS) Districts. Temporary uses include, but are not limited to, amphitheatres, skating rinks, amusements, and miniature-golf courses.
 - 3. Sexually orientated businesses as defined in N.J.S.A. 2C:34-6 shall not be permitted in any zoning district established in accordance with this chapter.

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§ 19:66-5.4 Accessory uses

- (a) Accessory uses are permitted in any zoning district in connection with any principal use that is permitted within such zoning district. No accessory use shall be constructed, moved, remodeled, established, altered, or enlarged unless it complies with the requirements of this subchapter.
- (b) Accessory structures shall be subordinate in size and intensity to the principal structure.
- (c) Accessory uses shall be customary and incidental to the principal use.
- (d) No accessory use or structure shall be permitted in any required front yard.

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§ 19:66-5.5 Outdoor seating areas

- (a) Accessory outdoor seating areas shall be permitted in every zoning district when provided in accordance with the following:
1. The outdoor seating area for restaurants shall not exceed the maximum interior seating capacity, not including bar and lounge seating.
 2. The outdoor seating area for all other uses shall not exceed 15 percent of the floor area of the principal use.
 3. Outdoor seating areas do not require compliance with any stipulated building setbacks, however, a minimum pedestrian accessway of five feet shall be maintained at all times.
 4. Outdoor seating areas shall not be located in required parking and/or loading areas.
- (b) Street furnishings, bus stops, and outdoor seating areas used for passive recreational purposes shall be exempt from this section.

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§ 19:66-5.6 Marinas

(a) Marinas shall meet the following minimum requirements:

1. Every marina shall be open to the public. A fee is optional.
2. Marinas shall provide a minimum of one docking berth for each 20 feet of water frontage in accordance with the following:
 - i. Docking berths shall be a minimum dimension of 12 feet by 28 feet; and
 - ii. Aisles between rows of berths shall be a minimum 35 feet wide.
3. Marinas shall provide areas for public boat launching, which shall include the following:
 - i. A ramp to the adjacent water body with a minimum width of 15 feet;
 - ii. Sufficient maneuvering space between the ramp and parking areas;
 - iii. Trailer parking spaces with a minimum dimension of 10 feet by 40 feet; and
 - iv. Restrooms shall be provided for marina patrons along with a waste pump out facility.
4. Marinas shall provide areas for public boat mooring in accordance with the following:
 - i. A minimum of one space per 100 feet of water frontage; and
 - ii. A minimum dimension of 12 feet by 28 feet with proper access.
5. Marinas shall provide parking, loading, and trailer parking in accordance with the provisions of this chapter.

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§ 19:66-5.7 Signs

- (a) Purpose. The regulation of signs by this section is intended to promote and protect the public health, safety, and welfare of the Tourism District by creating a more attractive economic and business climate within the commercial, resort, and industrial areas of the Tourism District by enhancing and protecting the physical appearance of all areas of the Tourism District and by reducing the distractions, obstructions, and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs.
- (b) Scope. This subchapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of all signs within the Tourism District visible from any street, road, sidewalk, public, or private property. Any sign not expressly permitted by this section shall be prohibited. This section relates to the location of signs, by function and type, within zoning districts and shall be in addition to provisions of the City building code and the City electrical code applicable to the construction and maintenance of signs.
- (c) A CLUC shall be required as follows:
1. Except as expressly provided in this section, no sign shall be erected, enlarged, expanded, altered, or relocated unless a CLUC evidencing the compliance of such work with the provisions of this subchapter and other applicable provisions of this chapter shall have first been issued, provided, however, that routine sign maintenance, changing of parts designed to be changed or changing the content of a sign in any manner, which does not change the functional classification of the sign shall not, standing alone, be considered an alteration of the sign requiring the issuance of a CLUC.
 2. Every application for a CLUC for a sign shall be accompanied by a copy of plans and specifications showing the method of construction, illumination, and support of such sign and a sketch, drawn to scale, showing signs faces, exposed surfaces, and the proposed message and design accurately represented as to size, area, proportion, and color; by black and white photographs of the street sides of the property in question, showing all existing signs on the property; by a calculation of the total amount of sign area presently existing on the property; and by the applicant's attestation that the number of and the sum of the areas of the requested sign or signs and the existing signs do not exceed the maximum allowable by the provisions of this chapter.
 3. Upon receipt of an application, the items submitted therewith shall be reviewed by the land use administrator to determine if the essential elements of the application have been satisfied. If the application is incomplete, the land use administrator shall deny the permit and advise the applicant of the deficiencies within 10 business days. An application for a CLUC shall be approved or disapproved within 10 working days after it is received by the land use administrator in accordance with the provisions of this chapter. The CLUC shall be sent to the applicant with a copy to the City construction official and City clerk.
 4. Any non-compliant signage will require a variance application and a hearing, where the applicant must provide the statutory proofs in accordance with the applicable MLUL standards.

(d) General standards. The following general standards shall apply to all signs:

1. **Illumination.** A sign shall be illuminated internally with a translucent face or by a shielded or otherwise indirect, non-flashing light. In no event shall an illuminated sign be placed or directed in a manner that casts the beams and illumination onto other properties or roadways. No illuminated sign located on a lot adjacent to or across the street from any zoning district permitting residential uses and visible from such zoning district shall be illuminated between the hours of 11:00 P.M. and 7:00 A.M., unless the use to which the sign pertains is open for business.
2. **Electrical elements.** All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the Atlantic City Electrical Code. An Underwriters' Laboratories label shall be affixed to every sign having any electrical component.
3. **Structural elements.** The construction and structural components of all signs shall be in accordance with the standards and regulations of the Atlantic City Building Code. In no case shall the structural elements of a pole sign extend above the top of the sign face. Any movable parts of a sign shall be securely fastened by screws or hinges.
4. **Obstruction of accessways.** No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window, or other required accessway. No sign of any kind shall be attached to a standpipe or fire escape.
5. **Obstruction of light and air.** No sign shall be erected or maintained within the zone of light obstruction for any window opening into any habitable room of any residential unit. The zone of light obstruction is a segment of a cone described horizontally by an arc drawn from the center line of the window, measured horizontally, extending to 70 degrees from the center line on either side of the center line, at a radius of 40 feet, and described vertically by the space between a plane extending horizontally from the windowsill and a plane extending from the top of the window at an angle of 160 degrees to the face of the building at a distance of 40 feet measured perpendicularly from the face of the building.
6. **Obstruction of window surface.** No sign shall project over, occupy, or obstruct any window surface required for light or ventilation by any applicable law, ordinance, or regulation.
7. **Traffic safety.** No sign shall be maintained at any location where, by reason of its position, size, shape, content, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, or device or where it may interfere with, mislead, or confuse traffic.
 - i. No sign nor any part of a sign, other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be installed in a manner inconsistent with the sight triangle requirements of this chapter.
8. **Signs in ROW.** No sign, except publicly owned signs, shall be placed in or extend into or over any public ROW.
9. **Signs painted on walls.** No sign shall be painted directly on a building wall except a sign pertaining to a use carried on within such building.
10. **Sign maintenance.** In the case of advertising signs, the owner of a sign and, in the case of all other signs, the owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in a neat and orderly condition and good working order at all times and to prevent the development of any rust, corrosion, rotting, or other deterioration in the physical appearance or safety of such sign.
 - i. Unsafe signs; unsightly, damaged, deteriorated signs; or signs in danger of falling shall be put in order or removed upon written notice. Immediate compliance is expected for the repair or removal of unsafe signs. If compliance is not achieved within the time period specified in such notice, the sign shall be repaired or removed by the Authority and the costs assessed to the property owner.
11. **Sign measurement shall be as follows:**

- ix. Holiday decorations;
- x. Home occupation sign;
- xi. Identification sign;
- xii. Joint-identification sign;
- xiii. Memorial sign;
- xiv. Nameplate sign;
- xv. On-site informational sign;
- xvi. Political sign;
- xvii. Private sale or event sign;
- xviii. Real estate sign;
- xix. Wayfinding signs; or
- xx. Warning signs.

2. Structural signs shall be classified as follows, according to structure:

- i. Awning, canopy, or marquee sign;
- ii. Ground sign;
- iii. Pole sign;
- iv. Portable sign;
- v. Projecting sign;
- vi. Roof sign;
- vii. Wall sign; or
- viii. Window sign.

(f) A temporary sign is permitted subject to the following:

1. The sign must be of durable waterproof material.
2. The sign shall not be displayed for a period of more than 30 consecutive days per calendar quarter for a maximum of four times a year. There must be at least 30 days between the removal and the installation of any subsequent temporary sign. Notice must be given to the land use regulation enforcement officer upon each instance when a temporary sign is displayed.
3. Any temporary sign in any one retail use shall not exceed 10 percent of the total window area of that use.
4. The sign cannot be larger than the permitted sign and cannot exceed the total width of the display window(s).
5. The sign cannot cover the business sign and cannot cover key architectural features.
6. The sign must be placed on the property of the business it advertises.
7. Hand-written temporary signs are not permitted.
8. No other items may be affixed to store windows (including, without limitation, newspaper articles and product promotions).
9. Temporary signs require a CLUC. The applicant for a temporary sign must submit the following information to the land use administrator at least 14 days prior to installing the temporary sign:
 - i. The proposed date of installation and subsequent removal;

- ii. The sizes and number of temporary signs;
 - iii. The location(s) and method of affixing or attachment;
 - iv. The proposed message or advertisement; and
 - v. The percentage area of the temporary sign in relation to the building elevation area.
10. The applicant shall print in one-inch numbers in the lower right front corner of the temporary sign, the date installed and the date to be removed, for example, "12/7/16-12/21/16."
- (g) Signs permitted in any zoning district without certificate or fee. Except as expressly prohibited in this subchapter and notwithstanding any other contrary provision of this chapter, the following signs may, subject to the conditions and limitations in this subsection, be erected and maintained in any zoning district without obtaining or paying the fee required for such certificate:
- 1. Governmental signs. Governmental signs, provided that the content and size of any such sign shall not exceed the requirements of the law, ordinance, or regulation pursuant to which such sign is erected.
 - 2. Nameplate signs. Nameplate signs, provided that such signs are limited to no more than one wall, projecting, or ground sign per occupancy; are no more than one square foot in area and are illuminated only by an indirect source of light. No projecting sign shall extend more than six inches from the face of a wall. No ground sign shall be higher than three feet.
 - 3. Warning signs. Warning signs, provided that such signs are limited to no more than two wall or ground signs per occupancy, are no more than four square feet in area each, and illuminated only by an indirect source of light.
 - 4. Memorial signs. Memorial signs, provided that such signs are limited to no more than one wall or ground sign per occupancy, made of durable materials, such as bronze, stone, or concrete, are no more than four square feet in area, and are illuminated only by an indirect source of light.
 - 5. Historical or architectural designation signs. Historical or architectural designation signs, provided that such signs are limited to no more than one wall or ground sign per occupancy, are no more than six square feet in area, illuminated only by an indirect source of light, and contain no commercial advertising.
 - 6. Holiday decorations. Holiday decorations, provided that such signs shall be displayed for a period of not more than 60 consecutive days nor more than 20 days following the holiday in connection with which they are displayed.
 - 7. Construction signs. Construction signs, provided that such signs are limited to no more than one wall or ground sign per street frontage, no more than 60 square feet in area, illuminated only by an indirect source of light, and maintained for no more than 14 days following the conclusion of the construction in question.
 - 8. Window signs. Temporary non-illuminated window signs advertising coming events, special sales, contests, promotional activities, and civic or political activities maintained for a period of no longer than 45 days before such event nor more than three days after such event and permanent non-illuminated window signs calling attention to compliance with standards, association with credit groups or premium stamp promotions and the like, provided that the aggregate area of all window signs shall not exceed 33 percent of the area of the window in which they are exhibited nor block any window area required for light, ventilation, or emergency exit by any applicable code.
 - 9. Window signs are permitted in all commercial zoning districts. window signs for the purpose of identification of the business include lettering painted on glass, letter decals attached to glass, and neon lettering attached to interior and visible through the glass are permitted to identify the business establishment at the site provided that the area used for such purpose shall not exceed 25 percent of the total window (glass) area on which it is located.

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10. Accessory window signs include "open" sign, "days and hours of operation" sign, or "site address" sign, affixed window signs limited to indicate membership in a retail or professional organization or credit card or credit association, to show manufacturers' or required licenses, or advertisements referable to sales within, shall be permitted to be attached to windows on the interior of the business use, provided that the aggregate area used for the business identification listed above and accessory window signs shall not exceed 33 percent of the total window (glass) area on which it is located.
11. Real estate signs. Real estate signs, provided that residential property with structure(s) 40 feet or under in height and vacant land are limited to no more than one wall or ground sign and not more than eight square feet in area; residential property with structure(s) over 40 feet in height are limited to no more than two wall or ground signs not more than 24 square feet in area for each sign; and commercial property with or without structure(s) are limited to no more than two wall or ground signs not more than 32 square feet in area for each sign.
12. On-site informational signs. On-site informational signs, provided that each such sign is limited to a wall, window, or ground sign of not more than two square feet in area and not more than 12 feet in height above grade.
13. Flags and emblems. Flags or emblems of a government or of a political, civic, philanthropic, educational, or religious organization.
14. Private sale and event signs. Private sale and event signs, provided that such signs are no more than four square feet in area, located entirely on the premises where such sale or event is to be conducted or on other private property pursuant to the owner's consent, are clearly marked with the name, address, and telephone number of the person responsible for the removal of such sign, are erected not more than 12 hours in advance of such sale or 45 hours in advance of such event, and are removed on the day following the conclusion of such sale or event.
15. Political signs. Political signs, provided that such signs are not more than 10 square feet in area if located in a commercial, resort, or industrial zoning district or four square feet in area if located in any other zoning district are limited to not more than one per lot, located entirely on private property pursuant to the owner's consent, clearly marked with the name, address, and telephone number of the person responsible for the removal of such sign, erected not more than 45 days prior to such election, and are removed within 14 days following such election.
16. Home occupation signs. Home occupation signs, provided that such signs are limited to no more than one wall sign per occupancy, no more than one square foot in area, and are not lighted.
17. Advertising vehicle signs. Advertising vehicle signs, but only on public transportation vehicles.
18. Portable sandwich signs. Portable sandwich signs are permitted in the front of business establishments on private property and in the public pedestrian ROW (sidewalk or boardwalk) area subject to the following specifications:
 - i. Maximum sign width over public sidewalk-two feet six inches.
 - ii. Signs shall be placed in such a manner as to not block pedestrian access in the public pedestrian ROW. The land use regulation enforcement officer shall have the authority to remove signs from the public pedestrian ROW, if the official determines that it is blocking public access and may be a hazard to the public.
 - iii. Maximum height of a sign: four feet above the sidewalk surface;
 - iv. Maximum sign area: nine square feet;
 - v. Sign area (each side) is in addition to the permitted maximum sign area;
 - vi. Signs must be made of durable weatherproof material;
 - vii. Signs cannot be placed within 25 feet of another adjoining sandwich sign in the public pedestrian ROW;

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- viii. Signs shall only be placed in front of the commercial establishment in which it advertises;
 - ix. Owner must remove the sign at the closing of the establishment each day. No person shall erect or allow a projecting sign or sandwich sign that encroaches into the public pedestrian ROW area without having received a license from the City. A license is not required in the event the sign is located on private property; and
 - x. The structure and construction of the projecting sign shall comply with the New Jersey Uniform Construction Code, where applicable. The signage shall be maintained in good condition and repair. Any sign, which is not maintained shall, after notice and an opportunity to correct any deficiency, be required to be removed at the owner's expense.
- (h)** Signs specifically prohibited in all zoning districts. The following signs are prohibited in all zoning districts and shall not be erected, maintained, or permitted to continue in any zoning districts:
- 1. Animated or moving signs. Animated or moving signs, except as expressly authorized by specific zoning district rules.
 - 2. Advertising vehicle signs. Except as provided in this subchapter, no person shall operate or park any advertising vehicle on any street, on any public property or on any private property so as to be visible from any street.
 - 3. Miscellaneous prohibited signs shall include:
 - i. Any sign on a tree or utility pole or painted on or otherwise directly affixed to any rock, ledge, or other natural feature, whether on public or private property; or
 - ii. Any sign, including advertising vehicle signs that advertises or promotes a use that is prohibited within the district.
- (i)** Sign rules for predominantly residential zoning districts. Signs shall be permitted in the LH-1, LH-2, DA, and OS districts as follows:
- 1. Functional types permitted:
 - i. All signs permitted in any zoning district without a CLUC or fee as provided in this subchapter;
 - ii. Bulletin board signs, when accessory to an institutional use in the zoning district;
 - iii. Identification signs, when accessory to an institutional use in the zoning district; and
 - iv. Business signs, when accessory to a commercial use in the zoning district;
 - 2. Structural types permitted:
 - i. Ground signs;
 - ii. Wall signs; and
 - iii. Window signs, when accessory to a commercial use in the zoning district;
 - 3. Number of signs permitted:
 - i. One wall sign or ground sign per street frontage when accessory to an institutional use in the zoning district; and
 - ii. One window sign per use when accessory to a commercial use in the zoning district;
 - 4. Maximum gross surface area of signs permitted:
 - i. Ten square feet per face for a wall sign or ground sign. No ground sign shall have more than two faces; and
 - ii. Window signs accessory to commercial uses permitted by a conditional use approval in the zoning district shall not exceed 33 percent of the area of the window in which they are displayed nor block any window area required by any applicable code for light, ventilation, or emergency exit;

5. Maximum height of signs permitted:
 - i. Ground signs: three feet;
 - ii. Wall signs: 15 feet or no higher than the second floor windowsill, whichever is less; and
 - iii. Window signs: no higher than in a window on the level at which the principal use takes place;
 6. Minimum setback required. For ground signs, five feet from all lot lines; and
 7. Type of illumination permitted:
 - i. LED, LCD indirect, and internal illumination;
 - ii. Neon and other gas-type illumination; and
 - iii. No window sign installed in a window above the ground floor shall be illuminated.
- (j) Sign rules for commercial and special purpose districts. Signs shall be permitted in the GWAY, RC, CBD, KAR, TWD, B, MARINA, GB, AI, and BADER zoning district as follows:
1. Functional types permitted:
 - i. All signs permitted in any zoning district without certificate or fee as provided in this subchapter;
 - ii. Bulletin board signs;
 - iii. Identification signs;
 - iv. Business signs;
 - v. Joint-identification signs; and
 - vi. Advertising signs, except within the Gateway, Beach, Kentucky Avenue Renaissance, Gardiners Basin, and Absecon Inlet Districts and subject to the provisions of this subchapter;
 2. Structural types permitted:
 - i. All structural types specified in (e) above, except roof signs; and
 - ii. Electronic billboard signs, except within the Beach District;
 3. Number of signs permitted:
 - i. Two wall signs and either one ground sign or one pole sign per street frontage;
 - ii. One awning, canopy, or marquee sign;
 - iii. One projecting sign;
 - iv. One window sign per use when accessory to a commercial use in the zoning district; and
 - v. One electronic billboard sign;
 4. Maximum gross surface area of signs permitted:
 - i. Total area for all signs, other than as specified in this subchapter, shall not exceed 25 percent of the total wall surface per elevation; and
 - ii. Six hundred and fifty square feet of display area for electronic billboard signs;
 5. Maximum height of signs permitted:
 - i. Awning, canopy, or marquee signs: 20 feet or no higher than the second floor windowsill, whichever is less;
 - ii. Projecting signs: 20 feet or no higher than the second floor windowsill, whichever is less;
 - iii. Ground signs: five feet;
 - iv. Pole signs: 20 feet;

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- v. Wall signs: no higher than the roofline of the wall supporting the sign; and
 - vi. Electronic billboard signs: 40 feet;
- 6. Minimum setback required:**
- i. Wall, awning, canopy, marquee, projecting, and window signs: none; and
 - ii. Ground, pole, and electronic billboard signs: five feet from all lot lines; and
- 7. Type of illumination permitted:**
- i. LED, LCD indirect, and internal illumination; and
 - ii. Neon and other gas-type illumination.
- (k) Special rules applicable to specified signs are as follows:**
- 1. Automobile service station and gas station and convenience center signs.** This paragraph, rather than (a) through (j) above, shall apply to signs accessory to automobile service stations and gas station and convenience centers located in a zoning district:
 - i. Functional types permitted. Any functional type sign is permitted in the zoning district.
 - ii. Structural types permitted. Any structural type sign listed in this subchapter, except projection and roof signs are permitted.
 - iii. Number of signs permitted. Two wall signs and one freestanding sign shall be permitted per roadway frontage.
 - iv. Maximum gross surface area of signs permitted is as follows:
 - (1)** Total area for all signs, permanent and temporary, but not including signs permitted pursuant to this subchapter, shall not exceed two square feet per linear foot of building frontage facing any street line.
 - (2)** Window signs shall not exceed 33 percent of the area of the window in which they are exhibited nor block any window area required by any applicable code for light, ventilation, or emergency exit.
 - (3)** No ground or pole sign shall have more than two faces.
 - v. Maximum height of signs permitted:
 - (1)** Wall, awning, canopy, pole, marquee, and projecting signs: 20 feet or no higher than the roof eave or second floor windowsill, whichever is less.
 - (2)** Window signs: no higher than in windows on the ground floor, unless there is a separate and distinct use on any higher floor.
 - (3)** Ground signs: five feet.
 - vi. Minimum setback required.
 - (1)** Wall, awning, canopy, marquee, projecting, and window signs: none.
 - (2)** Ground signs: five feet from any other lot line.
 - vii. Type of illumination permitted.
 - (1)** LED, LCD indirect, or internal illumination.
 - (2)** Neon and other gas-tube illumination.
 - (3)** No sign installed above the second floor shall be illuminated.
 - viii. Revolving signs are prohibited.

2. Parking lot and parking garage signs. This paragraph, rather than (a) through (j) above, shall apply to signs accessory to parking lots and garages in the district:

i. Functional types permitted or required:

- (1) Identification signs;
- (2) Current rate signs;
- (3) Tariff signs;
- (4) Prohibitory (towing) signs; and
- (5) Closed signs;

ii. Structural types permitted:

- (1) Awning, canopy, or marquee sign;
- (2) Ground sign;
- (3) Projected sign;
- (4) Wall sign; and
- (5) Pole sign.

iii. Identification signs shall:

- (1) Not exceed 16 square feet in size;
- (2) Be not lower than four feet nor higher than 14 feet;
- (3) Be placed where most desirable to fit the needs of the individual business; and
- (4) Be the style and coloring in keeping with the operator's logo, trademark, or other identifying symbol;

iv. Current rate signs:

- (1) Shall not exceed four by four feet;
- (2) Shall be not lower than four feet nor higher than eight feet;
- (3) Shall be parallel or perpendicular to street frontage; and
- (4) The rates must be in accordance with (k)2v below and all rates must be the same size. The sign must show the period of time for which the vehicle is to be stored or parked and must show the initial fee and the subsequent, if that subsequent fee is different than the initial fee, above the rate. The words "CURRENT RATE" in capital letters, four inches high, in Helvetica Medium letter style are required. The sign must indicate the parking rate in effect at the time that the sign is displayed. The current rate sign must have a white background, letters in six-inch Helvetica Medium letter style, black in color numerals in eight-inch minimum, 16-inch maximum, red in color; and interchangeable inserts of slots for fee and hour;

v. Tariff signs shall:

- (1) Not exceed two by three feet;
- (2) Be no higher than eight feet, nor lower than can be seen unobstructed from all entrances when the lot is full;
- (3) Be posted prominently, in an unobstructed location, permanently affixed to the attendant's booth; and
- (4) State the entire rate schedule of the parking facility that is on file with the City transportation department. All rates must be the same size, with white background, black lettering, red

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numerals. It shall have the name of the operator, mercantile license number, and the address. The specifications for lettering and numeral size provide that a full and maximum use is made of the surface area in a neat and clear manner;

vi. Public prohibitory (towing) signs shall be:

- (1) Two feet by four feet;
- (2) No higher than eight feet nor lower than four feet.
- (3) Posted in a visible location at all entrances to the facility. If the entrance requirement is not sufficient due to the largeness of the facility, then posted in a visible location or locations, so that a sign is clearly visible to all entrances and parking places within the parking facility; and
- (4) Posted with a sign reading "Unauthorized Vehicles Will Be Towed," the name of the towing company, the address and telephone number of the towing company, and the fee for the towing, individually boxed underneath the prohibitory reading;

vii. Private property prohibitory (towing) signs shall be as follows:

- (1) Private property towing signs must be posted in an unobstructed location, reading "Private Property, No Parking, Tow Away Zone," the name of the towing company, the address and phone number of the towing company, and the fee for the towing.
- (2) All prohibitory (towing) signs are to be white background, red letters and numerals, three-inch Helvetica Medium style lettering, company name boxed seven inches by 12 inches, address and telephone number boxed seven inches by 12 inches, and fit in a four-by-four-inch box lined area; and

viii. Closed signs:

- (1) Should fit the slots in the current rate, of sufficient size to cover the fee portion of the current rate sign;
- (2) Posted when warranted, across current rate sign when the lot is not open to the public;
- (3) Posted at all entrances to the facility; and
- (4) The lettering must be six-inch red letters, Helvetica Medium Bold, with a white background.

3. Time-and-temperature signs. On each lot, one pole, projecting or ground sign whereon the current time or temperature, or both, is indicated by intermittent lighting shall be permitted; provided, however, that not more than one such sign shall be permitted on any one frontage. Lighting changes on any such sign shall be limited to the numerals indicating the time or temperature and to not more frequent changes than once in every 15 seconds. No such sign shall be larger than 16 square feet per sign face nor shall have a height in excess of 20 feet. Every such sign shall be setback at least 10 feet from any street line and five feet from any other lot line.

4. Signs accessory to any nonconforming uses shall be subject to this subchapter.

5. Skyway bridge signs. Skyway bridges are those structures that are built over the City's streets and are primarily for the movement of people from one principal structure to another. A skyway bridge may also contain public space associated with the principal structures it connects. Skyway bridge signs are specified signs attached to these structures.

i. Functional types of skyway bridge signs permitted shall be as follows:

- (1) Identification signs; and
- (2) Business signs.

ii. Structural types of skyway bridge signs permitted shall be as follows:

- (1) Wall signs; and

- (2) Temporary signs.
- iii. Number of skyway bridge signs permitted shall be as follows:
 - (1) One identification sign per side; maximum of two signs; and
 - (2) One temporary sign or wall sign with a temporary business message per side; maximum of two signs.
- iv. The locations of signs on skyway bridges shall be subject to the following limitations:
 - (1) Signs cannot extend beyond the physical dimensions of the structure; and
 - (2) Signs cannot be placed over any transparent portion of the structure that allows light onto the pedestrian portion of the bridge or pedestrian views from the bridge.
- v. Types of illumination for skyway bridge signs shall be as follows:
 - (1) LED, LCD, indirect, or internal illumination;
 - (2) Neon and other gas-type illumination; and
 - (3) Decorative bridge lighting, which is not part of a sign will be clear bulbs only. Said lighting can be stationary or moving but not flashing.

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§ 19:66-5.8 Onsite parking and loading requirements

- (a) Residential parking shall follow the requirements of the New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21.
- (b) The following parking requirements shall apply for non-residential uses:
 1. Retail uses: One space for each 300 square feet of floor area.
 2. Personal service uses: One space for each 400 square feet of floor area.
 3. Hotels, motels, and hotels-casinos: One space per hotel room for the first 500 rooms; one space per two hotel rooms beyond 500 rooms; and for non-hotel activities, 12 spaces per 1,000 square feet of gross floor area for non-hotel floor area for non-hotel space applied to the first 40,000 square feet, six spaces per 1,000 square feet for the next 60,000 square feet, and three spaces per 1,000 square feet for floor area over 100,000 square feet.
 4. Restaurants and bars: One space for each customer based upon 30 percent of building capacity or 150 square feet of floor area, whichever is greater.
 5. Banks without drive-through facilities: One space for each 400 square feet of floor area.
 6. Banks with drive-through facilities: One space for each 500 square feet of floor area.
 7. Medical offices and clinics: One space for each 1/6 of a doctor.
 8. Professional offices: One space for each 400 square feet of floor area.
 9. General warehousing and storage facilities: One space for each 500 square feet of floor area.
 10. Instructional academies: One space for each six students.
 11. Elementary and high schools, public, private, and parochial: One space for each four students over 16 years of age.
 12. House of worship: One space per five seats in the sanctuary or equivalent worship space.
 13. Nursery school or day care center: One space for every employee on duty during the largest shift plus one space for every seven children in attendance when the facility is operating at maximum capacity.
 14. College or university: One space for every three employees plus one space for every 10 students residing on campus and one space for every five students not residing on campus.
 15. Art gallery: Three spaces for every 1,000 square feet of gross floor area of exhibit area or gallery space.
 16. Theater, auditorium, or arena: One space for every three seats.
 17. Sports club/health spa: Five spaces for every 1,000 square feet of gross floor area.

18. Automobile service station and gas station and convenience center fueling station: Three spaces for each service stall and one space for each employee on duty during largest shift.
 19. Auto repair: Five spaces for every 1,000 square feet of gross floor area.
 20. Hospital: One space for every two beds.
 21. Commercial amusement: One space per 200 square feet.
 22. Government office: One space for each 400 square feet of floor area.
- (c) The following loading requirements shall apply for all commercial uses:
1. 10,000 to 99,999 square foot building: One;
 2. 100,000 to 149,999 square foot building: Two;
 3. 150,000 to 399,999 square foot building: Three;
 4. 400,000 to 659,999 square foot building: Four;
 5. 660,000 to 969,999 square foot building: Five;
 6. 970,000 to 1,300,000 square foot building: Six; and
 7. For each additional 350,000 square feet, one additional loading space shall be required.

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§ 19:66-5.9 Zoning district rules; Beach (B)

(a) Purpose. The purpose of the B Beach District is to capitalize on the unique land use attributes inherent of the proximity to the Atlantic Ocean through promotion and zoning controls that maximize the value of the zoning district.

1. The following shall apply in the B Beach District:

i. Permitted uses in the Beach District are as follows:

- (1) Amusements and amusement piers;
- (2) Temporary ground mounted amusement rides (including, but not limited to, blow up water slides);
- (3) Beach bars;
- (4) Restaurants;
- (5) Recreation, including, but not limited to, beach and water based uses, zip lines, personal watercraft, sailboat and surfboard rentals, and surfing schools;
- (6) Seating and entertainment pavilions;
- (7) Concerts and temporary entertainment venues including, but not limited to, stages;
- (8) Retail uses only on existing piers;
- (9) Lifesaving/lifeguard huts and structures;
- (10) Temporary stands for the rental of bathers' umbrellas and chairs;
- (11) Erosion-preventative structures, including jetties, bulkheads, and dunes; and
- (12) Commercial piers.

ii. Specific uses on amusement and commercial piers are as follows:

- (1) Amusements and amusement rides;
- (2) Bars and restaurants;
- (3) Recreation;
- (4) Retail sales;
- (5) Pop-up uses including, but not limited to, food vendors and personal services; and
- (6) Arcades and carnival games.

iii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines. A maximum of two machines within the front yard area;
 - (2) Wireless telecommunications antennas; and
 - (3) Any use that is customary and incidental to permitted principal uses.
- iv. The area and bulk requirements in the B District are:
- (1) Maximum height for structures directly on the beach (measured from grade): 20 feet (principal); 10 feet (accessory); and
 - (2) Area and bulk requirements for structures on amusement and commercial piers:
 - (A) Maximum height on amusement and commercial piers shall not exceed 100 feet above the Boardwalk level or elevation, except that at a point commencing at the midpoint of the pier, the maximum permitted height shall be 200 feet for entertainment, amusement rides, and recreational features having as the basic component thematic and amusement attributes;
 - (B) No front yard setback is required on the Boardwalk up to a height of 35 feet. Above 35 feet, the "front yard setback" is defined as an imaginary plane extending upward from the oceanside of the Boardwalk at an angle of 30 degrees from the vertical plane;
 - (C) Up to 80 feet above the Boardwalk level, a minimum side setback of 12 feet per side shall be provided. Above 80 feet, an additional 18 feet per side shall be required;
 - (D) A rear yard setback of at least 30 feet shall be provided at the ocean edge of the pier level up to 80 feet. Above 80 feet an additional 20 feet shall be required; and
 - (E) For the purposes of this sub-subparagraph, the following terms shall have the following meanings and shall not be applicable to any other zoning district:
 - I. "Front lot line shall" mean the Boardwalk line separating the pier or lot from the Boardwalk.
 - II. "Rear lot line" shall mean the lot line that is parallel to and most distant from the front lot line, as defined above, and representing the outer edge of the pier along the ocean-side; and
 - III. "Side lot line" shall mean the line representing the outer edge of the pier, perpendicular to the front lot line.
- v. Signs are permitted in accordance with the provisions of this chapter.
- vi. Parking and loading is permitted in accordance with the provisions of this chapter.
- vii. Fences are permitted in accordance with the provisions of this chapter.
- viii. Performance standards. All uses established shall comply with the performance standards set forth in accordance with the provisions of this chapter.

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§ 19:66-5.10 Zoning district rules; resort commercial (RC)

(a) Purpose. The purpose of the RC Resort Commercial District is to provide an array of land uses that will capitalize on the zoning district's geographical advantages of the zoning district's proximity to the boardwalk and the Atlantic Ocean. The Resort Commercial District also offers the highest intensity residential offerings within the Tourism District with a variety of supportive commercial and services uses. The vision is to create an environment where residential and resort offerings seamlessly integrate.

1. The following shall apply in the RC Resort Commercial District:

i. Permitted uses are as follows:

- (1) Hotels, including condotels;
- (2) Casino hotels;
- (3) Professional and medical offices, except narcotic/psychiatric/alcohol treatment facilities;
- (4) General offices;
- (5) Recreation;
- (6) Retail sales;
- (7) Indoor and outdoor restaurants, including sidewalk cafes;
- (8) Bars and craft breweries and distilleries;
- (9) Entertainment;
- (10) Recreation;
- (11) Amusement rides;
- (12) Educational uses, college, and instructional uses;
- (13) Institutional uses;
- (14) Catering services;
- (15) Hospitals;
- (16) Parks;
- (17) A combination of one or more of (a)1i(1) through (16) above;
- (18) Personal services, except for secondhand goods shops, cash for gold stores, and pawn shops;
- (19) Pop-up uses;
- (20) Multi-family residential mid-rises and high-rises; and

- (21) Mixed uses.
- ii. Permitted accessory uses:
- (1) Public and private garages;
 - (2) Outdoor vending machines (a maximum of two machines within the front yard area);
 - (3) Other uses customarily incidental to the principal permitted uses and on the same lot; and
 - (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.
- iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter are as follows:
- (1) Automobile service station and gas station and convenience center;
 - (2) Automobile repair;
 - (3) House of worship;
 - (4) Food trucks/trailers;
 - (5) Public parks, playground, and community centers; and
 - (6) Public utility stations.
- iv. The area and bulk requirements in the Resort Commercial Zone are:
- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
 - (2) Minimum lot area: 7,500 square feet;
 - (3) Minimum lot depth: 150 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 70 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Maximum density (dwelling units per acre ("DU/A")): 50 DU/A for mid-rise and 75 DU/A for high rise.

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§ 19:66-5.11 Zoning district rules; Ducktown Arts (DA)

(a) Purpose. The purpose of the Ducktown Arts District is to capitalize on the area's dense, historic nature and the existing land use pattern and provide a multitude of opportunities for complementary land uses.

1. The following shall apply in the Ducktown Arts District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise, and single-family attached;
- (2) Live-work studios;
- (3) Mixed use, commercial/retail on first and second floors, residential above;
- (4) Pop-up uses;
- (5) Restaurants;
- (6) Bars and craft breweries and distilleries;
- (7) Galleries;
- (8) Art studios;
- (9) Arts apartments with studio space;
- (10) Performing arts centers;
- (11) Retail sales;
- (12) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (13) Custom crafts;
- (14) Home occupation;
- (15) Professional office and medical offices;
- (16) Food products;
- (17) Freestanding parking lot;
- (18) Educational uses, college, and instructional uses;
- (19) Institutional uses; and
- (20) Government uses.

ii. Permitted accessory uses are as follows:

- (1) Public and private garages;

- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
 - (3) Other uses customarily incident to the principal permitted uses and on the same lot; and
 - (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.
- iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter are as follows:
- (1) Automobile service station and gas station and convenience center;
 - (2) Automobile repair;
 - (3) House of worship;
 - (4) Food trucks/trailer;
 - (5) Public parks, playground, and community centers; and
 - (6) Public utility stations.
- iv. The area and bulk requirements in the Ducktown Arts Zone are:
- (1) Maximum height (measured from BFE): 35 feet (principal); 15 feet (accessory);
 - (2) Minimum lot area: 5,000 square feet;
 - (3) Minimum lot depth: 100 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 30 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: five feet;
 - (9) Minimum side yard: 0 feet;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Maximum density (dwelling units per acre): 25 DU/A.

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§ 19:66-5.12 Zoning district rules; Central Business District (CBD)

(a) Purpose. The purpose of the CBD is to accommodate a mixture of land uses within an expansion area in generally the center of the Tourism District. The CBD contains the most intensive retail business uses within the Tourism District.

1. The following shall apply in the CBD:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise residential;
- (2) Mixed-use;
- (3) Retail sales;
- (4) Wholesale establishments;
- (5) Personal services;
- (6) Restaurants;
- (7) Bars and craft breweries and distilleries;
- (8) Educational uses, college, and instructional uses;
- (9) Big box stores;
- (10) Supermarkets;
- (11) Institutional uses;
- (12) Government use;
- (13) Business-to-business providers of goods and services, including, data processing and storage centers;
- (14) Parks; and
- (15) Pop-up uses.

ii. Permitted accessory uses are as follows:

- (1) Public and private garages;
- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
- (3) Other uses customarily incident to the principal permitted uses and on the same lot;
- (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

- iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:
- (1) Automobile service station and gas station and convenience center;
 - (2) Automobile repair;
 - (3) House of worship;
 - (4) Food trucks/trailers;
 - (5) Light industrial, such as wholesale and retail warehouses;
 - (6) Public parks, playground, and community centers; and
 - (7) Public utility stations.
- iv. The area and bulk requirements in the Central Business District are:
- (1) Maximum height (measured from BFE): 65 feet (principal); 35 feet (accessory);
 - (2) Minimum lot area: 5,000 square feet;
 - (3) Minimum lot depth: 100 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 30 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: five feet;
 - (9) Minimum side yard: 0 feet;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Maximum density (dwelling units per acre): 25 DU/A.

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§ 19:66-5.13 Zoning district rules; Gateway (GWAY)

(a) The purpose of the GWAY District is to serve as a transitional gateway into the higher-intensity sections of the Tourism District. The GWAY District offers an attractive, lower-intensity introduction to the remainder of the Tourism District.

1. The following shall apply in the GWAY District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise residential;
- (2) Retail sales, except for liquor stores;
- (3) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (4) Restaurants;
- (5) Bars;
- (6) Parks;
- (7) Educational uses, college, and instructional uses;
- (8) Pop-up uses;
- (9) Institutional uses;
- (10) Professional office, business, publishing, and medical offices;
- (11) Medical clinics;
- (12) Medical and research laboratories;
- (13) Student and faculty housing;
- (14) Social and civic association meeting places;
- (15) Conference and convention halls;
- (16) Government uses;
- (17) Public garage; and
- (18) Telecommunications equipment.

ii. Permitted accessory uses are as follows:

- (1) Public and private garages;
- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
- (3) Other uses customarily incident to the principal permitted uses and on the same lot; and

- (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.
- iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:
- (1) Automobile service station and gas station and convenience center;
 - (2) Automobile repair;
 - (3) House of worship;
 - (4) Food trucks/trailers.
 - (5) Public parks, playground, and community centers; and
 - (6) Public utility stations.
- iv. The area and bulk requirements in the Gateway District are:
- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
 - (2) Minimum lot area: 7,500 square feet;
 - (3) Minimum lot depth: 150 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 70 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Maximum density (dwelling units per acre): 25 DU/A.

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§ 19:66-5.14 Zoning district rules; Marina (M)

(a) Purpose. The purpose of the Marina District is to support the existing casino and water-oriented land uses, and encourage new and appropriate land uses that will attract tourists and residents alike.

1. The following shall apply in the Marina District:

i. Permitted uses are as follows:

- (1) Hotels;
- (2) Casino hotels;
- (3) Marinas;
- (4) Retail sales;
- (5) Theaters;
- (6) Restaurants, bars, and lounges;
- (7) Entertainment and recreation uses, including arenas, theme parks, water parks, golf courses, active and/or passive recreation facilities, cultural facilities, and any other like and similar attractions; and
- (8) Public parking garage.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines (a maximum of two machines within the front yard area);
- (2) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (3) Wireless telecommunications antennas.

iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:

- (1) Public parks, playground, and community centers; and
- (2) Public utility stations.

iv. The area and bulk requirements in the Marina District are:

- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
- (2) Minimum lot area: 7,500 square feet;
- (3) Minimum lot depth: 150 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;

- (6) Maximum building coverage: 70 percent;
- (7) Maximum impervious coverage: 80 percent;
- (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Density: N/A.

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§ 19:66-5.15 Zoning district rules; Gardner's Basin (GB)

(a) Purpose. The purpose of the Gardner's Basin District is to support the historic marine environment of the area with a mixture of uses that will attract local residents and tourists alike.

1. The following shall apply in the Gardner's Basin District:

i. Permitted uses are as follows:

- (1) Retail sales;
- (2) Restaurants and bars;
- (3) Recreation;
- (4) Special event facilities;
- (5) Cultural uses;
- (6) Marinas;
- (7) Aquariums;
- (8) Charter boats; and
- (9) Marine science and technology uses.

ii. Permitted accessory uses are as follows:

- (1) Accessory garages;
- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
- (3) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:

- (1) Public parks, playground, and community centers; and
- (2) Public utility stations.

iv. The area and bulk requirements in the Gardner's Basin Zone are:

- (1) Maximum height (measured from BFE): 40 feet (principal); 35 feet (accessory);
- (2) Minimum lot area: 7,500 square feet;
- (3) Minimum lot depth: 75 feet;
- (4) Minimum lot width: 100 feet;

- (5) Minimum lot frontage: 100 feet;
- (6) Maximum building coverage: 30 percent;
- (7) Maximum impervious coverage: 80 percent;
- (8) Minimum front yard: 0 feet;
- (9) Minimum side yard: 0 feet;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Density: N/A.

Annotations

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§ 19:66-5.16 Zoning district rules; Bader Field (BADER)

(a) Purpose. The purpose of the Bader Field District is to reactivate Bader Field with a mixture of land uses that will eventually lead to the redevelopment of a mixture of land uses with linkages between the site and the City, particularly the Chelsea Heights neighborhood.

1. The following shall apply in the Bader Field District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise, and mid-rise residential;
- (2) Mixed-uses;
- (3) Retail sales;
- (4) Pop-up uses;
- (5) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (6) Restaurants and bars;
- (7) Educational uses, college, and instructional uses;
- (8) Institutional uses;
- (9) Indoor and outdoor recreation facilities;
- (10) Hotels;
- (11) Freestanding parking lots and public garages;
- (12) Special event facilities;
- (13) Parks;
- (14) Government uses; and
- (15) Entertainment and entertainment facilities.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines (a maximum of two machines within the front yard area);
- (2) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (3) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. Uses requiring a conditional use approval subject to the specific conditions set forth in this chapter:

- (1) Public parks, playground, and community centers;

- (2) Public utility stations; and
- (3) New wireless telecommunications towers.

iv. The area and bulk requirements in the Bader Field Zone are:

- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
- (2) Minimum lot area: 7,500 square feet;
- (3) Minimum lot depth: 150 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;
- (6) Maximum building coverage: 70 percent;
- (7) Maximum impervious coverage: 80 percent;
- (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Maximum density (dwelling units per acre): 35 DU/A for low-rise and 50 DU/A for mid-rise.

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§ 19:66-5.17 Zoning district rules; Thorofare Waterfront District (TW)

(a) Purpose. The purpose of the Thorofare Waterfront District is to capitalize on the waterfront attributes the area affords by encouraging a mixture of residential development types, supportive commercial, educational, and institutional uses, as well as maximizing natural amenity attributes, including waterfront access and green space.

1. The following shall apply:

i. Permitted uses:

- (1) Retail sales;
- (2) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (3) Restaurants;
- (4) Bars;
- (5) Craft breweries and distilleries;
- (6) Parks;
- (7) Institutional uses;
- (8) Government uses; and
- (9) Pop-up uses.

ii. Permitted accessory uses are as follows:

- (1) Public and private garages;
- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
- (3) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:

- (1) Automobile repair;
- (2) Food trucks/trailers;
- (3) Public parks, playground, and community centers; and
- (4) Public utility stations.

iv. The area and bulk requirements in the Thorofare Waterfront District are:

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- (1) Maximum height (measured from BFE): 40 feet (principal); 15 feet (accessory);
- (2) Minimum lot area: 5,000 square feet;
- (3) Minimum lot depth: 100 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;
- (6) Maximum building coverage: 30 percent;
- (7) Maximum impervious coverage: 80 percent;
- (8) Minimum front yard: five feet;
- (9) Minimum side yard: 0 feet;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Density: N/A.

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§ 19:66-5.18 Zoning district rules; Lighthouse One (LH-1)

(a) Purpose. The purpose of the Lighthouse One District is to reinvent the area with the rehabilitation and redevelopment of several historic blocks, providing additional housing at higher intensity, commercial uses, and economic diversity.

1. The following shall apply in the Lighthouse One District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise, mid-rise, and high-rise residential;
- (2) Mixed-use;
- (3) Retail sales,
- (4) Pop-up uses;
- (5) Restaurants;
- (6) Parks;
- (7) Educational uses, college, and instructional uses;
- (8) Institutional uses;
- (9) Government uses; and
- (10) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines (a maximum of two machines within the front yard area);
- (2) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (3) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. Uses requiring a conditional use approval, subject to the specific conditions set forth in this chapter:

- (1) Single-family detached dwellings:
 - (2) Public parks, playground, and community centers; and
 - (3) Public utility stations.

iv. The area and bulk requirements in the Lighthouse One District are:

- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
- (2) Minimum lot area: 7,500 square feet;

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- (3) Minimum lot depth: 150 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;
- (6) Maximum building coverage: 70 percent;
- (7) Maximum impervious coverage: 80 percent;
- (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Maximum density (dwelling units per acre): 25 DU/A for low-rise, 50 DU/A for mid-rise, and 75 DU/A for high rise.

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§ 19:66-5.19 Zoning district rules; Lighthouse Two (LH-2)

(a) Purpose. The purpose of the Lighthouse Two District is to reinvent the area with the rehabilitation and redevelopment of several historic blocks, providing additional housing at lower intensity, commercial uses, and economic diversity.

1. The following shall apply in the Lighthouse Two District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise, and mid-rise residential;
- (2) Retail sales;
- (3) Pop-up uses;
- (4) Mixed-use;
- (5) Restaurants and bars;
- (6) Parks;
- (7) Educational uses, college, and instructional uses;
- (8) Institutional uses;
- (9) Government uses;
- (10) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (11) Home occupation;
- (12) Rectories; and
- (13) Non-casino hotels, low-rise, and mid-rise.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines (a maximum of two machines within the front yard area);
- (2) Other uses customarily incident to the principal permitted uses and on the same lot as the principal use; and
- (3) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. Uses requiring a conditional use approval subject to the specific conditions set forth in this chapter:

- (1) Public parks, playground, and community centers;
- (2) Public utility stations; and

- (3) Single-family detached dwellings.
- iv. The area and bulk requirements in the Lighthouse Two Zone are:
- (1) Maximum height (measured from BFE): 80 feet (principal); 35 feet (accessory);
 - (2) Minimum lot area: 7,500 square feet;
 - (3) Minimum lot depth: 150 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 30 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: 15 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (9) Minimum side yard: 15 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (10) Minimum rear yard: 20 feet;
 - (11) Minimum density: 25 DU/A for low-rise and 50 DU/A for mid-rise;
 - (12) Floor area ratio: N/A; and
 - (13) Open space: N/A.

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§ 19:66-5.20 Zoning district rules; Kentucky Avenue Renaissance District (KAR)

(a) Purpose. The purpose of the Kentucky Avenue Renaissance District is to honor the deep music and entertainment history in the neighborhood and providing land use controls that seek to spur an economic engine for the area.

1. The following shall apply in the Kentucky Avenue Renaissance District:

i. Permitted uses are as follows:

- (1) Hotels;
- (2) Casino hotels;
- (3) Professional office and medical office;
- (4) General office;
- (5) Recreation;
- (6) Retail sales;
- (7) Indoor and outdoor restaurants, including sidewalk cafes;
- (8) Bars;
- (9) Entertainment;
- (10) Recreation;
- (11) Amusement rides;
- (12) Educational, college, and instructional uses;
- (13) Institutional uses;
- (14) Mixed-use;
- (15) Catering services;
- (16) Hospitals;
- (17) Parks;
- (18) Recording studios;
- (19) Concert halls; and
- (20) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines (a maximum of two machines within the front yard area);
 - (2) Other uses customarily incident to the principal permitted uses and on the same lot; and
 - (3) Wireless telecommunications antennas.
- iii. Uses requiring a conditional use approval subject to the specific conditions set forth in this chapter:
- (1) Automobile service station and gas station and convenience center;
 - (2) Automobile repair;
 - (3) House of worship;
 - (4) Food trucks/trailers;
 - (5) Public parks, playground, and community centers;
 - (6) Public utility stations;
 - (7) Freestanding parking lot; and
 - (8) Wireless telecommunication antennas mounted to existing or new buildings and existing towers.
- iv. The area and bulk requirements in the Kentucky Avenue Renaissance Zone:
- (1) Maximum height (measured from BFE): 300 feet (principal); 35 feet (accessory);
 - (2) Minimum lot area: 7,500 square feet;
 - (3) Minimum lot depth: 150 feet;
 - (4) Minimum lot width: 50 feet;
 - (5) Minimum lot frontage: 50 feet;
 - (6) Maximum building coverage: 70 percent;
 - (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Density: N/A.

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§ 19:66-5.21 Zoning district rules; Absecon Inlet (AI)

(a) Purpose. The purpose of the Absecon Inlet District is to capitalize on the unique land use attributes inherent of the proximity to the Absecon Inlet through promotion and zoning controls that maximize the value of the zoning district.

1. The following shall apply in the Absecon Inlet District:

i. Permitted uses are as follows:

- (1) Multi-family, low-rise, and mid-rise residential;
- (2) Retail sales;
- (3) Pop-up uses;
- (4) Mixed-use;
- (5) Restaurants and bars;
- (6) Parks;
- (7) Personal services, except for secondhand goods shops, cash for gold shops, and pawn shops;
- (8) Home occupation; and
- (9) Hotels, including condotels.

ii. Permitted accessory uses are as follows:

- (1) Public and private garages;
- (2) Outdoor vending machines (a maximum of two machines within the front yard area);
- (3) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (4) Wireless telecommunications antennas mounted to existing or new buildings and existing towers.

iii. The area and bulk requirements in the Absecon Inlet Zone are:

- (1) Maximum height (measured from BFE): 120 feet (principal); 35 feet (accessory);
- (2) Minimum lot area: 7,500 square feet;
- (3) Minimum lot depth: 150 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;
- (6) Maximum building coverage: 70 percent;

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- (7) Maximum impervious coverage: 80 percent;
 - (8) Minimum front yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (9) Minimum side yard: 0 feet up to 35 feet in height; 20 feet greater than 35 feet in height;
 - (10) Minimum rear yard: 20 feet;
 - (11) Floor area ratio: N/A;
 - (12) Open space: N/A; and
 - (13) Maximum density (dwelling units per acre): 35 DU/A for low-rise and 50 DU/A for mid-rise.
- iv. Use requiring a conditional use approval subject to the specific conditions set forth in this chapter:
- (1) Food trucks/trailers;
 - (2) Public parks, playground, and community centers; and
 - (3) Public utility stations.

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§ 19:66-5.22 Zoning district rules; Open Space District (OS)

(a) Purpose. The purpose of the Open Space District is to provide space for relaxation, leisure, and passive recreation in a quiet portion of the Tourism District.

1. The following shall apply in the Open Space District:

i. Permitted uses are as follows:

- (1) Historic tourist attractions;
- (2) Lighthouse; and
- (3) Passive recreation space.

ii. Permitted accessory uses are as follows:

- (1) Outdoor vending machines. A maximum of two machines within the front yard area;
- (2) Other uses customarily incident to the principal permitted uses and on the same lot; and
- (3) Wireless telecommunications antennas.

iii. The area and bulk requirements in the Open Space Zone are:

- (1) Maximum height (measured from BFE): 35 feet (principal); 15 feet (accessory);
- (2) Minimum lot area: 5,000 square feet;
- (3) Minimum lot depth: 100 feet;
- (4) Minimum lot width: 50 feet;
- (5) Minimum lot frontage: 50 feet;
- (6) Maximum building coverage: 30 percent;
- (7) Maximum impervious coverage: 40 percent;
- (8) Minimum front yard: five feet;
- (9) Minimum side yard: 0 feet;
- (10) Minimum rear yard: 20 feet;
- (11) Floor area ratio: N/A;
- (12) Open space: N/A; and
- (13) Density: N/A.

iv. Use requiring a conditional use approval subject to the specific conditions set forth in this chapter:

(1) Food trucks/trailers.

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§ 19:66-5.23 Zoning district rules; Beach Conservation (BC)

(a) Purpose. The purpose of the Beach Conservation District is to maximize the natural resources and quieter environment of the southern coastal portion of the Tourism District through appropriate zoning controls that limit intensive development.

1. The following shall apply in the Beach Conservation District:

i. Permitted uses are as follows:

- (1) Lifesaving/lifeguard huts and structures;
- (2) Recreation; and
- (3) Seating and entertainment pavilions.

ii. Use requiring a conditional use approval subject to the specific conditions set forth in this chapter:

- (1) Public parks, playground, and community centers.

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