

BOROUGH OF HIGHLAND PARK

ORDINANCE NO. 22-2043

AN ORDINANCE BY THE BOROUGH OF HIGHLAND PARK, MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 230, LAND DEVELOPMENT CONCERNING AUTOMOTIVE SERVICE AND REPAIR GARAGES

BE IT ORDAINED by the Borough Council of the Borough of Highland Park that the following amendments to Chapter 230 are hereby enacted (underlined material is new and is added; [bracketed] material is deleted):

SECTION 1. Section 230-141.D of the “Code of the Borough of Highland Park” concerning permitted conditional uses in the C Commercial Zone is hereby amended and shall read as follows:

- D. Conditional uses.
- (1) Public utility facilities required to provide the direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards.
 - (2) Automobile service and repair garages, gas stations. Any existing automobile service and repair garage shall be hereby excepted and deemed to continue as a permitted use whereby changes to the business shall require zoning permit approval only, or any addition or expansion of the use shall require site plan approval only, without the necessity of a conditional use application.
 - (3) Fraternal, charitable and philanthropic institutions.
 - (4) New and used car/truck dealerships, sales and service.
 - (5) Drive-in banks.

SECTION 2. Section 230-114 of said Code concerning specific regulations pertaining to service stations, including automobile service and repair garages, is hereby amended and shall read as follows:

The following regulations shall apply to automobile service stations, automotive repair services and garages, public garages, filling stations, and/or gas stations:

- A. All storage areas, trash facilities, pits, lifts and working areas shall be within a building. All lubrication, repair or similar activities shall be performed in an enclosed building, and no dismantled parts shall be placed outside.
- B. All gasoline pumps, air pumps and the islands upon which pumps are normally located shall be set back from the street line at least 60 feet and from any other property line at least 50 feet. A minimum space of 25 feet shall exist between any two islands and between any island and the service station building.

- C. No junked motor vehicle or part thereof and no unregistered motor vehicle shall be permitted outside an enclosed service station building. Other than employees' vehicles, no more than six motor vehicles may be located outside a service station building at any given time, provided that the owners are awaiting the repair of said motor vehicles.
- D. The exterior display of nonvehicular equipment for rent or sale shall be permitted, provided the area devoted to this purpose is in addition to the minimum lot size required for a service station; the area devoted to this purpose does not exceed 20% of the total area of the entire site; the maximum sign area for a service station is not exceeded; and the location of the equipment being rented or sold does not interfere with the off-street parking requirements for the service station and does not interfere with the traffic circulation indicated on the approved site plan.
- E. The proposed use shall be located on a lot of not less than 20,000 square feet in an area which is not located at the corner of any dangerous street intersection, as determined by Police Department accident records, and the lot lines of which are located not less than 1,000 feet from any school offering courses of general educational instruction, hospitals, church or library and not less than 2,000 feet from an existing auto repair or service station.
- F. It is intended that service stations be designed compatibly with other permitted commercial or industrial uses in the zone in which they are located and that they not be stripped along the available highway frontage or at each quadrant of a convenient intersection.
- G. All filling station storage tanks shall be placed in a six-inch-thick concrete cradle. All filler spouts, vents and gauging and venting areas shall be covered by a six-inch-thick concrete plate. Emergency shutoff and venting equipment shall conform to the most recent federal and state requirements, as they may from time to time be revised.
- H. Ingress and egress turning movements shall be designed and coordinated with the access points required for nearby uses, frequency of intersecting side streets, minimizing left turns off collector and arterial streets and maintaining building setbacks compatible with the required setbacks and landscaping.
- I. [No automotive vehicle of any kind may be displayed for sale or lease from any service station that does not comply with the regulations of § 230-93.]

Up to four (4) vehicles may be displayed for sale or lease on the property at any given time, provided that all such vehicles shall be located in designated off-street parking spaces and does not interfere with the traffic circulation on the site; no such vehicles shall be displayed closer than six (6) feet to the front property line; this setback area shall be buffered and screened in accordance with subsection K. below; automobile prices or year of manufacture shall not be boldly displayed on the automobile in a manner which would be legible from the roadway so as to avoid undue distractions to the traveling public; and banners, flags, movable signs, flashing lights, pennants, rotating devices or similar

devices shall not be permitted. Signs shall conform to the requirements of the municipal sign ordinance.

- J. Off-street parking shall be provided at the rate of three spaces per service bay plus one space for service vehicle.
- K. The area along the front lot line, with the exception of those areas required for ingress and egress, shall contain a six-foot-wide landscaped strip, defined by either a brick wall two feet in height and capped with a stone or cast stone slab or by an evergreen hedge of the same height. The landscaped area between the edge of the property line and the brick wall shall be planted with street trees no more than 30 feet on center.

SECTION 3. Any article, section, paragraph, subsection, clause, or other provision of the BOROUGH Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 5. This ordinance shall take effect upon its passage and publication and filing with the County of Middlesex Planning Board, and as otherwise provided for by law.

Introduced and Passed on first reading: February 15, 2022

Adopted: _____, 2022

Approved: _____, 2022

Attest:

Jennifer Santiago, Municipal Clerk

Gayle Brill Mittler, Mayor