

**TOWNSHIP OF FRANKLIN**  
**COUNTY OF HUNTERDON**

**ORDINANCE 2020-03**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 220 OF  
THE CODE OF THE TOWNSHIP OF FRANKLIN TO  
ADD NEW DEFINITIONS TO THE ORDINANCE AND EXPAND THE LIST OF  
PERMITTED USES IN THE COMMERCIAL-N, COMMERCIAL-S, AND  
NEIGHBORHOOD BUSINESS ZONES**

**WHEREAS**, Franklin Township wishes to foster investment and economic development within the Township; and

**WHEREAS**, the Planning Board adopted a 2019 Master Plan Reexamination Report on October 23, 2019, which contained several recommendations regarding Chapter 220; and

**WHEREAS**, the Planning Board recognizes that the existing code lacks certain definitions and does not define certain terms and as a result has recommended new definitions be added; and

**WHEREAS**, the 2019 Master Plan Reexamination Report makes several recommendations to expand the list of permitted uses in the Commercial-North, Commercial-South, and Neighborhood Business Zone; and

**WHEREAS**, the Township Committee has reviewed the 2019 Master Plan Reexamination Report and agrees Chapter 220 should be amended to add these definitions and new uses.

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Franklin in the County of Hunterdon and the State of New Jersey as follows:

**SECTION 1.**

**Amend Chapter 220 “Land Use”, Article I “General Provisions”, Section 5 “Definitions and word usage” to insert the following new terms and definitions alphabetically:**

**BAKERY**

An establishment that produces and sells baked goods, such as bread, cookies, cakes, pies and the like. The establishment may also serve beverages to customers who wish to consume the baked goods on the premises. There shall be no more than five tables.

**CHILD CARE CENTER**

Any facility which is maintained for the care, development or supervision of six or more children under six years of age who attend for less than 24 hours per day and which is licensed by the New Jersey Department of Human Services.

**COFFEE SHOP**

An establishment that sells coffee, tea, and other beverages. A coffee shop may also serve baked goods and dessert-type fare. No goods are sold to customers from a drive-up or drive-through window.

**DELICATESSEN**

An establishment selling cold cuts, cheeses and a variety of salads, as well as selection of prepared foods and other related items sold in varying quantities for consumption primarily off-premises. However, there may be on-site consumption of food as an accessory use. A delicatessen may also be referred to as a sandwich shop.

**DOG DAYCARE**

A facility that provides short-term daytime care for dogs.

**EATERY**

An establishment that serves food and beverages on the premises for consumption within the restaurant or at outdoor tables. It is not an establishment where food and beverages can be purchased without physically entering the main structure of the establishment.

**FAST FOOD RESTAURANT**

An establishment that sells pre-prepared or rapidly prepared wrapped food directly to the customer at a counter in bags or on trays for consumption on or off the premises, with or without table seating and with or without a drive-through window.

**GAS STATION**

Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels.

**MEDICAL OFFICE**

The office of a licensed medical or health care practitioner providing health care services to a person for the purpose of maintaining or restoring a person's physical or mental health. The term "licensed" is defined in the New Jersey Administrative Code.

**MINI-WAREHOUSE**

A self-storage facility for residential storage.

**OFFICE**

A room or group of rooms used for conducting the affairs of a business, profession, services, industry, or government and generally furnished with desks, tables, files, and communication equipment.

**PERSONAL SERVICE**

Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. This includes salons, barbershops, domestic services, shoe repair, travel agencies, and the like.

## **RETAIL**

An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

## **SERVICE STATION**

Any building, land area, or other premises used for the servicing and repair of vehicles; which may include the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.

## **SCHOOL**

Any building which is designed, constructed, or used primarily for educational purposes, including core components such as math, history, and English, for students grade pre-K through 12. Uses wherein instruction is given to individuals or groups in a building used principally for other purposes are not schools. Colleges, universities, technical training facilities, and the like are not schools.

## **WAREHOUSE**

A building used primarily for the storage of goods and materials and available to the general public for a fee.

## **SECTION 2.**

**Amend Chapter 220 “Land Use”, Article III “Use Regulations”, Section 10 “Zone district use regulations”, Subsection C “C-N Commercial Zone North” to add the following underlined text:**

C. C-N Commercial Zone North.

(1) Permitted principal uses and structures.

(h) Medical office

(i) Office

(j) Bakery

(k) Coffee shop

(l) Delicatessen

(m) Eatery

(n) Personal service

(o) Child care center

(3) Conditional uses and structures.

(d) Dog daycare, subject to the following conditions:

[1] A maximum of 20 dogs shall be on-site at any given time.

[2] A minimum of 20 square feet of outdoor area shall be provided per dog.

[3] There shall be no overnight boarding.

(4) Prohibited uses.

- (a) Dry cleaner
- (b) Fast food restaurant
- (c) Gas station

**SECTION 3.**

**Amend Chapter 220 “Land Use”, Article III “Use Regulations”, Section 10 “Zone district use regulations”, Subsection D “C-S Commercial Zone South” to add the following underlined text:**

**D. C-S Commercial Zone South**

(1) Permitted principal uses and structures.

- (g) Medical office
- (h) Office
- (i) Bakery
- (j) Coffee Shop
- (k) Delicatessen
- (l) Eatery
- (m) Personal service
- (n) Child care center

(3) Conditional uses and structures.

(d) Dog daycare, subject to the following conditions:

- [1] A maximum of 20 dogs shall be on-site at any given time.
- [2] A minimum of 20 square feet of outdoor area shall be provided per dog.
- [3] There shall be no overnight boarding.

(4) Prohibited uses.

- (a) Dry cleaner
- (b) Fast food restaurant
- (c) Gas station

**SECTION 4.**

**Amend Chapter 220 “Land Use”, Article III “Use Regulations”, Section 10 “Zone district use regulations”, Subsection E “NB Neighborhood Business Zone” to add the following underlined text:**

**E. NB Neighborhood Business Zone**

(1) Permitted principal uses and structures.

- (k) Bakery
- (l) Coffee shop
- (m) Delicatessen
- (n) Eatery
- (o) Medical office
- (p) Personal service
- (q) Child care center

(6) Prohibited uses.

- (a) Dry cleaner
- (b) Fast food restaurant
- (c) Gas stations

**SECTION 5.**

**Amend Chapter 220 “Land Use”, “Attachment 1”, “Schedule of Zone Requirements” as indicated in underlined red text on the attached table.**

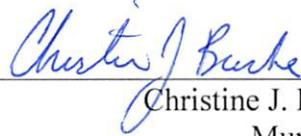
**SEVERABILITY.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**REPEALER.** Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

**EFFECTIVE DATE.** This Ordinance shall take effect upon final passage and publication as provided by law.

## NOTICE

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on March 12, 2020 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on April 9, 2020 at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 202 Sidney Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.



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Christine J. Burke, RMC  
Municipal Clerk



I, Christine Burke, Clerk for the Township of Franklin, hereby certify that Ordinance #2020-03 was introduced on first reading by the governing body of the Township of Franklin, County of Hunterdon, on March 12, 2020.

Public hearing and consideration for adoption was held on April 9, 2020, at which time the Ordinance was finally adopted.

  
Christine Burke, Township Clerk



Introduction : March 12, 2020  
Published : March 19, 2020  
Public Hearing : April 9, 2020  
Adopted : April 9, 2020  
Published : April 16, 2020