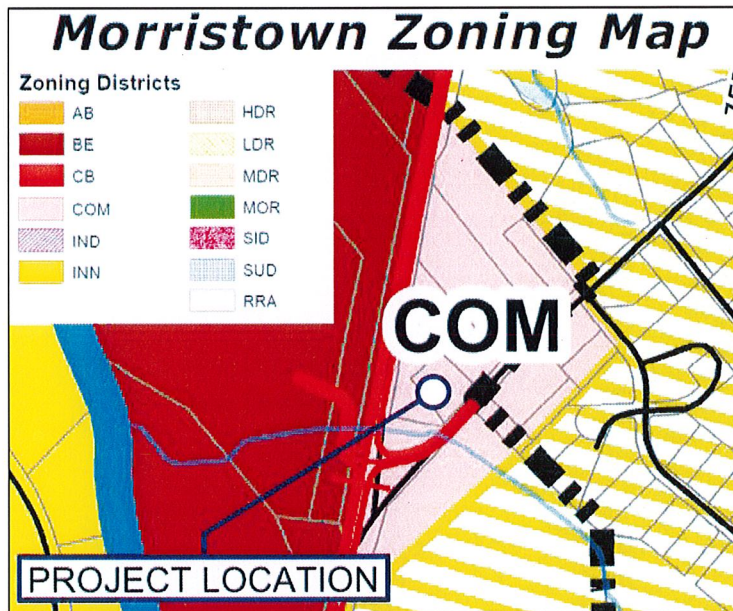


Zoning District and Development Standards

The project is located in the Commercial District (COM) which is characterized in the Morristown Bylaws to have good highway access, close proximity to the village and is



zoned to provide a mix of uses.

Within the COM District the following are Permitted Uses:

- Accessory Apartment
- Accessory Retail & Food Uses
- Accessory Use or Structure less than 500 square feet
- Dwelling Unit, Single Family
- Dwelling Unit, Two Family
- Home Occupation
- Residential Care or Group Home

A Permitted Use typically only requires a zoning permit and approval from the Development Review Board (DRB) isn't required. Based on the shape and size of the parcel, it appears that all of the Permitted Uses could be constructed on the parcel.

Conditional Uses may be permitted pending approval by the DRB which requires a public meeting and local approval upon condition. A use may be found under the Conditional Uses section but approval is never guaranteed. The following are Conditional Uses:

- Bar
- Business/Professional Office
- Business Services
- Commercial Use
- Communication Facilities
- Community Facility
- Day Care Facility

- Drive-in Restaurant or Refreshment Stand
- Drive-Through
- Dwelling Unit, Multi Family (more than two families)
- Family Child Care Facility
- Fences
- Motor Vehicle Service Station
- Motor Vehicle Sales & Repair Facility
- Planned Unit Development
- Parking Facility
- Recreational Facility Indoor & Outdoor
- Restaurant
- Retail & Wholesale Delivery of Goods and Services
- Residential Care or Group Home (serving 9+ persons)
- Transient Lodging Facility
- Wholesale Distribution

Any use not specifically listed under Permitted or Conditional Uses within the COM District is not allowed.

As Defined in the Bylaws in Article IV:

Business/Professional Office - A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or governmental and generally furnished with desks, tables, files and communication equipment.

Business Services - Establishments providing primarily services (not goods or manufacturing) to individuals, institutions, farms, industries, or other businesses where such establishments do not qualify as Home Occupations, including: bank, consulting firm, insurance or real estate agency, barbershop, beauty parlor, laundry, and photographic studio.

Commercial Use - This shall include all businesses, stores, warehouses, offices, banks, and similar Structures constructed for the promotion and conduction of commerce. This shall not include motor vehicle service stations, or transient lodging facilities.

Community Facility - Any meeting hall, place of assembly, museum, art gallery, library, school, or other similar type of establishment which is not operated primarily for profit, excluding Public Offices and Facilities.

Day Care Facility - A conditionally allowed State licensed or State registered Family Child Care Facility caring for more than six full-time children and/or caring for a maximum of six full-time children and more than four part-time children.

Drive-In Restaurant or Refreshment Stand - Any place or premises used for sale, dispensing or serving of food, refreshments or beverages in motor vehicles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

Drive-Through - An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, goods, or be entertained while remaining in their vehicles. Drive-Through uses may be the principal or accessory use on a lot. A Drive-Through use shall not be used for a food business, which is otherwise controlled by the definition for Drive-In Restaurant or Refreshment Stand.

Family Child Care Facility - A State licensed or State registered family child care facility caring for less than six full-time children, which shall be permitted as a Dwelling Unit, Single-Family use of the property. A State licensed or State registered family child care facility caring for up to four part-time children, in addition to a maximum of six full-time children, is also a Family Child Care Facility that shall be permitted as a Dwelling Unit, Single-Family use, but that this expanded use shall require §500 Site Development Plan Approval by the Development Review Board.

Motor Vehicle Service Station - Any area of land, including Structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be

used for polishing, greasing, washing, spraying, dry cleaning or otherwise cleaning or servicing such motor vehicles. A motor vehicle service station is not a sales or major repair facility for autos, trucks or trailers.

Recreation Facility/Indoor - Includes bowling alley, theater, table tennis and pool hall, skating rink, gymnasium, swimming pool, hobby workshop, and other public or commercial indoor recreation

Recreation Facility/Outdoor - Includes golf course, golf driving range, shooting/archery range, swimming pool, skating rink, tennis court, riding stable, park, beach, recreation stadium, ski trails, and other places of outdoor public or commercial recreation.

Restaurant - An establishment where food and drink is available to the general public. Alcoholic beverages may or may not be served, but shall only be incidental to the serving of food. Restaurant use does not include uses for Drive-In Restaurant or Refreshment Stand and Bar.

Retail Delivery of Goods & Services - Any enclosed business concerned primarily with the sale of produce, products, goods, equipment, or commodities. This shall exclude any drive-up service, free-standing retail stand, gasoline and/or fuel service, motor vehicle repair service, new and used car sales and service, trailer and mobile home sales and service.

Transient Lodging Facility - A Structure or combination of structures on the same lot containing four or more bedrooms that are rented as sleeping units for persons on a temporary basis. An existing Structure of combination of Structures on the same lot containing three or less bedrooms that may or may not be rented as individual sleeping units for persons on a temporary basis shall be allowed by-right as part of any residential use in all zones. This definition shall include: "bed and breakfasts," "hotels," "inns," "motels," "lodges," and "hostels."

Wholesale Distribution - Establishment or places of business primarily engaged in selling merchandise to retailers; to industry, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Of the Conditional Uses listed in the COM District, the following may not be a good fit based on the character of the area, proximity to two busy highways or the ability to develop the parcel based the size and/or shape: Communications Facility, Day Cares, Planned Unit Development, Parking Facility, Recreational Outdoor Facility, Residential Care Home, Transient Lodge Facility and Wholesale Distribution.

The parcel appears to be suitable for commercial development such as office space, business services, food industry related business, and potentially for residential apartments. Noise due to highway traffic would need to be further evaluated to determine if residential apartments or condos would be a profitable endeavor.

Dimensional Requirements

Dimensional Standards identified in the COM District include Development Class and each Class has specific Dimensional Standards. The proposed project will be considered in this Report as Class 1 which is identified in Article IX as "any use in which all necessary water supplies AND sewage disposal is provided by off-lot water and sewage systems". If the project is not serviced by municipal water and sewer, the setbacks are more restrictive which may inhibit the project's ability to be developed due to site constraints such as a conflict in the area required for a wastewater disposal system, required State and Local setbacks, and area required for the development of the project.

For a Class 1 use, the follow requirements apply:

Minimum Lot Size	Minimum Lot Width	Minimum Front Setback	Minimum Rear Setback	Minimum Side Setback
20,000 sf	90 ft	30 ft	5 ft	5 ft

Because the project is located on a corner lot, the minimum front setback shall apply to both Route 100 and Historic Route 100 (refer to Article VIII Section 810.3).