

ORDINANCE NO. 57-2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO CREATE A NEW I-7 INDUSTRIAL OVERLAY ZONE DISTRICT AND ADOPTING DEVELOPMENT REGULATIONS FOR THE NEW ZONE DISTRICT

WHEREAS, the Planning Board of the Township of Hanover recently amended the land use element of the master plan in conjunction with a comprehensive reexamination of the plan and development regulations; and

WHEREAS, the amended land use plan recommends the adoption of overlay zoning for two industrial properties on Troy Hills Road adjacent to the M& E railroad line, in order to establish standards that would provide guidance to the Planning Board or Board of Adjustment for any future modifications of the existing uses on these properties, and promote upgraded conditions from those which now exist; and

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

Section 1. Section 166-107., *Enumeration of districts*, in Article XVIII, *Districts; Map and Schedule*, is hereby amended to read as follows:

§ 166-107. Enumeration of districts.

For the purposes of this Chapter, the Township of Hanover is divided into various zone districts, known as:

R-40 Single Family Residence District
R-40N Single Family Residence District
R-30 Single Family Residence District
R-25 Single Family Residence District
R-21 Single Family Residence District
R-15 Single Family Residence District
R-10 Single Family Residence District
R-10A Residence District
R-M Residence District
RM-2 Residence District
RM-3 Residence District
RM-4 Residence District
RM-6 Residence District
AH-1 Affordable Housing Overlay District

B Business District
B-P2 Business and Professional District
B-10 Highway Commercial District
WC Whippany Center District
D-S Designed Shopping Center District
O-S Office-Services District
OB-RL Office Building and Research Laboratory District
OB-DS Office Building - Designed Shopping Center District
OB-RL3 Office Building and Research Laboratory District
I Industrial District
I-2 Industrial District
TC Town Center District
I-4 Industrial District
I-5 Industrial District
I-P Industrial Park District
I-P2 Industrial Park District
I-B2 Industrial-Business District
I-B3 Industrial-Business District
I-R Industrial - Recreation District
I-7 Industrial Overlay District
A Airport District
PU Public Use District

Section 2. Section 166-108., *Map, schedule and appendices*, in Article XVIII, *Districts; Map and Schedule*, is hereby amended to read as follows:

§ 166-108. Map, schedule and appendices.

- A. The Zone Map delineating the zone districts within the Township, entitled "Zoning Map, Township of Hanover," dated December 2019, is hereby declared to be a part of this chapter.

Section 3. Part 5., *Zoning*, is hereby amended by adding and inserting a new Article XXXVIIF, entitled *I-7 Industrial Overlay District*, consisting of Section 166-207.16., *District regulations*, to read as follows:

ARTICLE XXXVIIF

I-7 Industrial Overlay District

§166-207.16. District regulations.

- A. Purpose and intent. The intent of the I-7 Industrial Overlay District is to recognize the presence of two industrial properties on Troy Hills Road, adjacent to the M&E

railroad line. These uses have existed for many years and are not expected to cease operations for the foreseeable future. The overlay zone is intended to promote upgraded conditions from those which now exist and establish standards that would provide guidance to the Planning Board or Board of Adjustment in reviewing any development applications for these properties. At such time, if any, that the existing buildings are demolished and the properties are redeveloped, it is intended that the underlying zoning district standard would apply.

B. Permitted principal uses and structures.

(1) The permitted principal uses in the I-7 overlay zone district shall be limited to those existing, and to the locations where such uses exist, at the time of the adoption of the ordinance creating the I-7 district, which include an asphalt emulsion manufacturing facility on Lot 2 in Block 7101, and a contractor for earthwork and installation of utility and drainage structures, and construction dumpster service on Lot 1 in Block 7401, both as designated on the official Township tax maps.

(2) Minor changes to these existing uses shall be permitted, including additions to or changes to existing buildings or construction of new accessory buildings, subject to applicable standards; provided, however, that any such changes of the existing uses shall only be permitted if there results no intensification of the existing use of the property as of the date of adoption of the ordinance creating the district. For purposes of administering this requirement, an intensification of use shall be construed to mean any change in site activity which would have a significant negative impact upon residential properties in the vicinity, including but not limited to increased vehicular traffic, outdoor storage, an increase in nighttime operations, increased noise, odors and other emissions, etc.

C. Accessory uses. Permitted accessory uses shall be limited to uses which are naturally and normally incidental to and subordinate to the permitted principal use or uses on the premises, including but not limited to parking and loading areas, signs and other outdoor use functions.

D. Prohibited uses and use limitations. Any use other than the uses specifically permitted above, permitted by other provision of this Chapter or permitted by other applicable law, shall be prohibited.

E. Lot, bulk and intensity of use regulations. Development in the I-7 overlay zone district shall be subject to the following lot, bulk and intensity of use regulations; in cases where the existing development is legally nonconforming with the following requirements, the Board shall seek, insofar as reasonable and practicable, to achieve greater compliance as part of the review of any site plan application:

(1) Minimum lot area: 50,000 square feet.

(2) Maximum floor area ratio: 22% of the lot area.

- (3) Maximum building height: one story and 25 feet, whichever is more restrictive.
- (4) Maximum coverage by buildings and other roofed structures: 25% of the lot area.
- (5) Maximum coverage by improvements: 80% of the lot area.
- (6) Minimum front yard depth: 50 feet.
- (7) Minimum side yard depth: 30 feet.
- (8) Minimum rear yard depth: 30 feet.
- (9) Minimum building setback from residential property line: 30 feet.
- (10) Maximum number of principal buildings: unlimited.

F. Other requirements.

- (1) Site access, circulation, parking and loading. Site access, circulation, parking and loading shall comply with the requirements of Article XXIII, as well as all other applicable requirements of this Chapter; provided, however, that the minimum pavement setbacks for internal site driveways, access aisles, parking and loading areas, as well as other paved areas, shall be as follows:
 - (a) Minimum setback from public street right-of-way: 10 feet.
 - (b) Minimum setback from other property lines, except residential property lines: 5 feet.
 - (c) Minimum setback from residential property lines: 20 feet.
- (2) Buffers. A planted buffer shall be provided between any nonresidential development and adjacent residential properties, as follows:
 - (a) The minimum depth of the buffer planting shall be 15 feet.
 - (b) The standards for planting and screening within the buffer shall be as required by §166-125.
- (3) Roof structures shall not exceed 5 feet in height. Roof structures shall be located and screened in accordance with §166-133. The total area of all rooftop heating, ventilation and air conditioning equipment that exceeds the maximum permitted building height shall not exceed 5% of the roof area upon which it is located.
- (4) Performance standards. The requirements of §166-197. shall apply to development in the I-7 zone district.

- (5) Miscellaneous. All development in the I-7 zone district shall comply with the standards applicable to development in the I – Industrial zone district, as well as all other applicable requirements of this chapter; provided, that in the case of conflict between such regulations and the provisions of this article, the provisions of this article shall apply.

Section 4. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 5. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

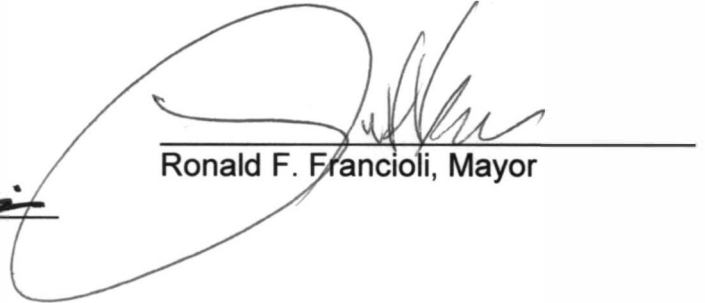
Section 6. This ordinance shall take effect in accordance with the law.

ATTEST:

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY



Joseph A. Giorgio, Township Clerk

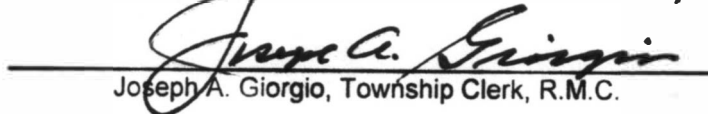


Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: November 14, 2019

DATE OF ADOPTION: December 12, 2019

I hereby certify the foregoing to be a true copy of a Resolution/Ordinance adopted by the Township Committee of the Township of Hanover at a Regular/Special Meeting held on the 12th day of DECEMBER 2019,



Joseph A. Giorgio, Township Clerk, R.M.C.

ZONING MAP

TOWNSHIP OF
HANOVER
MORRIS COUNTY, NEW JERSEY
DECEMBER 2019

