

ORDINANCE NO. 18-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION BY AMENDING THE PERMITTED USES WITHIN SHOPPING CENTERS IN THE D-S, I-B3 AND OB-DS ZONE DISTRICTS

WHEREAS, Chapter 166 of the Township's Code, entitled Land Use and Development Legislation, designates certain zone districts; and

WHEREAS, within certain zone districts, shopping centers are permitted to be developed; and

WHEREAS, the Township Committee believes that it is in the public interest to clarify and broaden the specific uses permitted within shopping centers in the D-S, I-B3 and OB-DS zone districts.

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

Section 1. Section 166-187., *Primary intended use*, in Article XXXII, D-S Designed Shopping Center District, is hereby amended to read as follows:

§ 166-187. Permitted principal uses.

This D-S Designed Shopping Center District is designed for a single building or a group of attached buildings used as a single building in single ownership used exclusively for retail sales and services or professional offices. Also permitted in this zone are conditional uses as permitted and regulated in Article XXI and accessory uses customarily incident to the principal uses permitted; provided, however, that amusement devices are only permitted as an accessory use to those uses as permitted and regulated in § 166-181.A. The permitted uses within a designed shopping center shall be as follows:

- A. Supermarkets.
- B. Food, beverage and liquor stores.
- C. Health and personal care stores, including but not limited to pharmacies and drug stores.
- D. Convenience goods stores.
- E. Eating and drinking establishments, such as but not limited to restaurants and bars.
- F. Home improvement stores.
- G. Paint and wallpaper stores.
- H. Hardware stores.
- I. Garden centers.
- J. Furniture and home furnishings stores.

- K. Electronics and appliance stores.
- L. Miscellaneous store retailers, including florists, office supplies and stationery stores, gift, novelty, and souvenir stores, used merchandise stores, pet and pet supplies stores, art dealers, tobacco stores, and other miscellaneous store retailers, but excluding manufactured (mobile) home dealers and merchandise auction houses.
- M. Clothing and clothing accessories stores.
- N. Sporting goods, hobby, and musical instrument stores.
- O. Automotive parts and accessories stores.
- P. General merchandise stores, including book stores, news dealers and newsstands, department stores, warehouse clubs and supercenters, and other general merchandise stores.
- Q. Banks.
- R. Rental and leasing services limited to rental of formal wear, costumes, and video tapes and discs.
- S. Personal services limited to laundry, cleaning and garment services, provided that commercial laundries and dry cleaning shall not be permitted on the premises; portrait photographic studios; photofinishing services; beauty salons, nail salons and barber shops; shoe repair and shoe shine establishments, and diet and weight reducing centers.
- T. Child care centers.
- U. Indoor physical fitness facilities.
- V. Retail travel agencies and tour operators.
- W. Professional offices.

Section 2. Subsection A. of Section 166-193.1., *Permitted principal, accessory and conditional uses*, in Article XXXIII A, *OB-DS Office Building — Designed Shopping Center District*, is hereby amended to read as follows:

- A. The permitted principal uses in the OB-DS Zone District shall be limited to the following:
 - (1) Business, administrative and professional offices.
 - (2) Laboratories devoted exclusively to research, design and experimentation.
 - (3) State-licensed hospitals.
 - (4) Nursing homes.
 - (5) Designed shopping centers containing a variety of retail sales and services and related uses, including the following:
 - (a) Supermarkets.
 - (b) Food, beverage and liquor stores.
 - (c) Health and personal care stores, including but not limited to pharmacies and drug stores.
 - (d) Convenience goods stores.

- (e) Eating and drinking establishments, such as but not limited to restaurants and bars.
 - (f) Home improvement stores.
 - (g) Paint and wallpaper stores.
 - (h) Hardware stores.
 - (i) Garden centers.
 - (j) Furniture and home furnishings stores.
 - (k) Electronics and appliance stores.
 - (l) Miscellaneous store retailers, including florists, office supplies and stationery stores, gift, novelty, and souvenir stores, used merchandise stores, pet and pet supplies stores, art dealers, tobacco stores, and other miscellaneous store retailers, but excluding manufactured (mobile) home dealers and merchandise auction houses.
 - (m) Clothing and clothing accessories stores.
 - (n) Sporting goods, hobby, and musical instrument stores.
 - (o) Automotive parts and accessories stores.
 - (p) General merchandise stores, including book stores, news dealers and newsstands, department stores, warehouse clubs and supercenters, and other general merchandise stores.
 - (q) Banks.
 - (r) Rental and leasing services limited to rental of formal wear, costumes, and video tapes and discs.
 - (s) Personal services limited to laundry, cleaning and garment services, provided that commercial laundries and dry cleaning shall not be permitted on the premises; portrait photographic studios; photofinishing services; beauty salons, nail salons and barber shops; shoe repair and shoe shine establishments, and diet and weight reducing centers.
 - (t) Child care centers.
 - (u) Indoor physical fitness facilities.
 - (v) Retail travel agencies and tour operators.
- (6) Hotels.
 - (7) Conference centers.
 - (8) Child-care centers.
 - (9) Computer and data processing services.
 - (10) Indoor physical fitness facilities.
 - (11) Uses permitted in all zone districts of the Township by this chapter or other applicable law.

Section 3. Section 166-203.6., *Permitted principal uses*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby amended to read as follows:

§ 166-203.6. Permitted principal uses.

The permitted principal uses in the I-B3 Zone District shall be limited to the following:

- A. Industrial uses as permitted in the I-Industrial Zone District.
- B. Research laboratories as permitted in the I-Industrial Zone District.
- C. Administrative, business and professional offices.
- D. Retail sales establishments limited to the following:
 - (1) Automotive parts and accessories stores.
 - (2) Furniture and home furnishings stores.
 - (3) Electronics and appliance stores.
 - (4) Paint and wallpaper stores.
 - (5) Hardware stores.
 - (6) Home improvement superstores.
 - (7) Garden centers.
 - (8) Food, beverage and liquor stores.
 - (9) Supermarkets.
 - (10) Health and personal care stores, including but not limited to pharmacies and drug stores.
 - (11) Clothing and clothing accessories stores.
 - (12) Sporting goods, hobby, and musical instrument stores.
 - (13) General merchandise stores, including book stores, news dealers and newsstands, department stores, warehouse clubs and supercenters, and other general merchandise stores.
 - (14) Miscellaneous store retailers, including florists, office supplies and stationery stores, gift, novelty, and souvenir stores, used merchandise stores, pet and pet supplies stores, art dealers, tobacco stores, and other miscellaneous store retailers, but excluding manufactured (mobile) home dealers and merchandise auction houses.
 - (15) Convenience stores, subject to the special provisions in § 166-203.10E.
- E. Banks.
- F. Personal services establishments limited to:
 - (1) Laundry, cleaning and garment services, provided that commercial laundries and dry cleaning shall not be permitted on the premises.
 - (2) Portrait photographic studios and photofinishing services.
 - (3) Beauty salons, nail salons and barber shops.
 - (4) Shoe repair and shoe shine establishments.
 - (5) Diet and weight reducing centers.
- G. Rental and leasing services limited to rental of formal wear, costumes, and video tapes and discs.
- H. Eating and drinking establishments, such as but not limited to restaurants and bars.

- I. Child-care centers.
- J. Indoor physical fitness facilities.
- K. Self-service storage facilities.
- L. Conference centers.
- M. Governmental buildings and uses and public parks and playgrounds.
- N. Retail travel agencies and tour operators.

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.

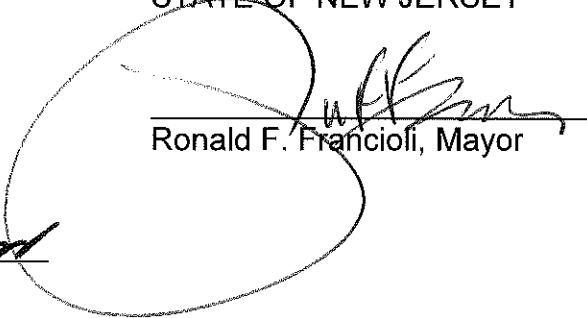
Section 6. This ordinance shall take effect in accordance with the law.

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

ATTEST:



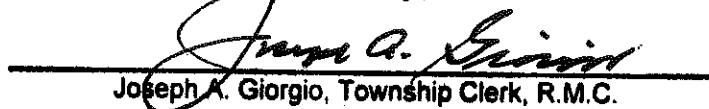
Joseph A. Giorgio, Township Clerk



Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: May 25, 2017
DATE OF ADOPTION: July 13, 2017

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 13th day of July, 2017.



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