

ORDINANCE NO. 18-2016

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 PROCEDURES FOR REVIEW AND APPROVAL OF CERTAIN DEVELOPMENT APPLICATIONS

**WHEREAS**, Chapter 166 of the Code of the Township entitled Land Use and Development Legislation, establishes the procedures for the review and approval of development applications; and

**WHEREAS**, Subsection F. of Section 166-115. currently requires that when certain combinations of uses are proposed within a building or on a property, that such uses must obtain site plan approval from the Planning Board; and

**WHEREAS**, the process of site plan approval requires a length of time and cost that is, in many cases, excessive and burdensome for relatively minor changes of use; and

**WHEREAS**, the Township Committee desires to provide a more streamlined process of approval for minor changes of use affected by Subsection F. of Section 166-115.;

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

**Section 1.** Subsection F. in Section 166-115., *Multiple principal buildings on the same lot; multiple principal uses within the same building*, in Article XIX, *General Provisions*, is hereby amended to read as follows:

- F. Restrictions on certain combinations of uses. Within any building or property, there shall be prohibited a mixture or combination of any of the uses in Column A below with any of the uses in Column B below, except when such uses are accessory to the principal use, or unless the applicant demonstrates to the satisfaction of the Site Plan Exemption Committee or the Planning Board, as applicable, that such uses can reasonably function together within the same building and on the same site without undue interference with each other or without undue impairment of the health, safety and general welfare of site users:

A

Industrial and manufacturing uses, manufacturing uses, wholesale trade uses, construction uses and building trade contractors, construction equipment leasing or storage, truck depots, distribution facilities or truck storage, warehousing, repair and/or other services to motor vehicles, public utility stations or yards, and uses similar in character to the foregoing

B

Amusement and recreation services, including but not limited to dance studios, martial arts studios, tennis clubs, physical fitness centers, and other indoor physical fitness facilities; health services, including but not limited to medical offices; educational services and social services, including but not limited to schools, child-care centers, counseling services and unemployment services; membership organizations, including but not limited to nonprofit organizations and houses of worship; and other services and uses similar to the above, either in operational characteristics or function

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** 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 26, 2016

DATE OF ADOPTION: July 14, 2016