

ORDINANCE NO. 25-2016

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 REGULATIONS FOR THE WC – WHIPPANY CENTER ZONE DISTRICT

WHEREAS, the current zoning regulations of the Township of Hanover include a WC – Whippany Center zone district: and

WHEREAS, the WC zone district was originally created in order to encourage the redevelopment of the properties in the district for a planned mixed-use center; and

WHEREAS, the WC zone district has been partially redeveloped under the current WC zone standards; and

WHEREAS, the Township Committee believes that the WC zone regulations should be amended in order to promote completion of the planned redevelopment originally envisioned for the district;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey that Chapter 166 of the Code of the Township of Hanover, *Land Use and Development*, is hereby amended as follows:

Section 1. Paragraph E in Section 166-186.14, *Permitted accessory uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- E. Outdoor dining facilities accessory to a permitted restaurant use. Such facilities shall be subject to the provisions of §166-119.5, provided that §166-119.5C shall not be construed to require setbacks and buffers between outdoor dining facilities and residential uses which are located in the WC district and further provided that

the requirements of §166-119.5H shall not apply, but shall be superseded by the requirements in this article.

Section 2. Subsection B of Section 166-186.16, *Prohibited uses*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- B. The display of goods for sale outside the confines of a building and any business conducted outside the confines of a building, including but not limited to drive-in or drive-through uses, except that drive-in and drive-through banks and pharmacies and outdoor dining accessory to a permitted food service establishment shall be permitted and regulated as set forth in this article.

Section 3. Subsection A of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

§ 166-186.18 Development standards for planned commercial development.

The following development standards shall apply to planned commercial development within the WC Zone District:

- A. Minimum tract area: nine contiguous acres, which minimum acreage shall include all of the property within the WC Zone District, excluding: 1) the rights-of-way of Route 10 and Troy Hills Road, 2) the property owned by the Morristown and Erie Railroad, and 3) Lot 7.01 in Block 7402 on the tax maps, currently developed and used for a cellular telecommunications monopole, antennas and related equipment. This requirement anticipates the vacation of the School Street right-of-way, and its inclusion within the planned commercial development.

Section 4. Paragraph (2) in Subsection B of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby amended to read as follows:

- (2) Within the planned commercial development tract, individual lots shall be permitted, and such lots may have different owners. The required floor area ratio, coverage and yard setback requirements shall not apply to such individual lots, but only to the total development tract, unless specifically indicated otherwise in this article.

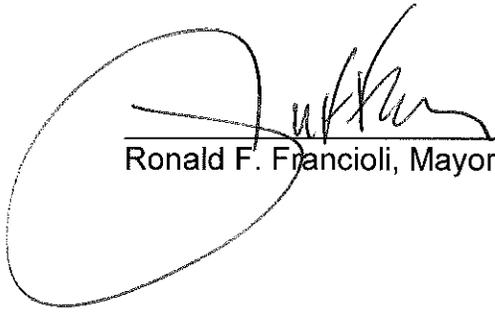
Section 5. Paragraph (1)(b) in Subsection E of Section 166-186.18, *Development standards for planned commercial development*, in Article XXXIC, *WC Whippany Center District*, is hereby deleted and the current Paragraph (1)(c) is renumbered as Paragraph (1)(b).

Section 6. 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 7. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

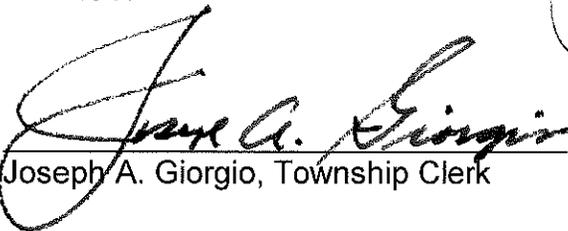
Section 8. This ordinance shall take effect in accordance with the law.

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



Ronald F. Francioli, Mayor

ATTEST:



Joseph A. Giorgio, Township Clerk

DATE OF INTRODUCTION: August 11, 2016

DATE OF ADOPTION: September 22, 2016