

ORDINANCE NO. 3-2016

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 MINIMUM NUMBER OF PARKING SPACES FOR CERTAIN USES AND BY AMENDING THE MAXIMUM PERMITTED FLOOR AREA RATIO FOR CERTAIN USES IN THE I-B3 ZONE DISTRICT

**WHEREAS**, Chapter 166 of the Code of the Township entitled Land Use and Development Legislation currently requires a minimum number of off-street parking spaces for different permitted uses; and

**WHEREAS**, the Planning Board recently undertook a study of the current parking needs of industrial, warehouse and related uses, and determined that the Code was unnecessarily restrictive in its parking requirements for these uses; and

**WHEREAS**, the Code currently designates an I-B3 zone district along Hanover Avenue, Horsehill Road and Ridgedale Avenue in the Township; and

**WHEREAS**, the I-B3 zone currently permits a range of industrial, laboratory, office, retail sales and service, and other uses; and

**WHEREAS**, the Planning Board recently undertook a study of the trip generation and parking needs of industrial, warehouse and related uses, and determined that a limited increase in the permitted floor area ratio for such uses would allow for development that is no more intensive than development for office or retail use permitted by the current regulations; and

**WHEREAS**, the Planning Board has recommended revised parking and floor area ratio that would be more reasonable for these uses, while also accommodating future changes of use within existing buildings.

**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.** Section 166-155., *Requirements for other than residential zones*, in Article XXIII, *Off-Street Parking and Loading*, is hereby amended to read as follows:

**§ 166-155. Requirements for other than residential zones.**

In all nonresidential zones, one-hundred-percent off-street parking shall be provided for all new buildings or additions to buildings; provided, however, that no parking spaces shall be required for accessory buildings, if the developer demonstrates that such accessory buildings do not generate any parking demand, and further provided that the floor areas excluded from floor area requirements by §166-113.2 shall also be excluded from required parking calculations. The minimum requirements are as follows:

<b>Use (where permitted)</b>	<b>Minimum Parking (number of spaces)</b>
Office buildings:	
Less than 50,000 square feet of gross floor area	1 per 200 square feet of gross floor area
50,000 to 99,999 square feet of gross floor area	1 per 250 square feet of gross floor area
100,000 to 199,999 square feet of gross floor area	1 per 275 square feet of gross floor area
200,000 or more square feet of gross floor area	1 per 300 square feet of gross floor area
Data processing centers:	
Low intensity – data processing performed primarily by equipment, not by employees or staff, and having an employee/staffing ratio of not more than one employee/ staff person, on the maximum shift, per 2,500 square feet of gross floor area	1 per 2,500 square feet of gross floor area, provided that the applicant demonstrates, as part of its site plan application, that the proposed number of parking spaces are sufficient for normal operations and that any potential increase in parking demand will only be temporary, sporadic and/or occurring in an emergency. The applicant shall also obtain board approval of a plan for addressing such increased parking demand, which plan may include but is not limited to car- or van-pooling, temporary overflow parking on areas having no pavement or substandard pavement, use of available off-site and/or on-street parking spaces and valet parking
Other than low intensity	Same as required for office buildings
Utility facilities, such as but not limited to power plants, power houses, power generator buildings, sewer or water treatment plants	1 per employee on the peak shift
Industrial, manufacturing, assembly and research or testing laboratory buildings	1 per 800 square feet of gross floor area
Warehouse or distribution facility	1 per 800 square feet of gross floor area
Self-service storage facilities	As required in the I-B2 Zone at § 166-203.4N(4)

**Hotels and Motels:**

Guest rooms only without restaurant or bar facilities or meeting space facilities, such as ballrooms, meeting rooms and conference suites	1.1 per guest room
Guest rooms and restaurant or bar facilities as an ancillary use	1 per guest room, plus 1 per two seats in said restaurant or bar
Guest rooms and restaurant or bar facilities and meeting space facilities, such as ballrooms, meeting rooms and conference suites, as an ancillary use	1 per guest room, plus 1 per two seats in said restaurant or bar, plus 1 per 100 square feet of floor area of said meeting space facilities
Restaurant as a principal use	1 per 65 square feet of gross floor area or 0.75 per seat, whichever is greater
Indoor physical fitness facility	1 per 200 square feet of gross floor area
Retail sales and services	1 per 200 square feet of gross floor area
Independent/assisted living facilities and other residences restricted to occupants at least 62 years of age	0.4 for each living unit or 0.4 for each bed when individual living units are not provided
Other residences	As required by the N.J. Residential Site Improvement Standards
Other nonresidential uses	1 per 250 square feet of gross floor area
Designed shopping centers	1 per 200 square feet of the gross leasable area of all nonresidential uses in the center

**Section 2.** Subsection C. in Section 166-203.9., *Lot, bulk and intensity of use standards*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby amended to read as follows:

C. Maximum floor area ratio:

- (1) Industrial, manufacturing, assembly and research or testing laboratory uses: 35% of the lot area
- (2) All other uses: 25% of the lot area.

(3) Mixture of above uses: In the event that a mixture of uses from Paragraphs (1) and (2) are proposed with different maximum floor area ratios, the maximum combined floor area ratio shall be calculated on a proportional basis, as follows:

- (a) Divide the gross floor area of the uses in Paragraph (1) above by the total gross floor area of the building(s).
- (b) Multiply the result of the calculation in Paragraph (a) times 0.35 (35%).
- (c) Divide the gross floor area of the uses in Paragraph (2) above by the total gross floor area of the building(s).
- (d) Multiply the result of the calculation in Paragraph (c) times 0.25 (25%).
- (e) Add the results from the calculations in Paragraphs (b) and (d). The total is the maximum permitted floor area ratio, which if multiplied by the lot area, will indicate the maximum permitted floor area.

As an example, the maximum floor area ratio of a 100,000 square foot building, of which 80,000 square feet is used for industry and 20,000 square feet is used for offices would be 33% of the lot area, calculated as follows:

$$\begin{aligned} 80,000 \text{ sq. ft. industry floor area} \div 100,000 \text{ sq. ft. total floor area} &= 0.80 = 80\% \\ 80\% \times 0.35 &= 28\% \\ 20,000 \text{ sq. ft. office floor area} \div 100,000 \text{ sq. ft. total floor area} &= 0.20 = 20\% \\ 20\% \times 0.25 &= 5\% \\ 28\% + 5\% &= 33\% \text{ maximum floor area ratio} \end{aligned}$$

**Section 3.** 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 4.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 5.** 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: January 14, 2016

DATE OF ADOPTION: February 25, 2016

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 25<sup>th</sup> day of February, 2016.

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