

ORDINANCE NO. 19 - 2019

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING SECTION 166-183.2, *PERMITTED PRINCIPAL USES*, IN ARTICLE XXXA, *B-10 HIGHWAY BUSINESS DISTRICT*, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO REVISE THE PERMITTED USES IN THE ZONE

**WHEREAS**, the B-10 zone district was established in order to achieve various purposes, including but not limited to: 1) promotion of a strong and sustainable economic environment that encourages attractive commercial and business development, employment opportunities, an enhanced tax base, and convenient and quality facilities, services and amenities, for both residents and the business community, and 2) promotion of redevelopment of under- or poorly-utilized or developed properties; and

**WHEREAS**, Section 166-183.2 of the Land Use Ordinance sets forth the permitted principal uses in the B-10 zone district, which include a range of commercial uses, including retail trades, various services, offices, research labs and limited manufacturing with a retail component; and

**WHEREAS**, the Township Planning Board has examined the current regulations and has recommended that limited storage uses with an office and/or retail component would both support other permitted uses in the zone and help to achieve the overall purposes of the district.

**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.** Paragraph (11) in Subsection A. of Section 166-183.2, *Permitted principal uses*, in Article XXXA, *B-10 Highway Business District*, is hereby amended to read as follows:

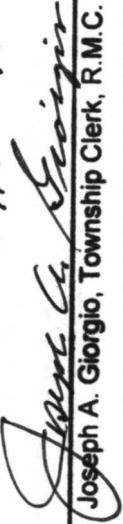
(11) Non-store retailers, limited to electronic shopping and mail-order houses (4541), but excluding warehousing operations for such uses, unless permitted by subsection P. below.

**Section 2.** Section 166-183.2, *Permitted principal uses*, in Article XXXA, *B-10 Highway Business District*, is hereby amended by adding and inserting a new Subsection P, to read as follows:

P. Small-scale storage buildings with an associated office and/or retail trade use permitted in the zone and which comply with all of the following requirements:

(1) The storage use shall not include, as either a principal or accessory use, public and contract general merchandise warehousing and storage facilities (4931), general freight trucking (4841), specialized freight trucking (4842), support activities for road transportation (4884), other support activities for transportation (4889), renting or leasing space for self-storage (53113), or any use prohibited by §166-183.5.

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 9th day of May, 2019.

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

- (2) The storage of hazardous, toxic or highly flammable substances, e.g., chemicals, solvents, petroleum, etc. (4247, 5622) shall be prohibited, except for small quantities typically necessary for maintenance of the storage facility.
- (3) The gross floor area of the storage building shall not exceed 10,000 square feet.
- (4) In addition to the warehouse operation, the building shall contain at least 1,000 square feet of gross floor area devoted to office and/or retail trade use permitted in the zone. Such office and/or retail trade use shall be accessory to the storage operation.
- (5) No elevated loading docks, such as typically used for large truck deliveries and shipments, shall be permitted.
- (6) No outdoor storage of materials, equipment or vehicles associated with the storage or warehouse operation shall be permitted.
- (6) Any storage building permitted by this Subsection shall be dedicated primarily to storage purposes; any maintenance, repair, fabrication or assembly of materials shall be minor and accessory to the storage function.
- (7) The building and site design and exterior building materials shall be consistent with and compatible with the purpose and intent of the B-10 zone district set forth in §166-183.1.
- (8) The foregoing shall not be construed to prohibit storage which is accessory to a permitted principal use on the same site, unless specifically prohibited.

**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.

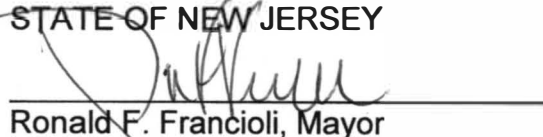
**Section 5.** This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE VOTE	AYE	NAY	ABSTAINED	ABSENT
GALLAGHER	✓			
FERRAMOSCA				✓
MIHALKO	✓			
CAHILL	✓			
FRANCIOLI	✓			
TOTAL	4			1

ATTEST:

  
Joseph A. Giorgio, Township Clerk

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

  
Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: April 11, 2019  
DATE OF ADOPTION: May 9, 2019