

ORDINANCE 34-2022

**AN ORDINANCE AMENDING CHAPTER 166, LAND USE AND DEVELOPMENT,
IN ORDER TO AMEND THE ZONE CLASSIFICATION OF BLOCK 1801,
LOTS 3 AND 5 FROM THE D-S ZONE DISTRICT TO THE I-B3 ZONE DISTRICT,
TO AMEND THE DEVELOPMENT REGULATIONS FOR THE I-B3 ZONE
DISTRICT, TO AMEND THE REGULATIONS FOR THE NUMBER OF PARKING
SPACES FOR NONRESIDENTIAL DEVELOPMENTS, TO AMEND THE
SIGNAGE REGULATIONS FOR THE B, B-10, D-S, AND WC ZONE DISTRICTS,
AND FOR RETAIL DEVELOPMENT IN THE I-B3 AND OB-DS ZONE DISTRICTS,
AND OTHER RELATED AMENDMENTS**

WHEREAS, Block 1801, Lots 3 and 5, as identified on the Township's tax maps, are currently developed with a shopping center and an office building, both of which are located in the D-S Designed Shopping Center zone district; and

WHEREAS, the D-S zone district was created in the 1950s, approximately seventy years ago; and

WHEREAS, the Township created the I-B3 zone district in the last decade, which zone district is located adjacent to the east side of and across the street from the west side of Block 1803, Lots 3 and 5; and

WHEREAS, the I-B3 zone district permits and includes standards for retail shopping centers and office buildings, and contains several existing retail shopping centers and office buildings; and

WHEREAS, there is not a sufficient difference between the I-B3 zone properties and Lots 3 and 5 in Block 1801, located in the D-S zone, to justify placing them in two zone districts; and

WHEREAS, the Township's current zoning regulations require that individual retail sales and service uses and retail shopping centers provide at least one parking space for each 200 square feet of floor area, but not all retail uses exhibit a demand for this many parking spaces, based upon parking demand studies; and

WHEREAS, in certain circumstances developments containing more than one use, such as shopping centers, can share parking spaces, thereby reducing the number of parking spaces that would be needed for the same size single use developments; and

WHEREAS, the floor area ratio requirements in the I-B3 zone district are related to the minimum number of parking spaces required, and therefore a reduction in the number of parking spaces would allow for a greater floor area on the same property; and

WHEREAS, the Township Committee desires to amend the sign regulations for retail uses to provide greater flexibility and accommodation of such uses and to address signage for extraordinary situations;

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 A in Section 4, *Definitions and word usage*, in Article II, *Definitions*, in Chapter 166, *Land Use and Development*, is hereby amended by adding and inserting in correct alphabetical order the following definitions:

AUTOMOBILE SALES – A retail establishment that primarily involves the sale or leasing of new cars, but which may secondarily include automobile services, parts sales, and used car sales. Some automobile sales dealerships also include leasing options, truck sales, and servicing.

BOOK SUPERSTORE - A retail store that specializes in the sale of books, and which may also include audio and video sales. Some have small cafes as ancillary facilities. The stores generally have centralized cashiering and maintain long store hours seven days a week.

DISCOUNT CLUB – A discount store or warehouse where shoppers pay a membership fee to take advantage of discounted prices on a wide variety of items such as food, clothing, tires, and appliances; many items are sold in large quantities or bulk. Some discount clubs may include on-site fueling pumps.

DISCOUNT STORE - A retail store that offers a variety of customer services and a wide range of products at lower prices than most other stores, but does not contain a full-service grocery department. Discount stores typically maintain long store hours seven days a week.

DISCOUNT SUPERSTORE - A retail store that offers a variety of customer services and a wide range of products at lower prices than most other stores, and contains a full-service grocery department under the same roof that shares entrances and exits with the discount store area. These stores usually offer a variety of customer hours seven days a week.

ELECTRONICS SUPERSTORE – A retail store that specializes in the sale of electronic merchandise, including televisions, audio and video players and recorders, software, telephones, computers, and general electronic accessories. Major home appliances may also be sold at these stores. These facilities generally offer a variety of customer services and centralized cashiering. Electronics superstore typically maintain long store hours seven days a week.

PET SUPPLY SUPERSTORE - A retail store that specializes in the sale of pets and pet supplies, food, and accessories, along with a variety of customer

services and centralized cashiering. These stores often maintain long store hours seven days a week.

SPORTING GOODS SUPERSTORE – A large retail store that specializes in the sale of athletic and outdoor-oriented merchandise, and typically offers a variety of customer services and centralized cashiering. These stores often maintain long store hours seven days a week. Examples of items sold in these stores including outdoor/athletic clothing, sports equipment, shoes, and hunting/boating/fishing gear. Some may also carry automotive supplies.

TOY/CHILDREN'S SUPERSTORE - A retail store that specializes in the sale of child-oriented merchandise, along with a variety of customer services and centralized cashiering. These stores often maintain long store hours seven days a week. Examples of items sold in these stores include board and video games, toys, bicycles/tricycles, wagons, outdoor play equipment, school supplies and children's clothing.

VARIETY STORE - A retail store that sells a broad range of inexpensive items often at a single price or at a similar price. These stores are typically referred to as “dollar stores.” Items sold at these stores typically include kitchen supplies, cleaning products, home office supplies, food products, household goods, decorations, and toys.

Section 2. Subsection A in Section 4, *Definitions and word usage*, in Article II, *Definitions*, in Chapter 166, *Land Use and Development*, is hereby amended by deleting the definition of “fast-food restaurant,” and by revising the definitions of “home improvement superstore,” and “restaurant” to read as follows:

HOME IMPROVEMENT SUPERSTORE - A larger retail facility specializing in the sale of home improvement merchandise, typically including such items as lumber, tools, paint, lighting, wallpaper, paneling, kitchen and bathroom fixtures, lawn equipment and plant and garden accessories, and which may include a garden center. These stores generally offer a variety of customer services and centralized cashiering. Home improvement superstores typically maintain long store hours seven days a week. The buildings for such stores typically range in size between 50,000 and 200,000 square feet of gross floor area.

RESTAURANT – An establishment where the principal business is the selling of food in a ready to consume state directly to customers for consumption on or off the premises. Restaurants may be of several types, including but not limited to the following:

FAST-FOOD RESTAURANT - An establishment whose principal business is the sale of meals, desserts or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry out with consumption off the premises, and which often serves or sells such items in edible containers or in paper, plastic or other disposable

containers. Table service is typically not provided; patrons generally order at a cash register, and pay before they eat.

HIGH-TURNOVER (SIT-DOWN) RESTAURANT — A sit-down, full-service eating establishment with turnover rates of approximately one hour or less. Such establishments are usually moderately priced and frequently belong to a restaurant chain. Generally, lunch and dinner are served, and sometimes breakfast as well. Typically, reservations are not taken. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for meals after they eat.

QUALITY RESTAURANT — A high-quality, full-service eating establishment with typical turnover rates of at least one hour or longer. Such establishments generally do not serve breakfast; some do not serve lunch; all serve dinner. Reservations are typically accepted or required. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for meals after they eat.

Section 3. Subsection A in Section 108, *Zoning Map*, in Article XVIII, *Districts and Zoning Map*, in Chapter 166, *Land Use and Development*, is hereby amended to read as follows:

- A. The Zone Map delineating the zone districts within the Township, entitled “Zoning Map, Township of Hanover, Morris County, New Jersey,” dated December 2022, is hereby declared to be a part of this chapter.

Section 4. Paragraphs (1)(c) and (1)(d) of Subsection B in Section 144, *Signs in the B, B-10, D-S, and WC Zone Districts and signs for retail development in the I-B3 and OB-DS Zone Districts*, in Article XX, *Signs*, in Chapter 166, *Land Use and Development*, are hereby amended to read as follows:

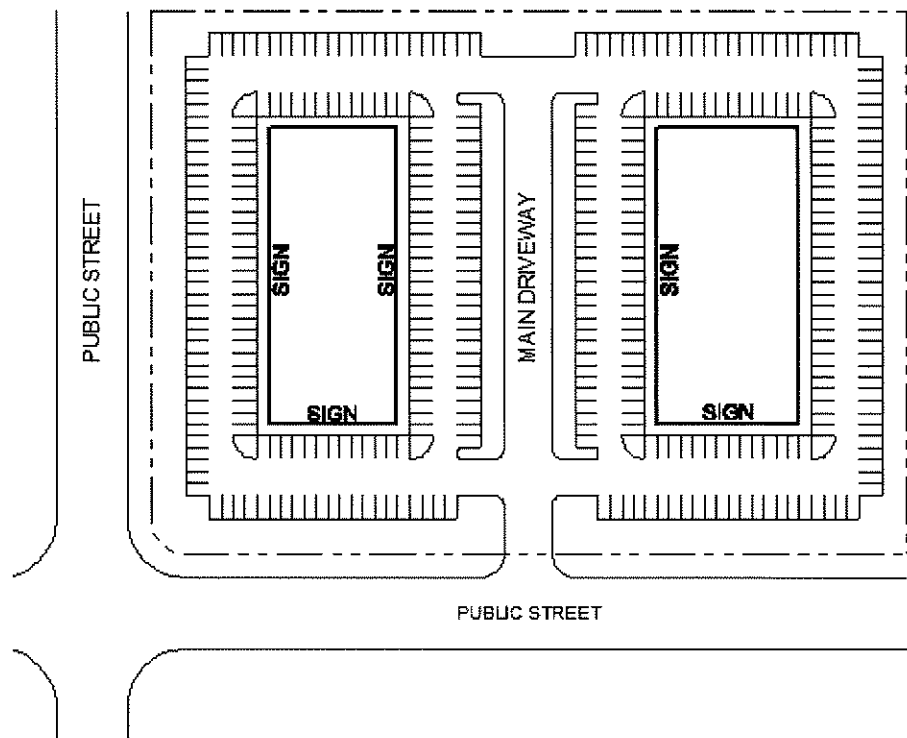
- (c) Attached principal identification signs. Attached principal identification signs shall be subject to the following requirements:

- [1] Maximum quantity of attached signs. For each establishment, the quantity of attached signs shall be subject to the following requirements:

- [a] One attached principal identification sign, or two such signs if one of the signs is an official logo of the establishment, shall be permitted on each exterior wall of the establishment that faces a public street upon which the property has frontage. See example, below.

- [b] One attached principal identification sign, or two such signs if one of the signs is an official logo of the establishment, shall be permitted on each exterior wall of the establishment that faces a main driveway. For purposes of administering this provision, a “main driveway” shall be defined as a driveway that provides direct access between a public

street and the parking area(s) for patrons of the establishment to which the sign is accessory. See example, below.

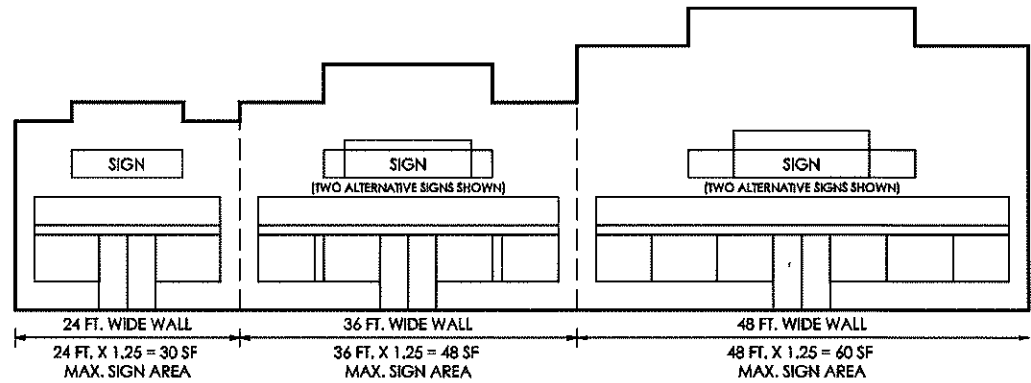


- [c] In the event that an exterior wall of the establishment faces both a public street and a main driveway, one principal identification sign, or two such signs if one of the signs is an official logo of the establishment, shall be permitted on said wall.
- [d] In the event that no exterior walls of the establishment face a public street or main driveway, or the exterior wall containing the main entrance for patrons of the establishment does not face a public street or main driveway, e.g., an establishment located within an interior area of a shopping mall, one principal identification sign, or two such signs if one of the signs is an official logo of the establishment, shall be permitted, which sign shall be located upon an exterior wall containing the main entrance or main shared entrance, as applicable, for patrons of the establishment.
- [e] For purposes of administering the foregoing provisions, a wall shall be considered to face a public street or main driveway when the wall is oriented towards and prominently visible to travelers upon such street or driveway and when a sign placed upon the wall is easily readable to such travelers. Walls and/or signs which are obscured from the view of streets or driveways by vegetation, buildings or other obstructions or which are located too far from the street or driveway

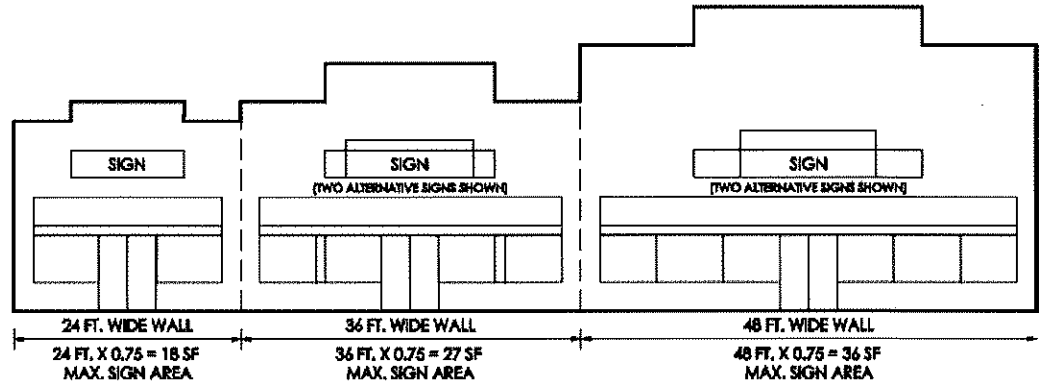
for the signs on the wall to be readable shall not be considered to face such streets or driveways.

- [f] In no case shall a business establishment be permitted more than three attached principal identification signs, i.e., one sign on each of the three walls, or more than six such signs if three of the signs are an official logo of the establishment, i.e., two signs on each of three walls, with one of the two signs on each wall being an official logo of the establishment.
- [2] Attached sign location. Attached principal identification signs shall be located on a wall, canopy, marquee, awning, door or window which is part of that portion of the building used and occupied by the business establishment. If a business establishment that does not have an exterior wall, canopy, marquee, awning, door or window visible from outside the building, and/or shares one or more of such elements in common with other establishments, then the principal identification signs shall be located on or adjacent to such shared elements.
 - [3] Maximum horizontal dimension of attached principal signs. The horizontal dimension of attached principal identification signs shall be limited to a proportion of the horizontal dimension of that portion of the wall upon which the sign is located and which encloses the space occupied by the business, or which is shared in common by multiple businesses as set forth in Subsection B(1)(c)[2] above. If the sign is located upon a canopy, marquee, awning, door or window, the horizontal dimension of the wall upon or in which such element is located shall be used to determine the maximum sign dimension. If more than one such sign is located on the wall or element, the maximum horizontal dimension shall apply to the rectangle enclosing all of the signs. The maximum proportion of the sign dimension to the wall dimension shall be as follows:
 - [a] On walls having a horizontal dimension of up to 10 feet: eight feet, but not to exceed the horizontal dimension of the wall.
 - [b] On walls having a horizontal dimension greater than 10 feet but not greater than 40 feet: eight feet, plus 0.4 foot for each foot of horizontal dimension of the wall greater than 10 feet.
 - [c] On walls having a horizontal dimension greater than 40 feet: 50% of the horizontal dimension of the wall, or 50 feet, whichever is less.
 - [4] Maximum area of attached principal identification signs. The maximum permitted area of attached principal identification signs shall vary based upon the quantity of such signs and their orientation to public streets and driveways, as follows:

- [a] Signs on walls which face public streets. For up to two walls that face a public street upon which property has frontage, the maximum cumulative area of all principal identification signs for each business establishment shall not exceed 1.25 square feet for each linear foot of horizontal dimension of the exterior wall which encloses the space occupied by the business, or which is shared in common by multiple businesses as set forth in Subsection B(1)(c)[2] above, but not to exceed 400 square feet. See examples, below:



- [i] For purposes of administering the foregoing provision, a sign shall be considered to face a public street when such sign is oriented towards and prominently visible and readable to travelers upon such street. Signs which are obscured from the view of streets by vegetation, buildings or other obstructions or which are located too far from the street or driveway to be readable shall not be considered to face such streets.
- [b] Other signs. For signs other than the signs regulated by Subsection B(1)(c)[4][a] above, the maximum cumulative area of all principal identification signs for each business establishment shall not exceed 0.75 square feet for each linear foot of horizontal dimension of the exterior wall which encloses the space occupied by the business, or which is shared in common by multiple businesses as set forth in Subsection B(1)(c)[2] above, but in no case greater than 240 square feet. See examples, below:



- [5] Maximum height of attached signs. Attached principal identification signs shall not exceed the height of the ground floor of the wall upon which the sign is attached. Such signs may be located on a parapet or similar structure that is a vertical extension of the ground floor wall. Attached signs shall not be located on the roof and shall not project beyond the top of the wall or parapet upon which the sign is placed.
- [6] Maximum projection of attached signs. Principal identification signs shall not extend further than 12 inches from the face of the wall, canopy, marquee, awning, window or door upon which they are mounted.
- [7] Design theme for multiuse developments. In the case of buildings or developments used by or designed for use by more than one business establishment, all attached principal signs on the building and in the development shall express a single compatible design theme. The design theme shall be specified by the applicant at the time of the site plan approval for the development or, in the case of existing developments for which site plan approval is not required, by the applicant for a sign permit. The design theme for attached signs shall have at least two of the following elements to be the same or substantially the same, subject to the approval of the reviewing agency:
 - [a] Sign type (e.g., box sign, board/panel sign, pin-mounted/channel sign letters, etc.).
 - [b] Sign illumination (e.g., internal illumination, external gooseneck fixture illumination, etc.).
 - [c] Sign location on the wall, canopy, awning, etc., and height above the finished ground elevation below the sign.
 - [d] Vertical sign dimensions.
- (d) Freestanding signs. Freestanding principal identification signs, when permitted, shall be subject to the following requirements:

- [1] Maximum quantity of freestanding signs.
 - [a] One freestanding sign shall be permitted for each driveway that provides public access to the property from a public street, up to a maximum of three signs for each street upon which the property has frontage, but in no case more than four signs for the entire lot or tract, and subject to the spacing requirements in Subsection B(1)(d)[6] below. The quantity of signs that are oriented to be viewed from a particular street shall not exceed the number of driveways that provide public access from that street.
 - [b] Notwithstanding the foregoing, designed shopping centers in the OB-DS Zone District shall be permitted up to two freestanding signs identifying the center from Route 10, up to two freestanding signs identifying the center from Route 287, and up to two on-site freestanding signs identifying the center from streets other than Routes 10 and 287, all subject to the spacing requirements in Subsection B(1)(d)[6] below.
- [2] Shared freestanding signs.
 - [a] Freestanding signs shall be permitted to identify and advertise uses located on more than one lot if both of the following criteria are satisfied:
 - [i] The freestanding sign shall be accessory to and located on the same lot as at least one of the uses identified or advertised on the sign.
 - [ii] All of the uses identified or advertised on the sign shall be located on the same lot as the sign or on a lot adjacent to the lot containing the sign.
 - [b] Such freestanding signs shall be subject to the same regulations as other freestanding principal identification signs permitted by this section. The authorization for such signs shall not be construed to permit a greater number of freestanding signs than would otherwise be permitted. The maximum permitted area of such signs shall be based upon the floor area of all of the uses identified on the sign, provided that this shall not be construed to increase the sign area above the maximum area permitted for freestanding signs by this section.
- [3] Maximum area of freestanding signs. The maximum permitted area of freestanding signs shall vary, based upon the quantity of signs, as follows:
 - [a] The area of one freestanding principal identification sign per street, but not more than two such signs for properties with multiple street

frontages, shall not exceed 50 square feet, plus 1.5 square feet for each 1,000 square feet of gross floor area greater than 25,000 square feet of the development identified by the sign, or 250 square feet, whichever is less.

[b] The area of any freestanding principal identification signs other than those regulated in Subsection B(1)(d)[3][a] above shall not exceed 30 square feet, plus 0.9 square feet for each 1,000 square feet of gross floor area greater than 25,000 square feet of the development identified by the sign, or 150 square feet, whichever is less.

[c] If the freestanding sign(s) identify more than one business establishment, the cumulative area of all of individual sign panels that comprise the freestanding sign(s) shall comply with the maximum areas permitted by Subsection B(1)(d)[3][a] or [3][b] above, as applicable.

[4] Maximum height of freestanding signs. The maximum permitted height of freestanding signs shall vary, based upon the quantity of signs, as follows:

[a] The height of one freestanding principal identification sign per street, but not more than two such signs for properties with multiple street frontages, shall not exceed 20 feet; provided, however, in the OB-DS Zone District the height of freestanding signs permitted to be located along Route 287 and along Route 10 for designed shopping centers shall not exceed 30 feet.

[i] The foregoing height shall be permitted for one sign per street, up to a maximum of two such signs for the development.

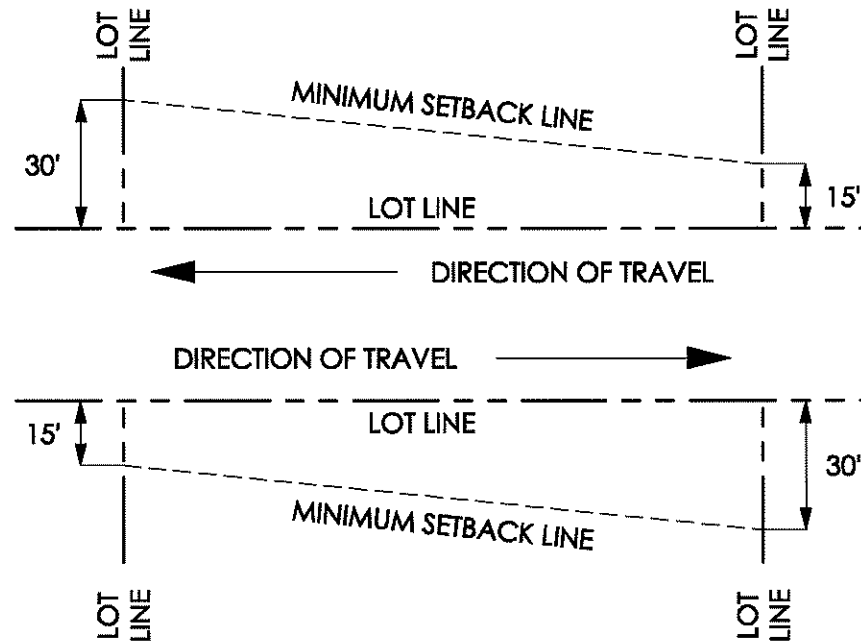
[b] The height of any freestanding principal identification signs other than those regulated in Subsection B(1)(d)[4][a] above shall not exceed 10 feet.

[5] Minimum setback of freestanding signs from streets. Freestanding principal identification signs shall be located at least 15 feet from any public street right-of-way; provided, however, that in those locations where the subject property has frontage on a street that has a center barrier or other control that limits access to the property by vehicles traveling in only one direction, such signs shall be located no closer to the street right-of-way than a straight line which connects the following two points:

[a] Fifteen feet from the street right-of-way at the point of intersection of the front lot line and the side lot line that is closest to the direction of travel on the same side of the street as the property upon which the sign is located.

[b] Thirty feet from the street right-of-way at the point of intersection of the front lot line and the side lot line that is farthest from the direction of travel on the same side of the street as the property upon which the sign is located.

[c] The minimum setback line for such situations is illustrated below:



[6] Minimum distance between freestanding signs. When more than one freestanding principal identification sign is provided on a property and/or tract, such signs shall be separated by a distance of at least 200 feet, measured horizontally between the closest points of the signs. In addition, when more than two freestanding principal identification signs which are accessory to the uses on a property and/or tract are oriented to be viewed from a particular street, as permitted by Subsection B(1)(d)[1][a], at least two of the signs shall be separated by a distance of at least 500 feet.

Section 5. Paragraph (2) of Subsection B in Section 144, *Signs in the B, B-10, D-S, and WC Zone Districts and signs for retail development in the I-B3 and OB-DS Zone Districts*, in Article XX, *Signs*, in Chapter 166, *Land Use and Development*, is hereby amended to read as follows:

(2) Secondary signs. Secondary signs, as defined in Subsection A(3) above, for retail sales and retail service uses shall be subject to the following requirements:

(a) Accessory use signs for larger establishments. In addition to the attached principal identification signs permitted by Subsection B(1) above, individual retail sales and retail service establishments containing a gross floor area of at least 25,000 square feet shall be permitted attached signs for

secondary uses to the principal use. Such signs shall be limited to signs identifying uses which are an accessory component of the primary retail business, such as but not limited to a pharmacy, garden center or eating establishment accessory to a supermarket or "big box" retail establishment, or other use similarly accessory to the primary retail business, and shall be subject to the following requirements:

[1] One secondary sign for each accessory use to the establishment shall be permitted on each building wall of the business that faces a public street, main driveway as defined by Subsection B(1)(c) above, or parking area for patrons of the establishment, provided that there shall be no more than a total of three such signs for all accessory uses on any wall for the establishment nor more than a total of four secondary signs for all walls of the establishment.

[2] The area of each such secondary sign shall not exceed 2% of the area of the ground floor wall of the business establishment upon which it is placed, or 100 square feet, whichever is less.

(b) Window signs. Window signs shall be permitted, subject to the following regulations:

[1] The total area of all window signs shall not exceed 25% of the main front window area, or one square foot for each linear foot of building frontage occupied by the establishment using the sign, whichever is less. The maximum area permitted for window signs shall be calculated separately from the area for other permitted signs.

[2] Window signs shall be located only in the main front window.

[3] Window signs shall not be illuminated.

(c) Directory signs, loading bay signs. Directory signs and loading bay signs for developments containing multiple business establishments shall be permitted, subject to the requirements for such signs in § 166-147.

(d) Other signs permitted by § 166-141 shall be subject to the regulations in § 166-141.

Section 6. Paragraph (4) of Subsection A in Section 155, *Requirements for other than residential zones*, in Article XXIII, *Off-Street Parking and Loading*, in Chapter 166, *Land Use and Development*, is hereby amended to read as follows:

(4) Multiple principal uses. When two or more uses are proposed on one lot, or are proposed on multiple lots with common parking areas, the minimum number of parking spaces shall be the aggregate of the number of parking spaces required for each use, computed separately for each use and summed,

unless the provisions for shared parking in § 166-157 are complied with, or unless specified otherwise by this chapter.

Section 7. Subsection B of Section 155, *Requirements for other than residential zones*, in Article XXIII, *Off-Street Parking and Loading*, in Chapter 166, *Land Use and Development*, is hereby amended to read as follows:

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

B. Minimum parking ratios. The minimum number of parking spaces for various uses in the nonresidential zones are set forth below, along with some use descriptions. Where such descriptions are not provided, the definitions or descriptions shall be as otherwise set forth in this chapter.

Use (where permitted)	Minimum Quantity of Parking Spaces
Residential uses	As required by the NJ Residential Site Improvement Standards
Quality restaurant	1 per 55 square feet of gross floor area or 0.55 per seat, whichever is greater
High-turnover (sit-down) restaurant with bar or lounge	1 per 55 square feet of gross floor area or 0.55 per seat, whichever is greater
High-turnover (sit-down) restaurant, no bar or lounge	1 per 65 square feet of gross floor area or 0.5 per seat, whichever is greater
Fast food restaurant, with drive-through lanes/windows	1 per 65 square feet of gross floor area or 0.6 per seat, whichever is greater
Fast food restaurant, no drive-through lanes/windows	1 per 75 square feet of gross floor area or 0.65 per seat, whichever is greater
Restaurant other than stated above	1 per 60 square feet of gross floor area or 0.55 per seat, whichever is greater
Convenience store with an associated gasoline station	1 per 150 square feet of gross floor area
Convenience store without a gasoline station	1 per 175 square feet of gross floor area
Drive-in bank	1 per 200 square feet of gross floor area
Supermarket	1 per 200 square feet of gross floor area
Indoor physical fitness facility	1 per 200 square feet of gross floor area

Discount club	1 per 300 square feet of gross floor area
Sporting goods superstore	1 per 300 square feet of gross floor area
Pharmacy/drug store	1 per 350 square feet of gross floor area
Liquor store	1 per 400 square feet of gross floor area
Apparel store	1 per 400 square feet of gross floor area
Variety store	1 per 400 square feet of gross floor area
Discount store	1 per 400 square feet of gross floor area
Discount superstore	1 per 400 square feet of gross floor area
Toy/children's superstore	1 per 400 square feet of gross floor area
Pet supply superstore	1 per 400 square feet of gross floor area
Book superstore	1 per 400 square feet of gross floor area
Home improvement superstore	1 per 400 square feet of gross floor area
Electronics superstore	1 per 400 square feet of gross floor area
Carpet store	1 per 400 square feet of gross floor area
Automobile sales	1 per 400 square feet of gross floor area
Automobile parts sales	1 per 400 square feet of gross floor area
Furniture store	1 per 1,000 square feet of gross floor area
Hardware/paint store	1 per 1,000 square feet of gross floor area

Building materials and lumber store	1 per 1,500 square feet of gross floor area
Other retail sales and services	1 per 200 square feet of gross floor area
Hotel	1.1 per guest room. In addition, if ancillary facilities are proposed, in whole or in part, which are designed for or available to be used by non-lodgers, such restaurants, bars, meeting rooms, event space facilities, pools, and fitness areas, then there shall also be provided the number of parking spaces required for such ancillary services required by this chapter, to the extent that such services are available to non-lodgers, as determined by the reviewing agency. If no parking requirement is established for such ancillary services by this chapter, then the number of required spaces shall be determined by the reviewing agency as part of the review and approval for the hotel. "Guest rooms" shall refer to individual lodging units, regardless of the actual number of rooms in such unit.
Office building - less than 50,000 square feet of gross floor area	1 per 200 square feet of gross floor area
Office building - 50,000 to 99,999 square feet of gross floor area	1 per 250 square feet of gross floor area
Office building - 100,000 to 199,999 square feet of gross floor area	1 per 275 square feet of gross floor area
Office building - 200,000 or more square feet of gross floor area	1 per 300 square feet of gross floor area
Data processing center, low-intensity - data processing performed primarily by equipment, not by employees or staff, and having an employee/staffing ratio of not more than 1 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 Same as required for office buildings
Data processing center, other than low-intensity	
Industrial, manufacturing, assembly and research or testing laboratory buildings	1 per 800 square feet of gross floor area
Manufacturing use with accessory retail uses and/or accessory assembly uses	Manufacturing portion: Same ratio as industrial uses, above. Retail portion: Same ratio as retail sales and services, above. Assembly portion: 1 space per 2 seats, or 1 space per 100 square feet of gross floor area of assembly area in use at same time, whichever is greater.
Warehouse or distribution facility	1 per 800 square feet of gross floor area
Self-service storage facility	Manager's apartment: same as required for a garden apartment unit. Leasing/administrative office: same as required for offices. Other: one parking space per 50 storage units or one parking space per 5,000 square feet, exclusive of manager and office floor area, whichever is greater.
Nursing homes	0.5 space per dwelling unit, or 0.4 space per bed when dwelling units not provided

Houses of worship	Sanctuary/worship areas and associated areas: 1 space for every 4 seats or 100 square feet of gross floor area, whichever is greater, at maximum capacity. Dining/meeting hall/rooms and associated areas: 1 space for every 2 seats or 65 feet of gross floor area, whichever is greater, at maximum capacity. Other areas: 1 space for every 250 square feet of floor area. The foregoing requirements for multiple areas shall only apply to areas which are in use at the same time.
Elementary and middle/junior high schools	1 per 3 students or 1.2 per employee, whichever is greater, at maximum capacity
High schools	1 per 4 students at maximum capacity
Other schools	1.1 per student or 1.5 per employee, whichever is greater, at maximum capacity
State-licensed hospitals	5 per bed or 1 per each employee on the maximum shift, whichever is greater
Libraries	1 per 400 square feet of gross floor area
Utility facilities	1 per employee on the peak shift
Other nonresidential uses	1 per 250 square feet of gross floor area

Section 8. Section 157, *Shared parking and loading facilities*, in Article XXIII, *Off-Street Parking and Loading*, in Chapter 166, *Land Use and Development*, is hereby amended to read as follows:

§ 166-157. Shared parking and loading facilities; reduction in parking demand due to use of alternative transportation modes.

Nonresidential developments may meet the required parking provisions of this article by participation in a shared parking and/or loading program of two or more uses, provided that plans for such a program have been approved by the reviewing agency as part of a development application.

The reviewing agency may approve a shared parking and/or loading plan and/or a parking arrangement that uses alternative transportation modes with fewer parking spaces than the sum of the requirements for the participating uses without the need for a variance, if all of the following requirements are complied with:

- A. The developer must demonstrate that:
 - (1) the particular combination of uses is likely to result in vehicles parking to visit more than one use during the same trip, and/or
 - (2) the peak periods of demand for parking and/or loading spaces, as applicable, are such that a lesser number of spaces are necessary to meet the total parking and/or loading needs for the development at all times; and/or
 - (3) the number of required parking spaces is not necessary to address the actual parking demand due to the location of the site near alternative transportation modes, such as air, bus, shuttle, train or other mass-transit facilities, and/or due to demonstrated alternative transportation mechanisms.
- B. The developer must demonstrate that the parking and/or loading spaces are sized and located to be reasonably convenient, safe and suitable for use by the various uses, buildings and/or lots involved in the shared parking program.
- C. The developer and the reviewing agency must agree on a mechanism that will ensure that the shared parking and/or loading spaces, as applicable, and/or such alternative transportation modes are likely to continue to comply with this section for the life of the development, or that if not, the reduced number of parking and/or loading spaces will not be able to be remedied in a satisfactory manner.

Section 9. Subsection C of Section 203.9, *Lot, bulk and intensity of use standards*, in Article XXXVIB, I-B3 *Industrial and Business District*, in Chapter 166, *Land Use and Development*, 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: 30% of the lot area.
 - (3) Mixture of above uses: In the event that a mixture of uses from Subsection C(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 Subsection C(1) above by the total gross floor area of the building(s).
- (b) Multiply the result of the calculation in Subsection C(3)(a) times 0.35 (35%).
- (c) Divide the gross floor area of the uses in Subsection C(2) above by the total gross floor area of the building(s).
- (d) Multiply the result of the calculation in Subsection C(3)(c) times 0.30 (30%).
- (e) Add the results from the calculations in Subsection C(3)(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.
- (f) 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 34% of the lot area, calculated as follows:

$$80,000 \text{ sq. ft. industry floor area} \div 100,000 \text{ sq. ft. total floor area} = 0.80 = 80\%$$

$$80\% \times 0.35 = 28\%$$

$$20,000 \text{ sq. ft. office floor area} \div 100,000 \text{ sq. ft. total floor area} = 0.20 = 20\%$$

$$20\% \times 0.30 = 6\%$$

$$28\% + 6\% = 34\% \text{ maximum floor area ratio}$$

Section 10. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 11. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Hanover, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Hanover are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 12. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, N.J.S.A. 40:55D-62.1, and N.J.S.A. 40:55D-63. Upon the adoption of this Ordinance after public

hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

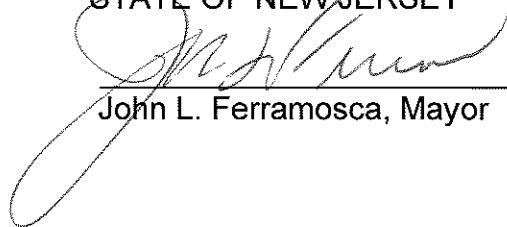
Section 13. This ordinance shall take effect upon publication and in accordance with the law.

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

ATTEST:



Krista M. DiGiorgio, Township Clerk




John L. Ferramosca, Mayor

DATE OF INTRODUCTION: November 21, 2022
DATE OF ADOPTION: December 19, 2022

CERTIFICATION

I, Krista M. DiGiorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 19th day of December, 2022, at a meeting duly convened, of said Body.



Krista M. DiGiorgio, Township Clerk

ZONING MAP

TOWNSHIP OF

HANOVER

MORRIS COUNTY, NEW JERSEY

DECEMBER 2022

