

ORDINANCE NO. 24-2026

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, MORRIS COUNTY, NEW JERSEY, AMENDING ARTICLE XXI, *CONDITIONAL USES*, AND ARTICLE XXXVIB, *I-B3 INDUSTRIAL AND BUSINESS DISTRICT*, IN ORDER TO AMEND THE DEVELOPMENT REGULATIONS FOR THE I-B3 ZONE DISTRICT

WHEREAS, the I-B3 zone district is located along East Hanover Avenue and various streets that intersect with East Hanover Avenue in the southwestern portion of the Township; and

WHEREAS, when the I-B3 zone district was established in 2010, the area was an industrial zone district with several vacant or declining industrial buildings and properties; and

WHEREAS, when the I-B3 was created, there was a concern that small individual retail developments would not be appropriate within an area of largely industrial development, and therefore required that retail development occur only as part of a large-scale development; and

WHEREAS, in the ensuing years since the I-B3 zone was created, the district has experienced significant retail development, such that the character of the zone has changed and the original reasons for requiring only large-scale retail development no longer apply, and therefore amended standards to permit smaller-scale retail development are appropriate and necessary to accommodate infill development of the remaining properties for retail development;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover, as follows:

Section 1. Paragraph (1) in Subsection K of Section 166-150, *Conditional use requirements for specific uses*, in Article XXI, *Conditional Uses*, is hereby amended to read as follows:

- (1) In the D-S and OB-DS Zones, the establishment shall be located within and be attached to the main building in a designed shopping center development or other development designed and used for retail sales, retail banks, personal services, rental and leasing establishments, eating and drinking establishments, or a combination of any of the foregoing, which developments contain a minimum floor area of 75,000 square feet. In other zones, the establishment lot shall have frontage on State Highway Route 10.

Section 2. Subsection H in Section 166-203.6, *Permitted principal uses*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby amended to read as follows:

- H. Eating and drinking establishments, such as but not limited to restaurants and bars.

Section 3. The opening paragraph of 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:

§ 166-203.9. Lot, bulk and intensity of use standards.

The lot, bulk and intensity of use standards for the I-B3 Zone District shall be as set forth below. For the purpose of administering and interpreting these standards, all required dimensions, areas, ratios and percentages set forth below shall exclude areas reserved for public roadway use, whether by easement or dedication. In addition, within developments containing multiple buildings or uses that are part of a single overall development, and which demonstrate a permanent right to shared access, parking, utilities and/or other improvements, as appropriate, for the various buildings or uses, the following requirements shall apply to the overall tract, not the individual lots or lot boundaries within the development.

Section 4. Subsections A and B of Section 166-203.9, *Lot, bulk and intensity of use standards*, in Article XXXVIB, *I-B3 Industrial and Business District*, are hereby amended to read as follows:

A. Minimum lot/tract area.

- (1) Retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments.
 - (a) Developments containing one or two such establishments: one acre of net developable area.
 - (b) Developments containing three or more such establishments: three acres of net developable area.
- (2) Industrial uses, research laboratories, conference centers, and other uses not regulated by other lot area regulations: 60,000 square feet of net developable area.
- (3) For purposes of administering the foregoing lot/tract area provisions, "net developable area" shall be construed to the gross lot/tract area, minus the area of all water bodies, floodways, wetlands, required wetland transition areas and conservation easements.

B. Minimum average lot/tract width. The average lot width shall be measured parallel to the front lot line and within 300 feet of the front lot line. For corner lots, the required width shall apply on one street frontage, not both frontages.

- (1) Retail sales, banks, personal services, rental and leasing establishments, eating and drinking establishments.
 - (a) Developments containing one or two such establishments: 200 feet.
 - (b) Developments containing three or more such establishments: 300 feet.
- (2) Industrial uses, research laboratories, conference centers, and other uses not regulated by other lot width regulations: 200 feet.

Section 5. Subsection N of Section 166-203.9, *Lot, bulk and intensity of use standards*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby deleted.

Section 6. Subsection F in Section 166-203.10, *Other requirements*, in Article XXXVIB, *I-B3 Industrial and Business District*, is hereby deleted.

Section 7. 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.

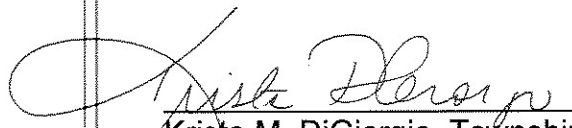
Section 8. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Hanover, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Hanover are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 9. 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 and N.J.S.A. 40:55D-63 (if required). 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.

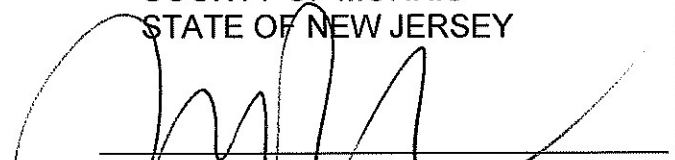
Section 10. This ordinance shall take effect upon publication and in accordance with the law.

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

ATTEST:



Krista M. DiGiorgio, Township Clerk



Thomas "Ace" Gallagher, Mayor

DATE OF INTRODUCTION: April 9, 2026

DATE OF ADOPTION: May 14, 2026