

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

ORDINANCE O-2025-04-R

AN ORDINANCE OF THE BOROUGH OF FANWOOD IN THE COUNTY OF UNION AND STATE OF NEW JERSEY TO AMEND CERTAIN PROVISIONS OF THE COMMERCIAL CORRIDOR (CC) DISTRICT AS PROVIDED IN CHAPTER 184, ENTITLED "LAND USE"

WHEREAS, the Borough of Fanwood seeks to maintain a desirable visual environment with high-quality development; and

WHEREAS, the Borough of Fanwood seeks to preserve the existing character of the community; and

WHEREAS, the provisions of the Commercial Corridor (CC) District currently provide lot coverage limitations, but no impervious or building cover limitations; and

WHEREAS, impervious cover and building cover limitations provide an effective means of preserving community character; and

WHEREAS, impervious cover and building cover limitations promote climate change adaptation through mitigation of stormwater runoff and resulting flood impacts, as well as mitigation of the urban heat island effect by promoting reduced heat absorption by the built environment; and

WHEREAS, there is a high demand for parking in the downtown portions of the Borough and new residential development in the Commercial Corridor (CC) District should, therefore, be supplied with adequate parking; and

WHEREAS, the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21) provides appropriate parking standards for residential development.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Fanwood, County of Union, and State of New Jersey as follows:

SECTION 1. Section 184-119.C(1)(b)[5], entitled "Lot coverage," is hereby amended as follows (text to be deleted is ~~**bold and stricken through**~~, text to be added is **bold and underlined**):

~~**Lot Impervious**~~ coverage. The physical improvements on any lot, including all buildings, structures, pavement and other impervious surfaces, must not exceed the maximum permitted ~~**lot impervious**~~ coverage as specified for the district.

SECTION 2. New Section 184-119.C(1)(b)[6], entitled "Building coverage," is hereby adopted as follows:

Building coverage. The footprint of all buildings on a lot must not exceed the maximum permitted building coverage as specified for the district.

SECTION 3. The schedule of bulk requirements for the Commercial Corridor – West (CC-W) district that is provided in Section 184-119.C(2) is hereby amended as follows (text to be deleted is ~~bold and stricken through~~, text to be added is **bold and underlined**):

Bulk Requirements	Minimum	Maximum
<u>Lot requirements</u>		
Lot area	19,500 square feet	—
Lot width	100 feet	—
<u>Building siting</u>		
Front property line coverage	65%	—
Front setback	10 feet	20 feet
Front setback (side street)	10 feet	20 feet
Side yard setback (interior)	10 feet	—
Rear yard setback	5 feet	—
~~Lot~~ <u>Impervious</u> coverage	—	80%
<u>Building coverage</u>	<u>—</u>	<u>55%</u>
<u>Height requirements</u>		
Overall height	1.5 stories	3 stories/40 feet
Corner element	—	3.5 stories/45 feet
Ground story	12 feet	—
Upper story	10 feet	—

SECTION 4. The schedule of bulk requirements for the Commercial Corridor – Central (CC-C) district that is provided in Section 184-119.C(3) is hereby amended as follows (text to be deleted is ~~bold and stricken through~~, text to be added is **bold and underlined**):

Bulk Requirements	Minimum	Maximum
<u>Lot requirements</u>		
Lot area	7,500 square feet	—
Lot width	None	—
<u>Building siting</u>		
Front property line coverage	85%	—
Front setback	0 foot	10 feet
Front setback (side street)	0 foot	10 feet
Side yard setback (interior)	0 foot	24 feet
Rear yard setback	5 feet	—
~~Lot~~ <u>Impervious</u> coverage	—	90%
<u>Building coverage</u>	<u>—</u>	<u>60%</u>
<u>Height requirements</u>		
Overall height	2.5 stories	3.5 stories/45 feet

Corner element	—	4 stories/50 feet
w/in 200 feet of station building	—	4.5 stories/55 feet
Ground story	15 feet	—
Upper story	10 feet	—

SECTION 5. The schedule of bulk requirements for the Commercial Corridor – East (CC-E) district that is provided in Section 184-119.C(4) is hereby amended as follows (text to be deleted is ~~bold and stricken through~~, text to be added is **bold and underlined**):

Bulk Requirements	Minimum	Maximum
Lot requirements		
Lot area	10,000 square feet	—
Lot width	100 feet	—
Building siting		
Front property line coverage	60%	—
Front setback	10 feet	20 feet
Front setback (side street)	5 feet	30 feet
Side yard setback (interior)	10 feet	—
Rear yard setback	See below	—
~~Lot~~ <u>Impervious</u> coverage	—	70%
<u>Building coverage</u>	<u>—</u>	<u>55%</u>
Height requirements		
Overall height	1.5 stories	3 stories/40 feet
Corner element	—	3.5 stories/45 feet
Ground story	12 feet	—
Upper story	10 feet	—

SECTION 6. Section 184-119.F(9)(a), entitled “Number of parking spaces,” is hereby amended as follows (text to be deleted is ~~bold and stricken through~~, text to be added is **bold and underlined**):

- (a) Number of parking spaces. The number of parking spaces required shall be provided in accordance with the Borough's parking requirements (§ 184-160), except as noted below, where space calculations for certain uses are based on the Parking Study for Facade Upgrade Guidebook and Shared Parking Strategy, prepared by Maser Consulting, P.A., dated August 30, 2012, **or the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21)**:

- [1] Retail and service: three spaces per 1,000 square feet gross floor area.
- [2] Office: four spaces per 1,000 square feet gross floor area.

- [3] Restaurant, bar, and tavern: three spaces per 1,000 square feet gross floor area.
- [4] Multifamily residential: ~~1.5 per dwelling unit~~ as required by the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
- [5] Mixed-use: A shared parking approach to the provision of parking shall be submitted.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 9. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the forgoing ordinance was introduced and passed by the Borough Council of the Borough of Fanwood on first reading at a meeting of the Borough Council on the 7th day of April, 2025, and will be considered for second and final passage at a meeting of the Borough Council to be held on the 21st day of April, 2025 at 7:00PM at the Municipal Building located at 75 North Martine Avenue, Fanwood, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


Courtney Agnello
Municipal Clerk

INTRODUCTION DATE:	April 7, 2025	ADOPTED DATE:	April 21, 2025
MOTION:	Gina Berry	MOTION:	Gina Berry
SECOND:	Patricia Walsh	SECOND:	Erin McElroy Barker
YES:	Jeffrey Banks, Gina Berry, Anthony Carter, Erin McElroy Barker, Katherine Mitchell, Patricia Walsh	YES:	Jeffrey Banks, Gina Berry, Anthony Carter, Erin McElroy Barker, Katherine Mitchell, Patricia Walsh
NO:	None	NO:	None
ABSTAIN:	None	ABSTAIN:	None
ABSENT:	None	ABSENT:	None
PUBLISHED:	April 10, 2025	PUBLISHED:	April 24, 2025