

ORDINANCE O:09-2021

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE
TO AMEND CHAPTER 175 OF THE CODE OF THE TOWNSHIP OF MONROE,
ENTITLED “LAND MANAGEMENT”**

WHEREAS, the Township Council of the Township of Monroe has recommended certain amendments to Chapter 175 of the Code of the Township of Monroe and has determined that it is in the best interest of the Township to amend this specific section and to promote public safety.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the amendments herein.

§ 175-161.6 RG-C Regional Growth Commercial District.

A. Use

(1) Principal permitted uses.

(a) Community commercial uses.

(b) Neighborhood commercial uses.

(c) Planned commercial, subject to the requirements of § 175-161C(5).

(d) Planned large-scale anchor store development, subject to the requirements of § 175-161C(9).

(e) Business and professional offices.

(f) Institutional, subject to § 175-162D(1).

(g) Recreational.

(h) Agricultural, subject to the requirements of § 175-90.

(i) Public service infrastructure.

(2) Conditional uses.

(a) Vehicle storage yards, subject to § 175-163E.

(b) Used motor vehicle sales facilities, subject to § 175-163.2.

(c) Assisted-living facilities, subject to the following requirements:

(1) The property to be developed shall be located west of Malaga-New Brooklyn Road.

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- (2) The property shall have a minimum of 300 feet of frontage along the Black Horse Pike.
- (3) The development shall conform to the requirements of § 175-161H.
- (d) Light industrial, manufacturing, and wholesale distribution and warehouse facilities, subject to the following requirements:
 - (1) The property to be developed shall be located east of Malaga-New Brooklyn Road.
 - (2) No noxious, offensive or hazardous use shall be permitted unless adequate provision is made to reduce and minimize such objectionable elements. The use shall be required to meet or exceed all governmental standards governing said elements.
 - (3) Should the proposed use raise questions of public health, safety or welfare, the Board may bring in consultants and other independent experts, as the Board deems necessary, for their evaluation and opinion. The cost of any independent consultant or expert shall be borne by the applicant from the escrow fees posted.
 - (4) No building may be erected, altered or used and no premises may be used in or within 100 feet of a residential district or use.
 - (5) No occupancy permit shall be granted to a proposed new use without first conforming to the requirements for site plan approval.
 - (6) Site design shall require maximum attention to proper site design considerations, including the location of structures and parking areas, proper ingress and egress, development of an interior street system, architectural design, landscaping and the compatibility of any proposal with the natural foliage, soils, contours, drainage patterns and the need to avoid visual intrusions and performance nuisances upon adjacent uses.
 - (7) At least the first 30 feet adjacent to any street line and 20 feet adjacent to any lot line shall be planted and maintained in lawn area or ground cover or landscaped with evergreen shrubbery and shall be separated from the parking area by suitable curbing as determined by the Township's Land Management Ordinance and the Planning Board during site plan review.
 - (8) No merchandise, products, waste equipment or similar material or objects shall be displayed or stored outside except for outdoor storage of mobile equipment.

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- (9) All portions of the property not utilized by buildings or paved surfaces shall be appropriately landscaped.
 - (10) A minimum buffer area of 50 feet in width shall be provided along any common property line with a residential district or use in accordance with § 175-93 of the Township's Land Management Ordinance.
 - (11) Parking shall be as required by § 175-123 of the Township's Land Management Ordinance.
 - (12) Each activity shall provide for off-street loading and unloading with adequate ingress to and egress from streets and shall provide such areas at the side or rear of the building. Each space shall be at least 15 feet by 40 feet, and one space shall be provided for every 8,000 square feet of gross floor area or fraction thereof in each building. There shall be no loading or unloading from the street.
 - (13) There shall be at least one trash and garbage pickup location provided for each building, which shall be separated from the parking spaces by the storage of trash and/or garbage in a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three.
 - (14) All such developments shall comply with the Schedule of Limitations with respect to minimum requirements for area, setback and coverage.^[2]
- B. Area and bulk requirements. See the Schedule of Limitations included at the end of this chapter.
- C. Additional standards for permitted uses.
- (1) No occupancy permit shall be granted to a proposed new use without first conforming to the requirements for site plan approval.
 - (2) All building walls facing any street shall be suitably finished for aesthetic purposes.
 - (3) All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as fencing, shrubbery, lawn area, ground cover, rock formations, berms, existing foliage and the planting of conifers and/or deciduous trees native to the area in order to either maintain or reestablish the tone of the vegetation in the area and lessen the visual impact of the structures and paved areas. The established grades on any site shall be planted for both aesthetic and drainage purposes. The grading plan, drainage facilities and landscaping shall be

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coordinated to prevent erosion and silting as well as assuring that the capacity of any natural or man-made drainage system is sufficient to handle the water generated and anticipated both from the site and contributing upstream areas.

- (4) The side yard requirements may, in the discretion of the Planning Board, be reduced in size and replaced by either providing internal driveways from the proposed use to the adjacent commercial use, so as to provide access without returning to the public highway, or providing buffers between uses.
- (5) Each activity shall provide for off-street loading and unloading with adequate ingress to and egress from streets, in accordance with the requirements of § 175-123. Such areas shall be provided at the side or rear of the building. There shall be no loading or unloading from any street.
- (6) There shall be at least one trash and garbage pickup location provided for each building, which shall be separated from the parking spaces by the storage of trash and/or garbage in a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three.

D. Residential uses in the RG-C Zoning District, for which a valid certificate of occupancy has been issued, shall be considered a conforming use and subject to the Schedule of Limitations for similar uses in the RG-PR Zoning District.

SECTION II. All prior Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. If any word, phrase, clause, section or provision in this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION IV. This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

TOWNSHIP OF MONROE

CNCL. PRES., PATRICK O'REILLY

ATTEST:

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

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CERTIFICATION OF CLERK

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 10th day of May 2021, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 24th day of May 2021 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

ROLL CALL VOTE

1st Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Falcone				
Cncl. Fox				
Cncl. Garbowski				
Cncl. McKinney				
Cncl. Valcourt				
Cncl. Wolfe				
Cncl. Pres. O'Reilly				
Tally:				

2nd Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Falcone				
Cncl. Fox				
Cncl. Garbowski				
Cncl. McKinney				
Cncl. Valcourt				
Cncl. Wolfe				
Cncl. Pres. O'Reilly				
Tally:				

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this _____ day of _____, 2021.

MAYOR RICHARD DiLUCIA