

DATE \_\_\_\_\_

NUMBER 18-2021 (WO)

**TITLE: AN ORDINANCE TO AMEND CHAPTER 210 OF THE CITY OF ORANGE TOWNSHIP MUNICIPAL CODE ENTITLED "DEVELOPMENT REGULATIONS" TO INCORPORATE PROPOSED AMENDMENTS BY THE CITY OF ORANGE TOWNSHIP ZONING BOARD OF ADJUSTMENT. (Sponsored by Council Member Kerry J. Coley)**

**WHEREAS**, the City of Orange Township Council ("City Council"), a municipal corporation in the County of Essex, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the City's zoning ordinance; and

**WHEREAS**, the City of Orange Township Zoning Board of Adjustment ("Zoning Board"), has in its annual reports to the City Council and the Planning Board of the City of Orange Township ("Planning Board") pursuant to N.J.S.A. 40:55D-70.1, made numerous findings in its deliberations and applications for review that recommend revisions to the zoning ordinance; and

**WHEREAS**, the Planning Board has adopted a Master Plan that comprehensively provides a foundation for the appropriate use, regulation and development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

**WHEREAS**, the Municipal Land Use Law at N.J.S.A. 40:55D-62 (a) requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan, though the City Council may approve such inconsistencies through procedures as set forth in the law; and

**WHEREAS**, a determination has been made that it is in the best interests of the City to adopt the recommendations of the Zoning Board subject to a review by the Planning Board for consistency with the goals and objections of the Master Plan; and

**WHEREAS**, this Ordinance does not involve a classification or boundary change requiring public notice to property owners under N.J.S.A. 40:55D-62.1.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Orange Township that the municipal be amended and supplemented as follows:

**SECTION 1.**

§ 210.4 is hereby amended to add Urban Farming to the MX3 zone.

**SECTION 2.**

§ 210.20.5 (B) (5) is hereby amended as follows:

Public notice. For the purposes of this section, any application required to be made to the Planning or ~~Planning Board~~ Zoning Board shall require notice to be given pursuant to N.J.S.A. 40:55D-12.

~~Strikeouts~~ are deletions. Underlines are added material.

**SECTION 3.**

§ 210.20.12 is hereby amended to add the following:

G. Must be outside of 200 ft. perimeter to a residential zone.

**SECTION 4.**

§ 210.22.1 (B) is hereby amended as follows:

B. All products manufactured, processed or stored on premises shall be held for sale at retail on said premises-, except those businesses whose primary business is repair and restoration.

**SECTION 5.**

§ 210.30.9 (D) (5) is hereby amended as follows:

(5) Regulations governing neon & LED signs.

(a) Neon lights shall be placed in windows only and not on the outside of any buildings.

(b) Neon tubing may not be used to frame any window.

(c) Neon and LED signs may not occupy a total area that exceeds ten percent (10%) of the total area of the window or windows in which they are located.

**SECTION 6.**

§ 210.29.1 is hereby amended as follows:

Required minimum parking in residential and nonresidential zones. In all residential and nonresidential zoning districts, off-street parking shall be furnished as follows:

<b>Land and Building Use</b>	<b>Minimum Required Off-Street Parking Spaces</b>
<del>Boardinghouse</del>	<del>1 for each 3 roomers or boarders</del>

**SECTION 7.**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

**SECTION 8.**

That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

**SECTION 9.**

Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance of the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and file a copy of this ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

**SECTION 10.**

This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this ordinance must be referred to the Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

**Adopted:**

\_\_\_\_\_  
**Joyce L. Lanier**  
City Clerk

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**Kerry J. Coley**  
Council President

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**Dwayne D. Warren, Esq.**  
Mayor

**Dated:** \_\_\_\_\_

**PURPOSE**

To update the City's zoning ordinance with recommendations from the Zoning Board of Adjustment.

**FISCAL IMPACT**

Minimal.