

ORDINANCE NO. 5-2021

**AN ORDINANCE AMENDING CHAPTER 13, "LAND DEVELOPMENT",
REGARDING SITE PLAN REQUIREMENTS**

BE IT ORDAINED by the Mayor and Council of the Borough of Morris Plains, County of Morris, State of New Jersey that the Revised Ordinances of the Borough of Morris Plains, New Jersey are amended, at Chapter 13, Land Development, regarding site plan requirements.

Section 1:

Chapter 13, "Land Development", Section 13-4-2.A, Subparagraphs (1.4) and (1.5) "Filing Procedure" in the "Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" ("Revision") shall be deleted so that site plan approval is not required for a change in permitted uses or a change in the exterior design or appearance of a building.

Section 2:

Chapter 13, "Land Development", Article 13-4-2.A(2) "Filing Procedure" in the "Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" ("Revision") is hereby amended to read as follows:

Site plan approval is not required for a change in occupancy or change in tenancy of a nonresidential building or part thereof, provided that the new use is permitted in the zone; provided that the new use complies with Article 5, Zoning Regulations; and provided that a new certificate of occupancy shall be issued (pursuant to Section 13-5.2A(3)) and approval of the new use is granted by the Zoning Officer.

Section 3:

Chapter 13, "Land Development", 13-4.5.D, "Waiver of minor site plan review", in the "Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" ("Revision") is hereby amended by deleting subsection (3)(f), regarding new signage.

Section 4:

Chapter 13, "Land Development", 13-5.8.A(2) "Permits for Signs", in the "Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" ("Revision") is hereby amended to read as follows:

(2) Permits for signs. No sign shall be erected unless a permit shall have first been issued by the Construction Official after approval by the Zoning Officer, or as part of site plan approval from either the Planning Board or Board of Adjustment.

Section 5:

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6:

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7:

This Ordinance shall take effect immediately after final passage and publication.

Introduced: May 6, 2021

Adopted: May 20, 2021

/s/ Jason Karr