ORDINANCE NO. 5-2022

AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION, AND REVISION OF “CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE” TO RENAME A PORTION OF THE EXISTING B-1 BUSINESS DISTRICT CURRENTLY ENCOMPASSING BLOCK 34, LOT 13; AND BLOCK 33 LOTS 9 AND 10 TO THE NEW B-5 BUSINESS DISTRICT. ALL EXISTING REGULATIONS AND PROVISIONS FOR THE B-1 BUSINESS DISTRICT SHALL APPLY TO THE NEW RENAMED B-5 BUSINESS DISTRICT. SPECIFIC SECTIONS AMENDED INCLUDE: SECTION 13-4.14(C)(VIII); SECTION 13-4.14C(2.2)(D)(II); SECTION 13-5.1(A)(1); SECTION 13-5.1B; SECTION 13-5.1(C); SECTION 13-5.1(D); SECTION 13-5.2(A)(9); SECTION 13-5.2(A)(10)(10.7); SECTION 13-5.2(A)(12)(12.1); SECTION 13-5.2(16)(16.1); SECTION 13-5.2(B)(1)(1.3); SECTION 13-5.7(D)(4); SECTION 13-5.8(C); SECTION 5.8(C)(1)(1.1); SECTION 5.8(C)(1)(1.1)(e); SECTION 13-5.8(C)(3)(3.1); SECTION 13-5.8(C)(4); AND SECTION 13-5.8(C)(7).

WHEREAS, a review of provisions in “Chapter 13, Land Development” (hereinafter “Chapter 13”) has revealed the need to differentiate the existing B-1 Business District (“B-1”) currently located in two non-contiguous areas of the Borough of Morris Plains: one area of the B-1 is located on Speedwell Avenue, and the other is located on Hanover Avenue. The characteristics of the two areas differ as the Speedwell Avenue B-1 includes over a dozen tax parcels in close proximity to the Morris Plains train station and the Borough’s other commercial zones and uses; whereas the Hanover Avenue B-1 includes only three tax parcels and is in close proximity to single-family residential zones and uses.

WHEREAS, the Borough Council wishes to acknowledge the differences between the two non-contiguous areas of the B-1, in order to ensure that Chapter 13 regulates permitted uses, bulk standards, and parking requirements appropriate to each area.

WHEREAS, the Borough Council is desirous of amending Chapter 13 by renaming the B-1 on Hanover Avenue, which encompasses Block 34, Lot 13; and Block 33, Lots 9 and 10, to the new B-5 Business District. All existing zone boundaries, classifications, and other regulations of the B-1 shall apply to the new B-5 Business District. All other tax parcels currently in the B-1 Business District, aside from the aforementioned tax parcels which will become part of
the B-5 Business District, will remain in the B-1 Business District; and all
regulations and provisions of the existing B-1 shall continue to apply.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the
Borough of Morris Plains, they being the Governing Body thereof, as follows:

Section 1:

Section 13-4.14(C)(viii) On-Tract Improvements; Construction And
Design Standards, Improvements For Site Plans, in Chapter 13 of the Revised
Ordinances is hereby amended, supplemented and revised as follows:

(viii) The style of any light or light standard
shall be consistent with the architectural style
of the principal building. In the B-1, B-2, B-4,
and B-5 Zones, the style of light fixtures shall
be consistent with the style of fixtures adopted
by the Borough for use in Borough parking
lots.

Section 2:

Section 13-4.14C(2.2)(d)(ii), “Schedule A Minimum Distances (In Feet)
For Location Of Parking And Loading Areas;”, in Chapter 13 of the Revised
Ordinances is hereby amended, supplemented and revised as follows:

SECTION 13-4.14C(2.2)(d)(ii)
SCHEDULE "A"

MINIMUM DISTANCES IN FEET FOR LOCATION OF PARKING AND LOADING
AREAS

<table>
<thead>
<tr>
<th>Zone(1)</th>
<th>From Buildings(2)</th>
<th>From Street R.O.W.</th>
<th>From Property Lines</th>
<th>From Res. Zones</th>
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<tr>
<td>B-5</td>
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Section 3:

Section 13-5.1(A)(1), “Zone Districts and Enforcement, Zone Districts,
Basic Districts,” in Chapter 13 of the Revised Ordinances is hereby amended,
supplemented and revised as follows:

(1) BASIC DISTRICTS.

R-1 Residence District
R-2 Residence District
R-3 Residence District
R-4 Residence District
R-5 Residence District
R-6 Residence District
R-7 Residence District
R-8 Residence District
AF-1 Affordable Residential District
AF-2 Affordable Residential District
B-1 Business District
B-2 Business District
B-3 Business District
B-4 Business District
B-5 Business District
C-1 Highway Commercial District
OB Office Building District
L-1 Research Laboratory District
L-2 Research Laboratory District
I Limited Industrial District
TRPUD Tabor Road Planned Unit Development District

(2) HOTEL & SPECIFIED USE OVERLAY ZONE. In addition to the above zone districts, there is also established a Hotel & Specified Use Overlay Zone, which is superimposed over and includes portions of the “B-3” and “L-2” Districts.

Section 4:

Section 13-5.1B, entitled, “Zoning Map, Borough of Morris Plains”, is hereby amended, supplemented and revised so that the following described property as shown on the Official Tax Map of the Borough of Morris Plains, is hereby rezoned to place the same in the B-5 Business District:

Lot 13 in Block 34; and Lots 9 and 10 in Block 33, presently in the B-1 Business District.

The revised Zoning Map is attached as Exhibit A.

Section 5:

Section 13-5.1(C) “Schedule C Permitted Uses, Borough of Morris Plains, New Jersey,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:
## PERMITTED USES

### LAND DEVELOPMENT ORDINANCE
BOROUGH OF MORRIS PLAINS, NEW JERSEY

| Principal Uses                                      | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | AF-1 | AF-2 | B-1 | B-2 | B-3 | B-4 | B-5 | OB  | C-1 | L-1 | L-2 | L-3 | TRPUD |
|----------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| One-Family Dwellings                               | X   | X   | X   | X   |     |     |     |     |      |      |     |     |     |     |     |     |     |     |     |     |
| Townhouses §13-5.6                                 |     |     |     |     | X   |     |     |     |      |      |     |     |     |     |     |     |     |     |     |     |
| Apartments and Townhouses §13-5.6.1                 |     |     |     |     |     | X   |     |     |      |      |     |     |     |     |     |     |     |     |     |     |
| Multi-Family Interlocking Townhouses               |     |     |     |     |     |     | X   |     |      |      |     |     |     |     |     |     |     |     |     |     |
| Apartment/Multi-Family Residential                 |     |     |     |     |     |     |     | X   | Subject to the provisions set forth in §13-5.12. | Subject to the provisions set forth in §13-5.11. |     |     |     |     |     |     |     |     |     |     |
| Affordable Apartment Residential                   |     |     |     |     |     |     |     |     | X   | X   |     |     |     |     |     |     |     |     |     |     |
| Apartments on floors above the first floor §13.5.11.|     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |
| Adult Care Center Sec. 13-5.28(4)                  |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |     |
| Banks and Similar Financial Institutions           |     |     |     |     |     |     |     |     |     |     |     |     | X   | X   | X   | X   | X   |     |     |     |
| Child Care Centers Sec. 13-5.28(4)                 |     |     |     |     |     |     |     |     |     |     |     |     |     | X   | X   | X   | X   | X   |     |     |
| Computer and Data Processing Centers               |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Executive Conference and Training Centers         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Hotels                                             |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | X   |
| Funeral Homes                                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

(1) Subject to the provisions set forth in §13-5.11.
### Section 13-5.1C

**Schedule “C”**

**Permitted Uses**

**Land Development Ordinance**

**Borough of Morris Plains, New Jersey**

<table>
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<tr>
<th>Principal Uses</th>
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(1) Indoor Health and Fitness Centers, Inc. tennis, racquetball, volleyball centers, Martial Arts & Exercise Studios are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(2) Limited Manufacturing, fabrication, processing, assembly and packaging are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(3) Mailing, reproduction and stenographic services are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(4) Medical and Dental Laboratories are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(5) Motor Vehicle Sales and Service are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(6) Non-profit Clubs, Lodges, Fraternal, Civic & Charitable Organizations are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(7) Office for Business, Professional, Administrative and Executive Purposes are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.

(8) Pool, Billiard & Table Tennis are permitted in R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-3, B-4, B-5, OB, C-1, L-1, L-2, and TRPUD.
SECTION 13-5.1C
SCHEDULE “C”

PERMITTED USES

BOROUGH OF MORRIS PLAINS, NEW JERSEY

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<tr>
<th>Principal Uses</th>
<th>R-1</th>
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(1) Includes temporary occupancy permits. (2) Includes retail. (3) Includes 2 floors or less. (4) Includes temporary occupancy permits. (5) Includes residential. (6) Includes 2 floors or less.
## PERMITTED USES

**Section 13-5.1C**

**Schedule “C”**

**Land Development Ordinance**

**Borough of Morris Plains, New Jersey**

### Principal Uses

| Principal Uses | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | AF-1 | AF-2 | B-1 | B-2 | B-3 | B-4 | B-5 | OB | C-1 | L-1 | L-2 | L-4 | TRPUD |
|----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Photography    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Wholesale      |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |
| Establishments |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

### Accessory Uses

| Accessory Uses                                      | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | AF-1 | AF-2 | B-1 | B-2 | B-3 | B-4 | B-5 | OB | C-1 | L-1 | L-2 | L-4 | TRPUD |
|----------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Mechanical Amusement Devices (7)                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Outdoor Dining Area                                |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Outdoor Storage Sec. 13-5.2a(24)                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Parking And Parking Facilities                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Parking Sec. 13-5.7 C & D                           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Private Garages Sec. 13-5.2b(7)                     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Private Swimming Pools Sec. 13-5.2b(9)             |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Roomers or Boarders not more than 2 per family      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Administrative Offices, Recreation and Social Activity Rooms, Multi-purpose Rooms |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Signs Sec. 13-5.8                                  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Other Accessory Use Customarily Incident to Principal Uses |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

**X** indicates prohibited uses.

Subject to the provisions set forth in §13-5.11.

Subj et to the provisions set forth in §13-5.12.
### Conditional Uses

<table>
<thead>
<tr>
<th>Conditional Uses</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-4</th>
<th>R-5</th>
<th>R-6</th>
<th>R-7</th>
<th>R-8</th>
<th>AF-1</th>
<th>AF-2</th>
<th>B-1</th>
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<th>B-4</th>
<th>B-5</th>
<th>OB</th>
<th>C-1</th>
<th>L-1</th>
<th>L-2</th>
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<tr>
<td>Child Care Centers Sec. 13-5.4D</td>
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<td>Helipads Sec. 13-5.4A</td>
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<td>Public Garages and Gas Stations Sec. 13-5.4B</td>
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<td>Public Utilities &amp; Institutional Uses Sec. 13-5.4C</td>
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<td>Wireless Telecommunications Antennas &amp; Facilities §13-5.4E</td>
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### Footnotes to Schedule C

1. Uses in the C-1, L-1, L-2 and I Zones subject to the performance standards in §13-5.2A(24).
2. Each apartment unit shall have a minimum floor area of 500 square feet plus 150 square feet for each habitable room other than a living room, dining room or kitchen.
3. Business and professional offices located only on floors above the first floor subject to the provision for adequate off-street parking and provided adequate off-street parking for first floor uses exists. The exclusion of office use on a first floor of retail service operations involving the performance of office functions, such as home fuel business, travel agencies and similar service businesses.
4. a. Pool and billiard rooms are further regulated in Article 1 of Chapter 4 of the Borough Code. b. No such use shall involve the preparation of or sale of food except for food dispensed through vending machines. These restrictions shall not preclude consumption of food brought on the premises by patrons.
5. Business and personal service printing, such as photocopy printing, duplicating and off-set print occupying no more than 2,000 square feet of floor area.
6. The maximum floor area of any individual retail store shall be 75,000 square feet.
7. Subject to the requirements of Chapter 4, Amusements and Amusement Businesses, of the Borough Code.
8. Not including any activity commonly conducted for gain unless otherwise specifically permitted.
9. Accessory buildings prohibited in the B-3 Zone.
10. Includes parking decks. [Added by Ord. No. 7-2001]
11. Apartment units shall not be permitted above the first floor in buildings located within the B-1 and B-5 Zones that are used as restaurants, cafes, taverns and/or
bars. [Added by Ord. No. 13-2002]
(12) Excluding drive-thru facilities.
(13) Exercise studios permitted only.
(14) Off-street parking facilities shall be permitted both in common parking areas and private driveways and garages. [Added by Ord. No. 12-2010]
(15) Limits retail sales and service, and motor vehicle sales and service to the OB Zone to lots with at least 150 feet of direct frontage on Route 10. [Ord. No. 03-2013]
(16) Subject to the special use provisions set forth in § 13-5.2B(15) [Ord. No. 07-2014]
(17) The maximum floor area of any individual retail store or service shall be 3,000 square feet; provided, further, that the individual retail store or service shall meet the off-street parking requirements set forth in § 13-5.7A, Schedule E for Retail Store, Shop or Similar Establishment for Zones other than B-3. [Added 12-6-2018 by Ord. No. 27-2018]
**Section 6:**

Section 13-5.1(D) “Schedule D Schedule of Zoning Requirements,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

**SECTION 13-5.1D**

**SCHEDULE "D"**

**SCHEDULE OF ZONING REQUIREMENTS**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Primary Use</th>
<th>Minimum Lot Area (sq.ft.)</th>
<th>Maximum Depth of Meas’mt (ft.)</th>
<th>Minimum Lot Width @Street Line (ft.)</th>
<th>Minimum Lot Width @Setback Line (ft.)</th>
<th>Minimum Yards (ft.)</th>
<th>Minimum Side Yards Combined (ft.)</th>
<th>Minimum Res. Zone Setback (ft.)</th>
<th>Maximum Coverage</th>
<th>Maximum (F.A.R.) (%)</th>
<th>Maximum Stories</th>
<th>Height (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-5</td>
<td>Retail Sales &amp; Service</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>15</td>
<td>10</td>
<td>0 or 10 (7)</td>
<td>28</td>
<td>35(8)</td>
<td>2</td>
<td>28</td>
</tr>
</tbody>
</table>
Section 7:
Section 13-5.2(A)(9), “General and Special Use Provisions, General Provisions, Corner Lot,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(9) Corner lot. Where a lot is a corner lot or is bounded by more than one street, the front yard setback requirement shall be met as to each abutting street. In the B-1, B-2, B-4, and B-5 Zones, the front yard setback along the side street shall not be less than the greater of the minimum front yard requirement in the business zone or 1/2 the established setback along the side street in the residential zone. The required width of a corner lot measured at the front yard setback line shall be increased over the width specified in the schedule shown on the Zoning Map by the difference in feet between the required front yard setback and the required side yard setback.

Section 8:
Section 13-5.2(A)(10)(10.7), “General And Special Use Provisions, Accessory Buildings,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(10.7) Permitted accessory buildings within the B-1, B-2, B-4, B-5, OB, C-1, L and I Districts shall be permitted in the side and rear yards only, and shall conform to the minimum required setbacks for the principal building.

Section 9:
Section 13-5.2(A)(12)(12.1), “General And Special Use Provisions, General Provisions, Prohibited Uses,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(12.1) B-1 and B-5 Business Zones.

Section 10:
Section 13-5.2(16)(16.1), General And Special Use Provisions, General Provisions, Orientation Of Buildings,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(16.1) In the B-1, B-2, B-3, B-4, B-5, and C-1 Districts, every building hereafter constructed, erected or placed for a use as permitted by this chapter shall face or front said building upon a main street. For the purposes of this chapter, the following streets are hereby designated as main streets: State Highway Route No. 10, Speedwell Avenue, Hanover Avenue and U.S.
Section 11:

Section 13-5.2(B)(1)(1.3), “General And Special Use Provisions, Special Use Provisions, Awnings,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(1.3) In the B-1 and B-5 Zones, an awning attached to a building wall facing a street may extend up to two feet into an adjoining street right-of-way when fully extended.

Section 12:

Section 13-5.7(D)(4), “Off-Street Parking And Loading, General Requirements For Nonresidential Off-Street Parking,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(4) Off-street parking facilities as required by this article shall be provided on the same lot with the permitted principal building in the OB, L-2 and I Zones. In the L-1 Zone, parking facilities shall be permitted on any lot, provided that the minimum number of required spaces are met tract wide. In the B-1, B-2, B-4, B-5, and C-1 Zones, off-street parking areas for nonresidential uses are permitted in the residential zones which are contiguous to the above-mentioned zones, provided all of the requirements of this section are complied with and further provided:

Section 13:

Section 13-5.8(C), “Signs In the B-1, B-2, B-4 And C-1 Zones,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

C. Signs in the B-1, B-2, B-4, B-5, and C-1 Zones. In the B-1, B-2, B-4, B-5, and C-1 Zones, signs as applicable are permitted as regulated in Section 13-5.8B, except those referred to in Sections 13-5.8B(1) and (2); provided, however, that the temporary real estate signs may contain a total area not exceeding 20 square feet. In addition, other business signs as hereinafter regulated are permitted:

Section 14:

Section 13-5.8(C)(1.1), “Wall Signs in the B-1, B-2, B-4 And C-1 Zones,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(1.1) Wall signs in the B-1, B-2, B-4, and B-5
Zones. A business establishment shall be permitted wall signs on each building wall of the establishment that faces on a street subject to the following conditions:

Section 15:

Section 13-5.8(C)(1.1)(e), “Wall Signs in the B-1, B-2, B-4 And C-1 Zones,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(e) Signboards and friezes shall be uniformly painted in dull or matte finish colors with contrasting colors for lettering and other message elements, all compatible with the facade colors and materials. All signs shall be limited to three colors, including background, lettering and other design elements. Within the B-1 and B-5 Districts, signboards and friezes shall be of a dark green background with gold lettering. The use of awnings as permitted by this section shall also be limited to the dark green color and shall be coordinated with the overall design theme of the downtown business district.

Section 16:

Section 13-5.8(C)(3)“Awning Signs,” in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(3.1) In the B-1 and B.5 Zones, only roll-up or retractable awnings are permitted. All such awnings on a single building shall be uniform in terms of style and colors. Signage on such awnings shall be limited to lettering on the front, vertical flap. Said lettering shall not exceed six inches in height or cover more than 50% of the width of the awning.

Section 17:

Section 13-5.8(C)(4) in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(4) If a building in the B-1, B-2, B-4 or B-5 Zone contains more than one establishment, the signs permitted in Paragraphs (1.1) and (1.2) above shall be uniform in terms of design, colors, height of background, style and height of lettering, and position on building wall. In the case of a new sign for an individual establishment in a preexisting multi-use building, the new sign shall be consistent with the design of existing signs where a uniform pattern has been established. If no uniform pattern has been established, the new sign shall, to the greatest extent possible, follow the pattern of the existing sign or signs which most
closely fulfill the objectives of these regulations. These provisions shall in no way be construed as allowing a sign which violates applicable limitations as to size, dimension or location. The owner as well as individual tenants of a multi-use building shall be responsible for compliance with these regulations.

Section 18:

Section 13-5.8(C)(7) in Chapter 13 of the Revised Ordinances is hereby amended, supplemented and revised as follows:

(7) In addition, to the foregoing signs, any business property, except a public garage and except in the B-1 and B-5 Zones, is permitted one freestanding sign, subject to the following conditions:

Section 19:

All other provisions of “Chapter 13, Land Development” in “The Revised Ordinances” shall be unaffected and are hereby continued.

Section 20:

All Ordinances and parts of Ordinances or other local requirements inconsistent or in conflict with this ordinance are hereby repealed and superseded to the extent of any such inconsistency or conflict, and the provisions of this Ordinance shall apply.

Section 21:

This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. Notwithstanding that any provision of this Ordinance is, for any reason, held to be invalid or unconstitutional by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue to be of full force and effect. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

Section 22:

The Borough Clerk is hereby directed to give notice at least ten (10) days prior to hearing on the adoption of this Ordinance to the County Planning Board and, if required, to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-62.1 Upon the adoption of this
Ordinance after public hearing thereon, the Borough 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 Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

**Section 23:**

This Ordinance shall take effect immediately after final passage and publication and after a copy of same is filed with the Morris County Planning Board.

Introduced: April 7, 2022
Adopted: May 5, 2022

/s/ Jason Karr