

SUGGESTED LANGUAGE FOR USE IN MUNICIPAL LAND USE ORDINANCE

AMENDMENTS ADDRESSING WAREHOUSES

The New Jersey State Planning Commission offers the following suggested ordinance language to help municipalities regulate more precisely the approval and construction of large warehouses within their boundaries. Specifically, the sample language requires developers of large warehouses and/or distribution centers between 100,000 square feet and 350,000 square feet to apply for conditional use approval. [This language is not recommended for warehouses in excess of 350,000 square feet | A separate ordinance will be designed for facilities in excess of 350,000 square feet.](#)

This document is a tool to aid municipalities in amending their zoning and land use ordinances, and the language provided herein is intended to serve only as guidance to assist municipalities in drafting ordinances. Each municipality should consider these suggestions in light of its own unique planning needs and circumstances and in conjunction with other relevant sources. Any ordinances designed to address large warehouses must also comply with all other municipal, county, State, and statutory restrictions and requirements related to land use and planning. All language should be reviewed carefully and in consultation with the municipality's legal counsel to ensure accuracy and consistency with each municipality's current code. [All ordinance changes and updates should be in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq.](#)

Whereas Clauses for the Adopting Ordinance

WHEREAS, the **XX Township Planning Board** adopted comprehensive updates to the Master Plan in , which support several recommended zoning changes throughout the **Township**; and

WHEREAS, the **Township Committee of XX Township, XXX County, New Jersey ("Township Committee")**, consistent with the comprehensive updates to the Master Plan adopted in **XXXX**, finds that, in order to avoid potential adverse effects on local roads and intersections, residential, and mixed use neighborhoods, retail commercial development primarily serving the municipality, sensitive receptors, and the character and general welfare of the **Township**, the most appropriate location for large format distribution facilities/warehouses is [and should be limited to](#) the Industrial (I) Zoning District; and

WHEREAS, the **Township Committee**, also consistent with the comprehensive updates to the Master Plan adopted in **XXXX**, finds that requiring use of large format distribution/warehouses within the **Township** be approved as conditional uses, with special design and site requirements and operating characteristics, is also necessary in order to avoid potential adverse effects on local roads and intersections, residential, mixed use neighborhoods and retail commercial development primarily serving the municipality, sensitive receptors, and the character and general welfare of the **Township**; and

WHEREAS, the **Township Committee** believes the most appropriate location and means for regulating large format distribution/warehouse uses is as a permitted conditional use in the Industrial Zoning District; and

WHEREAS, the **Township Committee** has supplemented the **Township's** permitted conditional uses by adding warehouse uses and related conditions, which apply to warehouses greater than 100,000

Commented [MC1]: Also designed to be in conjunction w highlands ord which specifically sites the warehouse guidance in their ord.

Commented [MC2R1]:

Commented [MC3]: Less than 100,000 sf is much less intense and can be permitted in industrial zones incl rural areas with existing infrastructure and appropriate zoning so last mile deliveries r available for those communities. See warehouse guidance. Keep at 100k not 50k as recommended by DEP.

Commented [MC4]: 12.6.23 spc meeting comments requested an explanation of y the 350k limit. The reasoning was that significant/most off site improvements can only be requested from zoning boards or thru redevelopment and much more control over the larger more impactful warehouses. If its determined that the 350k and up should be incl it should be a sep ord.

Commented [MC5]: Naoip was concerned that the lang was insufficient and munis would change their ord based on state recommendations and not do so in accordance with the mlul. Zone changes r not required thru a master plan but can also be done with full notice as long as consistent w the master plan or an explanation of y it is not consistent w the master plan.

Commented [MC6]: Dot comment

square feet up to 350,000 square feet to the Industrial (I) Zoning District where the use shall be permitted only as a conditional use; and

WHEREAS, the **Township Committee** further finds that this amendment to the Township’s Land Development Ordinance is substantially consistent with the land use plan element and the housing plan element of the **Township’s** Master Plan; and

WHEREAS, the **Township Committee** further finds that this amendment to the **Township’s Land Development Ordinance** bears a real and substantial relationship to the regulation of land within its boundaries; and

WHEREAS, the **Township Committee** further finds that the public interest of the **Township** will be served by amending the **Township’s Land Development Ordinance** in the manner set for the herein.

Amendment of Definition Section

SECTION I. DEFINITION OF WAREHOUSE. *If the municipal code includes a definition of warehouse, this section should cite the current code and its section that lists the warehouse definition and state that it “shall be amended by deleting the definition of warehouse in its entirety and shall now read as follows,” and then proceed with the language below. If the municipal code does not currently include a definition of warehouse, this section should state that the code “shall be amended at” the appropriate section “to add the definition of warehouse” and proceed with the language below.*

If the municipal code does not include a definition of “sensitive receptors” this should be added in the Land Use definitions section “Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing, recreational playgrounds, athletic, and playing fields for children and convalescent facilities. These are areas where the occupants are more susceptible to accidents and the adverse effects of exposure to toxic emissionsehemicals, pesticides, and other pollutants.”

WAREHOUSE – A building or group of buildings/structures/centers/facilities primarily involved in the receipt of products and materials and their indoor storage, separation, processing, fabrication, transfer, or wholesale distribution , including order fulfillment, accessory transshipment facilitation, and related “last mile” activities, but not including a truck terminal. The term warehouse shall include distribution facilities, fulfillment centers, logistics facilities and similar uses, including e-commerce activities.

Overburdened Community – A community as designated in accordance with the New Jersey Environmental Justice Law N.J.S.A. 13:1D-157 are areas where at least 35% of households are low-income, at least 40% of residents identify as a minority, or at least 40% of households have limited English proficiency.

Commented [MC[7]: From truck traffic. Naoip had issues w the lang which seem to imply all warehouses created toxic chemicals.

Amendments to Permitted and Conditional Use

Commented [MC[8]: Fyi-Conditional use language must be specific or would be overturned in court. Mlul requires that it be specific and clear so the limit and extent of the requirement is understood.

Sections within the Industrial (I) Zoning District

SECTION II. WAREHOUSES AS PERMITTED USES. *This section should cite the current municipal code section that lists uses permitted by right in the Industrial (I) Zoning District and, using language that conforms with the current code, state that it shall be amended to restrict the maximum size of a warehouse as a permitted use to no more than 100,000 square feet.*

SECTION III. WAREHOUSES PERMITTED AS CONDITIONAL USES. *This section should cite the current municipal code section that lists the conditional uses permitted in the Industrial (I) Zoning District and, using language that conforms with the current code, state that it shall be amended by adding a warehouse greater than 100,000 square feet and up to 350,000 square feet as a conditional use.*

Amendments to Warehousing Section

SECTION IV. WAREHOUSING. *If the municipal code currently includes warehouses as a conditional use in the Industrial (I) Zoning District, Section IV should cite that subsection and state that it is "amended to read as follows," and proceed with the language below. If the municipal code does not currently include warehouses as a conditional use in the Industrial (I) Zoning District, Section IV should cite the section in the current code that addresses conditional uses in the Industrial (I) Zoning District and state that it is "amended to add the following language," and proceed with the language below.*

X-XX Warehousing.

In addition to the goals, standards, requirements, and recommendations for all uses in the Industrial (I) Zoning District as described in §XXX-XX, the following shall also apply to warehouses greater than 100,000 square feet and up to 350,000 square feet:

Conditional Use - In the Industrial (I) Zoning District, a warehouse greater than 100,000 square feet and up to 350,000 square feet shall be permitted as a Conditional Use within the Industrial (I) Zoning District, subject to the following required conditions (1) thru (13):

(1) Special Area, Height and Other Bulk Requirements

- a. Minimum lot area. Every lot shall have a minimum lot area of 10 acres, measured within 400 feet of the front street right-of-way.
- ~~b. Maximum lot area. Every lot shall have a maximum lot area of 12 acres, measured within 400 feet of the front street right-of-way.~~
- ~~e-b.~~ Lot width. The minimum lot width, measured at the building line, shall be 200 feet.
- ~~d-c.~~ Lot frontage. The minimum lot frontage, measured along the front street right-of-way line, shall be 200 feet.
- ~~e-d.~~ Lot depth. The minimum lot depth, measured at a right angle to the front street right-of-way line, shall be 200 feet.
- ~~f-e.~~ Maximum building coverage. The maximum building coverage shall not exceed 35% of the developable portion (i.e. excluding environmental encumbrances such as, but not limited to, steep slopes in excess of 10%, and all regulated wetlands, buffers and riparian

Commented [MC9]: DEP (Lewin Wezl) recommends reducing to 50,000 sf but less than 100k has diff/less impacts ie traffic etc so could remain as permitted by right in certain zones. See warehouse guidance detailed explanation.

Commented [cm10]: The remaining criteria are design standards and can b approved or denied by pb no need to go to zb

Commented [MC11]: I do not see a reason for a max and the bldg. cover did not work mathematically w this either. max size bldg. was approx. 180k sf under the max 12 acres and max 35% bldg. cover. Recommend removing.

Commented [MC12]: Is low but it's a commonly sited min for lots this size. I don't recommend changing.

Commented [MC13]: same

Commented [MC14]: naoip wants removed. Without this type of criteria the model ord would have no teeth or clear recommendations. But this is a model ord and munis may tweak where they feel necessary. 35% is a reasonable portion of a parcel which allows for the bldg., project also needs room for the necessary infrastructure ie. Driveways parking etc plus stormwater mgmt. and landscaping which are not incl in bldg. coverage..

buffers, and flood hazard areas defined by State Statute, and as may be imposed by outside agencies such as the New Jersey Department of Environmental Protection).

- f. Impervious coverage. The total impervious coverage of any one lot shall not exceed 55% of the total lot area of the developable portion (i.e. excluding environmental encumbrances such as, but not limited to, steep slopes in excess of 10%, and all wetlands, buffers and riparian buffers, and flood hazard areas regulated by State Statute, and as may be imposed by outside agencies such as the New Jersey Department of Environmental Protection).
- g. Landscape Area Ratio (LAR). The minimum landscape area ratio shall be 35%.
- h. Floor Area Ratio (FAR). The floor area ratio for all structures on the site shall not exceed .45 of the total lot area.
- i. Building height. The maximum building height shall be 450 feet and shall be measured from the average finished grade to the highest point of the roof surface, exclusive of parapets, HVAC equipment, solar photo-voltaic arrays, and other rooftop appurtenances which shall be exempt from the calculation of building height so long as appropriate screening methods are in place and such items do not exceed 60-inches above the highest point of the roof surface. All auxiliary structures housing rooftop mechanical equipment shall be screened from ground level views with a visually impervious structure that is architecturally compatible with the exterior materials of the building's façade. If the required screening is not achieved by such structure, the equipment screen shall be set back a minimum of 15 feet from the vertical plane established by the façade of the uppermost floor. The total area encompassed by the mechanical equipment screening shall not exceed 45% of the total roof area.
- j. Minimum building setback. Front yard setback for a building is 100 feet when the properties within 1,000 feet contain existing warehouse/industrial uses and are zoned industrial; setback is 200 feet when the properties within 1,000 feet are non-warehouse/industrial use and are not zoned for warehouse/industrial. Front yard setback for buildings which front on an external right of way which is the boundary line of school, daycare center, hospital, place of worship, overburdened community, designated park or other public is 200'. Side and rear yard setbacks are 200 feet when the property line abuts a non-warehouse/industrial use or a non-warehouse/industrial zone and 50 feet where the property line abuts a warehouse/industrial use within a warehouse/industrial zone. The minimum building setback shall be 200 feet from external rights of way.
- k. Minimum building setback from a residential structure or zone is 2,000 feet.
- l. Setback widths. Setback widths imposed by outside agencies such as the New Jersey Department of Environmental Protection (e.g., wetlands or riparian buffers) may overlap up to 30% of the adjacent yard-buffer area, provided the combined setback and yard-buffer yard is a minimum width of 150 feet all other requirements of Section 2 are met.
- m. Number of Buildings per Lot. Not more than one principal building shall be permitted per lot. More than one principal structure shall be permitted provided that the total area of all buildings does not exceed the allowable f.a.r. of .45.
- n. In densely developed urban areas that are classified as Planning Area 1 or Planning Area 2 as defined by the State Development and Redevelopment Plan boundaries, the setback requirements may be reduced at the discretion of the Planning Board as follows: shall be reduced front and rear yard setbacks for buildings is 50 feet and side yard setbacks are 25 feet.

Commented [MC15]: I.a.r. is common and this ratio is reasonable

Commented [MC16]: a f.a.r. is recommended to limit the intensity of a use. If there is only one floor it doesn't reduce the size of the bldg. and has no impact but if multiple floors are proposed then it puts a cap on the intensity of the use ie employees, output of the facility - Naoip

Commented [MC17]: naoip recommends 50'. From our research 45' is adequate and the standard is 40" so 45' gives enough clearance. I will leave it up to the spc.

Commented [MC18]: Front yard setback - this is to maintain a nice streetview if the neighborhood is not strictly industrial. And reduced to 100' when it is industrial to not overly burden the applicant. The side and rear isn't as vital if the surrounding uses are industrial since its not usually as visible. But buffers are still important since the impacts of noise and odor etc can still be felt by other uses farther away.

Formatted: Font: Bold

Commented [MC19]: New comment from Colleen

Formatted: Font: Bold

Commented [MC20]: Applicants would need to present a conforming application and then at the Board meeting request for these reductions based on pa1 and 2. If the board agrees then they would revise the plans. Most pb's allow for concept plans to be reviewed so the applicant doesn't spend a lot of time and money first without knowing the outcome. Or can just propose "shall be reduced" and take out board lang if spc thinks these restrictions are appropriate.

(2) Measurement of Buffer Yards

a. Where the footprint of the principal building is greater than 100,000 square feet and up to 250,000 square feet:

- i. A minimum ~~buffer of 75 feet one hundred fifty foot wide 150 foot~~ buffer yard shall be provided along the entire length of the street frontage. ~~of any property upon which a warehouse is located.~~
- ii. A minimum ~~buffer of one hundred fifty~~ 150 feet shall be provided along any property line which abuts or is within ~~1,0500~~ 1,050 feet of an existing residential property line or zone, school, daycare center, hospital, place of worship, overburdened community, designated park, or other public open space.
- iii. ~~For all other uses, a minimum buffer of 60 one hundred 100 feet) feet~~ buffer yard shall be provided along any property line adjacent to a non-residential use or zone not listed in Section 2(a)(ii) ~~and a twenty foot buffer (20') between adjacent industrial/warehouse except industrial uses within the Industrial (I) Zoning District.~~
- iv. ~~In densely developed urban areas that are classified as Planning Area 1 or Planning Area 2 as defined by the State Development and Redevelopment Plan boundaries, the buffer requirements may be reduced at the discretion of the Planning Board as follows: shall be reduced. front and rear yard buffers for buildings is 25 feet and side yard buffers are 20 feet.~~

~~iii-v.~~

b. Where the footprint of the principal building is greater than 250,000 square feet and up to 350,000 square feet. In instances where the buffer requirements differ from the setback requirement, the buffer requirement shall supersede:

- i. A minimum buffer of 200 feet shall be provided along the entire length of the street frontage of any property upon which a warehouse is located. The buffer is reduced to 75 feet if all of the surrounding uses within 1,000 feet are strictly industrial/warehouse uses.
- ii. A minimum buffer of 200 feet shall be provided along any property line which abuts or is within ~~2,000-500~~ 2,000 feet of an existing residential property line or zone, school, daycare, hospital, place of worship, overburdened community, designated park, or other public open space.
- iii. In all other cases, a minimum buffer of 100 feet 150 shall be provided along any property line adjacent to a non-residential use or zone not listed in Section 2(b)(ii) and except industrial uses within the Industrial (I)-Zoning District.
- iv. A minimum buffer of 40 feet shall be provided along any property line which abuts an existing industrial or warehouse use which is also located within the Industrial (I) Zoning District.

~~iii-v.~~

~~c. When other warehouses or industrial uses are located on the same property or any adjacent property within the Industrial (I) Zoning District, a minimum seventy-five foot wide (75 foot) buffer shall be provided between the two uses.~~

~~d. When other warehouses or industrial uses are located along the adjacent street frontage within the Industrial (I) Zoning District, a buffer yard of equal width, but no less than one~~

Commented [MC21]: Any buffer area less than 60' would require a change in the berm requirements as the math wouldn't work and there wouldn't be enough room for the berm. The 20' reduction could be removed and left at 60' for all non residential uses then very densely dev industrial would be regulated by iv. Pa1 and 2 but even there, there should be buffers to improve the appearance and create green space where it is sorely needed. Hearty plantings r recommended.

Commented [MC22]: res uses or zone ie. Half mile or min 2000'not 500' and for other uses that r non industrial s/b whats listed here.

Commented [MC23]: 100' is adequate and a 20' buffer from other industrial uses I think its good to still have some landscaping not for a buffer from the uses but simply to provide trees etc for aesthetics and natural need.

Formatted: Font: Bold

Commented [MC24]: Setback means distance buffer requires landscaping. Setback seems more appropriate. I recommend removing language. Replaced with L.A.R. and any areas not utilized for driveways bldgs. Etc shall be landscaped see 3h.

~~hundred feet (100 feet) shall be provided along the street frontage between the two like uses.~~

~~e. When commercial or retail uses are located on the same property as a warehouse, a buffer of one hundred feet (100 feet) shall be provided between the two uses.~~

~~f.c. Buffer yards shall exclude environmental encumbrances such as, but not limited to, wetlands, wetland transition areas, riparian buffers, and flood hazard areas as may be imposed by outside agencies such as the New Jersey Department of Environmental Protection.~~

~~g.d. The buffer yard shall be measured from the property line or street right-of-way line.~~

~~h.e. Where a lot line drainage or utility easement is required, the buffer yard shall be measured from the inside edge of the easement.~~

(3) Buffer Yard and Landscaping Requirements

a. The buffer yard shall be a landscaped area free of roads, driveways, parking lots, storage, buildings, structures, and stormwater facilities of any kind, except for emergency access roads or recreational pathways or sidewalks as may be required by Township ordinances, circulation plans, or fire or safety regulations or as may be required ~~or approved~~ by the approving Planning Board.

b. Existing vegetative growth located within existing wetlands buffers shall continue to be maintained and, if necessary to fill any visible gaps in screening, shall be bolstered to provide additional screening.

c. Unless otherwise naturally vegetated in a predominantly forested condition of a density reasonably adequate for effective screening acceptable to the approving Planning Board, the buffer yard shall be landscaped with a minimum of 50% native plant materials comprising a mixture of evergreen trees, deciduous trees, flowering trees, and shrubs of types resistant to draught and disease. **See the XX Plan for species options.**

d. Only nursery-grown plant materials shall be acceptable; and all trees, shrubs, and ground covers shall be planted according to accepted horticultural standards. Dead or dying plants shall be replaced by the developer during the following planting season.

e. Landscaped buffer yards shall utilize drip irrigation systems that shall be maintained in working order for at least three years from issuance of a certificate of occupancy. Water-efficient irrigation systems are encouraged, including systems that minimize the use of potable water and systems that recycle rooftop runoff.

f. All areas of the buffer yard not covered with plantings shall be covered by a well-maintained, all-season vegetative ground cover such as grass.

~~g. Earthen berms shall be constructed within buffer yards in accordance with Section 4, Berm Requirements, herein.~~

~~g.h. All land not covered by buildings, storage areas, parking, sidewalks, emergency access, driveways, and loading areas or as may be required by Township ordinances, circulation plans, or fire or safety regulations shall be landscaped.~~

~~h. Bio retention basin plantings should be provided utilizing NJDEP guidelines for planting within bio retention basins.~~

i. Minimum planting requirements in Buffer Yards:

i. Trees and shrubs shall be planted in the following minimum quantities per 100 linear feet of buffer yard and berm, as measured parallel to the buffer yard.

1. Five evergreen trees.

Commented [MC[25]:

Commented [MC[26]: Setback seems more appropriate. Setback distance doesn't require landscaping. Replaced with L.A.R. min requirement and any areas not utilized for driveways etc must be landscaped see (3)(h)

Commented [MC[27]: These could become bulk standards or design standards. NAIOP suggest PA1 port areas vs suburban and rural areas should have diff criteria. Munis w port areas would most likely not utilize this ord so that is more the exception to what this ord is for.

Commented [MC[28]: Or zoning board as many applications could end up before the zoning board or change to "approving board". Should change all reference to approving board.

Formatted: Font: (Default) Calibri, 11 pt

Formatted: Font: (Default) Calibri, 11 pt

Formatted: Font: (Default) Calibri, 11 pt

Formatted: Font: (Default) Calibri, 11 pt

Formatted: Font: (Default) Calibri

Commented [MC[29]: As per Nick Angarone "I would delete this, as bioretention is a stormwater BMP, and as such, much more than simple landscaping. This marginalizes what bioretention is." Per email

2. Five deciduous trees.
 3. Five flowering trees.
 4. Five evergreen shrubs.
 5. Five deciduous shrubs.
- ii. This landscaping shall be provided in addition to any landscaping required by other **Township** regulations.
 - iii. Plantings shall be arranged so as to provide a complete visual screen of the warehouse of at least 12 feet in height (measured in addition to the height of the berm) within three years.
 - iv. The plantings shall be arranged on the outside (non-warehouse side) and top of the berm.
 - v. Evergreen trees shall have a minimum height of eight (8) feet. All trees shall have a minimum trunk caliper of two (2) inches measured three feet above the top of the root ball and a minimum height of twelve (12) feet. Flowering trees shall have a minimum height of seven (7) feet. Shrubs shall have a minimum height of thirty (30) inches. Minimum heights shall be as measured from finished grade at the time of planting.
- j. Those portions of the entire site that are not used for buffers ~~s-yards~~, roads, lanes, off-street parking, loading, storage, and buildings, shall follow the standards prescribed in the **Township's Supplemental Use Controls (§XXX-XX)**.

(4) Berm Requirements

- a. A raised earthen berm shall be constructed within the yard buffer along the entire length of the street frontage (except where necessary to accommodate required ingress and egress) of any property upon which a warehouse is located.
- b. A berm shall be constructed within the yard buffer along any property line which abuts a residential, retail, or agricultural zoning district or an existing residential use, school, daycare center, place of worship, hospital, overburdened community, park, or other public open space.
- c. Further, a berm shall be constructed along any property line where tractor-trailer truck parking, outdoor storage or loading/unloading areas are visible from and are within 300 feet of the exterior lot lines of the use.
- d. The berm shall have a minimum average height of 10 feet measured above existing grade (disregarding any drainage channel) on the outside (non-warehouse side) of the berm. The berm shall not have a completely continuous height but shall vary in height by one or two feet along the length of the berm.
- e. The berm shall have a maximum side slope of three feet horizontal to one foot vertical.
- f. The berm shall have an average top width of four times as wide as its height. The berm shall not have a completely continuous width but shall vary by three to five feet along the length of the berm to mimic more natural conditions.
- g. The berm topsoil shall be a minimum of 6 inches deep along the slopes and 8 inches along the top.
- g-h. The above recommended berm requires a minimum of 60' width to be installed, therefore, this requirement can be eliminated where the minimum buffer requirement is less than 60'.

Commented [MC30]: NAOIP recommends removing this section as it is micromanaging. I disagree since the applicant is required to provide significant buffers and berms are a very useful way of improving the buffer and providing screening and if the buffer is already required there is no reason except for financial that this could not be provided. Berms provide added height while the plantings take time to mature.

Formatted: Font: Bold

(5) Circulation

- a. A maximum of ~~twoone (24)~~ curb cuts are ~~is~~ allowed per frontage. All access points for warehouses shall be built to and directly connected to the nearest collector or arterial roadway roads as shown on the Master Plan or Official Map if one has been adopted.
- b. All access points shall restrict the turns trucks can make entering and exiting the facility in order to route trucks away from sensitive receptors, such as, residential property line or zone, school, daycare center, hospital, place of worship, overburdened community, designated park, or other public open space.
- c. All access points shall be a minimum of 250 feet from any residential use, school, daycare centers, and places of worship, overburdened community, designated park, or recreational facility.
- d. Proper site lines shall be maintained at all intersections of public streets. Measured along the centerline, there shall be a clear sight triangle of 100 feet from the point of intersection measured along each intersecting centerline in which no vegetation or other major visual obstruction shall be permitted in the line of sight between streets above the height of three feet above the grade of the intersecting streets. Access ways may not be located within 100 feet of an intersection and shall enter a public street at no less than 90° plus or minus 10° acute angle to the public street centerline.
- e. For private access ways, a clear sight triangle measurement of 50 feet along the intersecting center lines shall be maintained as required above. Each access way shall not be more than 35 feet in width measured at right angles to the centerline of the access way, except as increased by necessary curb return radii. Access ways may not be located within 100 feet of an intersection, and shall enter a public street at no less than 90°, plus or minus 10° acute angle to the public street centerline.
- f. Cross access between separate warehouse and industrial facilities is permitted between adjacent properties.
- g. All drive aisles, loading/unloading areas, and parking areas intended for use by tractor trailers as well as outdoor storage areas shall be a minimum of 250 feet from any residential use, school, daycare, place of worship, overburdened community, park, or recreational facility.
- h. Where guard shacks, checkpoints or gates are proposed at the entrance(s) to such facilities, adequate queuing space shall be provided within the property boundaries to prevent stacking of tractor-trailers on or along public streets.
- i. Driveways, walkways, and parking, staging, and loading areas shall be designed to minimize potential conflicts between cars, trucks, bicyclists, and pedestrians internal to the site and at access points to adjacent roadways. Crosswalks shall be striped across driveways and entrance and exit ramps to, from, and within the site for visitors and employees who are walking from transit stops or parking areas to building entrances.
- j. A sidewalk of at least ~~45~~ feet in width shall be provided along all roadway frontages and from the roadway and/or transit stops to the building entrances. The 4' sidewalk must meet all ADA requirements and be increased to 5' where required. The 4' roadway sidewalk requirement can be waived at the discretion of the Planning Board if it is not required by ADA regulations. A 10' wide multi-use path shall be considered where appropriate.
- k. The applicant shall prepare a construction traffic control plan prior to starting site work, detailing the locations of equipment staging areas, material stockpiles, proposed road

Commented [MC31]: Comment received at spc 12.6 by steve Santola. I agree and increased from 1 to 2 curb cuts.

Commented [cm32]: Define or change to residential property line or zone, school, daycare center, hospital, place of worship, overburdened community, designated park, or other public open space or add "sensitive receptors, such as,

Commented [MC33]: Any buffer area less than 60' would require a change in the berm requirements as the math wouldn't work and there wouldn't be enough room for the berm. The 20' reduction could be removed and left at 60' for all non residential uses then very densely dev industrial would be regulated by iv. Pa1 and 2 but even there, there should be buffers to improve the appearance and create green space where it is sorely needed. Hearty plantings r recommended.

Commented [MC34]: Naoip wants overburdened removed as too broad. If defined under dep definition under ej laws it covers half of nj. It is very important to leave in since ej is a major issue.

Commented [MC35]: naoip suggests putting "where appropriate" for the 4' sidewalk. I don't agree. I reduced from 5' to 4'since that's the min allowable sidewalk per rsis. But ada requires 5' at certain points. "at the discretion of the board" prevents from having to go to the ZB but the sidewalk would need to be shown on the plans at time of submittal and the board can waive it during the meeting. There may be instances where a sidewalk just isn't necessary (no connecting sidewalks in area) so y create impervious coverage and expense if not needed. Some towns require anyway hoping that in the future they all connect and gives the area a nicer neighborhood look w street trees and makes it safer and pedestrian, multi modal accessible.

closures, and hours of construction operations, and shall design the plan to minimize impacts on roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

- I. A grass paver fire access no less than 24 feet in width shall be provided to allow for full circulation around the building for emergency access vehicles only.

(6) Traffic Impact Statement/Analysis

- a. The applicant shall provide a Traffic Impact Statement/Analysis (“TIS”) at the time of the application submission.
- b. The TIS shall be prepared by a professional engineer, licensed in the State of New Jersey, and shall contain the requisite information as set forth in section XX of the XX Code. In addition, the TIS shall provide the following information:
 - i. A truck and automobile trip analysis should be provided and should include peak hours and off-peak hours.
 - ii. An ingress/egress management plan to prevent queuing on adjacent roads in the event of restricted access (i.e. - manned gate/swipe entry).
 - iii. Identification of all on-and off-site transportation impacts, including vehicular, truck, pedestrian, multimodal, and transit access.
 - iv. Identification and quantification, including costs, of improvements necessary to address identified conflict points, diminished levels of service, and other related transportation capacity concerns along these routes shall be provided.
 - v. Evaluation of the extent to which anticipated or planned truck routes will not be followed and provision of recommended strategies, with assistance and input from the Township, County, NJ Transit, and NJDOT as appropriate, to address and mitigate those possibilities where reasonably warranted.
 - vi. For large format warehouses greater than 200,000 square feet that are anticipated or likely to have negative effects on adjacent or nearby communities, inclusion of a narrative section outlining how and to what extent the proposed truck routes outside of the hosting municipal boundaries will impact neighborhoods, downtowns and sensitive receptors outside the Township’s boundaries, and send a copy of this evaluation to the neighboring municipality or municipalities, the XXX County Division of Planning, and NJDOT at least thirty (30) days before the project is heard.
 - vii. Where road widening or expansion is proposed, identification of environmental impacts (e.g., flooding, runoff, degradation of water, and other natural resources) and mitigation measures shall be provided.
 - viii. The extent to which the configuration of the roads and the geometry of the existing turnarounds, ramps, circles, or exits allow for unimpeded movement of the additional traffic.
 - ix. The extent to which the standards and road design of the secondary road network provide the proper turning radii and overpass clearances for the proposed traffic increase.
 - x. The extent to which the road design of the secondary route is constructed to handle the proposed increase in traffic loads.
 - xi. The extent to which the standards and road design allow for compatibility with freight movements and a Complete Streets design, where appropriate.

Commented [MC36]: Using the word “minimize” as NAOIP recommends weakens the word too much. There should be no queuing on the roadways for safety reasons and to prevent traffic congestion and emissions.

Commented [MC37]: Naoip recommends changing 30 to 10. I imagine that njdot and county wanted the 30 day review time. The applicant would simply have to continue to a later meeting instead of reducing the required time to 10 days.

xii. The extent to which the condition and design of the road prevent structural damage to adjacent structures.

~~xiii. The extent to which patronage to local businesses or commercial areas will be impacted if destination access becomes impaired by levels of truck traffic not conducive to visitation.~~

Commented [MC38]: Naoip wants this quantified. I don't have an answer and doesn't seem necessary. I recommend removing.

(7) Truck Route Plan

- a. The applicant shall submit and comply with a truck route plan and map identifying anticipated routes and supporting signage proposed to and from the facility to the nearest arterial roads, highway interchange and Township boundary, consistent with the data presented in the TIS as required in Section 6 herein.
- b. The truck route plan shall further outline how truck drivers will be instructed as to the acceptable travel routes (relative to the class of vehicle) that serve to prohibit and keep semi-trailers away from residential neighborhoods, retail commercial centers, school zones, daycare centers, places of worship, and overburdened communities, including the installation of signs in these areas where deemed necessary by the approving Planning Board, noting that truck and employee parking is prohibited.
- c. The truck route plan shall propose:
 - i. the extent to which traffic will be diverted, either on a regular basis or on an alternate route basis, into neighboring municipalities in scenarios including but not limited to instances of nuisance flooding or major storm events where site accessibility issues arise;
 - ii. strategies that will be put in place to prevent unsuited alternative routes from becoming the "go-to" route; and
 - iii. strategies that will be put in place to prevent highway toll road avoidance resulting in undesirable routes being favored.

Commented [MC39]: Naoip wants overburdened removed as it is too broad. I added a definition at the beginning for overburdened.

(8) Off-street parking, loading, and staging spaces and loading docks are required as follows:

- a. Outdoor storage in the front yard of the warehouse, including but not limited to trailer storage, is prohibited. If an outdoor storage area is located in the rear or the side yard, the outdoor storage area must be fully screened.
- b. No outdoor loading/unloading areas/bays or semi-trailer truck parking shall be visible from the adjacent external rights of way or from adjacent residential uses or zones.
- c. All outdoor storage areas, outdoor loading/unloading areas/bays and semi-trailer parking shall be screened from public view primarily through the use of vegetation and berms as provided in Section 3 and Section 4, and, where necessary, in combination with other landscape treatments such as screen walls and fences.
- d. On-street parking, queuing and vehicle loading is not permitted. Provisions shall be made on each site for any necessary vehicle loading.
- e. A gate management plan (e.g., off-peak goods movement and staggered shifts) shall be provided as a condition of approval, demonstrating how queuing will be avoided on affected roads.
- f. Except as provided for in 9(a) through (f) and 11(c), all activities, except for vehicles and personnel entering and exiting the site, shall be contained within the principal structure or an accessory structure.
- g. An application shall identify designated areas for employee pickup and drop-off.

Commented [MC40]: Naoip states applicants cannot control how private vehicles use public street. This ord is requiring there be a plan in place for certain circumstances but obviously we cant control.

Commented [MC41]: Naoip wants "reasonably" inserted. I disagree. Weakens ord too much and too vague. A normal requirement in ordinances is full screening

h. Off-Street Parking:

- i. Off-street parking shall be provided through driveways. Driveway widths for a warehouse may exceed the maximum requirement established by Article XX of the Township's off-street parking schedule, however no driveway width shall exceed 50 feet.
- ii. ~~Front, side, and rear yard parking is permitted outside of buffer yard~~. Parking areas shall be limited to a maximum of 25% at the front yard area.
- iii. This use shall reserve a minimum of 5% of the proposed total tractor-trailer parking spaces for outbound trucks which are required to layover or rest due to hours-of-service regulations. Such spaces must be made available to tractor-trailers during or after the facility's operating hours as necessary.
- iv. The facility's parking and driveway layout shall be designed to reduce mixing of truck, car, bicycle and pedestrian traffic, particularly in areas where cars and bicycles would have to maneuver around or through truck loading/unloading areas.
- v. Driveways and internal drive aisles shall be designed with adequate widths and turning radii to allow tractor trailers to complete turning maneuvers while remaining within their designated travel lanes. Turning templates shall be provided for all anticipated vehicle types and routes.
- vi. Minimum off-street parking for distribution/warehouse facilities shall be provided in the amount of one (1) space per 2,000 square feet of gross floor area.
- vii. For warehouses where office space is accessory to the principal use at no more than 10% of the total floor area, the above off-street parking requirements shall be inclusive of both uses. Where the amount of office space exceeds 10% of the total floor area, one (1) parking space shall be provided for each 300 square foot of office space floor area which exceeds 10% of the total floor area.
- viii. Understanding that advancements in technology will continue to shape development, such as through automation, e-commerce-based delivery applications, and the likely introduction of self-driving cars, it is entirely possible that the parking standards herein may exceed the realities of market demand. The ~~approving~~**Planning Board** may grant a request by an applicant to bank up to 25% of the required spaces for potential future development should demand require. Such a request shall include testimony and evidence that the parking demands for the proposed use will not require the number of spaces specified herein or in Chapter XX (Parking and Circulation).
- ix. Parking lots shall be landscaped to break down scale, provide user comfort and to modulate microclimate.

i. Parking setbacks:

- i. Parking for automobiles and light trucks shall be a minimum of ~~60~~ **150** feet from external rights of way and property lines, ~~unless the buffer requirement is greater than 60 feet. In all cases, the buffer requirement supersedes the parking setback requirement.~~
- ii. ~~Parking for automobiles and light trucks may be reduced at the discretion of the Planning Board to a minimum of 25 feet from external rights of way, 25 feet from the rear yard property line and 20 feet from any side yard property line when located within densely developed urban areas that are classified as Planning Area~~

Commented [MC[42]: Naoip wants parking permitted in buffer areas. Parking is never permitted in buffer areas in any ord. defeats the entire purpose. I reduced many of the buffer requirements and that is a more than sufficient change. Parking can be allowed in setbacks so that may be the confusion.

Commented [MC[43]: Naoip states too restrictive. I agree. This should be reduced in accordance with the other setback reductions. Look at all setbacks.

Formatted: Font: Bold

1 or Planning Area 2 as defined by the State Development and Redevelopment Plan boundaries.

~~iii.~~ Parking for semi-trailer trucks shall be a minimum of 150 feet from external rights of way and property lines, except as provided for in Section 5(g).

~~iii-iv.~~ No parking or loading areas shall be located within 200 feet of any lot line shared with any existing residential property line or zone, school, daycare, hospital, place of worship, overburdened community, designated park, or open space.

~~iv.~~ Parking and loading areas may be permitted within 75 feet of a lot line shared with other industrial or warehouse uses within the Industrial (I) Zoning District, provided any existing residential property line or zone, school, daycare, hospital, place of worship, overburdened community, designated park, or open space are at least 250 feet linear from the shared property line.

v. **Bicycle parking should be visible, accessible, easy to use and convenient. Racks need to support the whole bike and enable the user to lock the frame and wheels of the bike with a cable of U-shaped lock. Preferably, bike parking would be covered, well-lit and in plain view without being in the way of pedestrians or motor vehicles.**

j. Staging, Storage & Loading

i. All staging and loading/unloading areas intended for use by tractor trailers as well as outdoor storage shall be a minimum of 250 linear feet from an existing residential property line or zone, school, daycare, place of worship, overburdened community, park, or recreational facility.

ii. Staging spaces – Two (2) 12-ft. x 75-ft. truck staging spaces for every one (1) loading dock shall be required. A minimum of five (5) percent of required truck staging spaces shall be reserved for outbound trucks required to layover or rest due to hours of service regulations. Such spaces must be accessible during and after the facility's operating hours as necessary.

iii. Loading spaces – One (1) 12-ft. x 75-ft. truck loading space for every one (1) loading dock.

iv. Loading docks – The minimum number of loading docks shall be determined using the following calculation:

- The number of trucks per hour (at the peak hour of the use) x turnaround time per truck (in hours) = Number of required docks.
- The number of docks determined by the above formula shall then be rounded up to the next whole number.

By way of example: If 17 trucks are required to be serviced during the peak hour of the use, and each requires 45 minutes (0.75 hours) to service, this equates to 17 trucks per hour x 0.75 hours per truck = 12.75 docks required, rounded up to 13 docks. In the event a particular tenant has not been identified for the facility, a minimum of one (1) loading dock shall be provided per 5,000 square feet of building gross floor area.

v. An application shall indicate designated snow storage areas of sufficient size and at appropriate locations on the site. Snow storage areas shall not include any areas necessary to meet minimum parking, staging, or loading space requirements.

Commented [MC[44]: Dot recommended language.

- vi. No storage of garbage (other than is routinely produced on site and awaiting regular collection) shall be permitted.

(9) Sustainability

- a. N.J.S.A. 52:27D-123.19 mandates that any warehouse greater than or equal to 100,000 square feet must reserve at least 40% of the roof area for future installation of a photo-voltaic or solar thermal system. An applicant shall meet this requirement.
- b. Pursuant to N.J.S.A. 40:55D-66, the applicant shall meet the minimum requirements for electrical infrastructure to support future EV charging (i.e., Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces.
- c. The purchase of electric vehicles as part of the fleet of delivery vehicles is highly encouraged.
- d. The use of reflective light colored or TPO roofing materials to help reflect UV rays shall be highly encouraged under this plan.
- e. The use of "cool pavement," permeable pavement, or some other heat island mitigative measure to the greatest extent possible to mitigate heat island effects shall be highly encouraged under this plan. [The use of any permeable pavement must meet the design requirements of the Stormwater BMP Manual.](#)
- f. The use of non-glare energy efficient fixtures shall be highly encouraged under this plan.
- g. The use of other green infrastructure and greenhouse reduction measures, use of "green" building design, and materials used shall be highly encouraged under this plan.
- h. The use of low carbon concrete is highly encouraged under this plan.
- ~~h.i.~~ [Woodland Disturbance. Woodland disturbance, including alteration or removal of any hedgerows shall be minimized. No portions of tree masses, treeline, hedgerow, or individual freestanding trees measuring six-inches diameter at breast height \(DBH\) shall be removed unless clearly necessary to effectuate the proposed development. In no case, shall more than 50% of any existing tree masses, treelines, hedgerows, or individual freestanding trees with six \(6\) inch or greater DBH be removed. For purposes of this subsection, a woodland is defined as a tree mass or plant community in which tree species are dominant or codominant and the branches of the trees form a complete, or nearly complete, aerial canopy. Any area, grove, or stand of mature or largely mature trees \(i.e., larger than six inches DBH\) covering an area of 0.25 of an acre or more, or consisting of more than 50 individual trees larger than six inches DBH, shall be considered a woodland.](#)

Commented [MC45]: Naoip wants this sentence removed but it only states highly recommended. If vehicles are avail then they can be purchased. We received several comments regarding this at a public forum from members of the public to require ev.

Commented [MC46]: As per Nick A. see Dec email in warehouse file

Commented [MC47]: Added by Colleen

(10) Stormwater Management

- a. All stormwater management shall be undertaken in accordance with the NJ DEP Stormwater Management Rules, N.J.A.C. 7:8-1 et seq.; New Jersey Stormwater Best Management Practices Manual; and all other applicable stormwater management regulations.
- b. The use of rain gardens, pervious parking, green roofs and other low impact "green" stormwater management measures are highly encouraged under this plan.

(11) Miscellaneous Requirements

- a. An applicant shall provide colored renderings as part of any submission for approval. Such renderings shall include, but not be limited to, a sight line distance schematic which shows

the view plane from all road frontage in order to demonstrate what will be visible post-construction.

- b. Dumpster enclosures for refuse and recycling shall be shown on any proposed site plan submitted within the plan area. Such enclosures shall only be located in the rear yard or an area that is not visible from the street. Such refuse/recycling containers shall be appropriately sized to accommodate the anticipated volume.
- c. A designated outdoor employee break area shall be shown on any submitted site plan.
- d. An oil water separator shall be installed in the truck loading dock area.
- e. No goods shall be sold at retail from the premises.
- f. All preparing, processing, or fabricating of products shall occur within the completely enclosed principal building.
- g. Connection to sanitary sewer is required, and waste processing through a septic system is expressly prohibited. Connection shall mean sanitary sewer lines are built, available for connection and physically connected.
- h. The use shall include site features, amenities, and/or signage to ensure compliance with the idle standard outlined in N.J.A.C. 7:27-15.8, unless otherwise required for safety or weather-related reasons.
- i. No measurable vibration shall be permitted beyond the property line.
- j. An exterior access stair tower shall be provided to allow public safety personnel direct emergency access to the roof of the building from the ground level. Steps, guiderails, handrails, brackets, gates, and other components shall meet or exceed applicable Uniform Construction Code (UCC) and Occupational Safety and Health Administration (OSHA) standards. The final location and specifications for the exterior access stair tower shall be subject to review and approval by the Emergency Services Coordinator or Fire Marshall.
- k. Commercial Knox Boxes are required to provide public safety personnel access to any secured areas of the site, the principal building structure, and any accessory structures. The final location(s) and specifications for Knox Boxes shall be subject to review and approval by the Emergency Services Coordinator or Fire Marshall.
- l. Except as modified by the requirements that must be met to receive approval of a warehouse as a conditional use, warehouses shall also follow the standards prescribed in the **Township's Supplemental Use Controls (§XX-XX)**.
- m. Except as modified by Section 2, 3 and Section 4, landscaping, buffers, and screening shall follow the standards prescribed in the **Township's Supplemental Use Controls (§XXX-XX)**.
- n. Except as modified by this ordinance, Signage shall follow the standards prescribed in the **Township's Comprehensive Sign Plan** for the Industrial (I) Zoning District for freestanding warehouse buildings.
- o. Except as modified by this section, lighting shall follow the standards prescribed in the **Township's** ordinance enumerated in the Lighting (**§XX-X**). Notwithstanding these standards, freestanding lights shall not exceed 30 feet in height.
- p. The **approving Planning Board** may grant a request by an applicant to reduce illumination where appropriate.
- q. An applicant shall provide a decommissioning plan which is a proposed plan for the end-of-life use of a warehouse.

(12) Narrative

Commented [MC48]: Naoip wants removed as not all tenants are known at time of construction. Applicant can provide what information they do have. It is very important information for a board to have in order to make a determination regarding the positive and negative criteria for even bulk variances. To know how a site will function. The applicant can make certain agreements in the conditions of a resolution that if there are issues and they exceed what they and the board agree to that they need to come back to the board. They can also agree to number of employees (need for parking count) and hours of operation and if it needs to be changed they come in for fairly simple amended resolution.

- a. An applicant shall provide a written Narrative and additional supporting information, documentation, studies, and reports as required below, containing detailed descriptions of the proposed use (including type warehouse) and substantive evidence demonstrating consistency of the proposed use relative to each of the following topics:
 - i. The nature of all activities and operations to be conducted on the site, the types of materials to be stored, the duration of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with applicable state and federal regulations.
 - ii. Hours of operation and the times and frequency of deliveries, distributions and restocking.
 - iii. The general scale of the operation in terms of its market area, specific floor space requirements for each activity, and the total number of employees on each shift.
 - iv. Consistency of the proposed use with each of the general standards for a Conditional Use as set forth in Section 1 through Section 11 above.
 - v. Consistency of the proposed use with the General Performance Standards set forth in Chapter XXX, Site Plan Review, and Chapter XXX, Subdivision of Land, relative to any environmental or other impacts (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, flood hazard areas, steep slopes, threatened and endangered species, environmentally sensitive habitat, etc.) that are likely to result from the use and any specific measures to be employed to mitigate or eliminate any such negative impacts.
 - vi. Adequacy of the number, size, and location of loading and staging spaces provided for trucks to accommodate the expected demand generated by the use, including both pre-loading and post-loading activities.
 - vii. Adequacy of off-street staging spaces available for tractor trailers arriving during non-business hours to prevent vehicles from parking on public streets while waiting to access the facility.
 - viii. Adequacy of off-street staging spaces available at facility entrances to prevent vehicles from queuing on public streets while waiting to access the facility.

(13) Submission Requirements

An application shall include, in accordance with Section XX: XXX of the XXX, the following:

a. Environmental Impact Statement

- i. The applicant shall submit an environmental impact statement ("EIS") at the time of their application submission.
- ii. The EIS shall contain the requisite information enumerated in Section XX:XXX of the XXX and in addition will discuss the following:
 - 1. Any potential negative impacts on sensitive receptors or Overburdened Communities pursuant to N.J.S.A. 13:1D-157 to -161.
 - 2. Mitigative measures in place to address any such impacts.

b. Community Impact Statement/Analysis

- i. The applicant shall submit a community impact statement ("CIS") at the time of their application submission.

ii. The CIS shall contain the requisite information enumerated in Section XX:XXX of the XXX and in additional will discuss the following:

1. Any potential negative impacts on sensitive receptors or Overburdened Communities pursuant to N.J.S.A. 13:1D-157 to -161.
2. Mitigative measures in place to address any such impacts.

c. Noise Impact Analysis

i. The applicant shall have an engineer who is licensed in the State of New Jersey specializing in acoustical engineering conduct a noise impact analysis ("NIA"). The results of the NIA shall be provided via exhibits and testimony before the approving Board.

ii. The scope of the NIA shall include, but not be limited to, the following:

1. Consideration of all reasonably foreseeable project noise impacts to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompass noise from both construction and operations, including stationary, on-site, and off-site noise sources.
2. The applicant's planned mitigative measures to reduce noise impacts off-site during construction and during operation, such as prohibiting loading and other outdoor activities during certain hours, installation of densely vegetated berms, installation of sound walls, limiting hours of operation; etc.

Commented [MC[49]: May need to change in other areas or just in whole document

~~(13)~~(14) Architectural Design Standards:

a. The purpose of this chapter is to provide site plan guidelines and standards for warehouse uses, in accordance with N.J.S.A. 40:55D-2 to promote a desirable visual environment through creative development techniques and good civic design and arrangements. following design standards shall be incorporated:

- i. The applicant shall consider a variety of architectural elements, styles, textures, colors, shapes and materials to articulate and break up the building's monotony and line of site in a manner that reduces both visual and environmental impacts.
- ii. With the exception of materials related to rooftop solar or a vegetated green roof, all rooftop equipment shall be screened from view.
- iii. Blank facades or walls exceeding 100 feet in length shall not be permitted. To mitigate the appearance and perception of a large monolithic building, developers shall consider, but are not limited to the following: decorative patterns on exterior finishes, metal or synthetic paneling, fenestration, horizontal banding, columns, awnings, and vegetated "green" walls or espaliers, or a combination thereof. In addition:
 1. Building articulation and fenestration shall also be provided for warehouses with an accessory office component and in the areas of the facility related to employee entrances. Such areas shall maximize natural lighting.
 2. Minimum area of window opening on facades of office spaces and employee entrances shall be 40%.
 3. Vertical and horizontal building offsets are encouraged.

Commented [MC[50]: Need language showing that if not met does not mean conditions not met and goes to zb. Usually design standards are in an entirely diff section of an ord.

4. Spandrel glass may be utilized in the design; however, it shall not be included as part of the window area calculations in section 13(a)iii(2) above for more than 40% of the required opening.
- iv. Fronts of buildings (i.e., yards) must be fully appointed with landscaping of trees, shrubs, ornamental grasses, and ground cover pursuant to the terms of Section 3 and Section 4 and as prescribed in the **Township's Supplemental Use Controls (§XXX-XX)**.
- v. Shared-use paths shall be included as follows:
 1. Multipurpose shared-use paths and sidewalks shall be provided consistent with the **Township's Circulation Plan (§XX-XX)**, connecting to existing adjacent paths and sidewalks, or constructed so that future adjacent paths can connect. The minimum widths for such paths shall be as follows:
 - Boulevards and Highways: A 12-foot-wide shared use path.
 - Local Connector: A 6-foot-wide sidewalk shall be provided.
 - Rural Highways: A minimum 6-foot-wide paved path shall be provided.
 2. A pedestrian system within parking court defined by textured pavement is required.
 3. Minimum five-foot-wide sidewalks with appropriate Americans with Disabilities Act curb ramps shall be provided adjacent to buildings for safe access by employees.
- vi. Applicants shall identify if and how the proposed development incorporates the following recommended design guidelines:
 1. Building façade materials that include or resemble brick, stone, synthetic trim board, stucco or similar material.
 2. Cool roofing (roofing with a high solar reflectance index), vegetated "green" roofs, and rooftop solar are highly encouraged.
 3. Environmental features in building and site design that promote sustainability are encouraged. Such features include, but are not limited to solar screens, solar panels, green stormwater infrastructure (i.e., bioswales, cisterns, rain gardens, and porous pavements), xeriscaping or native vegetation to reduce irrigation needs, and design features or vegetation that helps to modulate microclimate and lower summer cooling loads.
 4. Rain gardens may be included within the yard buffer areas provided they are compliant with Sections 2, 3, and 4 above.

Commented [MC51]: Naoip wants removed. I have never seen a shared use path required in a circulation plan. 12' seems excessive impervious coverage also. This could be removed but I also lessened its importance and proofs by putting it as a design standard. If not met would not need zb.

~~(14)~~(15) **Facility Amenities Design Standards:**

a. The purpose of this chapter is to provide site plan guidelines and standards for warehouse uses, in accordance with N.J.S.A. 40:55D-2 to promote a desirable visual environment through creative development techniques and good civic design and arrangements.

a-b. An application shall detail the amenities that will be provided for the truck drivers/operators of the vehicles using the facility in addition to any similar amenities provided to on-site employees. The following requirements shall apply:

- i. The amenities shall include, at a minimum, one driver/operator lounge for the first 30 truck loading/unloading docks/doorways included in the application. Each

Commented [MC52]: Naoip wants removed. Again it is now a design standard and very little proof needed to have it waived by the boards. But cumulatively it can create issues if there are objectors. Too many waivers can indicate that the project isn't suited for this property or poorly designed etc.

Commented [MC53]: This language shows that if not met does not mean conditions not met and goes to zb. Usually design standards are in an entirely diff section of an ord.

driver/operator lounge shall include: restroom facilities with showers, sleeping areas, an entertainment area, and dispensing machines or other facilities to provide food and beverages. The lounge area should be available during operational hours or when overnight parking is allowed.

- ii. There shall be at least one additional driver/operator lounge as defined in Section 14(a)(i) for every additional 30-truck loading/unloading docks/doorways included in the application.
- iii. Each amenity shall contain not less than one seat per 10 docks/doorways, with a minimum area to accommodate six seats and one four-person table.
- iv. At least one 12-ft. x 75-ft. truck parking space shall be provided per each required lounge seat of the amenity (in addition to the required parking in Section 8(j)). Such parking spaces shall be provided in close proximity to the amenity and in a suitable, safe, and separately defined location.
- v. Electrical outlets shall be provided for use by drivers/operators at each amenity parking space.
- vi. Appropriate signage shall be provided directing trucks to park in the designated amenity parking spaces while awaiting access to a loading/unloading dock/doorway, unless all such spaces are already occupied.
- ~~vii. Appropriate signage shall be provided prohibiting idling of trucks parked in amenity parking spaces.~~
- viii-vii. Mechanical scraper systems shall be installed at each truck exit drive for the purpose of removing snow, slush and ice from trailer and truck rooftops. During winter months, all trucks must pass under these mechanical scrapers prior to exiting the warehouse facility.
- ix-viii. All trucks awaiting access to a loading/unloading dock/doorway shall park in the designated amenity parking spaces unless all such spaces are already occupied.

Commented [MC54]: Naoip wants removed y need more parking for trucks already on site. I assume these r truckers staying overnight or resting or using facilities and other trucks coming and going.

Commented [MC55]: Required in 11(h)

(15) Submission Requirements

— An application shall include, in accordance with ~~Section XX:XXX of the XXX~~, the following:

a. Environmental Impact Statement

- ~~i. The applicant shall submit an environmental impact statement ("EIS") at the time of their application submission.~~
- ~~ii. The EIS shall contain the requisite information enumerated in **Section XX:XXX of the XXX** and in addition will discuss the following:~~
 - ~~1. Any potential negative impacts on sensitive receptors or Overburdened Communities pursuant to N.J.S.A. 13:1D-157 to 161.~~
 - ~~2. Mitigative measures in place to address any such impacts.~~

b. Community Impact Statement/Analysis

- ~~i. The applicant shall submit a community impact statement ("CIS") at the time of their application submission.~~
- ~~ii. The CIS shall contain the requisite information enumerated in **Section XX:XXX of the XXX** and in addition will discuss the following:~~
 - ~~1. Any potential negative impacts on sensitive receptors or Overburdened Communities pursuant to N.J.S.A. 13:1D-157 to 161.~~
 - ~~2. Mitigative measures in place to address any such impacts.~~

c. Noise Impact Analysis

- ~~i. The applicant shall have an engineer who is licensed in the State of New Jersey specializing in acoustical engineering conduct a noise impact analysis ("NIA"). The results of the NIA shall be provided via exhibits and testimony before the approving Board **Planning Board**.~~
- ~~ii. The scope of the NIA shall include, but not be limited to, the following:
 - ~~1. Consideration of all reasonably foreseeable project noise impacts to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompass noise from both construction and operations, including stationary, on-site, and off-site noise sources.~~
 - ~~2. The applicant's planned mitigative measures to reduce noise impacts off-site during construction and during operation, such as prohibiting loading and other outdoor activities during certain hours, installation of densely vegetated berms, installation of sound walls, limiting hours of operation; etc.~~~~

Additional Technical Amendments

SECTION V. Severability. In the event any of the provisions of this Ordinance are declared unconstitutional, unlawful, or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance or of this Ordinance as a whole, and said Ordinance shall continue in full force and effect as though the unconstitutional, unlawful, or unenforceable provision had never been a part hereof.

SECTION VI. Repealer. All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed upon adoption of this ordinance.

SECTION VII. The Stormwater BMP Manual and the Highlands Water Protection and Planning Act of 2004 and the Highlands Regional Master Plan shall supersede this ordinance.