

State of New Jersey
Township of Lawrence

Ordinance No. 2250-16

**ORDINANCE AMENDING THE
LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE
TO RENUMBER SECTIONS 423 THROUGH 430,
ADD A NEW SECTION 423, REVISE SECTION 520
AND THE ZONING MAP**

WHEREAS, the Township Council of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township to renumber the latter part of Article IV, add a new Section 423 entitled, Mixed Use 3 District, revise Section 520, entitled Performance Standards for All Use; and revise the Zoning Map.

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

WHEREAS, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partly inconsistent with such land use plan element provided that the reasons for so doing are set forth in a resolution and recorded in its minutes; and

WHEREAS, the Planning Board has determined that the revisions and amendments to the Land Use Ordinance are consistent with the Office Industrial Land Use Classification in said Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the regulations pertaining to Sections 300, 301, 423 and 520 be so amended; and

WHEREAS, this Ordinance involves a classification change of the land pertaining to the new Mixed Use 3 District that was not included in a periodic reexamination of the Master Plan pursuant to *N.J.S.A. 40:55D-89* and consequently notice to property owners has been made in accordance with *N.J.S.A. 40:55D-62.1*.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. Renumbering. In every instance where the number §423 occurs in the Land Use Ordinance it shall be replaced by §424, number §424 shall be replaced by §425, number §425 shall be replaced by §426, number §426 shall be replaced by §427, number §427 replaced by §428, number §428 shall be replaced by §429, number §429 shall be replaced by §430, and number §430 shall be replaced by §431.

Section 2. §423, Mixed Use 3 (MX-3) District, shall be added to the Land Use Ordinance as follows:

§ 423 Mixed Use 3 (MX-3) District.

- A. Purpose. The Mixed Use 3 (MX-3) district is intended for a wide variety of uses that include, light manufacturing and assembly with associated distribution of products, flex space, offices including medical offices, recreational and leisure uses, and similar uses.**
- B. Permitted Uses. In the MX-3 district, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:**
1. **Offices, including medical offices.**
 2. **Call center.**
 3. **Light manufacturing, including beverage manufacturing.**
 4. **Wholesale sales, distribution center and warehouses.**
 5. **Printing establishments.**
 6. **Combined office and manufacturing or distribution uses in a single building or tenant space.**
 7. **Indoor and outdoor recreation and leisure activities.**
 8. **Research and engineering offices and labs.**
 9. **Construction supply houses.**
 10. **Governmental use.**
- C. Accessory Uses Permitted. Any of the following accessory uses may be permitted when used in conjunction with a principal use:**
1. **Incidental sale of goods manufactured or assembled on the premises provided such selling area shall not exceed 5% of the total floor area of the building.**
 2. **Display showrooms not exceeding fifteen percent (15%) of the total floor area of the building.**
 3. **Tasting rooms, ancillary food sales and product sales for breweries, wineries and distilleries as permitted by State of New Jersey licensing laws and regulations.**
 4. **Off-street parking.**
 5. **Fences and walls.**
 6. **Signs.**
 7. **Garages, storage buildings and tool sheds.**
 8. **Restaurant or employee cafeteria as part of a principal building or as the entire use of an accessory building, provided the cafeteria is limited in service to the employees and visitors of the principal use designated on the site plan as approved by the board of jurisdiction.**
 9. **Satellite dish and television antennae.**
 10. **Walk-up automatic banking tellers.**
 11. **Accessory uses customarily incidental to a principal use.**
- D. Conditional Uses Permitted. The following accessory use may be permitted when authorized as a**

conditional use by the Planning Board in accordance with §705:

1. **Outdoor Storage.** Materials used in the manufacture or assembly of products, finished product and equipment may be stored outside behind the front building line provided that such storage shall meet the following requirements:
 - a. **The location of the outdoor storage shall be approved by the board of jurisdiction and delineated on a site plan;**
 - b. **Outdoor storage shall be located in a side or rear yard behind the front building line;**
 - c. **Outdoor storage shall not occupy more than fifty percent (50%) of the total area of the side and rear yards;**
 - d. **The height of outdoor storage shall not exceed twelve (12) feet; and**
 - e. **The outdoor storage shall be located on the interior side of a fully opaque fence.**
 - f. **No waste products shall be stored outside except in a fully enclosed container approved by the board of jurisdiction and delineated on a site plan.**

E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to all lots:

1. **Principal Use.**

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| a. | Minimum lot area: | 5 acres |
| b. | Minimum lot frontage: | 400 feet |
| c. | Minimum lot width | 400 feet |
| d. | Minimum lot depth: | 400 feet |
| e. | Minimum front yard: | 75 feet |
| f. | Minimum side yard: | 50 feet |
| g. | Minimum rear yard: | 50 feet |
| h. | Maximum building height: | 45 feet or 3 stories,
whichever is less |
| i. | Maximum impervious surface ratio: | .75 |
| j. | Maximum floor area ratio: | .30 |

k. **Minimum parking and loading area setbacks.**

(1) No loading shall be permitted in a front yard except such yard as abuts a limited access highway.

(2) Front yard setback: 35 feet

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| (3) | Side and rear yard setback: | 25 feet |
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2. **Accessory Buildings and Uses.** The following regulations shall apply to accessory buildings and uses:
- a. **No accessory building or use shall be located in a front yard except such yard as abuts a limited access highway.**
 - b. **Minimum side yard:** **35 feet**
 - c. **Minimum rear yard:** **35 feet**
 - d. **Minimum separation distance to other building:** **25 feet**
 - e. **Maximum height:** **Half the height of the principal use to which it relates.**

Section 3. §520, Performance Standards for All Uses, shall be revised to read as follows:

§520 Performance Standards for All Uses

An applicant for a zoning or construction permit shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a construction permit may be issued with the condition that no certificate of occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. A change in the occupancy or use of a building or portion of a building or premises for a non-residential use shall cause the zoning permit to expire, requiring the application and issuance of a new zoning permit for such new or changed use and occupancy and consequently require the application for and issuance of a certificate of occupancy or certificate of continuing occupancy, as the case may be, from the Construction Code Official. *See* Article XII.

Section 4. §535.X, shall be revised to read as follows:

X. Signs Permitted in the O, RD-1, RD-2, MX-2, MX-3, and LI Districts.

Section 5. The Schedule of Zoning Districts as listed in §300 shall be revised to insert Mixed Use 3 and its zoning symbol, MX-3, after Mixed Use 2 and the Zoning Map as adopted through §301 of the Land Use Ordinance shall be revised to place Block 3901, Lots 1, 2.01, 2.02, 4.01, 20, 21, 22, 23.01 and 23.02; and their associated roadways in the Mixed Use 3 zoning district.

Section 6. Continuation. In all other respects, the Land Use Ordinance of the Township of Lawrence shall remain unchanged.

Section 7. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

Section 8. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 9. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

Adopted: December 6, 2016

RECORD OF VOTE

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bobbitt				X			
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mayor Maffei	X						