

Ordinance 2021-20

The following revisions and amendments to the Dunellen Municipal Code Chapters 115 (Zoning) and 115A (Land Development) were Introduced for first reading on June 7, 2021. It was then presented to the Dunellen Planning Board for review on June 28, 2021, and comments were received. It is now being presented for public hearing and adoption on August 2, 2021. Copies of this ordinance have been posted on the Municipal Bulletin Board and have been available at the Office of the Borough Clerk for any interested members of the public.

Dunellen Municipal Code Chapters 115 and 115A are amended as follows:

Chapter 115. Zoning

Article II. Zoning Districts; Zoning Map

115-3. Enumeration of Districts

The Borough of Dunellen is hereby divided into various zoning districts as follows:

- RA Single-Family Residential
- RB Single-Family and Two Family Residential
- B Business
- M Municipal
- I Industrial

Article VI. District Regulations

115-36.1 I Industrial Zone

- A. Permitted Principal Uses. No building, structure or premises shall be used and no building or structure shall be erected or structurally altered, except of the following uses:
 - 1. Offices for executive, administrative, professional and business purposes.
 - 2. Light Industrial manufacturing, processing and assembling of products.
 - 3. Warehousing, receiving or shipping of materials provided that such materials are not of a hazardous nature.

4. The manufacturing, compounding, processing or packaging of food, cosmetics, perfumes, plastics of a type not producing odors.
5. Research institutions and laboratories or industrial research, testing and product development providing there is no use of hazardous materials or testing on animals.
6. Retail/Wholesale facilities.
7. Recreational and Amusement facilities operated for profit including:
 - a. Indoor Theaters.
 - b. Gyms, Health Clubs and Physical Training Facilities.
8. Public Utilities.
9. Public uses and facilities, recreational uses, community centers, and parks.
10. Other uses that are determined by the Board to be of the same character as the above types of permitted principal uses which are not objectionable due to odor, dust, noise, vibration, smoke or similar causes but excluding uses specifically prohibited in this chapter.

B. Permitted accessory uses and buildings. Uses and buildings incidental to the above uses shall be permitted as provided:

1. Off street parking, loading and ramp areas.
2. Outdoor storage provided such storage is not situated within a front yard and is sufficiently screened from view from any public or private street or residence or residential zone.
3. Tractor and trailer storage as accessory to warehouse and distribution uses provided the trailers are not utilized for the long term storage of goods.
4. Other uses deemed to be accessory uses that are normally ancillary to the permitted principal uses, except that factory outlet type retail stores and sales shall not be considered an accessory use.

C. Conditional Uses. The following conditional uses may be permitted, provided all terms and conditions specified for the particular use in 115-37 are complied with:

1. Gasoline Service Stations.
2. Public Garages and Automotive Repair Facilities.
3. Cellular towers and Cellular communications Equipment (40:55D-46.2 of the MLUL regulates the colocation of wireless communication equipment. The Borough retains jurisdiction for the installation of new towers and equipment.)

D. Prohibited Uses. The following uses are specifically prohibited:

1. Any use not specifically permitted or determined by the Board to be of the same character as permitted principal uses listed previously are prohibited.
2. Residences of any type permitted in the RA and RB Zones.
3. Trucking Depots or terminals or truck maintenance facilities.
4. Slaughter houses and/or the keeping of farm animals.
5. The manufacturing, processing, storage of chemicals, liquids, gases or other products that are considered hazardous and/or regulated by the NJDEP or EPA.

E. Height, area and yard requirements for the I-Industrial zone: as specified in the schedule of regulations, 115-6 except as hereinafter provided:

1. Minimum lot area-40,000 square feet.
2. Maximum building height-40 feet. The height of any structure within the I-Industrial Zone may be increased up to 50 feet provided for any increase of in 5 foot increments an additional 5 feet shall be added to each required setback. No parapet, false façade, rooftop or mechanical equipment may exceed 40 feet in height except with the increase of all setbacks as provided above.

3. Minimum front setback-20 feet. For any structure existing prior to the establishment of this code provided the structure is not demolished, modified, or added onto may maintain the existing front setback.
 4. Minimum side setback-5 feet. When adjacent to a residence or residential zone, the required side setback shall be a minimum of 20 feet.
 5. Minimum rear setback-10 feet. When adjacent to a residence or residential zone the required rear setback shall be a minimum of 25 feet.
 6. Maximum Building Coverage-40%
 7. Maximum Lot Coverage-75%
 8. Minimum parking/driveway setback-5 feet. When adjacent to a residence or residential zone the required setback shall be a minimum of 10 feet.
- F. Off-street parking requirements: as specified within 115A-15.1.
- G. Loading requirements: as specified within 115A-15.1.
- H. Fencing requirements: as specified within 115-39.
- I. Buffers and landscaping requirements: as specified within 115-40 except provided below:
1. All new parking areas are required to have a minimum of 1 deciduous shade tree planted for every 10 parking stalls or part thereof. The shade trees must be installed within parking area islands or within 5' of the perimeter of the new parking area.
 2. All new parking areas are required to have 1 curbed landscaped island for each 30 parking stalls or part thereof.
 3. When adjacent to or abutting a residence or residential zone a minimum planted buffer of 25 feet shall be provided. The planted buffer shall include solid fencing and evergreen plantings a minimum of 8 feet in height at time of planting. The minimum

planting size may be increased at the discretion of the Board. Structures or uses such as, but not limited to, sheds, storage, refuse enclosures and curbing are not permitted within the buffer area.

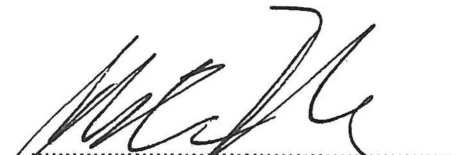
J. Sign Requirements: All new signs shall conform with the requirements of ordinance 2013-01.

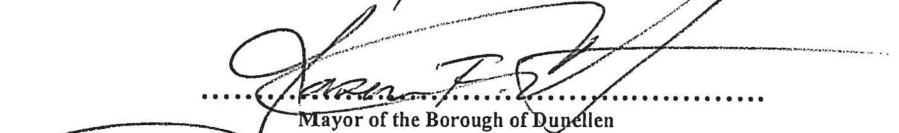
Chapter 115A. Land Development

115A-15.1 Off-street parking and loading

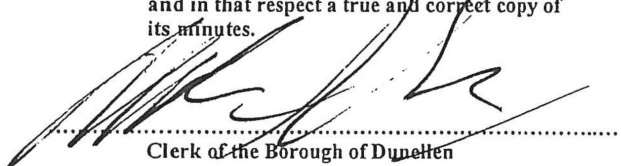
115A-15.1C Minimum space requirements for off street parking areas

(27) Gyms, Health Clubs and Physical Training Facility: one (1) space per each 175 square feet of gross floor area.


.....
Clerk of the Borough of Dunellen

Approved 8/2/2021

.....
Mayor of the Borough of Dunellen

I *certify* the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Common Council of the Borough of Dunellen, held

8/2/2021
.....
and in that respect a true and correct copy of its minutes.

.....
Clerk of the Borough of Dunellen