TOWNSHIP OF FAIRFIELD
ORDINANCE #2019-10

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XLV, ZONING, OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY, NEW JERSEY, TO (1) ESTABLISH A REDEVELOPMENT ZONE ENCOMPASSING CERTAIN LAND IN THE H-D, HIGHWAY AND R-1 RESIDENTIAL ZONES LOCATED ON ROUTE 46 AND (2) ESTABLISH ZONING REGULATIONS RELATED TO THE REDEVELOPMENT ZONE

WHEREAS, property located on Route 46 was the subject of a redevelopment study whereby the Township of Fairfield Planning Board recommended to the Council that the subject property be designated as a redevelopment area pursuant the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A, due primarily to severe site constraints which renders the parcel unsuitable for development in accordance with present zoning standards; and

WHEREAS, it was determined that the property would be better suited for an alternative use that is not otherwise permitted in the H-D and R-1 zones; and

WHEREAS, the Township Council accepted the recommendation of the Planning Board, designated the area in need of redevelopment and directed that a redevelopment plan and ordinance be prepared in order to promote low intensity self storage development on the subject property; and

WHEREAS, said plan was prepared by Burgis Associates in a document entitled “Redevelopment Plan For: Block 4702,Lots 11 and 12” dated April 2, 2019 which includes the regulatory framework for the redevelopment area.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Fairfield, County of Essex, New Jersey, that the Redevelopment Plan dated April 2, 2019 prepared by Burgis Associates is hereby adopted. And

BE IT FURTHER RESOLVED that the following amendment to the Township zoning ordinance and zoning map be adopted consistent with the Redevelopment Plan as follows:

SECTION 1: Article II Section 45-5.1 Zones Established be amended to include a new zone district as follows:

H-R Highway Redevelopment Zone

SECTION 2: Article II Section 45-5.2 Zoning Map is hereby amended to include the following new zone.

Highway Redevelopment Zone (H-R): Block 4702, Lots 11 and 12

SECTION 3: Article VII Section 45-34 (reserved) shall be amended to add the following new zone and zone regulations pertaining to the Highway Redevelopment (H-R) Zone as follows:
§45-34 Highway Redevelopment Zone

§45-34.1 Permitted Principal Uses. Permitted uses shall be limited to self-service storage facilities permitted only within multistory structures designed to emulate attractive office buildings subject to the following standards:

a. The only activities permitted in individual storage units shall be the rental of the unit and the pickup and deposit of goods and/or property in dead storage. Storage units shall not be used for activities such as:

1) Residences, offices, workshops, studios, or hobby or rehearsal areas.

2) Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or any other individual activity.

3) Conducting retail sales of any kind, including garage or estate sales or auctions, or to conduct any other commercial activity; provided that the operator of the self-service storage may conduct a sale or otherwise liquidate the contents of any storage unit to satisfy and settle an account of unpaid rent or other charges, through public or private sale, in a manner provided by law.

4) Storage of flammable, perishable or hazardous materials or the keeping of animals.

b. The rental of trucks, trailers or moving equipment and the installation of trailer hitches are prohibited.

c. Sale of boxes or packing materials is permitted but only if accessory to the self-service storage facility.

d. Self-service storage facilities shall not operate or allow tenant access between the hours of 12:00 midnight and 6:00 a.m.

e. All goods and property stored in a self-service storage facility shall be stored in an enclosed building. No outdoor storage of any kind, including but not limited to storage of boats, RVs, vehicles, trailers or similar vehicles, etc., or storage in outdoor storage pods or shipping containers is permitted.

f. All storage units above ground level and storage units visible from residential areas shall gain access from the interior of the building(s) or site; no unit doors, loading bays, or docks may face or be seen from any adjacent residential areas.
g. Electrical service to storage units shall be for lighting and climate control only. No electrical outlets are permitted inside individual storage units. Lighting fixtures and switches shall be of a secure design that will not allow tapping the fixtures for other purposes.

§45-34.2 Permitted Accessory Uses. The following permitted accessory uses shall be permitted:

a. On-street parking areas.

b. Signs as permitted and regulated in the HD zone.

c. Fences and walls. Other customary accessory uses incidental to the principal uses permitted in this zone, such as the sale of items to consumers related to storage.

d. Other customary accessory uses incidental to the principal uses permitted in this zone, such as the sale of items to consumers related to storage.

§45-34.3 Area and Bulk Regulations. The following zoning controls shall apply to the Highway Redevelopment Zone:

Principal Use Area/Bulk Requirements.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirements</th>
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<tr>
<td>Min. Redevelopment Tract Area</td>
<td>5 acres</td>
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<tr>
<td>Min. Lot Width</td>
<td>200’</td>
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<td>Min. Lot Depth</td>
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<td>Min. Building Setbacks</td>
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<td>Front Yard</td>
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<td>All Other Yards</td>
<td>100 Feet</td>
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<td>Max. Building Coverage</td>
<td>10 Percent</td>
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<tr>
<td>Max. Impervious Coverage</td>
<td>20 Percent</td>
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<tr>
<td>Max Building Height</td>
<td>5 sty/60 ft.</td>
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§45-34.4 Design Standards for Self-Storage Facilities

a. Pursuant to N.J.S.A. 40A12A-13, all development applications for development in the Redevelopment Area shall be submitted to the Planning Board (or Board of Adjustment, if applicable) for review and approval. Site plan review shall be required to ensure the development has a high-quality design and is appropriate to the desired character of the zone in which it is located and the surrounding area.

b. Self-service storage facilities shall meet the requirements of Chapter XLII Land Subdivision and the following additional requirements:
1) Parking. The number of off-street parking spaces required shall be 1 space per 5,000 square feet of gross floor area plus 1 space per employee on a maximum shift. If determination of the number of required parking spaces results in a fractional space, the fraction shall require one additional parking space.

2) Fences and walls, including entry gates, shall be constructed of high-quality materials and shall be compatible with the design and materials of the building(s) and site.

3) Decorative metal or wrought-iron fences are preferred.

4) Chain-link (or similar) fences, barbed- or razor-wire fences, and walls made of precast concrete blocks are prohibited.

5) Fences or walls between the main or front building on the site and the street shall be landscaped to buffer the fence or wall from view.

6) Ground- and upper-floor facades for self-service storage facility buildings shall meet the following requirements:

   I. The ground floor on rear or side facades facing residential areas shall be visually screened from view from the street or nearby residential uses.

   II. In order to promote visual compatibility, self-service storage facility buildings shall incorporate architectural and design features common to commercial and/or multifamily development. Examples of such architectural and design features include: massing; proportion; facade modulation; exterior building materials and detailing; varied roof line; pedestrian scale; fenestration; repetition; etc.

   III. All exterior windows, doors and other architectural features shall be shaded or a selected color as determined by the Planning Board to:

      a) Be compatible with the color of the building; and

      b) Be of such color as to lessen the visibility of the door, window or other architectural feature.

7) The business office of self-service storage facilities shall have a pedestrian entrance facing the street. This entrance shall be considered the "main" or "principal" entrance to the building for purposes of this chapter, even if the majority of customers using the facility enter through loading docks, bays, doors or other side or rear entrances.
8) Self-service storage facility buildings shall be surfaced in high-quality materials. Prefabricated buildings, unfaced concrete block, painted masonry, and tilt-up and precast concrete panels are prohibited.

9) Areas for outdoor storage, trash collection or compaction, loading or other such uses shall not be located on a facade facing a public street or be located within 20 feet of any public street, public sidewalk, or internal pedestrian way, which setback area shall be planted with landscape material acceptable to the Planning Board (or Board of Adjustment, if applicable).

10) Green Building Requirements and Standards. To minimize environmental impacts, reduce storm water runoff and potential flooding associated with any proposed development, green building and site development standards shall be incorporated into the site development, where practical and feasible, in accordance with United States Green Building Council (USGBC) LEED Certification process. LEED certification is not a requirement for development but shall act as a development guide to reduce the environmental impacts where, in the view of the Planning Board, such standards may be incorporated into a particular project without detriment to the project itself.

§45-34.5 Submittal Requirements.

a. Preliminary and final site plan approval shall be required prior to any construction. Any site plan for the construction of improvements within the Redevelopment Area shall be prepared and submitted to the Planning Board in accordance with the Fairfield Township Land Use Regulations, Chapter 40 of the Township Code.

b. The submittal shall contain, in addition to the site plan submittal provisions, a report detailing the following:

   1) A traffic and circulation plan regarding vehicular and pedestrian movements, shall be provided. Such report shall address existing and projected vehicular peak hour movements, turning movements, and the need for improvements to enhance traffic safety and convenience in the area.

   2) An environmental impact statement as required by Chapter 44 of the Fairfield Township Code.

§45-34.6 Waivers.

Variation from the requirements set forth in this redevelopment plan may be necessary in certain circumstances or to meet Federal, State or County permit requirements. In such an instance, the Planning Board may waive certain bulk, parking or design requirements if the designated redeveloper demonstrates that such waiver will not substantially impair the intent of the redevelopment plan, and will not present a substantial detriment to the public health, safety and welfare.
SECTION 4: All ordinances of the Township of Fairfield that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 6: This ordinance shall take effect immediately upon final passage, approval, filing with the Essex County Planning Board, and publication as required by law.

JAMES GASPARINI
Mayor

ATTEST:

DENISE D. CAFONE
Municipal Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on April 22, 2019 introduced and read by title and passed first reading and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting that is to be held on June 24, 2019 a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

DENISE D. CAFONE
Municipal Clerk
INTRODUCTION OF ORDINANCE
ORDINANCE #2019-10, AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XLV, ZONING, OF THE TOWNSHIP OF FAIRFIELD, ESSEX COUNTY, NEW JERSEY, TO (1) ESTABLISH A REDEVELOPMENT ZONE ENCOMPASSING CERTAIN LAND IN THE H-D, HIGHWAY AND R-1 RESIDENTIAL ZONES LOCATED ON ROUTE 46 AND (2) ESTABLISH ZONING REGULATIONS RELATED TO THE REDEVELOPMENT ZONE

INTRODUCED BY: Councilman LaForgia
SECONDED BY: Councilman Cifelli
PUBLISHED: April 25, 2019

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2ND READING AND PUBLIC HEARING: June 24, 2019

INTRODUCED BY: Council President Morgan
SECONDED BY: Councilman LaForgia
PUBLISHED: June 27, 2019

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