

HARDING TOWNSHIP
ORDINANCE #10-2022

AN ORDINANCE AMENDING CHAPTER 225 OF THE CODE OF THE TOWNSHIP OF HARDING,
SPECIFICALLY §225-5 ENTITLED “DEFINITION” IN PART I, ARTICLE II; §225-141 ENTITLED
“PERMITTED USES” IN ARTICLE XXIX B-1 HISTORIC BUSINESS ZONE, §225-145 ENTITLED “USE
REGULATIONS” IN PART 3, ARTICLE XXX; AND §225-148 ENTITLED “USE REGULATIONS” IN PART 3,
ARTICLE XXXI

SECTION 2. §225-141 Permitted uses.

In the B-1 Historic Village Business Zone, no building, structure or premises shall be used, erected, or altered except for the following permitted uses:

A. - B. *No change.*

C. Accessory uses, buildings, and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space and other accessory uses, buildings, and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and energy-related structures or generators, no accessory building or structure shall be located closer than 10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.

D. – H. *No change.*

SECTION 3. §225-145 Use regulations.

In the B-2 Business Zone, no building, structure or premises shall be used, erected or altered except for the following permitted uses:

A. – B. *No changes.*

C. Accessory uses, buildings and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, and other accessory uses, buildings and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and energy-related structures or generators, no accessory building or structure shall be located closer than 10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.

SECTION 4. §225-148 Use regulations.

In the OB Zone, no building, structure or premises shall be used, erected or altered except for the following uses:

A. – E. *No changes.*

F. Accessory uses, buildings and structures. Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space and other accessory uses, buildings and structures that are incidental to the principal use(s) shall be permitted. All accessory buildings and structures, including garages, sheds and storage buildings, shall comply with yard setbacks, floor area ratio limitations and buffer requirements. With the exception of Electric Vehicle Supply/Service Equipment, Make-Ready Parking Space, HVAC and

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WHEREAS, the Township of Harding, in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89) prepared a Master Plan Reexamination Report, dated October 2020 in order to review and evaluate the Township’s Master Plan and Development Regulations to determine the need for updates and revisions; and

WHEREAS, the Township of Harding Planning Board adopted the Master Plan Reexamination Report on October 26, 2020; and

WHEREAS, the Master Plan Reexamination Report recommended certain amendments to the Township’s B-1 Historic Business, B-2 Business, and OB Office Building zoning districts; and

WHEREAS, one of the recommendations was that Electric Vehicle Charging Stations be permitted accessory uses in the B-1 Historic Business, B-2 Business, and OB Office Building zoning districts.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that Chapter 225, and specifically §225-5, §225-141 C, §225-145, §225-148 of the Code of the Township of Harding be and are hereby amended as follows (deletions have strike through; additions are bolded and underlined):

SECTION 1. §225-5 Definitions.

Unless specifically defined below, or in the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), or in the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.), or in New Jersey's Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.), words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage unless the context clearly indicates a contrary intent.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. “EVSE” is synonymous with “electric vehicle charging station.”

MAKE-READY PARKING SPACE: The pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

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energy-related structures or generators, no accessory building or structure shall be located closer than
10 feet to any other structure. No accessory building or structure shall exceed 25 feet in height.

SECTION 5. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 6. This Ordinance shall take effect upon final passage and publication according to law.

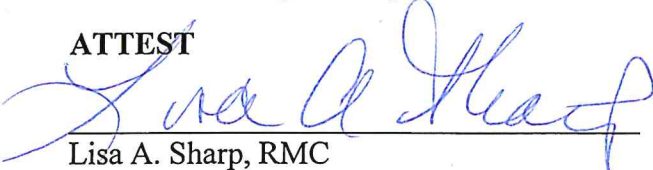
SECTION 7. The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Township Tax Assessor.

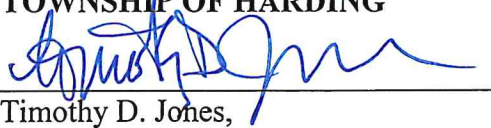
SECTION 8. All Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

ATTEST

TOWNSHIP OF HARDING


Lisa A. Sharp, RMC
Township Clerk


Timothy D. Jones,
Mayor

INTRODUCED: June 20, 2022

ADVERTISED: June 23, 2022

PUBLIC HEARING:

ADOPTED:

ADVERTISED:

Vote on Introduction:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		☒	☐	☐
Dr. Lacz		☒	☐	☐
Ms. Platt	2nd	☒	☐	☐
Mr. Yates	1st	☒	☐	☐
Mr. Jones		☒	☐	☐