

# **MASTER PLAN UPDATE**

## **Warehouse Development**



Adopted by the Planning Board: 1/18/23

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

A handwritten signature in cursive script that reads "Mark Healey".

Mark Healey, P.P. #5803

Franklin Township has experienced exponential growth in the amount of development applications for warehouses in the form of more than two dozen such applications for the development of new or expanded warehouses since 2018 which total several million square feet.

This exponential growth in warehouse development is anticipated to create significant impacts to the quality of life in Franklin Township including but not limited to traffic impacts related to the capacity of the Township's roadway network to handle the significant increase in truck traffic and additional negative impacts to sensitive land uses including noise and air pollution.

In light of the above, the Land Use Plan Element of the Master Plan is hereby revised to recommend that warehouse development be removed as a permitted use in the Business and Industry (B-I) zone (where it is currently permitted as a conditional use).

The purpose of the "Business and Industry (B-I)" zone, as stated in the Land Use Plan Element of the Master Plan is updated as follows:

To provide sufficient space in appropriate locations for a mixture of office, laboratory, hotel, data processing and communication, light industrial, manufacturing and other such compatible uses which provides opportunities for job creation by taking advantage of Franklin's centralized location in the Tri-State area with access to the regional transportation corridors including I-287 and the New Jersey Turnpike as well as public transportation. The standards are intended to require maximum attention to proper site design including the location of structures and parking areas, proper ingress and egress, architectural design, storm water management, landscaping and the need to ensure visual harmony and avoidance of nuisances upon adjacent residential areas.

The Land Use Plan recommends the following amendments to the Township Land Development Ordinance:

- Update Schedule 1, Permitted Uses, to eliminate "warehouse and distribution" as a permitted conditional use in the B-I zone and amend Article V, Conditional Uses, to eliminate the conditional use standards for "warehouse and distribution" uses as outlined in Section 112-50.
- Make related changes to the ordinance including: eliminating definition of "warehouse and distribution" in Section 112-4; make appropriate update to Section 112-8 related to the purpose of the B-I zone; amend Schedule 4, Parking Requirements, to delete reference to warehouse and distribution; update Schedule 5, Sign Regulations, to delete reference to warehouse and distribution; and, amend Section 112-33.6, Design of Business and Industry Uses, to delete reference to warehouses.

The Planning Board notes the following

- The Township zoning ordinance would remain consistent with the objective/ recommendation that the Township maintain sufficient area of industrial districts to ensure adequate space for light industry and development of other permitted uses. Roughly 4.8 square miles of the Township would remain within the Business & Industry (B-I) zone.
- The B-I zone would continue to permit a wide variety of uses. While future warehouse development would be prohibited, properties in the B-I zone could still be developed with a one or more of the various other uses permitted in the B-I zone including: general and professional office; laboratory; banquet facility; hotel; data center; light manufacturing; self-storage facility; and indoor recreation
- There would remain substantial opportunities for warehouse use in the B-1 zone in the form of several square million square feet on various properties in both existing warehouse sites, in previously-approved warehouse site or in validly pending applications for warehouse development.
- If the property in the B-I zone is already developed with a warehouse, the use would become a legal, pre-existing non-conforming use. The existing warehouse use could remain in perpetuity at its existing size. Those wishing to expand an existing warehouse would have the right to apply to the Township Zoning Board of Adjustment (ZBA) for a D(2) use variance where they would need to provide proofs/ justification per the requirements of the New Jersey Municipal Land Use Law (MLUL) and applicable case law. The above would also apply to warehouse development that was previously approved and to validly pending warehouse applications (if approved), provided such development commences within the 2-year protection period provided by law.
- Those wishing to seek development of a warehouse would have the right to apply to the ZBA for a D(1) use variance. Such applicant would need to provide proofs/ justification per the requirements of the MLUL and applicable case law including demonstrating that the site was particularly suitable for development with a warehouse despite the deviation from the ordinance which restricts such development.