



Planning & Real Estate Consultants

MEMORANDUM

To: Township of West Orange Planning Board

From: Paul Grygiel, AICP, PP

Date: February 3, 2022

Re: **Master Plan Consistency Review – Ordinance 2677-22**

The Municipal Land Use Law at N.J.S.A. 40:55D-26a includes the following requirement:

Prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

The Township Council introduced a proposed ordinance amendment, Ordinance 2677-21 at its February 1, 2021 meeting, which includes changes to the Township's Land Use Regulations Ordinance. I have reviewed these proposed changes for Master Plan consistency and offer the following for your consideration.

Ordinance 2677-21 proposes to modify certain zoning provisions of the Land Use Regulations Ordinance to allow reasonable signage for businesses with drive-up windows. The specific changes are to permit and provide regulations for directional signs, menu board signs, digital order boards and vehicle height clearance bars.

The Township's 2019 Master Plan Update includes the following recommendation in both the Reexamination Report and the Land Use Element Plan Element Amendment: "Permit drive-through windows as customarily accessory use for banks, fast food and pharmacies (with standards for vehicle stacking etc.)." This recommendation was implemented by Ordinance 2617-20, which was adopted in September 2020 and added drive-up windows as a permitted accessory use for retail uses. However, it did not include standards for signage for this use. Ordinance 2677-21 would add signage regulations specific to drive-up windows.

It is my opinion the proposed ordinance is therefore consistent with the Township's Master Plan for the reasons discussed above.