

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 10-2023**

**AMENDING CHAPTER 180 OF THE CODE OF THE  
TOWNSHIP OF MOORESTOWN ENTITLED  
“ZONING” TO AMEND THE REGULATION OF  
WAREHOUSES IN THE BP-1 ZONING DISTRICT IN  
ACCORDANCE WITH RECOMMENDATIONS MADE  
BY THE NJ STATE PLANNING COMMISSION**

**WHEREAS**, the rapid growth of e-commerce and consumer demand for same day delivery of goods in recent years has dramatically changed warehouse operations in the region; and

**WHEREAS**, municipalities throughout the State of New Jersey have experienced negative impacts by the development of large-scale regional warehousing and “last mile” fulfillment centers in locations that are not well suited for such development; and

**WHEREAS**, the NJ State Planning Commission analyzed this issue and published a report entitled “Distribution Warehousing and Goods Movement Guidelines” that provides guidance to local municipalities aimed at ensuring the development of such facilities is done in a manner that considers environmental impacts, economic sustainability, and public health concerns; and

**WHEREAS**, the Township Council finds it is in the best interest of its residents to amend the regulation of warehouse uses in the BP-1 Zoning District to adopt some of the recommendations suggested by the NJ State Planning Commission.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Moorestown, County of Burlington, and State of New Jersey, as follows:

**Section 1. §180-2 “Definitions” Warehouse” and “Warehouse/Distribution” is hereby amended to replace the definitions of “Warehouse” and “Warehouse/Distribution” as follows:**

**WAREHOUSE, TRADITIONAL - Any establishment primarily used for the indoor long-term storage, loading, unloading and/or distribution of goods, products, or materials, which may include accessory consolidation, repacking and value-added services. Such facility may include an Accessory Truck Terminal.**

**WAREHOUSE AND DISTRIBUTION CENTERS** - Structures, or a major portion thereof, used principally for the storage, sales or distribution of goods and merchandise to retailers, non-residential users, or to wholesalers. Warehouse facilities are differentiated into the following sub-categories:

1. Cold Storage Facility - A specialized warehousing, wholesaling, and distribution facility with large-capacity coolers and freezers to store food or other temperature-sensitive items. Refrigerated shipping units are used for inbound and outbound shipping, and loading docks are equipped with seals and insulation to maintain product integrity.
2. Distribution Center / Break-Bulk Facility - A facility used for regional and/or interstate distribution to businesses and fulfillment centers, not to end users or consumers. Items stored and distributed through these facilities generally do not require finishing or individual packaging. These facilities perform transloading functions where the consolidation, transferring, and distribution of pallets, equipment, and other shipments are made between locations using more than one mode for transportation.
3. High Cube and Automated Warehouse - A highly automated warehouse or distribution center used for the storage and/or consolidation of manufactured goods. The automated nature of the facility allows higher stacking and more efficient retrieval and movement of goods, which can increase capacity and truck movements to and from the site.
4. Last-Mile Fulfillment Center- A facility with the primary purpose of temporary storage, sorting, and redistribution of goods to fulfill e-commerce or direct consumer orders by receiving shipments of goods from one mode of transport and redistributing those goods via a delivery vehicle.
5. Micro Fulfillment Center - A facility with a gross floor area under 20,000 square feet that provides short-term storage of goods intended to be distributed to end users via home delivery or other similar means.
6. Warehouse, Traditional - Any establishment primarily used for the indoor long-term storage, loading, unloading and/or distribution of goods, products, or materials, which may include accessory consolidation, repacking and value-added services. Such facility may include an Accessory Truck Terminal as defined under Definitions.

**Section 2. §180-67.2 “Use restrictions and regulations in the BP-1 Business Park District” is hereby amended as follows:**

- A. (12) Facilities that provide ~~warehousing and~~ storage, including self and personal storage.

C. (5) Warehouse and Distribution Centers, known as Last Mile Fulfillment Centers having a floor area from 50,000 SF to 150,000 SF, Micro Fulfillment Centers and Traditional Warehouses are permitted as a conditional use subject to the conditions outlined in §180-96 Conditional uses E.(5) and Conditional Use Approval by the Planning Board.

**Section 3. §180-96 “Conditional Uses,” is hereby amended by adding the following language:**

E. (5) Warehouse and Distribution Centers known as Last Mile Fulfillment Centers having a floor area of 50,000 SF to 150,000 SF, Micro Fulfillment Centers and Traditional Warehouses.

(a) The submission of an impact study shall be required as part of the land use approval. The analyses included in the impact study shall evaluate the following:

- (1) Traffic studies; truck traffic increases; impact of the additional traffic on intersections all within 1 mile of property;
- (2) Truck and employee traffic routes;
- (3) The traffic impact of the proposed development on the surrounding area.

(b) It is recommended that enhanced green infrastructure measures be utilized on the site. Solar panels on the warehouse roofs or in parking lots are encouraged and if not proposed, the applicant shall explain why they are not proposed.

**Section 4. Repealer.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 5. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance, the provision which imposes the greater restriction or limitation shall control.

**Section 6. Severability.** If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Township Council of the Township of Moorestown declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**Section 7. Effective Date.** This Ordinance shall take effect 20 days after adoption, transmittal to the Burlington County Planning Board, and publication according to law.

CERTIFICATION

I, Patricia L. Hunt, Township Clerk, hereby certify that the attached is a true and correct copy of Ordinance No. 10-2023 which was introduced and adopted on first reading on May 8, 2023 and heard on second reading and was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on May 22, 2023.

<u>VOTE:</u>	
GILLESPIE	YES
LAW	YES
MAMMARELLA	YES
VAN DYKEN	YES
ZIPIN	YES

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Patricia L. Hunt, RMC  
Township Clerk

## NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on May 8, 2023. This ordinance will be further considered for final passage by the Township Council, after a public hearing thereon, at a meeting to be held at 111 West Second Street, Moorestown, NJ on May 22, 2023 at 7:00 pm or at any date, time and place to which such meeting may be adjourned. For those attending virtually or telephonically, the agenda for said meeting will provide instructions for public participation; all persons interested will be given the opportunity to be heard concerning such ordinance. The ordinance may be viewed in full on the Township's website at [www.moorestown.nj.us](http://www.moorestown.nj.us). In addition, during the week prior to and including the date of such further consideration, copies will be available from the Municipal Clerk's Office to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC  
Township Clerk

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