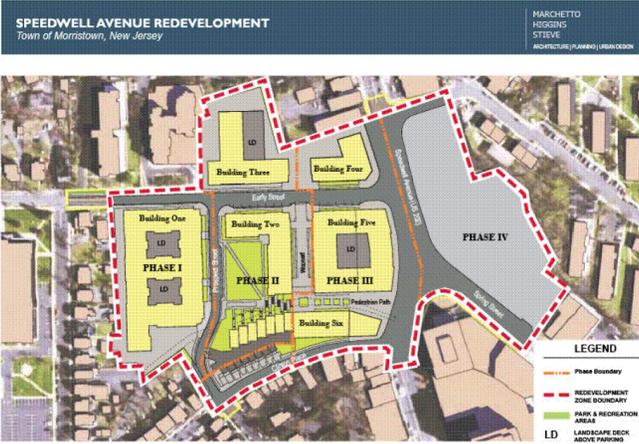


Zoning Ordinances Introduced: September 2011

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Butler	2011-16	10/18/11	<p>Amend the Land Use Ordinance to clarify that Limited Service Stations with Convenience Centers are a conditional use in the HC-1 and HC-2 Highway Commercial Districts.</p> <p>Clarify the sign use regulations in the CBD - Central Business District and the Redevelopment Zone. This includes renaming the existing sign regulation section that currently applies to the CBD District so that it now applies to the Redevelopment Zone as well. Other changes include details pertaining to size, type and placement of signs.</p>	
Borough of Chatham	11-18	10/12/11	<p>Amend the Land Development Regulations as they apply to signs. Examples of the numerous changes include the following:</p> <ul style="list-style-type: none"> • Modify the circumstances in which sign permits are not required. For example, add an exemption for houses of worship. • Specify various locations where non-profit and political signs shall not be permitted, such as the Borough Hall or the Library of the Chathams. • An exception to the existing prohibition on portable signs for commercial purposes (such as sandwich boards) has been added. In all Business and Industrial districts one portable sign shall be permitted for each lot, except for corner lots that may have two. • Political signs shall be permitted in the public right-of-way (subject to restrictions). • A maximum letter height of 10 inches on wall signs is imposed in the business and industrial districts. • Remove language pertaining to nonconforming signs, i.e. "If a change of use occurs for a business premises, all signs on that business premises or relating to it must be brought into conformance with this chapter." 	
Township of Chatham	2011-14	11/10/11	<p>Amend the Land Development Regulations to add a Model Conservation Easement Agreement, to be employed when the Township accepts a conservation easement on all or portions of a tract of land. The Model Agreement details the covenant restrictions and other terms such as a list of prohibited uses and activities, maintenance, taxes, and enforcement.</p>	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Mine Hill	6-11	10/6/11	<p>Amend the Land Development Code to add a new section permitting “Small Wind Energy Systems” as an accessory use on the same lot as the principal use in the ED - Economic Development and O/I - Office/Industrial Districts. The stated purpose is to reduce dependence on nonrenewable energy sources, reduce pollution, enhance reliability of the power grid, increase competition, and respond to NJ standards that require electric providers to source a minimum percentage of their retail electricity from renewable sources, 6.5% as of June 1, 2008 and 22.5% by June 1, 2020.</p> <p>Small Wind Energy Systems are defined as wind energy systems generating a capacity of 10 kilowatts or less. The primary purpose is to provide power for the principal use of the property on which it is located and shall not be for the generation of power for commercial purposes, although excess power may be sold from time to time.</p> <p>Various standards and restrictions are imposed, such as a minimum lot size of 10 acres, a maximum freestanding turbine height of 120 feet, plus the blades (but no higher than 135 feet), no more than one turbine on a parcel, no rooftop installations and noise level restrictions.</p>	Ordinance 6-11, originally introduced last July; has been completely rewritten and reintroduced.
Township of Mine Hill	7-11	10/6/11	<p>Amend the Land Development Code to add a new section permitting solar panels in the O/I - Office/Industrial and ED - Economic Development Districts. The purpose is to respond to NJ standards that require electric providers to source a minimum percentage of their retail electricity from renewable sources, 6.5% as of June 1, 2008 and 22.5% by June 1, 2020. It is also designed to promote utilization of renewable energy sources and to respond to recent changes to the MLUL which require that renewable energy facilities be identified as a permitted use on any parcel of 20 acres within every industrial district. This amendment also responds to recent legislation declaring certain renewable energy systems as inherently beneficial uses.</p> <p>Various standards and restrictions are imposed for these facilities as permitted uses, such as a 20 acre minimum lot size in the O/I District and a 2 acre minimum lot size in the ED District. Standards are also included pertaining to setbacks, prohibition on location in floodplains and C-1 water buffers, screening, maximum height, design and aesthetics. A separate set of restrictions are imposed for these facilities as accessory uses.</p>	Ordinance 7-11, originally introduced last July; has been completely rewritten and reintroduced.

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments																								
Town of Morristown	O-19-11	10/13/11	<p>This ordinance would adopt the Amended Speedwell Redevelopment Plan (Amended Plan). The location of the original Speedwell Avenue Redevelopment Area will remain unchanged, but the standards in the Amended Redevelopment Plan will supersede those currently existing. The Redevelopment Area is located just north of Headquarters Plaza, running along Speedwell Avenue from Clinton Place / Spring Street north to Flagler Street.</p>  <p>Appendix C: Tracts and Phasing Speedwell Avenue Redevelopment Plan Town of Morristown, New Jersey</p> <p>The Amended Plan notes that the Original Plan required significant public and private capital investment that burdened both the municipality and the designated redeveloper and that these burdens, compounded by the recent economic downturn, negatively affected the market assumptions of the original Plan.</p> <p>The Original Plan permitted a maximum of 800 dwellings and nonresidential use between 50,000 s.f. (min.) and 65,000 s.f. (max). The Amended Plan permits 812 dwellings and between 65,000 s.f. (min) and 85,000 s.f. maximum nonresidential use. The original plan had 3 Phases; the current plan has 4 Phases. Fewer dwelling units are required to be constructed in Phase 1 of the Amended Plan (268 v. 375) and the 25,000 s.f. of nonresidential use that was required to be built in Phases 1 and 2 of the Original Plan will, under the Amended Plan, not be constructed until Phases 3 and 4. The extension of Prospect Street is still required under Phase 1, but the Early Street realignment is no longer part of this Phase. (see comments) A 20% affordable housing set-aside was required under the Original Plan. The Amended Plan requires 26 affordable units constructed in Phase 1. Future requirements are to be determined at a later date.</p> <p>Maximum & Minimum Development by Phase:</p> <table border="1" data-bbox="674 1323 1604 1490"> <thead> <tr> <th></th> <th>Developable Acres</th> <th>Residential Units (max)</th> <th>Non-Residential (sq. ft.)</th> </tr> </thead> <tbody> <tr> <td>Phase 1</td> <td>2.38</td> <td>268</td> <td>0</td> </tr> <tr> <td>Phase 2</td> <td>3.64</td> <td>214</td> <td>0</td> </tr> <tr> <td>Phase 3</td> <td>2.58</td> <td>180</td> <td>40,000</td> </tr> <tr> <td>Phase 4</td> <td>2.77</td> <td>150</td> <td>25,000 - 45,000</td> </tr> <tr> <td>Site Totals</td> <td>11.37</td> <td>809-812</td> <td>65,000 - 85,000</td> </tr> </tbody> </table>		Developable Acres	Residential Units (max)	Non-Residential (sq. ft.)	Phase 1	2.38	268	0	Phase 2	3.64	214	0	Phase 3	2.58	180	40,000	Phase 4	2.77	150	25,000 - 45,000	Site Totals	11.37	809-812	65,000 - 85,000	<p>The Amended Plan achieves cost savings by eliminating the originally required realignment of Early Street to intersect with Spring Street. This was mandated in the Original Plan as part of Phase 1. Under the Amended Plan, the issue of realignment will be reconsidered during Phase 3 and 4.</p> <p>Under the Amended Plan, Phase 1 is smaller in size in terms of acreage and number of units and no longer includes a non-residential component. The total maximum build-out of all phases combined is similar under both Plans, however under the Amended Plan, much of the development is deferred for later Phases.</p>
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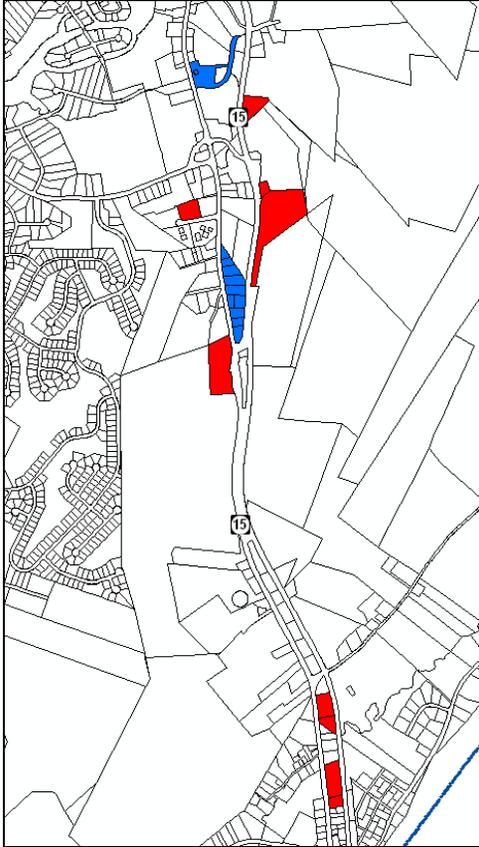
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Washington	RO-13-11	10/17/11	Amend the Stormwater Control Regulations to establish an escrow review fee of \$700 for review of the design plan for a minor development. The balance of the escrow fee deposit, if any, shall be refunded to the applicant upon completion and final inspection of the applicable stormwater control measure.	

Zoning Ordinances Adopted: September 2011

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Chatham	11-16*	9/26/11	Amend the Land Development Regulations as follows: <ul style="list-style-type: none"> • Add “Child Care Centers” to the list of definitions. • Establish minimum off-street parking standards for child care centers in the business districts. 	
Township of Denville	15-11	9/8/11	Amend the Land Use Regulations as they pertain to outdoor storage: <ul style="list-style-type: none"> • The existing paragraph that prohibits outdoor storage in the residential zones is supplemented by the addition of language stating that registered motor vehicles for residential use and parked on the pavement or driveway areas of residential lots shall not be considered as outdoor storage. • No registered motor vehicle or boat shall be kept on the premises of a public garage, service station or new or used auto establishment for more than 60 days for repair or storage. A maximum of two unregistered motor vehicles are permitted to be stored for a maximum of 60 days on these premises, with the exception of those vehicles associated with automobile sales establishments. 	
Township of Denville	18-11	9/8/11	Amend the Land Use Regulations to impose a \$250 review fee for matters before the Board of Adjustment when the property involved is a single-family home and the application is for an addition or alteration	Such cases are currently exempt from review fees.

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Hanover	25-2011	9/14/11	<p>Various amendments are proposed for the Land Use and Development Regulations, predominantly as applied to the OB-RL Office Building and Research Laboratory District. The amendments include the following:</p> <ul style="list-style-type: none"> • Data Processing Centers are added to the permitted uses in the OB-RL District but only within a Planned Commercial Development (PCD). • Under existing regulations, Planned Industrial Developments (PID) are permitted in the OB-RL District. These are areas of at least 50 contiguous or noncontiguous acres to be developed according to a plan as a single entity, with multiple buildings on a lot and, under existing regulations, with the same permitted uses otherwise permitted in the OB-RL District. This is amended to permit Planned Commercial Developments (PCD) in the OB-RL District., which are similar to PID’s except for permitted uses. As a result of the amendments, PID’s in the OB-RL District shall be limited to laboratories. PCD’s in the OB-RL District shall be limited to offices, laboratories, and data processing centers. • Remove Hotels and Motels as a conditional use in the OB-RL District. • Amend the definition of Data Processing Center so that it includes cases where electronic data is processed by <i>equipment</i>, and not just processed by <i>persons</i> as under existing regulations. • Parking requirements are established for Data Processing Centers. “Low Intensity” Data Processing Centers (defined by processing performed by equipment, not staff, and no more than one staff person per 2,500 sq. ft. of floor area) need only provide 1 space per 2,500 sq. ft. of floor area (with provisions for sporadic overflow). All others must meet the same requirements as for office building (ranging from 1 per 200 sq. ft. to 1 per 275 sq. ft., depending on size of building). • Provisions for shared parking facilities now apply to the OB-RL District (in addition to other zones, already included in the existing regulations). 	<p>The Township Planner, Blais Brancheau, explains that hotels and motels are being removed as a conditional use in the OB-RL District because they require frontage on a state highway. There are no state highways in the OB-RL District as a result of prior amendments to the Zoning Map and the creation of the OB-RL2 District.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments																											
Township of Hanover	26-2011	9/14/11	<p>Amend the Land Use and Development Regulations to permit single family attached and multi-family housing in the PU Public Use District. Under existing regulations, age-restricted independent/assisted living facilities are permitted in the PU District, but under N.J.S.A. 45:22A-46.3 through 46.16 the developer of an age-restricted development has a limited right to convert an approved age-restricted housing development into a non-age restricted development. This ordinance permits a lower density housing alternative in addition to that currently permitted in the PU Zone and by the aforesaid statute. Following is a comparison of the regulations as they pertain to the existing independent/assisted living permitted use and as they would apply to the proposed single family attached and multi-family use.</p> <table border="0" data-bbox="646 467 1629 816"> <thead> <tr> <th></th> <th style="text-align: center;">Existing Independent/ Assisted Living</th> <th style="text-align: center;">Proposed Single Family Attached/ Multi-Family</th> </tr> </thead> <tbody> <tr> <td>Age Restricted:</td> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> </tr> <tr> <td>Minimum Lot/Tract:</td> <td style="text-align: center;">3 acres</td> <td style="text-align: center;">18 acres</td> </tr> <tr> <td>Maximum Density:</td> <td style="text-align: center;">40 units/acre</td> <td style="text-align: center;">3.25 units/acre*</td> </tr> <tr> <td>Maximum Units:</td> <td style="text-align: center;">160</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Max. Building Coverage:</td> <td style="text-align: center;">35%</td> <td style="text-align: center;">25%</td> </tr> <tr> <td>Max. Improvement Coverage:</td> <td style="text-align: center;">65%</td> <td style="text-align: center;">55%</td> </tr> <tr> <td>Maximum Height:</td> <td style="text-align: center;">68 feet</td> <td style="text-align: center;">3 stories/48 feet</td> </tr> <tr> <td>Affordable Obligation:</td> <td style="text-align: center;">As per COAH Rules</td> <td style="text-align: center;">2 units or \$150,000 payment</td> </tr> </tbody> </table> <p>*For purposes of calculating density in a single family attached/multi-family development, the tract area shall include any contiguous property located in the PU District that is owned by the developer or proposed to be dedicated to the Township and which is restricted in perpetuity for open space, whether or not such property is located on the same lot as the dwelling units.</p>		Existing Independent/ Assisted Living	Proposed Single Family Attached/ Multi-Family	Age Restricted:	Yes	No	Minimum Lot/Tract:	3 acres	18 acres	Maximum Density:	40 units/acre	3.25 units/acre*	Maximum Units:	160	N/A	Max. Building Coverage:	35%	25%	Max. Improvement Coverage:	65%	55%	Maximum Height:	68 feet	3 stories/48 feet	Affordable Obligation:	As per COAH Rules	2 units or \$150,000 payment	
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Township of Harding	11-11	9/26/11	<p>Amend the Land Use and Development Regulations to make various changes to certain height restrictions, including the following:</p> <ul style="list-style-type: none"> • The existing language that restricts the height of structures on the top of roofs is amended to present a separate list for residential uses and nonresidential uses. • A barn located in the RR and R-1 Zones that is used exclusively for agricultural purposes and/or for keeping/boarding horses shall be limited in height to 35 feet. • A barn that is not used exclusively for agricultural purposes and/or for keeping/boarding horses shall comply with the height limitations for accessory structures in the zone in which it is situated. 																												

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Jefferson	14-11	9/13/11	<p>In April 2009, Jefferson adopted Ordinance 10-09 establishing the RA-3 Redevelopment Area, located along Route 15. The associated Redevelopment Plan called for maintenance of the C-2 zoning with expanded density (but did not specify what that density should be). Last June, the Township Council adopted Resolution 11-55, designating several additional properties as Areas in Need of Redevelopment.</p> <p>Proposed Ordinance 14-11 amends the 2009 Jefferson Redevelopment Plan to add these various properties to the RA-3 Redevelopment Area. The Zoning Map is also amended to include these properties in the RA-3 Zone. This ordinance designates the Township Council as the Redevelopment Entity for the RA-3. The various powers of the Redevelopment Entity, as permitted under the state redevelopment law, are described, however, it is also stated that the use of eminent domain is not permitted in the Redevelopment Plan amendments (that was true under the 2009 Plan for the RA-3 as well). No use variances shall be permitted in the RA-3.</p> <div style="text-align: center;">  <p data-bbox="1381 634 1629 691">Blue = Existing RA-3 Red = New RA-3</p> </div>	With the exception of the northernmost properties, all of these properties are located in the Highlands Preservation Area.

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Mine Hill	9-11*	9/19/2011	Add a new chapter establishing residential development fees of 1.5% (as is permitted under the Third Round COAH Rules) and non-residential development fees of 2.5% (as was required by the Non-Residential Development Fee Act). Such fees shall be deposited into the Township's Affordable Housing Trust Fund. This development fee ordinance is similar to other such ordinances in Morris County.	The Statewide Non-Residential Development Fee Act was signed into law in July of 2008 and required all municipalities to charge a 2.5% non-residential development fee. In June of 2009 the Economic Stimulus Act of 2009 was signed into law and temporarily suspended the collection of non-residential development fees. Although the temporary suspension expired on July 1, 2010, last August Senate Bill S-2974 was signed into law, suspending the 2.5% fee until July 1, 2013.
Borough of Netcong	2011-11	9/13/11	<p>Amend the Land Development Procedures to regulate the length of time in which temporary political signs may be placed: Provisions include:</p> <ul style="list-style-type: none"> • No political campaign sign shall be posted earlier than 30 days before the election to which such sign pertains, nor shall such signs remain longer than 14 days after such election. • Every political sign shall be removed by the persons responsible for the erection of such sign within 14 days after the date of the election to which sign pertains. It shall be presumed that all persons named on any such sign, as well as the finance chairperson and campaign manager or local representative for the individual or political party named in said political sign shall be responsible for the removal of such political campaign signs. • A definition for "Political Campaign Sign" is added to the list of definitions. 	
Borough of Riverdale	12-2011	9/19/11	Amend the Zoning Regulations to require all principal structures in the PO-1 Zone to front upon the Newark-Pompton Turnpike. The PO-1 Zone permits single family dwellings and offices, either in new buildings or conversions of existing buildings. Almost all existing parcels within the PO-1 Zone have frontage on the Newark-Pompton Turnpike.	
Borough of Rockaway	09-11	9/28/11	<p>The Zoning Regulations are amended to make various changes to the regulations as they pertain to signs, including the following:</p> <ul style="list-style-type: none"> • The permit period for temporarily banner signs is increased from seven days to 21 days and the permit fee is increased from \$25 to \$40. • "A-frame" signs announcing unique occasions or advertising sales are now permitted in the B-C Borough Center District. A new section establishing design criteria and bulk standards for such signs is added. 	

Proposed Ordinances Received: 9
Adopted Ordinances Received: 11
Total Ordinances Processed: 20

* Ordinance introduced and adopted during the same month.