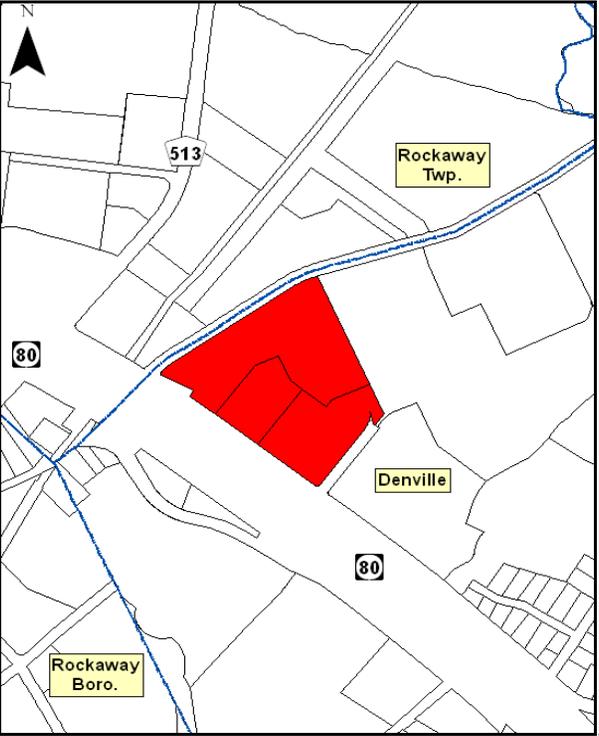
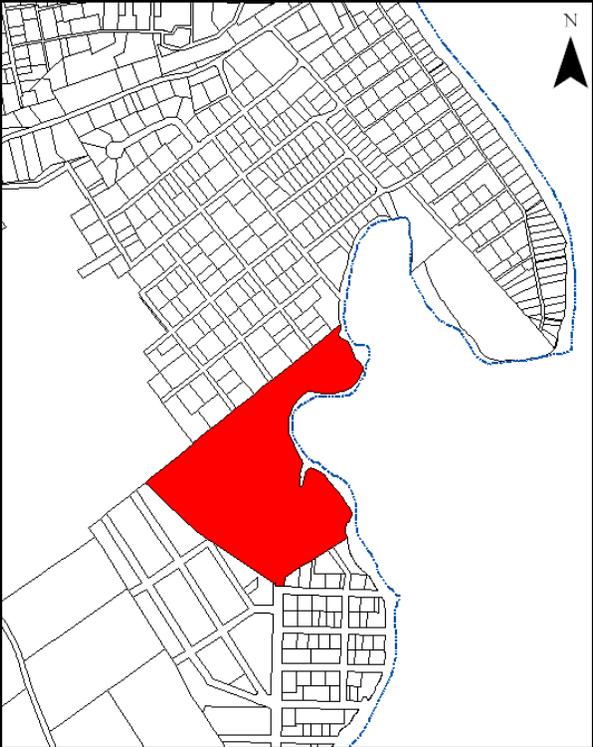


Zoning Ordinances Introduced: July 2012

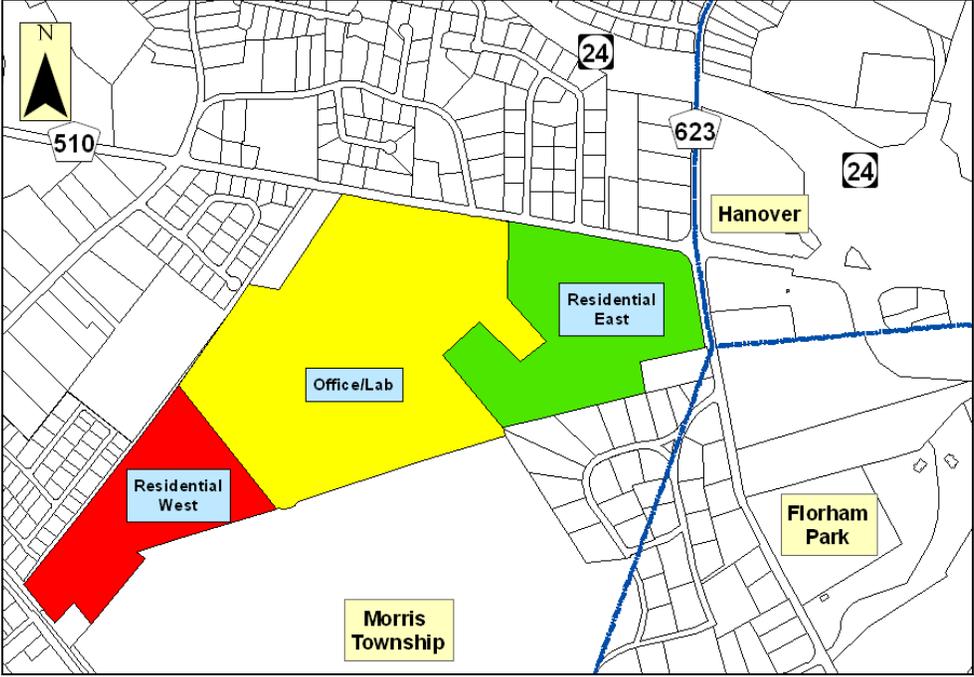
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Chatham	12-13	8/13/12	<p>Amend the Land Development Regulations to make numerous changes to the permitted and conditional uses, area, yard and building requirements, definitions and parking requirements within the six Business Districts. Major changes are as follows:</p> <p>Use Changes:</p> <ul style="list-style-type: none"> • B-1 Business Service District: Remove business services as a permitted use. Change apartments above the first floor from a conditional use to a permitted use. (Note: this change also applies in the B-2, B-3, and B-4 zones) Add educational and recreational instruction and medical/dental offices as conditional uses. • B-2 Regional Business District: Remove business services as a permitted use. Add educational and recreational instruction, nursing homes and adult day care centers as permitted uses. Add medical/dental offices as a conditional use. Change institutional uses from a permitted use to a conditional use. • B-3 General Business District: Remove business services as a permitted use. Eliminate the requirement that retail trade and/or retail services (a permitted use) only be located on the first floor. Add museums, art galleries, educational and recreational instruction and medical dental/offices as permitted uses. • B-4 Community Business District: Finance, insurance and real estate offices (a permitted use) are now only permitted on upper floors. Add museums, art galleries, educational instruction on upper floors and medical/ dental offices as permitted uses. Move institutional uses from a permitted use to a conditional use. Add recreational instruction as a conditional use. • B-5 Office District: Cafeterias occupying up to 20% of the floor area of the principal permitted use, exclusively serving employees of the principal use, are changed from a conditional use to an accessory use. Fitness facilities are also added as an accessory use, subject to the same 20% floor area / employees only restriction. • B-6 Business Office District: No change in uses. <p>Maximum Stories: B-2 and B-3 Districts: Increase from 2 stories to 2.5 stories.</p> <p>Lot Coverage: B-1 District: Increase from 50% to 65%. B-4 District: Reduce from 100% to 90%.</p> <p>Floor Area Ratio: Eliminate F.A.R requirements in the B-2 and B-3, Districts.</p> <p>Also, add a new schedule of minimum off-street parking requirements in the B Districts. Allow a 25% reduction of required non-residential off-street parking for properties within 800 feet of public shoppers' parking lots or striped on-street parking. Require one bicycle parking space for every 10 required off-street parking spaces.</p>	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments																		
Township of Denville	16-12	8/14/12	<p>Amend the Land Use Regulations and Zoning Map to establish a new overlay zoning district, the Hotel Use Overlay, applicable to Block 62101, Lots 2, 2.01, and 2.02. The new overlay district is located at the intersection of Ford Rd. and Morris Ave. A Hampton Inn hotel is located on the southernmost lot. The northernmost lot is the site of an industrial building. A vacant 87,749 sq. ft. vacant lot is located between these two uses.</p> <p>The underlying zoning classification, I-2 Industrial, would remain unchanged. The new overlay zone would permit hotels, including accessory restaurant, banquet and recreational facilities. The standards applicable to the new overlay zone compare to the existing zoning as follows:</p> <table border="0" data-bbox="636 492 1434 690"> <thead> <tr> <th></th> <th data-bbox="898 492 1108 521">Hotel Use Overlay</th> <th data-bbox="1276 492 1434 521">I-2 Industrial</th> </tr> </thead> <tbody> <tr> <td data-bbox="636 537 751 566">Min. Lot:</td> <td data-bbox="930 537 1077 566">87,120 sq. ft.</td> <td data-bbox="1287 537 1434 566">87,120 sq. ft.</td> </tr> <tr> <td data-bbox="636 570 793 599">Max. Height:</td> <td data-bbox="930 570 1087 599">5 stories/55 ft.</td> <td data-bbox="1287 570 1402 599">2 stories</td> </tr> <tr> <td data-bbox="636 602 772 631">Max. FAR:</td> <td data-bbox="972 602 1035 631">75%</td> <td data-bbox="1329 602 1392 631">25%</td> </tr> <tr> <td data-bbox="636 634 888 664">Max. Bldg. Coverage:</td> <td data-bbox="972 634 1035 664">20%</td> <td data-bbox="1329 634 1392 664">N/A</td> </tr> <tr> <td data-bbox="636 667 888 696">Max. Imp. Coverage:</td> <td data-bbox="972 667 1035 696">85%</td> <td data-bbox="1329 667 1392 696">N/A</td> </tr> </tbody> </table> 		Hotel Use Overlay	I-2 Industrial	Min. Lot:	87,120 sq. ft.	87,120 sq. ft.	Max. Height:	5 stories/55 ft.	2 stories	Max. FAR:	75%	25%	Max. Bldg. Coverage:	20%	N/A	Max. Imp. Coverage:	85%	N/A	
	Hotel Use Overlay	I-2 Industrial																				
Min. Lot:	87,120 sq. ft.	87,120 sq. ft.																				
Max. Height:	5 stories/55 ft.	2 stories																				
Max. FAR:	75%	25%																				
Max. Bldg. Coverage:	20%	N/A																				
Max. Imp. Coverage:	85%	N/A																				

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Lincoln Park	18-12	8/20/12	<p>Amend the Development Regulations to establish a new zoning classification, the CR-PWS Commercial Recreation - Public Water and Sewer Zone. The Zoning Map is amended to rezone Block 104, Lot 4 from CR Commercial Recreation to the newly created CR-PWS Zone. The site in question is the location of the Two Bridges Sewerage Authority facility.</p> <p>Permitted uses are as follows:</p> <ul style="list-style-type: none"> • Any use permitted in the CR Zone. • Governmental facilities devoted to the collection, treatment, storage and distribution of potable water. • Governmental facilities devoted to the collection, treatment and disposal of organic waste and wastewater. <p>All uses in the CR-PWS Zone shall comply with the requirements of Section 28-92 (regarding parking and circulation), Section 28-93 (regarding the performance standards applicable to the CR Zone.), and Section 28-94 (regarding development review criteria).</p> 	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Montville	2012-17	8/14/12	<p>Amend the Historic Districts and Historic Sites section of the Land Use Regulations to incorporate the Master Plan's list of Historic Sites and list of sites located within the Capstick Historic District and the Morris Canal in Montville Historic District. The lists are also modified to correct errors. These properties (approximately 120) are listed by name, address and block and lot.</p> <p>This ordinance was originally introduced in June 2011. It is reintroduced with changes to the names of some of the sites (same block and lots but modified names).</p>	<p>There have been no additions or deletions to the sites listed. Changes include corrections to site names and other information. Also, this list was not previously adopted by ordinance.</p> <p>This ordinance follows the adoption of Ordinance 2012-18 which established new regulations pertaining to the Historic Preservation Review Commission.</p>

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments																					
Township of Montville	2012-22	8/14/12	<p>Amend the Land Use Regulations to add “Big-box retail and associated retail stores and shops” to the list of permitted uses in the B-6 Business District. “Big Box Retail” is defined as a form of retail store with a gross floor area of 100,000 sq. ft. or more.</p> <p>The ordinance adds a new section establishing development standards for big box and associated retail, allowing individual retail establishments of up to 160,000 sq. ft. in size. The most similar permitted use in the B-6 zone is the “Hotel, retail and residential mixed use,” category, which has a maximum building size of 40,000 .sq. ft. for retail and 100,000 sq. ft. for office. Below is a comparison of these two categories of use:</p> <table border="0" data-bbox="634 462 1627 1071"> <thead> <tr> <th></th> <th data-bbox="890 490 1129 521">New B-6 Big Box Use</th> <th data-bbox="1268 462 1577 521">Existing B-6 Hotel, Retail and Residential Mixed Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="634 537 747 565">Min. Lot:</td> <td data-bbox="932 537 1020 565">35 acres</td> <td data-bbox="1352 537 1440 565">35 acres</td> </tr> <tr> <td data-bbox="634 581 884 609">Set-back from Rt. 46:</td> <td data-bbox="932 581 1010 609">150 ft.</td> <td data-bbox="1373 581 1440 609">100 ft.</td> </tr> <tr> <td data-bbox="634 625 789 652">Max. Height:</td> <td data-bbox="905 625 1066 652">2 Stories/35 ft.</td> <td data-bbox="1289 625 1524 776">Hotel: 6 stories/75 ft. Office: 5 stories/60 ft. Conference Center: 3 stories/45 ft. Multi-Family: 4 stories/48 ft. Other Uses: 35 ft.</td> </tr> <tr> <td data-bbox="634 792 827 820">Max. Bldg. Cov:</td> <td data-bbox="932 792 1010 820">13.5%</td> <td data-bbox="1373 792 1419 820">25%</td> </tr> <tr> <td data-bbox="634 836 821 863">Max. Imp. Cov:</td> <td data-bbox="932 836 999 863">40%</td> <td data-bbox="1373 836 1419 863">40%</td> </tr> <tr> <td data-bbox="634 880 789 940">Floor Area/ Other Limits</td> <td data-bbox="856 880 1136 1008">No more than one store may have more than 160,000 sq. ft., no others may exceed 50,000 sq. ft.</td> <td data-bbox="1247 880 1587 1068">Max. on any one building: Retail: 40,000 sq. ft. Offices: 100,000 sq. ft. Hotels: 250 rooms Convention Center: 80,000 sq. ft. Age Restricted Multi-Family: 40% of mixed use site</td> </tr> </tbody> </table> <p>The new regulations also add various design and parking standards for Big Box use..</p>		New B-6 Big Box Use	Existing B-6 Hotel, Retail and Residential Mixed Use	Min. Lot:	35 acres	35 acres	Set-back from Rt. 46:	150 ft.	100 ft.	Max. Height:	2 Stories/35 ft.	Hotel: 6 stories/75 ft. Office: 5 stories/60 ft. Conference Center: 3 stories/45 ft. Multi-Family: 4 stories/48 ft. Other Uses: 35 ft.	Max. Bldg. Cov:	13.5%	25%	Max. Imp. Cov:	40%	40%	Floor Area/ Other Limits	No more than one store may have more than 160,000 sq. ft., no others may exceed 50,000 sq. ft.	Max. on any one building: Retail: 40,000 sq. ft. Offices: 100,000 sq. ft. Hotels: 250 rooms Convention Center: 80,000 sq. ft. Age Restricted Multi-Family: 40% of mixed use site	<p>The stated purpose of this ordinance is “to encourage appropriate development in the B-6 zone district that promotes the revitalization and enhancement of the largest parcel in Montville that has frontage along the Route 46 corridor.”</p> <p>This District consists largely of the GI Auto Salvage property along westbound Route 46. Morris County’s Development Review Section reports a site plan on file for a Lowe’s Home Center, but it is their understanding that the application has been pulled.</p>
	New B-6 Big Box Use	Existing B-6 Hotel, Retail and Residential Mixed Use																							
Min. Lot:	35 acres	35 acres																							
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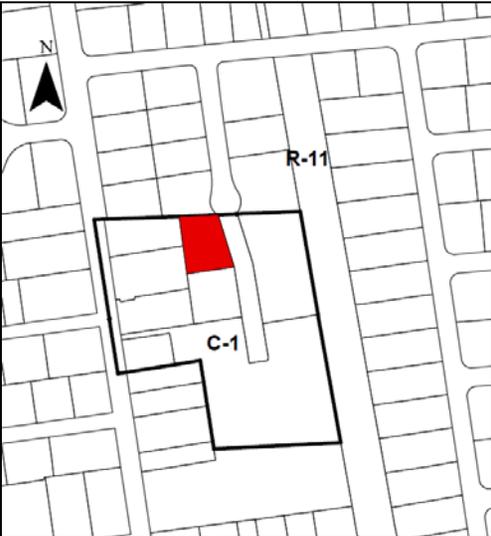
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Morris	13-12	8/15/12	<p>Amend the Land Development Regulations to establish a new zoning district, the OL-40/PUD Office and Research Laboratory/Planned Unit Development Zone, and amend the Zoning Map to rezone Block 9101, Lot 4 from the OL-40 Office and Research Laboratory Zone to the newly created OL-40/PUD Zone. The Regulations and Zoning Map are further amended to add two residential overlay zones and one office/laboratory overlay zone in the new OL-40/PUD zone.</p> <p>The new zone is the location of the headquarters of the Honeywell company, a 147 acre tract at the intersection of Columbia Rd. and Park Ave.</p>  <p style="text-align: center;"><i>continued, next page</i></p>	<p>The Honeywell site contains 1.2 million sq. ft. of existing floor area. The company reports that 50% is unused and functionally obsolete. The proposal is to rezone the parcel to permit mixed-use office /lab/ residential.</p> <p>According to a report prepared by the Technical Coordinating Committee of the Morris Twp. Planning Board, the owner of the Honeywell tract has a right to develop about 1.4 million sq. ft. of gross floor area (non-residential) under existing zoning.</p>

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments																																				
			<p style="text-align: center;"><i>continued, previous page</i></p> <p>Comparison with existing zoning: Proposed OL-40/PUD Existing OL-40 Permitted Uses: Any OL-5 Zone Use Any OL-5 Zone Use (except restaurants) (except restaurants)</p> <p style="text-align: center;">PUD: N/A</p> <p>Residential Overlays: Townhouses, open space Office/Lab Overlay: Offices, research labs, open space</p> <p style="text-align: center;"><i>(PUD Standards)</i></p> <p>Min. Lot: 145 acres 40 acres</p> <p>Max. Development: 235 townhouse units 900,000 sq. ft. floor area (office/research/labs) N/A (inclusive of reused existing bldg.)</p> <p>Min. Open Space: 10% of tract area N/A</p> <table border="1" data-bbox="640 706 1623 1092"> <thead> <tr> <th></th> <th style="text-align: center;">Residential East & West Overlays</th> <th style="text-align: center;">Office/Lab Overlay</th> <th style="text-align: center;">OL-40</th> </tr> </thead> <tbody> <tr> <td>Max. Density:</td> <td style="text-align: center;">4 units/ac. in aggregate 4.5 units/ac. in individual overlay (gross acreage inc. open space)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Max. Height:</td> <td style="text-align: center;">2.5 stories/35 ft</td> <td style="text-align: center;">4 st./55 ft.</td> <td style="text-align: center;">45 ft.</td> </tr> <tr> <td>Max. FAR:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">25%</td> <td style="text-align: center;">20%</td> </tr> <tr> <td>Max. Impervious:</td> <td style="text-align: center;">35%</td> <td style="text-align: center;">55%</td> <td style="text-align: center;">50%</td> </tr> <tr> <td>Max. Bldg. Cov:</td> <td style="text-align: center;">15%</td> <td style="text-align: center;">15%</td> <td style="text-align: center;">15%</td> </tr> <tr> <td>Min. Unit Floor Area:</td> <td style="text-align: center;">800 sq. ft.</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Affordable Set-Aside:</td> <td style="text-align: center;">10% (may be offsite but in Twp.)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Primary Access:</td> <td style="text-align: center;">Columbia Rd., Park Ave., Old Tpke.*</td> <td style="text-align: center;">Columbia Rd.</td> <td style="text-align: center;">N/A</td> </tr> </tbody> </table> <p style="text-align: center;"><i>Other</i></p> <ul style="list-style-type: none"> • Any developer seeking approval of a Planned Unit Development shall submit a General Development Plan • In the Office/Lab Overlay up to 12,500 sq. ft of gross floor area devoted to accessory retail sales or services intended for employees and visitors is permitted within the principal building. • Standards for set-backs, building design, landscaping, buffers, and lighting are provided. 		Residential East & West Overlays	Office/Lab Overlay	OL-40	Max. Density:	4 units/ac. in aggregate 4.5 units/ac. in individual overlay (gross acreage inc. open space)	N/A	N/A	Max. Height:	2.5 stories/35 ft	4 st./55 ft.	45 ft.	Max. FAR:	N/A	25%	20%	Max. Impervious:	35%	55%	50%	Max. Bldg. Cov:	15%	15%	15%	Min. Unit Floor Area:	800 sq. ft.	N/A	N/A	Affordable Set-Aside:	10% (may be offsite but in Twp.)	N/A	N/A	Primary Access:	Columbia Rd., Park Ave., Old Tpke.*	Columbia Rd.	N/A	OL-5 permits offices, laboratories, planned office building development groups, golf clubs, financial
	Residential East & West Overlays	Office/Lab Overlay	OL-40																																					
Max. Density:	4 units/ac. in aggregate 4.5 units/ac. in individual overlay (gross acreage inc. open space)	N/A	N/A																																					
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Zoning Ordinances Adopted: July 2012

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Hanover	16-12*	7/31/12	<p>Amend the Land Use and Development Regulations to increase the floor area ratio and impervious coverage permitted in the I-5 Industrial, I-B Industrial-Business and I-P2 Industrial Park Districts. The floor area ratio is increased from 20% to 25% and the maximum impervious coverage is increased from 60% to 65% in the I-5, I-B and I-P2 Districts.</p> <p>The stated purpose is that “the Planning Board determined that the current floor area ratio and coverage limitations in these districts unduly limited economic development activity in these districts, and that a modest increase in the permitted floor area and coverage limits in these zones would have no significant detriment on the suburban character of the industrial zones or the Township as a whole.”</p>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Montville	2012-18	7/13/12	<p>Amend the Township Code pertaining to the Historic Preservation Review Commission. The changes include the following:</p> <ul style="list-style-type: none"> • The inventory of properties shall be compatible with the New Jersey “Guidelines for Architectural Survey” (existing regulations say inventory must be compatible with the “New Jersey Historic Sites Inventory”). • The existing requirement that the Commission review proposed National Register nominations for properties is continued. The amendment eliminates the requirement that the Commission seek expertise in a relevant area as part of such review when such expertise is not represented on the Commission. • Add a duty for the Commission to make presentations to the public educating the residents about Township historic resources and provide them with opportunities to engage with these resources. • Eliminate the requirement that the Township Committee establish, by ordinance, reasonable fees necessary to cover the expenses of administration and professional services to aid the Commission in its review of an application (the Commission must still seek prior approval from the Township Committee for compensation of experts and services). <p>Also, various amendments are made to the Historic Districts and Historic Sites section of the Land Use Regulations, some of which include the following:</p> <ul style="list-style-type: none"> • These regulations now apply to site plans and variances in historic districts or on historic sites (in addition to the existing application of the regulations to subdivisions). • The application of the regulations to a change in the exterior appearance of any existing landmark or of any improvement within any historic district by addition, alteration or replacement now only applies if the change requires a building permit. • The application of the regulations to any new construction of a principal or accessory structure now only applies if the construction requires a building permit. • The time period for review of development applications by the Historic Preservation Review Commission is reduced from 45 days to 30 days. • Standards for the designation of historic landmarks and districts are added. 	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Pequannock	2012-16	7/30/12	<p>Amend the Zoning Map to rezone Block 1401, Lot 30 from the C-1 - Community Business District (permits retail on 4,000 sq. ft. lots) to the R-11 - 1/4 Acre Residential District (permits single family on 11,250 sq. ft. lots). The Kent Place property is a 16,545 sq. ft. lot with a single family home. To the immediate north are single family homes. To the immediate east, west and south are commercial uses.</p> 	
Township of Rockaway	12-16	7/9/12	<p>Amend the Zoning Regulations to allow for more flexibility in the senior living uses permitted in the OR1-EH Office/Residential/Elder Housing Multi-Use District. Newly permitted uses include Adult Day Care Facilities and Outpatient Rehabilitation Facilities. Under existing regulations, a single definition is provided for “Independent and Assisted Living Facilities.” This is replaced by separate definitions for “Independent Living Facilities” and “Assisted Living Facilities.” (Assisted Living Facilities retain the previous definition as facilities for persons needing assistance with essential activities while Independent Living Facilities do not have that requirement).</p> <p>A definition for “Age-Restricted and Elderly” is established at 52 years of age or older. For Continuing Care Retirement Communities, the minimum age is reduced from 62 to 52.</p>	
Township of Washington	RO-13-12	7/20/12	Amend the Site Plan Review Regulations to establish a final site plan fee of \$1,000 for agricultural uses.	

Proposed Ordinances Received: 7
Adopted Ordinances Received: 5
Total Ordinances Processed: 12

* Ordinance introduced and adopted during the same month.