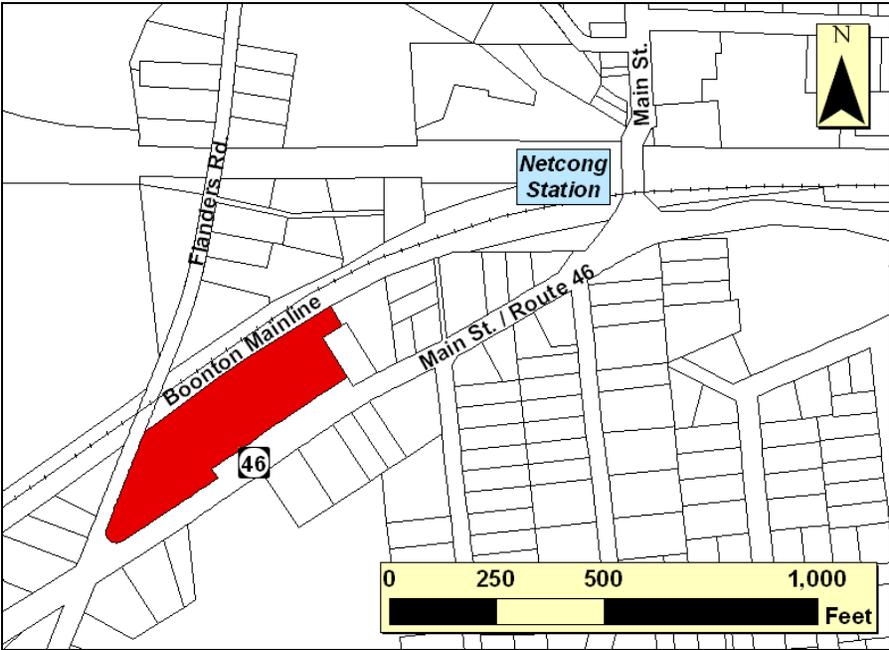


Zoning Ordinances Introduced: October 2013

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Hanover	32-13	11/14/13	<p>The Land Use and Development Regulations are amended to implement a variety of changes to the WC - Whippany Center District, examples include:</p> <ul style="list-style-type: none"> • Accessory outdoor dining to a permitted food service establishment shall be permitted. • All conditional uses listed in the Conditional Uses section of the Land Use and Development Regulations are now permitted in the WC District: examples including motor vehicle service stations, hotels and motels. No conditional uses were previously permitted in the District. • The minimum lot area for a conventional development is increased from 10,000 sq. ft. to 20,000 sq. ft. • The maximum floor area ratio and the maximum building coverage for conventional development is increased to 25% of the net lot area for lots with a net lot area under 25,000 sq. ft. and 35% for lots with a net lot area of at least 25,000 sq. ft.. Under existing regulations the maximum FAR and building coverage varies by lot area from 20% to 25%. • The maximum floor area for office uses in a conventional development is increased from 8,000 sq. ft. to 9,000 sq. ft. • The minimum tract area for planned commercial developments is reduced from nine contiguous acres to eight. • The maximum floor area ratio for planned commercial developments is increased from 25% to 35% of the net tract area. 	<p>The WC District is intended to encourage the redevelopment of properties in the district into a mixed-use center. The District has been partially redeveloped under current regulations. These additional amendments are intended to further promote the completion of the redevelopment originally envisioned and to adjust the regulations to reflect the current conditions of the district.</p>
Township of Long Hill	321-13	11/27/13	<p>Amend the Land Use Ordinance to exempt generators at multi-family clubhouses from the site plan ordinance. Such generators may only be used during electrical power outages. The stated purpose is that clubhouses at multi-family developments can serve as warming stations during hurricanes, blizzards and other severe weather conditions.</p>	
Township of Mine Hill	11-13	10/29/13	<p>Ordinance 10-13, adopted in July of 2013, adopted a newly codified Land Use Ordinance. Ordinance 11-13 corrects an error in the listing of the principal permitted uses in the C Commercial District.</p>	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Netcong	2013-14	11/14/13	<p>Ordinance 2013-14 adopts the Pocketbook Factory Redevelopment Plan for Block 19, Lot 14, which would permit 72 multi-family units on a 2.3 acre property formerly zoned for Commercial Business (B).</p> <p>The property in question is located at the northeast quadrant of the intersection of Route 46 and Flanders Rd and is bounded to the north by the Boonton Mainline tracks. It contains a dilapidated industrial building. The goals and objectives of the Plan include the elimination of the negative impact of the existing dilapidated structure on the surrounding neighborhood and the construction of housing that attracts new residents due to its convenient location close to the N.J. Transit Train Station. Standards for this property include the following:</p> <ul style="list-style-type: none"> • Principal Permitted Use: Multi-family residential units • Maximum Units: 72 • Maximum Density: 32 units per acre • Minimum Lot Size: 2 acres • Maximum Height: 4 stories • Maximum Impervious Coverage: 70% • Maximum Building Coverage: 25% • Affordable Set-Aside: 10% • Various design standards for building architecture and landscaped buffers 	As reported by the Pocketbook Factory Redevelopment Plan, the Plan is consistent with 2001 State Development and Redevelopment Plan by virtue of its location within Planning Area 2, the Suburban Planning Area, which is slated to receive much of the State's redevelopment in compact forms at densities which support transit.

Zoning Ordinances Adopted: October 2013

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Denville	20-13	10/21/13	<p>Amend the Land Use Regulations to permit Farmer's Markets all year round (under existing regulations they were only permitted from the third Sunday of June through the third Sunday of November). Also, under previously existing regulations, Farmer's Markets were only permitted in Block 50202, Lots 14 and 22. Under the new regulations they are permitted outside those two lots in other locations in the B-1 and B-2 Districts as may be designated by the appropriate municipal official provided that at least ten days written notice is given to the sponsor of the Farmer's Market to relocate the Farmer's Market for a given weekend.</p>	<p>Morris County did not receive notice of this ordinance until after it was adopted.</p>
Township of Hanover	18-2013	10/1/13	<p>Amend the Land Use and Development Regulations and amend the Zoning Map to rezone Block 2902, Lots 4 and 5 from the R-25 Residence District (permits single family on 25,000 sq. ft.) to the B-P District (permits small scale businesses services and personal service establishments on 15,000 sq. ft.). The lots to be rezoned consist of a 30,517 sq. ft. lot with a single family home and a vacant 23,997 sq. ft. lot on eastbound Rt. 10 across the street from the Hanover Municipal Building. Both lots front on Rt. 10 to the north and Ukraine Rd. to the south. Amendments to the regulations include the following:</p> <ul style="list-style-type: none"> • The existing prohibition on access to nonresidential uses from local streets is modified to permit such access if it improves traffic flow or safety as determined by the Planning Board or Board of Adjustment. • Convenience stores, alone or in combination with a motor vehicle service station, are added as a conditional use in the B-P District, subject to various requirements and supplemental regulations, some of which include: <ul style="list-style-type: none"> ○ The subject property shall have frontage on both Rt. 10 and Jefferson Rd. (this does not apply to the lots being rezoned by this ordinance, however it does apply to the lots just to the east, which are already in the B-P District). ○ Minimum lot size: 80,000 sq. ft. (exclusive of easements). ○ The architectural design of the facades and roofs of the building, any fuel pump canopies and the principal signs shall be compatible with the Municipal Building. <div data-bbox="793 1079 1474 1474" style="text-align: center;"> <p>The map shows a street layout with Rt. 10 running horizontally. Ukraine Rd. runs vertically from the bottom of the map, crossing Rt. 10. Jefferson Rd. runs vertically on the right side, also crossing Rt. 10. A blue box labeled 'Municipal Building' is located on the north side of Rt. 10, east of the intersection with Ukraine Rd. Two adjacent lots on the south side of Rt. 10, between Ukraine Rd. and Jefferson Rd., are highlighted in red. A north arrow is in the top left corner, and a scale bar (0, 150, 300, 600 feet) is in the bottom left corner.</p> </div>	<p>None of the lots with frontage on both Rt. 10 and Jefferson Rd. meet the 80,000 sq. ft. minimum lot size for convenience stores. Lot assembly of adjacent lots will be required to meet some requirements.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Harding	06-13	10/21/13	Amend the Land Use and Development Regulations in connection with development applications within the R-1 Residence Zone. The Planning Board or Board of Adjustment may now authorize exclusion from the calculation of building area, barns and other accessory structures that contribute to the Township's rural character.	
Township of Long Hill	316-13	10/3/13	Amend the Land Use Regulations to clarify building height restrictions. For example, the definition of Story is modified to specify that any basement with more than 50% of its wall exposed above grade shall be considered a full story.	
Borough of Madison	40-2013	10/18/13	Amend the Land Development Regulations to require public notice for minor subdivisions.	
Borough of Madison	41-2013	10/18/13	<p>Amend the Land Development Regulations as follows:</p> <ul style="list-style-type: none"> • The definition of "Building Coverage" is modified to exclude unenclosed front porches and entry roofs from the calculation of building coverage. • The front setbacks applicable in the R-2, R-3 and R-4 Zones shall also apply to existing buildings for the purpose of determining whether front setback variance relief is required for proposed additions. 	
Township of Morris	13-13	8/25/13	<p>Amend the Use Regulations to permit various types of Renewable Energy Systems as accessory uses and to establish regulations for such uses.</p> <p>The following shall be permitted as accessory uses in the RA-130, RA-35, RA-25, RA-15, RA-11, RA-7, RB-7, RG-5, SC, PRC, TH-4, TH-6, TH-8, B-11, OL-5, OS-GU, and OS-GU-25A Zones:</p> <ul style="list-style-type: none"> • Roof or building mounted solar energy systems • Building integrated solar energy systems • Geothermal energy systems <p>The following shall be permitted as accessory uses in the OL-15, OL-40, I-21 and OL-40/PUD Zones:</p> <ul style="list-style-type: none"> • Roof or building mounted solar energy systems • Building integrated solar energy systems • Ground mounted solar energy systems • Parking canopy solar energy systems • Geothermal energy systems as provided • Small wind energy systems <p>A new section is added establishing regulations for the above listed Renewable Energy Uses imposing requirements or restrictions regarding height, lighting, calculation of impervious coverage, maximum tract coverage, underground placement of transmission wires, buffers and other factors. Regulations vary by specific type of Renewable Energy System.</p>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Mount Olive	24-2013	10/28/13	<p>Amend the Land Use Regulations to add a new section entitled “Highlands Preservation Area Exemption Standards.” By way of a 2012 Memorandum of Understanding, the NJ Highlands Council and the NJDEP gave Highlands municipalities the option to review and rule on certain exemptions to the Highlands Act. The new Highlands Preservation Area Exemption Standards sets forth the procedural and substantive requirements by which the municipality will issue such Highlands Act Exemption Determinations.</p> <p>The new section’s provisions apply to improvements and developments within the “Township Highlands Area,” defined as that portion of the municipality deemed in conformance with the Highlands Regional Master Plan. Municipal Exemption Determinations shall be issued by the Township Engineer, Zoning Officer, Planning Administrator or Planning Consultant, and such “Exemption Designee” must complete a Highlands Council training class.</p> <p>Requests for Municipal Exemptions shall be submitted on forms provided by the Planning Department and the Exemption Designee shall make a determination within 45 days of receipt of a complete application. Issuance of a Municipal Exemption Determination recognizes the applicant’s exemption from the provisions of the Highlands Regional Master Plan, NJDEP Preservation Area Rules, and any municipal rules adopted as part of Highlands Plan Conformance.</p>	<p>The relevant Highlands Act Exemptions are as follows:</p> <ol style="list-style-type: none"> 1. New single family dwelling on lot owned as of 8/10/04. 2. New single family dwelling on lot in existence as of 8/10/04, provided maximum disturbance of 1 acre or increase in impervious coverage of ¼ acre. 4. Reconstruction of building up to 125% of original footprint, provided maximum increase in impervious coverage of ¼ acre. 5. Improvements to single family dwelling in existence as of 8/10/04. 6. Non-residential improvement for place of worship, school or hospital in existence on 8/10/04. 7. Activity conducted in accordance with woodland management plan or forest stewardship plan. 8. Construction of trails where a reservation or recreational use easement has been established.
Township of Mount Olive	25-2013	10/28/13	Amend the Land Use Regulations to permit Accessory Apartments for low and moderate income households as a conditional use in the RR-AA and RR-A Rural Residential Districts. The stated purpose is to implement the Mount Olive Accessory Apartment Program in accordance with the Township’s Third Round Housing Element & Fair Share and Spending Plan.	
Borough of Netcong	2013-11	10/17/13	Amend the Land Development Regulations to permit the keeping of farm animals as an accessory use in the residential zones, subject to a minimum of one acre for the first two animals and an additional minimum of one acre for each additional animal. Keeping or maintaining fowl shall require one acre for the first 20 fowl and an additional acre for each additional group of 20 fowl or fraction thereof. If there are animals and fowl both maintained on the same premises, the minimum lot size shall commence at three acres.	

Proposed Ordinances Received: 4
Adopted Ordinances Received: 10
Total Ordinances Processed: 14