

## Zoning Ordinances Introduced: July 2016

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Town of Boonton	13-16	9/19/16	<p>The Zoning and Land Use Regulations are amended to modify the standards applicable to the RH Residential High Density District so that they comply with the Chapter 93 Substantive Rules of COAH, also known as the Second Round Rules. The RH District consists of the industrial site on Plane St., not far from Main St. High rise condominiums with a maximum density of 45 dwelling units per acre are permitted. Examples of the changes include the following:</p> <ul style="list-style-type: none"> <li>• The prohibition on units with more than two bedrooms is eliminated for affordable units (it remains for market rate units).</li> <li>• A bedroom distribution for affordable units is established.</li> <li>• The minimum floor area for two bedroom units is reduced from 1,200 square feet to 1,100 square feet.</li> <li>• The minimum number of parking spaces per unit is reduced (varies by number for bedrooms).</li> <li>• The minimum number of affordable units shall be 18 rental units (the 20% set-aside remains).</li> </ul>	<p>The N.J. Supreme Court ruled in 2015 that municipal housing obligations shall be calculated based on the Second Round methodologies.</p>

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Montville	N/A	8/16/16	<p>The <u>Route 46 West Condemnation Redevelopment Plan</u> imposes standards that supersede the B-3 Business District zoning for Block 162, Lots 4, 6 and 7. The three parcels, totaling 5.4 acres, have previously been designated an Area in Need of Redevelopment and are subject to condemnation by eminent domain. The subject area, located between Route 46 and Bloomfield Ave., was designated a redevelopment area primarily due to the dilapidated condition of the Pine Brook Motel, located on Lot 6. The other lots were deemed necessary for inclusion to capture the development potential of Lot 6. The Motel is a permitted use in the B-3 District, as is the Pine Brook Cleaners on Lot 7 and the Evergreen Commercial Real Estate office on Lot 4. Bart Foods, a cold storage warehouse on Lot 7, is not permitted in the B-3 Zone.</p> <p>While the B-3 District lists 34 permitted uses, under the Redevelopment Plan, uses are restricted to the following eight: retail stores, personal service establishments, eating and drinking establishments, banks, instructional studio spaces, hotels, banquet halls and new motor vehicle sales. Of the note is the removal of such B-3 District uses as motels, wholesale distribution centers, and service stations.</p> <p>The standards under the Redevelopment Plan differ from the B-3 zoning by an increase in the minimum lot size from 43,750 square feet to five acres, a decrease in maximum building coverage from 30% to 25%, and an increase in maximum impervious coverage from 75% to 80%. The Redevelopment Plan also restricts hotels to a maximum of 120 rooms and restaurants (when accessory to a hotel use) to a maximum of 80 seats. Standards for signage, landscaping, lighting and building design are imposed as well.</p> 	

### Zoning Ordinances Adopted: July 2016

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Hanover	18-2016	7/21/16	The Land Use and Development Regulations pertaining to the procedures for review and approval of certain development applications are amended to provide a more streamlined process. As proposed, relatively minor changes of use will be able to be reviewed by the Site Plan Exemption Committee. Presently, even minor changes require the submission of a site plan to the Planning Board.	
Township of Hanover	20-2016	7/21/16	<p>The Land Use and Development Regulations are amended to implement a large number of changes to the regulations pertaining to institutional uses. Examples of these changes include:</p> <ul style="list-style-type: none"> <li>• Add the OB-RL, OB-DS, OB-RL3, I, I-2, I-4, I-5, I-P, I-P2 and I-R Districts to the list of districts where houses of worship, libraries and schools are permitted.</li> <li>• Remove the RM Districts from the list of districts where houses of worship, libraries and schools are permitted.</li> <li>• For-profit uses or activities shall be presumed to be a prohibited accessory to a non-profit use.</li> <li>• A residence or residences for the staff of institutional uses, such as, but not limited to parsonages, rectories, convents, manses and vicarages, used solely or primarily as housing, shall be permitted on the same lot or on lots separate from the institutional use. When such a residence is located in a separate building, it shall be regulated as a residential use. If located in the same building as the institutional use, it shall be regulated as an institutional use.</li> <li>• The minimum lot size for institutional uses shall not be less than required for other nonresidential uses in a nonresidential zone, or less than three acres for libraries, five acres for houses of worship and schools and ten acres for hospitals.</li> </ul>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Madison	52-2016	7/14/16	<p>The Land Development Regulations pertaining to affordable housing are amended as follows:</p> <ul style="list-style-type: none"> <li>• All references to COAH are supplemented by new references to “court action” in response to the fact that the role of COAH has been replaced by trial courts under the recent NJ Supreme Court ruling.</li> <li>• All references to Regional Contribution Agreements are deleted.</li> <li>• The preference given to income eligible Madison residents for units created or rehabilitated with affordable housing trust funds that address the Borough’s Present and Prospective Need is now restricted to rehabilitated units that address the Present Need.</li> <li>• All residential developments of five or more market rate units shall set aside 20% of all for-sale units and 15% of all rental units as affordable (under existing regulations, the 20% set-aside applied to both rental and for-sale units).</li> </ul>	

**Proposed Ordinances Received: 2**  
**Adopted Ordinances Received: 3**  
**Total Ordinances Processed: 5**