
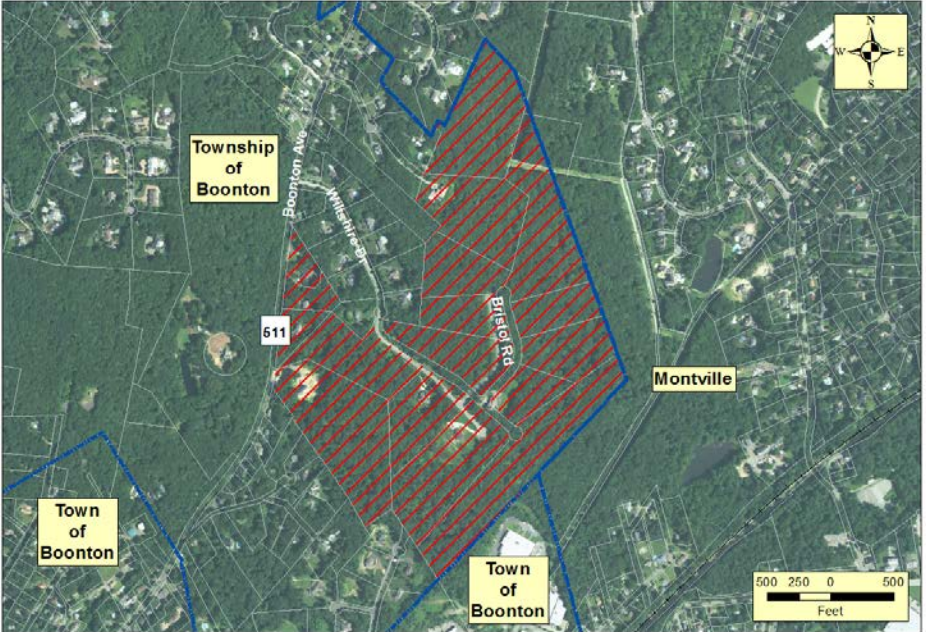


Zoning Ordinances Introduced: October 2018

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Town of Boonton	23-18	11/5/18	<p>Amend the Zoning and Land Use Regulations to establish a new zoning district, the AH-1 Affordable Housing-Industrial District, and amend the Zoning Map to rezone Block 69, Lot 75.01 from the R-5 District to the newly created AH-1 District. The R-5 District is removed from the regulations. The 6.7 acre lot is the site of an industrial building at the corner of Division and Wootton Streets. The NJ Transit rail line forms the southeastern boundary of the new zone. To the south is the ACME shopping center. To the north is the former Ashland Chemical property, to be redeveloped as a 350-unit apartment complex by AvalonBay. The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Uses: Townhouses and I-1 Industrial District uses (subject to the standards of the I-1 District) • Industrial uses are prohibited on a lot utilized for townhouse development. <p>Standards for Townhouse development:</p> <ul style="list-style-type: none"> • Minimum Lot: 290,000 square feet • Maximum Density: 16 units per acre • Maximum Height: 3 stories / 42 feet • Minimum Open Space: 20% • Affordable Set-Aside: 15% of rental units / 20% of for-sale units 	<p>The R-5 District was created by Ordinance 19-18, which was adopted in September 2018 and rezoned this property from the I-1 District. The new AH-1 District differs from the R-5 District by permitting I-1 District uses. It is otherwise identical.</p> <p>This zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.</p> <p>The 2018 Housing Element and Fair Share Plan for the Town of Boonton anticipates that this site will produce 108 townhomes, including 16 affordable units.</p>

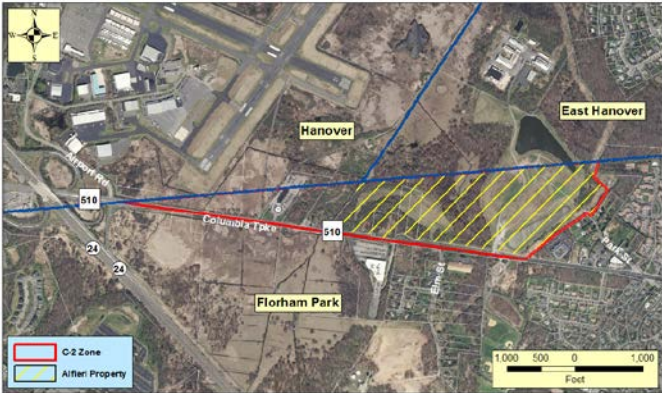
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Boonton	867	12/10/18	<p>Amend the Zoning Map to rezone 19 lots off Boonton Ave. / County Rt. 511, Wiltshire Dr. and Bristol Rd. on the borders of Montville and the Town of Boonton from the R-261 - Residence District to the R-81 - Residence District. The lots range in size from 2,437 sq. ft. to 15.7 acres and total 129 acres. Roughly half the lots are below the minimum lot size under existing zoning. Seven of the lots have single family homes while the remainder are vacant and wooded. Much of the surrounding area consists of single family homes while industrial uses are to the south in the Town of Boonton. The result of the rezoning is a reduction in the minimum lot size for single family homes from six acres to 81,000 sq. ft.</p> 	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Chatham	2018-18	10/25/18	<p>Various amendments pertaining to the guarantees imposed on final subdivision or final site plan approvals are made to the Land Development Regulations. Examples of the amendments include the following:</p> <ul style="list-style-type: none"> • List the types of improvements for which performance guarantees are required. • Establish requirements for a “Safety and Stabilization Guarantee” for the purpose of returning property that has been disturbed to a safe and stable condition. 	<p>These amendments are intended to bring the local regulations into conformance with P.L. 2017, Chapter 312, which amended N.J.S.A 40:55D-53 of the Municipal Land Use Law (MLUL) and was signed into law on January 16, 2018. These amendments to the MLUL pertained to performance, maintenance and other guarantee requirements.</p>
Township of Chester	2018-13	11/20/18	<p>Amend the Land Use Regulations to prohibit marijuana cultivation facilities, testing facilities, product manufacturing facilities, retailers, medical marijuana centers and the sale of marijuana-related paraphernalia.</p>	
Township of Harding	23-2018	11/19/18	<p>Amend the Land Use and Development Regulations to add the following sentence to the definition of Half Story: “Within the TH-1 Townhouse Zone 1 only, any such space with a maximum clear headroom less than 6.5 feet and that is unfinished shall not be considered a half story.”</p>	
Township of Randolph	21-18	11/29/18	<p>Various amendments pertaining to the guarantees imposed on final subdivision or final site plan approvals are made to the Land Development Regulations. Examples of the amendments include the following:</p> <ul style="list-style-type: none"> • The Township Engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee. • In the event that the developer shall seek a temporary certificate of occupancy for a development, a “Temporary Certificate of Occupancy Guarantee” shall be required. 	<p>These amendments are intended to bring the local regulations into conformance with P.L. 2017, Chapter 312, which amended N.J.S.A 40:55D-53 of the Municipal Land Use Law (MLUL) and was signed into law on January 16, 2018. These amendments to the MLUL pertained to performance, maintenance and other guarantee requirements.</p>

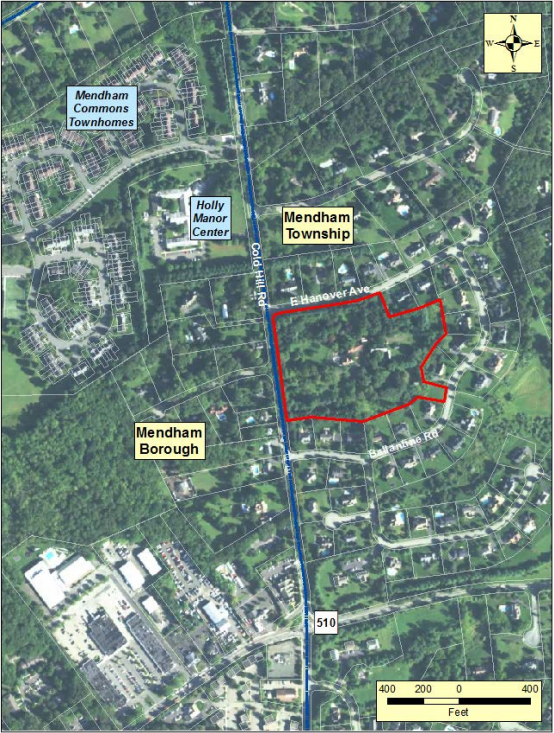
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Randolph	23-18	11/29/18	<p>Various amendments are made to the Land Development Regulations, examples of which include the following:</p> <ul style="list-style-type: none"> • The definition of House of Worship is amended to state that associated accessory uses include a residence for the religious leader, facilities for education, and facilities for social functions such as weddings, funerals, and bar/bat mitzvahs. • The installation of commercial communication antenna and equipment on a lawfully existing tower shall be exempt from site plan requirements provided it does not constitute a substantial change as defined in Section 6409 (a) of the Middle Class Tax Relief and Job Creation Act of 2012. • Permit gas station price designation utilizing light-emitting diode (LED) lighting on monument signs subject to various regulations, such as a prohibition on LED lighting that moves, blinks or flashes and a limit on price changes to once every 24 hours. 	

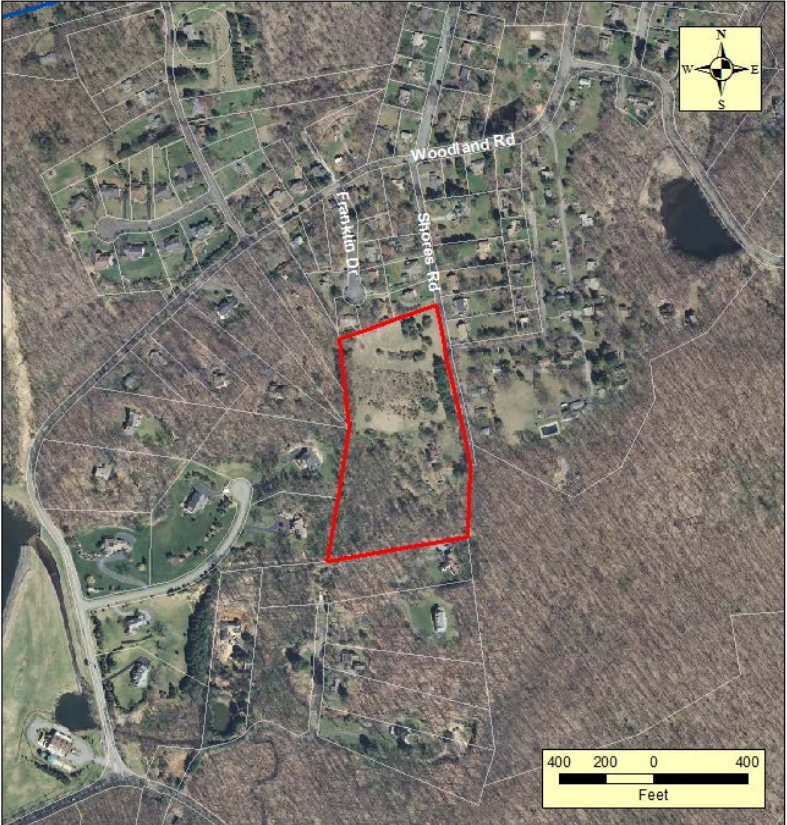
Zoning Ordinances Adopted: October 2018

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Butler	2018-15	10/22/18	<p>Amend the Land Use Regulations as follows:</p> <ul style="list-style-type: none"> • Temporary Exterior Storage Units shall be permitted as an accessory use in the R1, R2, R3, R4, and R5 Zones subject to restrictions on size and placement of units, the type of materials that may be stored as well as permit requirements. • Self-Storage Warehouses shall be subject to various conditions, such as an 80,000 sq. ft. minimum lot size, a maximum floor area ratio of 40%, prohibitions on chain link fences and limits on the hours of operation. • Electronic Signs shall be subject to various restrictions. One type of electronic sign, Static Signs, shall be permitted in the CBD, LI, LI/CBD and HC Zones while the other type, Digital Signs, shall be permitted in the HC Zone. Other restrictions pertain to limits on placement near residential zones, limits on brightness, and the aesthetics of the displays. 	
Township of Denville	24-18	10/17/18	<p>Amend the Land Use Regulations to clarify which uses are permitted on the first floor and which uses are permitted on the second floor or above in the B-1 Central Business District.</p> <p><u>First Floor:</u></p> <ul style="list-style-type: none"> • Retail sales • Craft service facilities • Retail services, <i>excluding</i> the following: <ul style="list-style-type: none"> - Health clubs and facilities - Educational facilities - Recreational facilities - Social services <p><u>Second Floor or Higher:</u></p> <ul style="list-style-type: none"> • Professional or service offices • Retail sales • Craft service facilities • Educational facilities • All retail services 	<p>This ordinance (24-18) replaces proposed Ord. 20-18, which was introduced in July 2018 but withdrawn. Ord. 24-18 differs from Ord. 20-18 by adding craft service facilities as a permitted first floor use and adding professional or service offices, craft service facilities and educational facilities as permitted second floor or higher uses.</p>

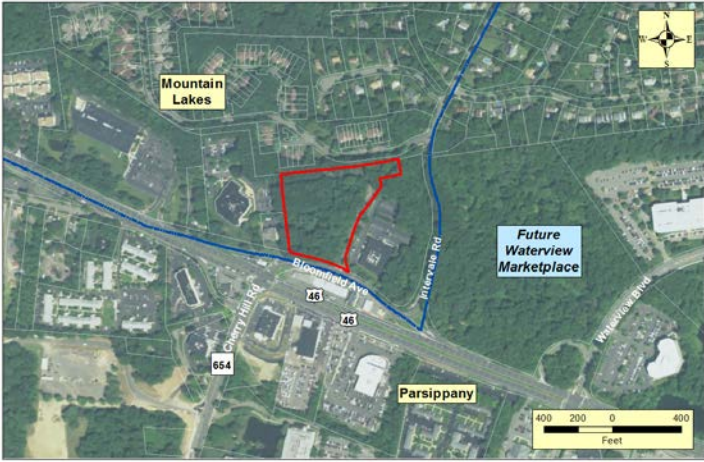
Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-20	10/22/18	Amend the Zoning Regulations to establish a town-wide affordable housing set-aside that applies to multi-family or single-family attached developments of three acres or more, at a density of five units per acre or more, created as a result of a zoning amendment, a variance, or adoption of a Redevelopment Plan. In such cases, a 15% rental / 20% for-sale affordable set-aside is imposed.	This ordinance is as called for by the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center, and various others.
Borough of Florham Park	18-21	10/22/18	<p>Amend the Zoning Regulations to permit inclusionary mixed-use development in the C-2 Office and Manufacturing Zone (which currently does not permit residential or retail uses). The C-2 Zone consists of 116 acres bounded by Columbia Tpk / County Rt 510 on the south and the Hanover and East Hanover borders on the north. Most of the zone is vacant, with the exception of a Cadillac dealer and a small pet store. The Columbia Tpk / Rt 24 interchange is nearby to the west and the Morristown Airport is across the border in Hanover to the northwest. The standards applicable to the new zone include the following:</p> <p>Permitted Uses:</p> <ul style="list-style-type: none"> • 560 multifamily units in an inclusionary development that may be provided either within a mixed-use development or in a stand-alone building. • Additional uses on the ground floor of buildings providing residential units: <ul style="list-style-type: none"> - Amenities and administrative services for a rental community. - Special Needs Housing - Uses which primarily serve the needs of community residents: <ul style="list-style-type: none"> - Professional offices and services, including medical - Convenience retail - Restaurants and food services - Enclosed parking facilities <p>Conditional Uses: B-1 Zone uses as well as Hotel and Conference Facilities</p> <p>Maximum Building Coverage: 35%, Maximum Improved Lot Coverage: 60%</p> <p>Affordable Set-Aside: 20%</p> 	<p>This ordinance implements the terms of the Settlement Agreement with Alfieri-Florham Park, LLC (part of the July 6, 2017 agreement with the Fair Share Housing Center and others).</p> <p>Under the agreement, 560 units of family rental housing, of which 20% will be affordable, will be permitted on the Alfieri Property. This property consists of 84 acres of vacant land in the eastern portion of the C-2 Zone.</p> <p>The settlement agreement states that “the forgoing rezoning to allow for residential uses shall be in addition to the existing permitted uses on the Alfieri Property.”</p>


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of East Hanover	17-2018	10/17/18	Amend the Land Use and Zoning Regulations to require the installation of concrete filled decorative bollards to protect outdoor seating areas when they are adjacent to surface parking or driveways at restaurants in the B-1, B-2, and B-2B Zones.	
Township of Hanover	21-2018	10/15/18	Amend the Land Use and Development Regulations to permit the planting of replacement trees in off-site locations within the Township in cases where the developer can demonstrate that the subject property is not able to preserve or plant the number of trees required by the tree preservation section of the regulations.	
Township of Hanover	22-2018	10/15/18	Amend the Land Use and Development Regulations to address the need for screening and mitigation of noise, deck lighting and vehicle headlights from parking decks upon single family districts.	
Township of Hanover	23-2018	10/15/18	Amend the Land Use and Development Regulations to establish regulations pertaining to outdoor recreational facilities accessory to single family dwellings. The regulations pertain to setbacks, yard locations, maximum coverage, fencing and illumination.	
Township of Hanover	24-2018	10/15/18	Amend the Land Use and Development Regulations to permit and regulate temporary signs for the opening of new retail sales and service establishments.	
Township of Hanover	27-2018	10/15/18	Amend the Land Use and Development Regulations to correct an error in which the number "2.2" had inadvertently been substituted for the number "2.6" in an existing regulation pertaining to the R-10 Residence District. The language in question will now read as follows: "The height of the principal building shall not be greater than 2.6 times the distance of the building from any property line located within 25 feet of the building..."	
Township of Hanover	28-2018	10/15/18	Amend the Land Use and Development Regulations to permit and regulate drive-in restaurants in the B-10, WC, D-S, OB-DS and I-B3 Zones (drive-in restaurants are currently prohibited). Examples of the regulations include the prohibition on drive-in restaurants having direct driveway access to a public street. Driveway access for drive-in restaurants shall only be from internal driveways.	


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Mendham	14-2018	10/10/18	<p>Amend the Zoning Map to rezone Block 131.01, Lot 1 from R-2 to R, resulting in a reduction in the minimum lot size for single family development from two acres to 20,000 sq. ft. The 12.3-acre Township owned tract, at 1 Cold Hill Road, is the site of the historic Pitney Farm Mansion, which was destroyed by fire in February 2016.</p> 	<p>This ordinance was introduced in August 2018, however it has since been amended to rezone this property to R instead of CR-2.</p> <p>Seven acres of this parcel were preserved as open space after the Township received funding for the purchase of the property from the Morris County Open Space Trust Fund.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Mendham	15-2018	10/10/18	<p>Amend the Zoning Map to rezone Block 127, Lot 29 from R-3 to R-1, resulting in a reduction in the minimum lot size for single family development from three acres to one acre. The 11.2-acre tract, at 9 Shores Road, has a single family home. The immediate neighborhood includes single family homes as well as Township owned open space.</p> 	


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Morris Plains	23-2018	10/19/18	Amend the Land Development Regulations to allow for the filing of an application for subdivision or site plan approval simultaneous with the filing of a General Development Plan as part of the application process in the TRPUD Tabor Road Planned Unit Development District.	<p>The TRPUD District is the site of the now demolished Pfizer facility at 200 Tabor Rd. / State Hwy. 53 and was established by Ord. 16-2018.</p> <p>The regulations pertaining to the timing of submissions are being amended to conform to the terms of the settlement agreement between the Borough and the owner of this property, M&M at Morris Plains.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Mountain Lakes	6-18	10/15/18	<p>Amend the Land Use Regulations to establish the new R-AH3 Residential Affordable Housing 3 Overlay Zone that will permit, as a conditional use, inclusionary assisted living residences, and amend the Zoning Map to place Block 118.04, Lot 2.01 in the newly established zone. The wooded vacant five acre tract at 1 Bloomfield Ave. is just across the Parsippany border from US Hwy 46. Commercial, retail, office and apartment uses are to the east, west and south. Single family and townhomes are to the north. The future site of the Waterview Marketplace retail development is nearby, to the east. Standards applicable to the new overlay zone include the following:</p> <p>Permitted Uses: All OL-2 Office and Light Industrial Zone uses as regulated in that zone (the underlying zone)</p> <p>Conditional Uses: Assisted Living Residences, subject to the following conditions:</p> <ul style="list-style-type: none"> • Maximum density of 15.5 units per acres • Maximum of 90 units and 120 beds • Minimum Tract: 5 acres • Maximum Height: 3 stories/50 feet • Maximum Building Coverage: 30% • Maximum Improved Coverage: 60% • No age restriction • 10% of total beds set-aside as affordable Medicaid beds 	
Borough of Rockaway	23-18	10/4/18	<p>Amend the Land Use Design and Performance Standards to add a new section establishing requirements for Environmental Impact Statements, which shall be required to be submitted as part of applications for either major site plan approval or preliminary approval of a major subdivision.</p>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Roxbury	14-18	10/22/18	<p>Amend the Zoning Regulations to establish a new inclusionary zoning district, the MMFR Main Street Multi-Family Residence District, and amend the Zoning Map to rezone Block 3801, Lot 1 from the B-1/A Limited Business District to the new MMFR District. The subject property is a two acre vacant parcel at 75 Main Street. The surrounding neighborhood consists of single family, multi-family, offices, small scale retail/services, a library, churches and a cemetery. The standards applicable to the new zone include the following:</p> <p>Maximum Development: 7 units, distributed as follows:</p> <ul style="list-style-type: none"> • 5 For-Sale Townhouses • 2 For-Sale Affordable Stacked Flats <p>Minimum Tract: 80,000 sq. ft.</p> <p>Maximum Height: 2 ½ stories/35 feet</p> <p>Maximum Building Coverage: 25%</p> <p>Maximum Impervious Coverage: 35%</p> 	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Washington	15-18	10/16/18	<p>Amend the Zoning Regulations to establish a new mixed-use inclusionary overlay district, the AHRO Affordable Housing Redevelopment Overlay District, and amend the Zoning Map to place Block 27, Lot 22 in the new overlay zone. The 30,351 sq. ft. lot, at 20 Schooley’s Mountain Rd. / County Rt. 517, was formerly the site of Ballentine Lumber and includes several lumber barns. Fronting the lot on Schooley’s Mountain Road is a single family style structure used by Racks Thrift Boutique. The immediate surrounding neighborhood includes retail, commercial and office uses, many of which are housed within former single family homes, a cemetery and single family. The underlying C-1 Neighborhood Business District classification will remain. Standards for the new AHRO Overlay include:</p> <ul style="list-style-type: none"> • Permitted Uses: Apartments, Townhouses and Retail • Maximum Development: 16 residential rental units and 1,600 sq. ft. retail • Affordable Set-Aside: 4 rental apartments • Minimum Lot: 28,000 sq. ft. • Maximum Height: 2 ½ stories/35 ft. • Maximum Improved Lot Coverage: 90% • The existing building on Schooley’s Mountain Road shall be retained and rehabilitated and may be adoptively reused for not more than four apartments and 1,600 sq. ft. of retail (under C-1 standards). • Rehabilitation consistent with Washington Historic District Design Guidelines. 	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Wharton	O-16-18	10/19/18	<p>Amend the Land Use and Development Regulations as they pertain to signs. Examples of the amendments include the following:</p> <ul style="list-style-type: none"> • Repeal the requirement that Hanging Signs in the CBD and B-1 Districts should consider visually interesting elements such as square or rectangular shapes with painted or applied letters, two- or three-dimensional symbols or icons, irregular outlines and/or internal cutouts. • Roof Signs may be authorized as a conditional use in the business districts if they meet various conditions, such as that the sign is a business or identification sign, the sign is externally illuminated, and the sign does not produce a halo effect. • Gas Station Signs shall have separate and distinct regulations from other business signs. Examples of the newly added regulations for these type of signs include that the height of Gas Station Ground Signs may not extend more than 25 feet above the ground and that the total area of Gas Station Canopy Signs shall not exceed one square foot per foot of length of such canopy to which the sign is attached or a total of 50 square feet, whichever is less. • Signs may be illuminated by gooseneck fixtures, floodlights and other indirect spotlights. • Halo-Lit signs are prohibited. 	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Wharton	O-17-18	10/19/18	<p>Ordinance O-17-18 adopts the Main Street Redevelopment Plan for Block 1317, Lots 1 through 22. These lots were declared a Non-Condensation Redevelopment Area under the New Jersey Local Redevelopment and Housing Law by Resolution R-100-18, adopted by the Borough Council on July 16, 2018. The Plan Area occupies approximately four acres bounded by North Main St. to the west, Fern Ave. to the north, 2nd Street to the east, and East Central Ave. to the south. The uses along North Main St. are primarily commercial/mixed use, while the remainder of the area is primarily residential, both single family and multi-family. The lots that front Main St. are in the CBD Central Business District while almost all of the remainder are in the RM-75 Medium Density One-and Two-Family District.</p> <p>The Plan calls for mixed-use development in mid-rise buildings with commercial/retail uses on the ground and second floors and apartments on the upper floors, with orientation toward North Main St. The Borough will seek a redeveloper for all or portions of the site. The redeveloper will acquire, or work with the Borough to acquire, all or portions of the Plan Area (but not via eminent domain). Standards applicable to the Plan Area include:</p> <p>Permitted Uses: Retail (excluding auto sales and service), restaurants, offices, banks, multi-family (including garden and mid-rise apartments as well as dwellings above first floor non-residential uses), single and two family, municipal buildings and parking.</p> <p>Minimum Lot: 3,000 sq. ft. Maximum Density: 50 units per acre Max. Height: 4 st./55 ft. or 5 st./60 ft. if 5th story is setback 5 feet from front facade Max. Building Coverage: 50%, Max. Impervious Coverage: 90% Affordable Housing: 15% rental / 20% for-sale</p> 	

Proposed Ordinances Received: 7
Adopted Ordinances Received: 20
Total Ordinances Processed: 27