

ZONING ORDINANCES INTRODUCED: SEPTEMBER 2019

Municipality: TOWN OF BOONTON

Ordinance: 10-19

Public Hearing Date: 10/21/19

Summary: Amend the Zoning and Land Use Regulations to increase the maximum density permitted in the MAO Myrtle Avenue Multifamily Residential Overlay District from 12 units per acre to 16 units per acre. The MAO Overlay was established by Ordinance 20-18, which was adopted on September 4, 2018. It permits multifamily with an affordable housing set-aside at Block 72.01, Lots 1, 2 and 2.01. The underlying C-1 Commercial District standards remain as a development option.

Staff Comments: This overlay zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center. At 16 units per acre, this five-acre site could accommodate a maximum of 80 units, pending potential reductions for other physical or environmental constraints.



Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2019-14

Public Hearing Date: 10/24/19

Summary: Amend the Revised General Ordinances to add a new chapter imposing development fees and establishing an Affordable Housing Trust Fund to collect and spend such fees. Developers shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. When an increase in residential density has been permitted via a "d" variance, the fee shall be 4%. Developers shall pay a fee of 2.5% of the equalized assessed value for nonresidential development.

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2019-15

Public Hearing Date: 10/24/19

Summary: Amend the Revised General Ordinances to replace the existing Affordable Housing chapter with a new chapter for the purposes of regulating and establishing requirements for affordable housing. The new chapter addresses such matters as the maximum rents and sales prices for affordable units, buyer and tenant income eligibility, control periods, enforcement mechanisms, the municipal housing liaison, and affirmative marketing requirements. In addition, this chapter requires that any new multi-family or single family attached development with a gross density of six units per acre or greater, include a 20% set-aside for affordable housing units.

Staff Comments: This ordinance is as called for by the December 13, 2018 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 13-2019

Public Hearing Date: 10/7/19

Summary: Amend the Zoning Regulations as follows:

- No fence installed on top of a berm, wall, mounding, or other structure shall exceed four feet in height, measured from the bottom of the structure to the top of the fence, unless the fence is located three or more feet from the face of the structure, in which case the height is calculated separately for the structure and the fence.
 - Fences, not exceeding six feet in height, shall be permitted along residential property lines adjacent to and parallel with a county road regardless of the yard designation. However, said fence shall not obstruct any sight line as required pursuant to municipal, county or state ordinance/regulation as well as the sight distance requirements pursuant to the American Association of State Highway and Transportation Officials manual.
-

Municipality: TOWNSHIP OF HARDING

Ordinance: 16-2019

Public Hearing Date: 9/30/19

Summary: Amend the Glen Alpin/Hurstmont Redevelopment Plan, which established standards for the redevelopment of the Glen Alpin/Hurstmont Redevelopment Area, and was adopted by Ordinance 13-2019 in June 2019. The Redevelopment Area is 29.4 acres in size, consisting of Block 34, Lot 1 (site of the Glen Alpin Mansion) and Block 27, Lot 2 (site of the Hurstmont Mansion) on Mt. Kemble Ave. / US Hwy. 202 at its intersection with Tempe Wick Rd. Numerous amendments are made to the plan, while maintaining the same overall buildout on the Hurstmont portion of area. Examples of the amendments include the following:

- The original plan divided the Redevelopment Area into two districts, the Continuing Care Retirement Community (CCRC) District (site of the Hurstmont Mansion) and the Glen Alpin Cultural Center District (site of the Glen Alpin Mansion). This is amended to rename the CCRC District as the Senior Living District and to remove all reference to CCRC's.

- The elimination of the CCRC has the effect of eliminating the district-wide age restriction of 62 and over. Instead, the age restriction varies by use.
- Remove “Attached/Detached/Townhome Independent Living Units” as a permitted use in the Senior Living District and replace it with “Townhouse.” The age restriction is cut from 62 and over to 55 and over. (“Multifamily Independent Living Units” continue as a permitted use, subject a 62 and over age restriction).
- Remove “Memory Care / Skilled Nursing Units” as a permitted use in the Senior Living District and replace it with “Dementia Care Homes.” The age restriction is cut from 62 and over to 19 and over. (“Assisted Living” continues as a permitted use, subject a 62 and over age restriction).
- Remove “units/beds” as the unit for measuring build-out in the Senior Living District and replace it with “units” (Maximum buildout continues to be 250).
- Specify maximum buildout for each use in the Senior Living District:
 - Townhouse: 40 units
 - Assisted Living / Dementia Care: 85 units
 - Independent Living Units: 125 units (the number of such units may increase with a corresponding decrease in the number of Townhouses).
- Increase the maximum impervious coverage from 35% to 40% in the Senior Living District while adding that any land conveyed to the Township or Park Commission shall be included for purposes of calculating coverage.
- “Single Family Residence” (within the existing mansion), “Group Home,” and “Restaurant” are added to the permitted uses in the Glen Alpin Cultural Center District.



Replace CCRC District with Senior Living District in this map.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 38-2019

Public Hearing Date: 10/10/19

Summary: Amend the Land Use and Development Regulations as they apply to signs for retail uses. The stated purpose is to reduce “the amount of variation in the retail sign regulations.” This is accomplished by combining the retail sign regulations for many of the non-residential districts into a single section, instead of having separate regulations for each district or smaller groupings of districts.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 39-2019

Public Hearing Date: 10/10/19

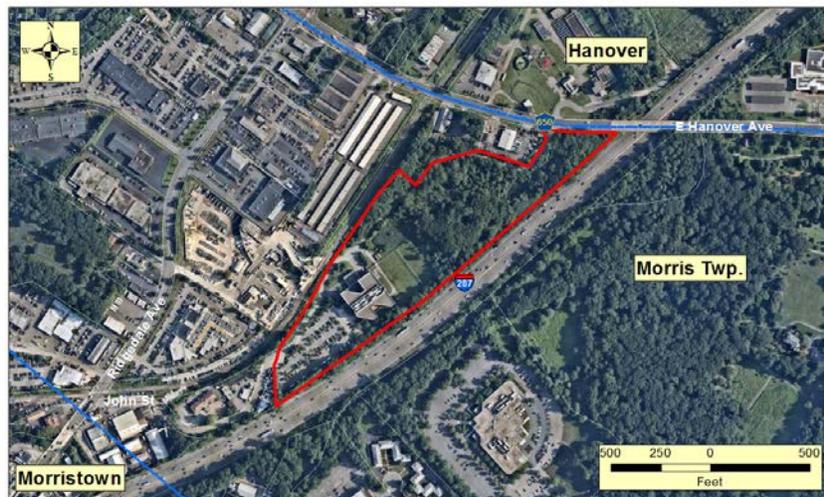
Summary: Amend the Land Use and Development Regulations to eliminate the existing prohibition of detached garages (accessory to residential uses) to permit such detached garages with appropriate height, area and setback requirements.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 24-19

Public Hearing Date: 10/16/19

Summary: Amend the Zoning Map to rezone Block 10103, Lot 3 from the RH-20 - Mixed Housing Zone to the OS/GU - Open Space - Government Use Zone. This 17-acre tract at the end of John St. is the site of the Morris County Correctional Facility. The northeastern half of the tract is wooded, with frontage on E. Hanover Ave. / County Rt. 650. The southeastern boundary of the tract is defined by I-287. To the west is a mix of commercial and industrial uses. While the RH-20 Zone permits multi-family inclusionary developments at 20 units per acre (as well as such uses as parks, conservation areas and municipal uses), the only residential use permitted in the OS/GU Zone is single family on 3-acre lots. The OS/GU Zone permits such uses as parks, open space, swimming pools, municipal uses, government offices and golf clubs and colleges in existence as of January 1, 1994.



Municipality: TOWNSHIP OF MORRIS

Ordinance: 24-19

Public Hearing Date: 10/16/19

Summary: Amend the Zoning Regulations as they pertain to off-street parking. The changes include the following:

- Reduce the minimum length of parking spaces from 20 feet to 18 feet.
 - Reduce the minimum aisle width for aisles providing access to parking spaces with a parking angle of 90° from 25 feet to 24 feet.
-

Municipality: TOWNSHIP OF MORRIS

Ordinance: 25-19

Public Hearing Date: 10/16/19

Summary: Amend the Land Development Regulations to reduce the extent of riparian buffer conservation zones from 75 feet to 50 feet in the case of areas that are not special water resource protection areas.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 26-19

Public Hearing Date: 10/16/19

Summary: Amend the Zoning Regulations to state that where a lot exists as a separate isolated lot under separate ownership and not adjoining any other lot or lots of the same owner and which lot is a nonconforming lot due to size, shape or area, such lot may be improved with a new building or structure or addition to such building or structure provided that all bulk standards for the zone can be complied with and further that the building meets all other requirements of these regulations. Under current regulations, such nonconforming development needs to comply with setback, side and rear yard regulations in existence on December 1, 1974. Under this amendment, new development must comply with existing bulks standards and other existing regulations.

Municipality: TOWN OF MORRISTOWN

Ordinance: O-43-2019

Public Hearing Date: 10/10/19

Summary: Amend the Land Use Regulations and the Licensing and Business Regulations to permit and regulate Bed and Breakfast Establishments as a conditional use. Such establishments are defined as a small lodging establishment with rooms available for guests for short-term overnight rental and a breakfast meal for compensation. Examples of the rules applicable to Bed and Breakfast Establishments include the following:

- The Bed and Breakfast shall contain no less than three bedrooms nor more than eight bedrooms.
 - No more than sixteen individuals over the age of six shall stay at a Bed and Breakfast any one time.
 - Owners must reside on the premises within the principal structure.
 - At all times when guests are staying, the owner shall remain within 15 minutes of the property.
 - Maximum Improved Coverage 60%, Maximum Building Coverage: 50%.
 - No more than four licenses for Bed and Breakfasts shall be outstanding at any one time.
-

Municipality: TOWNSHIP OF MOUNT OLIVE

Ordinance: 19-2019

Public Hearing Date: 10/1/19

Summary: Block 4100, Lot 10, the site of the former Combe Fill North Landfill, was designated a Non-Condemnation Redevelopment Area on July 23, 2019. The Combe Fill North Redevelopment Plan, dated September 12, 2019, calls for the establishment of an overlay zone permitting a solar photovoltaic energy facility. Ordinance 19-2019 establishes the CFNR - Combe Fill North Redevelopment Overlay Zone, in accordance with the redevelopment plan for this site. The former landfill is located on a 103-acre tract on Gold Mine Rd. The ITC Crossing South shopping center, including a Walmart, Bed Bath & Beyond, and Lowe's, is to the east of the site. Wooded lands, both privately and Township owned, are to the north and west. The uses and standards under the underlying C-LI - Commercial/Light Industrial District shall remain as a development option. Standards for the new CFNR Overlay include the following:

- **Permitted Principal Use:** Solar Photovoltaic Energy Facility
- **Minimum Lot Area:** None
- **Maximum Impervious Coverage:** None
- **Setbacks:** 50 ft. setback on Gold Mine Rd. and the eastern boundary of the tract. No minimum setbacks for the northern and western boundaries.



Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 18-19

Public Hearing Date: 9/19/19

Summary: The Land Use Development Ordinance is subject to various amendments by this ordinance. Examples include the following:

- Permit a convenience store as a conditional use on the same location as an automobile service station.
- Open porches and porticos not over one story high attached to single and two-family dwellings shall be considered as part of the principle structure and may project into any required yard area, provided that:
 - Not more than 100 sq. ft. of said structure shall project into the required yard area.
 - No portion of any such structure shall be closer than ten feet to any property line.
 - The maximum depth of the structure shall be eight feet.
- No pool shall hereafter be constructed or installed within a front yard or the required front yard setback, whichever is more restrictive.

ZONING ORDINANCES ADOPTED: SEPTEMBER 2019

Municipality: TOWNSHIP OF HANOVER

Ordinance: 32-2019

Date Adoption Filed: 9/12/19

Summary: Parsippany Ordinance 2019:27, adopted on June 11, 2019, consents to the annexation of a portion of Parsippany Block 200, Lot 1.2 by Hanover (highlighted in red below) and accepts the annexation of a portion of Hanover Block 303, Lot 14 by Parsippany (highlighted in yellow below). The two areas subject to municipal annexation are part of a larger site (highlighted in green below) that has been separately designated as Areas in Need of Redevelopment and placed in redevelopment zone overlays by each municipality as part of the 1515 Rt. 10 redevelopment project.



Hanover Resolution 83-2019, adopted on April 11, 2019, approves the same transfer for both of the above lots, while Hanover Ordinance 28-2019, adopted on September 12, 2019, accepts the annexation of the Parsippany lot to Hanover. Both municipalities subject the transfer to the condition that the transferred areas be newly designated as Areas in Need of Redevelopment.

Ordinance 32-2019 amends the Zoning Map to place the area that is to be transferred from Parsippany to Hanover within the I-P Industrial Park District, which is the same underlying zoning as the rest of the area in green on the Hanover side of the border.

Staff Comments: The annexation comes at the request of the developer of this site, 1515 Parsippany, LLC, which intends to develop the site on both sides of the border according to a unified plan. The developer argues that as the entire property should be treated as a single site and that the municipal boundary line separating the Parsippany property from the Hanover property should be realigned to create more regularly shaped development areas in each municipality.

PROPOSED ORDINANCES RECEIVED: 14
ADOPTED ORDINANCES RECEIVED: 1
TOTAL ORDINANCES PROCESSED: 15