

## ZONING ORDINANCES INTRODUCED: NOVEMBER 2020

**Municipality:** BOROUGH OF CHATHAM

**Ordinance:** 20-15

**Public Hearing Date:** 12/14/20

**Summary:** Amend the Land Use Regulations to modify the definition of the term “Medical Services” so that it no longer includes hospitals and residential care facilities and add new definitions for the terms “Clinics and Laboratories,” “Extended Care,” and “Hospitals.”

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**Municipality:** TOWNSHIP OF CHESTER

**Ordinance:** 2020-11

**Public Hearing Date:** 12/1/20

**Summary:** Amend the Land Use Regulations so that if an application is denied by the Zoning Officer, the applicant and Zoning Officer will confer and discuss the basis for the denial. If the applicant amends the application, such re-submission shall not result in another application fee.

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**Municipality:** TOWNSHIP OF DENVILLE

**Ordinance:** 16-20

**Public Hearing Date:** 12/8/20

**Summary:** Amend the Land Use Regulations to establish a new inclusionary zoning district, the T-7 Multi-Family District, and amend the Zoning Map to place two sites in the newly created district. One site, known as the “Bacala Group” site, consists of two lots totaling 8.5 acres on Franklin Rd., just north of its intersection with State Hwy. 10. This site is currently in the R-1 District. The larger lot in this site is wooded and undeveloped, while the smaller lot contains a single-family home. The Denville Commons shopping center is to the south. The second site, known as the “Silver Spring Manor” site, consists of three lots totaling 20.3 acres on eastbound State Hwy. 10., between Peer Pl. and Miller Rd. This site is currently in the OB-4 District. The largest lot in this site is wooded and undeveloped, while the two smaller lots each contain a commercial building. The Forges townhomes are to the southwest.



Standards applicable to the new T-7 District include the following:

- Permitted Uses: Townhouses and Interlocking Dwellings
- Maximum Units:
  - Bacala Group Site: 60 (of which 12 must be affordable)
  - Silver Spring Manor Site: 120 (of which 24 must be affordable)
- Maximum Height: 3 ½ stories / 45 ft.
- Maximum Building Coverage: 25%; Maximum Impervious Coverage: 65%
- Minimum Open Space or Landscaped Area: 25%

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**Municipality: TOWNSHIP OF EAST HANOVER**

**Ordinance:** 9-2020

**Public Hearing Date:** 12/7/20

**Summary:** Amend the Land Use and Zoning Regulations as follows:

- Add eatery restaurants and take-out restaurants as permitted uses in the B-1 and HC/OCI Districts.
- Add fast-food restaurants and banquet halls as permitted uses in the B-2 District.
- Add restaurants, eatery restaurants, fast-food restaurants and take-out restaurants as permitted uses in the B2-B District.

Restaurants were already a permitted use in the B-1, B-2 and HC/OCI Districts (but not the B2-B District). What is new is the addition of definitions for Banquet Hall, Eatery Restaurant, Fast-Food Restaurant and Take-Out Restaurant, separate and distinct from “Restaurant.” Parking standards are established for these new uses.

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**Municipality: TOWNSHIP OF EAST HANOVER**

**Ordinance:** 10-2020

**Public Hearing Date:** 12/7/20

**Summary:** Amend the Land Use and Zoning Regulations as follows:

- All paperwork, plans, reports, etc. submitted for subdivision and site plan applications shall be provided digitally to the Planning Board Secretary, via email, thumb drive or CD.
- Snow storage plans shall be required to be submitted as part of a site plan application.

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**Municipality: TOWNSHIP OF EAST HANOVER**

**Ordinance:** 11-2020

**Public Hearing Date:** 12/7/20

**Summary:** Amend the Land Use and Zoning Regulations to modify the definition of “Building Height” so that it is measured from the average pre-disturbed grade instead of the proposed finished grade.

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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 30-2020

**Public Hearing Date:** 12/10/20

**Summary:** Amend the Land Use and Development Regulations to address treehouses, playhouses and similar outdoor recreation facilities accessory to single-family dwellings. Examples of the new regulations include the following:

- Treehouses, elevated playhouses, and similar raised platforms and structures shall be setback at least 10 feet from any rear and side property lines.
- The height of treehouses, elevated playhouses, and similar raised platforms and structures, with or without a roof, and having a horizontal area of the floor or platform less than or equal to 100 square feet shall be exempt from the height requirements for accessory buildings and roofed accessory structures; however, the highest elevation of any floor or platform of such structures shall not exceed 10 feet above the normal grade at the base of the structure.

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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 31-2020

**Public Hearing Date:** 12/10/20

**Summary:** The Redevelopment Plan for the Pine Plaza Shopping Center was adopted by Ordinance 17-2020 in July 2020 and permitted mixed-use inclusionary development and B-10 District uses. Ordinance 26-2020, adopted in October 2020, amended the Redevelopment Plan to permit an alternative development option. Ordinance 31-2020 further amends the Redevelopment Plan as follows:

- The original plan permitted a maximum of 62 townhouses and 68 stacked townhouses (totaling 130 market rate units). Under the new plan, stacked townhouses are eliminated as a permitted use and a maximum of 60 market rate townhouses are permitted.
- The original plan called for 60 affordable multifamily senior rental units on-site. Under the new plan, these 60 units shall be built off-site, and are not subject to the development standards of this plan (see summary of Ordinance 32-2020 for a description of this site).
- The original plan capped the retail/commercial component to a floor area of 130,000 sq. ft. (excluding any hotel use). The hotel was limited to 150 rooms. Under the new plan, these caps are eliminated. Instead, development within the retail/commercial component shall be in accordance with B-10 Highway Business District standards (except for minimum front and rear yard depth).
- A concept plan included with the new Redevelopment Plan features 60 townhouses and a 161,586 sq. ft. commercial building.

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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 32-2020

**Public Hearing Date:** 12/10/20

**Summary:** Amend the Land Use and Development Regulations to establish a new overlay district, the AH-2 Affordable Housing Overlay District, and amend the Zoning Map to place a portion of Block 9102, Lot 5 in the newly established overlay. Block 9102, Lot 5 is home to the Cambrex pharmaceutical manufacturing and packaging facility at 30 N. Jefferson Rd. The new AH-2 Overlay will be located on 4.4 acres in the northwest

corner of the Cambrex lot, in an area that is undeveloped, with high tension electric wires running through the southern part. The purpose of the overlay is to accommodate the off-site affordable housing obligation generated by the Redevelopment Plan for the Pine Plaza Shopping Center, as amended by Ordinance 31-2020. The underlying I-P2 District zoning shall remain. Standards for the new AH-2 Overlay include the following:

- Permitted Use: Age-restricted affordable multifamily.
- Number of Units: 60
- Minimum Lot: 3 acres
- Maximum Height: 4 st. / 60 ft.
- Maximum Improvement Coverage: 55%; Maximum Building Coverage: 20%



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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance: 33-2020**

**Public Hearing Date: 12/7/20**

**Summary:** This ordinance authorizes the acquisition by purchase, or eminent domain if necessary, of a 4.4-acre portion of Block 9102, Lot 5 (as noted immediately above re: Ordinance 32-2020) for the construction of 60 age-restricted affordable housing units.

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**Municipality: BOROUGH OF LINCOLN PARK**

**Ordinance: 20-12**

**Public Hearing Date: 12/10/20**

**Summary:** Amend the Zoning Regulations as they apply to the age-restricted housing permitted in the TH/ACHS - Townhouse Adult Community Housing Set-Aside District and the ACH - Adult Community Housing Overlay District. The minimum age requirement for at least one occupant of such housing is increased from 52 to 55. In addition, the prohibition on occupation by persons under age 19 is modified to add an exception in cases where a resident who is 55 years of age or older, because of a disability, requires that a caregiver or attendant who is under 19 years of age reside in the unit.

**Municipality: TOWNSHIP OF MORRIS**

**Ordinance:** 27-20

**Public Hearing Date:** 12/16/20

**Summary:** Amend the Zoning Regulations as follows:

- Parapets, railings, copings, balustrades, cornices, and other similar roof projections up to three feet in height above the roof surface shall be exempt from the various height limitations imposed by the zoning regulations.
  - Establish the following standards for rooftop appurtenances, such as elevator penthouses, stair towers, roof-mounted tanks and mechanical equipment:
    - The aggregate area of rooftop appurtenances shall not exceed 20% of the total area of the roof surface.
    - Rooftop appurtenances and associated screens or enclosures shall be set back a minimum of 15 feet from the roof perimeter.
    - Rooftop screening shall be compatible with the architectural design of the building.
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**Municipality: TOWNSHIP OF MORRIS**

**Ordinance:** 28-20

**Public Hearing Date:** 12/16/20

**Summary:** Amend the Zoning Regulations to prohibit drive-through restaurants in the B-11 Business District.

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**Municipality: TOWNSHIP OF MORRIS**

**Ordinance:** 29-20

**Public Hearing Date:** 12/16/20

**Summary:** Amend the Zoning Regulations to establish standards for Electric Vehicle Charging Stations.

Examples of the new regulations include the following:

- Electric vehicle charging stations shall be permitted as follows:
    - Level 1 and Level 2 charging stations shall be permitted in all zoning districts when accessory to a permitted use.
    - Level 3 charging stations shall be permitted in all zoning districts when accessory to a permitted use other than single-family detached or two-family dwellings.
    - Notwithstanding the above regulations, public electric vehicle charging stations are allowed to be constructed in any public parking lot maintained and operated by the Township or other public entity.
  - Equipment mounted on pedestals, lighting posts, or other devices for on- street charging stations shall be designed and located as to not impede pedestrian travel or create trip hazards.
  - Adequate charging station equipment protection such as wheel stops and concrete-filled steel bollards shall be used.
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**Municipality: TOWNSHIP OF MOUNT OLIVE**

**Ordinance:** 24-2020

**Public Hearing Date:** 11/24/20

**Summary:** Amend the Zoning Regulations so that, in the case of corner lots or through lots, the front yard may be designated as that area in front of the house and the other street frontage may be designated as a side yard, for the purposes of locating fencing.

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**Municipality: BOROUGH OF NETCONG**

**Ordinance:** 2020-24

**Public Hearing Date:** 12/10/20

**Summary:** Amend the Affordable Housing section of the Land Development Regulations. Examples of the changes include the following:

- Income limits for all units that are part of the Borough's Housing Element and Fair Share Plan shall be annually updated by the municipality within 30 days of the publication of determinations of median income by HUD.
  - The percentage of all low- and moderate-income rental dwelling units in inclusionary developments required to be affordable to households earning no more than 30% of median income is increased from 10% to 13%.
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**Municipality: BOROUGH OF NETCONG**

**Ordinance:** 2020-27

**Public Hearing Date:** 12/10/20

**Summary:** Previous Ordinance 2020-4 adopted the ShopRite Redevelopment Plan for the 3.9-acre site of the 29,000 sq. ft. Shoprite supermarket as well as four vacant single-family homes, one occupied single-family home and one vacant lot on US Hwy 46. The existing supermarket was to be renovated and expanded while the single-family homes were to be demolished.

Upon the request of the property owner, Ordinance 2020-27 makes several amendments to the Redevelopment Plan, including the following:

- The addition to the eastern portion of the supermarket is increased from 11,500 sq. ft. to 15,000 sq. ft., the mezzanine above the ground level of the supermarket is increased from 4,500 sq. ft. to 7,000 sq. ft., and the expansion of the supermarket along the western portion of the property is reduced from 16,000 sq. ft. to 15,000 sq. ft.
- Banks, restaurants and cafes are removed from the list of permitted uses.
- The fulfillment center, permitted as part of the supermarket, is increased from 11,500 sq. ft. to 20,000 sq. ft.
- The maximum floor area ratio is increased from 0.35 to 0.40.

Ordinance 2020-27 replaces Ordinance 2020-23, which was introduced in October 2020 but defeated this month. Ordinance 2020-27 differs from Ordinance 2020-23 by eliminating reference to the access driveways being two-way. It also eliminates the requirement that the driveways be 30 feet in width, relying instead on NJDOT permitting requirements.

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**ZONING ORDINANCES ADOPTED: NOVEMBER 2020**

**Municipality:** TOWNSHIP OF CHATHAM

**Ordinance:** 2020-21

**Date Adoption Filed:** 11/13/20

**Summary:** Amend the Land Development Regulations to adopt a new Stormwater Control Ordinance. This ordinance establishes minimum stormwater management requirements and controls for applicable developments.

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**Municipality:** TOWNSHIP OF CHATHAM

**Ordinance:** 2020-22

**Date Adoption Filed:** 11/13/20

**Summary:** Amend the Affordable Housing Regulations to modify and add to the list of affordable housing developments and mechanisms to satisfy the Township's affordable housing obligations consistent with the Amended Settlement Agreement of July 23, 2020 between the Township and the Fair Share Housing Center.

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**Municipality:** TOWNSHIP OF MOUNT OLIVE

**Ordinance:** 21-2020

**Date Adoption Filed:** 11/13/20

**Summary:** Amend the Land Use Regulations to require that where the subject property is governed by the rules and regulations of a community association, zoning permit applications shall include documentation that said association has authorized the submission of the application for the proposed use and/or site improvements.

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**Municipality:** BOROUGH OF NETCONG

**Ordinance:** 2020-21

**Date Adoption Filed:** 11/13/20

**Summary:** Amend the Land Development Regulations to require all site plans and plats to include sidewalks along the frontage of all lots comprising the site or subdivision.

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**ZONING ORDINANCES DEFEATED: NOVEMBER 2020**

**Municipality:** BOROUGH OF NETCONG

**Ordinance:** 2020-23

**Date Filed:** 11/13/20

**Summary:** This ordinance was introduced in October 2020 but has been defeated and replaced by introduced Ordinance 2020-27 (reviewed in this report). It would have made various amendments to the ShopRite Redevelopment Plan.

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**PROPOSED ORDINANCES RECEIVED: 17**

**ADOPTED ORDINANCES RECEIVED: 4**

**ORDINANCES DEFEATED: 1**

**TOTAL ORDINANCES PROCESSED: 22**