

ZONING ORDINANCES INTRODUCED: OCTOBER 2020

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-21

Public Hearing Date: 11/12/20

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.

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-22

Public Hearing Date: 11/12/20

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

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 13-20

Public Hearing Date: 12/8/20

Summary: Amend the Land Use Regulations to establish a new inclusionary zoning district, the T-6 Multi-Family District, and amend the Zoning Map to rezone 23 lots from the R-1B and R-3 Districts to the newly established T-6 District. The new district is bounded by Estling Lake Rd. to the north and the NJ Transit rail line to the northeast and east. Most of the lots that make up the 27.7-acre T-6 District are wooded and undeveloped, although there are four single-family lots in the southeastern portion of the district. The Estling Village townhomes are to the northwest and the Denville Rail Station is to the northeast. Single-family homes are to the west and south. Commercial and industrial uses are to the southeast.



Standards applicable to the new T-6 District include the following:

- Permitted Uses: Townhouses, Vertical Flats, and Interlocking Dwellings
 - Maximum Units: 106 (of which 16 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 MOUNT OLIVE

Ordinance: 21-2020

Public Hearing Date: 11/10/20

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.

Municipality: BOROUGH OF NETCONG

Ordinance: 2020-21

Public Hearing Date: 11/12/20

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.

Municipality: BOROUGH OF NETCONG

Ordinance: 2020-23

Public Hearing Date: 11/12/20

Summary: Ordinance 2020-4 (adoption filed with Morris County in October 2020) 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 2020-23 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.
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ZONING ORDINANCES ADOPTED: OCTOBER 2020

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-17

Date Adoption Filed: 10/13/20

Summary: This ordinance adopts the Proposed Redevelopment Plan for 522 Southern Boulevard to permit a 100% affordable housing development. Block 128, Lot 2 is the 3.2-acre site of a closed Charlie Brown's restaurant on Southern Blvd. / County Rt. 647. To the west is the Hickory Square shopping center. To the south is the Juniper Village assisted living facility. The Chatham Hill apartments are to the southwest while single-family homes are to the east. The Township intends to acquire this site. Standards for development include the following:

- Permitted Uses: 100% municipally-sponsored rental affordable housing, on-site non-deed restricted building superintendent unit
- Number of Dwelling Units: Between 62 and 66 affordable units plus one superintendent unit
- Minimum Lot: 3 acres
- Maximum Height: 3 stories / 45 ft., with up to 40% of building footprint permitted to be 4 stories / 60 ft.
- Maximum Building Coverage: 30%; Maximum Impervious Coverage: 50%



Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 5-2020

Date Adoption Filed: 10/13/20

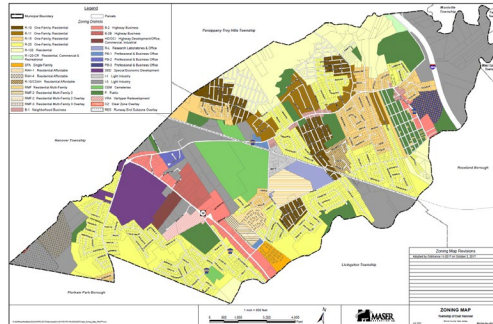
Summary: Amend the Zoning Regulations to prohibit short-term rentals in all zones. Short-term rentals are defined as a residential occupancy of less than 175 days. This prohibition applies to both the dwelling unit as well as the exterior of any residential property, including the pool, pool area and backyard.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 6-2020

Date Adoption Filed: 10/13/20

Summary: This ordinance adopts a new Zoning Map. No new amendments are introduced by this map; it only incorporates several recently adopted zones.



Municipality: TOWNSHIP OF HANOVER

Ordinance: 24-2020

Date Adoption Filed: 10/13/20

Summary: Amend the Land Use and Development Regulations to adjust the standards applicable to the RM-6 - Residence District. The RM-6 District is located on the east side of Airport Rd. and permits multi-family inclusionary development. The changes include the following:

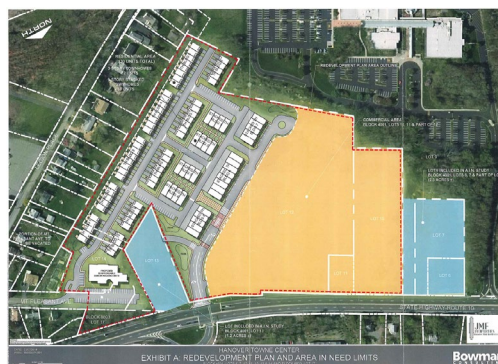
- Impose a maximum buildout of 325 units.
- Remove the existing maximum density of 11 units per acre.
- Reduce the minimum tract size from 25.45 acres to 24 acres.
- Eliminate the minimum of 42 affordable units while maintaining the 15% affordable set-aside.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 26-2020

Date Adoption Filed: 10/13/20

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 with townhouses, affordable senior multi-family, and B-10 District uses. Ordinance 26-2020 amends the Redevelopment Plan to permit an alternative development option permitting B-10 District uses in accordance with the standards for the B-10 District within the blue and orange areas of the map below:

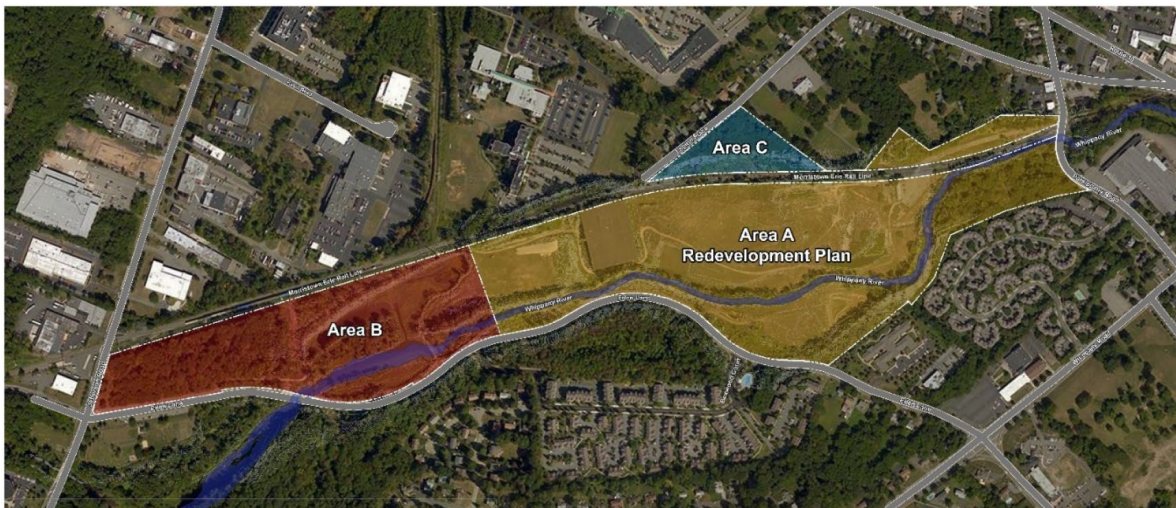


Municipality: TOWNSHIP OF HANOVER

Ordinance: 27-2020

Date Adoption Filed: 10/13/20

Summary: The River Park Redevelopment Plan: Area A was adopted by Ordinance 58-2019 in December 2019 and permitted mixed-use inclusionary development for the portion of the former Whippany Paper Board Company site shown as “Area A” on the map below. Permitted uses included multi-family, townhouses, special needs homes and various nonresidential uses such as retail, offices and hotels. Ordinance 27-2020 replaces this plan with the River Park Amended and Restated Redevelopment Plan, which adds development standards for the portion of the site shown as “Area B” on the map below and makes several amendments to the standards applicable to development in “Area A” as well. The portion shown as “Area C” shall be addressed in a future plan.



The 34.7-acre Area B consists of the western portion of Block 3801, Lot 2 and is bounded by S. Jefferson Rd. to the west, Eden Ln. to the south and the M & E Railroad to the north. Area B shall be designated as the RP-B Town Center District. Standards for the RP-B District include but are not limited to the following:

- Permitted Uses: multi-family, townhouses, one office building, open space (such as parks, plazas and walkways), recreation or amenity buildings, and transit station/stops.
- Minimum Tract: 20 acres / Minimum Lot: none
- Maximum Residential Units: 500 units, 15% of which must be affordable
- Maximum Office: 18,000 gross sq. ft. (of which not more than 14,000 sq. ft. shall be usable)
- Maximum Height: Residential - 6 stories / 76 ft., Office Building - 4 stories / 54 ft.
- Maximum Building Coverage: 40%; Maximum Improvement Coverage: 60%

Changes to the standards applicable to the RP-A District (Area A) include the following:

- Nonresidential uses are no longer restricted to the ground level, and may be on the second or basement levels as well.
- Elimination of the minimum lot area for future subdivision of the tract.

Municipality: TOWNSHIP OF LONG HILL

Ordinance: 463-20

Date Adoption Filed: 10/15/20

Summary: Amend the Land Use Regulations to establish a new inclusionary zoning district, the R-MF 5 - Multi Family Residential Zone 5, and amend the Zoning Map to reclassify Block 11001, Lot 22 from the R-4 - Residence Zone to the new R-MF 5 Zone. The stated purpose of this ordinance is to replace the affordable units originally expected to be situated in the Valley Road Redevelopment Area that have since been determined not to be feasible due to environmental constraints. The 8.2-acre lot at 488-490 Valley Rd. / County Rt. 512 includes a mixed-use commercial / residential structure. The rear of the lot is wooded with wetlands. Single-family homes are located to the northeast and southwest along Valley Rd. High-tension electric wires and a JCP&L substation are to the west. NJ Transit rail lines border the property on the north. Standards applicable to the new R-MF 5 Zone include the following:

- Permitted Use: Multi-family
- Maximum Units: 100
- Affordable Set-Aside: Not less than 15 units or 15% if rental or 20 units or 20% if for-sale
- Minimum Lot: 7 acres
- Maximum Height: 3 stories over parking or 50 ft., whichever is less
- Maximum Building Coverage: 20%, Maximum Lot Coverage: 40%, Floor Area Ratio: 0.5



Municipality: TOWNSHIP OF MINE HILL

Ordinance: 13-20

Date Adoption Filed: 10/16/20

Summary: Amend the Land Use Regulations to require applicants for major subdivisions and major site plans to enter into a developers agreement with the Township as a condition of any approvals granted by the Planning Board for such applications. In addition, various amendments are made to the regulations related to the performance guarantees developers must furnish to cover the cost of required improvements. For example, the developer shall reimburse the Township for reasonable inspection fees paid to the Township Engineer for the inspection of improvements.

Municipality: TOWN OF MORRISTOWN

Ordinance: O-29-2020

Date Adoption Filed: 10/14/20

Summary: Amend the Land Use Regulations to require that, at closing time for outside eating and drinking areas at liquor-licensed restaurants, nightclubs and bars, patrons shall be asked to move to areas inside the establishment or to leave. Within 30 minutes of the closing of the outside area, the establishment shall make sure that all furniture, apparatus, decorations and appurtenances, and any other items used in connection with the operation of the outside area, are stacked and stored in a safe and secure location.

Municipality: TOWN OF MORRISTOWN

Ordinance: O-33-2020*

Date Adoption Filed: 10/29/20

Summary: Amend the Land Use Regulations to establish regulations pertaining to the use of attics and basements as residential spaces. Examples of the new regulations include the following:

- An attic or basement may be a habitable room only in owner occupied single-family residences.
 - It is prohibited for a residence to have both a habitable basement and a habitable attic.
 - Renovation of attics and basements shall be restricted to one large habitable area and may not be divided into multiple rooms for habitation, with the exception of a bathroom.
 - The attic shall be an integral part of the single-family home and shall be used by the household occupying the remainder of the house. The attic shall not be rented to any third party unaffiliated with the household or person not having access to and use of the remainder of the residence.
 - Basements shall not contain a kitchen or kitchen facilities.
 - Basements used as bedrooms must have a second means of egress.
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Municipality: TOWNSHIP OF MORRIS

Ordinance: 20-2020*

Date Adoption Filed: 10/22/20

Summary: This ordinance makes a variety of amendments to the Land Use and Zoning Regulations. Examples of the changes include the following:

- The term “Churches” is replaced with “Places of Worship.”
 - Under existing regulations, Places of Worship as a conditional use have a minimum site area per square foot of floor area that varies by zone as well as a minimum open space percentage that also varies by zone. This system is replaced by minimum lot sizes and minimum setbacks that vary by number of accessory buildings, regardless of zone, as well as several other standards as to factors such as building and impervious coverage and maximum height.
 - Establish standards for Public and Private Schools as a conditional use. For example: Minimum Lot Size: Elementary: 10 acres, Middle: 20 acres, High: 30 acres; Maximum Height: 2 ½ stories / 35 feet.
 - Add definitions for the following terms: Place of Assembly, Place of Worship and Public or Private Schools.
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Municipality: BOROUGH OF NETCONG

Ordinance: 2020-4

Date Adoption Filed: 10/20/20

Summary: Ordinance 2020-4 adopts the ShopRite Redevelopment Plan for Block 28, Lots 15 through 21, which were designated an Area in Need of Redevelopment by Resolution 2018-78 in July 2018. The Redevelopment Plan Area consists of seven lots totaling 3.9 acres on US Hwy 46 and is the 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. Netcong Station is to the northwest and the retail areas of downtown Netcong are to the north. Single-family neighborhoods surround the Plan Area south of US Hwy 46. All seven lots are in common ownership. Existing zoning is split between the B-C - Borough Center District and the R-2 - Single Family Residential District.



Improvements contemplated include an approximately 1,600 sq. ft. vestibule addition to the front façade of the existing supermarket, an approximately 11,500 sq. ft. addition of retail space connected to the eastern portion of the supermarket, an approximately 4,500 sq. ft. mezzanine above the ground level of the supermarket, and either a stand-alone fast food restaurant or a bank with drive up window service, or an approximately 16,000 sq. ft. expansion of the supermarket along the western portion of the property. Renovation of the existing façade is also contemplated. The single-family homes are expected to be demolished. The Redevelopment Plan standards shall supersede existing zoning. These standards include the following:

- **Permitted Uses:** Supermarkets, banks, restaurants and cafes. A minimum of 40,000 sq. ft. of floor area, exclusive of any mezzanine area, shall be devoted to supermarket use, which may include a supermarket fulfillment center in the approximately 11,500 sq. ft. addition to the eastern portion of the supermarket.
- **Minimum Lot:** 3.75 acres
- **Maximum Floor Area Ratio:** 0.35
- **Maximum Impervious Coverage:** 95%
- **Maximum Height:** 30 feet (except the supermarket may have two tower elements with a maximum height of 34 feet)

Municipality: TOWNSHIP OF ROCKAWAY

Ordinance: O-20-18

Date Adoption Filed: 10/2/20

Summary: Amend the Land Use and Development Regulations to permit the following uses in the I - Industrial District and the PED - Planned Economic District:

- Medical Cannabis Alternative Treatment Centers, defined as including the following:
 - Medical Cannabis Clinical Registrants
 - Medical Cannabis Cultivators
 - Medical Cannabis Dispensaries
 - Medical Cannabis Manufacturers
- Cannabis Research and Development Facilities

Examples of the standards imposed on such uses include the following:

- A license for such use must be obtained from the State of New Jersey and the Township of Rockaway.
- Such use shall operate in complete compliance with the terms and conditions of its license.
- Such use shall have equipment to mitigate cannabis-related odor.
- All facilities associated with cannabis shall be secured and shall have fulltime security protocols.

*Ordinance introduction and adoption notices received during the same month.

PROPOSED ORDINANCES RECEIVED: 8
ADOPTED ORDINANCES RECEIVED: 13
TOTAL ORDINANCES PROCESSED: 21