

LAND DEVELOPMENT ORDINANCES INTRODUCED: JUNE 2022

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

Municipality: TOWNSHIP OF BOONTON

Ordinance: 907

Public Hearing Date: 8/8/22

Summary: Amend the Tree Protection and Removal section of the Land Use Regulations to add a new subsection establishing tree replacement criteria (including one-for-one replacement) and a new subsection establishing a tree banking system to fund off-site tree plantings where on-site replacement plantings are impractical.

Municipality: TOWNSHIP OF HARDING

Ordinance: 08-2022

Public Hearing Date: 7/11/22

Summary: Amend the Land Use and Development Regulations so that open children’s play structures that have a rectangular footprint of less than 250 square feet and a height of twelve feet or less shall be subject to a setback requirement of one-half of the normally required setback distance or ten feet, whichever is greater.

Municipality: TOWNSHIP OF HARDING

Ordinance: 09-2022

Public Hearing Date: 7/11/22

Summary: Amend the Land Use and Development Regulations as they pertain to the R-1 - Residence and RR - Rural Residential Districts in order to establish a maximum building area of 3,920 square feet where any structures are set back less than 150 feet from the front lot line or road line.

Municipality: TOWNSHIP OF HARDING

Ordinance: 10-2022

Public Hearing Date: 7/11/22

Summary: Amend the Land Use and Development Regulations in order to permit Electric Vehicle Supply/Service Equipment and Make-Ready Parking Spaces as accessory uses in the B-1 - Historic Business, B-2 - Business and OB - Office Building Districts.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2022-22

Public Hearing Date: 7/19/22

Summary: Amend the Land Use and Development Regulations to establish a new overlay district, the TFRO - Two-Family Residential Overlay District and amend the Zoning Map to place Block 110, Lots 18, 18.1, 19, 19.A, 20 and 21.1, and Block 111, Lots 1, 3, 4, 15.2, 15.8, 16 and 17.1 into the newly established overlay. The new TFRO Overlay is approximately 12 acres in size and is located on both sides of Main Road / US Hwy. 202, from its intersection with Alpine Road to its intersection with Hollister Road. It is bounded by the Lincoln Park border to the east and the New Jersey Transit railroad to the north. The overlay consists of single-family detached and two-family dwellings. The surrounding neighborhood is predominantly single family detached, although a gas station is located to the west. The underlying R-20A Residential District zoning shall remain in effect (permits single-family detached dwellings on 20,000 sq. ft. lots). The entire overlay is located within the CWR - Critical Water Resources Restricted Area Overlay and a portion of the overlay is located within the Morris Canal in Montville Historic Overlay. Standards applicable to the new TFRO Overlay include the following:

- Permitted Uses: Two-Family Dwellings
- Minimum Lot: 40,000 sq. ft.
- The lot shall have frontage on Main Road / US Hwy. 202
- All requirements applicable to single-family detached dwellings in the R-20A Residential District and the CWR Restricted Area Overlay shall apply, except for minimum lot area.
- Development in any portion of the TFRO Overlay that is also situated within the Morris Canal in Montville Historic Overlay shall adhere to the regulations relating to historic preservation.



Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2022-23

Public Hearing Date: 7/19/22

Summary: This ordinance adopts the 65 Route 46 Redevelopment Plan, amends the Land Use and Development Regulations to establish a new zoning district, the BIR - Business Industrial Redevelopment District, and amends the Zoning Map to rezone Block 184, Lot 2.01 (65 Route 46) from the B-3 - Business District to the newly established BIR District. This site was designated a Non-Condensation Redevelopment Area on January 25, 2022. The 18.4-acre tract is located on the southern side of the Rt. 46 / State Hwy. 159 interchange and is bounded by both the Passaic River and the Fairfield Township border to the south. The tract is utilized for bus charter services and bus washing, repairs, storage and fueling. Industrial and commercial uses are located along Route 46 to the west. The former G.I. Auto Salvage site is located to the north. A Home Depot is located to the northeast. The standards applicable to the new BIR District include the following:

- Permitted Uses: Warehousing, manufacturing, packaging, laboratories, and all principal uses permitted in the B-3 District.
- Minimum Lot: 4 acres
- Maximum Height: 60 feet
- Maximum Building Coverage: 30%
- Maximum Impervious Coverage: 65%



Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2022-24

Public Hearing Date: 7/19/22

Summary: This ordinance amends Schedule C: Schedule of Permitted Uses and Schedule D: Schedule of Area and Bulk Requirements, of the Land Use and Development Regulations, to incorporate the standards implemented by Ordinances 2022-22 and 2022-23 (summarized in this report, above). In addition, this ordinance amends the Zoning Map to add the new zoning districts established by Ordinances 2022-22 and 2022-23.

Municipality: TOWNSHIP OF MOUNT OLIVE

Ordinance: 20-2022

Public Hearing Date: 7/26/22

Summary: Amend the Land Use Regulations as they pertain to zoning permits and certificates of occupancy. Examples of the changes include:

- Add soil and fill importation permits as an example of the permits that must be acquired prior to commencement of site improvements.
- Responsibility for granting certificates of occupancy is shifted from the Zoning Officer to the Construction Code Official.
- Eliminate the fee for a certificate of occupancy of \$5 per dwelling unit and \$50 for each 1,000 square feet of gross floor area of nonresidential use.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2022:16

Public Hearing Date: 7/19/22

Summary: Amend the Land Use and Development Regulations to adopt a new Stormwater Management Controls section. These regulations establish minimum stormwater management requirements and controls for applicable developments.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2022:19

Public Hearing Date: 7/19/22

Summary: Amend the Land Use and Development Regulations to permit Limited Continuum of Care Communities as a conditional use in the ROL - Research, Office and Laboratory District. Limited Continuum of Care Communities are defined as facilities that are licensed by the New Jersey Department of Health combining apartment-style Independent Living Residences and Assisted Living Residences in a homelike environment within a single building, and providing a variety of continuum of care services typical of such residences, as well as Acute Care Services. Such communities shall not be construed to include Continuing Care Retirement Communities, Hospice Facilities, Long-Term Care Facilities, Nursing Homes / Nursing Facilities or Respite Care Facilities, nor shall they provide services typical thereof.

LAND DEVELOPMENT ORDINANCES ADOPTED: JUNE 2022

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2022-09

Date Adoption Filed: 6/9/22

Summary: Amend the Land Use Regulations to establish procedures whereby an applicant may request the Township to rezone a property. Such procedures shall include the submission of specified documentary evidence which shows the appropriateness of a request for a rezoning, payment of a fee and escrow, and a timeline for review and recommendations by the Township Planning Board and action by the Township Council.

Municipality: TOWNSHIP OF MINE HILL

Ordinance: 06-22

Date Adoption Filed: 6/17/22

Summary: Amend the Land Use Regulations to reduce the minimum distance between a detached garage and all other structures from twenty feet to ten feet.

Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 17-22*

Date Adoption Filed: 6/24/22

Summary: Amend the Land Use Regulations to create a new inclusionary zoning district, the VCR-5 - Village Center Residential 5 District, and amend the Zoning Map to rezone the majority of Block 119, Lot 130 from the VCC - Village Center Commercial District to the new VCR-5 District (the southern 11% of the parcel is not included). This vacant and wooded 15-acre district is located on W. Hanover Ave. / County Rt. 650, approximately 250 feet north of its intersection with Sussex Tpke. / County Rt. 617. The Woodmont Townhomes are located to the west. An Acme Supermarket is located to the southwest. Morris County owned parkland (James Andrews Park) is located to the north. The standards applicable to the new zoning district include the following:

- Permitted Uses: Multifamily dwelling units, including but not limited to buildings with apartment flats with common stairways, buildings with direct entry to individual units, stacked townhouse buildings, and buildings with flats with a central corridor or any combination of the foregoing within a building.
- Maximum Dwelling Units: 125
- Minimum Lot: 10 acres
- Maximum Density: 15 units per acre
- Maximum Height: 3 stories / 50 feet
An additional one story and five feet is permitted for buildings containing a combination of a clubhouse and residential units provided the side yard setback of the building is at least 60 feet.
- Maximum Building Coverage: 30%; Maximum Impervious Coverage: 65%
- Affordable Set-Aside: 20% as age-restricted affordable units, but not less than 25 affordable units (the remaining market units may be family units)



Municipality: BOROUGH OF WHARTON

Ordinance: O-10-22

Date Adoption Filed: 6/15/22

Summary: Ordinance O-10-22 adopts the L.E. Carpenter Redevelopment Plan Amendment, dated March 9, 2022. The Plan Amendment applies to four lots totaling 29.6 acres bounded by North Main Street / County Route 634 to the northwest, Chegwiddden Way / County Route 634 Alt. to the north and Harry Shupe Boulevard to the south. The area is bisected by the Rockaway River, which runs from the east to the west. The western three lots are vacant, while the eastern lot is utilized for trailer parking. A senior apartment building and industrial uses are located to the south. Vacant wooded land is located to the north and east, some of which is state owned. The area is a designated Area in Need of Redevelopment. This Plan Amendment supersedes all prior Redevelopment Plans for the three western lots and acts as an overlay, supplemental to the underlying zoning and prior Redevelopment Plans, for the eastern lot.

The western three lots, Block 301, Lot 1.01, Block 801, Lot 3 and Block 903, Lot 2.03, shall be rezoned from the I-1 - Planned Industrial and MB - Mixed Business Districts to a newly created MFI - Multifamily Tract District, while the eastern lot, Block 903, Lot 2, shall be placed in a new MFI - Multi-Family/Industrial Overlay District, while maintaining the underlying MB - District zoning as well as the prior Redevelopment Plans. The standards applicable to the new districts include the following:

MFI District:

- Permitted Uses: Apartments, Multi-Family Dwellings, Garden Apartment Dwellings, Multi-Family Housing Developments, and/or Dwelling Units.
- Maximum Dwelling Units: 440
- Maximum Height: Block 903, Lot 2.03 - 4 st./55 ft.; Block 801, Lot 3 and Block 301, Lot 1.01 - 5 st./65 ft.
- Maximum Building Coverage 40%; Maximum Impervious Coverage: 85%
- Affordable Set-Aside: 15% (*Up to 50% of the affordable units may be provided outside the Plan Area. Such units shall be non-age-restricted and may be "market to affordable" units or newly constructed units.*)
- This Plan proposes to relocate the Wharton Borough owned Rail Trail right-of-way to permit better use of the land within the Plan Area and states that the relocation may utilize some County right-of-way such that coordination with the County will likely be required.

MFI Overlay District: In addition to uses permitted by the underlying MB District and the prior Redevelopment Plans, MFI Drainage Improvements shall be permitted.

