

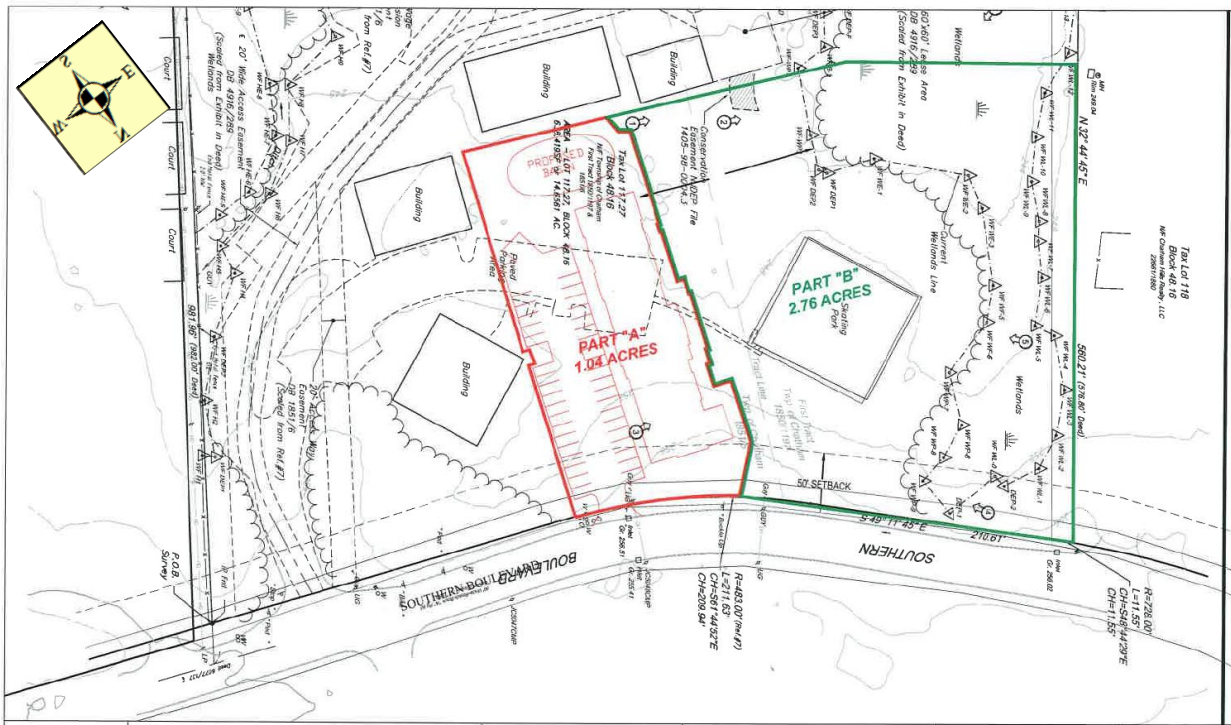
ZONING ORDINANCES INTRODUCED: MARCH 2020

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-04

Public Hearing Date: 3/26/20

Summary: In December of 2018, Ordinance 2018-22 adopted the Redevelopment Plan for a 3.8-acre portion of Block 48.16, Lot 117.27, which is a Non-Condemnation Area in Need of Redevelopment. The Redevelopment Plan Area is located at 401 Southern Blvd. / County Rt. 647 and is the site of a skate park. The rest of Lot 117.27 (to be subdivided from the Redevelopment Plan Area) includes the Chatham Township Police Department and the Department of Public Works facilities. The immediately surrounding area is dominated by open space and recreational uses. To the northwest is the Chatham Hills Subacute Care Center. Under the Redevelopment Plan, 24 affordable multi-family apartments were to be constructed on this site (representing the off-site affordable housing obligation of a new 54-unit 100% market rate townhouse development known as the Dixiedale project). Under Ordinance 2020-04, the Redevelopment Plan is amended to subdivide the 3.8 acre Redevelopment Area into two parts, the 1.04-acre Part A, to be conveyed to a redeveloper for construction of 24 affordable multi-family apartments, and the 2.76-acre Part B, to be retained by the Township for public purposes, including affordable housing. The minimum lot size is cut from 3 acres to 1.04 acres. The maximum building coverage is increased from 15% to 30% and the maximum impervious coverage is increased from 30% to 70%.



Municipality: TOWN OF MADISON

Ordinance: 9-2020

Public Hearing Date: 3/12/20

Summary: Amend the Land Development Regulations to add a new section establishing regulations for solar energy systems. Examples of the new regulations include the following:

- Solar energy systems shall be installed in as inconspicuous and unobtrusive a manner as possible.
- Solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system.
- A roof mounted solar energy system shall serve only the lot where it is located.
- A ground mounted solar energy system shall not be constructed on any lot that does not contain a permitted principal structure.
- No installation of solar energy systems shall be permitted without a zoning permit.
- For solar energy systems to be located in the Bottle Hill or Civic Commercial Historic Districts, approval must be obtained from the Madison Historic Preservation Commission.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 07-20

Public Hearing Date: 6/3/20

Summary: Ordinance 07-20 adopts the Abbey / Alnwick Hall Redevelopment Plan, which provides standards for the redevelopment of the historic mansion located at 355 Madison Ave. / State Highway 124. The four acre parcel (Block 8409, Lot 1) was designated a Non-Condensation Redevelopment Area in October 2018. It has frontage on Madison Ave. to the east and Canfield Rd. to the north. Office buildings are to the northeast and northwest. Single family homes are to the south and west. The 21,000 sq. ft. mansion, originally known as Alnwick Hall, was constructed in 1904. From 1961 to 1984, it served as a church and was then converted to an office building known as The Abbey. The building has been vacant since 2008. The redevelopment area is located in the OS/GU Open Space / Government Use District.



Standards applicable to the Abbey / Alnwick Hall Redevelopment Area include the following:

Permitted Uses:

- A home furnishing store which may include galleries, showroom spaces, an outdoor patio for display of merchandise, consultation and meeting areas, and offices for related design services.
- A restaurant, operated under common control with the home furnishings store, which may include a related wine bar.

Indoor Space: 44,000 sq. ft. (exclusive of basement) distributed as follows:

- ±14,000 sq. ft. of the existing Abbey to be repurposed for retail gallery or showroom spaces spread roughly evenly between the first and second floors.
- A new modern gallery of ±15,000 square feet, spread across two floors.
- A restaurant and associated wine bar of ±15,000 square feet, containing a single-story restaurant with indoor seating and food and beverage preparation space. A maximum of 120 indoor seats at the restaurant and 44 indoor seats at the wine bar.

Basement: ±14,500 sq. ft. of basement space in both the existing Abbey and new gallery for showrooms, storage, office, or other employee functions.

Demolition: The narrow southern wing and the entrance on the southwestern side shall be demolished.

Other: Max. Height (new construction): 2 st. / 42.5 ft; Max. Building Coverage: 25%; Max. Lot Coverage: 65%

Municipality: TOWNSHIP OF MORRIS

Ordinance: 08-20

Public Hearing Date: 5/20/20

Summary: Amend the Zoning Regulations to prohibit automotive service stations operated in conjunction with a convenience store.

Municipality: TOWNSHIP OF MOUNT OLIVE

Ordinance: 7-2020

Public Hearing Date: 3/31/20

Summary: Amend the Land Development Regulations to add a new section establishing enforcement mechanisms for the affordable housing regulations.

Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 03-20

Public Hearing Date: 3/19/20

Summary: Amend the Land Development Regulations to add a new section establishing enforcement mechanisms in cases involving violations of the regulations pertaining to affordable housing units.

ZONING ORDINANCES ADOPTED: MARCH 2020

Municipality: TOWN OF BOONTON

Ordinance: 19-19

Date Adoption Filed: 3/4/20

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the MAO - Myrtle Avenue Overlay District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

Municipality: TOWN OF BOONTON

Ordinance: 20-19

Date Adoption Filed: 3/4/20

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the R-1E - Residence District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

Municipality: TOWN OF BOONTON

Ordinance: 21-19

Date Adoption Filed: 3/4/20

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the AH-I - Affordable Housing-Industrial District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 7-2020

Date Adoption Filed: 3/17/20

Summary: Amend the Land Use and Development Regulations to clarify, add and eliminate various submission requirements as part of the development application checklists. The stated purpose is that many of the existing checklists are unnecessarily duplicative and should be condensed into a smaller number.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 8-2020

Date Adoption Filed: 3/17/20

Summary: Amend the Land Use and Development Regulations to establish a new zoning district for the site of the existing Waterview townhouse development, and rezone this site from the PU - Public Uses District to the newly created RM-5 Residence District. In addition, single-family attached and multifamily units are removed as permitted uses in the PU District. The Waterview townhomes are located on a five-acre tract on Waterview Ct., just southeast of its intersection with The American Rd. in Morris Plains. The purpose of the rezoning is to recognize and promote the continuation of the existing townhouse development.



Standards applicable to the new RM-5 District include the following:

- **Permitted Uses:** Townhouses and multifamily
- **Minimum Tract:** 5 acres
- **Maximum Density:** 12 units per acre
- **Maximum Building Coverage:** 25%; **Maximum Improvement Coverage:** 55%
- **Maximum Height:** 3 stories / 48 feet

Municipality: BOROUGH OF MADISON

Ordinance: 5-2019

Date Adoption Filed: 3/4/20

Summary: Amend the Land Development Regulations to require that immediately following the installation of the foundation for any new principle structure and prior to the commencement of the framing of the building, a foundation location and elevation survey shall be submitted to the Municipal Engineer, Zoning Officer and Construction Official for purposes of establishing (a) compliance with applicable zoning setback and yard requirements and (b) compliance with the individual lot grading plan approved by the municipality for the development.

Municipality: BOROUGH OF MORRISTOWN

Ordinance: O-12-2019

Date Adoption Filed: 3/4/20

Summary: Amend the Land Development Regulations to add a new section, Demolition of Buildings. The existing Demolition of Buildings section of the Town Code shall be repealed. Examples from the new section include the following:

- No person shall remove or demolish any building or structure without first filing with the Zoning Officer an application and obtaining a permit. This shall apply to all principle or accessory buildings and accessory structures in excess of 120 sq. ft.
- Within ten days of receipt of an application for a demolition permit, the Zoning Officer shall refer such application to the Historic Preservation Commission for review. The commission shall have 45 days to determine if the structure proposed for demolition should be deemed “Preferably Preserved,” based on its meeting one or more of the following criteria:
 - 100 years old or older
 - Historic Resource in the Town’s Master Plan
 - Listed or deemed eligible for the National Register of Historic Places
 - Located within a State or National Historic District
- If the Historic Preservation Commission does not deem the structure to be Preferably Preserved, the Zoning Officer shall issue the demolition permit. If the commission determines the structure to be Preferably Preserved, the commission shall recommend to the Zoning Officer that the demolition permit be denied. The denial of a permit may be appealed to the Zoning Board of Adjustment. If the ZBA finds in the applicant’s favor, the Zoning Officer shall issue a demolition permit. If the denial is affirmed by the ZBA, a demolition permit shall not be issued until the applicant has demonstrated the following to the Zoning Officer.
 - Notice of the proposed demolition has been posted on the site for a period of nine months and notice has been published in the Town’s official newspaper for the first ten days and last ten days of the notice period.
 - Applicant has worked with the Historic Preservation Commission to evaluate viable alternatives to demolition.
 - Applicant has made good faith attempts to sell or rent the property.
 - Applicant has allowed the commission to document and take photographs of the property, interior and exterior of the building, and all structures that may be affected and obtain historical records, maps, plans and reports related to the site and structures.

Municipality: TOWN OF MORRISTOWN

Ordinance: O-11-2020

Date Adoption Filed: 3/11/20

Summary: Amend the Land Development Regulations to add a new section regulating short-term rentals. These are defined as the rental for compensation of a dwelling, or portion of a dwelling, for overnight lodging for a period of not less than one night and not more than 28 consecutive days. This definition shall not include hotels, motels, and bed and breakfast inns. Examples of the new regulations include the following:

- Short-term rentals will be permitted in the following classifications of properties:
 - Units located in a condominium association, homeowners association or cooperative association, where the association’s bylaws, master deed or other governing documents permit short-term rentals.
 - Any lawfully existing accessory structure for which a certificate of habitability has been issued and is located on the same property as an owner-occupied residence.
 - One unit within a two, three or four-family property, provided that the property is owner-occupied.
- Short-term rentals shall only be permitted in the Town Core Zone and are prohibited in all other zoning districts.

- An annual short-term rental license and six-month certificate of habitability are required.
- There shall be no sign identifying the short-term rental use.
- The short-term rental use shall be conducted in a manner that does not disrupt or adversely affect the residential character of the neighborhood.

Staff Comments: This ordinance replaces proposed Ordinance O-41-2019 which was first introduced in October 2019 and further amended in November 2019, but was never adopted. Ordinance O-11-2020 differs from proposed Ordinance O-41-2019 in a number of ways. For example, short-term rentals are now restricted to the Town Core Zone. The maximum stay in a short-term rental is cut from 30 days to 28 days.

PROPOSED ORDINANCES RECEIVED: 6
ADOPTED ORDINANCES RECEIVED: 8
TOTAL ORDINANCES PROCESSED: 14