

ZONING ORDINANCES INTRODUCED: SEPTEMBER 2020

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-17

Public Hearing Date: 10/8/20

Summary: This ordinance adopts the Proposed Redevelopment Plan for 522 Southern Boulevard in order 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

Public Hearing Date: 10/5/20

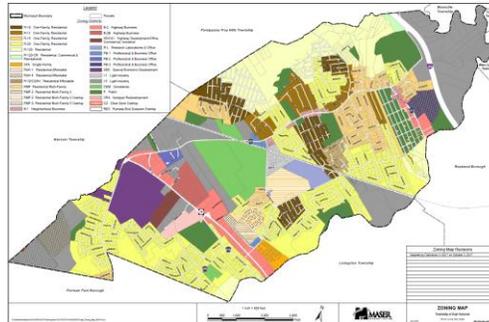
Summary: Amend the Zoning Regulations to prohibit short-term rentals in all zones. Short-term rentals are defined as a residential occupancy of less than 175 days. This prohibition applies to both the dwelling unit as well as the exterior of any residential property, including the pool, pool area and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

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 6-2020

Public Hearing Date: 10/5/20

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

Public Hearing Date: 10/8/20

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

Public Hearing Date: 10/8/20

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

Public Hearing Date: 10/8/20

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 non-residential 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, Edén 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

Public Hearing Date: 10/14/20

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

Public Hearing Date: 10/15/20

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

Public Hearing Date: 10/13/20

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.

ZONING ORDINANCES ADOPTED: SEPTEMBER 2020
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Municipality: BOROUGH OF FLORHAM PARK

Ordinance: 20-15*

Date Adoption Filed: 9/28/20

Summary: Amend the Zoning Regulations to permit Senior Citizen Housing Communities as a conditional use in the POD-S - Planned Office District South. In addition, the maximum permitted commercial uses shall be adjusted when such Senior Citizen Housing Communities are developed. The POD-S District is located off Park Ave. / County Rt. 623 and includes, for example, the Jets Training Center and an age restricted 425-unit single-family development under construction. Senior Citizen Housing Communities shall be defined as a residential community providing a continuum of care primarily for senior citizens and consisting of independent living units, assisted living units and memory care units, together with support uses and services. The standards for such communities as a conditional use include the following:

- Minimum Lot Size: 9 acres
 - Maximum Units: 240 units
 - Maximum Height: 3 st. / 45 ft. (without parking underneath) or 4 st. / 60 ft. (with parking underneath)
 - Maximum Building Coverage: 25%; Maximum Improved Lot Coverage: 65%
 - If the conditionally permitted Senior Citizen Housing Community is developed, the gross floor area of a Planned Commercial Development shall not exceed 564,196 sq. ft. as a permitted use or 1,464,196 sq. ft. as a conditional use
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Municipality: TOWNSHIP OF HANOVER

Ordinance: 22-2020

Date Adoption Filed: 9/11/20

Summary: Amend the Land Development Regulations to clarify the regulations applicable to the expiration of variances if such variances are not pursued in a timely manner. For example, variances granted by the Planning Board or Zoning Board of Adjustment shall expire unless the development that was the subject of the variance is substantially commenced. This is clarified by adding a definition for “substantial commencement” as follows: “actual material construction and/or alteration of the improvements, or the issuance of a certificate of occupancy and/or habitability in the case of changes of use, that were the subject of the variance application, but shall not include demolition of existing structures, removal of debris, clearing, tree removal, installation of silt fencing or other such pre-construction activities that would be permitted without such variance.”

Municipality: BOROUGH OF MADISON

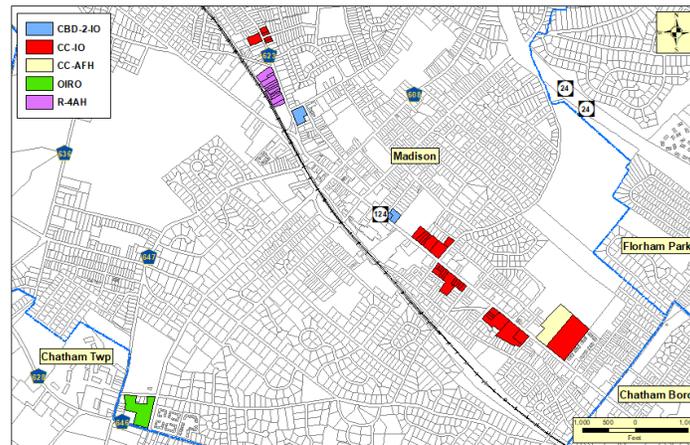
Ordinance: 26-2020

Date Adoption Filed: 9/16/20

Summary: Amend the Land Development Regulations to make various changes related to affordable housing, including the establishment of new inclusionary housing districts. This ordinance replaces Ordinance 24-2020, which was introduced in July 2020 but then withdrawn. Examples of the changes introduced by Ordinance 26-2020 include the following:

- Add Inclusionary Multi-Family as a permitted use in the CBD-2 District.
- Establish a new inclusionary overlay district, the CBD-2-IO - Inclusionary Overlay District, at Block 1501, Lot 1 (in the R-5 District on the corner of Park Ave. and Ridgedale Ave., largely wooded, but with two small barns) and Block 2001, Lots 14 and 15 (in the CBD-1 District, site of an office building and transmission repair shop, on the corner of Main St. and Alexander Dr.). Inclusionary multi-family development shall be the permitted use under CBD-2 standards, except for Block 1501, Lot 1, for which maximum impervious coverage and height shall be increased by 10% and 5 feet respectively.
- Establish a new inclusionary overlay district, the CC-IO - Inclusionary Overlay District, on 31 parcels along the Park Ave. / Main St. retail / commercial corridor. The vast majority of these parcels are in the CC District. Inclusionary multi-family development shall be the permitted use with a maximum density of 18 du/ac for lots under 100,000 sq. ft. and 20 du/ac for lots over 100,000 sq. ft., a minimum lot area of 10,000 sq. ft., and a maximum height of 3 stories / 38 feet.
- Establish a new inclusionary zoning district, the CC-AFH - Affordable Housing District, and rezone Block 2208, Lot 26 (site of the 64-unit Madison Mall Apartments on Main St.) from the CC District to the newly established CC-AFH District. Multiple-family dwellings and garden apartments shall be the permitted uses. A maximum of 40 additional units shall be permitted, 25% of which must be affordable.
- Establish a new inclusionary overlay district, the OIRO - Optional Inclusionary Residential Overlay District, at Block 4501, Lot 3, site of a church on Green Ave. and Shunpike Rd. in the P - Professional Office Zone / Residential District. Permitted uses shall include inclusionary development in attached single-family homes, townhouses, two-family homes, garden apartments and patio homes with a maximum density of 12 du/ac, a minimum lot area of 80,000 sq. ft.

- Require the housing permitted in the R-SH - Senior Citizen Housing District and R-PH - Residential Public Housing District to be 100% affordable.
- Remove age-restricted multi-family and senior citizen multi-family as permitted uses in the Gateway Districts. Replace them with multi-family inclusionary development. Restrict offices to those in existence at the time of adoption of this ordinance.
- Establish a new overlay district, the R-4AH - Optional Overlay District, on 13 parcels on Park Ave. just south of Elm St. Twelve of these parcels are single or two family homes. One is an industrial use. Permitted uses shall include attached single-family homes, townhouses, two-family homes, garden apartments, multiple-family dwellings, and patio homes with a maximum density of 14 du/ac, a minimum lot area of 15,000 sq. ft., and a maximum height of 2.5 stories / 38 feet.



Ordinance 26-2020 replaces withdrawn Ordinance 24-2020. Examples of the new changes include the following:

- CC-IO - Inclusionary Overlay District: Reduce the minimum lot size from 15,000 sq. ft. to 10,000 sq. ft. and increase the maximum impervious coverage from 65% to 70%.
- Gateway Districts: Restrict offices to those in existence at the time of the adoption of this ordinance.
- Establish a new overlay district, the R-4AH - Optional Overlay District.

Municipality: BOROUGH OF MADISON

Ordinance: 27-2020

Date Adoption Filed: 9/16/20

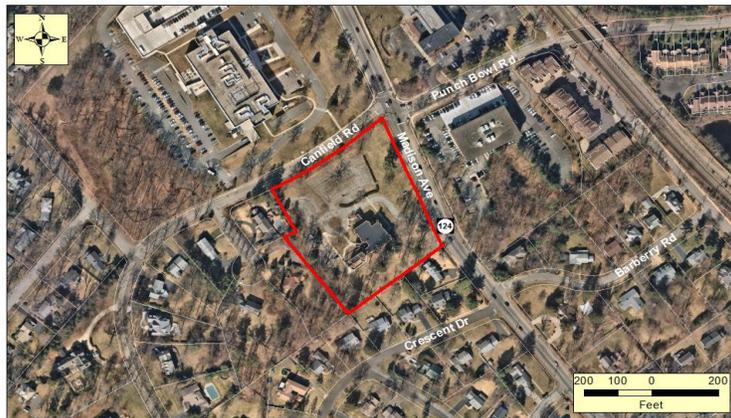
Summary: Amend the Land Development Regulations to add a new chapter regulating and establishing requirements for affordable housing. The new chapter addresses such matters as the maximum rents and sales prices for affordable units, buyer and tenant income eligibility, control periods, enforcement mechanisms, and affirmative marketing requirements. This ordinance replaces Ordinance 25-2020, which was introduced in July 2020 but then withdrawn. Examples of the new changes include the addition of annual reporting requirements for trust fund and affordable housing activity and the removal of a provision that would have permitted rent increases for affordable units to track the Housing Consumer Price Index for the Northeast Urban Area.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 07-20

Date Adoption Filed: 9/24/20

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: 19-20*

Date Adoption Filed: 9/17/20

Summary: The most recent version of the Redevelopment Plan for Block 10401, Lot 3 was adopted by Ordinance 08-18 in March 2018 and called for a mixed-use inclusionary development on the 49.1-acre site of the former Colgate-Palmolive Plant at 191 East Hanover Avenue. That plan permitted townhouses, a multi-family rental building, a group home, various retail uses, offices and hotels. Construction of the townhouse portion of the project is now under way; the non-residential portion has not yet begun. Ordinance 19-20 makes various amendments to the non-residential portion of the plan, including the following:

- Newly added permitted uses: Health and wellness services, instructional schools and studios, pet care and grooming
- Newly added accessory use: Electric vehicle charging stations (mandatory as part of this development)
- Under the original plan, banks, pharmacies and restaurants were permitted one drive-thru for each type of use. Now, three drive-thrus are permitted in total, regardless of the type of use
- Reduce the minimum distance between buildings in the Retail/Commercial component
- Addition of requirements for pedestrian connections and related amenities within the Retail/Commercial component:
 - Continuous pedestrian walkway connecting all buildings, parks and outdoor plazas
 - Pocket park of no less than ¼ acre in size, incorporating a performance venue/stage and water fountain
 - At least two outdoor plazas, one 10,000 sq. ft. in size and the other 5,000 sq. ft. in size



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

PROPOSED ORDINANCES RECEIVED: 11
ADOPTED ORDINANCES RECEIVED: 6
TOTAL ORDINANCES PROCESSED: 17