

LAND DEVELOPMENT ORDINANCES INTRODUCED: AUGUST 2024

Municipality: TOWN OF BOONTON

Ordinance: 18-24

Public Hearing Date: 10/7/24

Summary: This ordinance implements a variety of amendments to the Zoning and Land Use Regulations, examples of which include:

- Permit senior housing as a conditional use in the R-1E - Residence District.
- Permit municipal parks, playgrounds and buildings in the R-2A and R2-B - Residence Districts.
- Change two-family dwellings from a principal permitted use to a conditional use in the R-3A - Residence District, with a minimum lot size of 9,000 square feet.
- Permit professional offices and residential dwellings in the B-1 - Business District, on all floors, except within 25 feet of the primary street facing façade of the ground floor.
- Permit restaurants, commercial recreational facilities, breweries, craft distilleries, pet grooming and institutional uses in the B-1 - Business District.
- Any lot containing a motor vehicle service station within the C-1 - Commercial District may be accompanied by a building with a retail use as a subordinate use to the motor vehicle service station.
- Sidewalks shall be required in all subdivisions.

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2024-17

Public Hearing Date: 9/3/24

Summary: Amend the Land Use Regulations to adopt the NJDEP's model Tree Removal-Replacement Ordinance in order to satisfy the conditions of the Township's New Jersey Pollutant Discharge Elimination System (NJPDES) Municipal Separate Storm Sewer System (MS4) Permit.

LAND DEVELOPMENT ORDINANCES ADOPTED: AUGUST 2024

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2024-13

Public Hearing Date: 8/20/24

Summary: Amend the Land Use Regulations to establish standards for Sober Living Residences, examples of which include the following:

- Sober Living Residences shall be permitted as a conditional use in the R-1, R-2, R-3, R-5 and R-10 Districts.
- Oxford House Model Recovery Homes are excluded as a permitted use in any residential district.
- Occupancy shall not exceed nine individuals and one staff member.
- Shall be on a lot of not less than five acres.
- Sober Living Residences shall be located not less than 1,000 feet from each other.
- A Zoning application is to be submitted to the Township Zoning Officer with proof of a valid “F” license issued by the New Jersey Department of Community Affairs.

Note: A Class F license is required to own or operate a cooperative sober living residence pursuant to N.J.A.C 5:27-1.6.

Staff Comments: *This ordinance was originally introduced in June 2024, however it has now been reintroduced with amendments to prohibit Oxford House Model Recovery Homes. Such recovery homes differ from the permitted Non-Oxford House Model Recovery Homes in that they operate as a single housekeeping unit and do not require a license from the New Jersey Department of Community Affairs.*

Municipality: BOROUGH OF MADISON

Ordinance: 26-2024

Date Adoption Filed: 8/13/24

Summary: This ordinance adopts the 1 Giralda Farms Redevelopment Plan, which will facilitate redevelopment of this property as multifamily and supportive housing. Block 3303, Lot 2 was designated a non-condemnation redevelopment area on May 13, 2024. This 24.3 acre parcel, located at 1 Giralda Farms, is the site of an office building and is part of the larger Giralda Farms campus. An office building is located to the north and the Atlantic Rehabilitation Institute is located to the south. The St. Paul Inside the Walls Catholic Center is located to the northeast. The Chatham Township Giralda Farms Preserve is located to the south and is operated as open space by Morris County. The redevelopment area is currently within the PCD-O - Planned Commercial Development Office District. The standards under the Redevelopment Plan will supersede existing zoning.

Permitted Uses: multifamily dwellings, supportive housing, open space

Minimum Lot: 24.3 acres (if the original parcel is subdivided, the requirements shall continue to be calculated based on the pre-subdivision acreage of 24.3 acres)

Maximum Impervious Coverage: 20%, which may be increased to 27.5% based on various incentives, such as provision of supportive housing on-site, green building components, solar-ready electric and porous paving

Maximum Building Coverage: 9.75%, which may be increased to 11.75% based on various incentives, such as provision of supportive housing on-site and landscaped topsoil areas located over the existing parking deck

Minimum Contiguous Open Space: 9 acres adjacent to the Chatham Township Giralda Farms Preserve

Supportive Housing: Maximum of 40 units/52 beds

Maximum Density (for all units, both multifamily and supportive): 8.0 du/ac, with bonuses as follows:

- If at least 52 beds within 40 units of supportive housing are provided on site, a bonus of 2.0 du/ac.
- If green building components are incorporated in all multifamily buildings, a bonus of 2.25 du/ac
- If the supportive housing building is all-electric and solar ready, a bonus of 1.0 du/ac

If all bonuses were granted, this would result in a maximum density of 13.25 du/ac

Maximum Residential Development: The baseline number of total multifamily units without incentives shall not exceed 195 units, inclusive of a 20% inclusionary housing requirement. The maximum number of residential units, inclusive of multifamily and supportive housing units, shall not exceed 321 total units (281 multifamily units inclusive of at least seven family affordable units and 40 supportive housing units with at least 52 beds).

Staff Comments: According to an article in the [Madison Eagle](#), the Borough Planner reports that 1 Giralda Farms has been three-quarters vacant since the COVID-19 Pandemic, hence the need for redevelopment.



Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2024-25

Date Adoption Filed: 8/21/24

Summary: Amend the Land Use and Development Regulations as they relate to Right-to-Farm and the keeping of animals. Examples of the amendments include:

- Amend the definition of “Agricultural Activities,” “Agriculture” and “Farm” so as to add a requirement that such activities produce products worth \$2,500 or more annually.
- The Right-to-Farm section is amended to specify that the permitted raising and keeping of farm animals must be consistent with the acceptable agricultural management practices recognized by the State Agriculture Development Committee or the Morris County Agriculture Development Board.

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 24-08

Date Adoption Filed: 8/12/24

Summary: This ordinance amends the Downtown Redevelopment Plan’s density standards to allow for small lot infill bonuses. In cases where maximum density is capped at one unit, the maximum density may be increased up to two units so long as the proposed use meets the parking ratio requirements of the plan. In addition, the redeveloper may now request a waiver of the submission requirement of a Traffic Impact Study, where the basis of the waiver is provided in writing and is subject to Borough approval.

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 24-09

Date Adoption Filed: 8/12/24

Summary: This ordinance adopts the 344 US 46 (Block 84, Lot 19) Redevelopment Plan. The plan references Resolution 36-22, adopted in 2022, which designated the *entire borough* as an Area in Need of Rehabilitation. The 5.8-acre site is located at the intersection of US Highway 46 and Woodland Avenue. The site includes an oil distributor, diesel oil tanks, surface parking, and buildings that are in disrepair. In addition, the site is reported to be environmentally contaminated. The US 46 corridor includes industrial and commercial uses, however a mobile home park is located to immediate southwest. The redevelopment plan establishes the site as an overlay zone. The existing underlying zoning, HT/LI - High-Tech/Light Industrial, shall remain as a development option whereby an applicant may develop the site without following the processes in the redevelopment plan. Nevertheless, the redevelopment plan does not have its own separate development standards. Instead, developers who choose to participate would be bound by the development standards of the underlying HT/LI District, while following the processes indicated in the redevelopment plan (obtaining status as the borough designated redeveloper, for example).



Municipality: TOWNSHIP OF ROXBURY

Ordinance: 15-2024

Date Adoption Filed: 8/20/24

Summary: Amend the Land Development Regulations to add warehouse use restrictions to principal and accessory warehouse uses in the I-1, I-3, I-5 and I-10 - Limited Industrial Districts, the flexible office/warehouse uses in the OR-5 - Office Research District and the LI/OR Light Industrial/Office Research District, and the warehouse use in the PO/LI Planned Office/Light Industrial District. The restrictions include the following:

- **Permitted:** Warehouse buildings for which the principal use is one in which goods are received from manufacturers, distributors or wholesale suppliers and stored within the building, for a storage duration prior to being staged and processed for shipment, and thereafter shipped to parties, who are neither the end-users of the goods nor consignees for the end-users, in vehicles no smaller than box trucks.
- **Prohibited:**
 - “Last-Mile” facilities used for direct distribution of goods to the end-users thereof, or their consignees, in vehicles smaller than box trucks.
 - “Cross-Dock” facilities, where goods are delivered, unloaded and re-loaded, after storage within the building for an average period of less than ten days, into trucks or vans, in which the goods are shipped out.

The new restrictions are in response to concerns that Last-Mile and Cross-Dock facilities will have adverse impacts as reflected by the latest edition of the Institute of Transportation Engineers Trip Generation manual, which newly breaks down the warehouse category and indicates that Last-Mile and Cross-Dock facilities generate high traffic volumes.

Municipality: TOWNSHIP OF ROXBURY

Ordinance: 17-2024

Date Adoption Filed: 8/20/24

Summary: Amend the Land Development Regulations to establish a new Zoning Board of Adjustment Checklist.

Municipality: TOWNSHIP OF ROXBURY

Ordinance: 18-2024

Date Adoption Filed: 8/20/24

Summary: Amend the Land Development Regulations to establish new standards for fences and walls in residential districts, examples of which include:

- The maximum height for fences and walls shall be four feet in the front yard and six feet in the side or rear yards.
- No fence shall be erected of barbed wire, topped with metal spikes, nor constructed of any material or in any manner which may be dangerous to persons or animals.
- The finished side of fences shall face adjacent properties.

PROPOSED ORDINANCES RECEIVED: 2; ADOPTED ORDINANCES RECEIVED: 8; TOTAL ORDINANCES PROCESSED: 10