

LAND DEVELOPMENT ORDINANCES INTRODUCED: MAY 2023

Municipality: BOROUGH OF CHESTER

Ordinance: 2023-06

Public Hearing Date: 6/20/23

Summary: Amend the Land Development Regulations as follows:

- Reduce the side and rear setback requirements for accessory buildings and sheds in the RHD - Residential High Density District and the RLD - Residential Low Density District.
- Accessory buildings and sheds shall not exceed 200 square feet, with a maximum height of 16 feet, in the RHD and RLD Districts.
- Signs erected, painted, affixed, located, or maintained on any box van, cube van, bob truck, or cube truck parked in an area visible to the general public, other than parked or stopped temporarily for active loading or unloading, which identifies or advertises a business within the immediate area of the parked vehicle shall be prohibited in all zoning districts.

Municipality: BOROUGH OF MADISON

Ordinance: 35-2023

Public Hearing Date: 6/12/23

Summary: Amend the Land Development Regulations to increase the affordable housing development fees imposed on new residential development from 1% to 1½% of the equalized assessed value.

Municipality: BOROUGH OF MENDHAM

Ordinance: 09-2023

Public Hearing Date: 6/14/23

Summary: Amend the Zoning Regulations so that the circumstances in which lot grading permits are required are consistent with the requirements of the stormwater control ordinance.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 13-2023

Public Hearing Date: 6/21/23

Summary: Amend the Zoning Map to place Block 10001, Lot 7 in the MF-10/AH - Multi-Family Affordable Housing Overlay District. This 4.5-acre tract is located at 15 Lindsley Drive and is almost entirely wooded except for a small portion at the southern end of the tract which serves as a continuation of the parking lot for the Westin Governor Morris Hotel, located to the immediate south. An office building is located to the north and the Lindsley Arms apartment complex is located to the east. The underlying OL-5 - Office and Research Laboratory District zoning will remain unchanged.

In addition, the Zoning Regulations are amended to increase the maximum density permitted in the MF-10/AH Overlay District from 10 units per acre to 12 units per acre, with the same 15% set-aside for affordable units. The maximum density may be further increased to 15 units per acre provided that 20% of the units are set-aside as affordable.

Staff Comments: *This ordinance is intended to implement the terms of the Global Settlement Agreement between Morris Township and the Fair Share Housing Center, which settles the litigation involving the rezoning of the site of the future Red Bulls soccer training facility off Columbia Road.*



Municipality: TOWNSHIP OF PEQUANNOCK

Ordinance: 2023-10

Public Hearing Date: 6/27/23

Summary: Amend the Zoning Map to rezone Block 4402, Lot 1.01 from the C-R - Conservation-Recreation District to the C-1 - Community Business District. This 6,625 square foot vacant lot is located at 121 Newark Pompton Turnpike / County Route 504 and is adjacent to an abandoned railroad right-of-way. This change will make the zoning of this small lot consistent with the zoning of the land to the east of the abandoned railroad.



Municipality: BOROUGH OF WHARTON

Ordinance: O-11-23

Public Hearing Date: 6/26/23

Summary: Amend the Land Use and Development Regulations to list Cannabis Retailer as a permitted use, east of West Union Turnpike, in the B-2 - Regional Business District. A new section is added to the regulations establishing zoning and licensing requirements for regulated cannabis facilities. Examples of the requirements include:

- Prior to the operation of any cannabis facility, a permit or license must be obtained from the State of New Jersey and from the Borough of Wharton for the applicable type of cannabis facility.
- The Borough may issue no more than one cannabis retailer license.
- A cannabis facility shall not be located within 1,000 feet of a school or child-care center.
- The consumption of any cannabis items shall be prohibited on the cannabis facility's premises.
- Cannabis facilities shall have equipment to mitigate odor.
- No cannabis facility may open to customers for business before 8:00 a.m. or remain open to customers for business after 10:00 p.m.

Staff Comments: Ordinance O-12-21, adopted on June 28, 2021, prohibited all classes of cannabis establishments from operating in the Borough. The introduction to Ordinance O-11-23 explains that the Borough had been concerned about the potential effects of a new and untested industry but, having now had the opportunity to monitor the impacts of cannabis businesses on the municipalities where they operate, is ready to permit the operation of a licensed retailer in the Borough.

LAND DEVELOPMENT ORDINANCES ADOPTED: MAY 2023

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2023-14

Date Adoption Filed: 5/4/23

Summary: Amend the Land Use Regulations as they relate to the fencing required to enclose wireless telecommunication equipment so that cyclone fences will be permitted (in addition to the solid wood fences permitted under existing regulations).

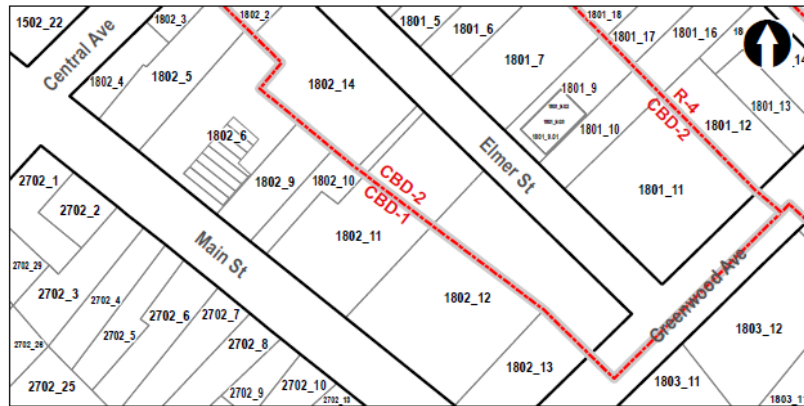
Municipality: BOROUGH OF MADISON

Ordinance: 28-2023

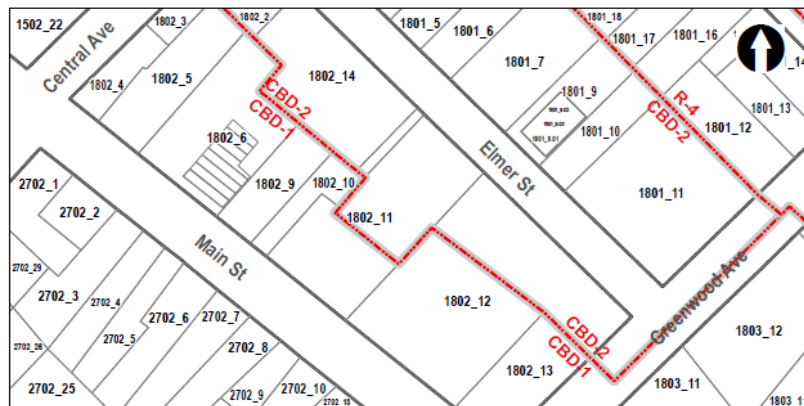
Date Adoption Filed: 5/24/23

Summary: Amend the Zoning Map to adjust the boundary between the CBD-1 and CBD-2 Districts where it splits Block 1802, Lot 11. This 25,880 square foot parcel is located at 98 Main Street and has frontage on both Main Street and Elmer Street and is the site of a bank on the southern end of the parcel. The northern two-thirds of the parcel is a parking lot for the bank. The zone boundary is to be shifted approximately 55 feet to the southwest, resulting in an expansion of the portion of the parcel within the CBD-2 District. The stated purpose of the amendment is to encourage inclusionary housing development consistent with CBD-2 District standards while preserving the existing bank.

Existing Zone Line



Proposed Zone Line



Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:07

Date Adoption Filed: 5/16/23

Summary: Amend the Zoning Regulations to eliminate the requirements that fast food restaurants, as a conditional use in the B-2 - Highway Development District, be subject to a minimum lot size of one acre, a minimum lot frontage of 150 feet, and a prohibition on being located within 1,000 feet of a lot containing another fast food restaurant.

PROPOSED ORDINANCES RECEIVED: 6

ADOPTED ORDINANCES RECEIVED: 3

TOTAL ORDINANCES PROCESSED: 9