



Zoning Ordinances Introduced: July 2018

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Town of Boonton	19-18	8/20/18	<p>Amend the Zoning and Land Use Regulations to establish a new inclusionary zoning district, the R-5 Residence District, and amend the Zoning Map to rezone Block 69, Lot 75.01 from the I-1 Industrial District to the newly created R-5 District. The 6.7 acre lot is the site of an industrial building at the corner of Division and Wootton Streets. The NJ Transit rail line forms the southeastern boundary of the new zone. To the south is the ACME shopping center. To the north is the former Ashland Chemical property, to be redeveloped as a 350-unit apartment complex by AvalonBay. The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Use: Townhouses • Minimum Lot: 290,000 square feet • Maximum Density: 16 units per acre • Maximum Height: 3 stories / 42 feet • Minimum Open Space: 20% • Affordable Set-Aside: 15% of rental units / 20% of for-sale units 	<p>This zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.</p> <p>The draft 2018 Housing Element and Fair Share Plan for the Town of Boonton anticipates that this site will produce 108 townhomes, including 22 affordable units.</p>

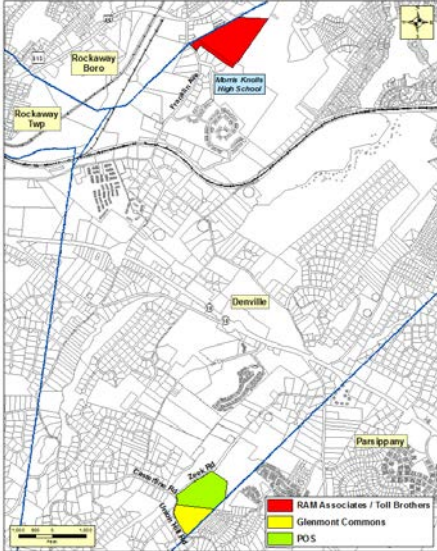
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Town of Boonton	20-18	8/20/18	<p>Amend the Zoning and Land Use Regulations to establish a new inclusionary overlay district, the MAO Myrtle Avenue Multifamily Residential Overlay District, and amend the Zoning Map to place Block 72.01, Lots 1, 2 and 2.01 in the newly created District. The three lots total 5 acres in size and include industrial, commercial and retail uses on Myrtle Ave. / US Hwy 202 at Exit 45 from I-287. To the north are various industrial, commercial and retail uses while to the east is single family. The underlying C-1 Commercial District standards shall remain in effect as a development option. The standards for the new overlay include the following:</p> <ul style="list-style-type: none"> • Permitted Use: Multifamily • Minimum Lot: 40,000 square feet • Maximum Density: 12 units per acre • Maximum Height: 2 ½ stories / 36 feet • Minimum Open Space: 15% • Affordable Set-Aside: 15% of rental units / 20% of for-sale units 	<p>This overlay zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.</p> <p>At 12 units per acre, this five acre site could accommodate a maximum of 60 units, pending potential reductions for other physical or environmental constraints.</p>


Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Denville	20-18	9/4/18	<p>Amend the Land Use Regulations to clarify which uses are permitted on the first floor and which uses are permitted on the second floor in the B-1 Central Business District.</p> <p><u>First Floor:</u></p> <ul style="list-style-type: none"> • Retail sales • Retail services, <i>excluding</i> the following: <ul style="list-style-type: none"> - Health clubs and facilities - Educational facilities - Recreational facilities - Social services <p><u>Second Floor:</u></p> <ul style="list-style-type: none"> • Retail sales • All retail services 	
Township of Denville	21-18	9/4/18	<p>Amend the Land Use Regulations to establish requirements for shingle signs in the Business Improvement District. Examples of the requirements include a 12 inch by 34 inch dimension limit, a prohibition on internally lit signs and a required color palette.</p>	
Township of East Hanover	9-2018	8/6/18	<p>Amend the Land Use and Zoning Regulations to establish standards for Portable On-Demand Storage Structures (PODS), which are defined as “any container storage unit, shed-like container or other portable structure that can be or is used for the storage of personal property of any kind.” The definition further states that a PODS “does not include an accessory building complying with all building codes and land use requirements; and cannot exceed 8 x 8 x 16.” Use of a PODS shall require a temporary zoning permit issued by the Zoning Officer.</p>	
Township of Hanover	17-2018	8/9/18	<p>Amend the Land Use and Development Regulations as they pertain to outdoor storage accessory to nonresidential uses. Examples of the changes include the following:</p> <ul style="list-style-type: none"> • Outdoor storage may now be located in side yards (in addition to the rear yards as permitted under existing regulations). • The following shall be exempted from the requirement that outdoor storage be screened from public view: <ul style="list-style-type: none"> - The parking of passenger vehicles in parking spaces used by employees and patrons. - The storage and display of vehicles for sale by automobile sales dealerships. - The display of merchandise for sale or rent. • Outdoor storage shall be placed on a suitable surface such as pavement, crushed stone or other suitable material, and not on bare earth, grass, mulch or other similar surface. 	

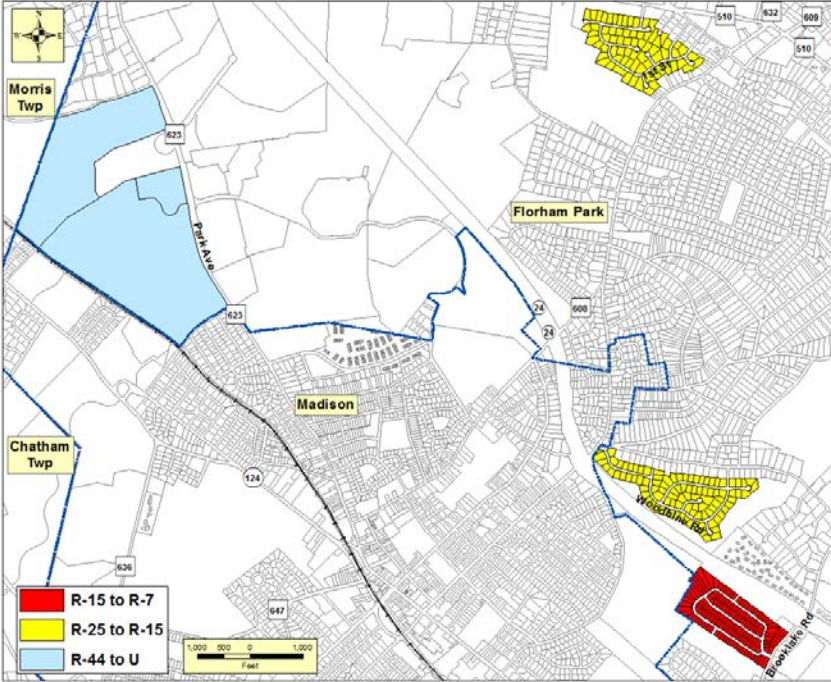
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Hanover	19-2018	8/9/18	<p>Amend the Land Use and Development Regulations as they apply to yards, lot frontage and lot width. Examples of the changes include the following:</p> <ul style="list-style-type: none"> • In the event that the definitions of lot lines and yards in these regulations do not allow for a clear or reasonable determination of front, rear and side lot lines or yards as, for example, in the case of flag lots or land-locked parcels which may be nonconforming or created by variance, the determination of such lot lines and yards shall be made by the Zoning Officer. • Notwithstanding the lot line and yard definitions for corner lots and through lots in these regulations, the Zoning Officer may, in exceptional circumstances, determine that a lot line abutting a street right-of-way is a rear lot line or side lot line, and that the entire area between such lot line and the principle building is a rear yard or side yard. • Lot Width shall be defined as the shortest straight line distance between the two side lot lines of a lot and measured: a) parallel to the front lot line, and b) at a distance from the front lot line specified in these regulations. 	
Township of Hanover	20-2018	8/9/18	<p>Amend the Land Use and Development Regulations as they apply to signs in the in the OB-RL, OB-DS, I, I-2, I-B2, I-P, and I-4 Districts, Examples of the changes include the following:</p> <ul style="list-style-type: none"> • The existing limit of one sign per lot shall now apply only to properties with less than 100,000 square feet of gross floor area. For properties with at least 100,000 square feet of gross floor area: <ul style="list-style-type: none"> - Two wall signs for each wall facing a public street, on up to two walls (maximum four total wall signs), plus one wall sign indicating the street address of the property, shall be permitted. - One freestanding sign for each driveway providing access to a public street, but not more than two freestanding signs, shall be permitted. • The maximum vertical dimension of building mounted principle identification signs is increased from two to three feet. 	
Borough of Morris Plains	13-2018	9/6/18	Amend the Land Development Regulations to add public notice requirements for hearings before the Planning Board and Board of Adjustment.	
Township of Roxbury	11-18	8/14/18	Amend the Land Development Regulations as they pertain to the performance and maintenance guarantees imposed on developers. For example, at the developers option, a “safety and stabilization guarantee” may be furnished either as a separate guarantee or as a line item of the performance guarantee. A “safety and stabilization guarantee” shall be for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition.	


Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Washington	RO-11-18	7/16/18	Amend the Land Use Ordinance to delete the existing Fair Share Ordinance and replace it with a new Affordable Housing Ordinance to provide for and regulate affordable housing in the Township. This ordinance establishes regulations pertaining to such matters as control periods, price and rent restrictions, buyer and tenant income eligibility, the municipal housing liaison, affirmative marketing, and enforcement of these regulations.	This ordinance is required as a condition of the Settlement Agreement between the Township and the Fair Share Housing Center.


Zoning Ordinances Adopted: July 2018


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Denville	15-18	7/5/18	<p>Amend the Land Use Regulations to establish a new zoning district, the T-5 Multi-Family District, and revise the Zoning Map to place Block 10002, Lot 3 (currently zoned R-1B - One-Family Residential) and Block 40001, Lot 4 and Block 40203, Lot 1 (both currently zoned R-1 - One-Family Residential) into the new T-5 District.</p> <p>Block 10002, Lot 3 is a 13.6 acre vacant wooded lot owned by Glenmont Commons on Union Hill Rd. at the Parsippany border. Single family neighborhoods are to the east, west and south. To the immediate north is Block 10002, Lot 2, a 25.8 acre lot owned by JCP&L that is being rezoned from R-1B to the POS - Public Open Space District as part of this ordinance. It features an electric tower right-of-way and a utility substation.</p> <p>Block 40001, Lot 4 and adjacent Block 40203, Lot 1 total 38.4 acres and are owned by RAM Associates. These vacant wooded lots are located on Franklin Ave. at the Rockaway Borough border. Apartments, townhomes and commercial uses are located to the north, along Rt. 46 in Rockaway Borough. Single family homes and the Morris Knolls High School are to the south. Township owned wooded lands are to the east.</p> <p>Permitted Uses in the new T-5 District are Single Family, Townhouses, Vertical Flats and Interlocking Dwellings. Single family shall be regulated as in the R-3 District. Standards applicable to the other uses include: Maximum Density - 5 units per acre; Maximum Height - 3 ½ stories / 45 ft.; Minimum Open Space or Landscaped Areas: 25%; Affordable Set-Aside - 20% of for-sale units, 15% of rental units.</p> 	<p>This ordinance implements the terms of the Township's Settlement Agreement with Glenmont Commons and RAM Associates in connection with the Township's affordable housing obligation.</p> <p>According to an article in the May 22, 2018 edition of newjerseyhills.com, RAM Associates is related to the Toll Brothers home construction company. The RAM / Toll Brothers development plan calls for 116 for-sale units while the Glenmont Commons plan calls for 65 rental units.</p>


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-1	7/23/18	<p>Amend the Zoning Regulations to establish a new inclusionary zone, the MF-7 Multifamily Residential Zone, and amend the Zoning Map to rezone Block 1906, Lots 12 and 13 from the P&B-2 Professional & Business Office Zone to the newly created MF-7 Zone. The 1.1 acre site at 165 and 167 Ridgedale Avenue (County Route 608) has a single family home. To the south and west are single family homes and to the north is a medical office building and the Florham Village Shopping Center. The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Uses: Townhouses, Garden Apartments and P&B-2 Zone uses (as regulated in that zone) • Minimum Lot: 45,000 square feet • Maximum Density: 7 units per acre • Maximum Height: 2 ½ stories / 35 feet • Affordable Set-Aside: 14.2% 	<p>This zone is part of the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center and various developers.</p> <p>Under the terms of the Settlement Agreement, seven for-sale townhomes will be built on this site, including one affordable unit.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-2	7/23/18	<p>Amend the Zoning Regulations and Zoning Map as follows:</p> <ul style="list-style-type: none"> Establish a new zoning district, the R-7 One-Family Residence Residential Zone, and rezone 157 single family lots in the vicinity of Brooklake Road from R-15 (permits single family on 15,000 sq. ft. lots) to the newly created R-7 Zone. The new R-7 Zone shall permit single family on 7,000 sq. ft. lots. Rezone 168 single family lots in two separate areas (one in the vicinity of 1st Street and the other in the vicinity of Woodbine Road) from R-25 (permits single family on 25,000 sq. ft. lots) to R-15. Establish a new zoning district, the U University/College Zone and rezone Block 1301, Lots 1, 3 and the portion of Lot 2 that is not in the MF-5 Zone from R-44 (permits single family on one acre lots) to the newly created U Zone. The new U Zone is the site of the College of Saint Elizabeth and Fairleigh Dickinson University. Permitted Uses: Colleges and universities, single family under R-44 Zone standards, churches, public schools, municipal buildings, parks and playgrounds. Minimum Lot: 50 acres. Maximum Height: 4 stories / 60 feet. Maximum Building Coverage: 35%. Maximum Improved Lot Coverage: 60%. 	Most of the single family lots being rezoned to R-7 and R-15 were undersized, therefore this rezoning will bring the majority of them into conformance.


Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-9	7/23/18	<p>Amend the Zoning Regulations to establish a new inclusionary zone, the MF-9 Multifamily Residential Zone, and amend the Zoning Map to rezone Block 303, Lot 11 from the C-1 Office and Manufacturing Zone to the newly created MF-9 Zone. The five acre lot at 2 Vreeland Road is the site of an industrial building. The surrounding area is dominated by industrial, commercial and office uses, although the Northgate at Florham park townhomes are to the immediate north . The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Uses: Townhouses and Garden Apartments • Minimum Lot: 5 acres • Maximum Density: 10 units per acre • Maximum Height: 3 stories / 45 feet • Affordable Set-Aside: 20% 	<p>This zone is part of the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center and various developers.</p> <p>Under the terms of the Settlement Agreement, 50 for-sale units will be built on this site, including 10 affordable units.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-10	7/23/18	<p>Amend the Zoning Regulations to establish a new inclusionary zone, the MF-8 Multifamily Residential Zone, and amend the Zoning Map to rezone Block 801, Lot 4 from the P&B-2 Professional & Business Office Zone to the newly created MF-8 Zone. The 2.1 acre lot at the corner of Ridgedale Ave. / County Rt. 632 and James St. is currently an office use. Commercial, office and retail uses are to the east, west and south while single family is to the north. The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Uses: Multifamily and P&B-2 Zone uses (as regulated in that zone) • Minimum Lot: 2 acres • Maximum Density: 22.5 units per acre • Maximum Height: 3 stories / 55 feet • Affordable Set-Aside: 20% 	<p>This zone is part of the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center and various developers.</p> <p>Under the terms of the Settlement Agreement, 54 rental units will be built on this site, including 11 affordable units.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Florham Park	18-11	7/23/18	<p>Amend the Zoning Regulations to establish a new inclusionary zone, the MF-6 Multifamily Residential Zone, and amend the Zoning Map to rezone Block 1903, Lot 5 from the B-1 Business Zone to the newly created MF-6 Zone. The 5.4 acre lot at the corner of Columbia Turnpike / County Rt. 609 and Hanover Rd. is currently an office use. Commercial, office and retail uses are to the east, west and north while single family is to the south. The standards for the new district include the following:</p> <ul style="list-style-type: none"> • Permitted Uses: Multifamily and B-1 Zone uses (as regulated in that zone) • Minimum Lot: 5 acres • Maximum Density: 23.68 units per acre • Maximum Units: 126 • Maximum Height: 3 stories over podium parking / 55 feet • Affordable Set-Aside: 20% 	<p>This zone is part of the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center and various developers.</p> <p>Under the terms of the Settlement Agreement, 126 rental units will be built on this site, including 25 affordable units.</p>
Borough of Florham Park	18-12	7/23/18	<p>Amend the Zoning Regulations to reduce the maximum improved lot coverage in the R-7 One-Family Residence Residential Zone from 60% to 35%.</p>	<p>The R-7 Zone was established by Ordinance 18-2.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Harding	6-2018	7/10/18	<p>Amend the Land Use Regulations to establish a new inclusionary zoning district, the TH-1 Townhouse Zone 1, and amend the Zoning Map to rezone Block 23.02, Lot 5 from the R-2 Residence Zone (permits single family on 30,000 sq. ft.) to the newly created TH-1 Zone. The 15.8 acre wooded lot is located between I-287 and the Morris Township border. Just north of the Morris Township border are office buildings that have access to Mt. Kemble Ave. The standards applicable to the new zone include the following:</p> <ul style="list-style-type: none"> • Permitted Use: Inclusionary Development Market Rate Units: Single Family, Twin House and/or Townhouse Affordable Units: Townhouses or Stacked Flats • Maximum Units: 96 • Affordable Set-Aside: 16 units • Maximum Height: 3 stories/45 feet • Minimum Open Space: 20% • There shall be no means of ingress or egress via Blackwell Ave. or Sand Spring Rd. 	<p>This ordinance implements the February 12, 2018 Settlement Agreement between the Township and Mt. Kemble Associates, which calls for 80 market rate for-sale townhouse units and 16 affordable stacked flat units, which may be rental or for sale.</p> <p>The Township Clerk indicates that the method of vehicular access to this site has yet to be determined.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments																										
Town of Morristown	O-25-2018	7/31/18	<p>The existing Land Development Ordinance (LDO) is replaced by an all new document. Under the new ordinance the existing two dozen zones are cut to one dozen mostly newly designated zones. Conversely, where there had only been a single overlay zone, there are now nine overlay zones. The new list of zoning designations are as follows;</p> <table border="0" data-bbox="646 342 1623 678"> <tr> <td>Underlying Zones:</td> <td>Overlay Zones:</td> </tr> <tr> <td>R- Single Family Detached</td> <td>Estate Building Type (R)</td> </tr> <tr> <td>MF-1 - Single Family and Semi-Attached</td> <td>Retail (MX-1)</td> </tr> <tr> <td>MF-2 - Multi-Family, Low Intensity</td> <td>Neighborhood (MF-3)</td> </tr> <tr> <td>MF-3 - Multi-Family, Moderate Intensity</td> <td>Planned Walkable Neighborhood (MF-2)</td> </tr> <tr> <td>MX-1 - Mixed Use, Low Intensity</td> <td>Planned Walkable Neighborhood/Critical Infrastructure (MF-2)</td> </tr> <tr> <td>MX-2 - Mixed Use, High Intensity</td> <td>Large Lot (MX-2)</td> </tr> <tr> <td>TC - Town Center</td> <td>Morristown Green (TC)</td> </tr> <tr> <td>H - Hospital Development</td> <td>Transit (TC)</td> </tr> <tr> <td>H-1 - Hospital Development</td> <td>Headquarters Plaza (TC)</td> </tr> <tr> <td>PP - Public Purpose</td> <td></td> </tr> <tr> <td>PPU - Public Purpose Undevelopable</td> <td></td> </tr> <tr> <td>RDV – Redevelopment Plan Area</td> <td></td> </tr> </table> <p>Most importantly, these new land development regulations incorporate a form-based code; i.e. physical form is used as an organizing principle for the code in association with a separation of uses designated by zoning districts. Standards vary by the permitted development/building “types” allowed in each zone and the density / intensity of development may vary based on these building types. Certain standards also vary depending on the type of street on which the proposed building has frontage. Permitted uses may be allowed in any permitted building type and building types may include requirements for certain aesthetic and functional elements. Other changes identified:</p> <ul data-bbox="646 976 1623 1477" style="list-style-type: none"> • The downtown area (CBD-1 and CBD-2) is experiencing the greatest change in zoning and is largely placed in the new TC Zone, subject to multiple overlays. The former CBD-1 District sees density generally increased from a maximum of 15 ½ units per acre to 30 units per acre (conditionally, by building type), while the former CBD-2 District, which previously had no controls on density, will have a maximum density of 50 units per acre. • The maximum height for the area in the former CBD-1 is generally increased from 3 stories to 4 stories, while the maximum height in the former CBD-2 is decreased from 6 stories to 5 stories. • The former UR159 District (site of Headquarters Plaza) had permitted residential development, so it would have been possible to redevelop the office towers as residential. Under the new ordinance, residential development will be prohibited for this site. • Previously, Floor Area Ratios only existed in the Hospital districts. Now FAR’s will be used more widely, although exemptions are provided for certain building types. 	Underlying Zones:	Overlay Zones:	R- Single Family Detached	Estate Building Type (R)	MF-1 - Single Family and Semi-Attached	Retail (MX-1)	MF-2 - Multi-Family, Low Intensity	Neighborhood (MF-3)	MF-3 - Multi-Family, Moderate Intensity	Planned Walkable Neighborhood (MF-2)	MX-1 - Mixed Use, Low Intensity	Planned Walkable Neighborhood/Critical Infrastructure (MF-2)	MX-2 - Mixed Use, High Intensity	Large Lot (MX-2)	TC - Town Center	Morristown Green (TC)	H - Hospital Development	Transit (TC)	H-1 - Hospital Development	Headquarters Plaza (TC)	PP - Public Purpose		PPU - Public Purpose Undevelopable		RDV – Redevelopment Plan Area		<p>Highlights of the new Land Development Ordinance were informed by discussion with the planning consultant for the Town of Morristown:</p> <p>As per the introduction to this new LDO, “the standards in this new code include practical and context sensitive standards for what uses are permitted in the Towns’ neighborhoods and how buildings are designed in the Town. These concepts are rooted in the 2014 Morristown Moving Forward Master Plan which focused on circulation and community form, and the this proposed form-based code respects the Town’s existing character and historic assets.”</p>
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Township of Pequannock	2018-07	7/3/18	Amend the Zoning Regulations to increase the permitted duration for the use of temporary storage units on properties subject to flood elevation.	
Borough of Wharton	O-11-18*	7/20/18	<p>Amend the Zoning Ordinance to establish three new overlay zones: the AH-3 and AH-4 Affordable Housing Overlay Zones and the AH-OO Affordable Housing Overall Overlay Zone. The AH-3 Overlay is the 4.5 acre site of the Wharton Mall (Block 106, Lot 23) on N. Main St. / County Rt. 634 and the Rt. 15 On-Ramp. The AH-4 Overlay consists of Block 102, Lots 48, 49 and 50 on N. Main St. / County Rt. 634. The 1.1 acre AH-4 includes a commercial building and two vacant lots. Both the AH-3 and AH-4 Overlays are in the vicinity of single family homes, garden apartments and commercial uses, with nearby access to I-80 and Rt. 15. The AH-OO Overlay applies to the entire Borough.</p> <p>The AH-3 Overlay may be utilized when redeveloping or rehabilitating the site to include a residential component in one or more mixed-use structures at a maximum density of 15 units per acre. Permitted uses are Apartments over B-1 Zone commercial uses. The minimum lot size is four acres with a maximum height of four stories.</p> <p>The AH-4 Overlay may be utilized when redeveloping or rehabilitating the site to include a residential component in one or more mixed-use or multi-family structures at a maximum density of 15 units per acre. Permitted uses are Apartments over B-1 Zone commercial uses, Apartments and Garden Apartments. The minimum lot size is one acre with a maximum height of four stories.</p> <p>Both the AH-3 and AH-4 Overlays are subject to a 15% rental / 20% for-sale affordable set-aside.</p> <p>The AH-OO Overlay Zone may be utilized when any parcel in the Borough is rezoned, receives a density variance and/or is developed at a density of greater than six units per acre and a total of 20 units or more are created. In such cases, a 15% rental / 20% for-sale affordable set-aside is imposed. Multi-Family and <i>Garden</i> Apartments are permitted throughout the zone. Other apartments are only permitted above commercial uses.</p> <p>(Borough-wide AH-OO Overlay not shown on map)</p> 	<p>These overlay zones are part of the October 26, 2018 Settlement Agreement between the Borough and the Fair Share Housing Center.</p> <p>At 15 units per acre, the 4.5 acre AH-3 Overlay could accommodate a maximum of 67 units while the 1.1 acre AH-4 Overlay could accommodate a maximum of 16 units, pending potential reductions for other physical or environmental constraints.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Wharton	O-12-18*	7/20/18	Establish a Development Fee Ordinance that sets standards for the collection, maintenance and expenditure of development fees for the purpose of providing low income housing in accordance with a court approved spending plan.	This ordinance has been introduced in fulfillment of the terms of the Superior Court's grant of Substantive Certification.

Proposed Ordinances Received: 13

Adopted Ordinances Received: 12

Total Ordinances Processed: 25

* Ordinance introduced and adopted during the same month.