


### Zoning Ordinances Introduced: March 2018

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Denville	09-18	4/17/18	Amend the Land Use Regulations to adjust the fees for certain use variances.	
Township of East Hanover	2-2018	4/3/18	Amend the Land Use and Zoning Regulations to impose fees for special meetings of municipal agencies.	
Township of East Hanover	3-2018	4/3/18	<p>Amend the Land Use and Zoning Regulations as they relate to garages in residential zones. Examples of the changes include the following:</p> <ul style="list-style-type: none"> <li>• There shall be provided not less than one garaged parking space for each dwelling unit in a residential zone.</li> <li>• For detached single family homes, the elimination of required garages through demolition or conversion to habitable living space shall be offset with a new attached or detached garage space.</li> </ul>	
Borough of Madison	12-2018	3/26/18	Amend the Land Development Regulations to detail the various performance guarantees imposed on development applicants for required improvements.	
Borough of Madison	13-2018	3/26/18	<p>Amend the Land Development Regulations as they apply to the review of applications for development submitted to the Planning Board. Examples of the changes include the following:</p> <ul style="list-style-type: none"> <li>• The Traffic/Transportation Impact Statement shall include existing and proposed off-street parking serving the proposal.</li> <li>• The Planning Board may refer any plat to other agencies or individuals (beyond the nine listed in the regulations) for comment and recommendations.</li> <li>• The time period for agencies to submit comments to the Planning Board is cut from 30 days to 20 days from the receipt of the plat or site plan.</li> </ul>	


Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Morris	09-18	5/16/18	<p>Amend the Zoning Regulations to establish regulations pertaining to the placement of small cell equipment, wireless cabinets and wireless poles in the municipal right-of-way. This ordinance is in response to recent developments in wireless technology, specifically the development of 5G, which involves the placement of this type of equipment within public rights-of-way. The following are examples of the new standards applicable to this type of development:</p> <ul style="list-style-type: none"> <li>• Placement of small cell equipment, wireless cabinets and wireless poles in the municipal right-of-way shall require a Master License Agreement with the Township. Placement of such equipment on existing poles shall only require a supplemental license.</li> <li>• Wireless cabinets and wireless poles shall be conditional uses in the non-residential zones.</li> <li>• The wireless pole must be at least 100 feet from any existing pole.</li> <li>• The wireless cabinet must be less than 14 cubic feet in volume.</li> </ul>	
Township of Morris	10-18	5/16/18	<p>Amend the Zoning Regulations to implement Section 6409(a) of the federal Spectrum Act of 2012, which requires a state or local government to approve any eligible facilities request for a modification of an existing tower or base station that does not result in a substantial change to the physical dimensions of such tower or base station. This ordinance establishes an application review process for modifications to these type of facilities.</p>	

### Zoning Ordinances Adopted: March 2018

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of East Hanover	1-2018	3/15/18	<p>Ordinance 1-2018 adopts the revised Varityper Redevelopment Plan, dated December 12, 2017. Block 99, Lots 4, 4.02, and 5.01 were designated an Area in Need of Redevelopment in 2004, followed in 2006 with adoption of the original Varityper Redevelopment Plan for these properties. The new Redevelopment Plan notes that since that time “the sites have sat stagnant and the Township’s vision for the properties has changed.”</p> <p>The Varityper Redevelopment Area consists of approximately 37 acres bounded by Mount Pleasant Ave. (County Rt. 610) at its intersection with Rt. 10 to the north, Farinella Dr. and various industrial buildings to the west, a single family neighborhood to the south, and the Hanover Park High School to the east. The former Varityper Plant (now demolished) was located on the 25.4 acre Lot 4. The 11.3 acre Lot 4.02 is forested and the 0.64 acre Lot 5.01 is the site of a partially constructed car wash. To the immediate north is a vacant Burger King and on the northern side of Rt. 10 is commercial/retail corridor development. Standards under the Redevelopment Plan include the following:</p> <ul style="list-style-type: none"> <li>• Permitted Uses (partial list): Automated and non-automated warehouse storage and distribution centers, assembly, preparation of metal or chemical products, research, manufacture of plastic products, electronic data centers, commercial recreation, municipal owned facilities, open space.</li> <li>• Minimum Lot: 11 acres (not applicable to Lot 5.01)</li> <li>• Setbacks (vary by street and adjacent property)</li> <li>• Maximum Impervious Coverage: 80%</li> <li>• Maximum Building Coverage: 40%</li> <li>• Maximum Height: 3 stories / 35 feet (50 feet for automated warehouse storage and distribution)</li> <li>• Open Space: 3.9 acre conservation easement in southeast corner.</li> <li>• Detailed architectural standards</li> </ul> 	<p>Significant differences between the new Varityper Redevelopment Plan and 2006 Plan include: the removal of residential as a permitted use (up to 200 units), the removal of most retail as a permitted use, the elimination of a 100,000 sq. ft. floor area limit on non-residential development and a new orientation for warehousing and assembly uses</p> <p>In addition, the possibility of acquisition of these properties by the Township for transfer to a redeveloper is not part of the new Redevelopment Plan.</p> <p>NOTE: Ord. 1-2018 replaces Ord. 20-2017, which was introduced in November 2017 but was not adopted. Examples of areas of change include: impervious coverage, setbacks, maximum height and the inclusion of both automated and non-automated warehouse as a permitted use.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Mendham	2018-3	3/1/18	<p>As pertains to townhouse development in the Reuse and Reconstruction of Existing Buildings Overlay Zone, amend the Zoning Regulations to allow for the demolition of existing buildings and structures upon the demonstration of some or all of the following factors:</p> <ul style="list-style-type: none"> <li>• The structures are obsolete.</li> <li>• The structures present no economic value.</li> <li>• The cost to re-adapt, re-purpose and re-use the structures exceeds the utility to be gained thereby.</li> <li>• The structures do not lend themselves to the approved project.</li> <li>• Any other reasons acceptable to the reviewing body.</li> </ul> <p>Should the developer request permission to demolish the existing buildings and not retain the principle building, reconstruction shall be subject to the following requirements:</p> <ul style="list-style-type: none"> <li>• Minimum building setback from property boundaries: 80 feet</li> <li>• Maximum building height: 35 feet</li> <li>• Maximum impervious coverage: 218,000 square feet</li> </ul>	<p>The Overlay District is home to the historic Mosle Mansion, built in 1906 and purchased by the Sisters of St. John the Baptist in 1926.</p>
Township of Morris	08-18	3/15/18	<p>Amend the Redevelopment Plan for the Colgate-Palmolive property to increase the affordable housing set-aside from 20% to 31.5%. In addition, the minimum proportion of affordable units to be provided by the group home is cut from 15% to 9%. The maximum height for the multifamily affordable building is increased from two stories/35 feet to three stories/45 feet. The maximum residential density is increased from six units per acre to seven units per acre.</p>	<p>The Redevelopment Plan facilitates the redevelopment of the Colgate-Palmolive property for mixed-use.</p> <p>The Settlement Agreement between the Township and the Fair Share Housing Center anticipates 66 affordable units on this site.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Town of Morristown	O-6-2018	3/29/18	<p>Amend the Land Use Regulations to modify the definition of “Family” and add a new definition, “Single Family Dwelling.”</p> <p>The bold text is newly added:</p> <ul style="list-style-type: none"> <li>• <i>Family</i> shall mean one (1) or more persons occupying a premises and living as a <b>permanent and stable</b> single housekeeping unit, as distinguished from a group occupying a boarding house, rooming house or hotel, as herein defined.</li> </ul> <p>The new definition is as follows:</p> <ul style="list-style-type: none"> <li>• <i>Single Family Dwelling</i> shall mean any dwelling containing (1) dwelling unit, which may also contain (1) rooming unit and which is occupied by not more than one (1) family.</li> </ul>	<p>This ordinance was adopted because “the Town of Morristown is concerned with maintaining the stability and permanence generally associated with single family occupancy throughout its residential neighborhoods.”</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Rockaway	18-05	3/19/18	<p>Amend the Land Use and Development Regulations to establish a new zoning district, the RMF-8A Multi-Family Residential District, and rezone Block 22401, Lots 3.06 and 3.07 from the PED - Planned Economic Development District to the newly created RMF-8A District. The two parcels, located at the end of Commons Way, are vacant and wooded and total 45.2 acres in size. To the immediate south and east are office, industrial and warehouse uses, including the North Jersey Media Group printing facility. Small lot single family homes are to the west.</p> <p>Under the existing PED zoning, industrial, warehousing, office and retail uses are permitted but no residential uses are permitted. The standards applicable to the new RMF-8A District include the following:</p> <ul style="list-style-type: none"> <li>• Permitted Use: Multifamily</li> <li>• Minimum Tract Size: 45 acres</li> <li>• Maximum Density: 7.65 units per acre</li> <li>• Maximum Units: 345</li> <li>• Maximum Height - Residential Building: 4 stories/60 feet (extra 5 feet permitted for decorative features such a parapets or cupolas)</li> <li>• Maximum Building Coverage: 15%</li> <li>• Maximum Impervious Coverage: 35%</li> <li>• Standards for setbacks and landscaping buffers</li> <li>• Required Affordable Housing: 40 units, all on-site and integrated throughout the development</li> </ul> 	<p>This ordinance is part of a settlement agreement between the Township and Morris Commons, LLC.</p> <p>NOTE: Ordinance 18-05 replaces Ordinance 17-13, which was introduced in November 2017 but was not adopted. The text of the new ordinance is identical.</p>

Proposed Ordinances Received: 7  
Adopted Ordinances Received: 5  
Total Ordinances Processed: 12