
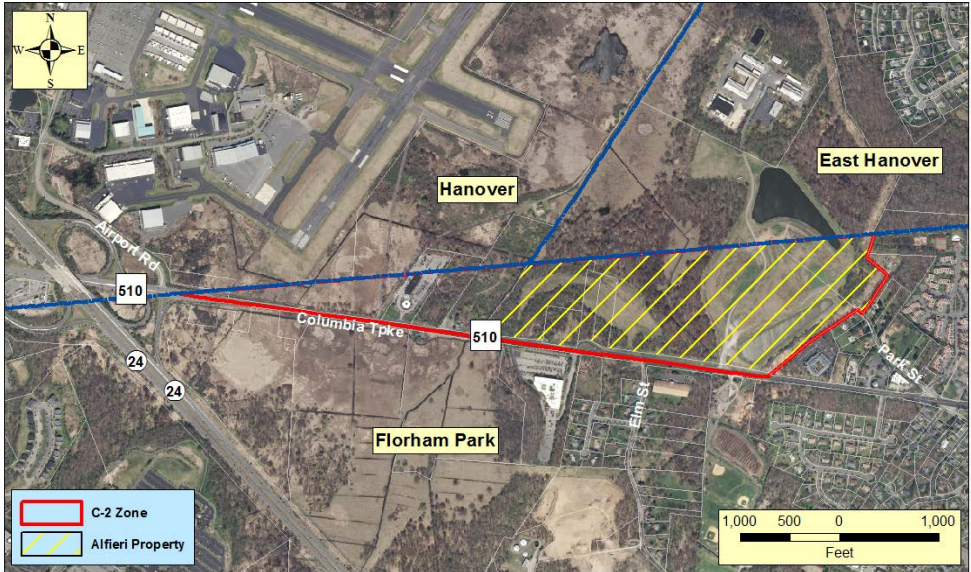


## Zoning Ordinances Introduced: September 2018

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Town of Boonton	18-18	9/17/18	<p>Amend the Zoning and Land Use Regulations to establish a new inclusionary zoning district, the R-4 Residence District, and amend the Zoning Map to rezone Block 113, Lot 10 to the newly created district. The three acre undeveloped lot on Fanny Rd., along the Mountain Lakes border, is currently split between the B-4 Business District and the R-1A Residence District. Single family homes dominate the surrounding neighborhood, although an office building is to the immediate west. The standards for the new district include the following:</p> <ul style="list-style-type: none"> <li>• Permitted Use: Townhouses</li> <li>• Minimum Lot: 120,000 square feet</li> <li>• Maximum Density: 6 units per acre</li> <li>• Maximum Units: 18</li> <li>• Maximum Height: 2 ½ stories / 36 feet</li> <li>• Minimum Open Space: 20%</li> <li>• Affordable Set-Aside: 15% of rental units / 20% of for-sale units</li> </ul> 	This zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.

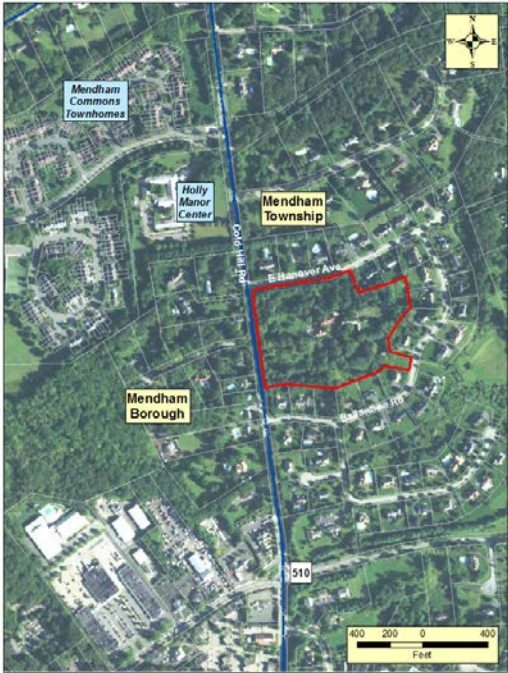
Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Butler	2018-15	10/16/18	<p>Amend the Land Use Regulations as follows:</p> <ul style="list-style-type: none"> <li>• Temporary Exterior Storage Units shall be permitted as an accessory use in the R1, R2, R3, R4, and R5 Zones subject to restrictions on size and placement of units, the type of materials that may be stored as well as permit requirements.</li> <li>• Self-Storage Warehouses shall be subject to various conditions, such as an 80,000 sq. ft. minimum lot size, a maximum floor area ratio of 40%, prohibitions on chain link fences and limits on the hours of operation.</li> <li>• Electronic Signs shall be subject to various restrictions. One type of electronic sign, Static Signs, shall be permitted in the CBD, LI, LI/CBD and HC Zones while the other type, Digital Signs, shall be permitted in the HC Zone. Other restrictions pertain to limits on placement near residential zones, limits on brightness, and the aesthetics of the displays.</li> </ul>	
Township of Denville	24-18	10/16/18	<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 or above in the B-1 Central Business District.</p> <p><u>First Floor:</u></p> <ul style="list-style-type: none"> <li>• Retail sales</li> <li>• Craft service facilities</li> <li>• Retail services, <i>excluding</i> the following: <ul style="list-style-type: none"> <li>- Health clubs and facilities</li> <li>- Educational facilities</li> <li>- Recreational facilities</li> <li>- Social services</li> </ul> </li> </ul> <p><u>Second Floor or Higher:</u></p> <ul style="list-style-type: none"> <li>• Professional or service offices</li> <li>• Retail sales</li> <li>• Craft service facilities</li> <li>• Educational facilities</li> <li>• All retail services</li> </ul>	<p>This ordinance (24-18) replaces proposed Ord. 20-18, which was introduced in July 2018 but withdrawn. Ord. 24-18 differs from Ord. 20-18 by adding craft service facilities as a permitted first floor use and adding professional or service offices, craft service facilities and educational facilities as permitted second floor or higher uses.</p>
Township of East Hanover	17-2018	10/1/18	<p>Amend the Land Use and Zoning Regulations to require the installation of concrete filled decorative bollards to protect outdoor seating areas when they are adjacent to surface parking or driveways at restaurants in the B-1, B-2, and B-2B Zones.</p>	


<b>Municipality</b>	<b>Ordinance #</b>	<b>Public Hearing Date</b>	<b>Summary</b>	<b>Staff Comments</b>
Borough of Florham Park	18-20	10/18/18	Amend the Zoning Regulations to establish a town-wide affordable housing set-aside that applies to multi-family or single-family attached developments of three acres or more, at a density of five units per acre or more, created as a result of a zoning amendment, a variance, or adoption of a Redevelopment Plan. In such cases, a 15% rental / 20% for-sale affordable set-aside is imposed.	This ordinance is as called for by the July 6, 2017 Settlement Agreement between the Borough, the Fair Share Housing Center, and various others.

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Florham Park	18-21	10/18/18	<p>Amend the Zoning Regulations to permit inclusionary mixed-use development in the C-2 Office and Manufacturing Zone (which currently does not permit residential or retail uses). The C-2 Zone consists of 116 acres bounded by Columbia Tpke / County Rt 510 on the south and the Hanover and East Hanover borders on the north. Most of the zone is vacant, with the exception of a Cadillac dealer and a small pet store. The Columbia Tpke / Rt 24 interchange is nearby to the west and the Morristown Airport is across the border in Hanover to the northwest. The standards applicable to the new zone include the following:</p> <p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• 560 multifamily units in an inclusionary development that may be provided either within a mixed-use development or in a stand-alone building.</li> <li>• Additional uses on the ground floor of buildings providing residential units: <ul style="list-style-type: none"> <li>- Amenities and administrative services for a rental community.</li> <li>- Special Needs Housing</li> <li>- Uses which primarily serve the needs of community residents: <ul style="list-style-type: none"> <li>- Professional offices and services, including medical</li> <li>- Convenience retail</li> <li>- Restaurants and food services</li> <li>- Enclosed parking facilities</li> </ul> </li> </ul> </li> </ul> <p><b>Conditional Uses:</b> B-1 Zone uses as well as Hotel and Conference Facilities</p> <p><b>Maximum Building Coverage:</b> 35%, <b>Maximum Improved Lot Coverage:</b> 60%</p> <p><b>Affordable Set-Aside:</b> 20%</p> 	<p>This ordinance implements the terms of the Settlement Agreement with Alfieri-Florham Park, LLC (part of the July 6, 2017 agreement with the Fair Share Housing Center and others).</p> <p>Under the agreement, 560 units of family rental housing, of which 20% will be affordable, will be permitted on the Alfieri Property. This property consists of 84 acres of vacant land in the eastern portion of the C-2 Zone.</p> <p>The settlement agreement states that “the forgoing rezoning to allow for residential uses shall be in addition to the existing permitted uses on the Alfieri Property.”</p>

<b>Municipality</b>	<b>Ordinance #</b>	<b>Public Hearing Date</b>	<b>Summary</b>	<b>Staff Comments</b>
Township of Hanover	21-2018	10/11/18	Amend the Land Use and Development Regulations to permit the planting of replacement trees in off-site locations within the Township in cases where the developer can demonstrate that the subject property is not able to preserve or plant the number of trees required by the tree preservation section of the regulations.	
Township of Hanover	22-2018	10/11/18	Amend the Land Use and Development Regulations to address the need for screening and mitigation of noise, deck lighting and vehicle headlights from parking decks upon single family districts.	
Township of Hanover	23-2018	10/11/18	Amend the Land Use and Development Regulations to establish regulations pertaining to outdoor recreational facilities accessory to single family dwellings. The regulations pertain to setbacks, yard locations, maximum coverage, fencing and illumination.	
Township of Hanover	24-2018	10/11/18	Amend the Land Use and Development Regulations to permit and regulate temporary signs for the opening of new retail sales and service establishments.	
Township of Hanover	27-2018	10/11/18	Amend the Land Use and Development Regulations to correct an error in which the number "2.2" had inadvertently been substituted for the number "2.6" in an existing regulation pertaining to the R-10 Residence District. The language in question will now read as follows:  "The height of the principal building shall not be greater than 2.6 times the distance of the building from any property line located within 25 feet of the building..."	
Township of Hanover	28-2018	10/11/18	Amend the Land Use and Development Regulations to permit and regulate drive-in restaurants in the B-10, WC, D-S, OB-DS and I-B3 Zones (drive-in restaurants are currently prohibited). Examples of the regulations include the prohibition on drive-in restaurants having direct driveway access to a public street. Driveway access for drive-in restaurants shall only be from internal driveways.	
Township of Long Hill	426-18	10/10/18	Amend the Land Use Ordinance to eliminate the requirement that the Township Planning and Zoning Coordinator be a member of the Technical Review Committee.	

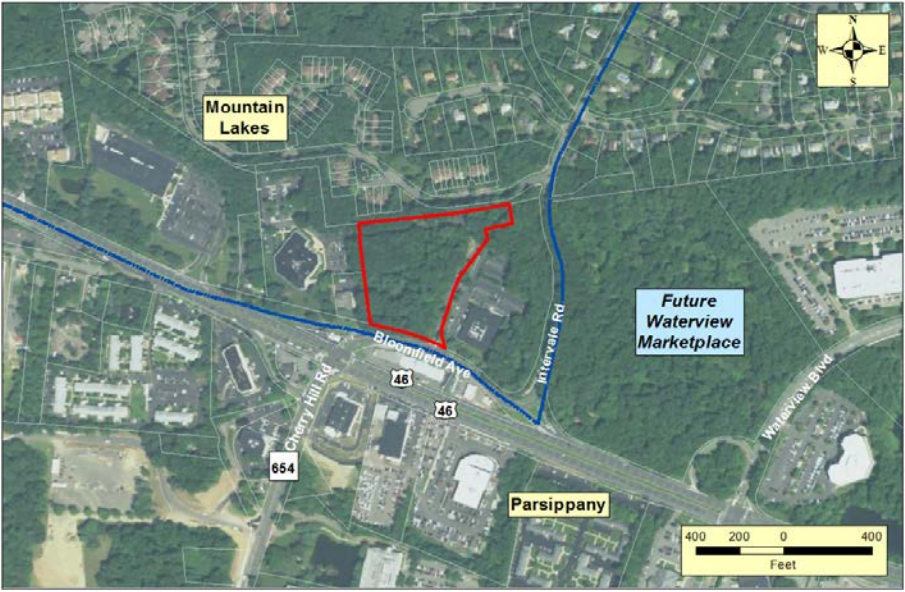



Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Mendham	14-2018	10/9/18	<p>Amend the Zoning Map to rezone Block 131.01, Lot 1 from R-2 to R, resulting in a reduction in the minimum lot size for single family development from two acres to 20,000 sq. ft. The 12.3-acre Township owned tract, at 1 Cold Hill Road, is the site of the historic Pitney Farm Mansion, which was destroyed by fire in February 2016.</p> 	<p>This ordinance was introduced in August 2018, however it has since been amended to rezone this property to R instead of CR-2.</p> <p>Seven acres of this parcel were preserved as open space after the Township received funding for the purchase of the property from the Morris County Open Space Trust Fund.</p>

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Mendham	15-2018	10/9/18	<p>Amend the Zoning Map to rezone Block 127.01, Lot 29 from R-3 to R-1, resulting in a reduction in the minimum lot size for single family development from three acres to one acre. The 11.2-acre tract, at 9 Shores Road, has a single family home. The immediate neighborhood includes single family homes as well as Township owned open space.</p> 	
Township of Mine Hill	14-18	10/4/18	<p>Amend the Stormwater Management Chapter of the Township Code to add several new requirements for developments as mandated by the Tier 'A' Municipal Stormwater Permit that was issued by the NJDEP on December 8, 2017 and became effective on January 1, 2018. Examples of the new requirements include the following:</p> <ul style="list-style-type: none"> <li>• Stormwater facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris buildout and stagnant water.</li> <li>• The maintenance plan must include inspection routines, including inspection checklists.</li> </ul>	

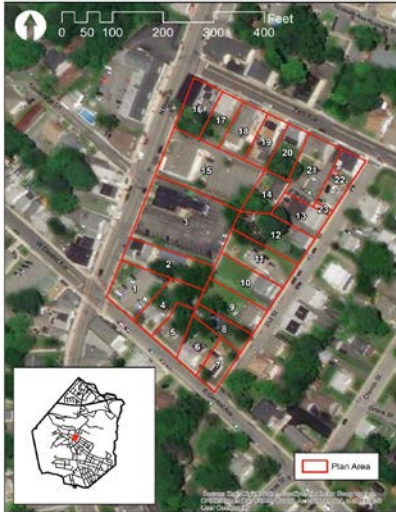
<b>Municipality</b>	<b>Ordinance #</b>	<b>Public Hearing Date</b>	<b>Summary</b>	<b>Staff Comments</b>
Borough of Morris Plains	23-2018	10/18/18	Amend the Land Development Regulations to allow for the filing of an application for subdivision or site plan approval simultaneous with the filing of a General Development Plan as part of the application process in the TRPUD Tabor Road Planned Unit Development District.	<p>The TRPUD District is the site of the now demolished Pfizer facility at 200 Tabor Rd. / State Hwy. 53 and was established by Ord. 16-2018.</p> <p>The regulations pertaining to the timing of submissions are being amended to conform to the terms of the settlement agreement between the Borough and the owner of this property, M&amp;M at Morris Plains.</p>



Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Mountain Lakes	6-18	10/8/18	<p>Amend the Land Use Regulations to establish the new R-AH3 Residential Affordable Housing 3 Overlay Zone that will permit, as a conditional use, inclusionary assisted living residences, and amend the Zoning Map to place Block 118.04, Lot 2.01 in the newly established zone. The wooded vacant five acre tract at 1 Bloomfield Ave. is just across the Parsippany border from US Hwy 46. Commercial, retail, office and apartment uses are to the east, west and south. Single family and townhomes are to the north. The future site of the Waterview Marketplace retail development is nearby, to the east. Standards applicable to the new overlay zone include the following:</p> <p><b>Permitted Uses:</b> All OL-2 Office and Light Industrial Zone uses as regulated in that zone (the underlying zone)</p> <p><b>Conditional Uses:</b> Assisted Living Residences, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• Maximum density of 15.5 units per acres</li> <li>• Maximum of 90 units and 120 beds</li> <li>• Minimum Tract: 5 acres</li> <li>• Maximum Height: 3 stories/50 feet</li> <li>• Maximum Building Coverage: 30%</li> <li>• Maximum Improved Coverage: 60%</li> <li>• No age restriction</li> <li>• 10% of total beds set-aside as affordable Medicaid beds</li> </ul> 	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Roxbury	14-18	10/9/18	<p>Amend the Zoning Regulations to establish a new inclusionary zoning district, the MMFR Main Street Multi-Family Residence District, and amend the Zoning Map to rezone Block 3801, Lot 1 from the B-1/A Limited Business District to the new MMFR District. The subject property is a two acre vacant parcel at 75 Main Street. The surrounding neighborhood consists of single family, multi-family, offices, small scale retail/services, a library, churches and a cemetery. The standards applicable to the new zone include the following:</p> <p><b>Maximum Development:</b> 7 units, distributed as follows:</p> <ul style="list-style-type: none"> <li>• 5 For-Sale Townhouses</li> <li>• 2 For-Sale Affordable Stacked Flats</li> </ul> <p><b>Minimum Tract:</b> 80,000 sq. ft.</p> <p><b>Maximum Height:</b> 2 ½ stories/35 feet</p> <p><b>Maximum Building Coverage:</b> 25%</p> <p><b>Maximum Impervious Coverage:</b> 35%</p> 	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Wharton	O-16-18	10/15/18	<p>Amend the Land Use and Development Regulations as they pertain to signs. Examples of the amendments include the following:</p> <ul style="list-style-type: none"> <li>• Repeal the requirement that Hanging Signs in the CBD and B-1 Districts should consider visually interesting elements such as square or rectangular shapes with painted or applied letters, two- or three-dimensional symbols or icons, irregular outlines and/or internal cutouts.</li> <li>• Roof Signs may be authorized as a conditional use in the business districts if they meet various conditions, such as that the sign is a business or identification sign, the sign is externally illuminated, and the sign does not produce a halo effect.</li> <li>• Gas Station Signs shall have separate and distinct regulations from other business signs. Examples of the newly added regulations for these type of signs include that the height of Gas Station Ground Signs may not extend more than 25 feet above the ground and that the total area of Gas Station Canopy Signs shall not exceed one square foot per foot of length of such canopy to which the sign is attached or a total of 50 square feet, whichever is less.</li> <li>• Signs may be illuminated by gooseneck fixtures, floodlights and other indirect spotlights.</li> <li>• Halo-Lit signs are prohibited.</li> </ul>	


Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Borough of Wharton	O-17-18	10/15/18	<p>Ordinance O-17-18 adopts the Main Street Redevelopment Plan for Block 1317, Lots 1 through 22. These lots were declared a Non-Condensation Redevelopment Area under the New Jersey Local Redevelopment and Housing Law by Resolution R-100-18, adopted by the Borough Council on July 16, 2018. The Plan Area occupies approximately four acres bounded by North Main St. to the west, Fern Ave. to the north, 2<sup>nd</sup> Street to the east, and East Central Ave. to the south. The uses along North Main St. are primarily commercial/mixed use, while the remainder of the area is primarily residential, both single family and multi-family. The lots that front Main St. are in the CBD Central Business District while almost all of the remainder are in the RM-75 Medium Density One-and Two-Family District.</p> <p>The Plan calls for mixed-use development in mid-rise buildings with commercial/retail uses on the ground and second floors and apartments on the upper floors, with orientation toward North Main St. The Borough will seek a redeveloper for all or portions of the site. The redeveloper will acquire, or work with the Borough to acquire, all or portions of the Plan Area (but not via eminent domain). Standards applicable to the Plan Area include:</p> <p><b>Permitted Uses:</b> Retail (excluding auto sales and service), restaurants, offices, banks, multi-family (including garden and mid-rise apartments as well as dwellings above first floor non-residential uses), single and two family, municipal buildings and parking.</p> <p><b>Minimum Lot:</b> 3,000 sq. ft.  <b>Maximum Density:</b> 50 units per acre  <b>Max. Height:</b> 4 st./55 ft. or 5 st./60 ft. if 5<sup>th</sup> story is setback 5 feet from front facade  <b>Max. Building Coverage:</b> 50%, <b>Max. Impervious Coverage:</b> 90%  <b>Affordable Housing:</b> 15% rental / 20% for-sale</p> 	







### Zoning Ordinances Adopted: September 2018

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Town of Boonton	15-18	9/4/18	Amend the Town Code to establish a new Affordable Housing Ordinance to provide for and regulate affordable housing in the Borough. This ordinance establishes regulations pertaining to such matters as control periods, price and rent restrictions, buyer and tenant income eligibility, affirmative marketing, the municipal housing liaison, the rehabilitation program and enforcement of these regulations.	This ordinance is as called for by the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.
Town of Boonton	16-18	9/4/18	Various amendments to the Development Fee Chapter of the Town Code including, for example, the establishment of a 2.5% nonresidential development fee as permitted by the Statewide Nonresidential Development Fee Act.	This ordinance is as called for by the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.
Town of Boonton	17-18	9/4/18	Amend the Zoning and Land Use Regulations to establish a town-wide affordable housing set-aside that applies to multi-family developments of at least five new units created as a result of a subdivision or site plan approval, rezoning, use variance, or redevelopment plan approved by the Town or the Planning Board.. In such cases, a 15% rental / 20% for-sale affordable set-aside is imposed.	This ordinance is as called for by the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center.

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Town of Boonton	19-18	9/4/18	<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"> <li>• Permitted Use: Townhouses</li> <li>• Minimum Lot: 290,000 square feet</li> <li>• Maximum Density: 16 units per acre</li> <li>• Maximum Height: 3 stories / 42 feet</li> <li>• Minimum Open Space: 20%</li> <li>• Affordable Set-Aside: 15% of rental units / 20% of for-sale units</li> </ul> 	<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 #	Date Adoption Filed	Summary	Staff Comments
Town of Boonton	20-18	9/4/18	<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"> <li>• Permitted Use: Multifamily</li> <li>• Minimum Lot: 40,000 square feet</li> <li>• Maximum Density: 12 units per acre</li> <li>• Maximum Height: 2 ½ stories / 36 feet</li> <li>• Minimum Open Space: 15%</li> <li>• Affordable Set-Aside: 15% of rental units / 20% of for-sale units</li> </ul> 	<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 #	Date Adoption Filed	Summary	Staff Comments
Town of Boonton	22-18*	9/21/18	<p>Amend the Zoning and Land Use Regulations to add senior housing as a conditional use in the R-1E - Single Family Residential District. The 3.4-acre R-1E District is largely undeveloped, with a single family home on an 8,836 sq. ft. lot on Chestnut St. to the east. Saint Clare's Psychiatric Hospital is just across the municipal boundary in Boonton Twp. to the west. King's Foods supermarket is to the south. The standards applicable to this conditional use include the following:</p> <ul style="list-style-type: none"> <li>• Minimum Lot: 138,000 sq. ft.</li> <li>• Maximum Density: 10 units per acre / 18 bedrooms per acre</li> <li>• Maximum Height: 3 stories / 50 feet</li> <li>• Maximum Building Area: 20%</li> <li>• Maximum Impervious Coverage: 40%</li> <li>• Block 118, Lots 1.01 and 2 (the undeveloped portion of the district) shall consider the western boundary of the property as the front yard</li> <li>• No dwelling unit shall have more than two bedrooms</li> <li>• Minimum open space for passive or active recreation: 20% of gross site area</li> <li>• Affordable Set-Aside: 15% rental / 20% for-sale</li> </ul> 	<p>This ordinance (22-18) replaces proposed Ord. 01-18, which was introduced in January 2018. Ord. 22-18 is identical to Ord. 01-18 except for the addition of references to several affordable housing requirements, such as bedroom distribution, affordability controls and affirmative marketing.</p> <p>Single family detached dwellings on 8,000 sq. ft. lots remain as a permitted use.</p> <p>This zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center. According to the agreement, the developer of the lots that make up the R-1E District also owns the wooded area just south of the hospital across the border in Boonton Twp. and intends to develop that property for multi-family concurrently with the R-1E properties, with joint access from Powerville Rd. in Boonton Twp. The portion of the development in the Town of Boonton would total 30 units, six of which would be affordable.</p>

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Denville	21-18	9/6/18	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.	
Township of Denville	23-18	9/21/18	<p>Amend the Zoning Regulations to repeal, in its entirety, Section 19-5.801, which established regulations for off-street parking in residence districts.</p> <p>This section is being repealed in accordance with a Superior Court order in AMEE @ 46, LLC v. Township of Denville.</p>	<p>The court reviewed a sub-section of these regulations which permitted non-residential parking in residential zones as a conditional use, provided the Planning Board found such use to be reasonably necessary for the benefit of and not detrimental to the community. The court found this to be unconstitutionally vague and further found that the entire Section 19-5.801 could not be severed from this sub-section and so also was unconstitutional.</p>
Township of Harding	15-2018	9/13/18	<p>Amend the Land Development Regulations to prohibit, in all zoning districts, marijuana cultivation facilities, marijuana production or manufacturing facilities, marijuana testing facilities and retail marijuana stores, whether for medicinal or recreational purposes and such facilities or stores that manufacture, sell or dispense marijuana related paraphernalia.</p> <p>Also, amend the Right to Farm section to state that the manufacture, cultivation or farming of marijuana is prohibited.</p>	




Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Hanover	17-2018	9/14/18	<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"> <li>• Outdoor storage may now be located in side yards (in addition to the rear yards as permitted under existing regulations).</li> <li>• The following shall be exempted from the requirement that outdoor storage be screened from public view: <ul style="list-style-type: none"> <li>- The parking of passenger vehicles in parking spaces used by employees and patrons.</li> <li>- The storage and display of vehicles for sale by automobile sales dealerships.</li> <li>- The display of merchandise for sale or rent.</li> </ul> </li> <li>• 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.</li> </ul>	
Township of Hanover	19-2018	9/14/18	<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"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Long Hill	424-18	9/24/18	<p>Amend the Land Use Regulations as they relate to the zoning and construction permit process. Examples of the changes include the following:</p> <ul style="list-style-type: none"> <li>• Upon any change of ownership, tenancy, occupancy or use of any nonresidential use on a nonresidential property, for which no construction permits have been issued, the property owner, tenant or occupant shall apply to the Construction Official for a Certificate of Continued Occupancy.</li> <li>• Upon the commencement of or change in the use, occupancy or tenancy of any nonresidential property, where no construction is proposed and therefore a zoning permit is not required, a Certificate of Continued Compliance shall be obtained before any such use, occupancy or tenancy shall commence.</li> <li>• A Pre-Application Review Committee is established as an advisory service provided by the Planning Board to provide a non-binding review of all proposals.</li> <li>• The Schedule of Fees and Escrow Deposits is adjusted.</li> </ul>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments																								
Township of Morris	24-18	9/14/18	<p>Amend the Zoning Regulations to eliminate the TH-8/AH - Townhouse Residential Affordable Housing Zone and replace it with a newly created zone, the TH-6/AH - Townhouse Residential Affordable Housing Zone. This zone includes 28 acres of undeveloped land in the northern portion of Block 8801, Lot 1 on Punch Bowl Rd. This lot is owned by the Sisters of Charity and the southern portion is part of the College of Saint Elizabeth. The Liberty Greens townhomes are to the southwest.</p> <p>The new TH-6/AH Zone differs from the TH-8/AH Zone it is replacing as follows:</p> <table border="0" data-bbox="636 454 1640 925"> <tr> <td></td> <td style="text-align: center;"><b>TH-6/AH</b></td> <td style="text-align: center;"><b>TH-8/AH</b></td> </tr> <tr> <td><b>Permitted Uses:</b></td> <td>Townhouses, Stacked Townhouses Multi-Family Affordable Rentals</td> <td>Market-Rate Townhouses Multi-Family Affordable Rentals</td> </tr> <tr> <td><b>Max. Density:</b></td> <td>6 units / acre</td> <td>8 units / acre</td> </tr> <tr> <td><b>Maximum Units:</b></td> <td>165 units</td> <td>N/A</td> </tr> <tr> <td><b>Affordable Set-Aside:</b></td> <td>20%</td> <td>15%</td> </tr> <tr> <td><b>Minimum Affordable Units:</b></td> <td>N/A</td> <td>33 units</td> </tr> <tr> <td><b>Max. Height Townhouses:</b></td> <td>2 ½ stories or 3 ½ stories if stacked</td> <td>2 ½ stories</td> </tr> <tr> <td><b>Max. Height Multi-Family:</b></td> <td>3 ½ stories</td> <td>3 stories</td> </tr> </table> 		<b>TH-6/AH</b>	<b>TH-8/AH</b>	<b>Permitted Uses:</b>	Townhouses, Stacked Townhouses Multi-Family Affordable Rentals	Market-Rate Townhouses Multi-Family Affordable Rentals	<b>Max. Density:</b>	6 units / acre	8 units / acre	<b>Maximum Units:</b>	165 units	N/A	<b>Affordable Set-Aside:</b>	20%	15%	<b>Minimum Affordable Units:</b>	N/A	33 units	<b>Max. Height Townhouses:</b>	2 ½ stories or 3 ½ stories if stacked	2 ½ stories	<b>Max. Height Multi-Family:</b>	3 ½ stories	3 stories	<p>This site is part of the December 7, 2017 Settlement Agreement between the Township and the Fair Share Housing Center.</p> <p>The TH-8/AH Zone was created by Ordinance 15-18, which was adopted on May 24, 2018.</p> <p>Although the new TH-6/AH Zone does not specify a minimum number of affordable units, applying its 20% set-aside to the maximum of 165 units results in 33 affordable units, the same as the minimum required under the TH-8/AH Zone.</p>
	<b>TH-6/AH</b>	<b>TH-8/AH</b>																										
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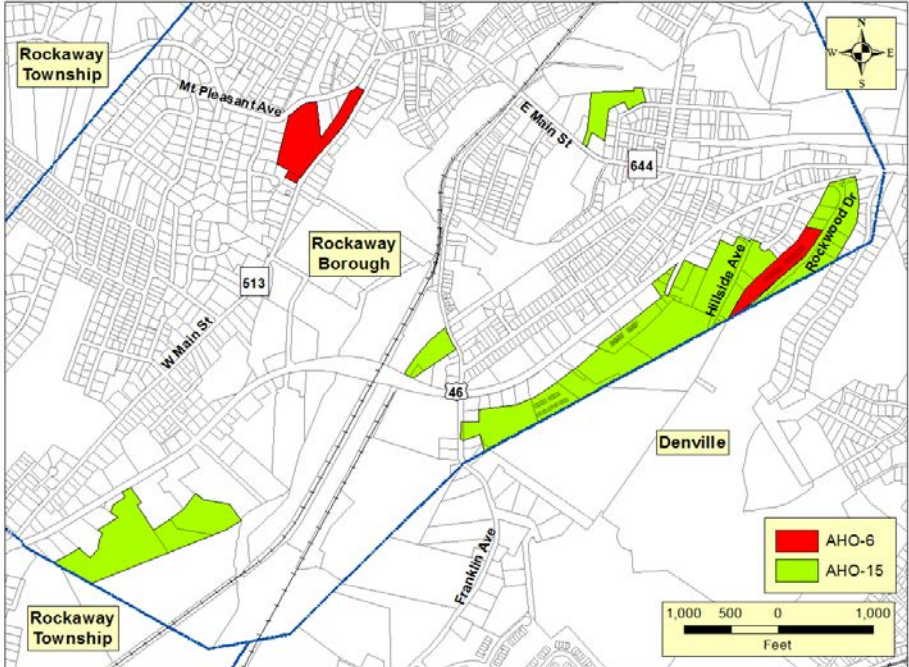
Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Morris Plains	13-2018	9/11/18	Amend the Land Development Regulations to add public notice requirements for hearings before the Planning Board and Board of Adjustment.	
Borough of Morris Plains	15-2018	9/10/18	<p>Amend the Land Development Regulations to establish a new inclusionary zoning district, the R-8 Residence District, and amend the Zoning Map to rezone Block 11, Lot 3 from I - Industrial to the new R-8 District. The 28-acre tract has three office buildings and is located on American Road on the Hanover Township border. Office, warehouse and industrial uses are to the southwest, single family is to the north and east, and Hanover Township owned open space is to the south. The standards applicable to the new zone include the following:</p> <p><b>Maximum Development:</b> 281 units, distributed as follows:</p> <ul style="list-style-type: none"> <li>• 96 Age Restricted Townhouses</li> <li>• 60 Age-Restricted Multi-Family Condominiums</li> <li>• 125 Multi-Family Apartments</li> </ul> <p><b>Affordable Set-Aside:</b> 50 units in the multi-family apartments (22 of which shall be age-restricted)</p> <p><b>Minimum Tract:</b> 25 acres</p> <p><b>Maximum Height:</b></p> <ul style="list-style-type: none"> <li>• Townhouses: 2 stories/36 feet</li> <li>• Multi-Family Condominiums and Multi-Family Apartments: 4 stories/50 feet</li> </ul> <p><b>Maximum Building Coverage:</b> 25%</p> <p><b>Maximum Impervious Coverage:</b> 50%</p>	This ordinance implements the settlement agreement between the Borough and the owner of this property, JMF at Morris Plains.



Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Morris Plains	16-2018	9/28/18	<p>Amend the Land Development Regulations to establish a new mixed use inclusionary zoning district, the TRPUD Tabor Road Planned Unit Development District, and amend the Zoning Map to rezone Block 121, Lot 1 from L-1 Research Laboratory to the new TRPUD District. The 62.5 acre tract was once the site of the now demolished Pfizer facility at 200 Tabor Rd. / State Hwy. 53. The vacant Johnson and Johnson facility is to the east and the new Honeywell headquarters is to the southeast while single family is to the west.</p> <p><b>Maximum Residential Development:</b> 434 units, distributed as follows:</p> <ul style="list-style-type: none"> <li>• 20 Two Story Townhouses</li> <li>• 67 Three Story Townhouses</li> <li>• 28 Interlocking Townhouses</li> <li>• 24 Stacked Townhouses</li> <li>• 295 Multi-Family Apartments</li> </ul> <p><b>Non-Residential Development:</b></p> <ul style="list-style-type: none"> <li>• Maximum Retail/Service/Restaurant Uses: 15,000 sq. ft.</li> <li>• Hotel: Minimum of 135 rooms and maximum of 200 rooms.</li> </ul> <p><b>Affordable Set-Aside:</b> 73 units</p> <p><b>Minimum Tract:</b> 60 acres</p> <p><b>Minimum Open Space:</b> 32.5 acres, divided into three separate areas, each with its own minimum acreage and permitted uses.</p> <p><b>Maximum Impervious Coverage:</b> Townhouses and Apartments, 75%; Retail/Service/Restaurant, 95%; Hotel, 90%</p> 	This ordinance implements the settlement agreement between the Borough and the owner of this property, M&M at Morris Plains.



Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Morris Plains	17-2018	9/11/18	<p>Amend the Land Development Regulations add a new Affordable Housing Ordinance to provide for and regulate affordable housing in the Borough. This ordinance establishes regulations pertaining to such matters as control periods, price and rent restrictions, buyer and tenant income eligibility, affirmative marketing, and enforcement of these regulations.</p> <p>In addition, the ordinance establishes a borough-wide affordable housing set-aside that applies to multi-family and single-family attached developments of at least five new units created through any future rezoning or Zoning Board action, use or density variance, or redevelopment plan which provides for densities at or above six units per acre. In such cases, a 15% rental / 20% for-sale affordable set-aside is imposed.</p>	This ordinance has been introduced in fulfillment of the terms of the Superior Court's grant of Substantive Certification.
Borough of Morris Plains	18-2018	9/11/18	Amend the Land Development Regulations to prohibit, in all zoning districts, businesses selling, distributing, cultivating, growing, processing or facilitating the sale or use of recreational or medicinal marijuana, including any related paraphernalia.	
Borough of Morris Plains	19-2018*	9/25/18	Amend the Land Development Regulations to add a checklist for determining the completeness of applications for general development plans.	
Township of Parsippany-Troy Hills	2018:12	9/4/2018	<p>Amend the Zoning Regulations to permit the following accessory uses and structures in the RCW - Recreation, Conservation and Wildlife District where a tract in common ownership consists of at least 200 contiguous acres:</p> <ul style="list-style-type: none"> <li>One environmental education center not exceeding coverage of 4,000 sq. ft. provided any improvements associated with any such development shall be located at least 150 feet from any lot line of any residentially zoned property adjacent to the RCW District. The environmental education center may include management offices, libraries, research facilities, classrooms, displays and other similar uses.</li> <li>One maintenance garage not exceeding a building coverage of 1,000 sq. ft. provided any improvements associated with any such development shall be located at least 150 feet from any lot line of any residentially zoned property adjacent to the RCW District.</li> </ul>	<p>This ordinance is in accordance with the Township's settlement of litigation with Wildlife Preserves Inc.</p> <p>The sole tract over 200 acres in the RCW District is Block 765, Lot 81.11. This 726 acre tract in the Troy Meadows is largely wetlands (with a few uplands areas) and owned by Wildlife Preserves Inc.</p>
Borough of Rockaway	15-18	9/21/18	Amend the Land Use Regulations to revise the Affordable Housing Development Fees / Trust Fund regulations in recognition of the fact that these fees and trust fund expenditures will be reviewed by the trial court, instead of the former Council on Affordable Housing.	In 2015, the NJ Supreme Court transferred jurisdiction for municipal affordable housing obligations from COAH to the trial courts.

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Rockaway	16-18	9/21/18	<p>Amend the Zoning Regulations to establish two affordable housing overlay districts. The AHO-6 Affordable Housing Overlay District consists of two areas: Block 73, Lots 59.01 and 65 (wooded lots bounded by Mt. Pleasant Ave. on the north and W. Main St. on the south) and Block 27.02, Lot 7 (site of townhomes on Rockwood Dr.). The AHO-15 Affordable Housing Overlay District consist of lots and portions of lots in four areas: 1) Wooded land on the southwestern boundary of the Borough with access to Rt. 46; 2) Wooded land just west of the McDonalds on Rt. 46; 3) a corridor of land along the southeastern boundary of the Borough that includes apartments, townhomes, single family, a motel and wooded areas; and 4) a wooded area with access to E. Main St. / County Rt. 644.</p> <p>Permitted Uses: AHO-6: One Family, Two and Three Family, Townhouses  AHO-15: One Family, Garden Apartments, Townhouses</p> <p>The following requirements apply to townhouses in the AHO Districts:</p> <ul style="list-style-type: none"> <li>• Tract Area: 20,560 sq. ft., Lot Area: 2,000 sq. ft., Maximum Height: 35 ft.</li> </ul> <p>The following requirements apply to garden apartments in the AHO Districts:</p> <ul style="list-style-type: none"> <li>• Tract Area: 20,560 sq. ft., Maximum Density: AHO-6 - 6 dwelling units/acre, AHO-15 - 15 dwelling units/acres, Maximum Height: 3 stories</li> </ul> 	The Borough planner has reported that this ordinance will be amended to eliminate density requirements for Garden Apartments in the AHO-6 District since this use is not permitted in the AHO-6 District.

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Borough of Rockaway	17-18	9/21/18	Amend the Zoning Regulations to permit and establish standards for Accessory Housing Units. These are defined as a second dwelling unit located on a lot containing a single family dwelling. Such a dwelling may be located within the principal structure, added to a principal structure, or located in a detached accessory building. The rents for Accessory Housing Units shall be consistent with COAH or successor entity rules.	
Borough of Rockaway	18-18	9/21/18	Amend the Officers and Employees chapter of the Borough Code to repeal the Municipal Housing Liaison section and replace it with a note that the mechanisms for meeting the Borough's affordable housing obligations are described in the Affordable Housing chapter of the code.	
Borough of Rockaway	19-18	9/21/18	<p>Amend the Borough Code to add a new Affordable Housing Chapter to provide for and regulate affordable housing in the Borough. This ordinance establishes regulations pertaining to such matters as control periods, price and rent restrictions, buyer and tenant income eligibility, affirmative marketing, the municipal housing liaison position and enforcement of these regulations.</p> <p>In addition, the ordinance requires that any project not associated with a specific density or affordable housing requirement as outlined in a specific zone or redevelopment plan shall be required to provide a 15% rental / 20% for-sale affordable set-aside.</p>	
Township of Washington	RO-14-18	9/18/18	Amend the Zoning Regulations to permit, as a conditional use, Veteran's Micro Housing Units in the R-5 Washington Township Conservation District. Such units are defined as a housing unit, not exceeding 300 sq. ft. and 13.5 ft. in height, designed and constructed specifically for year-round occupancy by a U.S. veteran, which is not permanently erected upon a lot and is constructed with wheels to facilitate mobility and relocation within the community. A maximum of five Veteran's Micro Housing Units shall be permitted in the Township and only one such unit shall be permitted per lot. These units may only be installed on a commercial farm and shall be located out of public view, such as behind an existing building. These units may only be constructed on a commercial farm that also includes an occupied single family detached dwelling.	

### Zoning Ordinances Withdrawn: September 2018

Municipality	Ordinance #	Date Filed	Summary	Staff Comments
Township of Denville	20-18	9/6/18	This ordinance was introduced in July 2018 but has been withdrawn. It would have amended 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.	Ord. 20-18 has been replaced by Ord. 24-18, which was introduced this month.

**Proposed Ordinances Received: 22**

**Adopted Ordinances Received: 26**

**Ordinances Withdrawn: 1**

**Total Ordinances Processed: 49**

\* Ordinance introduced and adopted during the same month.