


## Zoning Ordinances Introduced: April 2019

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Chester	2019-04	5/21/19	<p>Amend the Land Use Regulations as they apply to exemptions from the requirements to provide dry wells to manage stormwater runoff from roof areas.</p> <ul style="list-style-type: none"> <li>• Under existing regulations, the construction of a building that results in an increase in building coverage of less than 400 sq. ft. is exempt. This is replaced by a schedule that varies the exempt area by lot size and ranges from 500 sq. ft. in the case of a lot less than one acre in size to 1,500 sq. ft. in the case of a lot of ten acres or more in size.</li> <li>• Exemptions can only be used once every two years.</li> <li>• Exemptions do not apply if the project requires a variance from the bulk standards.</li> <li>• Exemptions do not apply if the cumulative impervious coverage as calculated after October 18, 2005 (the date of the adoption of the stormwater control ordinance), exceeds ¼ acre.</li> </ul>	
Township of East Hanover	7-2019	5/6/19	<p>Amend the Land Use and Zoning Regulations as they apply to parking requirements in the R-10, R-11, R-15, R-20, R-120 and R-120-CR Residence Zones. A minimum of one garage space per dwelling unit shall be required. The maximum number of garage spaces shall vary by zone. The existing requirement that ties the minimum number of garage spaces to the size of the lot is eliminated. In addition, the existing cap on the maximum number of off-street parking spaces (both garaged and non-garaged) is eliminated.</p>	
Township of Hanover	19-2019	5/9/19	<p>Amend the Land Use and Development Regulations to permit, within the B-10 Highway Business District, small-scale storage buildings with an associated office or retail trade use. The gross floor area of the storage building shall not exceed 10,000 sq. ft. In addition to the warehouse operation, the building shall contain at least 1,000 sq. ft. of gross floor area devoted to office or retail trade use.</p>	
Township of Jefferson	19-04	5/1/19	<p>Amend the RA-3 Redevelopment Plan to establish additional standards for multifamily residences, which are permitted, in certain locations, as a conditional use in the RA-3 Zone. Examples of the new standards include the following:</p> <ul style="list-style-type: none"> <li>• Maximum impervious area: 60%</li> <li>• Maximum number of units per building: 50</li> <li>• No dwelling units shall be allowed in the basement or above the third story</li> <li>• Maximum building height: 42 feet</li> </ul>	<p>Multifamily residences are permitted as a conditional use in the RA-3 Zone at Block 273.02, Lot 1, Block 273.01, Lots 2.061, 2.062, and 12 and all other RA-3 parcels located in the Highlands Planning Area having greater than one acre in size and having adequate water and sewer service.</p>

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Town of Morristown	O-12-2019	5/14/19	<p>Amend the Land Development Regulations to add a new section, Demolition of Buildings. The existing Demolition of Buildings section of the Town Code shall be repealed. Examples from the new section include the following:</p> <ul style="list-style-type: none"> <li>• No person shall remove or demolish any building or structure without first filing with the Zoning Officer an application and obtaining a permit. This shall apply to all principle or accessory buildings and accessory structures in excess of 120 sq. ft.</li> <li>• Within ten days of receipt of an application for a demolition permit, the Zoning Officer shall refer such application to the Historic Preservation Commission for review. The commission shall have 45 days to determine if the structure proposed for demolition should be deemed “Preferably Preserved,” based on its meeting one or more of the following criteria: <ul style="list-style-type: none"> <li>○ 100 years old or older</li> <li>○ Historic Resource in the Town’s Master Plan</li> <li>○ Listed or deemed eligible for the National Register of Historic Places</li> <li>○ Located within a State or National Historic District</li> </ul> </li> <li>• If the Historic Preservation Commission does not deem the structure to be Preferably Preserved, the Zoning Officer shall issue the demolition permit. If the commission determines the structure to be Preferably Preserved, the commission shall recommend to the Zoning Officer that the demolition permit be denied. The denial of a permit may be appealed to the Zoning Board of Adjustment. If the ZBA finds in the applicant’s favor, the Zoning Officer shall issue a demolition permit. If the denial is affirmed by the ZBA, a demolition permit shall not be issued until the applicant has demonstrated the following to the Zoning Officer. <ul style="list-style-type: none"> <li>○ Notice of the proposed demolition has been posted on the site for a period of nine months and notice has been published in the Town’s official newspaper for the first ten days and last ten days of the notice period.</li> <li>○ Applicant has worked with the Historic Preservation Commission to evaluate viable alternatives to demolition.</li> <li>○ Applicant has made good faith attempts to sell or rent the property.</li> <li>○ Applicant has allowed the commission to document and take photographs of the property, interior and exterior of the building, and all structures that may be affected and obtain historical records, maps, plans and reports related to the site and structures.</li> </ul> </li> </ul>	

Municipality	Ordinance #	Public Hearing Date	Summary	Staff Comments
Township of Parsippany	2019:15	5/14/19	Amend the Zoning Regulations to repeal the APRD-2 Alternative Planned Residential Development 2 District.	The 2014 Reexamination Report notes that the APRD-2 District is no longer on the zoning map and is obsolete. As a result, this ordinance has no practical impact.
Township of Parsippany	2019:16	5/14/19	Amend the Zoning Regulations so that the section that establishes regulations pertaining to building height refers to the definition of building height provided in the definition section of the regulations.	This ordinance is as called for by the 2014 Reexamination Report to ensure a standard measurement of building height.
Township of Parsippany	2019:17	5/14/19	Amend the Zoning Regulations to establish a corner yard setback exception to the prohibition on accessory structures in the front yard. Accessory structures that are interconnected with the principal building, including but not limited to, above ground oil tanks, air conditioning compressors, etc., shall be permitted within a front yard of a corner lot subject to the applicable accessory structure side yard setback. Such structures shall be limited to a 20 sq. ft. area. This exception does not include sheds, garages, or any accessory use or structure that is not directly interconnected with the principal building.	This ordinance is as called for by the 2014 Reexamination Report, due to concern that existing regulations, as applied to corner lots, create unnecessarily restrictive requirements for certain accessory structures, such as above ground oil tanks and air conditioning compressors.
Township of Parsippany	2019:18	5/14/19	This ordinance relocates the critical slope area regulations from the Subdivision Regulations to the Zoning Regulations in order to clarify and reinforce that bulk variance relief is needed for deviation from these requirements. In addition, the critical slope area regulations are amended to clarify that the percentages of slope disturbance are applied to each individual proposed lot in a subdivision.	This ordinance is as called for by the 2014 Reexamination Report.
Township of Parsippany	2019:19	5/14/19	Amend the Zoning Regulations to reduce the maximum permitted driveway width from 36 feet to 24 feet.	This ordinance is as called for by the 2014 Reexamination Report, due to concern that the 36 foot maximum results in more pavement area than is generally required and thus results in greater runoff.


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Township of Parsippany	2019:20	5/14/19	<p>Amend the Zoning Regulations as they pertain to signs. Example of the change include the following:</p> <ul style="list-style-type: none"> <li>• An exception to the prohibition on illuminated advertising signs shall be that one such sign indicating that the business is open shall be permitted. Such illuminated signs shall not exceed three sq. ft. and shall not have flashing or blinking lights. In addition, one illuminated sign advertising lotteries shall be permitted.</li> <li>• Temporary banners and pennants shall be allowed during construction that obstruct permanent signage, where such temporary signage is necessary to prevent long-term business disruption.</li> </ul>	
Township of Parsippany	2019:21	5/14/19	Amend the Zoning Regulations to eliminate the mixed land use option as a permitted conditional use in the R-2M Residential Mixed-Use Option District.	This ordinance is as called for by the 2014 Reexamination Report.

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Township of Parsippany	2019:22	5/14/19	<p>Amend the Zoning Map to rezone Block 391, Lots 1, 2, 3, 4 and 5 from the R-3 Residential District to the B-3 Local Business District. The five lots, four of which are roughly one half acre in size and one of which is 1.6 acres in size, are located on northbound Parsippany Rd. / County Rt. 511, just north of Greenhill Rd. Two of the lots are single family homes, two are commercial uses located in former single family homes, and one is a bank. To the immediate south is a strip mall, to the north are office buildings, and to the east and west are single family neighborhoods.</p> <p>In addition, the Zoning Regulations are amended to prohibit vehicular access from residentially zoned streets to and from a lot in the B-3 District.</p> 	This ordinance is as called for by the 2014 Reexamination Report.

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Township of Parsippany	2019:23	5/14/19	Amend the Zoning Regulations to eliminate Public and Nonprofit or Limited Dividend Housing for Elderly Persons as a permitted conditional use in the R-3, R-3A (RCA), R-4 and R-5 Residential Districts.	The elimination of this conditional use in the R-3 District is as called for by the 2014 Reexamination Report. This ordinance removes this conditional use from additional zones as well.

### Zoning Ordinances Adopted: April 2019

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Township of Hanover	12-2019	4/11/19	Amend the Land Use and Development Regulations as they apply to the parking requirements for restaurants. Under existing regulations, the same off-street parking requirements apply to all types of restaurants. Under the amended regulations, five types of restaurants are defined, each with its own off-street parking requirements.	
Borough of Morris Plains	4-2019	4/24/19	<p>Amend the Land Development Regulations to revise the Performance Standards section that applies to all uses except for one- and two-family dwellings. Examples of the changes include the following:</p> <ul style="list-style-type: none"> <li>• No open burning shall be permitted in any area.</li> <li>• There shall be no emission of odorous matter in such quantities as to be readily detectible without instruments at the property line from which they are emitted.</li> <li>• Vibrations discernible without instruments at the measuring location shall not be permitted.</li> <li>• No use or process shall produce a temperature change greater than three degrees Celsius at the measuring location.</li> </ul>	

Municipality	Ordinance #	Date Adoption Filed	Summary	Staff Comments
Town of Morristown	O-7-2019	4/12/19	<p>Ordinance O-7-2019 adopts Phase II of the Morris Street Redevelopment Plan, which applies to Block 3701, Lots 13, 14 and 15 on eastbound Morris St. / County Rt. 510, just east of Ridgedale Ave. These five lots total 1.6 acres and are currently vacant. Its most recent use was as a car rental facility and, previously, as a heating oil distribution depot (with resulting contamination that must be addressed by the redeveloper). Two-family homes are to the immediate east along Morris St. Behind those homes are apartments recently developed as part of Phase I of the redevelopment plan. To the immediate west is an auto service station while the southern boundary of the site is marked by the embankment for the Morris &amp; Essex rail line. The Morristown Train Station is approximately 1,000 feet to the northwest.</p> <ul style="list-style-type: none"> <li>• A total of 85 multifamily units and 10,000 sq. ft. of commercial use (including retail, restaurants and fitness centers) may be developed as part of Phase II. No fewer than 30% of the units shall be classified as Live/Work units. The minimum lot area is 55,000 sq. ft. The maximum impervious coverage is 80%. The maximum building coverage is 75%. The maximum height is four stories / 50 feet.</li> <li>• If feasible, and subject to the agreement of neighboring property owners, the redeveloper shall provide access to Leona Drive via the southeast corner of the site. Morris St. access shall be right turn in, right turn out (left turns may be approved, subject to discretion of the Planning Board).</li> <li>• The plan mandates detailed standards pertaining to factors such as building design, public plazas, streetscape, roadways, and parking.</li> <li>• Affordable set-aside: 15% rental / 20% for-sale (half may be located off-site).</li> </ul> 	<p>The Morris Street Redevelopment Area (of which the Phase II lots are a subset) was designated an Area in Need of Redevelopment in 2007.</p> <p>Live/Work units are defined as a single, enclosed private space which combines one dwelling unit with one of the following work uses: artisan workshop, media production, office (general and professional), or services (business or personal).</p>



**Proposed Ordinances Received: 14, Adopted Ordinances Received: 3, Total Ordinances Processed: 17**