

ZONING ORDINANCES ADOPTED¹: AUGUST 2019

Municipality: BOROUGH OF BUTLER

Ordinance: 2019-12

Date Adoption Filed: 8/15/19

Summary: The Land Use Regulations are subject to various amendments by this ordinance. Examples include the following:

- Reconfigure the R-6 and R-7 District Regulations so that they are in a single merged section.
- Remove the separate R-8 District section while maintaining the R-8 District in the bulk regulations schedule with a reference from the schedule to the newly combined R-6 / R-7 section. The intent is that this reference will serve to regulate apartment and townhouse development in the R-8 District.
- Eliminate references to COAH regulations as they relate to the R-7 and R-8 Districts.
- Reduce the minimum lot size from 17,250 sq. ft. to 12,500 sq. ft. and the minimum lot width from 100 ft. to 75 ft. in the R-1 District.
- Add Nail and Hair Salons and Barber Shops as a principal permitted use in the HC, CBD and LI/CBD Districts.
- Amend the definition of Recreational Vehicle to eliminate the 15,000 pound weight restriction and increase the maximum length from 24 feet to 36 feet.

Staff Comments: The Borough Zoning Officer reports that he will modify this ordinance in order to clarify the R-6, R-7 and R-8 regulations. It will then be reintroduced.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 10-2019

Date Adoption Filed: 8/12/19

Summary: Amend the Land Use and Zoning Regulations to require installation of decorative bollards to protect outdoor seating areas at restaurants when the seating area is immediately adjacent to surface parking.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 11-2019

Date Adoption Filed: 8/12/19

Summary: Amend the Land Use and Zoning Regulations to establish a new inclusionary housing district permitting 548 units on a portion of the Mondelēz International site. Block 42, Lots 37, 38 and 41 are rezoned from the R-L -Research Laboratories and Office District to the newly established RMF - Residential Multi-Family District. The 75-acre tract at the intersection of Deforest Ave. and River Rd. is the site of an office building recently vacated by Mondelēz. To the northeast is a second office building where Mondelēz will continue to maintain a presence. Small commercial uses are to the northwest, while a cemetery is to the west. Small lot single-family homes are to the south and east, while the Hanover Park Condos are further south.

¹ All ordinances that were introduced in August were also adopted in August. These are identified by an asterisk* after the ordinance number. All other adopted ordinances were introduced previously.

Standards for the new RMF District include the following:

- **Permitted Uses:** Duplex, multi-family, townhouse, stacked townhouse, affordable housing within a townhouse building, which may be designed as one-over-one apartment flats within a townhouse configuration, and public or private open space and recreation areas.
- **Minimum Tract:** 70 acres
- **Minimum Parcel:** 12 acres (residential); 5 acres (parks and open spaces)
(The standards below apply to the entire tract area on an entire tract basis)
- **Maximum Density:** 7.4 units per acre
- **Maximum Units:** 548
- **Maximum Height:** 55 ft. (multifamily); 40 ft. (all others)
- **Maximum Building Coverage:** 45%; **Maximum Impervious Coverage:** 60%
- **Affordable Set-Aside:** 96 units (a minimum of 50 of the affordable units shall be family rental units)

Staff Comments: This ordinance implements a portion of the June 2019 Settlement Agreement between the Township and the Fair Share Housing Center.



Municipality: TOWNSHIP OF HARDING

Ordinance: 14-2019*

Date Adoption Filed: 8/22/19

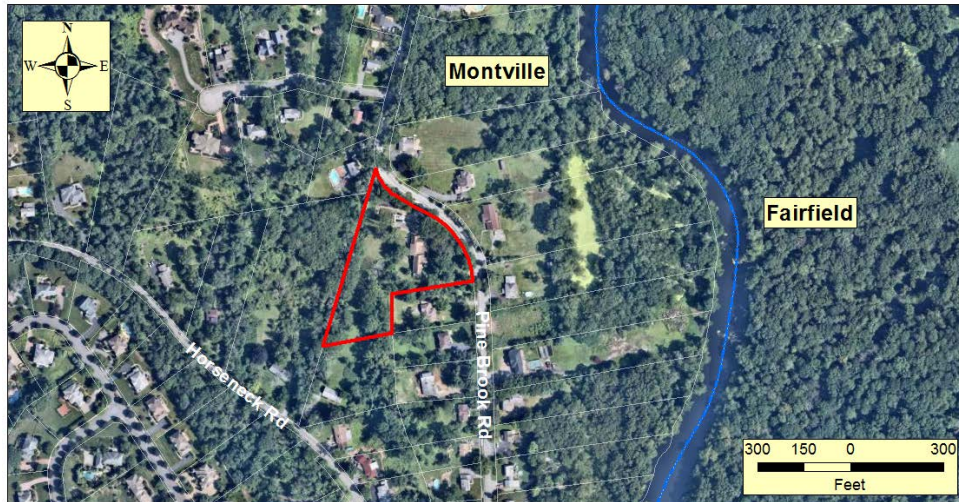
Summary: In the AHO-1 Affordable Housing Overlay 1 Zone, the underlying B-2 bulk and supplementary standards apply, except for certain adjustments. The Zoning Regulations pertaining to the AHO-1 Overlay are amended so that they refer to the correct sections for the B-2 Zone.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2019-25*

Date Adoption Filed: 8/21/19

Summary: Amend the Land Use and Development Regulations to establish a new zoning district, the R-27F Residential District - Residential Health Care Facility Option, and amend the Zoning Map to rezone Block 125.6, Lot 1 from the R-27A Residential District to the newly established R-27F District. This 3.5-acre lot on Pine Brook Road is the site of a residential health care facility. The surrounding neighborhood is single family.



The permitted uses in the R-27F District are One-Family Dwellings (as regulated in the R-27A District) and Residential Health Care Facilities. Residential Health Care Facilities are facilities in single or multiple dwellings which furnish food and shelter to four or more persons over the age of 18, provide dietary services, recreational activities, supervision of self-administration of medication, supervision and administration in activities of daily living, and assistance in obtaining health services. Such facilities are regulated by either the Department of Health or the Department of Community Affairs.

Residential Health Care Facilities shall conform to the area, yard and bulk requirements for one-family dwellings in a conventional subdivision in the R-27A District as well as the following requirements:

- A maximum of 65 bedrooms shall be permitted for residents of the facility, not including caretaker bedrooms
- 100% of the bedrooms (excluding caretaker bedrooms) shall be affordable
- A maximum of three principal buildings are permitted

In addition, Residential Health Care Facilities shall no longer be a permitted use in the OB and I Districts.

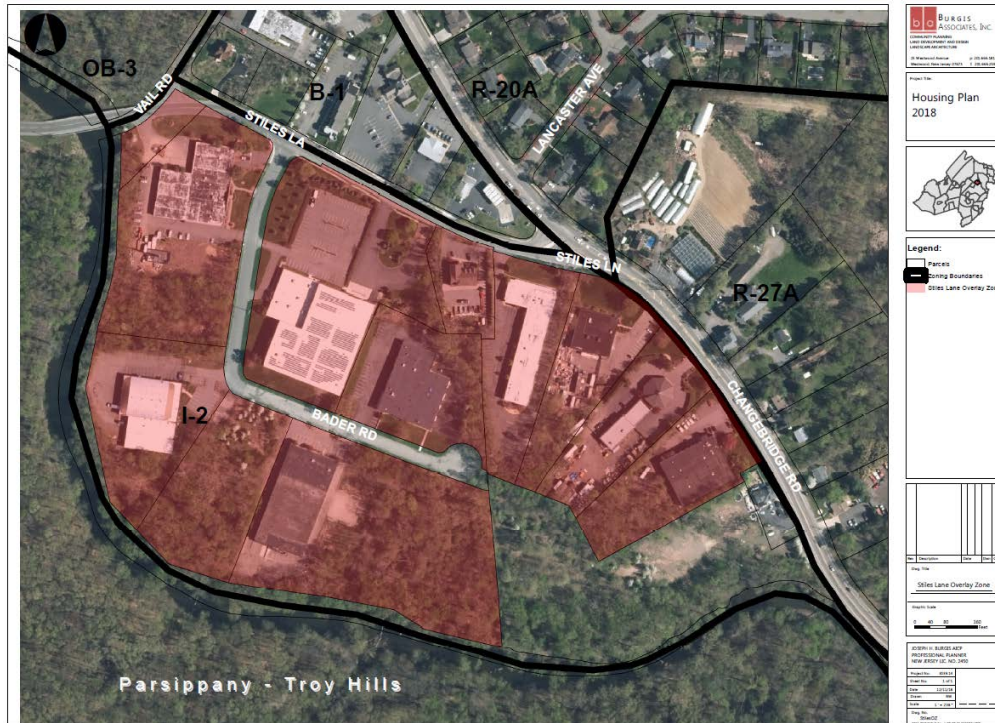
Staff Comments: According to the December 2018 Settlement Agreement between the Township and the Fair Share Housing Center, this is the site of the St. Alberts / Green Briar residential health care facility. Under the terms of the settlement, the Township will work with St. Alberts to deed restrict as affordable 27 existing bedrooms at the facility and has been in discussions with them to convert five existing staff bedrooms into supportive housing units. In addition, the Township and St. Alberts have entered into an agreement whereby the facility will be expanded to include 33 new affordable bedrooms.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2019-26*

Date Adoption Filed: 8/21/19

Summary: Amend the Land Use and Development Regulations to establish a new inclusionary overlay district, the SLO - Stiles Lane Overlay District, and amend the Zoning Map to place Block 160.2, Lots 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13 and 14 in the new SLO Overlay District. The new overlay consists of twelve lots totaling 31 acres on Stiles Ln., Bader Rd., Vail Rd. and Changebridge Rd. / County Rt. 621. Nine of the lots have industrial or warehouse uses, two are commercial, and one is vacant. To the immediate north are commercial uses. Toward the northeast is a small lot single family neighborhood. Toward the northwest, west and south are state and local wooded lands.



Development under the conditions of the underlying I-2 Industrial District remains as an option. Standards for the new SLO Overlay District include the following:

- **Permitted Uses:** Multifamily
- **Minimum Lot:** 4 acres
- **Maximum Density:** 12.2 units per acre
- **Maximum Height:** 4 stories / 48 ft.
- **Maximum Building Coverage:** 35%; **Maximum Impervious Coverage:** 75%
- **Affordable Set-Aside:** 20%

Staff Comments: According to the December 2018 Settlement Agreement between the Township and the Fair Share Housing Center, 375 units have been identified for this overlay, with the 20% set-aside resulting in 75 affordable units.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2019-27*

Date Adoption Filed: 8/21/19

Summary: Amend the Land Use and Development Regulations to establish a new zoning district, the TH/MFD - Inclusionary Townhouse / Multifamily Dwelling District, and amend the Zoning Map to rezone Block 81, Lot 7 from I-2 Industrial to the new TH/MFD District. This 13 acre wooded lot is located on Main Rd. / US Hwy. 202. Townhomes are located to the north and south. Commercial and industrial uses are to the immediate west. Small lot single family is to the east.



Standards for the new TH/MFD District include the following:

- **Permitted Uses:** Townhomes, Multifamily and Family Child-Care Homes
- **Minimum Lot:** 10 acres
- **Maximum Density:** 5.5 units per acre
- **Maximum Height:** 3 stories / 45 ft.
- **Maximum Building Coverage:** 35%; **Maximum Impervious Coverage:** 50%
- **Minimum Open Space:** 45%
- **Affordable Set-Aside:** 20%

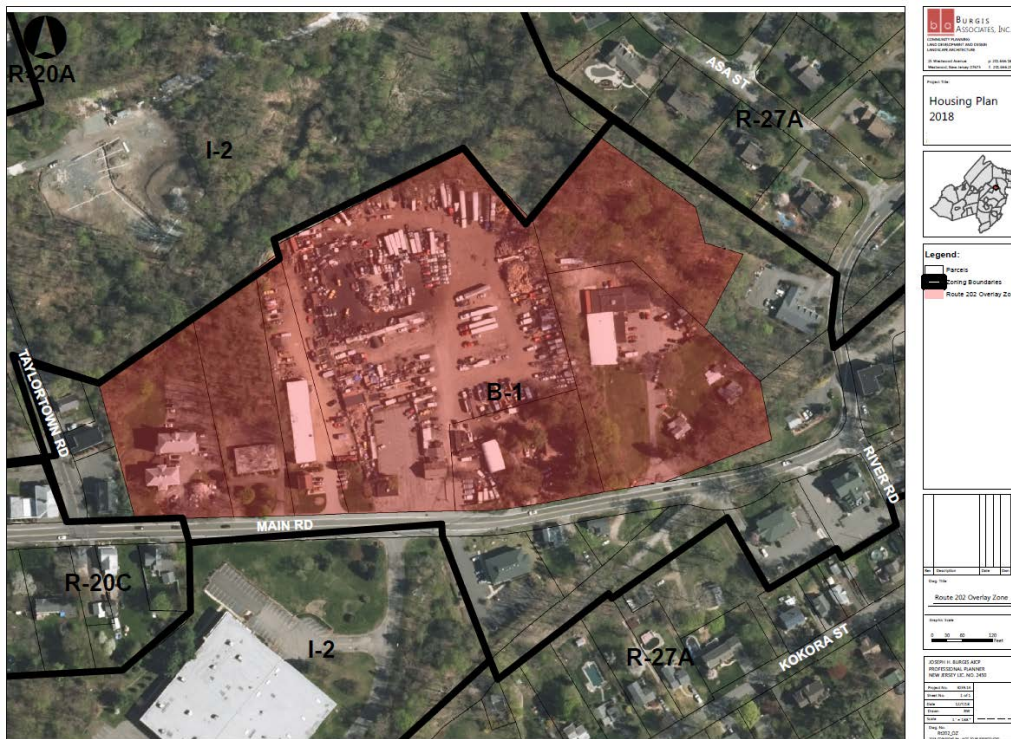
Staff Comments: According to the December 2018 Settlement Agreement between the Township and the Fair Share Housing Center, 70 for-sale units have been identified for this zone, with the 20% set-aside resulting in 14 affordable units.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2019-30*

Date Adoption Filed: 8/21/19

Summary: Amend the Land Use and Development Regulations to establish a new inclusionary overlay district, the R202 - Route 202 Overlay District, and amend the Zoning Map to place Block 56, Lots 6.02, 10, 11, 11.01, 12, 12.01 and 13 in the R202 Overlay District. The new overlay consists of seven lots totaling 15.9 acres on Main Rd. / US Hwy. 202, just east of Taylortown Rd. Three of the lots are industrial uses, two are commercial, one is single family and one is vacant. An industrial use is to the immediate south while much of the surrounding neighborhood is small lot single family.



Development under the conditions of the underlying B-1 Business District remains as an option. Standards for the new R202 Overlay District include the following:

- **Permitted Uses:** Multifamily
- **Minimum Lot:** 4 acres
- **Maximum Density:** 15.7 units per acre
- **Maximum Height:** 3 stories / 40 ft.
- **Maximum Building Coverage:** 35%; **Maximum Impervious Coverage:** 75%
- **Affordable Set-Aside:** 20%

Staff Comments: According to the December 2018 Settlement Agreement between the Township and the Fair Share Housing Center, 250 units have been identified for this overlay, with the 20% set-aside resulting in 50 affordable units.

Municipality: TOWN OF MORRISTOWN

Ordinance: O-28-2019

Date Adoption Filed: 8/8/19

Summary: Amend the Land Use Regulations to address the use of basements and attic space. Examples of the new regulations include the following:

- Kitchens or kitchen facilities, sinks and bathrooms shall be prohibited in any attic space.
- Kitchens or kitchen facilities shall be prohibited in basements.
- Attic spaces may not be used for sleeping purposes.
- Bedrooms shall not be permitted in basements except in owner-occupied single-family residences that meet certain listed conditions such as sufficient light and ventilation, a second means of egress, and separation of furnaces from living areas by fireproof partition.

Municipality: TOWNSHIP OF ROXBURY

Ordinance: 13-19

Date Adoption Filed: 8/2/19

Summary: Amend the Zoning Regulations to reclassify Flexible Office/Warehouse from an accessory use to a permitted principal use in the LI/OR Light Industrial/Office Research District.

*Ordinance introduced and adopted during the same month.

PROPOSED ORDINANCES RECEIVED: 5
ADOPTED ORDINANCES RECEIVED: 10
TOTAL ORDINANCES PROCESSED: 15