

ZONING ORDINANCES INTRODUCED: DECEMBER 2019

Municipality: TOWN OF BOONTON

Ordinance: 19-19

Public Hearing Date: 12/16/19

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the MAO - Myrtle Avenue Overlay District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

Municipality: TOWN OF BOONTON

Ordinance: 20-19

Public Hearing Date: 12/16/19

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the R-1E - Residence District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

Municipality: TOWN OF BOONTON

Ordinance: 21-19

Public Hearing Date: 12/16/19

Summary: Amend the existing 30 year deed restriction and affordability controls on affordable units in the AH-I - Affordable Housing-Industrial District so that, at the conclusion of the 30 year term, the municipality may unilaterally extend the deed restrictions and affordability controls for an additional 30 year consecutive term by adoption of a resolution.

ZONING ORDINANCES ADOPTED: DECEMBER 2019

Municipality: TOWNSHIP OF BOONTON

Ordinance: 880

Date Adoption Filed: 12/10/19

Summary: Amend the Zoning Regulations to remove age-restricted active adult housing as a conditional use in the RB Retail Business District and replace it with mixed-income multi-family housing. With the exception of the age restriction, all other conditions that had been applicable to age-restricted active adult housing (such as minimum lot size, maximum density, affordable set-aside, etc.) shall be applicable to mixed-income multi-family housing.

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2019-19

Date Adoption Filed: 12/20/19

Summary: Amend the Zoning Regulations to establish a new inclusionary overlay district, the PI-AHO - Professional and Institutional Affordable Housing Inclusionary Overlay District and amend the Zoning Map to

place Block 128, Lot 9 within the new overlay. The PI-AHO Overlay is a 3.4-acre lot located at 466 Southern Blvd. / County Rt. 647. It is developed with three commercial buildings. The golf course of the Fairmount Country Club is to the east and south. A Township owned baseball field is to the west. A gym and fitness center is to the north. The Chatham Hill apartments are to the northwest. Development as permitted by the underlying PI-1 - Professional Institutional District shall remain as an option. The standards applicable to the new PI-AHO Overlay include the following:

- Permitted Uses: Apartments and Townhouses
- Minimum Lot: 3 acres
- Maximum Density: 12 units per acre
- Maximum Height: 2 ½ st. / 35 ft.
- Maximum Building Coverage: 30%; Maximum Impervious Coverage: 60%
- Minimum Open Space: 30%
- Affordable Set-Aside: 15% rental / 20% for-sale

Staff Comments: At 12 du/ac, the 3.4 acre PI-AHO Overlay could accommodate a maximum of 41 units, pending potential reductions for other physical or environmental constraints.



Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2019-22

Date Adoption Filed: 12/20/19

Summary: Amend the Affordable Housing chapter of the Revised General Ordinances to set development fees and establish an Affordable Housing Trust Fund to collect and spend such fees. Developers shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. When an increase in residential density has been permitted via a “d” variance, the fee shall be 4%. Developers shall pay a fee of 2.5% of the equalized assessed value for nonresidential development.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 16-2019

Date Adoption Filed: 12/18/19

Summary: Amend the Zoning Regulations to permit multi-family mixed-use inclusionary development as a conditional use in the B-1 and B-2 Business Districts. If located in the B-1 District, the parcel shall have frontage on Ridgedale Ave. or Eagle Rock Ave. If located in the B-2 District, the parcel shall have frontage on Eagle Rock Ave. The standards applicable to this type of conditional use include the following:

- Minimum Lot: 30,000 sq. ft.
 - Maximum Density: 15 units per acre
 - Maximum Height: 3 st. / 38 ft.
 - The first floor shall contain B-1 District permitted uses (if located in the B-1 District) or B-2 district permitted uses (if located in the B-2 District). The second and third floors may contain multi-family.
 - Affordable Set-Aside: 15% rental / 20% for-sale
 - Maximum Building Coverage: 50%; Maximum Impervious Coverage: 80%
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Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 17-2019

Date Adoption Filed: 12/18/19

Summary: Amend the Zoning Regulations to set development fees and establish an Affordable Housing Trust Fund to collect and spend such fees. Developers shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. When an increase in residential density has been permitted via a “d” variance, the fee shall be 6%. Developers shall pay a fee of 2.5% of the equalized assessed value for nonresidential development.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 18-2019

Date Adoption Filed: 12/18/19

Summary: Amend the Township Code to add a new chapter regulating and establishing requirements for affordable housing. The new chapter addresses such matters as the maximum rents and sales prices for affordable units, buyer and tenant income eligibility, control periods, enforcement mechanisms, and affirmative marketing requirements.

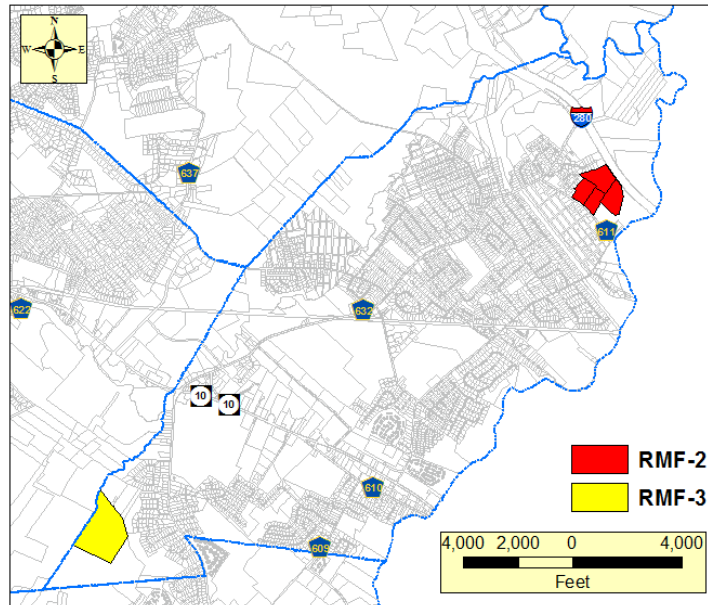
Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 19-2019

Date Adoption Filed: 12/18/19

Summary: Amend the Zoning Regulations to establish two new inclusionary overlay districts, the RMF-2 Residential-Multi-Family 2 Overlay District, and the RMF-3 Residential-Multi-Family 3 Overlay District. The RMF-2 Overlay consists of four lots off Eagle Rock Ave. / County Rt. 611 totaling 50.7 acres in size. Three of the lots are developed with office buildings while one is vacant. I-280 is to the immediate northeast. It is within the PB-3 Professional and Business Office District. The RMF-3 Overlay consists of a 63.1-acre lot with a driveway that leads south (off-site) to Columbia Tpke. / County Rt. 510 in Florham Park. It is the site of the

VDM Metals facility and within the I-3 Light Industry District. The underlying zoning would remain as a development option in both overlays.



The standards applicable to the new overlays include the following:

RMF-2 Overlay:

- Permitted Uses: Multi-Family, Townhouses, Stacked Townhouses, Open Space and Recreation
- Minimum Lot: 8 acres
- Maximum Density: 10 units per acre
- Maximum Height: 4 st. / 48 ft. (3 st. / 38 ft. if within 100 ft. of single family)
- Affordable Set-Aside: 20%
- Maximum Building Coverage: 50%; Maximum Impervious Coverage: 65%

RMF-3 Overlay:

- Permitted Uses: Multi-Family, Townhouses, Stacked Townhouses, Open Space and Recreation
- Minimum Lot: 50 acres
- Maximum Density: 15 units per acre
- Maximum Height: 5 st. / 58 ft. (one story of parking with four residential floors above)
- Affordable Set-Aside: 20%
- Maximum Building Coverage: 50%; Maximum Impervious Coverage: 65%

Staff Comments: At 10 du/ac, the 50.7 acre RMF-2 Overlay could accommodate a maximum of 507 units while at 15 du/ac, the 63.1 acre RMF-3 Overlay could accommodate a maximum of 946 units, pending potential reductions for other physical or environmental constraints.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 54-2019

Date Adoption Filed: 12/13/19

Summary: Amend the Land Use and Development Regulations to add a new section permitting and establishing regulations for affordable accessory apartments. Up to ten such apartments shall be permitted in the R and RM Residential Districts on lots developed with a single-family detached dwelling. New accessory apartments shall be affordable rental units.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 55-2019

Date Adoption Filed: 12/13/19

Summary: Amend the Land Use and Development Regulations to eliminate the existing prohibition on detached garages in residential districts, subject to appropriate height, area and setback requirements.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 57-2019

Date Adoption Filed: 12/13/19

Summary: Amend the Land Use and Development Regulations to establish a new I-7 Industrial Overlay District, and amend the Zoning Map to place two lots in the new overlay. These lots are located on both sides of Troy Hills Rd. / County Rt. 637, just north of the M & E Railroad. Small lot single-family homes are to the north while industrial and commercial uses are to the south. Permitted uses in the I-7 Overlay shall be limited to those existing at the time of ordinance adoption, which include an asphalt emulsion manufacturing facility on Block 7101, Lot 2, and a contractor for earthwork and installation of utility and drainage structures, and construction dumpster service on Block 7401, Lot 1. Minor changes to these uses shall be permitted, including additions to or changes to existing buildings or construction of new accessory buildings, subject to applicable standards, provided that any such changes results in no intensification of the existing use. If the existing buildings are demolished and the properties are redeveloped, the underlying zoning district standards shall apply (R- 21 Single Family Residence District for Block 7101, Lot 2 and R-10 Single Family Residence District for Block 7401, Lot 1). The standards applicable to the new I-7 Overlay include the following:

- Minimum Lot: 50,000 sq. ft.
- Maximum Height: 1 st. / 25 ft.
- Maximum FAR: 22%, Maximum Building Coverage: 25%; Maximum Impervious Coverage: 80%



Municipality: TOWNSHIP OF HANOVER

Ordinance: 58-2019

Date Adoption Filed: 12/13/19

Summary: Block 3801, Lot 2, Block 4101, Lots 1 and 23, and Block 4301, Lot 6, site of the former Whippany Paper Board Company were designated a Non-Condensation Area in Need of Redevelopment in August 2019. Ordinance 58-2019 adopts the River Park Redevelopment Plan: Area A, which applies to Block 4301, Lot 6, Block 4101, Lot 1 and the eastern portion of Block 3801, Lot 2. A mixed-use inclusionary development is planned for Area A. Area B will be the subject of a future redevelopment plan. The 83-acre Area A is located along and crossed by the Whippany River, between Parsippany Rd. / County Rt. 511 to the east, Eden Ln. to the south, and the M & E Railroad and Legion Pl. to the north. Block 4101, Lot 1 is the only portion of Area A north of the railroad. A cemetery, single-family homes, a senior housing site, and various office/industrial buildings are to the north. Township owned open space, an assisted living facility, and the Oak Ridge Condominiums are to the south. The majority of the site is owned by River Park Business Center, LLC and is in the TC Town Center District. The 6.5-acre Block 4301, Lot 6, at the eastern end of the site, is owned by the Morris County Park Commission and is in the PU Public Use District. River Park seeks to acquire this property from Morris County.



Area A shall be designated as the RP-A Town Center District. Standards include but are not limited to the following:

- Permitted Uses: multi-family, townhouses, special needs homes, various non-residential uses on the ground level, examples of which include retail, banks, offices, emergent care, open space, restaurants, hotels / extended stay hotels, live work studios and transit station / stops.
- Minimum Tract: 55 acres / Minimum Lot: 1.5 acres
- Maximum Residential Units (excluding special needs units): 967 units, a minimum of 140 of which shall be affordable
- Maximum Special Needs Housing: 32 beds
- Maximum Retail: 80,000 sq. ft. (mezzanine levels of up to 30% of ground floor area not counted toward maximum)
- Hotel / Extended Stay Hotel: 250 rooms in two buildings
- Maximum Office: 10,000 sq. ft.
- Maximum Height: Varies by buildings on concept plan, ranging from 3 to 7 stories
- Maximum Building Coverage: 60%; Maximum Impervious Coverage: 75%

Municipality: TOWNSHIP OF MORRIS

Ordinance: 28-19

Date Adoption Filed: 12/19/19

Summary: Amend the Zoning Regulations to remove all references to the RH-20 Mixed Housing Zone. The sole location of the RH-20 Zone was Block 10103, Lot 3, the site of the Morris County Correctional Facility. This lot was rezoned from RH-20 to OS/GU by Ordinance 23-19, adopted in October 2019.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 29-19

Date Adoption Filed: 12/19/19

Summary: Amend the Land Use Regulations so that no variance from the front yard setback requirements shall be required for an open porch added to an existing single family detached dwelling, provided that the porch shall not exceed a width of eight feet or a depth of five feet nor protrude more than six feet into the minimum required front yard.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 33-19*

Date Adoption Filed: 12/19/19

Summary: Amend the Zoning Regulations to clarify that the condominium and homeowners association fees shall be calculated such that the ratio between the lower income unit fees and the market unit fees remain the same as when originally established.

Municipality: BOROUGH OF MORRIS PLAINS

Ordinance: 12-2019

Date Adoption Filed: 12/20/19

Summary: The Land Development Regulations are subject to a variety of amendments. Examples of these amendments include:

- A new definition is added defining Lot Coverage as that portion of the total area of a lot covered by all impervious surfaces, including but not limited to all principal and accessory buildings and structures, accessory uses, or any other structure or similar improvements, expressed in square feet.
 - A new definition is added defining Lot Width as the horizontal distance in feet between side lot lines measured at the minimum building setback from the street.
 - An Applicant may request, but shall not be entitled to, a special meeting for the consideration of the application at other than a regular meeting of the Board.
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Municipality: BOROUGH OF MORRIS PLAINS

Ordinance: 15-2019*

Date Adoption Filed: 12/19/19

Summary: Block 161, Lot 1 is a split zone lot, with the northern portion in the B-3 Business District and the southern portion in the R-2 Residence District. This ordinance amends the Zoning Map to rezone the southern portion of the lot so that the entire lot is in the B-3 Business District. Lot 1 is home to a shopping center with a Kohl's, along with several other retail stores, on State Highway 10, with access via Littleton Rd. / US Highway 202 as well. The rezoning recognizes the fact that the southern portion of the lot is already improved with

parking areas, drive aisles and ingress / egress to Littleton Rd. for use by the existing shopping center. Power lines within a utility easement would preclude development of this portion of the lot for residential purposes as well.



Municipality: BOROUGH OF MORRIS PLAINS

Ordinance: 17-2019*

Date Adoption Filed: 12/20/19

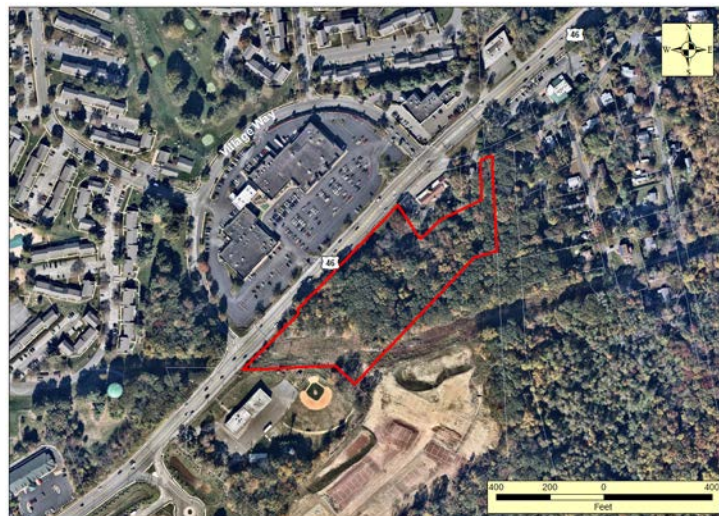
Summary: Amend the Land Development Regulations to increase the maximum number of alternative members of the Zoning Board of Adjustment from two to four.

Municipality: TOWNSHIP OF MOUNT OLIVE

Ordinance: 22-2019*

Date Adoption Filed: 12/17/19

Summary: Amend the Zoning Map to rezone Block 4100, Lot 80.01 from the R-6 - Residential District to the C-1 - Commercial District. The 6.8-acre vacant wooded parcel is located on eastbound U.S. Highway 46. The northern part of the parcel wraps around the former Trading Post retail establishment. The former Mount Olive Board of Education Offices are to the southwest. The Mountain Ridge townhomes are under construction to the south. The Village Green Shopping Center is to the north. The R-6 District permits inclusionary housing developments at six units per acre while the C-1 District permits retail and office uses.



Municipality: BOROUGH OF NETCONG

Ordinance: 2019-17

Date Adoption Filed: 12/17/19

Summary: Amend the Land Development Regulations to state that public notice must be provided for any application involving one or more of the following: extension of site plan or subdivision approval for five or more years; modification or elimination of a significant condition in a memorializing resolution in any situation wherein the original application required public notice; and for any application for development, including variances, conditional use approvals, site plans, subdivisions, requests for interpretation of the zoning ordinance or official map, direction for the issuance of a permit to construct a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area or for a permit to construct a building or structure not related to a street.

*Ordinance introduced and adopted during the same month.

PROPOSED ORDINANCES RECEIVED: 7

ADOPTED ORDINANCES RECEIVED: 19

TOTAL ORDINANCES PROCESSED: 26