

ZONING ORDINANCES INTRODUCED: OCTOBER 2019

Municipality: TOWNSHIP OF BOONTON

Ordinance: 880

Public Hearing Date: 12/9/19

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 HANOVER

Ordinance: 42-2019

Public Hearing Date: 11/14/19

Summary: Amend the Township Code to add a new chapter providing that when the Township enters into a financial agreement for the purposes of redevelopment, the payments in lieu of taxes (PILOT) that are received by the Township shall be dedicated as follows:

- Hanover Township: 35%
- Hanover Township Board of Education: 37%
- Regional School: 19%
- Fire District: 4%
- County of Morris: 5%

Staff Comments: According to an article posted on newjerseyhills.com on October 14, 2019, the Township Attorney indicates that this ordinance comes in response to concerns about certain entities not receiving their fair share of PILOT funds collected from the upcoming River Park inclusionary development.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 43-2019

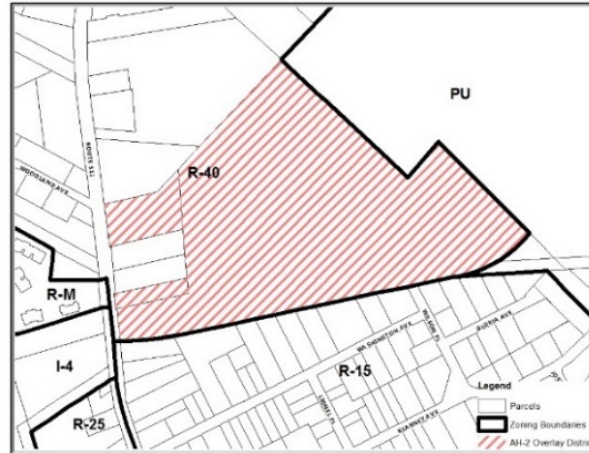
Public Hearing Date: 11/14/19

Summary: Amend the Land Use and Development Regulations to establish a new age-restricted inclusionary overlay district, the AH-2 Affordable Housing Overlay District, and amend the Zoning Map to place Block 8503, Lots 3, 4, and 7 in the new overlay. The three lots, which total 35 acres, are located on Parsippany Rd. / County Rt. 511, across the street from the Sunrise at Hanover townhomes to the west. The site includes an automobile junkyard and a trucking firm along Parsippany Rd. Most of the site is wooded, with a high-tension electric wire corridor crossing the north. The Township owned Bee Meadow Park is to the northeast. The area to the northwest and the south is single family. The driveway to the Tiffany & Co. distribution warehouse is to the immediate southwest. Development under the underlying R-40 Residence District standards remains as an option. The standards applicable to the new AH-2 Overlay include the following:

- **Permitted Uses:** Age-Restricted Multifamily
- **Maximum Density:** 11 du/ac
- **Minimum Lot Area:** 4 acres gross; 3 acres developable (not including wetlands, floodways and other non-developable areas)

- **Maximum Improvement Coverage:** 50%; **Maximum Building Coverage:** 20%
- **Maximum Height:** 3 st. / 45 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the March 7, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. At 11 units per acre, this 35-acre site could accommodate a maximum of 385 units, pending potential reductions for other physical or environmental constraints.



Municipality: TOWNSHIP OF HANOVER

Ordinance: 44-2019

Public Hearing Date: 11/14/19

Summary: Amend the Land Use and Development Regulations to establish a new inclusionary overlay district, the AH-3 Affordable Housing Overlay District, and amend the Zoning Map to place Block 8305, Lots 6, 7.01 and 8 in the new overlay. The three lots, which total 15 acres, are located on Parsippany Rd. / County Rt. 511, and also have access to Cambridge St. and Dorchester St. Two of the lots are developed with single family homes and one is wooded and vacant. The Township owned Bee Meadow Park is to the southeast. Most of the neighborhood is developed with single family homes. Development under the underlying R-40 Residence District standards remains as an option. The standards applicable to the new AH-3 Overlay include the following:

- **Permitted Uses:** Multifamily
- **Maximum Density:** 11 du/ac
- **Minimum Lot Area:** 4 acres gross; 3 acres developable (not including wetlands, floodways and other non-developable areas)
- **Maximum Improvement Coverage:** 50%; **Maximum Building Coverage:** 20%
- **Maximum Height:** 3 st. / 45 ft.
- **Affordable Set-Aside:** 20%



Staff Comments: This ordinance is as called for by the March 7, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. At 11 units per acre, this 15-acre site could accommodate a maximum of 165 units, pending potential reductions for other physical or environmental constraints.

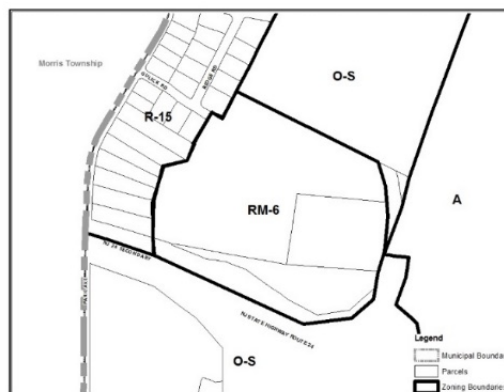
Municipality: TOWNSHIP OF HANOVER

Ordinance: 45-2019

Public Hearing Date: 11/14/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the RM-6 Residence District, and amend the Zoning Map to rezone Block 4901, Lots 2, 17 and 19 from the O-S Offices & Services District to the new RM-6 District. The three lots, totaling 25.8 acres, are located on Airport Rd., just west of the Morristown Airport, and are the site of an office building. Much of the western portion of the site is wooded and undeveloped. The State Hwy. 24 / Columbia Tpk. / County Rt. 510 interchange is just to the south. An Algonquin Gas Transmission Co. facility is to the north and small lot single family homes are to the west. Standards applicable to the RM-6 District include the following:

- **Permitted Uses:** 1) Multifamily; 2) Any use permitted in all zone districts or in all residential zone districts
- **Maximum Density:** 11 du/ac
- **Minimum Lot Area:** 25.45 acres
- **Maximum Improvement Coverage:** 50%; **Maximum Building Coverage:** 20%
- **Maximum Height:** 4 st. / 60 ft.
- **Affordable Set-Aside:** 15%, but not be less than 42 affordable units regardless of the number of market rate units



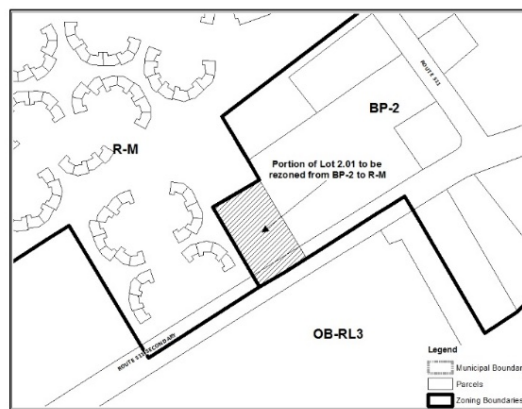
Staff Comments: This ordinance is as called for by the March 7, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. At 11 units per acre, this 25.8-acre site could accommodate a maximum of 284 units, pending potential reductions for other physical or environmental constraints.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 46-2019

Public Hearing Date: 11/14/19

Summary: Amend the Zoning Map to rezone the western portion of Block 4301, Lot 2.01 from the B-P2 Business and Professional District to the R-M Residence District. Lot 2.01 is the site of the Our Lady of Mercy Church. The portion of the lot to be rezoned has a residential structure. The Metlife and Bayer offices are to the south and southeast. The Oak Ridge townhomes are to the north and west. The R-M District permits single-family, two-family, townhomes, multifamily, residences for the developmentally disabled or mentally ill, community shelters for victims of domestic violence, and community residences for persons with head injuries, all subject to affordable housing requirements.



Staff Comments: According to the March 7, 2019 Settlement Agreement between the Township and the Fair Share Housing Center, the Township proposes an affordable six-unit supportive housing group home on this property.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 47-2019

Public Hearing Date: 11/14/19

Summary: Amend the Land Use and Development Regulations so that any multi-family or single family attached residential development that is approved to contain five or more new dwelling units, shall be required to set aside 20% of units (if for-sale) or 15% of units (if for-rent) as affordable housing.

Staff Comments: This ordinance is as called for by the March 7, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 48-2019

Public Hearing Date: 11/14/19

Summary: Amend the Land Use and Development Regulations to set development fees and establish an Affordable Housing Trust Fund to collect and spend such fees. Developers shall pay a fee of 1.0% 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 HANOVER

Ordinance: 49-2019

Public Hearing Date: 11/14/19

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 HANOVER

Ordinance: 50-2019

Public Hearing Date: 11/14/19

Summary: This ordinance adopts a new zoning map incorporating the changes implemented by ordinances 43-2019, 44-2019, 45-2019 and 46-2019, all of which were introduced in October 2019.



Municipality: TOWNSHIP OF MORRIS

Ordinance: 28-19

Public Hearing Date: 12/18/19

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

Public Hearing Date: 12/18/19

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: BOROUGH OF MORRIS PLAINS

Ordinance: 11-2019

Public Hearing Date: 11/14/19

Summary: Amend the Land Development Regulations to allow the Borough Engineer to waive the requirement for a minor site plan review upon the request of a property owner. Such a request may be referred to the Planning Board by the Borough Engineer as well. The Borough Engineer or Planning Board may grant such a request upon a determination that the proposed development or change of use meets various conditions, examples of which include:

- Involves normal maintenance or replacement in kind such as a new roof, new siding or similar activity.
 - Does not significantly affect existing circulation, drainage, building arrangement, landscaping, buffering, lighting or other considerations of site plan approval.
 - Involves a permitted use.
 - Does not affect parking requirements.
 - Does not involve variances.
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Municipality: TOWN OF MORRISTOWN

Ordinance: O-41-2019

Public Hearing Date: 11/12/19

Summary: Amend the Land Development Regulations to add a new section regulating short-term rentals. These are defined as the rental for compensation of a dwelling, or portion of a dwelling, for overnight lodging for a period of not less than one night and not more than thirty consecutive days, other than rentals of thirty or more consecutive days granted to the same renter for the same unit. This definition shall not include hotels, motels, and bed and breakfast inns. Examples of the new regulations include the following:

- Short-term rentals will be permitted in the following classifications of properties:
 - Rentals located in a condominium association, homeowners association or cooperative association, where the association's bylaws, master deed or other governing documents permits short-term rentals.
 - Any accessory building located on the same property as an owner-occupied residence.
 - Rentals in two, three or four-family properties, provided the property is owner-occupied and only one of the units is rented.
 - An annual short-term rental license and six-month certificate of habitability are required.
 - There shall be no sign identifying the short-term rental use.
 - The short-term rental use shall be conducted in a manner that does not disrupt or adversely affect the residential character of the neighborhood.
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Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 22-19

Public Hearing Date: 11/21/19

Summary: Amend the Zoning Regulations to remove furniture and home furnishing stores, wallpaper and paint stores, garden shops, plant stores and nurseries, business supply stores and clothing stores as permitted uses in the B-4 General Commercial District and replace them with retail and service businesses.

Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-13-19

Public Hearing Date: 11/18/19

Summary: This ordinance amends the Zoning Regulations for proposed new developments on existing developed lots within the ridgeline, mountainside, hillside and viewshed protection area. For proposed developments in these areas, an applicant may request, and the Township Engineer may grant an administrative approval for development without the need for a separate application to the Township Planning Board or Board of Adjustment for a Certificate of Compliance, provided certain listed conditions are met. Examples of these conditions include demonstration by the applicant that viewshed mitigation is provided and the visual impact of the proposed development does not rise to a level of concern such that review by the Township Planning Board or Board of Adjustment is required.

ZONING ORDINANCES ADOPTED: OCTOBER 2019

Municipality: TOWN OF BOONTON

Ordinance: 10-19

Date Adoption Filed: 10/22/19

Summary: Amend the Zoning and Land Use Regulations to increase the maximum density permitted in the MAO Myrtle Avenue Multifamily Residential Overlay District from 12 units per acre to 16 units per acre. The MAO Overlay District permits multifamily with an affordable housing set-aside at Block 72.01, Lots 1, 2 and 2.01. The underlying C-1 Commercial District standards remain as a development option.

Staff Comments: This overlay zone is part of the March 19, 2018 Settlement Agreement between the Town and the Fair Share Housing Center. At 16 units per acre, this five-acre site could accommodate a maximum of 80 units, pending potential reductions for other physical or environmental constraints.



Municipality: TOWN OF BOONTON

Ordinance: 15-19*

Date Adoption Filed: 10/22/19

Summary: 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 from the R-1A Residence District and B-4 Business District to the new R-4 District. This three-acre vacant wooded lot is located on Fanny Rd., just southeast of Powerville Rd. / County Rt. 618. The Mountain Lakes border runs along the southern end of the lot. The surrounding neighborhood is predominantly developed with single family homes, although an office building is to the immediate northwest. Standards applicable to the RM-6 District include the following:

- **Permitted Uses:** Townhouses
- **Maximum Units:** 20
- **Minimum Lot Area:** 120,000 sq. ft.
- **Maximum Building Coverage:** 30%
- **Maximum Height:** 2 ½ st. / 36 ft.
- **Minimum Open Space:** 20%
- **Affordable Set-Aside:** 20% (for-sale) / 15% (for-rent)

Staff Comments: This ordinance is as called for by the March 19, 2018 Settlement Agreement between the Township and the Fair Share Housing Center. Ordinance 18-18 was proposed for this site in September of 2018 but was not adopted. It differed from Ordinance 15-19 by having a maximum density of six units per acre and permitting a maximum of 18 units.



Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2019-15

Date Adoption Filed: 10/25/19

Summary: Amend the Revised General Ordinances to replace the existing Affordable Housing chapter with a new chapter for the purposes of 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, the municipal housing liaison, and affirmative marketing requirements. In addition, this chapter requires that any new multi-family or single family attached development with a gross density of six units per acre or greater, include a 20% set-aside for affordable housing units.

Staff Comments: This ordinance is as called for by the December 13, 2018 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 13-2019

Date Adoption Filed: 10/21/19

Summary: Amend the Zoning Regulations as follows:

- No fence installed on top of a berm, wall, mounding, or other structure shall exceed four feet in height, measured from the bottom of the structure to the top of the fence, unless the fence is located three or more feet from the face of the structure, in which case the height is calculated separately for the structure and the fence.
 - Fences, not exceeding six feet in height, shall be permitted along residential property lines adjacent to and parallel with a county road regardless of the yard designation. However, said fence shall not obstruct any sight line as required pursuant to municipal, county or state ordinance/regulation as well as the sight distance requirements pursuant to the American Association of State Highway and Transportation Officials manual.
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Municipality: TOWNSHIP OF HANOVER

Ordinance: 38-2019

Date Adoption Filed: 10/11/19

Summary: Amend the Land Use and Development Regulations as they apply to signs for retail uses. The stated purpose is to reduce “the amount of variation in the retail sign regulations.” This is accomplished by combining the retail sign regulations for many of the non-residential districts into a single section, instead of having separate regulations for each district or smaller groupings of districts.

Municipality: TOWNSHIP OF HARDING

Ordinance: 16-2019

Date Adoption Filed: 10/11/19

Summary: Amend the Glen Alpin/Hurstmont Redevelopment Plan, which established standards for the redevelopment of the Glen Alpin/Hurstmont Redevelopment Area, and was adopted by Ordinance 13-2019 in June 2019. The Redevelopment Area is 29.4 acres in size, consisting of Block 34, Lot 1 (site of the Glen Alpin Mansion) and Block 27, Lot 2 (site of the Hurstmont Mansion) on Mt. Kemble Ave. / US Hwy. 202 at its intersection with Tempe Wick Rd. Numerous amendments are made to the plan, while maintaining the same overall buildout on the Hurstmont portion of area. Examples of the amendments include the following:

- The original plan divided the Redevelopment Area into two districts, the Continuing Care Retirement Community (CCRC) District (site of the Hurstmont Mansion) and the Glen Alpin Cultural Center District (site of the Glen Alpin Mansion). This is amended to rename the CCRC District as the Senior Living District and to remove all reference to CCRC’s.
- The elimination of the CCRC has the effect of eliminating the district-wide age restriction of 62 and over. Instead, the age restriction varies by use.

- Remove “Attached/Detached/Townhome Independent Living Units” as a permitted use in the Senior Living District and replace it with “Townhouse.” The age restriction is cut from 62 and over to 55 and over. (“Multifamily Independent Living Units” continue as a permitted use, subject a 62 and over age restriction).
- Remove “Memory Care / Skilled Nursing Units” as a permitted use in the Senior Living District and replace it with “Dementia Care Homes.” The age restriction is cut from 62 and over to 19 and over. (“Assisted Living” continues as a permitted use, subject a 62 and over age restriction).
- Remove “units/beds” as the unit for measuring build-out in the Senior Living District and replace it with “units” (Maximum buildout continues to be 250).
- Specify maximum buildout for each use in the Senior Living District:
 - Townhouse: 40 units
 - Assisted Living / Dementia Care: 85 units
 - Independent Living Units: 125 units (the number of such units may increase with a corresponding decrease in the number of Townhouses).
- Increase the maximum impervious coverage from 35% to 40% in the Senior Living District while adding that any land conveyed to the Township or Park Commission shall be included for purposes of calculating coverage.
- “Single Family Residence” (within the existing mansion), “Group Home,” and “Restaurant” are added to the permitted uses in the Glen Alpin Cultural Center District.



Replace CCRC District with Senior Living District in this map.

Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2019-32

Date Adoption Filed: 10/10/19

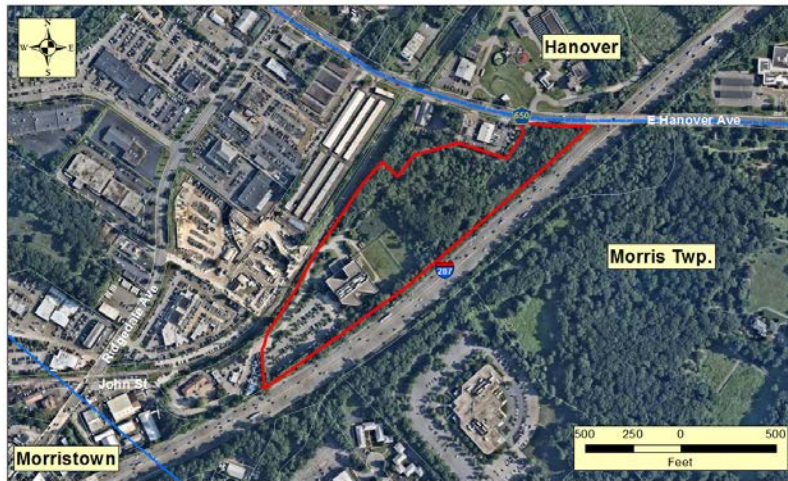
Summary: Amend the Development Fees chapter of the Township Code to revise the development fees such that developers shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. When an increase in residential density has been permitted 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 MORRIS

Ordinance: 23-19

Date Adoption Filed: 10/24/19

Summary: Amend the Zoning Map to rezone Block 10103, Lot 3 from the RH-20 - Mixed Housing Zone to the OS/GU - Open Space - Government Use Zone. This 17-acre tract at the end of John St. is the site of the Morris County Correctional Facility. The northeastern half of the tract is wooded, with frontage on E. Hanover Ave. / County Rt. 650. The southeastern boundary of the tract is defined by I-287. To the west is a mix of commercial and industrial uses. While the RH-20 Zone permits multi-family inclusionary developments at 20 units per acre (as well as such uses as parks, conservation areas and municipal uses), the only residential use permitted in the OS/GU Zone is single family on 3-acre lots. The OS/GU Zone permits such uses as parks, open space, swimming pools, municipal uses, government offices and golf clubs and colleges in existence as of January 1, 1994.



Municipality: TOWNSHIP OF MORRIS

Ordinance: 24-19

Date Adoption Filed: 10/24/19

Summary: Amend the Zoning Regulations as they pertain to off-street parking. The changes include the following:

- Reduce the minimum length of parking spaces from 20 feet to 18 feet.
- Reduce the minimum aisle width for aisles providing access to parking spaces with a parking angle of 90° from 25 feet to 24 feet.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 25-19

Date Adoption Filed: 10/24/19

Summary: Amend the Land Development Regulations to reduce the extent of riparian buffer conservation zones from 75 feet to 50 feet in the case of areas that are not special water resource protection areas.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 26-19

Date Adoption Filed: 10/24/19

Summary: Amend the Zoning Regulations to state that where a lot exists as a separate isolated lot under separate ownership and not adjoining any other lot or lots of the same owner and which lot is a nonconforming lot due to size, shape or area, such lot may be improved with a new building or structure or addition to such building or structure provided that all bulk standards for the zone can be complied with and further that the building meets all other requirements of these regulations. Under current regulations, such nonconforming development needs to comply with setback, side and rear yard regulations in existence on December 1, 1974. Under this amendment, new development must comply with current bulk standards and other existing regulations.

Municipality: TOWN OF MORRISTOWN

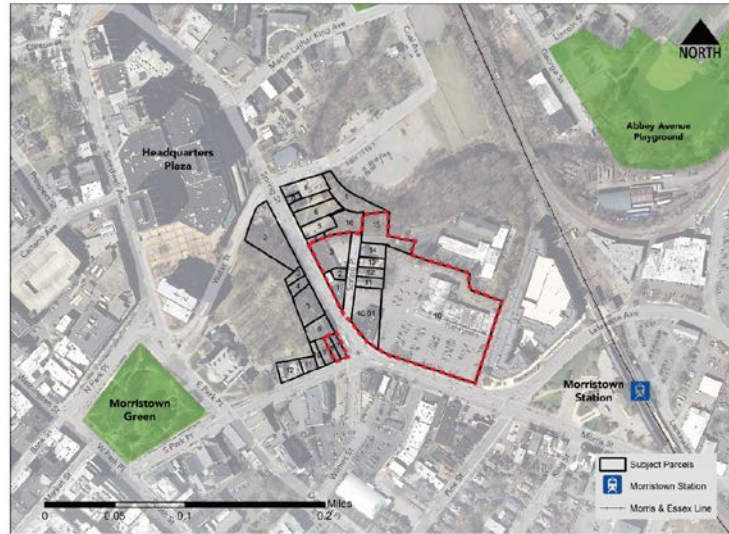
Ordinance: O-42-2019*

Date Adoption Filed: 10/11/19

Summary: This ordinance adopts the Spring Street Redevelopment Plan - Phase 3 Amendment, dated September 25, 2019. The Phase 3 Plan Area is part of the larger Spring Street Redevelopment Area, a designated Area in Need of Redevelopment. The largest portion of the Phase 3 Plan Area is the location of the Midtown Shopping Center on Morris St. / County Rt. 510, just west of its intersection with Lafayette St. / County Rt. 510. Small commercial and residential lots on both sides of Spring Pl. are part of the Plan Area. Two small lots, consisting of a restaurant and a mixed use on the northwestern corner of the Morris St. / Spring St. intersection are also part of the Plan Area. To the east of the Plan Area are the Highlands apartments and the Morristown Train Station. The Spring Hills Assisted Living Center is to the immediate north. Headquarters Plaza is nearby toward the northwest. Development shall consist of an East Building, a West Building and a parking garage. Standards applicable to the Plan Area include the following:

- **Permitted Principle Use:** Mixed-Use Office Campus, defined as a complex containing one or more buildings that contain Active Ground Floor Uses and General and Professional Office uses in the upper stories. Active Ground Floor Uses are defined as any use that generates a high amount of pedestrian traffic, including art galleries, artisanal workshops, bars, convenience stores, supermarkets, restaurants, retail and similar uses.
- **Minimum Lot Area:** 170,000 sq. ft. (190,000 if Spring Pl. is vacated)
- **Maximum Coverage:** 95%; **Maximum Building Coverage:** 70%
- **Maximum Height:** East Building - 6 st. / 95 ft., West Building - 7 st. / 105 ft., parking garage - 70 ft.
- **Other Required Features:** Pedestrian promenade / retail walk, two plazas, drop-off court, traffic roundabout to replace Morris St. / Spring St. intersection.

Phase 3, highlighted in red



Staff Comments: According to an article posted on newjerseyhills.com on September 29, 2019, the developer for this site has proposed a development to be called “M Station,” consisting of two buildings totaling 352,000 sq. ft. of office space and 32,500 sq. ft. of retail space.

Municipality: TOWNSHIP OF MOUNT OLIVE

Ordinance: 19-2019

Date Adoption Filed: 10/4/19

Summary: Block 4100, Lot 10, the site of the former Combe Fill North Landfill, was designated a Non-Condemnation Redevelopment Area on July 23, 2019. The Combe Fill North Redevelopment Plan, dated September 12, 2019, calls for the establishment of an overlay zone permitting a solar photovoltaic energy facility. Ordinance 19-2019 establishes the CFNR - Combe Fill North Redevelopment Overlay Zone, in accordance with the redevelopment plan for this site. The former landfill is located on a 103-acre tract on Gold Mine Rd. The ITC Crossing South shopping center, including a Walmart, Bed Bath & Beyond, and Lowe’s, is to the east of the site. Wooded lands, both privately and Township owned, are to the north and west. The uses and standards under the underlying C-LI - Commercial/Light Industrial District shall remain as a development option. Standards for the new CFNR Overlay include the following:

- **Permitted Principal Use:** Solar Photovoltaic Energy Facility
- **Minimum Lot Area:** None
- **Maximum Impervious Coverage:** None
- **Setbacks:** 50 ft. setback on Gold Mine Rd. and the eastern boundary of the tract. No minimum setbacks for the northern and western boundaries.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-46

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed-use inclusionary zoning district, the AHD-MU Affordable Housing Mixed Use District, and amend the Zoning Map to rezone Block 698, Lot 15.2-S01 from the B-1 - Highway Commercial District to the new AHD-MU District. This 22-acre tract on US Hwy. 46 is the site of the Westmount Plaza shopping center, which features a ShopRite, a vacant former K-Mart and several smaller retail outlets. To the immediate east is the Arlington Plaza shopping center, which features a Home Depot, a Bed Bath and Beyond, a Staples and various smaller retail outlets. To the west are the Hunting Ridge townhomes. A lot with two retail / commercial buildings is located on US Hwy. 46, adjacent to the new district. Standards applicable to the AHD-MU District include the following:

- **Permitted Uses:**
 - Multifamily
 - Commercial in a separate building with the uses permitted in the B-1 District (retail, air-conditioning and plumbing sales and service, business and professional offices, theaters, laundry, restaurants, medical offices), *except not including* car sales and service, storage warehouses, offices for executive or administrative personnel and research laboratories.
- **Maximum Units:** 313
- **Minimum Tract Area:** 20 acres
- **Maximum Lot Coverage:** 75%; **Maximum Building Coverage:** 50%
- **Maximum Height:** 5 st. / 60 ft.
- **Affordable Set-Aside:** 20%

Commercial uses shall be subject to B-1 District standards, except that the requirements for minimum tract area, maximum lot and building coverage shall comply with the standards of the AHD-MU District.



Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 313 maximum permitted units results in a requirement for 63 affordable units.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-47

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-3A Affordable Housing District, and amend the Zoning Map to rezone Block 202, Lot 3.20 from the SED-10 - Specialized Economic Development District 10 to the new AHD-3A District. This 5.1-acre tract at 2 Campus Dr. is the site of an office building. Office buildings dominate most of the surrounding area, although a small lot single family neighborhood is to the northwest of Littleton Rd. / US Hwy. 202. Standards applicable to the AHD-3A District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 172
- **Minimum Tract Area:** 5 acres
- **Maximum Lot Coverage:** 70%; **Maximum Building Coverage:** 30%
- **Maximum Height:** 3 st. / 40 ft. up to 60 feet from westerly property line, 4 st. / 50 ft. remainder
- **Affordable Set-Aside:** 20%



Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 172 maximum permitted units results in a requirement for 34 affordable units.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-48

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-3B Affordable Housing District, and amend the Zoning Map to rezone Block 202, Lot 3.12 from the SED-10 - Specialized Economic Development District 10 to the new AHD-3B District. This 10.1-acre tract at 3 Campus Dr. is mostly vacant, with a small portion of a parking lot serving the office building to the immediate west. The Parsippany Hilton is to the southeast. A driveway from State Hwy. 10 to the Hilton crosses the southern boundary of the tract. Standards applicable to the AHD-3B District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 238
- **Minimum Tract Area:** 10 acres
- **Maximum Lot Coverage:** 70%; **Maximum Building Coverage:** 30%
- **Maximum Height:** 4 st. / 50 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 238 maximum permitted units results in a requirement for 48 affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-49

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-4 Affordable Housing District, and amend the Zoning Map to rezone Block 766, Lots 6, 7, 8 and 9 from the LIW-2/R-3 - Limited Industrial Wholesale / Residential District to the new AHD-4 District. The four lots, totaling 8.6 acres, are located on Edwards Rd. just northwest of its intersection with Rutgers Ln. and include an industrial use and a small single family home. I-280 runs along the southwestern border. A mix of industrial and commercial

uses and single family homes are to the north. The Rutgers Village Apartments are also to the north. Wooded vacant land is to the southeast. Standards applicable to the AHD-4 District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 114
- **Minimum Tract Area:** 8.5 acres
- **Maximum Lot Coverage:** 40%; **Maximum Building Coverage:** 20%
- **Maximum Height:** 3 st. / 40 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 114 maximum permitted units results in a requirement for 23 affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-50

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-5 Affordable Housing District, and amend the Zoning Map to rezone Block 767, Lot 36 from the LIW-2/R-3 - Limited Industrial Wholesale / Residential District to the new AHD-5 District. This 1.2-acre lot at 887 Edwards Dr. has three small apartment buildings. Vacant wooded land is to the north and northwest. The Edwards Gardens apartment complex is to the east. An industrial use is to the south. A church is to the west. Standards applicable to the AHD-5 District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 24
- **Minimum Tract Area:** 1.18 acres
- **Maximum Lot Coverage:** 60%; **Maximum Building Coverage:** 20%
- **Maximum Height:** 3 st. / 40 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 24 maximum permitted units results in a requirement for five affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-51

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-6 Affordable Housing District, and amend the Zoning Map to rezone Block 200, Lot 8 from the ROL - Research, Office and Laboratory District to the new AHD-6 District. This 2.7-acre lot at 169 Johnson Rd. is the site of an office building. The Signature Place apartments are to the west. Small lot single family homes are to the south and east. A high-tension electric wire corridor is to the immediate north. Further north are office buildings along State Hwy. 10. Standards applicable to the AHD-6 District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 91
- **Minimum Tract Area:** 2.4 acres
- **Maximum Lot Coverage:** 80%; **Maximum Building Coverage:** 40%
- **Maximum Height:** 4 st. / 50 ft.
- **Affordable Set-Aside:** 20%



Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 91 maximum permitted units results in 19 affordable units.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-52

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new inclusionary zoning district, the AHD-7 Affordable Housing District, and amend the Zoning Map to rezone Block 136, Lots 44 and 76 from the ROL - Research, Office and Laboratory District to the new AHD-7 District. The two lots, totaling 27.7 acres, are located on Cherry Hill Rd. / County Rt. 654, approximately 800 feet south of its intersection with US Hwy. 46. The site is vacant, except for a driveway that runs along the northern portion of the site from Cherry Hill Rd. to an office building just to the west. A mix of office and commercial uses are in the general vicinity, with the Meadowbrook Gardens apartments to the immediate north. Standards applicable to the AHD-7 District include the following:

- **Permitted Uses:** Multifamily
- **Maximum Units:** 325
- **Minimum Tract Area:** 25 acres
- **Maximum Lot Coverage:** 70%; **Maximum Building Coverage:** 30%
- **Maximum Height:** 5 st. / 60 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 325 maximum permitted units results in a requirement for 65 affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-53

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed use inclusionary overlay district, the OVL-1 Overlay District, and amend the Zoning Map to place Block 607, Lot 1 in the new OVL-1 Overlay, while retaining the underlying B-5 Business Zone designation. This 39,930 sq. ft. lot at 53 N. Beverwyck Rd. is the site of a bank. Commercial and retail uses are located along N. Beverwyck Rd. The larger neighborhood is dominated by small lot single family homes. Standards applicable to the OVL-1 Overlay include the following:

- **Permitted Uses:** The permitted uses in the OVL-1 Overlay shall be identical to those uses permitted in the B-5 District (such as retail, offices and restaurants), provided, however, that any developer that elects to develop in accordance with the OVL-1 Overlay standards shall be required to provide multi-family dwellings such as apartments or condominiums above ground level B-5 District uses.
- **Maximum Density:** 18 du/ac
- **Minimum Tract Area:** 1/2 acre
- **Maximum Lot Coverage:** 80%; **Maximum Building Coverage:** 50%
- **Maximum Height:** 3 st. / 38 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: According to the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center, 16 units have been identified for this overlay, with the 20% set-aside resulting in four affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-54

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed use inclusionary overlay district, the OVL-2 Overlay District, and amend the Zoning Map to place Block 497, Lots 6 and 7 in the new OVL-2 Overlay, while retaining the underlying B-5 Business Zone designation. The two lots, totaling 1.7 acres, are located on N. Beverwyck Rd., just south of its intersection with Mara Rd. The site contains a bar and grill as well as an RV and car rental establishment. Commercial and retail uses are located along N. Beverwyck Rd. to the south. The Knoll Gardens apartment complex is to the west and the Manor II condominiums are to the north. The larger neighborhood to the south and east is dominated by small lot single family homes. Standards applicable to the OVL-2 Overlay include the following:

- **Permitted Uses:** The permitted uses in the OVL-2 Overlay shall be identical to those uses permitted in the B-5 District (such as retail, offices and restaurants), provided, however, that any developer that elects to develop in accordance with the OVL-2 Overlay standards shall be required to provide multi-family dwellings such as apartments or condominiums above ground level B-5 District uses.
- **Maximum Density:** 18 du/ac
- **Minimum Tract Area:** 1/2 acre
- **Maximum Lot Coverage:** 80%; **Maximum Building Coverage:** 50%
- **Maximum Height:** 3 st. / 38 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: According to the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center, 31 units have been identified for this overlay, with the 20% set-aside resulting in seven affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-55

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed use inclusionary overlay district, the OVL-3 Overlay District, and amend the Zoning Map to place Block 392, Lots 1 and 2 in the new OVL-3 Overlay, while retaining the underlying ROL Research Office and Laboratory Zone designation. The two lots, totaling 42.1 acres, is the site of Lanidex Plaza, an eight-building office complex on Parsippány Rd. / County Rt. 511. The I-80 / I-287 interchange is to the northeast. Offices are to the immediate southwest and a small lot single family neighborhood is to the south. Standards applicable to the OVL-3 Overlay include the following:

- **Permitted Uses:** Any developer that elects to develop in accordance with the OVL-3 Overlay standards shall be required to construct multifamily dwellings. The permitted uses are as follows:
 - Townhouses
 - Multifamily, located at least 250 ft. north of the south tract line.
 - Active and passive recreation and open space areas.
 - Nonresidential uses located on the ground level of multifamily buildings. Examples of the nonresidential uses include retail, restaurants, banks, offices, and municipal offices.
- **Maximum Units:** 600, consisting of 550 rental units and 50 townhouses, which may be adjusted to provide 75 townhouses with a proportionate reduction of the market rate rental units.
- **Maximum Nonresidential Floor Area:** 16,000 sq. ft.
- **Minimum Tract Area:** 23.7 acres
- **Minimum Open Space:** 40%
- **Maximum Lot Coverage:** 60%; **Maximum Building Coverage:** 35%
- **Maximum Height:** 3 st. / 35 ft. (townhomes); 65 ft. (multifamily and mixed use multifamily)
- **Affordable Set-Aside:** 20%

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. Applying the 20% set-aside to the 600 maximum permitted units results in a requirement for 120 affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-56

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed use inclusionary overlay district, the OVL-4 Overlay District, and amend the Zoning Map to place Block 15.12, Lot 1 in the new OVL-4 Overlay, while retaining the underlying zoning designation. This 13-acre tract at 301 Gibraltar Dr. is the site of an office building. State Hwy. 10 represents the northern boundary of the tract. Retail uses and office buildings are to the northwest. The Powder Mill Village townhomes are to the south. Standards applicable to the OVL-4 Overlay include the following:

- **Permitted Uses:** Any developer that elects to develop in accordance with the OVL-4 Overlay standards shall be required to construct multifamily dwellings. The permitted uses are as follows:
 - Multifamily.
 - Up to 4,000 sq. ft. of the ground level of a building (with either multifamily on the upper floors, or as a standalone building) may be nonresidential. Examples of the nonresidential uses include retail, restaurants and offices.
- **Maximum Density:** 18 du/ac
- **Minimum Tract Area:** 12.5 acres
- **Maximum Lot Coverage:** 60%; **Maximum Building Coverage:** 30%
- **Maximum Height:** 4 st. / 48 ft.
- **Affordable Set-Aside:** 20%

Staff Comments: According to the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center, 233 units have been identified for this overlay, with the 20% set-aside resulting in 47 affordable units.



Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-57

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new mixed use inclusionary overlay district, the OVL-5 Overlay District, and amend the Zoning Map to place Block 698, Lot 15.2 in the new OVL-5 Overlay, while retaining the underlying B-1 Highway Commercial Zone designation. This 30.3-acre tract on US Hwy. 46 is the site of the Arlington Plaza shopping center, which features a Home Depot, a Bed Bath and Beyond, a Staples and various smaller retail outlets. To the immediate west is the Westmount Plaza shopping center, which features a ShopRite, a vacant former K-Mart and several smaller retail outlets. To the south are various commercial and retail uses, including two hotels. To the east are the age restricted Four Seasons at Troy Hills townhouses. Standards applicable to the OVL-5 Overlay include the following:

- **Permitted Uses:** Any developer that elects to develop in accordance with the OVL-5 Overlay standards shall be required to construct multifamily dwellings. The permitted uses are as follows:
 - Multifamily, located at least 150 ft. from the lot line of a contiguous lot in the R-3 District.
 - Active and passive recreation and open space areas.
 - Nonresidential uses located on the ground level of multifamily buildings. Examples of the nonresidential uses include retail, restaurants, banks, offices, and municipal offices.
- **Maximum Density:** 10 du/ac
- **Minimum Tract Area:** 30 acres
- **Maximum Lot Coverage:** 75%; **Maximum Building Coverage:** 50%
- **Maximum Height:** 4 st. / 48 ft. or 3 st. / 40 ft. depending on setback
- **Affordable Set-Aside:** 20%



Staff Comments: According to the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center, 311 units have been identified for this overlay, with the 20% set-aside resulting in 63 affordable units.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-58

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to establish a new age-restricted / assisted living inclusionary overlay district, the OVL-6 Overlay District, and amend the Zoning Map to place Block 181, Lot 19 in the new OVL-6 Overlay, while retaining the underlying ROL Research Office and Laboratory Zone designation. This 26-acre tract at 1500 Littleton Rd. is the site of the vacant former GlaxoSmithKline building. It is also the site of the historic Ballantine Barn-Carriage House. Office buildings are predominant toward the east. Small lot single family homes surround the site in all other directions. Standards applicable to the OVL-6 Overlay include the following:

- **Permitted Uses:** The permitted uses in the OVL-6 Overlay shall be identical to those uses permitted in the ROL District (such as offices, laboratories, limited pharmaceutical production plants, and banks), provided, however, that any developer that elects to develop in accordance with the OVL-6 Overlay standards shall be required to provide age-restricted or assisted living multifamily dwellings.
- **Maximum Units:** 370, consisting of 250 age-restricted units and 120 assisted living units
- **Minimum Tract Area:** 25 acres
- **Maximum Lot Coverage:** 70%; **Maximum Building Coverage:** 35%
- **Maximum Height:** 3 st. / 45 ft.
- **Affordable Set-Aside:** 20%
- **Ballantine Barn-Carriage House:** Accessory use for gatherings, subject to restrictions as to type of gathering and number per year.



Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center. The settlement identifies 62 affordable units for this site.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-59

Date Adoption Filed: 10/8/19

Summary: Amend the Land Use Regulations to add a new chapter imposing development fees and establishing 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.

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-60

Date Adoption Filed: 10/8/19

Summary: Amend the Land Use Regulations to replace the existing Affordable Housing chapter with a new chapter for the purposes of 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.

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-61

Date Adoption Filed: 10/8/19

Summary: Amend the Zoning Regulations to permit Affordable Accessory Apartments as conditional uses in the R-1 Residential, R-1M Residential Mixed-Use Option and R-1M(r) Mixed Residential Option Districts. Such accessory apartments must be occupied by low and moderate income households. The minimum lot area is 40,000 sq. ft. No more than one principal single-family residence and one accessory apartment may be located on a lot.

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-62

Date Adoption Filed: 10/8/19

Summary: Amend the Administration of Government section of the Township Code to add a new chapter establishing the position of Township Housing Liaison and detailing the responsibilities of that position. The Township Housing Liaison is an employee charged with responsibility for the oversight and administration of the affordable housing program for the Township.

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2019-63

Date Adoption Filed: 10/8/19

Summary: Amend the Land Use Regulations to add a new chapter imposing an affordable housing set-aside. Any multi-family or single-family attached residential development that is approved to contain five or more new dwelling units as a result of a subdivision or site plan approval, rezoning, use variance, or redevelopment plan approved by the Township shall be required to set aside a minimum of 20% of the units for affordable housing.

Staff Comments: This ordinance is as called for by the April 11, 2019 Settlement Agreement between the Township and the Fair Share Housing Center.

Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 18-19

Date Adoption Filed: 10/7/19

Summary: The Land Use Development Ordinance is subject to various amendments by this ordinance. Examples include the following:

- Permit a convenience store as a conditional use on the same location as an automobile service station.
 - Open porches and porticos not over one story high attached to single and two-family dwellings shall be considered as part of the principle structure and may project into any required yard area, provided that:
 - Not more than 100 sq. ft. of said structure shall project into the required yard area.
 - No portion of any such structure shall be closer than ten feet to any property line.
 - The maximum depth of the structure shall be eight feet.
 - No pool shall hereafter be constructed or installed within a front yard or the required front yard setback, whichever is more restrictive.
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ZONING ORDINANCES DEFEATED: OCTOBER 2019

Municipality: TOWNSHIP OF HANOVER

Ordinance: 39-2019

Date Filled: 10/11/19

Summary: This ordinance was introduced in September 2019 but has been defeated. It would have amended the Land Use and Development Regulations to eliminate the existing prohibition of detached garages (accessory to residential uses) to permit such detached garages with appropriate height, area and setback requirements.

*Ordinance introduced and adopted during the same month.

PROPOSED ORDINANCES RECEIVED: 18

ADOPTED ORDINANCES RECEIVED: 32

ORDINANCES DEFEATED: 1

TOTAL ORDINANCES PROCESSED: 51