

ZONING ORDINANCES INTRODUCED: JULY 2020

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2020-13

Public Hearing Date: 8/13/20

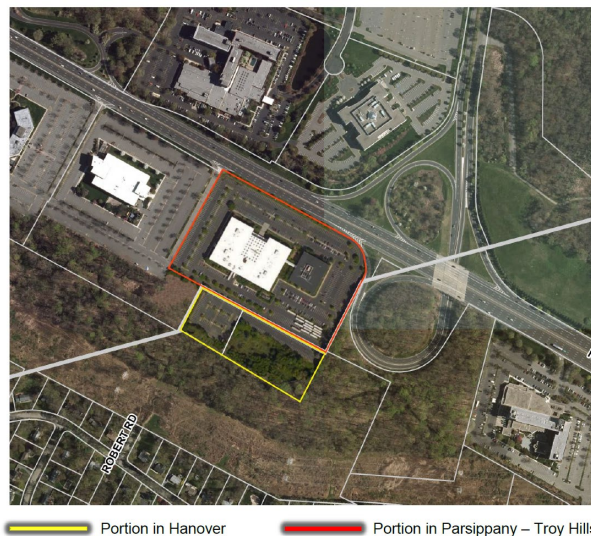
Summary: Ordinance 2020-11, adopted this month (July 2020), created a new zoning district, the R-3 AH - Affordable Housing Residence District, for Block 67, Lots 17 and 17.01. The new R-3 AH District permits single-family homes, with at least 20% of the total number of lots created through subdivision conveyed to either the Township or a qualified group home developer or operator for the construction of affordable housing in the form of a group home. Ordinance 2020-13 clarifies that the group home lot will be cleared and leveled to prepare it for the construction of a group home.

Municipality: TOWNSHIP OF HANOVER

Ordinance: 21-2020

Public Hearing Date: 8/13/20

Summary: This ordinance adopts a revised version of the Redevelopment Plan for the Hanover portion of the property known as 1515 Route 10. This revision is necessitated by the recent revision to the municipal boundaries for Hanover and Parsippany through this property, which results in newly created / revised Lots 13.01 and 14.01 in Block 303. The newly annexed portion of the property, formerly located in Parsippany, but now located in Hanover, was designated an Area in Need of Redevelopment by Hanover on July 9, 2020 (the rest of the property having earlier been so designated). Lots 13.01 and 14.01 are located just south of the main portion of the larger property (in same ownership). The main portion of the property, which features two office buildings on eastbound Route 10, is targeted for mixed-use redevelopment by Parsippany. The Hanover portion contains parking, a detention basin, a stream and wetlands. The Dryden Way jughandle is to the immediate east. Offices and hotels are located along Route 10. To the immediate south is Southeast Morris County MUA property. Further south are single-family homes.



The Redevelopment Plan for Lots 13.01 and 14.01 functions as an overlay zone and a development alternative to the underlying I-P - Industrial Park District. The uses and standards in this Plan shall only be applicable if the redevelopment described in both this Plan as well as the redevelopment plan for the TC-1 - Town Center Redevelopment Area Overlay Zone in Parsippany are undertaken.

The new Development Plan is largely the same as the previous Plan for the Hanover portion of the property, which was adopted in December 2018, but for the adjustment to the municipal boundary, which results in a change to the area involved. The primary permitted uses (a mix of retail and office uses) and the permitted accessory uses (such as surface and structured parking and outdoor dining) remain unchanged. The primary change to the Plan involves a decrease in the maximum building coverage from 55% to 30% and a decrease in the maximum improvement coverage 85% to 50%. The Hanover portion of the Plan area no longer contains the building called for in the Parsippany concept plan.

Municipality: BOROUGH OF MADISON

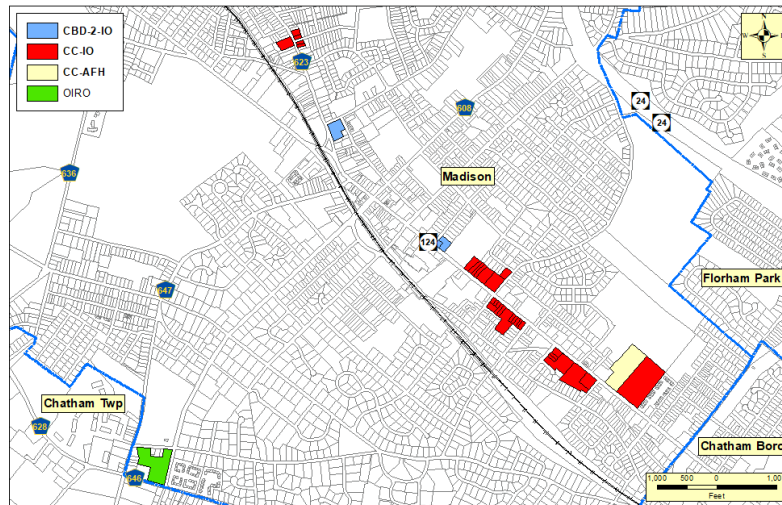
Ordinance: 24-2020

Public Hearing Date: 7/27/20

Summary: Amend the Land Development Regulations to make various changes related to affordable housing, including the establishment of new inclusionary housing districts. Examples of the changes include the following:

- Add Inclusionary Multi-Family as a permitted use in the CBD-2 District.
- Establish a new inclusionary overlay district, the CBD-2-IO - Inclusionary Overlay District, at Block 1501, Lot 1 (in the R-5 District on the corner of Park Ave. and Ridgedale Ave., largely wooded, but with two small barns) and Block 2001, Lots 14 and 15 (in the CBD-1 District, site of an office building and transmission repair shop, on the corner of Main St. and Alexander Dr.). Inclusionary multi-family development shall be the permitted use under CBD-2 standards, except for Block 1501, Lot 1, for which maximum impervious coverage and height shall be increased by 10% and 5 feet respectively.
- Establish a new inclusionary overlay district, the CC-IO - Inclusionary Overlay District, on 31 parcels along the Park Ave. / Main St. retail / commercial corridor. The vast majority of these parcels are in the CC District. Inclusionary multi-family development shall be the permitted use with a maximum density of 18 du/ac for lots under 100,000 sq. ft. and 20 du/ac for lots over 100,000 sq. ft., a minimum lot area of 15,000 sq. ft., a maximum height of 3 stories / 38 feet, and a maximum impervious coverage of 65%.
- Establish a new inclusionary zoning district, the CC-AFH - Affordable Housing District, and rezone Block 2208, Lot 26 (site of the 64-unit Madison Mall Apartments on Main St.) from the CC District to the newly established CC-AFH District. Multiple-family dwellings and garden apartments shall be the permitted uses. A maximum of 40 additional units shall be permitted, 25% of which must be affordable (the parcel has vacant space along Main St. in front of the existing apartments).
- Establish a new inclusionary overlay district, the OIRO - Optional Inclusionary Residential Overlay District, at Block 4501, Lot 3, site of a church on Green Ave. and Shunpike Rd. in the P - Professional Office Zone / Residential District. Permitted uses shall include inclusionary development in attached single-family homes, townhouses, two-family homes, garden apartments and patio homes with a maximum density of 12 du/ac, a minimum lot area of 80,000 sq. ft., a maximum height of 2.5 stories / 35 feet, a maximum building coverage of 40% and a maximum building coverage of 60%.
- Require the senior housing permitted in the R-SH - Senior Citizen Housing District to be 100% affordable.
- Require the housing permitted in the R-PH - Residential Public Housing District to be 100% affordable.

- Remove age-restricted multi-family and senior citizen multi-family as permitted uses in the Gateway Districts. Replace them with multi-family inclusionary development.



Municipality: BOROUGH OF MADISON

Ordinance: 25-2020

Public Hearing Date: 7/27/20

Summary: Amend the Land Development Regulations 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: BOROUGH OF MENDHAM

Ordinance: 09-2020

Public Hearing Date: 8/11/20

Summary: Amend the Zoning Regulations to establish a mixed-use inclusionary district at the site of the Kings Shopping Center. Block 801, Lot 20 is to be rezoned from the EB - East Business District to the newly created EB-AH - East Business Zone - Affordable Housing District. This 12.8-acre parcel, on E. Main St. / County Rt. 510, is the site of a supermarket, a strip mall and a tennis club. Commercial and retail uses are to the immediate east, offices are to the southeast, a Borough owned senior housing complex is to the immediate west, with single-family housing further west. Borough owned woodland is to the north.



The standards applicable to the newly created EB-AH District include the following:

Permitted Uses:

- Any use permitted in any residential district.
- Any use permitted in the Historic Business District.
- Various listed retail and service uses, examples including auto sales and services, gas station, auto service station, medical clinic, Planned Commercial Development, and health clubs and recreation facilities.
- Multi-family dwellings

Development Standards:

The standards that apply to the EB District shall apply to all permitted uses in the EB-AH District, except for multi-family dwellings, whose standards shall include the following:

- Maximum Units: 75
- Minimum Lot: 3 acres
- Maximum Height: 4 stories over parking / 60 feet
- Maximum Impervious Coverage: 80%
- Minimum Recreation Area: 5,000 feet
- Affordable Set-Aside: 20%

Municipality: BOROUGH OF WHARTON

Ordinance: O-13-20

Public Hearing Date: 8/17/20

Summary: This ordinance adopts the 170 North Main Street Redevelopment Plan in order to permit mixed-use inclusionary development for Block 301, Lot 1, which is part of a larger designated Redevelopment Area. Block 301, Lot 1, together with Block 801, Lot 3 to the south, was the subject of a Redevelopment Plan adopted in 2015 that permitted commercial, but not residential uses. Because the contract purchaser for this parcel has submitted a concept plan for mixed-use development, and because the new N. Main St. Extension, under construction by the County of Morris, splits these two properties, it was thought that the best approach was to introduce a Redevelopment Plan for Block 301, Lot 1 alone. This three-acre parcel, at the intersection of N. Main St. / County Rt. 634 and the N. Main St. Extension, is the site of a warehouse. Vacant land is to the south and east. Commercial uses and single-family homes are to the north. The underlying I-1 - Planned Industrial District will remain while a new overlay district, the 170 N. Main Street District Overlay, will be established for this site.



Standards for development under this overlay include the following:

- **Permitted Uses:** Retail trade and services, restaurants, catering, microbreweries, offices, light industrial (subject to MB District regulations), banks, indoor recreation, and apartments (in conjunction with one or more additional permitted uses).
 - **Maximum Residential Density:** 35 units per acre
 - **Minimum Lot:** 2 acres
 - **Maximum Height:** 4 stories / 55 feet
 - **Maximum Building Coverage:** 50%; **Maximum Impervious Coverage:** 85%
 - **Affordable Set-Aside:** 15% of rental units / 20% of for-sale units
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ZONING ORDINANCES ADOPTED: JULY 2020

Municipality: TOWNSHIP OF CHATHAM

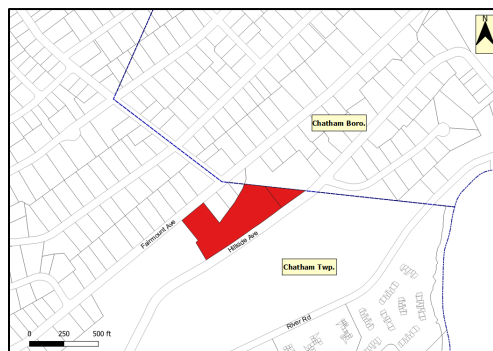
Ordinance: 2020-11

Date Adoption Filed: 7/13/20

Summary: Amend the Land Development Regulations to create a new zoning district, the R-3 AH - Affordable Housing Residence District, and rezone Block 67, Lots 17 and 17.01 from the R-1A - Residence District to the newly established R-3 AH District. The two lots, totaling 4.6 acres, are located on Hillside Ave., just south of the Chatham Borough border and include frontage on Fairmount Ave. A single-family home is located on one of the lots, both of which are farmland accessed. The Dixiedale Farm is to the south (site of a proposed townhome development), Township owned wooded land is to the southeast and single-family homes are to the north.

Single-family homes shall be the permitted use in the R-3 AH District. At least 20% of the total number of lots created through subdivision within the R-3 AH District shall be conveyed to either the Township or a qualified group home developer or operator at the option of the Township for the construction of affordable housing in the form of a group home for persons with developmental disabilities. The minimum lot size shall be 20,000 sq. ft. with a maximum height of 2 ½ stories / 35 feet.

Staff Comments: This ordinance was introduced in May 2020, however it has been reintroduced and amended to state that all slope areas of 20% or greater remaining after completion of the grading required for construction shall be included in conservation easements.



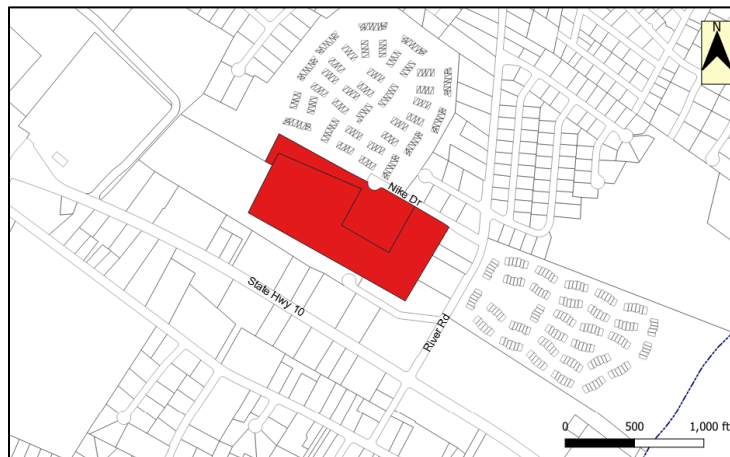
Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 4-2020

Date Adoption Filed: 7/10/20

Summary: Amend the Land Use and Zoning Regulations to establish a new zoning district, the RMF-2 Residential Multi-Family 2 Zone, and amend the Zoning Map to rezone Block 96, Lots 47.02 and 50 from the RAH-4 - Residential Affordable Housing Zone (which permitted a maximum of 96 units) to the newly created RMF-2 Zone. The two Township owned parcels on Nike Dr., which total 18.9 acres, are undeveloped and have long been known as the “Nike Site.” The Hanover Park condominiums are to the north. Commercial uses are to the immediate east while further east are the Castle Ridge townhomes. The commercial / retail corridor along State Hwy. 10 is to the south. Standards for the new RMF-2 Zone include the following:

- **Permitted Uses:** Multi-family, assisted living, independent living, alternative living, supportive housing and community center.
- **Maximum Units:** 225
- **Maximum Density:** 20 units per acre
- **Minimum Tract:** 7 acres
- **Maximum Height:** 4 st. / 55 ft. (assisted and independent living) or 2 st. / 35 ft. (all other permitted uses)
- **Max. Building Coverage:** 40%; **Max. Impervious Coverage:** 60%
- **Affordable Set-Aside:** (varies by use, but Settlement Agreement with Fair Share Housing Center anticipates 53 affordable units for this site)



Municipality: TOWNSHIP OF HANOVER

Ordinance: 17-2020

Date Adoption Filed: 7/13/20

Summary: This ordinance adopts a Redevelopment Plan for Block 8803, Lot 17, and Block 4001, Lots 10, 11, 12, 13, 14 and a portion of Lot 9. This 23.9 acre site, which was designated a Non-Condemnation Redevelopment Area in August 2019, is predominantly the location of the Pine Plaza Shopping Center on eastbound US Hwy. 10. It was anchored by a supermarket that has been vacant for years. Many of the retail stores are vacant as well. A separate building on the site is a Midas auto service facility. Two single-family homes are also part of the Redevelopment Area. The portion of Lot 9 that is included in the Redevelopment Area is an easement conveyed to the Southeast Morris County MUA and the Hanover Sewerage Authority by the owner of Lot 9, the Jewish Community Foundation, who’s facilities (not included in the Redevelopment Area) are to the southwest of this site. To the southeast are single-family homes. Across US Hwy. 10, to the north, are the

Grande at Hanover condominiums. Most of the site is in the B-10 District, with a portion to the east in the R-15 District. The standards applicable to the Redevelopment Area include the following:

Permitted Uses / Related Regulations:

- 62 townhouses, 3 stories / 45 feet
- 68 stacked townhouses, 3 stories / 50 feet
- 60 affordable senior multifamily rental units, 4 stories / 55 feet
- All B-10 District uses (retail stores, restaurants, hotel, grocery store), a gasoline station with or without a convenience store, and drive-thru windows. Maximum height: 45 feet (with exceptions noted below).
 - Maximum Floor Area - Retail/Commercial Component: 130,000 sq. ft. (excluding hotel), in multiple buildings, with no one building in excess of 50,000 sq. ft.
 - Hotel: 150 rooms (up to 5,000 sq. ft. of floor area of hotel may be used for restaurant), 5 stories / 75 feet
 - Maximum Height - convenience stores with gasoline sales: 35 feet

Other: Residential Component: Max. Bldg. Coverage: 40%; Max. Impervious Coverage: 80%
Retail/Commercial Component: Max. Bldg. Coverage: 30%; Max. Impervious Coverage: 90%
Western portion of Mount Pleasant Ave. right-of-way to be conveyed to redeveloper



Municipality: TOWNSHIP OF MINE HILL

Ordinance: 11-20

Date Adoption Filed: 7/12/20

Summary: Amend the Land Use Regulations to revise the various development application checklists in order to better organize these checklists and streamline the application review process.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2019:35

Date Adoption Filed: 7/16/16

Summary: This ordinance adopts a revised version of the Redevelopment Plan for the Parsippany portion of the property known as 1515 Route 10. This Plan follows the recent revision to the municipal boundaries for Hanover and Parsippany through this property, which results in newly created / revised Lots 1.2 and 1.03 in Block 200. The newly annexed portion of the property, formerly located in Hanover, but now located in Parsippany, was designated an Area in Need of Redevelopment by Parsippany on June 25, 2019 (the rest of the

property having earlier been so designated). The property features two office buildings on eastbound Route 10. The Dryden Way jughandle is to the immediate east. Offices and hotels are located along Route 10. To the immediate south is Southeast Morris County MUA property. Further south are single-family homes.



The newly revised Plan is similar overall to the Plan for the Parsippany portion of the property that was adopted in November 2018. As before, the Plan establishes a TC-1 Town Center Overlay District for 1515 Route 10. The existing underlying ROL - Research, Office and Laboratory zoning remains, while the TC-1 Overlay provides a development option to the uses permitted in the ROL District. The goal of the TC-1 Overlay is to promote mixed-use development organized around a mandatory centralized pedestrian plaza. Standards for the TC-1 Overlay vary by two sub-districts. The same mixed-use development pattern is called for under the new Plan, with such permitted uses as multifamily (prohibited on first floor), shared outdoor public area, retail and offices (amongst others).

The changes under the newly revised Plan include the following:

- Amend the area subject to the Redevelopment Plan to consist of Block 200, Lot 1.03 previously annexed from the Township of Hanover and Block 200, Lot 1.2, as modified by the annexation.
- Reduce the maximum permitted residential units from 450 to 441.
- Reduce the minimum dwelling size for the housing units (varies by number of bedrooms).
- Change the parking requirement for commercial/non-residential uses from 1 space per 200 sf. to 1 space per 250 sf.
- Adopt a graduated parking schedule for residential uses based on the unit type.
- Exclude all public right-of-way and public access easement roadways to be constructed within the tract area from the definition of "tract" for purposes of calculation of the bulk standards.

PROPOSED ORDINANCES RECEIVED: 6
ADOPTED ORDINANCES RECEIVED: 5
TOTAL ORDINANCES PROCESSED: 11