

LAND DEVELOPMENT ORDINANCES ADOPTED: DECEMBER 2021¹

Municipality: BOROUGH OF CHATHAM

Ordinance: 21-22*

Date Adoption Filed: 12/17/21

Summary: Amend the Land Development Regulations to establish a mixed-use inclusionary overlay district, the GAHO-1 - Gateway Affordable Housing Overlay 1 District, and amend the Zoning Map to place 45 parcels in the newly established overlay. The new GAHO-1 Overlay consists of approximately 25 acres on both sides of River Rd., bounded by NJ Transit rail lines to the northwest and the Passaic River to the south and southeast. The portion of the overlay along River Rd. consists of commercial and industrial uses as well as single family detached dwellings and is in the M-3 - Industrial District. The four largest parcels in the overlay to the south and southeast are owned by the Borough of Chatham and are vacant. They are in the CONS - Conservation District. Vacant land, targeted for inclusionary development as part of the River Road Redevelopment Area, is located to the north. Various industrial and commercial uses are also located to the north. Single family detached dwellings and townhomes are located to the northwest. The Bristol Myers Squibb pharmaceutical company is located in the City of Summit, to the southeast. Standards applicable to the GAHO-1 Overlay include the following:

Permitted Uses:

- Inclusionary Multi-Family Residential
- Non-Residential Uses (must be part of inclusionary residential development): Offices, Banks, Live/Work Lofts, Indoor Commercial Recreation, Restaurants, Retail, Public Purpose Use, Public Open Space

Affordable Set-Aside: 15% rental / 20% for-sale

Minimum Lot: 15,000 sq. ft. (may be met by contiguous parcels)

Maximum Density: 35 du/acre

Maximum Height: 4 st. / 54 ft.

Maximum Building Coverage: 75%; **Maximum Impervious Coverage:** 85%

Staff Comments: At 35 du/ac, the 25-acre GAHO-1 Overlay District could accommodate a maximum of 875 units, pending potential reductions for other physical or environmental constraints.



¹ Both proposed ordinances for December were also adopted in December. These are not shown as “proposed” since ordinance introduction and adoption notices received during the same month are only identified once as adopted as indicated by an asterisk*

Municipality: BOROUGH OF CHATHAM

Ordinance: 21-23*

Date Adoption Filed: 12/17/21

Summary: Amend the Land Development Regulations to establish a mixed-use inclusionary overlay district, the GAHO-2 - Gateway Affordable Housing Overlay 2 District, and amend the Zoning Map to place Block 140, Lots 11, 12, 12.01, 13, 14, 15 and 16 in the newly established overlay. The new GAHO-2 Overlay consists of approximately 11 acres at the intersection of River Rd. and Watchung Ave. / County Rt. 646, and is bounded by the Passaic River to southeast. The new overlay consists of commercial and industrial uses as well as vacant land and is in the M-3 - Industrial District. Vacant land, targeted for inclusionary development as part of the River Road Redevelopment Area, is located to the northwest. Various industrial and commercial uses are located to both the north and southwest. The Bristol Myers Squibb pharmaceutical company is located in the City of Summit, to the southeast. Standards applicable to the GAHO-2 Overlay include the following:

Permitted Uses:

- Inclusionary Multi-Family Residential
- Non-Residential Uses (must be part of inclusionary residential development): Offices, Banks, Live/Work Lofts, Indoor Commercial Recreation, Restaurants, Retail, Public Purpose Use, Public Open Space

Affordable Set-Aside: 15% rental / 20% for-sale

Minimum Lot: 15,000 sq. ft. (may be met by contiguous parcels)

Maximum Density: 18 du/acre

Maximum Height: 4 st. / 54 ft.

Maximum Building Coverage: 75%; **Maximum Impervious Coverage:** 85%

Staff Comments: *At 18 du/ac, the 11-acre GAHO-2 Overlay District could accommodate a maximum of 198 units, pending potential reductions for other physical or environmental constraints.*



Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2021-28

Date Adoption Filed: 12/17/21

Summary: Amend the Land Development Regulations to repeal the section entitled “Requirements for Developments Increasing the Township’s Growth Share Obligation for Affordable Housing.” This section was made obsolete when Ordinance 2020-22 was adopted by the Township in November 2020 and established a new affordable housing chapter consistent with New Jersey Supreme Court rulings striking down the growth share mechanism and transferring responsibility for determining affordable housing obligations from the Council on Affordable Housing to the trial courts.

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2021-29

Date Adoption Filed: 12/17/21

Summary: Amend the Land Development Regulations to repeal the section entitled “Affirmative Marketing.” This section was effectively replaced by a new affordable housing chapter when Ordinance 2020-22 was adopted by the Township in November 2020.

Municipality: TOWNSHIP OF CHATHAM

Ordinance: 2021-30

Date Adoption Filed: 12/17/21

Summary: Amend the Land Development Regulations to repeal the section entitled “Development Fees.” This section was effectively replaced when Ordinance 2019-22 was adopted by the Township in December 2019 and established affordable housing development fee regulations elsewhere within the Township Code.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 11-2021

Date Adoption Filed: 12/15/21

Summary: Amend the Land Use and Zoning Regulations to permit and establish regulations for permanent freestanding signs in the B-2 and B-2B Districts. Also, prohibit digital signs in all zoning districts, except where the message is limited to “open.”

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 12-2021

Date Adoption Filed: 12/15/21

Summary: Amend the Land Use and Zoning Regulations to impose a maximum impervious coverage of 85% in the I-1 and I-3 Districts.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 13-2021

Date Adoption Filed: 12/15/21

Summary: Amend the Land Use and Zoning Regulations as they relate to applications for seasonal permits to provide temporary outdoor seating in the front or side yard of restaurants in the B-1, B-2 and B-2B Districts. Under existing regulations, such outdoor seating is limited to 10% of the establishment's existing interior seating, or eight seats, whichever is greater. This is amended to increase the percentage to 20% and eliminate the eight seat limit.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 14-2021

Date Adoption Filed: 12/15/21

Summary: Amend the Land Use and Zoning Regulations to make various changes, examples of which include:

- Under existing regulations, the following is a permitted use in the B-2, B-2B, I-1 and I-3 Districts:

“Warehouse facilities, provided that the goods or merchandise being stored is actually owned by the owner of the parcel or a bona fide tenant.”

This language is replaced by the following:

“Automated and non-automated wholesale, warehouse storage and distribution facilities, and wholesale distribution centers, provided such activities and inventories are conducted entirely within an enclosed structure.”

- Impose a maximum impervious coverage of 70% in the SED District.
 - Require that development within the SED District comply with the Township’s Affordable Housing Development Fee Ordinance.
-

Municipality: TOWNSHIP OF MORRIS

Ordinance: 27-21

Date Adoption Filed: 12/22/21

Summary: Amend the Zoning Regulations to replace the OL - Office/Lab Overlay Zone with a newly established overlay, the NR - Non-Residential Overlay Zone, in order to permit development of athletic training facilities. The new overlay consists of approximately 87 acres on the site of the former Honeywell Headquarters, with frontage on Columbia Rd./County Rt. 510 to the north. It is largely vacant except for a self-storage facility on a 3.8-acre lot in the northwest corner. The underlying OL-40/PUD - Office and Research Laboratory / Planned Unit Development Zone is currently split between three overlay zones, the Residential East and Residential West Overlay Zones (sites of the recently developed Residences at Columbia Park townhomes), as well as the OL Overlay, to be replaced by the new NR Overlay. The previous OL Overlay permitted executive, professional and general business offices. The new NR Overlay will permit the following:

- Office/research/laboratory use, which may contain executive, professional and general business offices; research laboratories; or combined office and research laboratory use.
- Athletic training facilities use, which shall mean facilities intended for professional, academy and youth sports teams, and which may include, in addition to outdoor fields, buildings used for administrative and business offices, gymnasiums and/or field houses, athletic training and fitness, classrooms, dormitories, a single indoor athletic field, food service operations, physical therapy and ancillary facilities.

Development may consist of either of the two above use alternatives, but not a combination. The standards applicable to the office/research/laboratory use shall remain as existed for the executive, professional and general business offices use under the previous OL Overlay zoning (including a maximum gross floor area of 900,000 sq. ft.). The standards for the athletic training facilities use shall include the following:

- Maximum Gross Floor Area: 275,000 sq. ft.
- Maximum Height: 3 st. / 50 ft., except that a single indoor athletic field building may be up to 65 ft. in height, provided that said building shall be located at least 400 ft. from a residential overlay boundary.
- Maximum Impervious Coverage: 35%; Maximum Building Coverage: 10%
- Minimum building setback to Columbia Road: 450 ft.
- Primary access shall be from Columbia Road via Stockton Drive

Staff Comments: According to an article posted on November 3, 2021 at MorristownGreen.com, the Red Bulls soccer team has proposed a soccer training complex for this site.



Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-19-21

Date Adoption Filed: 12/20/21

Summary: Amend the Zoning Regulations in response to the New Jersey Legislature's relaxation of certain permitting requirements related to the ordinary maintenance of structures. As a result, a Certificate of Appropriateness shall no longer be required in the Historic Preservation Overlay Zone for ordinary maintenance as defined by N.J.A.C. 5:23-2.7.

*Ordinance introduction and adoption notices received during the same month.

PROPOSED ORDINANCES RECEIVED: 2

ADOPTED ORDINANCES RECEIVED: 11

TOTAL ORDINANCES PROCESSED: 13