

**LAND DEVELOPMENT ORDINANCES INTRODUCED: APRIL 2022**

**Municipality:** TOWNSHIP OF DENVILLE

**Ordinance:** 05-22

**Public Hearing Date:** 5/17/22

**Summary:** Amend the Land Use Regulations to eliminate the requirement in the POS - Public Open Space District for Planning Board review of site plans in connection with applications for existing residential structures that comply with R-1 District bulk standards. The Zoning Officer shall review such site plans instead.

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**Municipality:** TOWNSHIP OF DENVILLE

**Ordinance:** 06-22

**Public Hearing Date:** 5/17/22

**Summary:** Amend the Land Use Regulations to eliminate the requirement for Planning Board review in connection with site plan applications within flood hazard areas. The Township Engineer or the Township's Designated Flood Plain Manager shall handle such reviews instead.

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**Municipality:** TOWNSHIP OF DENVILLE

**Ordinance:** 07-22

**Public Hearing Date:** 5/17/22

**Summary:** Amend the Land Use Regulations to eliminate the requirement in the OB-1 - Office Building District for Planning Board review of site development plans for pre-existing non-conforming residential properties that comply with the bulk standards of the R-4 District. The Zoning Officer shall review such site development plans instead.

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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 16-2022

**Public Hearing Date:** 5/12/22

**Summary:** Amend the Zoning Map to rezone Block 2701, Lots 1, 9, 25, 26.01, 26.02, and 27 from the R-40N - Single Family Residence District to the PU - Public Use District and rezone Block 2701, Lot 24 from the R-40N - District to the R-10 - Single Family Residence District. The area to be rezoned as PU consists of 15.5 acres with frontage on Ridgedale Avenue, Malapardis Road and Boulevard Road. It includes the Beth Israel Cemetery, two single-family detached homes and a seafood restaurant. The area to be rezoned as R-10 consists of a single-family detached home on a 13,935 square foot lot at 43 Ridgedale Avenue. The R-40N District permits single-family detached homes, public buildings, and houses of worship on 40,500 square foot lots. The PU District permits nursing homes, independent/assisted living facilities, single-family attached, multi-family, government offices, police, fire, first aid, governmental maintenance facilities, sewerage and utilities authorities, parks, athletic fields, open space facilities and institutional uses. The R-10 District permits single-family detached homes, public buildings, and houses of worship on 10,500 square foot lots.

In addition, this ordinance makes various changes to the Land Use and Development Regulations; examples include:

- For independent/assisted living facilities in the PU District, the maximum number of bedrooms shall not exceed the number of dwelling units multiplied by 1.25; provided that in situations where individual bedrooms are not provided, the foregoing limitation shall apply to the number of beds (the existing limit remains at 160 units).
- Cemeteries shall be added to the list of permitted uses in the PU District.



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**Municipality: TOWNSHIP OF MONTVILLE**

**Ordinance:** 2022-15

**Public Hearing Date:** 5/10/22

**Summary:** Amend the Land Use and Development Regulations to define “temporary tent or parking lot sales” as any temporary or interim activities conducted on retail properties for the purpose of promoting seasonal sales and special events, which may be conducted under a weather-protected canopy or open air. Parking lot sales shall include carwashes, information fairs and other nonprofit and charity events as well as commercial events. Sales of food, beverages, and alcoholic beverages are excluded from the definition of temporary tent or parking lot sales and are required to acquire a mobile retail food establishment permit.

**Municipality: BOROUGH OF MORRIS PLAINS**

**Ordinance: 5-2022**

**Public Hearing Date: 5/5/22**

**Summary:** Amend the Land Development Regulations to establish a new zoning district, the B-5 - Business District, and amend the Zoning Map to rezone Block 33, Lots 9 and 10 and the southern two-thirds of Block 34, Lot 13 from the B-1 - Business District to the newly established B-5 District. The new district is approximately one acre in size and is located at the intersection of W. Hanover Avenue / County Route 650 and Stiles Avenue. It is the site of a QuickChek convenience store, a pizza restaurant and a single-family detached home. The surrounding neighborhood is dominated by small lot single-family detached homes, although a fire station and a barber shop are located to the immediate south, in Morris Township.

Despite the creation of a new zoning classification, the standards for the new B-5 District are the same as those for the existing B-1 District. The stated purpose is that there is a need to differentiate the existing B-1 District, currently located in two non-contiguous areas of the Borough. The characteristics of the two areas differ. The remaining B-1 District includes over a dozen parcels on Speedwell Avenue in close proximity to the Morris Plains train station and the Borough's other commercial zones and uses. The other area to be rezoned from B-1 to B-5 includes only three parcels and is in close proximity to single-family detached residential zones and uses. Like the B-1 District, the B-5 District will permit such uses as retail, restaurants, banks, non-profit lodges, offices above the first floor, printing, public buildings, outdoor storage and apartments above the first floor (except over restaurants or bars).



**LAND DEVELOPMENT ORDINANCES ADOPTED: APRIL 2022**

**Municipality:** TOWNSHIP OF BOONTON

**Ordinance:** 902

**Date Adoption Filed:** 4/12/22

**Summary:** Amend the Land Use Regulations to allow the Township Zoning Officer to approve a change of tenancy for commercial uses without the need for site plan review. Such changes are restricted to uses that are permitted in the zone, where parking on site meets the parking requirements, and there are no changes to the impervious coverage or building square footage on the site. If the Zoning Officer determines that any of these conditions are not met, the application shall be referred to the Planning Board for site plan review.

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**Municipality:** TOWNSHIP OF CHESTER

**Ordinance:** 2022-01

**Date Adoption Filed:** 4/7/22

**Summary:** Amend the Land Use Regulations as they relate to the parking and storage of commercial vehicles on residential properties; examples include:

- No more than two commercial vehicles shall be permitted on any residential property of less than or equal to two acres in size. No more than three commercial vehicles shall be permitted on any residential lot of greater than two acres in size.
  - No commercial vehicle to be stored outdoors on any residential property shall exceed a gross vehicle weight rating of 19,500 pounds.
  - Any commercial vehicle with a gross vehicle weight rating in excess of 14,000 pounds or in excess of 25 feet in length shall be effectively screened so that the vehicle is not visible from any adjacent property.
  - All commercial vehicles shall be owned by the resident of the property or the resident's employer.
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**Municipality:** TOWNSHIP OF CHESTER

**Ordinance:** 2022-06

**Date Adoption Filed:** 4/21/22

**Summary:** Amend the Land Use Regulations to establish regulations for Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces. P.L. 2021, c.171, signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces to be designated as a permitted accessory use in all zoning districts and establishes associated installation and parking requirements.

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**Municipality:** TOWNSHIP OF HANOVER

**Ordinance:** 10-2022

**Date Adoption Filed:** 4/18/22

**Summary:** Amend the Zoning Map to rezone the southeastern corner of Block 4802, Lot 1 from the O-S - Office-Services District to the RM-7 - Residence District. Block 4802, Lot 1 is the site of the Hyatt House extended stay hotel at the corner of Park Ave. / County Rt. 623 and Columbia Tpk. / County Rt. 510, however the portion to be rezoned is wooded and undeveloped.

The existing RM-7 District is a vacant lot located at 190 Park Ave. (Block 4802, Lot 2). The rezoning represents an extension of this district to the east. The RM-7 District permits 210 multifamily residential dwelling units and furnished apartments. The rezoning comes at the request of the developer in order to enable the provision of additional site amenities or other improvements, but not additional housing units.



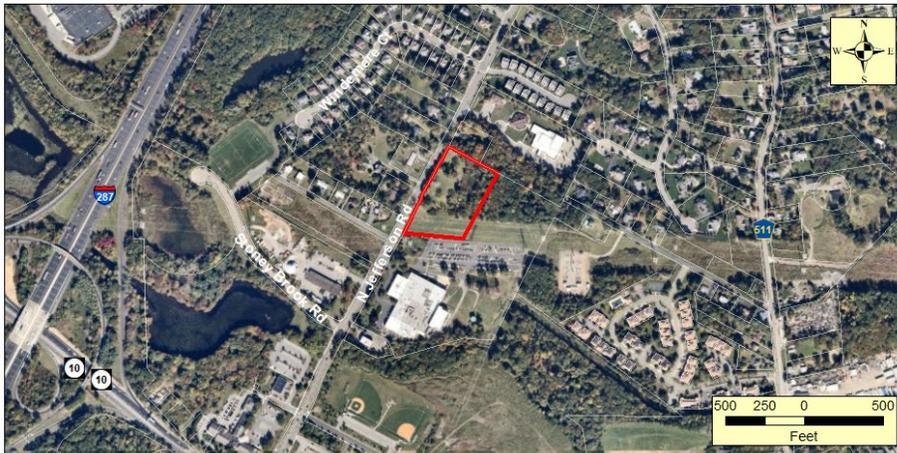
**Municipality: TOWNSHIP OF HANOVER**

**Ordinance: 11-2022**

**Date Adoption Filed: 4/18/22**

**Summary:** Amend the Land Use and Development Regulations to establish a new overlay district, the AH-2 - Affordable Housing Overlay District, and amend the Zoning Map to place a portion of Block 9102, Lot 5 in the newly established overlay. Block 9102, Lot 5 is home to the Cambrex pharmaceutical manufacturing and packaging facility at 30 N. Jefferson Rd. The new AH-2 Overlay will be located on 4.4 acres in the northwest corner of the Cambrex lot, in an area that is undeveloped, with high tension electric wires running through the southern part. The purpose of the overlay is to accommodate the off-site affordable housing obligation generated by the Redevelopment Plan for the Pine Plaza Shopping Center. The underlying I-P2 District zoning shall remain. Standards for the new AH-2 Overlay include the following:

- Permitted Use: Age-restricted affordable multifamily.
- Number of Units: 60
- Minimum Lot: 3 acres
- Maximum Height: 4 st. / 60 ft.
- Maximum Improvement Coverage: 55%; Maximum Building Coverage: 20%



**Staff Comments:** Ordinance 11-2022 replaces Ordinance 32-2020, which was introduced in November 2020 but tabled in December 2020. It differs primarily by the addition of the following provisions:

For any property in the I-P2 District that is subdivided for affordable housing development located within and permitted by the AH-2 Overlay, the following requirements shall apply to the remaining portion of the property that is not developed for affordable housing; provided that such provisions shall apply only at such time that the Township acquires the portion to be subdivided through eminent domain:

- The maximum permitted floor area and improvement coverage on the remaining portion shall be the same as was permitted prior to such subdivision, based upon the area of the property prior to such subdivision.
- The requirement for a planted buffer shall not apply to the portion of the I-P2 District adjacent to the AH-2 Overlay; provided, however, that all setback requirements from a residential zone district shall continue to apply.

**Municipality: BOROUGH OF LINCOLN PARK**

**Ordinance:** 13-21

**Date Adoption Filed:** 4/4/22

**Summary:** Amend the Zoning Regulations as they relate to the Airport Safety Area Overlay Zone as well as the list of definitions; examples of the amendments include:

- In no instance shall a use prohibited in the Airport Safety Area Overlay be permitted regardless of the standards in the underlying zone; however, a use permitted in this overlay shall not be permitted if it is a prohibited use in the underlying zone.
- Within the Airport Safety Area Overlay, a total combination of six trucks, tractors, tractors with attached trailers or containers are permitted to be parked or stored on a parcel. Overnight storage of more than a total of any combination of six trucks, tractors, tractors with attached trailers or containers shall only be permitted within an enclosed building.
- Nine terms are added to the list of definitions. Examples include “Tractor,” which is defined as the “non-cargo carrying power unit that operates in combination with a trailer” and “Container,” which is defined as a “sealed, rigid, reusable metal box used to hold goods and which requires transport by vessel, truck or rail.”

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**Municipality: BOROUGH OF LINCOLN PARK**

**Ordinance:** 4-22

**Date Adoption Filed:** 4/5/22

**Summary:** Amend the Development Regulations to establish regulations for Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces. P.L. 2021, c.171, signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces to be designated as a permitted accessory use in all zoning districts and establishes associated installation and parking requirements.

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**Municipality: BOROUGH OF MENDHAM**

**Ordinance:** 15-2021

**Date Adoption Filed:** 4/27/22

**Summary:** Amend the Zoning Regulations to establish a fee schedule for outdoor dining.

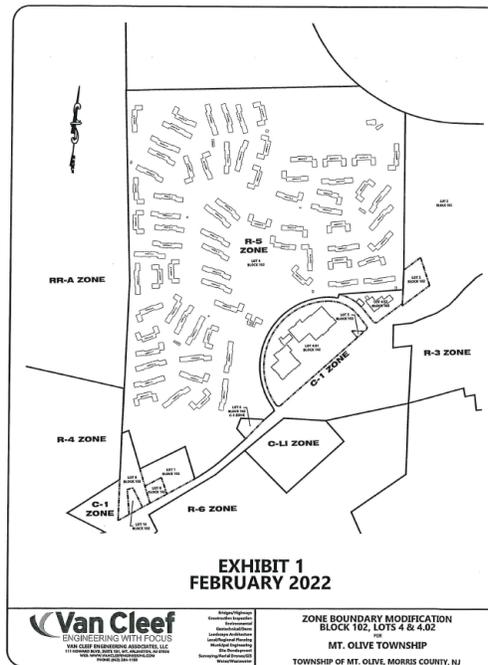
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**Municipality:** TOWNSHIP OF MOUNT OLIVE

**Ordinance:** 9-2022

**Date Adoption Filed:** 4/6/22

**Summary:** Amend the Zoning Map to correct the zone boundary for Block 102, Lot 4 so that the entire parcel is located within the R-5 - Multi-Family District and correct the zone boundary for Block 102, Lot 4.02 so that the entire parcel is located within the C-1 - Commercial District. Block 102, Lot 4 is the site of the Village Green apartment complex, off US Highway 46. Most of the parcel is located within the R-5 District, however the southwestern corner, at and below a power line easement, is currently within the C-1 District. Block 102, Lot 4.02 is the site of a commercial building on US Highway 46. Most of the parcel is located within the C-1 District, however the northern portion is currently within the R-5 District. The introduction to this ordinance states that its purpose is to correct errors that were introduced during the 1970's and 1980's.



**Municipality:** TOWNSHIP OF WASHINGTON

**Ordinance:** RO-02-22

**Date Adoption Filed:** 4/19/22

**Summary:** Amend the Zoning Regulations to prohibit the occupation of rental units for a period of less than 60 days. This ordinance comes in response to concerns about the prevalence of the short-term rental of residential dwelling units via internet-based booking platforms in recent years.

**PROPOSED ORDINANCES RECEIVED: 6**  
**ADOPTED ORDINANCES RECEIVED: 10**  
**TOTAL ORDINANCES PROCESSED: 16**