

LAND DEVELOPMENT ORDINANCES INTRODUCED: AUGUST 2023

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

Municipality: TOWNSHIP OF BOONTON

Ordinance: 927

Public Hearing Date: 10/10/23

Summary: Amend the Land Use Regulations as follows:

- Add to the list of prohibited uses, the outdoor storage of commercial vehicles in any commercial district without an approved business use with an approved site plan. The principal business use on the site cannot be to store vehicles outside the premises.
- No outdoor storage of commercial vehicles may be considered for a conditional use in the BP - Business Park District unless it is associated with an on-site business occupying more than 2,500 square feet of floor area.

Municipality: TOWNSHIP OF BOONTON

Ordinance: 928

Public Hearing Date: 10/10/23

Summary: Amend the Land Use Regulations as follows:

- Existing structures related to an agricultural or horticultural use may be repaired, replaced or reconstructed within the existing footprint without site plan or Planning Board approval.
- Exterior signage for agricultural or horticultural uses shall be in accordance with the sign regulations as applicable to the district in which such use is located.

Municipality: TOWNSHIP OF MINE HILL

Ordinance: 14-23

Public Hearing Date: 9/7/23

Summary: Amend the Land Use Regulations to permit off-street parking in front yards in the ED – Economic Development District only in accordance with an approved site plan.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 18-23

Public Hearing Date: 9/20/23

Summary: Amend the Zoning Map to rezone Block 4101, Lots 3, 3.01 and 7 from the RH-5 - Multiple Family District to the OS/GU - Open Space - Government Use District. The three parcels total 38.6 acres and are located just north of the Villa Walsh Academy with narrow frontage on Picatinny Road to the west. Southeast MCMUA property is to the east. The parcels are wooded and undeveloped with the northernmost parcel home to Jones Pond. According to tax records the three parcels are owned by Morris Township and are in conservation use.



Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:10

Public Hearing Date: 9/19/23

Summary: Amend the Zoning Regulations so that the definition of wireless telecommunications technology shall not include facilities erected or used for amateur radio operations by an FCC licensed amateur radio operator. Such amateur radio facilities shall not be subject to the setback requirements applicable to wireless telecommunications technology. Instead, free standing towers, antennas and supporting structures used solely in connection with amateur radio operations, which are not mounted on the roof or façade of any building, shall comply with the setback requirements for accessory structures in the zone district in which they are located.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:11

Public Hearing Date: 9/19/23

Summary: Amend the Zoning Regulations to revise the definitions of “story” and “basement.” These definitions are used in tandem to determine whether the basement level of a residential home shall be regulated as a basement or a story above grade. The definitions are revised to cure a problem where sloped topographic conditions may cause the basement level of a residential home to be exposed above grade and thus improperly designated as a story. In addition, the definitions are revised to so that they no longer improperly exempt multi-car garages at the basement level of a residential home from the definition of “story.”

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:12

Public Hearing Date: 9/19/23

Summary: Amend the Zoning Regulations so that private Electric Vehicle Supply/Service Equipment (EVSE) parking spaces must adhere to the same regulations as public EVSE parking spaces as per signage, curb markings, concrete-filled steel bollards, accessibility and maintenance.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:13

Public Hearing Date: 9/19/23

Summary: Amend the Zoning Regulations so that community residences for the developmentally disabled and shelters for victims of domestic violence, for up to fifteen persons, shall be a permitted use in any residential district. This is a change from existing regulations in which such uses are a permitted use for up to six persons and a conditional use for seven to fifteen persons.

Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:14

Public Hearing Date: 9/19/23

Summary: Amend the Zoning Regulations to remove language establishing a maximum percentage of required rear yard area that may be covered by accessory buildings in any required rear yard (was 30% in residence districts and 50% in business districts).

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 23-14

Public Hearing Date: 8/24/23

Summary: Amend the Zoning Regulations to add a new section establishing requirements for Temporary Storage Units in residential districts. Examples of the new requirements include:

- Temporary storage units may be placed on a property for no more than seven days without the issuance of a temporary storage permit.
 - No utilities, including but not limited to water, sewer, and electricity, shall be connected to any temporary storage unit.
 - No more than one temporary storage unit may be placed on any property at one time.
 - No more than one temporary storage unit permit shall be issued for the same property within any twelve-month period.
 - No flammable, explosive, or hazardous, toxic or dangerous material or organic waste shall be stored in a temporary storage unit.
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Municipality: BOROUGH OF ROCKAWAY

Ordinance: 23-15

Public Hearing Date: 9/14/23

Summary: Amend the Land Use Regulations to adopt a model ordinance establishing NJDEP mandated regulations for privately owned salt storage. The purpose of the regulations is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-10-23

Public Hearing Date: 8/21/23

Summary: Amend the Zoning Regulations as they apply to nonconforming lots to provide flexibility in the location of certain residential accessory structures and buildings. For example, any existing residential lot on which a building or structure is located and which lot does not meet the minimum lot size or which building or structure violates any yard requirements, may have additions to the principal building or construct an accessory building without an appeal to the Board of Adjustment, provided that the total permitted building coverage is not exceeded or the accessory building or addition does not violate any other requirement of these regulations, such as height, setback and parking.

LAND DEVELOPMENT ORDINANCES ADOPTED: AUGUST 2023

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 15-23

Date Adoption Filed: 8/16/23

Summary: Ordinance 15-23 adopts a Redevelopment Plan for Block 62002, Lot 1 (12-18 Vanderhoof Avenue). This parcel was designated a non-condemnation area in need of redevelopment by the Township Council on June 27, 2023. This 16.7-acre parcel is owned by the Township and has frontage on Vanderhoof Avenue to the north and Dock Road to the southeast. The parcel is vacant and wooded and traversed by Beaver Brook and bisected by an electric utility right-of-way. According to a report recommending the parcel for redevelopment area designation, it contains areas that are subject to flooding, while the location of Beaver Brook effectively precludes access to the parcel via Vanderhoof Avenue. Vacant wooded land is located to the northwest. Single-family homes are located to the east. Industrial uses are located to the west in Rockaway Borough. The parcel is currently in the I-2 - Industrial District and will be placed in a newly established zoning district, the DRR - Dock Road Redevelopment District. Standards for the new DRR District include the following:

- Permitted Uses: Offices, scientific and research laboratories, industrial, manufacturing and warehousing
- Maximum Height: 43 feet
- Maximum Floor Area Ratio: 25%



Municipality: TOWNSHIP OF HANOVER

Ordinance: 28-2023*

Date Adoption Filed: 8/11/23

Summary: Amend the Land Use and Development Regulations to permit solar and photovoltaic energy facilities on the roof of parking structures in the OB-RL - Office Building and Research Laboratory District at a sufficient height to allow for the clearance of motor vehicles beneath such facilities.

Municipality: TOWN OF MORRISTOWN

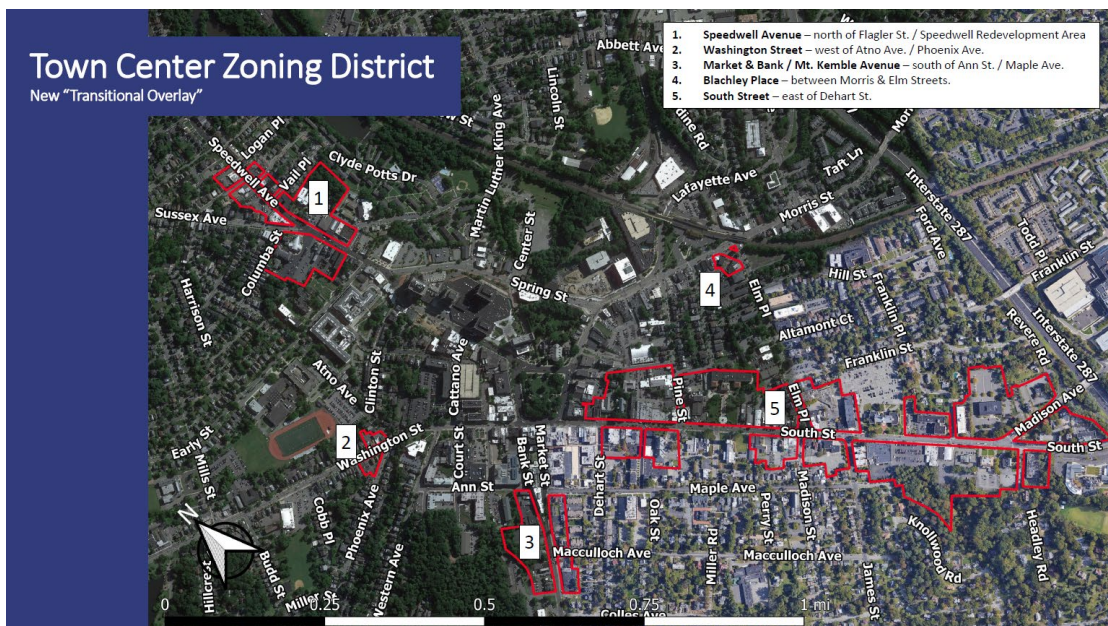
Ordinance: O-11-2023

Date Adoption Filed: 8/9/23

Summary: The Land Development Ordinance is thoroughly revised with hundreds of changes, examples of which include the following:

- Reduce the maximum height permitted at Speedwell Avenue and Clinton Place, across from Headquarters Plaza, from six stories to four stories by removing this area from the HQP - Headquarters Plaza Overlay.
- Prohibit Stacked Townhomes.
- Permit Single-Family Detached dwellings in the MF-3 "N" Overlay.
- Incorporate State model electric vehicle parking ordinance.
- Gaming Use changed from a conditional use to a permitted use in the TC - Town Center District.
- Establish a new T - Transitional Overlay District over much of the TC - District with a maximum height of three stories, a maximum floor area ratio (FAR) of 2.0 and a maximum density of 20 units per acre, down from a maximum height of four stories, a maximum FAR of 2.5 and a maximum density of 30 units per acre in the TC District (not including such TC District overlays such as the Headquarters Plaza Overlay).

Transitional Overlay Map:



Municipality: TOWN OF MORRISTOWN

Ordinance: O-19-2023

Date Adoption Filed: 8/9/23

Summary: Amend the Land Development Regulations to eliminate the option to construct up to 50% of a residential development’s required affordable units off-site. The stated purpose is concern that “the vast majority of the off-site affordable housing constructed over the past 10 years is built in the 2nd Ward, where land costs are least expensive.”

Municipality: TOWN OF MORRISTOWN

Ordinance: O-22-2023

Date Adoption Filed: 8/9/23

Summary: Ordinance O-22-2023 adopts the 2-10 Washington Street Redevelopment Plan. The three parcels subject to the Redevelopment Plan, Block 5906, Lots 6, 7 and 8, were designated a condemnation area in need of redevelopment by the Town Council on March 23, 2021. They are located at the intersection of Washington Street / County Route 510 and Bank Street / US Highway 202 and total 15,515 square feet. The buildings currently on the site were most recently home to a law firm but have been vacant since 2010 and are reported to be in dilapidated condition. The Morristown Green is located to the immediate northeast. The larger surrounding area consists of retail, restaurants, multi-family housing, government facilities and parking garages. The Redevelopment Area is currently in the TC - Town Center District, Morristown Green Overlay District. The Zoning Map is amended to include the Redevelopment Plan. All provisions of the Redevelopment Plan will supersede the Land Development Regulations. Standards include the following:

- **Permitted Uses, All Floors:** Multi-Family (no ground floor residential units shall front Washington Street)
- **Permitted Uses, Ground Floor:** Retail, Restaurant (coffee shop/café), Restaurant (full service/sit down), Art Gallery, Childcare Center, Convenience Store, Market, Gaming, Coworking Facilities, Business or Personal Services, and Community Center
- **Conditional Uses:** Parking, Restaurant (carry out/fast food), Restaurant (liquor licensed), Bar/Nightclub, Breweries/Brewpubs, Outdoor Dining, Valet Parking, and Live/Work
- **Maximum Units:** 54
- **Affordable:** 15% rental / 20% for-sale (a minimum of 8 units)
- **Minimum Lot Area:** 15,000 square feet
- **Maximum Building Height:** 5 stories / 60 feet (a minimum 10 foot step-back is required at the fifth story)
- **Maximum Floor Area Ratio:** 4.5
- **Minimum Building coverage:** 60%; **Maximum Building coverage:** 85%
- **Minimum Improved coverage:** 75%; **Maximum Improved coverage:** 95%
- **Other:**
 - The Washington Street façade of the existing structure at Block 5906, Lot 6, shall be rehabilitated and incorporated into any proposed redevelopment project.
 - The new façade should be set back further from Washington Street than the old façade to create additional pedestrian area and/or outdoor space for use by the active ground floor use.
 - Vehicular access shall be provided on Bank Street. No vehicular access is permitted on Washington Street.



Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-10-22

Date Adoption Filed: 8/9/23

Summary: Amend the Zoning Regulations to permit accessory apartments within a single-family residence as a conditional use in the R-5 - Washington Township Conservation District. In addition, the Conditional Uses section of the regulations is amended to add a new sub-section establishing standards for accessory apartments within a single-family residence. Examples of the new standards include:

- The number of apartments within a single-family residence shall be limited to one and shall be located within the principal building.
- Not more than 25% of the floor area of the principal building may be used for the apartment.
- The applicant shall demonstrate that adequate off-street parking is available for the combination of the principal residential use and the apartment.
- The occupants of the apartment shall be limited to the mother, father, son, daughter, brother, sister, grandparent or grandchild, together with their respective spouses and children, of one of the principal occupants of the single-family residence.
- If the apartment becomes unoccupied, or the occupants of the apartment no longer bear the requisite relationship (by blood or marriage) to a principal occupant of the single-family residence, the conditional use approval shall terminate.

Staff Comments: *A different section of the Zoning Regulations permits affordable accessory apartments in single-family dwellings in any single-family residential district. Apartments added via this new ordinance are not limited to affordable units.*

PROPOSED ORDINANCES RECEIVED: 13
ADOPTED ORDINANCES RECEIVED: 6
TOTAL ORDINANCES PROCESSED: 19