

LAND DEVELOPMENT ORDINANCES INTRODUCED: AUGUST 2021

Municipality: TOWNSHIP OF HANOVER

Ordinance: 29-2021

Public Hearing Date: 9/9/21

Summary: This ordinance adopts the 190 Park Avenue Redevelopment Plan for Block 4802, Lot 2, located at 190 Park Ave./ County Rt. 623. This site was designated a Non-Condemnation Redevelopment Area in June 2021. The Redevelopment Plan continues the existing RM-7 District zoning with the same overall standards (up to 210 multifamily residential dwelling units and furnished apartments, including 60 affordable units) while adjusting the sign standards applicable to the site.



Municipality: TOWNSHIP OF JEFFERSON

Ordinance: 21-21

Public Hearing Date: 8/18/21

Summary: Amend the Zoning Regulations to make various revisions to the sign regulations. Examples of these amendments include the following:

- Add signs for political speech purposes to the list of permitted signs.
- Add festival, exhibition, special event and show signs to the list of permitted temporary signs.

Municipality: TOWNSHIP OF MENDHAM

Ordinance: 12-2021

Public Hearing Date: 9/13/21

Summary: Amend the Zoning Regulations to establish a new zoning district, the M-1 - Municipal Uses District, and amend the Zoning Map to rezone Block 137, Lot 17.01 from the R-10 - Single Family Residential District to the newly established M-1 District. The new M-1 District is the site of the Municipal Building, the Police Station and the Emergency Services Building, at the corner of Cherry Ln. and West Main St. A new police station is proposed for this site as well. The standards for the new M-1 District include the following:

- Permitted Uses:
 - Structures accommodating the administration of municipal government.
 - Structures accommodating Police, Fire, and Emergency Medical Services.
 - Library uses.
 - Such accessory structures deemed necessary and advisable to support the principal permitted uses.
 - Places of public assembly.
 - Such other uses of a public nature as may be deemed appropriate by the Township Committee.
- Design Standards of the Land Use Ordinance shall not be deemed applicable to the M-1 - District.



Municipality: TOWNSHIP OF MONTVILLE

Ordinance: 2021-20

Public Hearing Date: 9/14/21

Summary: Amend the section of the Land Use and Development Regulations pertaining to mobile retail food establishments in order to permit such establishments on Township owned property.

LAND DEVELOPMENT ORDINANCES ADOPTED: AUGUST 2021

Municipality: TOWNSHIP OF BOONTON

Ordinance: 898

Date Adoption Filed: 8/24/21

Summary: Amend the Land Use Regulations to prohibit, anywhere in the Township, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a licensed delivery service based and initiated from outside the Township.

As an exception to the forgoing, a pre-existing licensed alternative treatment center actively operating at a presently licensed and approved location within the Township pursuant to a valid and current medical cannabis permit previously issued and approved by the State of New Jersey, Department of Health, Division of Medicinal Marijuana, and the Township of Boonton, pursuant to the Jake Honig Compassionate Use Medical Cannabis Act, shall be permitted to continue operation of Class 1 Cannabis Cultivation, Class 2 Cannabis Manufacturing, Class 3 Cannabis Wholesale, and Class 4 Cannabis Distributor establishments. This exception shall not apply to Class 5 Cannabis Retail Establishments and Class 6 Cannabis Delivery services which shall be prohibited from operating within the Township under any circumstances.

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2021-03

Date Adoption Filed: 8/18/21

Summary: Amend the Land Use Regulations to establish regulations for recreation vehicles. This ordinance was introduced in February 2021 and then amended and re-introduced in June 2021. It has now been further amended and re-introduced.

The latest amendment pertains to a provision that allows a short-term guest of the resident of the premises to reside in the recreation vehicle. Under the new version of this ordinance, "short-term" is defined as sixty days, with the caveat that it could be extended to ninety days if the purpose was that the recreation vehicle's use was as a result of construction on the main dwelling of the property.

Municipality: TOWN OF DOVER

Ordinance: 6-2021

Date Adoption Filed: 8/3/21

Summary: Amend the Land Use and Development Regulations to temporarily prohibit, anywhere in Dover, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a licensed delivery service based and initiated from outside the Town.

Municipality: BOROUGH OF FLORHAM PARK

Ordinance: 21-13

Date Adoption Filed: 8/23/21

Summary: Amend the Zoning Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service.

Municipality: TOWNSHIP OF HARDING

Ordinance: 10-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Use and Development Regulations to prohibit, anywhere in the Township, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service located outside the Township.

Municipality: TOWNSHIP OF JEFFERSON

Ordinance: 21-14

Date Adoption Filed: 8/5/21

Summary: Amend the Zoning Regulations to prohibit, anywhere in the Township, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies.

Municipality: TOWNSHIP OF JEFFERSON

Ordinance: 21-17

Date Adoption Filed: 8/5/21

Summary: Ordinance 21-17 implements various amendments to the Zoning Regulations. Examples include the following:

- Each and every day a violation of the Zoning Regulations continues after the expiration of an abatement notice or after initial construction shall be deemed a separate and distinct violation.
 - The application fee for a zoning compliance permit is increased from \$25 to \$50.
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Municipality: BOROUGH OF MADISON

Ordinance: 6-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Development Regulations to require that immediately following the completion of the framing for any new principal structure and prior to the commencement of any subsequent construction, a framing elevation survey shall be submitted to the Municipal Engineer, Zoning Officer and Construction Official for purposes of confirming (a) the bulk height requirement of the zone; and (b) compliance with the individual lot grading plan and building plans approved by the municipality for the specific development.

Municipality: BOROUGH OF MADISON

Ordinance: 9-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Development Regulations to repeal in full Schedule II: Permitted, Conditional and Accessory Uses. This is a schedule that listed the uses permitted by zoning district.

Municipality: BOROUGH OF MADISON

Ordinance: 10-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Development Regulations to remove gasoline service stations and public garages as conditional uses in the CC - Community Commercial District.

Municipality: BOROUGH OF MADISON

Ordinance: 19-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Affordable Housing Development Fees Section of the Land Development Regulations to remove references to the Council on Affordable Housing (COAH), reflecting the New Jersey Supreme Court ruling in 2015 that replaced the role of COAH with Superior Court judges.

Municipality: BOROUGH OF MADISON

Ordinance: 28-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Development Regulations to establish a new zoning district, the R9 - Multifamily Residential District, and rezone 34-42 Loantaka Way / County Rt. 636 from the U - University District to the newly established R9 District. The 5.4-acre property is the site of the Copper Beech Condominiums. To the east is Drew University and to the west is the Giralda Farms office park. Drew University is the owner of the common land and a majority of the condominium units at this site. The University has submitted an application for this rezoning in order to bring the existing development into compliance with the zoning regulations, without any restriction on the ownership or occupancy of the residential units. Standards include:

- Permitted Uses: Multifamily and attached single-family townhouses
- Minimum Tract: 5 acres
- Maximum Density: 9 units per acre
- Maximum Height: 3 st. / 35 ft.; Maximum Floor Area Ratio: 0.25; Maximum Lot Coverage: 30%



Municipality: BOROUGH OF MADISON

Ordinance: 30-2021

Date Adoption Filed: 8/23/21

Summary: Amend the Land Development Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service from outside the Borough.

Municipality: BOROUGH OF MADISON

Ordinance: 31-2021

Date Adoption Filed: 8/24/21

Summary: Amend the Land Development Regulations to require that a preliminary environmental checklist be completed for all site plan and subdivision applications that involve new construction.

Municipality: TOWNSHIP OF MENDHAM

Ordinance: 10-2021

Date Adoption Filed: 8/3/21

Summary: Amend the Zoning Regulations to prohibit, anywhere in the Township, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies directly to a consumer for personal use by a licensed delivery service based and initiated from outside the Township.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 22-21*

Date Adoption Filed: 8/19/21

Summary: Amend the Zoning Regulations to add a new section establishing building design guidelines. Examples of the new guidelines include the following:

- Single-family homes should have a variety of articulation features to visually break down the mass or provide texture, particularly within the front facade, such as: varied bays or ells, roof forms that relate to facade volumes below, generous front porches, upper floor porches or balconies, bay and dormer windows, and deep eaves.
 - In townhouse buildings, the primary focus of the ground floor front facade should be the pedestrian front entry, framed by generous front porches, porticos or stoops that project from the primary facade plane.
 - Any retail spaces located in the ground floor of buildings should have generous ceiling heights, ideally at least 15 feet, in order to create airy, high-quality interior spaces.
 - Any structured parking in multi-family residential, office, hotel and mixed-use buildings should be located at the interior or rear of the building, set back from the front facade.
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Municipality: BOROUGH OF MORRIS PLAINS

Ordinance: 10-2021

Date Adoption Filed: 8/20/21

Summary: Amend the Land Development Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service. In addition, the consumption (including smoking) of cannabis is prohibited in all public places within the Borough.

Municipality: BOROUGH OF MOUNT ARLINGTON

Ordinance: 10-2021

Date Adoption Filed: 8/4/21

Summary: Amend the Land Development Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service.

Municipality: BOROUGH OF RIVERDALE

Ordinance: 06-2021

Date Adoption Filed: 8/12/21

Summary: Amend the Zoning Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.

This ordinance replaces Ordinance 05-21, which was introduced in June 2021 but has been withdrawn. It is otherwise identical except for the removal of "Testing Facilities" as a prohibited use. Testing Facilities are not one of the classes of licensed cannabis establishments in the Cannabis Act.

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 22-21*

Date Adoption Filed: 8/25/21

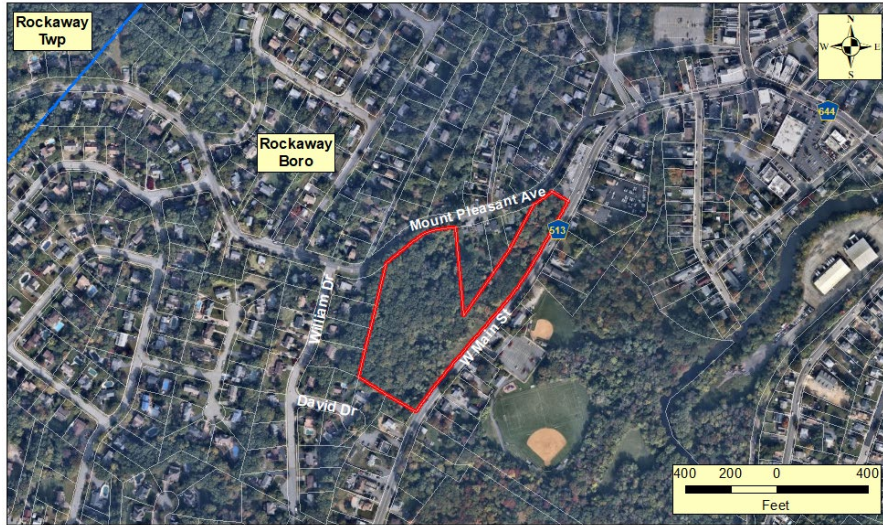
Summary: Amend the Land Use Regulations to permit Class 5 Cannabis Retailers, as that term is defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, within the G-B - General Business District. Such Cannabis Retailers must be sited on lots with direct frontage on Route 46 and licensed by the State of New Jersey and the Borough of Rockaway.

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 09-21

Date Adoption Filed: 8/3/21

Summary: Amend the Zoning Regulations to establish a new inclusionary overlay district, the AHO-S - Affordable Housing Overlay-Senior District, and amend the Zoning Map to rezone Block 73, Lot 65 from the AHO-6 Overlay to the new AHO-S Overlay. The 7.8-acre irregularly shaped lot has frontage on Mount Pleasant Ave. and W. Main St. / County Rt. 513. The lot has a single family detached home with access via Mount Pleasant Ave. to the north. The remainder of the lot is wooded, with significant steep slopes. Most of the surrounding area consists of single-family detached homes. Commercial uses are located toward the northeast. Donatoni Park is located to the southeast. The underlying O-B and R-1 zoning will remain.



Standards for the new overlay include the following:

- Permitted Use: Senior Apartments (age-restricted)
- Minimum Lot: 6.5 acres
- Maximum Units: 70
- Maximum Density: 11 units per acre
- Affordable Set-Aside: 20%
- Maximum Height: 3 st. / 38 ft.
- Maximum Building Coverage: 10%; Maximum Lot Coverage: 30%

Municipality: BOROUGH OF ROCKAWAY

Ordinance: 22-21*

Date Adoption Filed: 8/25/21

Summary: Amend the Land Use Regulations to permit Class 5 Cannabis Retailers, as that term is defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, within the G-B - General Business District. Such Cannabis Retailers must be sited on lots with direct frontage on Route 46 and licensed by the State of New Jersey and the Borough of Rockaway.

Municipality: TOWNSHIP OF ROXBURY

Ordinance: 18-21

Date Adoption Filed: 8/25/21

Summary: Amend the Land Development Regulations to prohibit, anywhere in the Township, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.

Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-12-21

Date Adoption Filed: 8/17/21

Summary: Amend the Zoning Regulations as they relate to the R-46 MFRO Overlay District to increase the maximum improved lot coverage from 60% to 70% and eliminate the maximum floor area ratio (currently 0.3). The R-46 MFRO Overlay District is an inclusionary overlay district at the intersection of US Hwy 46 and Drakestown Rd.

Municipality: TOWNSHIP OF WASHINGTON

Ordinance: RO-13-21

Date Adoption Filed: 8/17/21

Summary: Amend the Zoning Regulations as they relate to repair and reconstruction of nonconforming uses or structures. Existing regulations only reference damage to nonconforming uses or structures caused by fire, casualty or Act of God. This is amended to reference cases where the damage is caused by design or intent. In addition, the definition of "Damage or Destruction Beyond Repair" is amended to remove the costs of repair exceeding 50% of the replacement cost standard. Instead, "Damage or Destruction Beyond Repair" is defined as occurring "when it is determined that the structure or use is substantially totally destroyed with some quantity of destruction that surpasses mere partial destruction."

Municipality: BOROUGH OF WHARTON

Ordinance: O-12-21

Date Adoption Filed: 6/29/21

Summary: Amend the Land Use and Development Regulations to prohibit, anywhere in the Borough, all classes of cannabis establishments, distributors or delivery services as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, but not the delivery of cannabis items and related supplies by a delivery service.

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

PROPOSED ORDINANCES RECEIVED: 6
ADOPTED ORDINANCES RECEIVED: 25
TOTAL ORDINANCES PROCESSED: 31