

LAND DEVELOPMENT ORDINANCES INTRODUCED: JULY 2021

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2021-03

Public Hearing Date: 8/17/21

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. Its 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: TOWNSHIP OF DENVILLE

Ordinance: 25-21

Public Hearing Date: 9/14/21

Summary: Amend the Land Use Regulations to permit Portable Storage Containers in residential districts, subject to various conditions. Examples of these conditions include the following:

- Portable Storage Containers may be placed on a property within a residential district for no more than 15 days in a calendar year unless used in conjunction with a validly issued construction permit, in which case such container shall be permitted to remain for the active duration of the construction permit, but in no event for more than one year.
- No portable storage container shall be placed or located in the rear and side yard setback requirements for accessory buildings in the zone district.
- There shall be a limit of one portable storage container per property.

Municipality: TOWNSHIP OF MENDHAM

Ordinance: 10-2021

Public Hearing Date: 7/26/21

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: BOROUGH OF MOUNT ARLINGTON

Ordinance: 10-2021

Public Hearing Date: 8/3/21

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

Public Hearing Date: 8/11/21

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: TOWNSHIP OF WASHINGTON

Ordinance: RO-13-21

Public Hearing Date: 8/16/21

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."

LAND DEVELOPMENT ORDINANCES ADOPTED: JULY 2021

Municipality: TOWN OF BOONTON

Ordinance: 20-21

Date Adoption Filed: 7/20/21

Summary: Amend the Zoning and Land Use Regulations to permit and establish standards for Cannabis Wholesalers (Class 3) and Cannabis Retailers (Class 5) as legalized, defined and regulated by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (Cannabis Act). Examples of the new regulations include the following:

- Cannabis Wholesaler shall be a conditional use in the C-2 Commercial District subject to regulations such as the following:
 - Facilities shall be at least 300 ft. from any parks or schools.
 - All facilities shall be enclosed in heated/air-conditioned buildings, not in greenhouses, hoop houses or outdoors.
 - The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property.
 - The facility must have a valid license to operate from the State of New Jersey.
 - Cannabis Retailer shall be a conditional use in the C-1 Commercial District subject to regulations such as the following:
 - Facilities shall be at least 500 ft. from any parks and 1,000 ft. from any schools.
 - Cannabis Retailers shall be separate and distinct from any Cannabis Wholesaler operation
 - All facilities shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
 - Any Cannabis Retailer shall only have one primary public access point, which shall be directly adjacent to the right-of-way or parking area of the building. Access should not be through common entrances with other uses.
 - No products shall be permitted to be consumed on-site.
 - The facility must have a valid license to operate from the State of New Jersey.
 - Cannabis Cultivators (Class 1), Cannabis Manufacturers (Class 2), Cannabis Distributors (Class 4) and Cannabis Delivery (Class 6), as those terms are defined by the Cannabis Act, are prohibited.
-

Municipality: BOROUGH OF BUTLER

Ordinance: 2021-16

Date Adoption Filed: 7/28/21

Summary: Amend the Land Use Regulations to permit and establish standards for Cannabis Retailers and Medical Cannabis Dispensaries as conditional uses in the HC - Highway Commercial District. Examples of the new regulations include the following:

- No Cannabis Retailer or Medical Cannabis Dispensary shall be located within 2,000 ft. of another Cannabis Retail Establishment or Medical Cannabis Dispensary as measured from the property lines.
- No Cannabis Retailer or Medical Cannabis Dispensary shall be located within 1,000 ft. of a school, licensed daycare facility, church, synagogue, or religious worship center, public park, library or a licensed substance abuse disorder clinic or facility, as measured from the property lines.
- No drive-through window shall be permitted.
- Hours of operation shall be limited to 7 a.m. through 11 p.m.
- Except as permitted above, all classes of cannabis establishments as those terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, shall be otherwise prohibited.

Municipality: BOROUGH OF CHESTER

Ordinance: 2021-10

Date Adoption Filed: 7/8/21

Summary: Amend the Land Use 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 licensed delivery service based and initiated from outside the Borough.

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2021-02

Date Adoption Filed: 7/26/21

Summary: Amend the Land Use Regulations to add a new section establishing regulations for fences. This ordinance was introduced in February 2021 but has since been further amended and re-introduced. Examples of the new regulations include the following:

- Semi-open and open fences of up to four feet in height shall be permitted within a front yard area. All fences within a front yard shall be setback five feet from any right-of-way line.
 - Closed, semi-open, and open fences of up to six feet in height shall be permitted within a side or rear yard area. Such fences may extend to the side and rear property lines.
 - The installation of a fence shall not cause the damming or diverting of water.
-

Municipality: TOWNSHIP OF CHESTER

Ordinance: 2021-10

Date Adoption Filed: 7/16/21

Summary: Amend the Land Use Regulations as they relate to farm stands or buildings containing a retail display area for the sale of agricultural products, which are permitted in the R-1, R-2, R-3, R-5 and R-10 Districts. Examples of the new regulations include the following:

- Minor site plan approval for farm stands or buildings containing a retail display area for the sale of agricultural products shall be required only for the construction, expansion or change of use of any building or permanent structure in excess of 700 sq. ft. where such building or structure offers public access. Public access shall not include invitees of the owners of the property, or vendors or persons delivering and/or providing goods and service. Where larger farm buildings contain specific areas that are devoted to general public access, as well as other areas that are separated by a permanent wall and are not accessible to the general public, the latter areas shall not be included in the calculation of square footage.
- The minimum distance from a side or rear property line for any building containing a retail display area or farm stand is reduced from 100 feet to 50 feet.
- For properties that are subject to a preservation easement held by the Morris County Agriculture Development Board, the NJ Department of Agriculture, the NJ Department of Environmental Protection, or the US Department of Agriculture, or other governmental entity, the applicant shall affirm that to the best of his/her knowledge or ability that the proposed development or its intended use will not violate the terms of such easement, deed restriction, or similar encumbrance affecting the property.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 13-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to add new regulations establishing requirements for affordable housing. The new regulations address 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: TOWNSHIP OF DENVILLE

Ordinance: 14-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to set development fees and establish an Affordable Housing Trust Fund to collect and spend such fees. Developers shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. When an increase in residential density has been permitted via a "d" variance, the fee shall be 6%. Developers shall pay a fee of 2.5% of the equalized assessed value for nonresidential development.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 02-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish a new inclusionary zoning district, the T-7 Multi-Family District, and amend the Zoning Map to place two sites in the newly created district. One site, known as the “Bacala Group” site, consists of two lots totaling 8.9 acres on Franklin Rd., just north of its intersection with State Hwy. 10. This site is currently in the R-1 District. The larger lot in this site is wooded and undeveloped, while the smaller lot contains a single-family home. The Denville Commons shopping center is located to the south. The second site, known as the “Silver Spring Manor” site, consists of three lots totaling 20.3 acres on eastbound State Hwy. 10., between Peer Pl. and Miller Rd. This site is currently in the OB-4 District. The largest lot in this site is wooded and undeveloped, while the two smaller lots each contain a commercial building. The Forges townhomes are to the southwest.



Standards applicable to the new T-7 District include the following:

- Permitted Uses: Townhouses and Interlocking Dwellings
- Maximum Units:
 - Bacala Group Site: 60 (of which 12 must be affordable)
 - Silver Spring Manor Site: 120 (of which 24 must be affordable)
- Maximum Height: 3 ½ stories / 45 ft.
- Maximum Building Coverage: 25%; Maximum Impervious Coverage: 65%
- Minimum Open Space or Landscaped Area: 25%

Staff Comments: This amendment was introduced as Ordinance 16-20 in November 2020 but was not adopted. It has been re-introduced as Ordinance 02-21 in order to amend the listing of Blocks and Lots subject to this zoning map change.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 15-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish standards for accessory apartments. Examples of the new regulations include the following:

- Accessory apartments shall be permitted as a conditional use in all residential zones.
- Accessory apartments must be deed restricted for at least 10 years for occupancy by low and moderate income households.
- The maximum number of creditable accessory apartments shall be equal to no more than six (additional units may be approved by the State or the Courts if the municipality has demonstrated successful completion of its accessory apartment program).
- The accessory apartment shall have living and sleeping space, cooking facilities, a kitchen sink and complete sanitary facilities for the exclusive use of its occupants.
- No apartment shall be located above the third floor.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 16-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations so that all new multi-family residential developments of five or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or a new redevelopment plan shall be required to set aside 20% of the units for affordable housing.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 22-21

Date Adoption Filed: 7/22/21

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.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 17-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish a new inclusionary overlay district, the B4O - Multi-Use Overlay District, and amend the Zoning Map to place Block 31208, Lot 2 in the new overlay. The 3.7-acre overlay is the site of the Foodtown Shopping Center, which includes a supermarket and several retail outlets, and is located at 559 E. Main St. / State Hwy. 53. The site extends from Durbin Ave. to the south to Station Rd. to the north. The NJ Transit Rail Line establishes the western border. Commercial and industrial uses are located to the north, as is the Mount Tabor Rail Station. Townhomes and single family detached dwellings are located to the south. The underlying B-4 - Neighborhood Shopping Center zoning remains. Standards for the new overlay include the following:

- Permitted Uses: 1) Multifamily on the upper floors over commercial on the first floor and 2) Uses permitted in the underlying B-4 District
(for B-4 District uses, the standards for that district shall apply)
- Maximum Units: 46
- Affordable Set-Aside: 20%
- Maximum Height: 3 ½ st. / 45 ft.
- Multifamily units cannot extend past the existing footprint of the building as of March 10, 2021



Municipality: TOWNSHIP OF DENVILLE

Ordinance: 18-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish a new inclusionary overlay district, the TO - Multi-Family Overlay District, and amend the Zoning Map to place Block 40302, Lots 1 through 6, Block 40102, Lots 1 through 5, and Block 31601, Lot 4.01 in the new overlay. Block 40302, Lots 1 through 6 total 16.3 acres, contain industrial and commercial buildings and are located on Astro Pl. at its intersection with Franklin Ave. Block 40102, Lots 1 through 5 total 15.5 acres, contain industrial buildings and are located on Palmer Rd. at its intersection with Franklin Ave. The 6.5-acre Block 31601, Lot 4.01 is the site of an industrial building. The underlying I-2 - Industrial zoning remains.



Standards for the new overlay include the following:

- Permitted Uses: Townhouses, back-to-back townhouses, vertical flats, interlocking flats, and uses permitted in the underlying I-2 District (*for I-2 District uses, the standards for that district shall apply*)
- Minimum Lot: 2 acres
- Maximum Density:
 - Block 40302, Lots 1 through 6 and Block 40102, Lots 1 through 5: 10 units per acre
 - Block 31601, Lot 4.01: 15 units per acre
- Affordable Set-Aside: 20%
- Maximum Height: 3 ½ st. / 45 ft.
- Maximum Building Coverage: 25%; Maximum Impervious Coverage: 85%
- Minimum Open Space or Landscaped Areas: 15%

Staff Comments: At 10 du/ac, the 16.3-acre Block 40302, Lots 1 through 6 could accommodate a maximum of 163 units and the 15.5-acre Block 40102, Lots 1 through 5 could accommodate a maximum of 155 units. At 15 du/ac, the 6.5-acre Block 31601, Lot 4.01 could accommodate a maximum of 97 units. All projections pending potential reductions for other physical or environmental constraints.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 19-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish a new inclusionary overlay district, the MRO - Multi-Family Overlay District, and amend the Zoning Map to place Block 50307, Lots 1, 2, 3, 6 and 8, and Block 31207, Lots 1, 2, 3, 4, 7 and 9 in the new overlay. Block 50307, Lots 1, 2, 3, 6 and 8 total 1.3 acres, contain commercial buildings, including a gas station, and are located on Bloomfield Ave. at its intersection with E. Main St. / State Hwy. 53. US Hwy. 46 represents the southern boundary of these lots. Block 31207, Lots 1, 2, 3, 4, 7 and 9 total 4.2 acres, contain commercial and industrial buildings, and are located on E. Main St. / State Hwy. 53. at its intersection with Fox Hill Rd. The NJ Transit Rail Line represents the western boundary of these lots. The Morris County School of Technology is located to the east. The underlying zoning remains (B-1 - Central Business for the subject lots in Block 50307 and I-1 - Industrial for the subject lots in Block 31207).



Standards for the new overlay include the following:

- Permitted Uses: Garden apartments, mid-rise apartments, vertical flats, interlocking dwellings, and uses permitted in the underlying district (B-1 or I-1)
- Minimum Lot: 0.5 acres
- Maximum Density:
 - Block 50307, Lots 1, 2, 3, 6 and 8: 15 units per acre
 - Block 31207, Lots 1, 2, 3, 4, 7 and 9: 20 units per acre
- Affordable Set-Aside: 20%
- Maximum Height: 3 ½ st. / 45 ft.
- Maximum Building Coverage: 25%; Maximum Impervious Coverage: 85%
- Minimum Open Space or Landscaped Areas: 15%

Staff Comments: At 15 du/ac, the 1.3-acre Block 50307, Lots 1, 2, 3, 6 and 8 could accommodate a maximum of 19 units. At 20 du/ac, the 4.2-acre Block 31207, Lots 1, 2, 3, 4, 7 and 9 could accommodate a maximum of 84 units. All projections pending potential reductions for other physical or environmental constraints.

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 20-21

Date Adoption Filed: 7/27/21

Summary: Amend the Land Use Regulations to establish a new inclusionary zoning district, the HW - House of Worship Multi-Use District, and amend the Zoning Map to rezone Block 30102, Lot 4 from the R-1 - Residence District to the newly established HW District. This 6.8-acre parcel is the site of the New Hope Community Church at 52 Cooper Rd. The Lakeview Elementary School is located to the southeast. The Township owned Knuth Field is located to the south. Single-family detached homes are located to the northwest.



The standards applicable to the new HW District include the following:

- Permitted Uses: Group homes, age restricted multifamily housing and house of worship
(Multifamily dwellings and group homes are permitted to be constructed on the same site and will be considered a permitted second use on site so long as they are owned and/or operated in conjunction with a house of worship).
- Maximum Units:
 - Multifamily: 25 units
 - Group homes: 10 bedrooms
- Affordable Set-Aside: 20%
- Maximum Height: 2 ½ st. / 30 ft.

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 7-2021

Date Adoption Filed: 7/14/21

Summary: Amend the Land Use and Zoning Regulations to permit outdoor storage in the I-1 Light Industrial District (under existing regulations such storage must take place within fully enclosed buildings).

Municipality: TOWNSHIP OF EAST HANOVER

Ordinance: 8-2021

Date Adoption Filed: 7/14/21

Summary: Amend the Land Use and 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 by a licensed delivery service based and initiated from outside the Township. In addition, any business that engages in the practice of gifting, sharing or otherwise giving away cannabis, cannabis items or related supplies contingent upon a separate reciprocal transaction for goods or services shall be prohibited.

Municipality: TOWNSHIP OF LONG HILL

Ordinance: 477-21

Date Adoption Filed: 7/15/21

Summary: Amend the Land Use Regulations to exempt from Stormwater Management regulations any project that disturbs less than 1,500 sq. ft. of lot area (up from 1,000 sq. ft. under existing regulations) and results in an increase of impervious surface of less than 1,000 sq. ft. (up from 400 sq. ft. under existing regulations).

Municipality: TOWNSHIP OF MORRIS

Ordinance: 18-21

Date Adoption Filed: 7/22/21

Summary: Amend the Land Development Regulations to adopt a new Stormwater Control section. These regulations establish minimum stormwater management requirements and controls for applicable developments.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 19-21

Date Adoption Filed: 7/22/21

Summary: Amend the Land Development Regulations pertaining to grading permit requirements as follows:

- The existing exemption of land disturbances of up to 2,500 sq. ft. from the grading permit requirement is amended so that it only applies if no retaining walls are involved.
 - The existing exemption of land disturbances for the purpose of constructing an addition to an existing single-family dwelling is amended so that it only applies if no retaining walls are involved.
 - Add drainage and drywells to the required components of the lot grading and soil erosion and sediment control plan that must be submitted as part of an application for a grading permit.
 - Any proposed improvements which create an additional 500 sq. ft. of impervious cover are required to construct a drywell system to provide for the recharge of rainwater into the ground. The drywell system shall be designed to collect three inches of rainfall depth over the total area of increased impervious cover.
-

Municipality: TOWNSHIP OF MORRIS

Ordinance: 20-21

Date Adoption Filed: 7/22/21

Summary: This ordinance makes various amendments to the Historic Preservation Commission section of the Land Development Regulations. Examples of the changes include the following:

- Instead of stating that there will be nine members of the Historic Preservation Commission, the new language says that there will be *a maximum of* nine members.
- Instead of stating that there will be one Class A and one Class B member of the Commission, the new language says that there will be *up to two* Class A and *up to two* Class B members.
- The existing seven members required for Class C is replaced by language stating that there will be up to seven members, but at least five members.
- An Historic Site shall be defined as any real property, man-made structure, natural object or configuration or any portion or group of the foregoing of historical, archeological, cultural, scenic or architectural significance as determined by the Township Committee, upon recommendations from the Commission.
- Any request for demolition of an Historic Site which was not previously determined by approval of an application for development by a Township agency shall require a 45 day waiting period to allow the Commission to assess the impact on the historic character of the Township and evaluate the possibilities for preservation, rehabilitation, restoration and reconstruction, except that the 45 day waiting period shall not apply for any application for a permit to demolish a building or structure deemed unfit for occupancy by the Construction Official or which is in immediate danger of collapse.
- A list of Historic Sites recommended by the Commission and approved by the Township Committee is incorporated as part of this section.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 21-21

Date Adoption Filed: 7/22/21

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.

Municipality: TOWNSHIP OF PARSIPPANY

Ordinance: 2021:14

Date Adoption Filed: 7/23/21

Summary: Amend the Zoning Use Regulations to permit and establish standards for Cannabis Wholesalers (Class 3) and Cannabis Distributors (Class 4) as legalized, defined and regulated by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act. Examples of the new regulations include the following:

- Cannabis Wholesalers and Cannabis Distributors shall be permitted as conditional uses in the SED-3, SED-3A, SED-5, SED-5A, LIW-2 and LIW-5 Districts.
- A Cannabis Establishment must have frontage on either an arterial or collector road as designated by the 2010 Functional Classification Map for Morris County prepared by the NJ Department of Transportation, dated April 20, 2017 and revised for the Urban Area dated February 28, 2017, or on the following local roads: Pomeroy Rd., Wood Hollow Rd., Webro Rd., Joshua Mateo Highway.
- No Cannabis Establishment shall be located within 1,000 ft. of any school property (including property owned or leased by a public school board), or within 500 ft. of the real property comprising a public housing facility, public park, or public building.
- No Cannabis Establishment shall be located within 500 ft. of a residential zone district boundary or commercial residential mixed-use zone district boundary.

Municipality: TOWNSHIP OF PEQUANNOCK

Ordinance: 2021-13

Date Adoption Filed: 7/14/21

Summary: Amend the Zoning Regulations to permit cultivation of cannabis products and related limited cannabis processing activities as conditional uses in the I-3 - Industrial and R-87 - Residence Districts. Examples of the standards and regulations applicable to these conditional uses include the following:

- Minimum Lot: 4 acres
- Maximum Building Coverage: 75%; Maximum Impervious Coverage: 80%. Maximum Height: 35 feet
- Cannabis cultivation shall be restricted to permanent structures including greenhouses and shall be permitted only when associated with a pre-existing farming use.
- Limited cannabis processing shall be permitted as accessory to cannabis cultivation provided that no more than 20% of the cultivation facility may be used for processing.
- A transfer tax of two percent on receipts from the sale of cannabis by a cannabis establishment to another cannabis establishment shall be paid to the municipality.
- A Cannabis Establishment License issued by the municipality must be obtained by cannabis cultivators.
- Except as permitted above, 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, shall be otherwise prohibited.

Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 25-21*

Date Adoption Filed: 7/23/21

Summary: Amend the Land Development Regulations to permit decks attached to the first floor of single- and two-family dwellings to project into the required side or rear yard subject to various limitations, such as the following:

- Not more than 80 sq. ft. of deck structures may project into the required side yard area.
- The deck may not occupy more than 20% of the existing rear yard area.

LAND DEVELOPMENT ORDINANCES DEFEATED OR WITHDRAWN: JULY 2021

Municipality: TOWN OF BOONTON

Ordinance: 21-21

Date Filed: 7/20/21

Summary: This ordinance was introduced in June 2021 but has been defeated. It would have amended the Zoning and Land Use Regulations to establish a new inclusionary overlay district, the TO - Townhouse Overlay District, and amended the Zoning Map to place Block 30, Lot 14 (the site of the Boonton Recreation Center) in the new overlay. A maximum of six townhouses would have been permitted.

Municipality: BOROUGH OF RIVERDALE

Ordinance: 05-2021

Date Filed: 7/16/21

Summary: This ordinance was introduced in June 2021 but has been withdrawn. It would have amended 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 has been replaced by Ordinance 06-21, which is otherwise identical except for the removal of "Testing Facilities" as a prohibited use.

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

PROPOSED ORDINANCES RECEIVED: 7
ADOPTED ORDINANCES RECEIVED: 25
ORDINANCES DEFEATED OR WITHDRAWN: 2
TOTAL ORDINANCES PROCESSED: 34