

## LAND DEVELOPMENT ORDINANCES INTRODUCED: MAY 2024

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

### **Municipality: TOWNSHIP OF CHESTER**

**Ordinance:** 2024-09

**Public Hearing Date:** 6/5/24

**Summary:** Amend the Land Use Regulations as they pertain to accessory apartments in the R-1, R-2, R-3, R-5 and R-10 Districts. The accessory occupancy agreement to be recorded with the Morris County Clerk shall be in the form provided by the Township Zoning Officer. The owner of the property shall record the agreement and provide the Township Zoning Officer with the original recorded agreement.

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### **Municipality: TOWNSHIP OF EAST HANOVER**

**Ordinance:** 07-24

**Public Hearing Date:** 6/3/2024

**Summary:** This ordinance makes various amendments to the Land Use and Zoning Regulations, examples of which include:

- Applications for the installation of a fence or shed on a single-family property are no longer required to appear in front of the Development Review Advisory Committee. Instead, these applications may proceed directly to the Land Use Planning Board.
- In the case of new subdivisions, shade trees shall be installed with a minimum caliper of three inches and shall be located within 20 feet of the street right-of-way (minimum size and location are now specified, instead of leaving this to the discretion of the Shade Tree Commission).
- Corner lots may now have six-foot-tall fences for privacy and security in what would otherwise be the rear yard area.

**Municipality: BOROUGH OF FLORHAM PARK**

**Ordinance: 24-14**

**Public Hearing Date: 6/13/24**

**Summary:** Amend the Zoning Regulations to establish a new zoning district, the MU - Mixed-Use District, and amend the Zoning Map to rezone Block 902, Lots 3, 4, 5, 6 and 7 from the PB-2 Professional and Business Office District to the newly created MU District. The new district totals four acres in size and has frontage on Columbia Turnpike / County Route 510, Hanover Road / County Route 609 and Ridgedale Avenue / County Route 632. Four of the five lots are vacant. One lot has an office building. The Florham Park Plaza shopping center is located 450 feet to the west. The Crossroads Plaza strip mall is located 500 feet to the southwest and just west of that is the Florham Village shopping center. The Afton of Morris townhomes are located to the southeast. Standards applicable to the new MU District include the following:

- Permitted Uses: Multifamily and B-1 - Business District and PB-2 Professional and Business Office District uses.
- Minimum Site Area: 2 acres
- Maximum Units: 55
- Affordable Set-Aside: 20%
- Max. Building Coverage: 30% / Max. Impervious Coverage: 70%
- Maximum Height:  
Residential: 3 stories over podium parking / 55 feet  
Non-Residential: 30 feet, except that roof projections such as chimneys, spires, cupolas, towers, clocks and flagpoles shall be permitted to extend to 50 feet.



**Municipality: BOROUGH OF FLORHAM PARK**

**Ordinance:** 24-15

**Public Hearing Date:** 6/13/24

**Summary:** Amend the Zoning Regulations to eliminate the MF-8 - Multifamily Residential District and amend the Zoning Map to rezone Block 801, Lot 4 from the MF-8 District to the PB-2 - Professional and Business Office District. This 2.7 acre parcel is located at 215 Ridgedale Avenue / County Route 632 and features an office building.

This property was placed in the MF-8 District in 2018 in order to permit an inclusionary development that would help the Borough meet its affordable housing obligation as part of a settlement agreement with the Fair Share Housing Center. However, since that time it has been determined that the property has environmental encumbrances that make development of affordable housing unfeasible, but that the property remains appropriate for its prior zoned uses under the PB-2 District. The affordable housing obligation that would have been satisfied via this property will instead be addressed via the new MU - Mixed-Use District, to be created by Ordinance 24-14 and summarized elsewhere in this report.



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**Municipality: TOWNSHIP OF HARDING**

**Ordinances:** 14-2024, 15-2024 and 16-2024

**Public Hearing Date:** 6/10/24

**Summary:** Amend the Land Use Regulations via three ordinances in order bring them into compliance with the NJDEP's new stormwater management regulations:

- 14-2024: Private Storm Drain Inlet Retrofitting
  - 15-2024: Tree Conservation
  - 16-2024: Stormwater Management
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**Municipality: TOWNSHIP OF MINE HILL**

**Ordinance:** 05-24

**Public Hearing Date:** 5/30/24

**Summary:** Amend the Land Use Regulations so that Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready Parking Spaces shall be provided as required by N.J.S.A. 40:55D-66.20 and shall be located outdoors rather than within parking garages.

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**Municipality: TOWNSHIP OF MOUNT OLIVE**

**Ordinance:** 19-2024

**Public Hearing Date:** 6/25/24

**Summary:** Amend the Land Use Regulations to permit Cannabis Retailer Establishments holding both a valid license issued by the New Jersey Cannabis Regulatory Commission and a valid local annual license issued by the Township. The existing prohibition on all other classes of cannabis establishments remains. A prohibition on Cannabis Consumption Areas is added as well.

A new Chapter 394, Local Cannabis Licensing and Regulations (not a part of the Land Use Regulations), is added to the Township Code. This chapter permits the issuance of one Cannabis Retailer License by the Township. Such a license shall be restricted to a Cannabis Retailer Establishment located within the indoor confines of a building located in the C-1 - Commercial District or the C-2 Commercial District.

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**Municipality: TOWNSHIP OF RANDOLPH**

**Ordinance:** 12-24

**Public Hearing Date:** 6/20/24

**Summary:** Amend the Land Development Regulations as they relate to car and truck dealers and shopping centers. The changes include the following:

- New car and truck dealerships and accessory used car and truck sales and service as part of a conditionally approved shopping center shall be permitted in the B-4 - General Business District.
  - New car and truck dealerships are prohibited from storing the following materials, unless said materials are located in the rear or side yard and are screened so that no article shall be visible from the front of the premises or to any adjacent premises: wrecked, damaged or disassembled motor vehicles, used automotive parts or used supplies.
  - All outdoor display or storage areas for cars and trucks shall be approved by the Planning Board or Board of Adjustment as part of site plan approval.
  - Storage of used cars and trucks shall not exceed 50% of the total outdoor display and storage area of cars and trucks.
  - A maximum of 40% of the site parking for shopping centers (when permitted as a conditional use) shall be permitted in the front yard along Route 10.
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**Municipality: BOROUGH OF RIVERDALE**

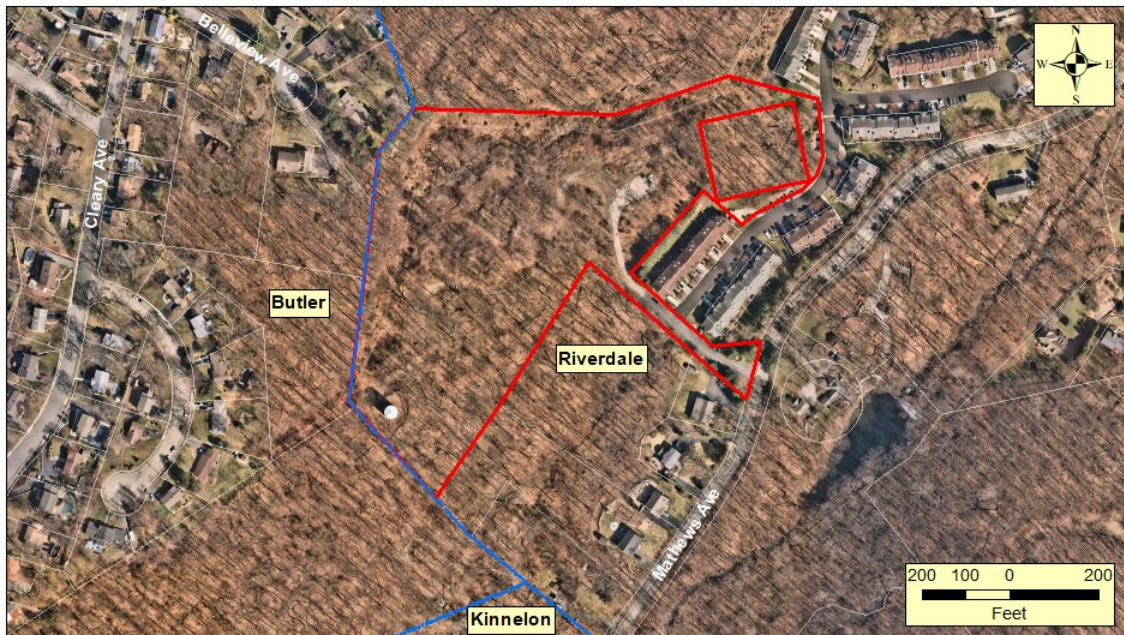
**Ordinance:** 05-2024

**Public Hearing Date:** 6/12/24

**Summary:** Amend the Zoning Regulations to establish a new inclusionary zoning district, the AH-PRD-2 - Affordable Housing-Planned Residential District-2, and amend the Zoning Map to rezone Block 11, Lot 8 from the R-35 - Residential District to the new AH-PRD-2 District. Block 11, Lot 8 is an 11-acre wooded tract with access to Mathews Avenue via a narrow corridor. The Rock Creek Crossing townhomes are located to the east and northeast. Single-family detached dwellings are located across the border in Butler to the west. The standards applicable to the new district include the following:

- **Permitted Use:** Townhouses
- **Minimum Tract:** 10 acres
- **Maximum Density:** 2.5 du/ac
- **Maximum Height:** 2.5 stories / 35 feet
- **Max. Building Coverage:** 10%; **Max. Impervious Coverage:** 25%
- **Affordable Set-Aside:** 20% for-sale / 15% rental

**Staff Comments:** At 2.5 du/ac, the 11 acre AH-PRD-2 District could accommodate a maximum of 27 units, pending potential reductions for other physical or environmental constraints.



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**Municipality: TOWNSHIP OF ROXBURY**

**Ordinance:** 13-24

**Public Hearing Date:** 6/11/24

**Summary:** Amend the Land Development Regulations to repeal and replace the Stormwater Management section.

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**LAND DEVELOPMENT ORDINANCES ADOPTED: MAY 2024**

**Municipality: TOWNSHIP OF DENVILLE**

**Ordinance:** 03-24

**Date Adoption Filed:** 5/24/24

**Summary:** Amend the Land Use Regulations to repeal and replace the Stormwater Control section with a new version based on the NJDEP model ordinance for stormwater control.

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**Municipality: TOWNSHIP OF DENVILLE**

**Ordinance:** 03-24

**Date Adoption Filed:** 5/24/24

**Summary:** Amend the Land Use Regulations as they relate to farmer’s markets. As an example of the changes, the Director of the Division of Alcoholic Beverage Control may issue to the holder of a limited brewery license, restricted brewery license, craft distillery license, plenary winery license, farm winery license, or cidery and meadery license, a daily or annual permit to sell any of the licensee's products in original containers at a seasonal farm market for consumption off premises of the seasonal farm market.

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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 10-2024

**Date Adoption Filed:** 5/10/24

**Summary:** Amend the Land Use and Development Regulations as they pertain to Warehouse/Logistics Uses and Developments. Examples of the amendments include the following:

- Add “Warehouse/Logistics Use or Development” to the list of definitions. Such uses and developments shall be classified by size based on the following criteria:

<u>Criterion (per lot)</u>	<u>Small</u>	<u>Medium</u>	<u>Large</u>
Gross floor area (sq. ft.)	0-25,000	25,001-150,000	150,001-300,000
Truck/van loading bays/spaces	0-10	11-30	31-40
Truck/van parking/storage/ waiting spaces (excluding loading bays/spaces)	0-10	11-30	31-100

- Add a new section establishing requirements for Warehouse/Logistics Uses and Developments for such factors as maximum height, hours of operation, access restrictions, travel routes, and traffic studies.
  - Small, medium, and large warehouse/logistics uses shall be permitted in the I - Industrial, I-4 - Industrial, and I-R - Industrial - Recreation Districts.
  - Small and medium warehouse/logistics uses shall be permitted in the I-2 - Industrial, I-5 - Industrial, and I-P2 - Industrial Park Districts.
  - Small warehouse/logistics uses shall be permitted in the I-B2 - Industrial-Business and I-P - Industrial Park Districts.
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**Municipality: TOWNSHIP OF HANOVER**

**Ordinance:** 11-2024

**Date Adoption Filed:** 5/10/24

**Summary:** Amend the Land Use and Development Regulations in order to revise the Stormwater Management section to reflect recent amendments to the state’s regulations at N.J.A.C. 7:8.

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**Municipality: TOWNSHIP OF HARDING**

**Ordinances:** 08-2024, 09-2024, 10-2024, 11-2024, 12-2024 and 13-2024

**Date Adoption Filed:** 5/14/24

**Summary:** Amend the Land Use Regulations via six ordinances in order bring them into compliance with the NJDEP’s new stormwater management regulations:

- Ordinance 08-2024: Pet Waste
  - Ordinance 09-2024: Improper Disposal of Waste
  - Ordinance 10-2024: Yard Waste
  - Ordinance 11-2024: Litter Control
  - Ordinance 12-2024: Privately Owned Salt Storage
  - Ordinance 13-2024: Illicit Connections to the Township’s Storm Sewer System
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**Municipality: BOROUGH OF MENDHAM**

**Ordinance:** 04-2024

**Date Adoption Filed:** 5/7/24

**Summary:** Amend the Zoning Regulations to repeal and replace the Stormwater Management section with a new version based on the NJDEP model ordinance for stormwater control.

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**Municipality: TOWNSHIP OF MONTVILLE**

**Ordinance:** 2024-08

**Date Adoption Filed:** 5/15/24

**Summary:** Amend the Land Use and Development Regulations as they pertain to trees. Examples of the amendments include the following:

- No trees shall be cleared or removed from a property unless in compliance with Chapter 368, Trees.
  - Applications for development must show the location of trees of six inches in diameter or more.
  - For any clearing greater than three acres, or where determined to be appropriate by the Tree Specialist or designated Township consultant for any clearing of less than three acres where the property is heavily wooded, a representative five percent sampling of the wooded areas proposed to be cleared shall be inventoried as part of an application for development.
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**Municipality: TOWNSHIP OF MONTVILLE**

**Ordinance:** 2024-10\*

**Date Adoption Filed:** 5/29/24

**Summary:** Amend the Land Use and Development Regulations to implement a variety of changes, examples of which include:

- A driveway, not less than 12 feet in width and having a grade not exceeding 10% shall be installed on each detached single- or two-family residential lot between the curb and dwelling.
- Driveways and parking areas on residential lots in the R-120, R-80 and R-43 Districts shall be located at least ten feet from side and rear property lines. Driveways and parking areas on residential lots in the R-27, R-20 and R-15 Districts shall be located at least five feet from side and rear property lines
- The rental of private swimming pools shall be prohibited.
- Rooming and boarding houses shall be prohibited in all zones and districts. However, this prohibition shall not apply to the leasing or rental of a room or rooms within a single-family dwelling owned by any senior citizen, provided such dwelling is the senior citizen's primary residence, and further provided such room or rooms are leased or rented to not more than one person.

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**Municipality: TOWNSHIP OF MONTVILLE**

**Ordinance:** 2024-11\*

**Date Adoption Filed:** 5/29/24

**Summary:** Amend the Development Fees Chapter of the Township Code to add definitions for “Demolition” and “Partial Demolition.”

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**Municipality: TOWN OF MORRISTOWN**

**Ordinance:** O-9-2024

**Date Adoption Filed:** 5/10/24

**Summary:** Amend the Land Development Regulations to permit Extended Stay as a conditional use in the Morristown Green Overlay District and the Transit Overlay District. Examples of the standards applicable to the Extended Stay use include the following:

- Extended Stays must be located in a mixed-use building.
- The ground floor of the building shall contain a minimum of 1,000 square feet of commercial space separate and apart from the Extended Stay use.
- An Extended Stay Guest Room is an individual unit that includes at least one sleeping room, living area, bathroom, and cooking facilities located within an Extended Stay.
- An Extended Stay Guest Room shall not be deemed a Dwelling Unit.
- The building in which Extended Stay Guest Rooms are located shall contain at a combination of at least 100 Dwelling Units and Extended Stay Guest Rooms.
- Extended Stay Guest Rooms may be occupied for no longer than 182 days.



**Municipality: TOWN OF MORRISTOWN**

**Ordinance: O-24-2024\***

**Date Adoption Filed: 5/29/24**

**Summary:** This ordinance adopts the Spring Street Redevelopment Plan: 2024 Amendment, for Block 3504, Portion of Lot 1 (the portion to the southwest of the Whippany River), Block 3505, Lots 3, 4, 5, 6, 7, 7.01, 7.02, 7.03, 7.04, 8, 9 and 16 and Block 4901, Lots 3, 4, 5 and 6. These parcels are part of a larger redevelopment area that was designated an area in need of redevelopment in 2004 and 2006. The Redevelopment Plan further divides the plan area into two sub areas. Sub Area 1 consists of 1.7 acres on the east side of Spring Street, bordered by Spring Place to the south, Bishop Nazery Way to the north, and the Whippany River to the east. It includes a vacant and dilapidated industrial building, multi-family homes and vacant lots. Sub Area 2 consists of one-half acre on the west side of Spring Street, just north of the Morris Street roundabout. It includes an apartment building, with the remainder of the area vacant. Steep slopes impact a significant portion of both sub areas. The portion of Sub Area 1 along the Whippany River is a flood hazard area. Notable land uses in the vicinity include the M-Station office towers, The Edge apartments and Headquarters Plaza. The Morristown Train Station is approximately 1,000 feet east of the roundabout. The new Redevelopment Plan shall supersede existing zoning (consisting of older Redevelopment Plans). Standards include the following:

- Permitted Uses, All Sub Areas: Public Plaza / Park / Open Space
- Permitted Uses, Sub Area 1: Multifamily Dwellings
- Permitted Conditional Uses, Block 4901, Lot 6: Multifamily Dwellings
  - If located in the structure existing at the time of adoption of this Redevelopment Plan; or
  - If the existing structure is consumed by fire, demolished or altered by natural disaster; or if more than 50% percent of the usable floor area is rendered unsafe or unusable, a replacement multifamily dwelling structure shall be conditionally permitted provided it does not exceed the floor area of the existing structure by more than 5%, includes the same number of units as the existing structure, complies with Sub Area 2 height restrictions and the Redevelopment Plan’s affordable housing obligations.

	Sub Area 1	Sub Area 2
Minimum Lot	57,000 sq. ft.	N/A
Maximum Building Coverage	80%	15%
Maximum Improved Coverage	90%	N/A
Maximum Floor Area Ratio	4.1	0.4
Maximum Height	6 stories (max. feet varies by location)	10% more feet than existing building
Maximum Units	150	8
Affordable Set-Aside	20%	20%



**Municipality:** BOROUGH OF MOUNTAIN LAKES

**Ordinance:** 5-24

**Date Adoption Filed:** 5/30/24

**Summary:** Amend the Land Use and Zoning Regulations to reclassify the following uses from permitted uses to conditional uses in the R-AA, R-A, R-1 and R-2 Residential Districts: public and private schools, places of worship, places of assembly, and YMCAs and similar philanthropic institutions. In addition, standards for such conditional uses are established, examples of which include:

- Minimum Lot: 2 acres
  - Maximum Floor Area Ratio: 0.20
  - Maximum Improved Coverage: 40%
  - Maximum Height: 2.5 stories / 35 feet
  - The subject lot shall have frontage on a state highway, county road, or a major Street as identified in the Circulation Element of the Master Plan. All access shall be from one of the above-referenced road types.
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<b>LAND DEVELOPMENT ORDINANCES DEFEATED: MAY 2024</b>
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**Municipality:** TOWNSHIP OF PEQUANNOCK

**Ordinance:** 2024-08

**Date Filed:** 5/15/24

**Summary:** This ordinance was introduced in April 2024 but has been defeated. It would have amended the Zoning Regulations to permit the manufacturing of cannabis products as a conditional use in the AG-1 District.

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**PROPOSED ORDINANCES RECEIVED: 15**

**ADOPTED ORDINANCES RECEIVED: 17**

**ORDINANCES DEFEATED: 1**

**TOTAL ORDINANCES PROCESSED: 33**