

LAND DEVELOPMENT ORDINANCES INTRODUCED: OCTOBER 2023

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

Municipality: TOWNSHIP OF DENVILLE

Ordinance: 21-23

Public Hearing Date: 11/13/23

Summary: Amend the Zoning Map to rezone Block 50412, Lots 19 and 20 on Diamond Spring Road / County Route 603 from the B-4 - Neighborhood Shopping Center District to the B-1 - Central Business District. Lot 19 (23 Diamond Spring Road) is a 4,453 square foot parcel with retail and office uses. Lot 20 (27 Diamond Spring Road) is a 4,308 square foot parcel with a single-family detached structure that has been converted to allow for commercial uses. A notable difference between the B-4 and B-1 Districts is that the B-1 District prohibits health clubs, educational facilities, recreational facilities and social services from being located on the first floor while the B-4 District does not have such a prohibition.



Municipality: TOWNSHIP OF DENVILLE

Ordinance: 22-23

Public Hearing Date: 11/13/23

Summary: Amend the Zoning Map to rezone Block 51005, Lot 11, an 11,378 square foot wooded and vacant parcel at 5 Ridgewood Drive, from the R-3 - Residence District to the B-1 - Central Business District.



Municipality: TOWNSHIP OF JEFFERSON

Ordinance: 23-21

Public Hearing Date: 11/29/23

Summary: Amend the Zoning Regulations to repeal the existing prohibition on all classes of cannabis establishments and permit, as a conditional use, cannabis retail businesses and cannabis delivery services in the C-1 - Neighborhood Business District and C-2 - Highway Business District, and permit, as a conditional use, cannabis cultivators, manufacturers, wholesalers and distributors in the IP - Industrial Park District. A microbusiness cultivator shall also be permitted as a conditional use within the C-1 and C-2 Districts. Such establishments shall be subject to various regulations, examples of which include the following:

Cannabis Retail and Cannabis Delivery:

- A maximum of four cannabis retailers and two cannabis delivery services.
- Must have direct access to or frontage along State Route 23 or State Route 15, and/or Berkshire Valley Road where it intersects with Ridge Road and Chamberlain Road.
- Must be at least 500 feet from a school or state-licensed child-care or day-care facility, 400 feet from the nearest dwelling unit and 1,000 feet from a school building.

Cannabis Cultivators, Manufacturers, Wholesalers and Distributors:

- A maximum of two cultivators, one manufacturer, one wholesaler and one distributor.
- A minimum lot size of 5 acres.

Municipality: BOROUGH OF RIVERDALE

Ordinance: 7-2023

Public Hearing Date: 11/8/23

Summary: Amend the Zoning Map to rezone Block 9, Lot 9 at 4 Paterson Hamburg Turnpike from the CRD - Community Redevelopment District to the R-7.5 - Residential District. This 22,973 square foot lot is located at the corner of Morris Avenue and Paterson Hamburg Turnpike / County Route 511 and is the site of a single-family detached home.



Municipality: BOROUGH OF RIVERDALE

Ordinance: 9-2023

Public Hearing Date: 11/8/23

Summary: Amend the Subdivision Regulations to change the definition of “Minor Subdivision” so that it refers to a subdivision of land that does not involve the creation of more than three lots (up from two lots under existing regulations). In addition, add language stating that there shall be only one minor subdivision of a parcel of land within a period of five years. All subsequent subdivisions shall be classed major subdivisions.

Municipality: TOWNSHIP OF ROCKAWAY

Ordinance: 23-23

Public Hearing Date: 11/9/23

Summary: Amend the Zoning Regulations remove the following from the list of permitted accessory uses in Residence Districts: “Not more than two roomers or boarders per dwelling unit.”

LAND DEVELOPMENT ORDINANCES ADOPTED: OCTOBER 2023

Municipality: TOWNSHIP OF HANOVER

Ordinance: 31-2023

Date Adoption Filed: 10/12/23

Summary: Amend the Land Use and Development Regulations to permit drive-in restaurants as a small-scale development in the B-10 - Highway Business District in the same locations where gasoline stations are permitted, and not only (as in existing regulations) as part of a large-scale development. A small scale development is located on a property with a net lot area of less than five acres while a large scale development is located on a property with a net lot area of at least five acres. Additional and amended standards for drive-in and drive-through uses are established, examples of which include:

- Drive-in restaurants shall be permitted in any location in the B-10 District if part of a large-scale development. If part of a small-scale development in the B-10 District, they shall only be permitted when located on a corner lot at one of the following intersections:
 - Route 10 and North or South Jefferson Road
 - Route 10 and Whippany Road
 - Route 10 and Troy Hills Road
 - Route 10 and Algonquin Parkway
- The minimum lot area for drive-in restaurants as part of a small-scale development in the B-10 District shall be 30,000 square feet.
- Not more than one drive-in or drive-through use shall be permitted on the same lot unless the site plan application demonstrates that the multiple drive-in or drive-through operations will not impede circulation, parking and safety.

Municipality: TOWNSHIP OF LONG HILL

Ordinance: 528-23*

Date Adoption Filed: 10/26/23

Summary: Amend the Stormwater Management section of the Land Use Ordinance to include mandatory maintenance requirements and reporting of maintenance activities on stormwater management systems constructed as a part of a major stormwater development.

Municipality: BOROUGH OF MADISON

Ordinance: 35-2023

Date Adoption Filed: 10/19/23

Summary: Amend the Land Development Regulations to increase the affordable housing development fees imposed on new residential development from 1% to 1½% of the equalized assessed value.

Municipality: TOWNSHIP OF MORRIS

Ordinance: 23-23

Date Adoption Filed: 10/19/23

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.

Staff Comments: Ordinance 23-23 replaces Ordinance 18-23, which was introduced in August 2023 but then withdrawn. Both ordinances are identical.



Municipality: BOROUGH OF MORRIS PLAINS

Ordinance: 14-2023

Date Adoption Filed: 10/6/23

Summary: Amend the Land Development Regulations to implement a variety of changes. Examples include:

- Permit warehouses in the C-1 - Highway Commercial District.
- Remove executive and administrative offices and computer data processing centers from the list of permitted uses in the Hotel and Specified Use Overlay District.
- Permit apartments on floors above the first floor in the B-4 - Business District.
- Permit “cidery, meadery” in the B-1, B-2, and B-3 - Business Districts, the OB - Office Building District, and the C-1 - Highway Commercial District.
- Add “cidery, meadery” to the list of definitions, defined as an “establishment operating with a cidery and meadery license as defined and regulated within N.J.S.A. 33:1-10” (Cider and mead are alcoholic beverages for purposes of the state regulations).
- Permit “pop-up retail” in the B-1, B-2, B-3, B-4 and B-5 - Business Districts, and the C-1 - Highway Commercial District.
- Add “pop-up retail” to the list of definitions, defined as “retail space that is temporary, utilized for short-term sales, ranging from one day to several weeks but in no instance shall the retail space be occupied for more than 120 consecutive days.”

Municipality: BOROUGH OF NETCONG

Ordinance: 2023-16

Date Adoption Filed: 10/19/23

Summary: Amend the Land Development Regulations to permit cannabis retailers as a conditional use in the B - Commercial Business District subject to various regulations, examples of which include the following:

- Cannabis retailers shall only be permitted within tax blocks 37, 40, 41, 42 and 43.
 - Drive-through cannabis retail operations shall be prohibited.
 - Consumption of cannabis-related products shall be prohibited on the premises.
 - Cannabis retailers shall be prohibited on any property with a grocery store, delicatessen, indoor food market or other store engaged in retail sales of food, or where alcoholic beverages are sold.
 - No cannabis retailer shall be located within 200 feet of a school, child care facility or place of worship.
 - No cannabis retailer shall be located within 400 feet of another cannabis retailer.
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Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:20

Date Adoption Filed: 10/19/23

Summary: Amend the Zoning Regulations as follows:

- Reduce the parking requirement for a publicly owned or operated building and use, such as a library, museum, or post office, from one space per 100 square feet of gross floor area to one space per 400 square feet of gross floor area.
 - Establish a parking requirement for bagel stores of one space per 250 square feet of gross floor area.
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Municipality: TOWNSHIP OF PARSIPPANY-TROY HILLS

Ordinance: 2023:23*

Date Adoption Filed: 10/19/23

Summary: Ordinance 2023:23 adopts the 2 & 3 Campus Drive Redevelopment Plan. The parcels subject to the Redevelopment Plan (Block 202, Lots 3.12 and 3.20) were designated a non-condemnation area in need of redevelopment by the Township Council on September 19, 2023. They are located on opposite sides of Campus Drive. The 5.1-acre parcel at 2 Campus Drive is the site of a recently demolished office building while the 10.2-acre parcel at 3 Campus Drive has a portion of the parking lot and stormwater improvements for the office building to the immediate west. The surrounding area is dominated by office buildings. The Hampton Inn and Hilton Hotels are located to the southeast. The Redevelopment Area is currently in the AHD-3A and AHD-3B Affordable Housing Districts. The Zoning Map is amended to include the Redevelopment Plan. All provisions of the Redevelopment Plan will supersede the Zoning Regulations. Standards include the following:

- Permitted Uses: Multi-Family
- Maximum Units:
 - 2 Campus Drive: 172 units
 - 3 Campus Drive: 238 units
- Affordable: 20%
(may be fulfilled, in part, through the provision of on-site supportive/special needs housing)
- Minimum Lot: 5 acres
- Maximum Building Height: 4 stories / 50 feet
- Maximum Building Coverage: 30%; Maximum Impervious coverage: 74%



Municipality: TOWNSHIP OF RANDOLPH

Ordinance: 19-23

Date Adoption Filed: 10/20/23

Summary: Repeal Section 15-6 of the Land Development Ordinance, which authorizes interested parties to appeal final decisions of the Board of Adjustment approving, among other things, a use variance, to the Township Council.

PROPOSED ORDINANCES RECEIVED: 8

ADOPTED ORDINANCES RECEIVED: 9

TOTAL ORDINANCES PROCESSED: 17