

**TOWNSHIP OF LONG HILL
ORDINANCE #392-16**

**AN ORDINANCE CONCERNING VALLEY ROAD ZONING AND SUPPLEMENTING
AND AMENDING VARIOUS SECTIONS OF THE TOWNSHIP LAND USE
ORDINANCE, 1996 (AS PREVIOUSLY SUPPLEMENTED AND AMENDED)**

Statement of purpose: to update the Valley Road Zoning Regulations to reflect changes recommended by the Township Planning Board.

WHEREAS, the latest Valley Element of the Township Master Plan was adopted by the Planning Board in September of 2015; and

WHEREAS, the Planning Board has recommended the adoption of an Ordinance to implement the changes contained in the Valley Element of the Master Plan; and

WHEREAS, this latest draft of this Ordinance reflects ongoing discussions between the Planning Board and the Township Committee;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that various sections of the Township Land Use Ordinance, 1996 (as previously supplemented and amended) are hereby further supplemented and amended as follows:

Section 1. Subsection 103.5 entitled “Principal Buildings Per Lot” is amended to read as follows:

103 SCOPE

103.5 Principal Buildings Per Lot.

No more than one (1) principal building shall be permitted on any one (1) lot in the Township, except in the R-MF, R-MF-2, R-MF-3, TH, PSO and LI-2 zone districts.

Section 2. Section 111 entitled “General Terms” in Section 110 entitled “Definitions” is

supplemented and amended by adding the following new definitions of “Banquet Facility”, “Dance Hall”, and “Hotel, inn and/or bed and breakfast” and “Night Club”; deleting the definition of “Fast food restaurant”, and amending the definitions of “Live entertainment” and “Restaurant” to read as follows:

Section 110 DEFINITIONS

111 GENERAL TERMS

Banquet Facility— an establishment where food and drink are prepared, served, and consumed on premise for scheduled, privately organized parties.

Dance Hall — an establishment in which more than 10% of the total floor area is designed or used as a dance floor, or where an admission fee is directly collected, or some other form of compensation is obtained for dancing.

Live entertainment — music, comedy, dinner theater and similar entertainment presented as a supplemental activity to dining and drinking functions at restaurants, banquet facilities, art galleries, and bars.

Small Hotel, inn and/or bed and breakfast. — A facility offering overnight accommodations and a morning meal in a dwelling unit provided to transients for compensation in which the owner, proprietor, and/or manager of the dwelling unit resides on premises. The facility will contain no more than ten (10) rental units and may include a small banquet or dining room.

Night Club — an establishment that is open only late at night, in which music is provided, along with space in which dancing may be conducted.

Restaurant — an establishment where food and drink are prepared, and served for consumption on or off premises.

Section 3. Subsections 121.1 entitled “Enumeration of Zone Districts” and 121.3 entitled “Zoning Map” in Section 121 entitled “Zone Districts” in Section 120 entitled “Zone Districts and Use Regulations” are amended to read as follows:

SECTION 120 ZONE DISTRICTS AND USE REGULATIONS

121 ZONE DISTRICTS

121.1 Enumeration of Zone Districts

For the purposes of this Ordinance, the Township is hereby divided into the following zone districts:

C	Conservation
R-2	Residence
R-3	Residence
R-4	Residence
R-5	Residence
R-MF	Multifamily Residence
R-MF-2	Multifamily Residence
R-MF-3	Multifamily Residence
TH	Townhouse
SC	Senior Citizen Housing
B-1-5	Village Business
B-1-20	Village Business
M	Millington Village Business
M-H	Meyersville Hamlet Business
O	Office Zone
B-D	Downtown Valley
PSO	Planned Shopping Overlay
VIO	Valley Industrial Overlay
PVO	Passaic Valley Overlay
LI-2	Limited Industrial
P	Public Use

121.3 Zoning Map

The Zoning Map delineating the above districts entitled "Zoning Map, Township of Long Hill" prepared by the Township Engineer, Paul Ferriero, of Ferriero Engineering, and dated October, 2016 is incorporated herein by reference. Where the district boundary lines do not coincide with

lot lines or the center lines of the street or rights-of-way as they existed at the time of this Ordinance, they shall be as designated on the Zoning Map by figures or dimensions.

Section 4. Section 122 entitled “Use Regulations” is amended as follows:

122 USE REGULATIONS

122.6 B-D Downtown Valley Commercial Zone District

a. Permitted Primary Uses.

1. Retail trade uses, including: supermarkets, food and convenience stores, home, garden supply and nursery centers, hobby supply stores, florists, bakeries, pharmacies and drug stores, general merchandise, clothing and antique stores, sporting equipment, furniture stores, and wine and liquor stores.
2. Retail service uses, including barber shops and hair/beauty salons, repair shops, dry cleaners, and tailors.
3. Business and professional offices.
4. Medical and dental offices and clinics.
5. Financial institutions.
6. Restaurants, including outdoor dining and live entertainment.
7. Banquet facilities, including outdoor dining and live entertainment
8. Child care centers and nursery schools.
9. Small Hotel, Inn or Bed & Breakfast establishments
10. Funeral homes.
11. Health clubs, fitness centers,
12. Recreational uses utilizing the Passaic River that provide water craft that do not require a license.
13. Recreational uses
14. Non-profit membership organizations and fraternal organizations.
15. Movie theaters of up to six screens and taverns with live music.
16. Arts Centers including live entertainment venues and/or instruction in any of the arts.
17. Art Galleries and studios.
18. Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

b. Permitted Accessory Uses.

1. Signs.
2. Parking facilities.

3. Satellite earth station antennas, in accordance with Section 124.6.
4. Street Furniture and other pedestrian amenities
5. Bicycle parking facilities
6. Amenities which encourage pedestrian traffic by removing natural or man-made barriers to circulation.
7. Drive up windows for banks and pharmacies.
8. Any other accessory use, which in the opinion of the approving authority is customarily incidental or accessory to a permitted primary use.

c. Permitted Conditional Uses.

1. Public and institutional uses.
2. Public utilities.

d. Prohibited Uses

Single family detached residences or any other residential uses on the first floor

e. All development in the zone shall conform to the Township architectural standards in Section 152 of this ordinance, and the landscaping standards of Section 153 of this Ordinance.

122.12 PSO Downtown Valley Commercial Zone District Planned Shopping Overlay

The Planned Shopping Overlay applies only to properties within the B-D Zone specifically marked on the Zoning Map as B-D/PSO. Primary, accessory and conditional uses are identical to the B-D zone.

The purpose of the Planned Shopping Overlay (PSO) is to identify the Township's main commercial area, which contains the Township's primary retail sales and service establishments. The goals of the Overlay are to insure that future development in this area is oriented to the shopping, service and other needs of Township and area residents; and to encourage the upgrading and beautification of properties in this area for the purpose of creating a visually cohesive business district, including improved building design, landscaping, signage, screening and other site improvements.

122.13 VIO Downtown Valley Commercial Zone District Valley Industrial Overlay

The Valley Industrial Overlay applies only to properties within the B-D Zone specifically marked on the Zoning Map as VIO.

The purpose of this Overlay is to identify existing industrial development in this area; to encourage an upgrading and beautification of existing light industrial land uses and to ensure that such land uses do not negatively impact surrounding development. Very few uses are allowed in this Overlay, which is limited to those uses already existing and other allowed uses within the B-D Zone. Existing businesses are encouraged to continue but no additional uses are allowed. It is also designed for those existing and allowed industrial and commercial uses which have a minimum of environmental impacts but have traffic, or utilitarian or operational requirements that make them more appropriately located adjacent to compatible land uses, rather than residential uses.

- a. Permitted Primary Uses.
 - 1. All Primary Uses permitted in the B-D Zone.
 - 2. Garden supply
 - 3. Small scale warehouse or logistics uses
 - 4. Small-scale manufacturing and assembly
 - 5. Small-scale construction yard

- b. Permitted Accessory Uses.
 - 1. All Accessory Uses permitted in the B-D Zone.
 - 2. Outdoor vehicle storage. The number and type of vehicles on any ~~one~~ site shall be determined as part of a site plan application.

- c. Permitted Conditional Uses.
 - 1. All Conditional Uses permitted in the B-D Zone.

122.14 PVO - Passaic Valley Overlay

The Passaic Valley Overlay applies to those properties south of Valley Road, west of Plainfield Road, north of Bay Street and east of Poplar Drive.

The purpose of this Overlay is to promote a more walkable Downtown Valley Commercial Zone District by allowing a larger lot coverage percentage than is allowed elsewhere in the Zone. The existing properties have existing lot coverage that is substantially higher than what is currently allowed in the zone. This overlay will allow those properties to continue in their current configuration.

- a. Permitted primary Uses
 - 1. All Primary uses in the B-D Zone

- b. Permitted Accessory Uses
 - 1. All Accessory uses allowed in the B-D Zone.

- c. Permitted Conditional Uses
 - 1. All Conditional Uses allowed in the B-D Zone

Section 5. Section 123 entitled “Prohibited Uses” is amended to read as follows:

123 PROHIBITED USES

123.1 Except when this Ordinance permits the approving authority to approve a use which, in the opinion of the approving authority, is substantially similar to those primary uses in a particular zone, all uses not specifically permitted by this Ordinance are expressly prohibited. (Ord. No. 08-236 § 3)

123.2 Any use that fails to meet the performance standards of Section 144.

123.3 The following uses are specifically prohibited in all zone districts of the Township.

- a. Auction markets and flea markets unless conducted by Township organizations and authorized by the Township Committee.
- b. Automobile lubrication, repair and services uses.
- c. Automobile sales and rental uses.
- d. Automobile service stations.
- e. Automobile tire service centers.
- f. Advertising Billboard Signs.
- g. Car washes.
- h. Chemical manufacturing and processing.
- i. Industrial scale coffee roasting and processing uses.
- j. Commercial picnic groves and carnivals, except as temporary uses by Township organizations and authorized by the Township Committee.
- k. Drive up windows except for banks and pharmacies.
- l. Golf driving ranges (except as permitted in the B-D Downtown Valley Commercial Zone district)
- m. Hazardous material storage and use beyond that customarily and legally permitted by a permitted primary use.
- n. Hospitals.
- o. Hotels and motels uses (except as permitted in the B-D Downtown Valley Commercial Zone district)
- p. Incineration uses and other uses principally involved with burning.
- q. Junkyards, automobile wrecking or disassembly yards or the sorting or bailing of scrap metal, paper, rags, rubbish or other scrap or waste materials, except in Township recycling centers.
- r. Lumberyards, and lumber and wood production uses including sawmills, planing mills and similar uses.
- s. Manufacturing of stone, clay, glass and concrete products.

- t. Mink farms, fox farms and commercial piggeries.
- u. Movie theaters uses (except as permitted in the B-D Downtown Valley Commercial Zone district)
- v. Nightclubs and dance halls.
- w. Outdoor storage or display of any products, goods, equipment or other material unless specifically permitted by this Ordinance.
- x. Parking structures not attached to or part of a building housing a permitted use.
- y. Petroleum refining uses, including the production and processing of paving and roofing materials and similar uses.
- z. Plastic resin production.
- aa. Primary metal uses, including steel works, blast furnaces, foundries, electroplating and similar uses.
- bb. Rubber manufacturing, including the production of tires, inner tubes, footwear, seals, hoses, belts and similar products.
- cc. Self-storage facilities.
- dd. Sludge treatment facility.
- ee. Storage of petroleum or its derivatives except when stored in underground tanks for use on the premises and not in excess of forty thousand (40,000) gallons of fuel oil or twenty thousand (20,000) gallons of gasoline or kerosene.
- ff. Storage yards.
- gg. Trailers used as dwellings or for storage or for commercial activities, except that trailers may be used as accessory buildings for storage or office use at construction sites in accordance with the provisions of Section 107.2.

Section 6. Section 124 entitled “Supplemental Use Regulations” is amended as follows:

124 SUPPLEMENTAL USE REGULATIONS

124.2 Accessory Apartments in Single Family Residences

Subject to the limitation set forth in this subsection, any single family residence located in the C, R-2, R-3, R-4 or R-5 zone may be converted to contain not more than one (1) accessory apartment unit provided the following standards and requirements are met:

124.3 Accessory Apartments in Accessory Buildings.

Subject to the limitations set forth in this subsection, any single family residential property located in the C, R-2, R-3, R-4 and R-5 zones may be improved to contain not more than one (1) accessory apartment unit located in an accessory building on the parcel, provided the following standards and requirements are met:

124.4 Garages and Parking of Commercial Vehicles in Single Family Residential Zones.

- a. There shall be provided a garage for each single family dwelling as follows:
 - 2. In the R-4 and R-5 Zones, garage space shall be provided for at least one (1) but not more than three (3) automobiles.

124.13 Outdoor Dining

a. Outdoor dining facilities shall be a permitted use in the B-1-5, B-1-20, M, MH and B-D zones subject to the following conditions:

- 4. In Village Business zones (B-1-5, B-1-20, MH and M) outdoor dining shall be permitted between the hours of 6:00 a.m. and 10:00 PM; in the Commercial zones (B-D), outdoor dining shall be permitted between the hours of 6:00 a.m. and 11:00 PM

Section 7. The Schedule of Bulk Requirements set forth in Section 131 entitled “Bulk and Supplemental Regulations” is amended to delete the lines for "B-2" and "B-3", to add new requirements for R-5, B-D, PVO, PSO and VIO, and to add Footnote 16: (All other lines and footnotes remain unchanged).:

SECTION 131 BULK AND SUPPLEMENTAL REGULATIONS

SECTION 131: SCHEDULE OF BULK REQUIREMENTS

LAND USE ORDINANCE OF THE TOWNSHIP OF LONG HILL

Zone	Minimum Lot Area	Minimum Lot Width (feet)	Minimum Floor Area (square feet)	Minimum Building Width (feet)	Maximum Height of Building (stories/ft)	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Coverage (percent)	Lot Coverage (percent)	Floor Area Ratio (FAR)	Buffer (feet) (9)
R-5	10,000 sq. ft.	100	1,200	-	2-1/2/35	50	10(2)	25	-	25	(15)	-
B-D	20,000 sq. ft.	100	-	-	2/35	Min 20' Max - 50	20(8)	25(8)			.50	10

									30	60		
PVO	20,000 SF	100	-	-	2/35	Min 20' Max 50'	20 (8)	25 (8)	30	70 (16)	.70	10
PSO	160,000 sq. ft.	400	-	-	2/35	150(10)	75	100	30	60	.30	30
VIO	20,000 sq. ft.	100	-	-	2/35	50	20(8)	25(8)	20	70	.60	25

NOTES:

(16) May be increased up to 80% at the discretion of the Approving Authority in consideration for reducing the number of driveways and curb cuts and/or exceeding required site improvement standards.

Section 8. Paragraph “a” in Subsection 151.1 entitled “Off-Street Parking” in Section 151 entitled “Off-Street Parking and Loading” is amended by adding a new subparagraph “2” which reads as follows:

151 OFF-STREET PARKING AND LOADING

151.1 Off-Street Parking

a. In all zones, in connection with every industrial, business, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity or changed in use, off-street parking for automotive and other vehicles in accordance with the requirements set forth herein. Such facilities shall be completed prior to the issuance of a certificate of occupancy. The applicant shall also meet the requirements of N.J.S.A. 52:32-11 through 32-12, requiring parking spaces for the handicapped.

1. Properties along Main Avenue in the B-1-5 Village Business Zone only have to provide fifty (50%) percent of the number of off-street parking required by paragraph c. of this subsection.

2. Properties in the B-D zone may share parking requirements between and among contiguous lots for the purpose of reducing the number of driveways and curb-cuts, and impervious coverage provided that:

- a. All involved property owners agree to a joint site plan to be presented to the Approving Authority,
- b. The Approving Authority may adjust the combined total parking requirement based upon testimony or a demonstration that the site can accommodate the reduced amount of parking due to complementary hours of use or other mitigating factors.
- c. The variance granted will terminate if any involved property has a change of use which would require an increased number of parking spaces.
- d. The Variance is recorded as an easement on the deeds of all involved lots.

Section 9. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 10. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 11. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, October 26, 2016 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, November 30, 2016 at the Municipal Building, 815 Valley Road, Gillette, New Jersey, when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

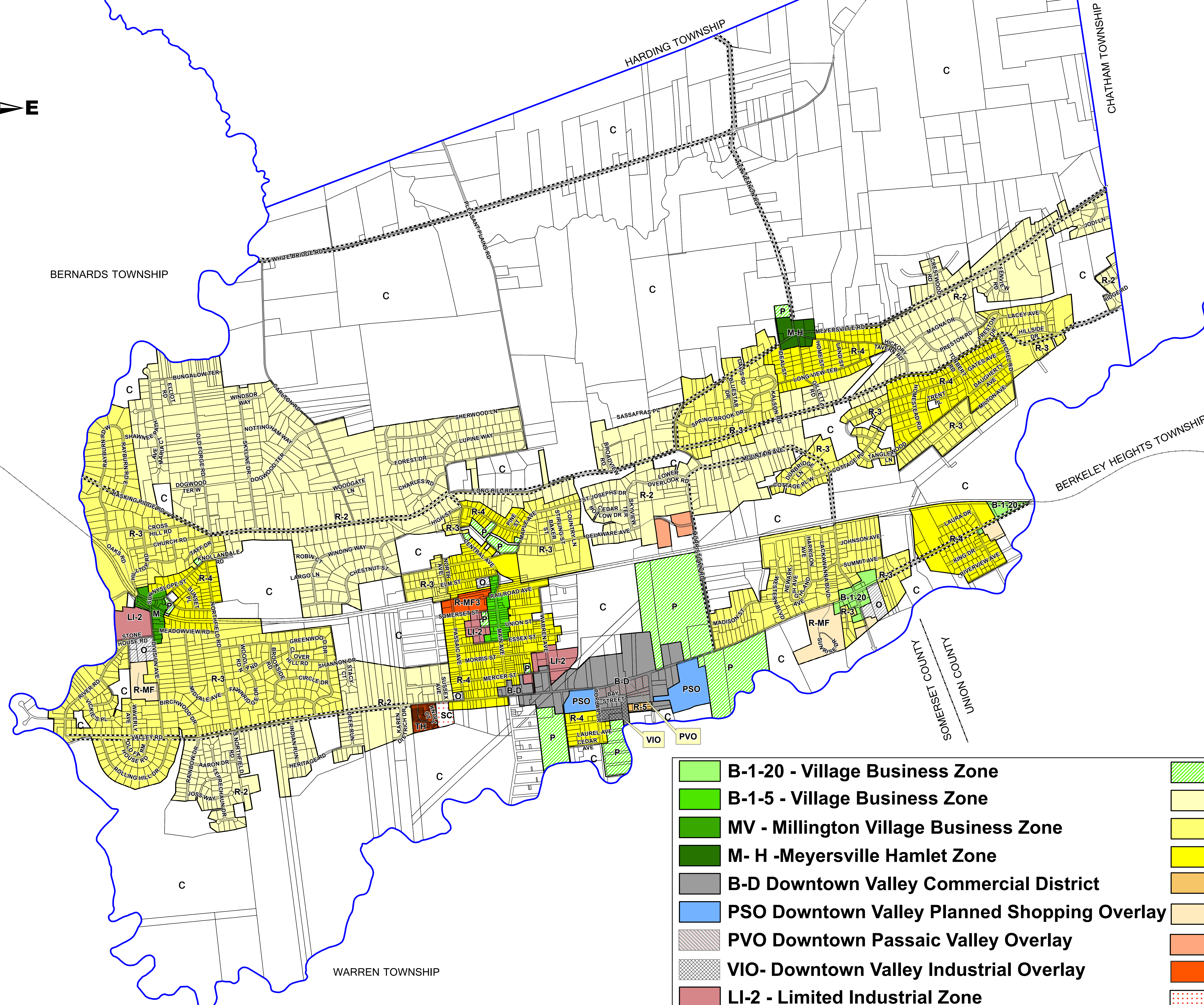
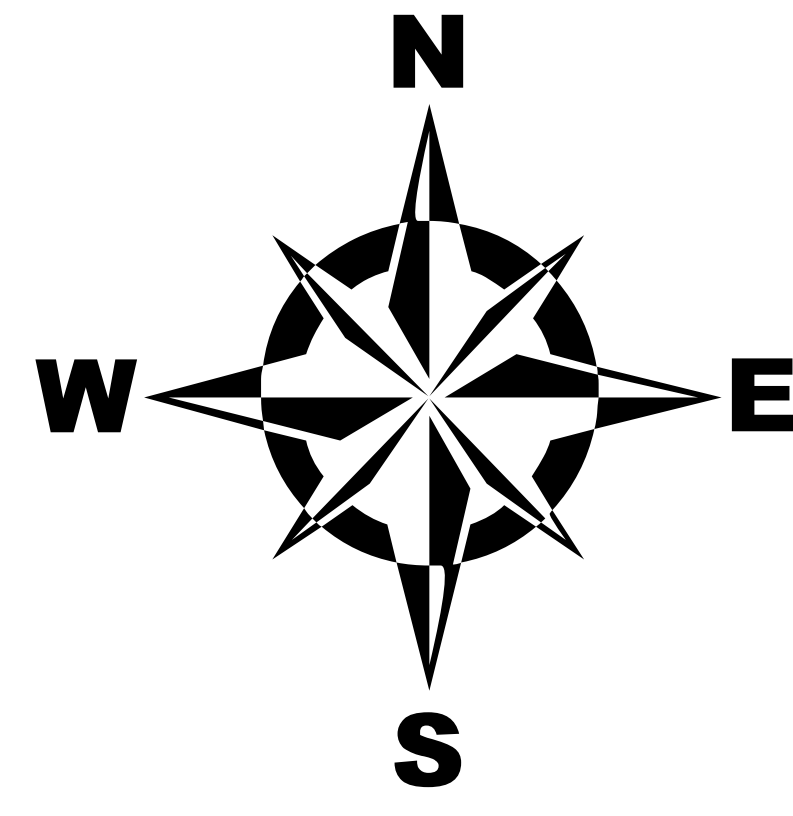
Deborah Brooks
Township Clerk

1st Reading and Introduction: October 26, 2016
1st Publication: November 3, 2016
Referral to Planning Board: October 26, 2016
Notice to County Planning Board Prior to Adoption: October 28, 2017
Notice to Clerks of Adjoining Municipalities (if required): October 28, 2016
2nd Reading and Adoption: November 30, 2016
2nd Publication: December 8, 2016
Filing with County Planning Board: December 8, 2016

TOWNSHIP OF LONG HILL

MORRIS COUNTY - NEW JERSEY

ZONING MAP



141 CONSERVATION EASEMENTS

141.1 All properties with frontage on roads as designated on the Zoning Map shall provide a seventy-five (75) foot wide conservation easement along said road in which no existing vegetation shall be disturbed except as needed for site access, sight triangles or any other purpose deemed necessary by the approving authority.

141.2 The approving authority may, at its discretion, impose appropriate planting requirements within a conservation easement if said plantings shall enhance the existing vegetation in the area in questions. All such plantings shall be made in accordance with Section 153 of this Ordinance.

	B-1-20 - Village Business Zone		P - Public Use Zone
	B-1-5 - Village Business Zone		R-2 - Residence Zone
	MV - Millington Village Business Zone		R-3 - Residence Zone
	M-H - Meyersville Hamlet Zone		R-4 - Residence Zone
	B-D Downtown Valley Commercial District		R-5 Small Lot Single Family
	PSO Downtown Valley Planned Shopping Overlay		R-MF - Multi-Family Residence Zone
	PVO Downtown Passaic Valley Overlay		R-MF2 - Multi-Family Residence Zone
	VIO- Downtown Valley Industrial Overlay		R-MF3 - Multi-Family Residence Zone
	LI-2 - Limited Industrial Zone		S-C - Senior Citizen Zone
	C - Conservation		TH - Townhouse Residence Zone
	O - Office Zone		Conservation Easements



NO.	DRAWING DATE	ADOPTED DATE	REVISION
2	OCTOBER, 2016	NOVEMBER 30, 2016	CHANGES TO SUPPORT DOWNTOWN VALLEY ORDINANCE REVISIONS
1	MAY, 2015	JUNE 24, 2015	REPLACE PRIOR MANUAL ZONING MAP