

ORDINANCE 2020-11

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND SUBSECTION § 30-75.1 ‘ZONE DISTRICTS’ TO INCLUDE A NEW ‘R-3 AFFORDABLE HOUSING RESIDENCES DISTRICT (R-3 AH)’ OF SECTION 30-75 TITLED ‘ZONE DISTRICTS AND ENFOCEMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM; TO AMEND SUBSECTION § 30-75.2 TITLED ‘MAP AND SCHEDULE’ OF SECTION 30-75 TITLED ‘ZONE DISTRICTS AND ENFORCEMENT’ OF CHAPTER XXX TITLED ‘LAND DEVELOPMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM TO AMEND THE MAP BY DESIGNATING BLOCK 67, LOTS 17 AND 17.01, FRONTING ON HILLSIDE AVENUE, WITHIN THE R-3 AH ZONE; TO AMEND THE SCHEDULE BY ADDING A NEW ‘R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT’; AND TO ADD NEW SUBSECTIONS § 30-79.1 TITLED ‘R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT (R-3 AH) OF SECTION 30-79 TITLED ‘AFFORDABLE HOUSING’ OF CHAPTER XXX, TITLED ‘LAND DEVELOPMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM’

WHEREAS, on March 12, 2020 the Township Committee of the Township of Chatham authorized an amendment to the Settlement Agreement with Fair Share Housing Center to provide for a portion of the Township’s affordable housing requirement to be satisfied by the construction of a number of group homes; and

WHEREAS, on May 18, 2020 the Planning Board of the Township of Chatham reviewed a request for a rezoning of Block 67 Lots 17 and 17.01 that would provide for creation of a site for a group home; and

WHEREAS, the Planning Board evaluated this request and recommended that the Township amend the Land Development Ordinance to create a new ‘R-3 Affordable Housing Residence District (R-3 AH) for Lots 17 and 17.01;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Amend the list of zones in Subsection § 30-75.1 ‘Zone Districts’ to include a new zone titled ‘R-3 Affordable Housing Residence District (R-3 AH)’

Section 2. Amend Subsection § 30-75.2 Titled 'Map and Schedule' "Appendix III Item 1: Zoning Map" to include Block 67, Lots 17 and 17.01 within a new zone titled ‘R-3 Affordable Housing Residence District (R-3 AH)’

Section 3. Amend Subsection § 30-75.2 Titled 'Map and Schedule' by revising the Schedule of Zoning Requirements to include bulk standards for the R-3 Affordable Housing Residence District (R-3 AH), provided all lots in the R-3 AH Zone shall be served with public water and sewer, as follows:

Zone	Primary Use	Maximum Stories	Height (feet)	Minimum Lot Area (square feet)	Maximum Depth of Meas'mts. (feet)	Minimum Lot Width		Minimum Yards (feet)			Side Yards Combined (I)	Maximum Lot Coverage		
						Street Line (feet)	Setback Line (feet)	Front	Rear	Side		Buildings	Buildings and Impervious Surfaces	
R-3 AH	One-Family Dwellings													
## **	Conventional Lot	2 1/2	35	20,000(10)	200	90(7)	100	50(3) 30'	50	15	30%		SECTION 30-78.11	

#- Sidewalks shall be required along the entire Hillside Avenue frontage

** - all slope areas of 20% or greater remaining after completion of the grading required for construction shall be included in conservation easements.

Section 4 Add New Subsection § 30-79.1 titled ‘R-3 Affordable Housing Residence District (R-3 AH) to read as follows:

Affordable housing in the R-3 AH Zone: At least 20% of the total number of lots created through subdivision within the R-3 AH Zone, shall be conveyed to either the Township of Chatham or a qualified group home developer or operator at the option of the Township for the construction of affordable housing in the form of a group home for persons with developmental disabilities. The lot is to be conveyed with a foundation pad ready for a ranch home, with utilities available in the street, a sidewalk which lot shall be conveyed to the group home developer or the Township of Chatham for \$1.

Section 5. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 5 and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 6. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with the Municipal Land Use Law. As provided in N.J.S.A. 40:55D-26, the ordinance shall be referred to the Planning Board for a Master Plan inconsistency determination and within thirty-five (35) days after referral, the Planning Board shall issue a report determining whether the ordinance is inconsistent with the Township Master Plan.

Section 7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 8. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: May 29, 2020
Amended: June 11, 2020
Adopted: July 9, 2020

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

Attest:

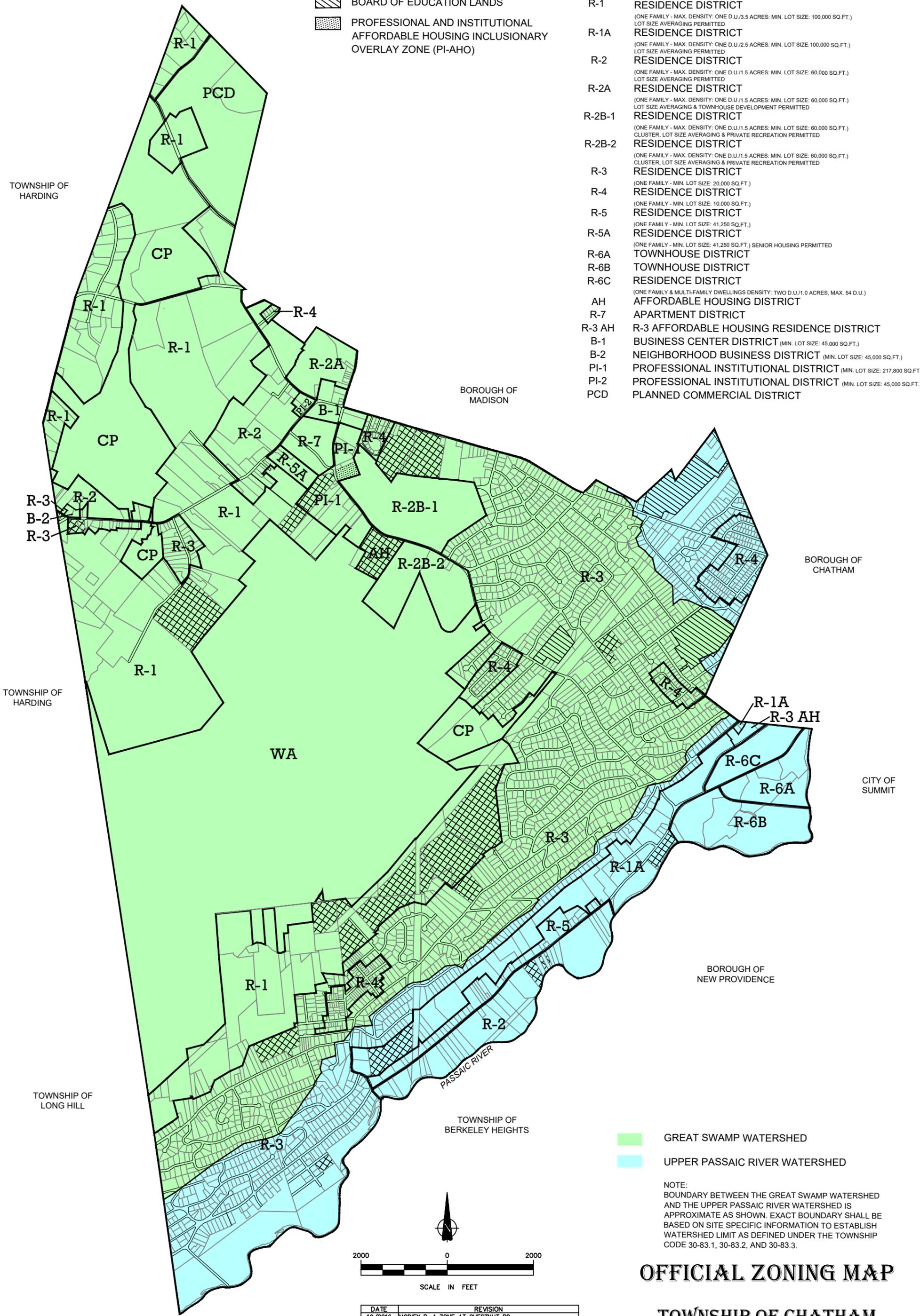
BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ZONING LEGEND

-  TOWNSHIP LANDS
-  BOARD OF EDUCATION LANDS
-  PROFESSIONAL AND INSTITUTIONAL AFFORDABLE HOUSING INCLUSIONARY OVERLAY ZONE (PI-AHO)

- CP COUNTY PARK
- WA WILDERNESS AREA DISTRICT
- R-1 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./3.5 ACRES; MIN. LOT SIZE: 100,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-1A RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./2.5 ACRES; MIN. LOT SIZE: 100,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-2 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-2A RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
LOT SIZE AVERAGING & TOWNHOUSE DEVELOPMENT PERMITTED
- R-2B-1 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
CLUSTER, LOT SIZE AVERAGING & PRIVATE RECREATION PERMITTED
- R-2B-2 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
CLUSTER, LOT SIZE AVERAGING & PRIVATE RECREATION PERMITTED
- R-3 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 20,000 SQ.FT.)
- R-4 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 10,000 SQ.FT.)
- R-5 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 41,250 SQ.FT.)
- R-5A RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 41,250 SQ.FT.) SENIOR HOUSING PERMITTED
- R-6A TOWNHOUSE DISTRICT
- R-6B TOWNHOUSE DISTRICT
- R-6C RESIDENCE DISTRICT
(ONE FAMILY & MULTI-FAMILY DWELLINGS DENSITY: TWO D.U./1.0 ACRES; MAX. 54 D.U.)
- AH AFFORDABLE HOUSING DISTRICT
- R-7 APARTMENT DISTRICT
- R-3 AH R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT
- B-1 BUSINESS CENTER DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- B-2 NEIGHBORHOOD BUSINESS DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- PI-1 PROFESSIONAL INSTITUTIONAL DISTRICT (MIN. LOT SIZE: 217,800 SQ.FT.)
- PI-2 PROFESSIONAL INSTITUTIONAL DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- PCD PLANNED COMMERCIAL DISTRICT



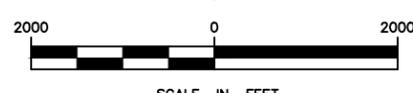
-  GREAT SWAMP WATERSHED
-  UPPER PASSAIC RIVER WATERSHED

NOTE:
BOUNDARY BETWEEN THE GREAT SWAMP WATERSHED AND THE UPPER PASSAIC RIVER WATERSHED IS APPROXIMATE AS SHOWN. EXACT BOUNDARY SHALL BE BASED ON SITE SPECIFIC INFORMATION TO ESTABLISH WATERSHED LIMIT AS DEFINED UNDER THE TOWNSHIP CODE 30-83.1, 30-83.2, AND 30-83.3.

OFFICIAL ZONING MAP

TOWNSHIP OF CHATHAM
MORRIS COUNTY, NEW JERSEY

MARCH 1999



SCALE IN FEET

DATE	REVISION
10/2016	MODIFY R-4 ZONE AT CHESTNUT RD.
5/2017	MODIFY R-2 ZONE AT BLOCK 144, LOT 33.
5/2017	REMOVE R-5 ZONE AT BLOCK 144, LOT 33.
5/2017	REMOVE PI-2 ZONE AT BLOCK 144, LOT 33.
11/2017	ADDED R-6C ZONE TO BLOCK 66, LOT 1
11/2017	OVERLAY DISTRICTS ADDED
11/2018	MODIFY R-3 ZONE AT BLOCK 139, LOTS 55, 56.02, & 60
10/2019	MODIFY R-1A ZONE AT BLOCK 67, LOTS 17 & 17.01 ADDED PI-AHO ZONE TO BLOCK 128, LOT 9
05/2020	ADD R-3 AH ZONE, MODIFY ZONE AT BLOCK 67, LOTS 17 & 17.01 TO R-3 AH ZONE.

M M
MOTT
MACDONALD