

**Reexamination Report  
of the  
Borough of Florham Park Master Plan**



Borough of Florham Park  
Morris County, New Jersey

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The original of this report was signed and  
sealed in accordance with N.J.S.A. 45:14A-12.

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## **I. INTRODUCTION**

Under the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89), Periodic Examination, “the Governing Body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such examination, a copy of which report and resolution shall be sent to the County Planning Board”<sup>1</sup>.

The reexamination report statute requires a multi-step process that must be adhered to in order for the municipal governing body and planning board to exercise these powers lawfully. The reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law, N.J.S. 40A:12A-1 et seq., into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.<sup>2</sup>

The Borough of Florham Park adopted a 2000 Master Plan, prepared by Robert A. Michaels, PP, AICP, dated December 28, 2000. Subsequently, two Reexamination reports were adopted since, both which were prepared by Robert A. Michaels, PP, AICP, dated September 6, 2005 and July 8, 2015. A 2017 Housing Element and Fair Share Plan, dated January 19, 2017 and Master Plan Land Use Element, dated November 28, 2017 were both prepared by Robert A. Michaels, PP, AICP and adopted by the Borough.

This 2022 Master Plan Reexamination Report will review and evaluate the 2000 Master Plan, 2015 Master Plan Re-examination, and the existing land use development regulations to provide a basis

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<sup>1</sup> New Jersey Municipal Land Use Law (MLUL). (2008). Periodic Examination, (N.J.S.A. 40:55D-89).

<sup>2</sup> *Ibid.*

for community development that addresses both the recommendations made in the most recent re-examination, as well as current and shifting conditions.

## II. MAJOR PROBLEMS, GOALS, AND OBJECTIVES OF THE PRIOR MASTER PLAN DOCUMENTS

The 2000 Master Plan was part of an effort at the time in a long series of planning studies and documents undertaken by the community, and the first full update since the previous Master Plan in 1990. Section 3 of the 2000 Master Plan lists the goals and objectives, and categorizes the list based upon “Land Use”, “Housing”, “Circulation”, and “Community Facilities”.

The Land Use Plan under Section 4.1 of the Master Plan provides that “the Borough is mostly developed and those major properties still undeveloped are constrained by environmental or circulation circumstances, which must be taken into account. The development pressures on the Borough are reflective of its desirability for both residential and nonresidential development. The factors that make Florham Park a desirable community are what this plan attempts to maintain”<sup>3</sup>.

The 2005 Master Plan Reexamination provided an update to the 2000 Master Plan. In Section 4.0 of the 2005 Master Plan Re-examination, the “Changes in Assumptions, Policies and Objectives” since the last Master Plan are outlined. This Section reviewed recommendations forwarded in the 2000 Master Plan to assess whether they have been addressed or worsened over time. The report notes that “property owners have been expressing increasing concern on development applications presented before both the Planning Board and the Zoning Board” and the following “are specific issues that have been raised, which relate to goals and objectives identified in the previous master plan”:

*“The compatibility between commercial development and nearby residential uses. This issue has arisen in relation to the treatment and buffering of the rear of commercial properties and the types of uses permitted in the Professional Business Zones (PB).*

*There have been inquiries concerning the potential for new residential development in existing commercial districts. This may be result of high vacancy rates in office buildings and the high demand for residential uses in the Borough. Any consideration of rezoning existing industrial or office zones for residential use raises issues of compatibility and over development which could tax existing facilities such as the school districts.*

*The goal of maintaining the existing permitted density of development within the Borough’s residential zones relates to smaller existing dwellings being torn down in increasing numbers in the community and being replaced by much larger dwellings. The Board may wish to reexamine the bulk standards in order to determine whether the existing parameters meet current philosophies. If specific problems are perceived, such as new dwellings are constructed too close, or the height permitted is too great, then specific new parameters should be proposed. The Borough adopted new aggregate side yard requirements that primarily impacted lots with greater widths than the minimum required.”*

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<sup>3</sup> Ibid, p. 30.

The 2015 Master Plan Reexamination report reiterated many of the goals and objectives outlined in the 2005 Master Plan Reexamination report. Additionally, it identified new recommendations, including the addition of a new University Zone District, an update to the Professional and Business Zone Uses, Residential Overbuilding and Setbacks, Multi-family housing, future development in the C-2 Zone, expansion of permitted uses in the C-1 Zone, and other. The report also noted that “Other elements of the Master Plan should be included in a limited fashion to address specific issues. A Circulation Plan should be included to address intersection improvements and pedestrian circulation. A Community Facilities Plan should address police, fire and emergency services primarily in regard to the Passaic Avenue neighborhoods and The Green at Florham Park. A Conservation Plan Element should address environmental and energy conservation. There has been interest noted to complete and adopt a Historic Preservation Element as part of the Master Plan. Other elements that have been prepared, such as the Open Space and Recreation Plan should be included as updated.

The 2017 Housing Plan Element, in particular, identified the Borough’s compliance plan to meet the State affordable housing requirements as mandated by the Mount Laurel IV Supreme Court decisions.

Finally, the 2017 Land Use Element notes that it was “intended to complement the Borough’s Housing Plan and identify the properties that are intended to be rezoned in order to comply with the proposals of that Housing Plan. The Municipal Land Use Law requires that the municipality’s development ordinances are to be designed to effectuate or be substantially consistent with the land use plan element and the housing plan element. This document is intended to comply with that requirement”. The document did not serve to reevaluate any land use policies or regulations within the Borough other than those properties included within the Housing Element and Fair Share Plan.

**III. EXTENT TO WHICH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR INCREASED**

Zoning ordinances related to the recommended zone changes enumerated in the 2017 Housing Element and Fair Share Plan and 2017 Land Use Elements of the Master Plan were adopted by Ordinances between 2015 and 2018, including adoption of the MF-4 Zone by Ordinance No. 15-11 on July 16, 2015; adoption of the MF-5 Zone by Ordinance No. 17-19 on December 14, 2017; adoption of the MF-6 Zone by Ordinance No. 18-11 on May 17, 2018; adoption of the MF-7 Zone by Ordinance No. 18-1 on February 15, 2018; adoption of the MF-8 Zone by Ordinance No.18-10 on May 17, 2018; adoption of the MF-9 Zone by Ordinance No. 18-9 on May 17, 2018; and adoption of an amendment to the C-2 Zone by Ordinance No. 18-21 on September 20, 2018.

**IV. EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES, AND OBJECTIVES**

The Planning Board of the Borough of Florham Park held a series of public meetings in order to undertake a comprehensive review of the Borough’s Land Use Ordinance – including Section 250 (Zoning), Section 199 (Signage), and 212 (Subdivision and Site Plan Review) on October 25, 2021; January 21, 2022; February, 14 2022; March 14, 2022; April 25, 2022. This comprehensive review sought to identify inconsistencies and outdated code provisions that have been raised as issues in the past, as well as modernize the contemplated uses and standards for specific zones, while preserving the character of the Borough. Additional meetings were held with Borough professionals, including the Borough Zoning Officer, Board Secretary, Construction Official, and the

Borough Engineer. Based upon the feedback received, the following Section includes recommendations that have been formulated in order to address specific concerns in the Borough.

## V. RELATIONSHIP TO OTHER PLANS

This Master Plan Reexamination report is directly related to the previous Master Plan efforts, and provides recommendations that have been gathered at public hearings and discussed at length as part of a comprehensive review of the Borough's Land Use Ordinance. In regard to the plans and ordinances of neighboring communities, the recommendations outlined in the next section of this report primarily impact adjacent areas of only one community, East Hanover Township. The changes recommended to the C-1 Zone along Vreeland Road as a proposed new zone would still remain largely compatible with the existing land use designations in East Hanover. The neighboring areas are presently compatible, and the recommended uses within the proposed zone within Florham Park are intended to be complementary to uses that exist in the C-1 Zone today – thus, there should be no apparent impact on East Hanover.

## VI. SPECIFIC CHANGES RECOMMENDED

This Reexamination Report represents the Borough's continuing effort to ensure that its planning policies and land use goals and objectives remain current and address the issues affecting the Borough's residents and businesses. The Florham Park Zoning Code has been reviewed via Master Plan Re-examinations and changed via Ordinance on a piecemeal basis in recent years, but has not been reviewed or amended in its entirety since 2000. Many of the major changes since 2000 represented the addition of new zones or the updating of bulk standards

### a. Recommended Changes to Provisions of the Zoning Ordinance

#### i. Amend or Add New Definitions

Definitions within a Zoning Ordinance should be updated from time to time, to not only reflect modern interpretations and evolution of existing provisions over time, but also to add any new definitions for uses or standards that have arisen since they were last updated.

**Recommendation:** It is recommended that the definitions under Section 250-2.2 be reviewed and evaluated for any modifications, and that any new definitions determined to be necessary be added to the Zoning Ordinance. More specifically, the following changes to the definitions section are recommended as revisions to existing definitions or additions of new definitions:

Amended definitions are recommended as follows:

**ACCESSORY BUILDING OR STRUCTURE OR USE** — A separate and subordinate use or structure customarily incidental to and located on the same lot occupied by the principal use or structure to which it relates. Where an accessory structure is attached to the principal

structure by any means, it shall be considered part of the principal structure for the purposes of determining all bulk requirements.

**BUILDING LOT COVERAGE** — The percentage of a lot covered by building structures, as measured at the exterior of the walls, and not including the area under roof overhangs that extend under 18 inches beyond the building wall, should there be any. In any instance where an overhang exceeds 18 inches, the entire overhang shall be included in building coverage calculations. Building lot coverage shall include all permanently fixed solid roof structures, with the exception of any accessory structures that are under 200 square feet in area.

**GARAGE, PRIVATE** — An accessory building or structure or a part of the main building used for the storage of not more than three passenger motor vehicles or two such vehicles and one automotive truck not exceeding a gross vehicle weight of 10,000 pounds' capacity owned or used by the occupant of the building to which the garage is accessory, and in which no occupation, business or service for profit is conducted.

**GARAGE, PUBLIC** — A building or part thereof, other than a private garage, used for the commercial storage, washing, maintenance or repair of motor vehicles for profit, or where any such vehicles are kept for hire.

**HEIGHT OF BUILDINGS** — The vertical distance of a structure measured from the average elevation of the finished grade 10 feet from the building corners, measured diagonally, to the level of the highest point of the roof. On lots of less than two acres in lot size, where retaining walls are proposed, the height shall be measured from the average grade of the lot prior to construction.

**LOT COVERAGE, IMPROVED** — That percentage of a lot which is improved or is proposed to be improved with buildings and structures, covered by surfaces that have been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including but not limited to driveways, parking lots, pedestrian walkways, signs, and other man-made improvements on the ground surface which are more impervious than the natural surface. For purposes of this definition, the area of water within a pool and gravel landscaping, shall be exempt from the lot coverage calculation. Notwithstanding anything to the contrary above, stormwater detention basins (with or without liners) and artificial turf athletic fields shall not be considered to be improved lot coverage.

**LOT FRONTAGE** — The length of the front lot line measured along the street right-of way line. In the case of corner lots, the line on which the primary entrance faces.

**PARKING SPACE** — An accommodation for the parking off-street of one operable, licensed vehicle, which shall be 10 feet wide and 20 feet long. Pursuant to the New Jersey Residential Site Improvement Standards (RSIS), a parking space for residential use shall be a minimum of 9 feet wide and 18 feet long.

**PERSONAL CARE SERVICES** — A business engaged in providing services involving the care of a person, such as beauty salons (which may include cosmetic services such as eyebrow threading, eyebrow microblading or other semi-permanent makeup application, eyelash extensions or tinting, or similar services), nail salons, barber shops, tanning salons, nonmedical massage, bodywork and somatic therapy establishments, and exercise and fitness clubs. Personal care services shall not include tattoo or body art businesses.

**RESTAURANT, FULL-SERVICE** — A facility in which food is prepared and is served for consumption on the premises to patrons seated at tables, booths or counters inside the building by waiters and/or waitresses. (See also Sidewalk Cafe Code, Chapter 208, of Article VI.)

**RESTAURANT, FAST-FOOD** — A facility or part thereof whose primary, principal, normal and usual function is the sale of food and beverages prepared for immediate consumption and packaged or wrapped in paper or other disposable containers for sale over the counter or at a drive-up window to customers for consumption within the building or off and away from the premises, and may or may not include a drive-thru ordering window.

**SETBACK LINE** — The line to which a building must be set back from the property line or street line. The setback is measured to the outermost portion of the structure; provided, however, that architectural features, such as bay windows and chimneys, may project no more than 18 inches into the minimum setback as long as such features do not increase the building's floor area. In any instance where overhangs exceed 18 inches, the entire overhang shall be included in building coverage calculations. Roof overhangs may project no more than 18 inches into any minimum setback area — however, this exemption shall not apply for any residential structures that are proposed as new construction, re-construction on existing foundation, or proposed to be increased by over 20% of the existing ground floor area. Unenclosed front steps and stoops no longer than eight feet wide and six feet deep, with no more than four risers, are permitted encroachments into the minimum front yard setback

**STORY ABOVE GRADE** — Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is: 1. More than 6 feet above grade plane; or 2. More than 12 feet above the finished ground level at any point, pursuant to International Building Code (IBC).

**YARD, REAR** — An open space, unoccupied except by a use hereinafter specifically permitted, extending across the full width of a lot and lying between the rear lot line and the nearest point of the principal structure on the lot. In the case of corner lots, the rear yard shall be opposite the front primary entrance.

New definitions are recommended as follows:

**BILLBOARD** - Any sign advertising a business, organization or other entity, property, product, service, or entertainment, which is conducted, sold, or offered at a location other than the premises on which the sign is located. This definition shall not include any signs with a sign area smaller than twenty-four (24) square feet. “Static billboard” shall mean a billboard that does not include internal illumination or digital display, such as a printed copy for a single advertisement. “Digital billboard” shall mean a billboard that uses internal illumination or digital display, including those that contain multiple advertisements that cycle on predetermined intervals.

**BREWERY, WINERY OR DISTILLERY** - Any establishment or facility that brews, distills, manufactures, blends, or bottles alcoholic beverages, including, but not limited to, wine, hard cider, mead, cordials, or liquors, provided it is licensed by New Jersey as per N.J.S.A. 33:1-10(1b), (3d) or (2a) respectively

**CHILD CARE CENTER** – Any institution licensed by the New Jersey State Department of Children and Families (DCF) or its successor agency that provides care for 6 or more children below 13 years of age who attend less than 24 hours a day. This shall include all child care facilities, including private daycares, and daycares maintained by a charitable or religious organization.

**COMMERCIAL RECREATION** - Provision of recreation-related products or services for a fee, where the building or lot or part thereof is used for recreation or entertainment purposes, and may include such uses as indoor sports fields, laser tag, billiards or pool halls, bowling alleys, miniature golf courses, bingo halls, roller skating, and amusement arcades.

**COMMISSARY KITCHEN** – A business regulated by the NJ Department of Health and FDA or successor agencies that provides inspected and registered commercial kitchen space for the

preparation and storage of food, on a temporary, rental, or scheduled basis for commercial catering, mobile food truck, or other food businesses that do not operate in restaurant building. May include a business that provides commercial kitchen space for start-up food businesses on a fee or rental basis.

**DISTRIBUTION CENTER** - a building or place primarily used for the short-term storage, loading, unloading, as well as accessory consolidation and repacking of goods and/or relatively rapid distribution from the facility to multiple locations. This shall include buildings with dock doors on at least two (2) sides. Fulfillment Centers, Parcel Hubs, and last mile facilities for local van deliveries may be considered a Distribution Center, subject to the other requirements of this Section.

**DOCK DOOR** - a sectional door on a building façade above grade, which allows truck trailer doors to open into the building for the loading and unloading.

**DRIVE-IN DOOR** - a grade level door that is located both inside and outside of the building that vertically opens and closes down to the ground, and allows for the passage of vehicles through it.

**EDUCATIONAL TRAINING** – A use or business that provides private education services, including training facilities, cosmetology and barber schools, fine arts schools, language schools, exam preparation and tutoring, or similar uses, but excluding heavy machinery or mechanical equipment training.

**EXPOSED FOUNDATION** – The exterior portion of a structural component used at the base of a building, or the foundation, that is visible above grade.

**FULLFILLMENT CENTER** - a type of building for third-party logistics that receives, processes, and fills customer orders on behalf of retailers. Fulfillment centers are characterized by the presence of multiple mezzanine levels and require additional on-site parking for employee vehicles.

**NON-PUBLIC SCHOOL** - An elementary or secondary school, other than a public school, offering education for grades kindergarten through 12, or any combination thereof, wherein any child may legally fulfill compulsory school attendance requirements and which complies with the requirements of Title VI of the Civil Rights Act of 1964 [N.J.S.A. 18A:46A-2(b)].

**PARCEL HUB** - a type of warehouse that typically serves as a regional or local freight-forwarder facility for time sensitive

shipments via airfreight or ground carriers that is characterized by a building that is 150-300 feet wide, with access to dock doors provided on two (2) opposites of the building and up to all (4) sides. This use does not include truck maintenance, wash, or fueling facilities.

**PET CARE SERVICES** – A business engaged in providing services in the care of animals kept as pets, which includes pet grooming, daytime pet care less than 24 hours a day, and pet obedience and training facilities, but does not include overnight lodging or kennel services.

**SHORT-TERM RENTAL** – The leasing of a dwelling for fewer than 28 consecutive nights.

**SOLAR CARPORT (OR SOLAR CANOPY)** – An accessory structure located within a surface parking area that covers parking spaces and utilizes photovoltaic technology as a roofing element to generate electricity.

**VETERINARY CLINIC** - A building where animals are given medical care and the boarding of animals is limited to short-term care incidental to the medical care, and such boarding is entirely inside such building. This definition shall not include a building used for overnight animal boarding, outside pens or kennels, experimental laboratories, or animal breeding.

**WAREHOUSE** - A building or place where raw materials or finished goods are stored, where the primary use of the facility is storage. Any such building that contains dock doors on only one (1) side of the building shall be considered a Warehouse, not a Distribution Center. Warehouse facilities used for cold storage shall be considered a Warehouse, not a Distribution Center.

**ii. Review Standards Related to Affordable Housing Requirements**

The Borough received a Judgement of Compliance and Repose (“JOR”), dated March 6, 2019, for its Affordable Housing Fair Share Plan. In order to ensure that the codified affordable housing regulations remain valid and up-to-date, the Zoning Ordinance should be reviewed and updated as needed.

**Recommendation:** It is recommended that a review of Section 250-7.3 (Mandatory Development Fees) and Section 250-7.5 (Affordable housing regulations) be conducted to determine if any modifications need to be made to the existing Ordinance provisions. More specifically, the following changes are recommended:

Under Section 250-7.3.D, the following provisions are recommended to be revised:

- (2) Developers shall pay a development fee when an existing structure undergoes a change to an increased use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- (7) Owner-occupied residential structures demolished and replaced, of equal building area or within 10% larger building area, as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.

Under Section 250-7.3.F, the following provisions are recommended to be revised:

- (1) There is hereby created an interest bearing housing trust fund in the Valley National Bank, for the purpose of receiving development fees from residential and nonresidential developers. All development fees paid by developers pursuant to this section shall be deposited in this fund. No money shall be expended from the housing trust fund unless the expenditure conforms to a spending plan approved by COAH.

Under Section 250-7.3.G, the following provisions are recommended to be revised:

- (1) Money deposited in a housing trust fund may be used for an activity approved by COAH for addressing the Borough's low- and moderate-income housing obligation. Such activities may include, but are not necessarily limited to, housing rehabilitation; new construction; regional contribution agreements; the purchase of land for low- and moderate-income housing; extensions and/or improvements of roads and infrastructure to low- and moderate-income housing sites; assistance designed to render units to be more affordable to low and moderate income people; and administrative costs necessary to implement the Borough's housing elements. The expenditure of all money shall conform to a spending plan approved by COAH or the Courts.

Under Section 250-7.5.N(1), the following provisions are recommended to be revised:

- (a) The MHL must be either a full time or part-time employee or professional consultant of Florham Park.

**iii. Modify the Standards for Accessory Structures**

Accessory Structures are currently regulated by Section 250-14 of the Borough Zoning Ordinance. The section currently only permits sheds in residential zones and the standards set forth only deal with such zones.

**Recommendation:** It is recommended that the Accessory Structure Section 250-14 of the Borough Zoning Ordinance be reviewed to determine if the language or provisions should be amended to provide clarity, and if accessory structure requirements should be set forth for non-residential zones. More specifically, Section 250-14 is recommended to be revised as follows:

**§ 250-14. Accessory buildings.**

Buildings which are accessory to the principal use or building are permitted in all zones, provided that:

- A. Yard and accessory building requirements are met as specified for the zone in the Schedule of Area, Yard and Building Requirements set forth in § 250-9.
- B. An accessory building attached to a principal building shall comply in all respects with the yard requirements of this chapter for the principal building and may be considered a part of the principal building. Detached accessory buildings shall be located to the rear of the front building line of the principal building and, if located in a side yard area, shall conform to the side yard requirements with respect to the principal building.
- C. Such buildings, when constructed subsequent to the principal building, shall require a certificate of occupancy before they may be legally used.
- D. No detached accessory building shall be used as a residence or dwelling unit in any zone , with the exception of those permitted under Section 250-14.3 that contribute towards the Borough's Affordable Housing obligation..
- E. Accessory Structure Standards for Residential Zones.
  - (1) Detached Accessory Structure Design Standards.

- i. Detached accessory structures are subject to the bulk standards under Section 250-9.
- ii. Area. The footprint of an accessory building shall not exceed 600 square feet in area in a residential zone.
- iii. Height. The height of an accessory building shall not exceed 15 feet or be more than one story high. [Amended 5-17-2018 by Ord. No. 18-11]
- iv. Number of structures. A maximum of two accessory buildings are permitted per lot in all residential zones, provided that one is a detached garage for the storage of vehicles or materials.

(2) Exemptions from building coverage.

- i. Accessory structures including sheds, or other structures such as gazebos or pool houses without plumbing or electrical which comply with the following conditions shall not require a building permit for installation and shall not be counted when calculating building coverage.
  - a. Less than 200 square feet in area and 10 feet in height.
- ii. Such exempt structures shall be subject to the following standards, which supersede Section 250-9.
  - a. Shall not be located in any front yard.
  - b. Accessory structures less than or equal to 100 square feet shall not be located closer than three feet to any rear or side property lines.
  - c. Accessory structures over 100 feet and less than 200 square feet shall not be located closer than five feet to any rear or side property lines.
  - d. Such structures shall not be permitted for use as storage of automobiles.
- iii. Accessory structures in excess of 200 square feet shall comply with the requirements under Section 250, Attachment 1 for their respective zone.

(3) Swimming pools.

- i. No swimming pool or its mechanical pool equipment may be located in the front or side yard setback,
- ii. Pools, as measured from the outer edge of the coping, shall not be located any closer than ten feet to any property line.

iii. Mechanical pool equipment shall not be located closer than five feet to the side or rear property lines of any property.

(4) Additional coverage generated by accessory structures and pools shall still contribute towards the calculation of appropriately sized stormwater management facilities.

F. Non-residential Zones.

(1) Sheds no greater than 250 square feet shall be allowed in non-residential zones, provided that the shed is the only accessory structure on the lot, and that no other accessory structures or uses exist on the lot.

(2) Such sheds shall not be located in any front yard, shall not be located closer than ten feet to any rear or side property lines.

iv. **Add Standards for EVSE Charging Stations**

New Jersey State Law passed in 2021 requires that Electric Vehicle Supply/Service Equipment (EVSE) be promoted and encouraged by requiring the safe and efficient installation of EVSE and Make-Ready Parking Spaces through municipal parking regulations and other standards. In order to codify the State requirements, as well as add Borough-specific standards, requirements should be added to the Borough Code.

**Recommendation:** It is recommended that a new Section 250-30.4 be added to comply with State Law requirements for EVSE.

v. **Add Supplementary Design Standards to Address Emerging Issues**

**Recommendation:** It is recommended that a new Section 250-30.3 be added to address Supplementary Design Standards, for items such as exposed foundation on buildings and solar panels.

vi. **Review General Development Requirements**

The Borough Land Use Ordinance includes a number of existing sections that regulate development standards, such as buffers, fences, etc.

**Recommendation:** It is recommended that these sections, such as Sections 250-7.1, 250-17 through -19, and 250-27 be revised to provide clarified language and updates to the existing provisions related to construction permit procedures, required buffers, development standards for antennas, development standards for walls and fences, and delineation of prohibited uses.

**vii. Changes to Land Use Code Administrative Sections**

The Borough fee schedule for Zoning permit fees is regulated under Section 250-30.1 of the Borough Zoning Ordinance. In order to ensure fees are appropriately valued, it is recommended that the table be updated. This update may include the raising of certain fees, and likewise should consider the addition of fees for new items, such as EVSE Charging Stations allowed by State Law.

**Recommendation:** It is recommended that a subsection “A” under Section 250-30.1 (Zoning Permit Fees) be amended to update fees as recommended by the Borough officials.

**b. Recommended Changes to the Zoning Districts and Bulk Standards**

**i. Creation of a C-5 Zone - Mixed Commercial Office, Warehousing, and Distribution Zones**

There are various areas within the Borough currently zoned as C-1, which have distinctly different contexts. It is recommended that in order to expand the uses of the existing C-1 zone, and to respect the distinct contexts of this zone within the Borough, that a new C-5 Zone be established in the existing C-1 Zone along Vreeland Road.

**Recommendation #1:** It is recommended that the properties in the area generally along Vreeland Road, identified as Block 301, Lots 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, and Block 302, Lots 1, 2, 4, 5, and Block 303, Lots 1, 4, 6, 7, 8, 9, 10, 13 be rezoned to a new C-5 Zone.

**Recommendation #2:** It is recommended that the C-5 Zone be set forth with the same bulk requirements as the existing C-1 Zone. It is recommended that the C-5 Zone be differentiated from the C-1 Zone by expanding the permitted and conditional uses that will complement the existing development and uses in this area – which may include self-service storage facilities, educational training facilities, pack-and-ship retail uses, and health and wellness centers as permitted uses; and commissary kitchens, warehouses and distribution centers, and breweries/distilleries as conditional uses subject to a set of conditions.

**ii. Changes to Permitted Uses and Standards in the B-1 Zone**

The B-1 Zone largely comprises the central business district of the Borough, and is characterized by a mix of office, commercial, personal service, restaurant, and retail uses. With the emergence of e-commerce and online retail in the last decade, brick-and-mortar storefronts have seen a diversification of uses to retain business tenants and attract customers. The Borough’s B-1 Zone has remained successful because of

this diversification, and continues to seek sustainable ways to attract businesses while retaining the existing characteristics of the zone.

**Recommendation #1:** It is recommended that the permitted uses in the B-1 Zone be expanded to allow for uses that will complement the existing development, and address needs to diversify retail storefronts and office buildings with service-oriented and educational training uses.

**Recommendation #2:** It is recommended that the existing standards in the B-1 Zone be reviewed, and modified or removed as determined necessary.

**iii. Changes to Uses in the PB Zones**

The Professional Business Zones offer a variety of office-oriented uses, and in recent years, clarification has been required to determine if specific uses are permitted based on how they appear in the Zoning Ordinance. To avoid further confusion, the code should be updated to provide adequate language and wording for permitted and conditional uses in the zone.

**Recommendation #1:** The permitted uses should be modified to specifically allow for veterinary services within “medical and dental offices”, as currently permitted.

**Recommendation #2:** Daycare and nursery schools exist in the PB Zone currently, and have not had to seek Use Variance approval in the past. To ensure the clarity of the language in the Ordinance, it is recommended that day-care centers and nursery schools be added as a conditional use in the PB Zones.

**Recommendation #3:** In conjunction with recommendations to modify the Accessory Structure section of the Ordinance, it is recommended that sheds be permitted as an accessory structure in the PB zones.

**iv. Changes to Permitted Uses in the C Zones**

There has been an increase in applications for solar panels on top of covered carports in commercial office building parking lots within the C Zones in recent years.

**Recommendation:** In conjunction with the Supplementary Design Standards recommended for development regulations related to carports, it is recommended that solar carports be permitted in the C zones, pursuant to the design standards.

**v. Review of Section 250-9, Attachment 1 (Schedule of Area, Yard and Building Requirements)**

**Recommendation:** In conjunction with the review of standards within each zoning district, it is recommended that the bulk standards table be reviewed and evaluated for any modifications that may be necessary to complement any changes to each individual zone or other contemplated development standards.

**c. Recommended Changes to Parking Standards**

**i. Changes to Parking Standards**

It has long since been established that due to the conjunction of existing development and the nature and increase of development within the Borough in recent years, that many residents and business owners have identified parking problems.

**Recommendation:** It is recommended that the parking standards under Section 250-105.E be updated to add any standards for any contemplated new uses and that parking standards be updated for any existing uses that do not currently have any associated standards.

**d. Recommended Changes to the Zoning Map**

The zoning map was last adopted as of February 2018. Per the establishment of new areas in need of redevelopment within the Borough and other recommended updates, the following recommendations relate to an update to the Zoning Map.

**i. Updated Zones**

Any change to zone lines or new zones are recommended to be reflected on an updated Zoning Map.

**ii. Redevelopment Areas Adopted Since the 2018 Zoning Map**

It is recommended that the Zoning Map be revised to include the properties that have been deemed to be an area in need of redevelopment since the last Zoning Map was adopted in 2018. Statutorily, it is a requirement to update the zoning map to reflect these areas on the Borough Zoning Map.

**e. Recommended Changes to Section 199 (Signs)**

- i. In recent years, the Borough has received requests for new or modified signs that have required variance relief. It is recommended that the Sign Ordinance under Section 199 be reviewed to determine if it should be revised to amend and/or add provisions related to signage allowances within specific zoning districts and sign standards.

**f. Recommended Changes to Section 212 (Site Plan and Subdivision Review)**

- i. The Borough Ordinance Section 212 Site Plan and Subdivision Review, should be reviewed to determine if it is necessary to remove certain wording in existing definitions, add new administrative review and application fees, add certain Board procedures, and replace existing code sections related to application checklists that are no longer used with the currently adopted and utilized checklists.

**VII. REDEVELOPMENT AREAS**

Prior to the last reexamination of the Master Plan, no areas were designated in need of redevelopment by the Borough. Since the adoption of the 2017 Master Plan Reexamination, the Borough of Florham Park has adopted the following Redevelopment Study and designated this as an area in need of redevelopment:

- 1) 50-60 Hanover Road Redevelopment Area

The following section provides a detailed description of the administrative history and characteristics of the Redevelopment Area.

**1. 50-60 Hanover Road Redevelopment Area**

***Preliminary Investigation Report dated June 6, 2020***

*Adopted by Planning Board Resolution, dated July 7, 2020*

*Adopted by Borough Council Resolution, dated July 20, 2020*

<b>50 Hanover Road Redevelopment Study Area Properties Tax Data Borough of Florham Park, Morris County, New Jersey</b>			
<b>Owner</b>	<b>Street Address</b>	<b>Block and Lot</b>	<b>Lot Area</b>
<b>50-60 Hanover Road Parcels</b>			
NORTHERN TRUST CO TRUS	50 Hanover Road	Block 303, Lot 5	49.28 +/- Acres
NORTHERN TRUST CO TRUS	60 Hanover Road	Block 303, Lot 12	5.507 +/- Acres
<b>Total Area of 50 Hanover Road Site</b>			<b>54.79 +/- Acres</b>
<b>Florham Park Water and Sewer Infrastructure Parcels</b>			
Florham Park Sewerage Authority	31 Vreeland Road	Block 301, Lot 15	6.50 +/- Acres
Florham Park Sewerage Authority	35 Vreeland Road	Block 301, Lot 16	14.14 +/- Acres
C.T. Services	327 Columbia Tpke	Potion of Block 502, Lot 1	32.77 +/- Acres
Florham Park Sewerage Authority	230 Ridgedale Ave	Block 901, Lot 1	0.2459 +/- Acres

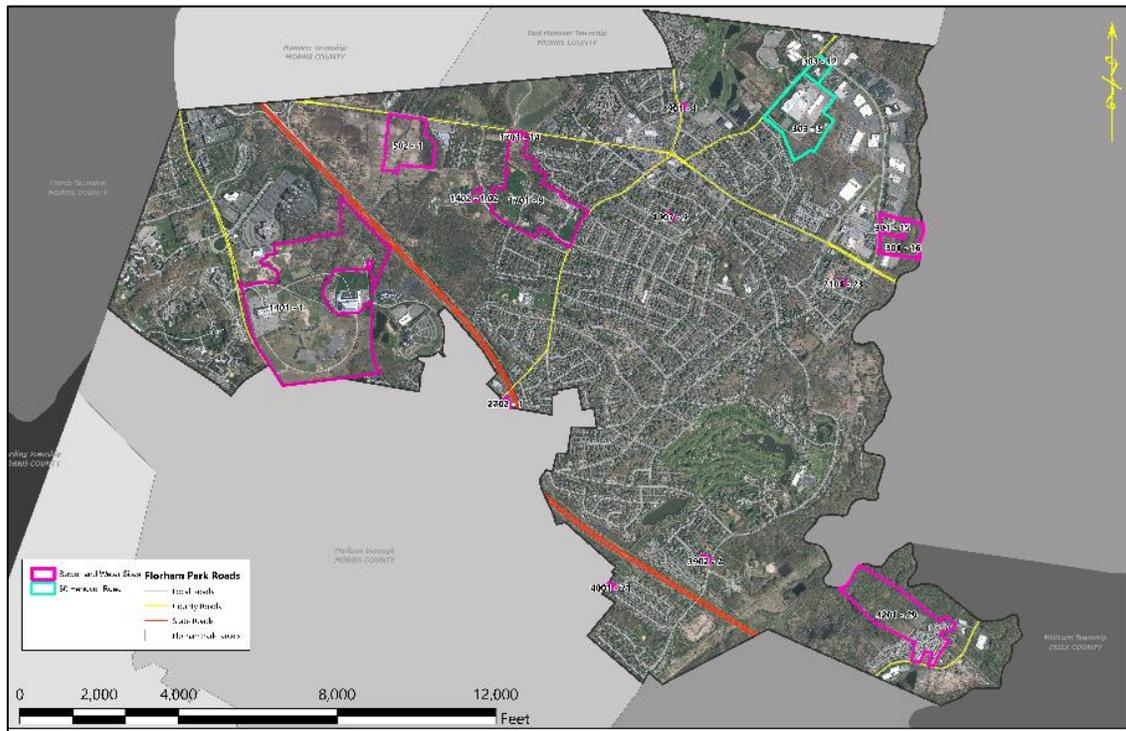
**2022 Master Plan Re-examination Report**

*Borough of Florham Park, Morris County, New Jersey*

New Jersey Sports and Exposition Authority	142 Park Ave	Portion of Block 1401, Lot 1	93.83 +/- Acres
Borough of Florham Park	37 Elm Street	Block 1402, Lot 1.02	2.89 +/- Acres
Borough of Florham Park	111 Ridgedale Ave	Portion of Block 1701, Lot 9	72.7 +/- Acres
Florham Park Sewerage Authority	293 Columbia Tpke	Block 1701, Lot 14	0.2984 +/- Acres
Borough of Florham Park	3 Tower Ln	Block 1907, Lot 9	0.4591 +/- Acres
Borough of Florham Park	11 Beacon Hill Rd (Rear)	Block 2101, Lot 23	0.23 +/- Acres
Molte Benedizioni, LLC	10 Ridgedale Ave	Portion of Block 2702, Lot 1	0.797 +/- Acres
Moussa, Ghias/Ibtissam	2 Loveys Dr	Portion of Block 3902, Lot 2	0.89 +/- Acres
Florham Park Sewerage Authority	71 Beechwood Rd	Block 4001, Lot 71	0.3873 +/- Acres
Sun Valley Plaza, LLC	57 Passaic Ave	Portion of Block 4201, Lot 29	72.699 +/- Acres
<b>Total Area of Water and Sewer Infrastructure Sites</b>			<b>298.8 +/- Acres <sup>2</sup></b>

<sup>1</sup> Information Shown in Table is per Borough Tax Data as of 2020

<sup>2</sup> Total Lot Area is based upon entirety of Tax Lots, and does not account for sites where only a portion is utilized for water/sewer easements. The total combined area of full parcels utilized for such purpose and portions of sites utilized for easements is significantly less.



**Figure A: Entirety of the 50 Hanover Redevelopment Study Area, Including Water and Sewer Sites**

**Area:** The 50 Hanover Road Redevelopment Area, or the “Redevelopment Area,” consists of sixteen (16) parcels identified as Block 303, Lots 5 and 12; Block 301, Lots 15 and 16; Block 502, Lot 1; Block 901, Lot 1; Block 1401, Lot 1; Block 1402, Lot 1.02; Block 1701, Lots 9 and 14; Block 1907, Lot 9; Block 2101, Lot 23; Block 2702, Lot 1; Block 3902, Lot 2; Block 4001, Lot 71; and Block 4201, Lot 29. Block 303, Lots 5 and 12 are two (2) contiguous parcels that comprise the entirety of the focal properties in the Redevelopment Area, and the remaining parcels are entirely comprised of non-contiguous properties that are scattered throughout the Borough and are utilized either entirely or by way of easement on a portion of the property as sewer or water infrastructure facilities that serve the Borough as a whole.

On July 7, 2020, the Florham Park Planning Board transmitted a letter to the Mayor and Council providing that the Board “concur and agrees with the reasons stated in the Preliminary Investigation that the Property constitutes and meets the criteria under the LRHL supporting the recommendation that the Property be determined a non-condemnation “area in need of redevelopment”, and “submits to the Mayor and Council for review and approval the Preliminary Investigation with its recommendation that the Property be declared a non-condemnation “area in need of redevelopment” under the LRHL, and this correspondence shall serve as the Planning Board's recommendation in accordance with N.J.S.A. 40A:12A-6”.

**Redevelopment Plan:** A Redevelopment Plan has not been prepared or adopted to date.