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Review of ordinance provisions of  
selected Morris Cnty municipalities in  
light of Mt Laurel II Standards

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REVIEW OF ORDINANCE PROVISIONS OF SELECTED  
MORRIS COUNTY MUNICIPALITIES IN LIGHT OF  
MT. LAUREL II STANDARDS

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REVIEW OF ORDINANCE PROVISIONS OF MORRIS COUNTY MUNICIPALITIES  
IN LIGHT OF MT. LAUREL II STANDARDS

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The following discussion presents a short review of the ordinance provisions of each of a number of municipalities in Morris County, New Jersey in light of the standards and objectives set forth in the New Jersey Supreme Court decision in Mt. Laurel II. Of particular note are the presence or absence of the affirmative provisions called for in Mt. Laurel II; the presence or absence of zone districts in which development can take place at least-cost standards.; and the extent of land zoned for such districts.

DENVILLE

The attached table shows permitted uses and requirements in Denville Township's residential zones.

The following is a list of Denville's non-residential zones:

<u>Zone</u>	<u>Use</u>
POS	Public Open Space
B-1	Central Business District
B-2	Highway Business
B-2A	Highway Business
B-3	•* General Business
B-4	Neighborhood Shopping Center
OB-1	Office Building
OB-2	" "
OB-3	ii "
OB-4	" "
1-1	Industry
1-2	Industry

The provisions governing townhouses in the R-3 zone contain many exclusionary provisions, including very low density of 2.5 units per acre, excessive open space dedication, excessive minimum tract size (19-60B), requirement that all units have a garage (Art. 111), low net density, excessive minimum setback requirement, excessive minimum width, excessive minimum floor area, limitation on units per structure, height restriction, and limit on number of units in each cluster (19-201B). The three mixed use tracts, R-1M, R-1M(r), and R-2M, are all subject to exclusionary standards (Art. XXVIII). These include very low density, excessive minimum tract size, housing type mix requirements, excessive open space dedication requirements, and, in the R-1M and R-2M, requirements that developments include substantial amounts of non-residential development. Townhouses in these districts are further subject to the conditions of 19-201B set forth above. Only single family houses on large lots and townhouses are permitted residential uses in these zones.

The Parsippany-Troy Hills zoning ordinance makes no effective provision for low and moderate income housing, and is therefore inconsistent with the municipality's obligation under Mt. Laurel II.

#### RANDOLPH

The attached table shows permitted uses and requirements in Randolph Township's residential zones.

The following is a list of Randolph's non-residential zones:

<u>Zone</u>	<u>Use</u>
TC-C	Town Center - Commercial
B-1	Neighborhood Business
B-2	Regional Business
B-3	Planned Shopping Center
P-BO	Professional & Business Office
1-1	Industry
1-2	Industry
OL	Office - Laboratory

The Randolph zoning ordinance includes no affirmative provisions to further low and moderate income housing. The ordinance prohibits mobile homes (33-26), contains a discriminatory definition of family, limiting occupancy to three unrelated individuals (33-6), contains 'no look alike' standards (33-37), and contains a requirement that developers provide an Environmental Impact Statement (33-32). The ordinance contains four large lot single family zones, ranging upward from 15000 SF lots, and containing excessive minimum floor area requirements.

The ordinance contains two multifamily zones. The GA zone is subject to exclusionary provisions, including bedroom limitations, excessive parking standards, limit on number of units per structure, excessive setback standards, and height limitations. In any event, this zone is fully developed. The TCR zone (Art. 21) permits townhouses under exclusionary standards, including low maximum density, minimum average width requirements, excessive open space requirements, bedroom limitations, minimum floor area requirements, 'zigzag' setback variation requirements, height limitations, excessive setback requirements, requirement for brick or stone facing, excessive parking requirements, including garages.

The Randolph Township zoning ordinance makes no provision for low and moderate income housing, and is therefore inconsistent with the municipality's obligation under Mt. Laurel II.

#### ROXBURY

The attached table shows permitted uses and requirements in Roxbury Township's residential zones.

The following is a list of Roxbury's non-residential zones:

<u>Zone</u>	<u>Use</u>
B-1	Neighborhood Business
B-2	Highway Business
B-3	Planned Shopping Center
1-5	Limited Industrial
1-10	Limited Industrial
OR-5	Office Research
OR-10	Office Research
1-3	Limited Industrial
OS-GU	Open Space - Government Use