

**TOWNSHIP OF LONG HILL  
ORDINANCE 460-20  
REVISING BULK STANDARDS IN THE R-MF ZONE AND AMENDING SECTION 122 OF THE TOWNSHIP  
LAND USE ORDINANCE ENTITLED  
“ZONE DISTRICTS AND USE REGULATIONS”**

**WHEREAS**, Long Hill Township filed an affordable housing declaratory judgment action in the Superior Court of New Jersey, Morris County, on July 6, 2015 at Docket No. MRS-L-1660-15; and

**WHEREAS**, the Township thereafter settled its declaratory judgment action with the Fair Share Housing Center (“FSHC”) and the terms of that settlement were memorialized in an agreement dated September 27, 2017 and which were incorporated in a Final Judgment of Compliance and Repose entered by the Court on June 15, 2018; and

**WHEREAS**, the settlement agreement with FSHC provides that:

“13. The Township . . . shall propose and adopt any new or modified ordinances required to implement this agreement . . .

“14. The Township as part of its HEFSP shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied.”; and

**WHEREAS**, in accordance with the terms of the settlement agreement, the Township Planning Board has prepared and submitted to the Township Committee for its consideration ordinances creating a new R-MF 4 - Multi Family Residential Zone 4, R-MF4 O Multi Family Residential 4 Overlay Zone, RAHO Redevelopment Affordable Housing Overlay Zone and MU-O Mixed Use Overlay Zone; and

**WHEREAS**, the Township Committee adopted that ordinance as Ordinance No. 413-18 on May 9, 2018; and

**WHEREAS**, minor modifications are needed to the bulk standards in the R-MZ 4 zone;

**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 section 122.3A of the Township Land Use Ordinance entitled “Zone Districts and Use Regulations” is hereby amended as follows:

**Section 1.** Section 122.3A entitled “R-MF 4 - Multi Family Residential Zone 4” which reads as follows:

**“122.3AR-MF 4 - Multi Family Residential Zone 4**

a. Purpose

The purpose of the R-MF 4 zone district is to provide zoning for affordable housing which allows a realistic opportunity for the construction of very low, low and moderate income housing.

b. Location

The location of the R-MF 4 zone applies to a lot on the south side of Valley Road, east of Mountain Avenue. This lot is known as Block 10801, Lot 3.

c. Permitted Uses

Multi-family dwelling units for the provision of inclusionary affordable housing pursuant to the “Low- and Moderate-Income Housing Requirements” below shall be permitted uses in the R-MF 4 zone district.

d. Low and Moderate Income Housing Requirements

1. This property shall be used for inclusionary affordable housing multi family dwelling units.
2. The minimum lot area shall be not less than five (5) acres.
3. The maximum density for residential development shall not exceed twelve (12) dwelling units per acre, unless a higher number is set forth in the Township's September 27, 2017 settlement agreement with the Fair Share Housing Center.
4. Not less than 9 units or fifteen (15%) percent of the total number of units shall be affordable to very low, low and moderate income households for rental units and not less than 12 units or twenty (20%) percent of any for sale units shall be affordable to very low, low and moderate income households. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than or equal to 0.5 shall be rounded up.
5. The affordable units must meet the income and bedroom distribution requirements of N.J. Stat. § 52:27D-329.1 and N.J.A.C. 5:80-26.3. Not more than 20% of the affordable units and not more than 10% of the market units may have 3 or more bedrooms.
6. These bulk standards shall apply to development in the R-MF 4 zone:
  - a. Minimum lot size: 5 acres.
  - b. Minimum lot width: 250 feet.
  - c. Maximum building height ~~3 stories or 45 feet~~ for pitched roof structures: 3 residential stories over parking or 50 feet, whichever is less. "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to a point 1/2 the distance between the top of the uppermost plate and the highest point of a pitched roof. ~~(1) Buildings facing Valley Road may not exceed 2.5 stories or 35 feet.~~
  - d. Maximum building height for non-pitched roof structures: 3 residential stories over parking or 45 feet, whichever is less. "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to the top of the highest beams for a flat roof or to the deck level of a mansard roof.
  - d. Minimum front yard: 50 feet.
  - e. Minimum side yard: ~~30~~ 20 feet.
  - f. Minimum rear yard: 50 feet.
  - g. Maximum building coverage: 20%.
  - h. Maximum lot coverage: 40%.
  - i. Floor Area Ratio: 0.5.
  - j. Buffer: 10 feet."
  - k. Parking: 1.5 spaces per unit

**Section 2.** 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 3.** 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 4.** This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST

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Megan Phillips, RMC  
Township Clerk

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Brendan Rae, Mayor

*1st Reading and Introduction: June 10, 2020*

*1st Publication: June 18, 2020*

*Referral to Planning Board: June 12, 2020 (PB agenda 6/23/2020)*

*Notice to County Planning Board Prior to Adoption: June 12, 2020*

*Notice to Clerks of Adjoining Municipalities (if required): June 16, 2020*

*Notice to Affected Property Owners (if required): June 16, 2020*

*2nd Reading and Adoption: July 15, 2020*

*2nd Publication: July 23, 2020*

*Filing with County Planning Board: July 23, 2020*