

LEGAL NOTICE

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on **September 3, 2019** introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on **October 1, 2019** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2019:46

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED "ZONING" OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-MU ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled "Zoning."

Section 1. Section 430-4, "Districts established," of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-MU Affordable Housing Mixed Use District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-MU, which shall be shown to encompass Block 698, Lot 15.2-S01, and which shall rezoned to the AHD-MU Affordable Housing Mixed Use Zone District designation for this parcel, as shown on the accompanying Map.

Section 3. Section 430-35, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-MU’ row, within which the phrase ‘See Article XLVI’ shall be inserted.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article XLVI entitled “AHD-MU Affordable Housing Mixed Use District.” This new article shall read as follows:

Article XLVI. AHD-MU Affordable Housing Mixed Use District.

§ 430-346. Purpose.

The purpose of the AHD-MU District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations, the settlement agreement entered into between the Township and Fair Share Housing Center (“FSHC”) on April 11, 2019, and the Township’s Housing Element and Fair Share Plan. The AHD-MU District encourages the development of low- and moderate-income housing by allowing for a mixed use inclusionary multifamily residential. The remainder of the lot shall be developed for non-residential uses in accordance with the B-1 Zone standards as specifically permitted and required herein.

§ 430-347. Permitted uses.

The uses set forth below shall be permitted.

A. Principal uses. The following principal uses are permitted in the AHD-MU District:

- (1) Multifamily residential dwellings.
- (2) Commercial in separate buildings in accordance with the permitted uses identified in 430-85 with the exception of items H, I J, K, and O.

B. Accessory uses. The following accessory uses are permitted in the AHD-MU District:

- (1) Off-street parking, including surface parking, under-building parking, and parking garages.
- (2) Fences and walls.
- (3) Signs.
- (4) Buildings for storage of maintenance equipment.

- (5) Private recreation buildings and facilities, including swimming pools, workout rooms, common areas and the like, intended for use by residents of the premises.
- (6) Trash and recycling facilities intended for use by residents of the premises.
- (7) Other accessory uses normally incidental to the principal permitted use.

§ 430-348. Prohibited uses.

Uses prohibited in the AHD-MU District shall include the following:

- A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-349. Affordable housing requirements.

- A. All multifamily residential developments constructed in the AHD-MU District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%) and compliance with such set aside shall in accordance with the Developer Agreement between the Township of Parsippany-Troy Hills and Westmount Plaza L.L.C. that was executed in accordance with the Settlement Agreement approved by the Court under Docket Number MRS-L-169-15.. When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.
- B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article XLXIX of the Township Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC") (N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township's Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including a Judgment of Compliance and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:
 - (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
 - (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-MU District.
 - (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period"). The affordability controls shall expire only after they are properly released by the Township and/or the Township's Administrative Agent at the

Township's sole option in accordance with N.J.A.C. 5:80-26.11 for rental units or N.J.A.C. 5:80-26.5 for for-sale units.

- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ 430-350. Development standards.

A. Area and bulk requirements. The area and bulk requirements for the multifamily residential uses permitted in the AHD-MU District are set forth below. The area and bulk regulations of the B-1 zoning district shall remain in full force and effect for the commercial development devoted exclusively to uses permitted in the B-1 zoning district (as noted herein), except for requirements of minimum lot area, maximum percent lot coverage by buildings and maximum percent lot coverage by all buildings and pavement which shall comply with the standards of this AHD-MU zone as noted below:

Criteria	AHD-MU Requirements
Maximum Number of Dwelling Units	313
Minimum Tract Lot Area (ac.)*	20
Minimum Front Yard Setback (ft.)	100
Minimum Side Yard Setback Each (ft.)	50
Minimum Rear Yard Setback (ft.)	75
Maximum Percent Lot Coverage by Buildings (%)	50
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	75
Max. Bldg. Sty/Height (ft.)	5/60**
Minimum Buffer:	
-Front Yard (ft.)	50

Criteria	AHD-MU Requirements
-Side Yard (ft.)	50***
-Rear Yard (ft.)	50
Maximum Length of Bldg. w/o 5-foot jog in the front facade (ft.)	80
Minimum Setback: Building. to Building:	
-Front to Front (ft.)	60
-Front to Rear(ft.)	60
-Front to Side (ft.)	50
-Side to Side (ft.)	30
-Side to Rear (ft.)	30
-Rear to Rear (ft.)	50

* All references to tract refer to the entirety of Block 698, Lot 15.2, S01

** 65 feet permitted for a sloped roof of 4:1 or greater pitch.

***No buffer required when adjacent to non-residential lot line.

B. Off-street parking requirements.

- (1) Off-street parking spaces shall be as set forth in the Residential Site Improvement Standards (N.J.A.C. 5:21). A shared parking provision of off-street parking shall be permitted for this site where adjacent properties are either commonly owned or otherwise controlled, or upon confirmation of shared parking easement rights. The shared parking methodology used by the applicant to calculate the number of shared parking spaces permitted shall be in conformance with applicable sections of 430-275 of the Township’s regulations and those recommended in the Urban Land Institute “Shared Parking Standards for a Mixed-Use Center” latest edition or similar nationally recognized standard. Notwithstanding any potential inconsistencies with the foregoing, the maximum amount of required parking for residential use proposed to be satisfied by shared parking shall not exceed 0.6 spaces per residential unit.
- (2) All off-street parking and drive aisles shall be located a minimum of 10 feet from buildings, except for parking and drive aisles which extend continuously into or under a building from outside the building.
- (3) All off-street parking and drive aisles shall be located a minimum of 10 feet from property lines.
- (4) Under-building parking and parking garages shall be permitted, provided that same are oriented to the side or rear of the property and are not visible from the public right-of-way.

(5) All parking areas shall be designed in accordance with the applicable provisions of Article XXXVI of this Chapter; however, in the event of a conflict between Article XXXVI and this Article, this Article shall govern.

(6) Off-street parking shall not be provided for any use or to any party other than a resident or visitor of the site, unless a shared parking arrangement has been approved by the reviewing board, nor shall parking areas be used for any purpose other than parking.

(7) Signage shall be provided where parking spaces are to be reserved for residents. Visitor parking shall be signed and painted for each space designated for such a purpose.

C. Signage. Signage requirements for the residential use in the AHD-MU Zone shall be consistent with the signage requirements in 430-286, as set forth in XXXVIII, Signs. The signs for the uses proposed in accordance with the B-1 zone standards shall comply with the B-1 zone standards.

D. Design Standards The following standards shall apply to all residential (only), buildings and grounds, including public spaces, where appropriate. These standards shall be maintained in all phases of development. The proposed design of buildings and grounds are subject to Township review to insure the appropriate development context is represented to the greatest extent possible. A thematic style shall relate to the development. Deviations from these standards are a design waiver for purposes of Board review.

(1) Architectural Design Standards

(a) Context. The development shall be responsive to the established context of the Township's recognized architectural styling in acknowledgement that a cohesive built environment is an essential component of the various neighborhoods establishing the Township's character. Examples of such elements include complimentary materials, architectural form, proportions and related elements recreated in building façades, streetscape furniture and sign features. Elements such as recessed or extended entrances, enhanced corner treatments and vertical and horizontal articulations, as defined herein are encouraged.

(b) Building Form and Mass.

[1] All buildings and structures should where applicable relate harmoniously to the site's natural features, other on-site buildings and open spaces, as well as surrounding structures within the vicinity of the development area that have a visual relationship and orientation to the proposed development. Such features should be incorporated into the design of building form and mass and assist in the determination of building orientation in order to preserve visual access to natural or man-made community focal points.

[2] Building Form and Mass.

- a. Emphasis should be on vertically oriented architectural features to reflect the character and feel of a “traditional” residential center as opposed to undifferentiated institutional buildings which typically lack human scale qualities. This provision does not preclude the use of contemporary design techniques or materials.
- b. Large horizontal building facades (i.e. those larger than 100 linear feet) should be broken into segments having materials providing vertical differentiation with alternating front and rear façade features to generate the appearance of smaller individual buildings/units. No more than 100 feet of front or rear building wall is permitted without providing a break in the façade of an acceptable method of differentiation. Such methods should include but are not limited to changing roof lines, cornices, alterations in building height and variations in color, materials and textures.
- c. Roof height, pitch, ridgelines and roof materials should be varied to create visual interest and avoid repetition.
- d. Related architectural elements which preclude a continuous uninterrupted facade building length may also be utilized to achieve a break in the linear dimension of the building walls in place of an offset if determined by the approving authority to achieve the same purpose.
- e. Buildings with expansive blank walls are discouraged. Appropriate facade treatments should be imposed to ensure that such buildings are integrated with the rest of the development.
- f. Side and rear elevations should receive architectural treatments comparable to front facades.
- g. Buildings shall incorporate elements that provide a visually attractive environment through the use of varied decorative and architectural features at entrances, corners, windows and rooflines.
- h. “Human scale” of development shall be encouraged through the use of windows, doors, porches, columns and balconies.
- i. Architectural features that enhance the facade or building form, such as decorative moldings, windows, shutters, dormers, chimneys, balconies and railings, are encouraged.
- j. Building color and materials shall have a complimentary palate that is consistent with the general theme of the development.

[3] The relationship between the width and height of the front elevations of adjacent buildings shall be considered in the design details of a building.

- [4] Cornices, awnings, canopies and other ornamental features are encouraged as a means to enhance the visual environment. Such features may be permitted to project over pedestrian sidewalks, as regulated herein.
- [5] Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.

(c) Building Landmarks

Corners of buildings, locations of visual termination such as clock towers or and other significant focal points serve as landmarks creating definition and interest which enhance the pedestrian environment and are critical to creating a positive sense of place. These areas should be designed with additional height and/or embellishment which may include façade treatments, glazing, balconies, awnings, roof articulation, living walls, clock tower and civic art, among other effective features.

(d) Parking Structures

- [1] Parking structures shall be screened with principal building use structures or shall be screened by architectural treatments as provided on adjacent principal buildings to sufficiently disguise the structure.
- [2] Architectural treatments shall include such features as; compatible façade materials, building openings or window arrangement and detailing, gratings artistic panels and green wall treatments to disguise or screen the of the parking or structure. Such features shall not represent a sign as defined in 430-279.
- [3] Parking structure entrances shall be accentuated by the architectural detailing and to provide visual identification to safeguard pedestrian movement and crosswalks where appropriate.
- [4] Provisions for a living wall system and/or decorative lighting is permitted to maximize the visual quality from residential units facing and adjacent public roadways to the parking structure as well as elevations facing the surrounding community.
- [5] Ramps to such a garage structure shall be internal to the structure or screened.

(e) Green Building Features

The implementation of green building features is encouraged throughout the site where applicable to promote environmental stewardship. Such features should be considered at the beginning of the planning and design phase to ensure proper integration and combination of features. The list of green building strategies below is

intended to highlight some key strategies which have been identified as consistent with the plan for the site and is not a comprehensive list of all the features which may be considered by the prospective developer. Green building features not listed herein shall be reviewed for consideration by the Township.

Green building strategies acknowledged by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) and Rutgers Center for Green Building's New Jersey Green Building Manual are encouraged.

- [1] Green Roof and Terraces. Roof top terraces and vegetated "green" roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum building height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to the roof surface.

Green roofs are encouraged on all upper flat roofs for communal use and terraces for individual tenant use. Green roofs provide the benefits of reduced cooling costs, increased insulation, runoff mitigation, reduced impact of heat island effect and enhancement of quality of life. Facilities for rainwater collection and drip irrigation are recommended.

- [2] Solar Collectors. Solar collection systems for the generation of electricity and/or hot water are encouraged. Such systems shall be permitted on all upper roofs of buildings and parking structures and must be consistent with the architectural character and design of the site and buildings.

(2) Open Space Design Standards. Shared Outdoor Public Area Design Standards are as follows.

- (a) The proposed tract development shall contain a Shared Outdoor Public Area focal point and space for the use of residents of the development. The purpose of this area is to provide for pedestrian-oriented space or spaces that are pedestrian friendly, comfortable, and usable and provide aesthetic value to the project's site design.
- (b) Such a plaza space may include among other features decorative walkways, sitting areas, thematic lighting, water features and performance areas. The plaza shall include a solar orientation with features to promote microclimatic benefits of shade and sun areas. Proposed buildings can be placed around the Shared Outdoor Public Area but shall complement the design intentions of the area.

(c) The pedestrian plaza shall be treated as a permanent open space for passive pedestrian activity.

(d) The Shared Outdoor Public Area shall be furnished with seating in the form of benches, planters of appropriate height, café tables and chairs and/or similar sculptural features. In addition, decorative trash and recycling containers shall be placed at regular intervals to discourage littering. All streetscape furniture and features shall be subject to approval by the Township's reviewing entity.

(3) General landscape design and planting requirements.

(a) Landscaping shall be provided as an integrated element of the site plan and subdivision design. It shall be conceived as a total integrated plan for the entire site, integrating the various elements of the site design, preserving the particular identity of the site and creating an aesthetically appropriate site character as determined by the Board in accordance with the standards noted herein.

(b) Design of buffers. The following are parameters for buffer designs:

[1] Buffers shall provide a mixture of evergreen and deciduous planting to provide a year-round visual buffer in order to minimize adverse impacts from the tract on adjacent properties or from adjacent areas. Buffers to the extent practical shall provide a year-round visual screen. Buffers are encouraged where possible to consist of existing natural vegetation to the greatest extent practical. It may consist of fences, planting, berms, mounds, decorative walls or combinations thereof to achieve the stated objectives as approved by the Board.

[2] Where required, buffers shall be measured from property lines and street rights-of-way. Compliance shall be determined by the Board, and any approvals required pursuant to this section shall be obtained at the time of site plan and subdivision review.

[3] Within any buffer areas, sidewalks, underground linear utilities and site access drives shall only be permitted to cross said buffers, provided their placement is designed to minimize land disturbance within the buffer. Proposed above or below-ground storm water detention systems are not permitted within required buffer areas. Existing stormwater basins are permitted to continue or be expanded to accommodate the development related to the settlement agreement for the property. Access drives shall

cross buffer areas at a right angle or as close to a right angle as is practical to minimize land disturbance.

- [4] Buffer areas shall be maintained and kept clean of all debris, rubbish, weeds and tall grass. Any screen planting shall be maintained permanently, and any plant material that does not live shall be replaced within one (1) year or one (1) growing season, provided all landscape plans as approved shall be continually complied with.
 - [5] Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material. Potential arrangements include planting in parallel, serpentine or broken rows.
 - [6] If planted berms are used, the maximum side slope shall be 2:1.
 - [7] Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material.
 - [8] Existing vegetation within the perimeter buffer shall be preserved, as determined appropriate and to the extent practical. It shall be supplemented with shade-tolerant naturalistic massed plantings where necessary to complete screening where deemed appropriate.
 - [9] Plant materials shall be sufficiently large and planted in such a fashion to screen parking, refuse and loading areas.
 - [10] Such strips shall be planted with evergreens and deciduous plant material as deemed appropriate by the reviewing Board.
 - [11] Within the perimeter buffer, no buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted.
 - [12] All proposed deciduous trees in a perimeter buffer shall be of a two-and-one-half- to three-inch caliper, measured six inches from grade.
- (c) Existing vegetation within a buffer shall be preserved, as determined appropriate and to the extent practical. It shall be supplemented with shade-tolerant naturalistic massed plantings where necessary to complete screening of adjoining land uses.

- (d) The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides and reduced irrigation.
- (e) Landscaping shall include plant materials such as trees, shrubs, ground cover, perennials, annuals and other materials such as rocks, water, berms, walls, fences and paving materials.
- (f) Landscaping shall be provided in public areas, adjacent to buildings, in parking areas, and around the perimeter of sites.
- (g) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking and loading areas, mitigate adverse visual impacts and provide windbreaks for winter winds and provide summer cooling for buildings.
- (h) The impact of any proposed landscaping plan at various time intervals shall be considered.
- (i) Planting and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc., shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
- (j) Slope plantings. Landscaping areas of cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than one foot vertically to three feet horizontally shall be planted with ground covers appropriate for the purpose and soil conditions, water availability and environment.
- (k) Sight triangles. Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- (l) In cases where natural features existing on site duplicate the planting requirements of this section, the landscape requirements may be waived by the Board.

(m) All plant materials, planting practices and specifications shall be in accordance with the "American Standards for Nursery Stock" by the latest available American Association of Nurserymen Standards.

(n) The design standards are minimum requirements. The Board may request additional development features exceeding these standards if conditions warrant.

(o) Landscape Plan Content.

(a) A landscape plan prepared by a Licensed Landscape Architect, licensed by the New Jersey State Board of Landscape Architects, or other qualified individual, shall be submitted with each application.

(b) In addition to the site plan or subdivision submission requirements, the landscape plan shall include and identify the following information:

[1] Existing and proposed underground and aboveground utilities such as site lighting, transformers, hydrants, manholes, valve boxes, etc. to determine if there are conflicts with these features.

[2] Existing wooded areas, rock outcroppings and existing and proposed water bodies.

[3] Location of individual existing trees noted for preservation within the area of development and 10 feet beyond the limit of the disturbance. Trees four inches in diameter (measured 4 1/2 feet above the existing ground level) shall be located and identified by name and diameter unless the wooded area is shown with a specific limit line.

[4] Indicate all existing vegetation to be saved or removed.

[5] Existing and proposed topography and location of all landscaped berms.

[6] Location, species and sizes of all proposed shade trees, ornamental trees, evergreen trees and shrubs and areas for turf or any other ground cover. The size of the symbol must be representative of the size of the plant shown to scale.

[7] A plant schedule indicating botanical name, common name, size at time of planting (caliper, height and spread), quantity, root condition and any special remarks (spacing, substitutions, etc.) for all plant material

proposed. Plants within the plant schedule shall be keyed to the landscape plan.

[8] Planting and construction details and specifications.

[9] Landscape water conservation irrigation measures. The plan should include the identification of the proposed landscape irrigation measures for the proposed landscaping. It should consider provisions for water conservation including, but not limited to, timers with rain or soil moisture sensors, drip irrigation for planting beds and areas of phased irrigation areas for initial plant establishment that can be zoned off following plant establishment.

E. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. 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 entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is

directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.