

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE #2024-28

**AMENDING THE STANDARDS OF THE C-2 (PROFESSIONAL OFFICE
AND BUSINESS ZONE DISTRICT) BY ESTABLISHING ASSISTED LIVING
FACILITIES AS A CONDITIONAL USE AND COWORKING SPACE AS A
PERMITTED USE**

WHEREAS the Township of Verona Planning Board adopted a new Master Plan on September 29, 2022; and

WHEREAS the Master Plan documents the aging population of Verona and specifically notes that as per the 2019 American Community Survey 5-year estimate, the percentage of the Township's population over the age of 65 was 19.5%, which is significantly higher than the New Jersey's percentage of the population over the age of 65 which was 15.9%; and

WHEREAS, this trend is reflective of national trends, as the U.S. Census Bureau projects that by 2030, one in five Americans will be 65 years or older and by 2035, the number of adults over the age of 65 will outnumber the number of children under the age of 18; and

WHEREAS the Master Plan notes that these demographic trends make it important for Verona to plan for ways to further accommodate the growing senior population; and

WHEREAS, assisted living facilities represent one such way to accommodate the growing senior population; and

WHEREAS the Master Plan notes that despite recent drops in demand, assisted living facilities are likely to continue its long-term upward trend largely due to the increasing age of the general population; and

WHEREAS, given this aging population, the Master Plan recommends the Township consider allowing this use in appropriate locations in the Township; and

WHEREAS, by proactively planning for this use, the Township can create bulk standards that allow for assisted living facilities to be located on sites that are large enough to support the use; and

WHEREAS the Master Plan notes that in addition to adopting a definition of coworking space the Township may want to consider permitting coworking spaces in the C-2 Zone District.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Verona, County of Essex, State of New Jersey as follows:

(Added text is **emboldened**, and text being eliminated is shown in *strikethrough italics*.)

SECTION 1.

Chapter 150, "Zoning," Article II, "Definitions and Word Usage," Section 150-2.3, "Definitions," of the General Legislation of the Township of Verona is hereby amended by supplementing the definition of "Assisted Living Residence" and adding a definition of "Coworking Space."

§ 150-2.3 Definitions

ASSISTED LIVING RESIDENCE

A facility which is licensed by the Department of Health **and Senior Services**, in accordance with N.J.A.C. 8:36, to provide **apartment-style** housing and congregate dining and to assure that assisted living services are available when needed, ~~for~~ **for** four or more

adult persons unrelated to the proprietor. Apartment units offer, at a minimum, one furnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

COWORKING SPACE

A building or portion thereof consisting of a shared office environment, which contains desks or other workspaces and facilities, including but not limited to, dedicated workstations, office suites, meeting rooms, event space, resource libraries, and business or administrative support services, and is used by a recognized membership who share the site to interact and collaborate with each other as part of a community. Rules for membership and participation in the coworking space are explicit, transparent, and available to the public. Coworking spaces may host classes or networking events which are open either to the public or to current and prospective members.

SECTION 2.

Chapter 150, "Zoning," Article XVII, "Schedule of District Regulations," Section 150-17.11, "C-2 (Professional Office and Business) Zone District," is hereby amended as follows.

§ 150-17.11 C-2 (Professional Office and Business) Zone District.

- A. Principal permitted uses. No building or premises shall be erected, altered, or used except for uses designated for each district as follows:
 - (1) Commercial and professional offices.
 - (2) Commercial schools offering instruction in dance, music, fine art and similar pursuits.
 - (3) Family day-care centers.
 - (4) Coworking space.

- B. Permitted accessory uses. Any of the following accessory uses may be permitted in conjunction with a permitted principal use:
 - (1) Accessory uses customarily incidental to the principal or conditional use.
 - (2) The following accessory uses shall be permitted in an assisted living residence:
 - [a] Congregate dining facilities and food preparation areas.
 - [b] Administrative offices related only directly to the administration of the assisted living facility.
 - [c] Facilities for health care and services such as nursing stations, physician's offices, examination rooms, and visitor accommodations, not exceeding five percent of the gross floor area.
 - [d] Facilities or rooms for physical therapy.
 - [e] Facilities or rooms for exercise or entertainment
 - [f] Facilities for storage or maintenance
 - [g] Chapel(s)
 - [h] Housekeeping and laundering services
 - [i] Personal grooming center for the benefit of residents only
 - [j] Indoor and outdoor recreation areas.
 - (3) All supportive services and accessory uses shall be for the sole use and benefit of all the resident users and their guests, and staff working at or assigned to the facility.

C. Conditional uses. The following conditional uses are permitted within the district subject to area, yard and bulk regulations and other controls identified in the conditional use regulations of this chapter.

- (1) Mixed residential and professional office uses (nonmedical) subject to the mixed-use standards set forth in § 150-8.3.
- (2) Mixed residential and commercial office uses (nonmedical) subject to the mixed-use standards set forth in § 150-8.3.
- (3) Mixed professional (nonmedical) and commercial office uses (nonmedical) subject to the mixed-use standards set forth in § 150-8.3.
- (4) Assisted living facilities subject to the assisted living facility standards set forth in §150-8.12.

D. Area, yard and bulk regulations.

- (1) Minimum lot size: 15,000 square feet.
- (2) Minimum lot width: 100 feet.
- (3) Minimum front yard setback: 20 feet.
- (4) Minimum side yard setback (one): 15 feet.
- (5) Minimum side yard setbacks (both): 35 feet.
- (6) Minimum side yard setbacks (both) percentage of lot width: N/A.
- (7) Minimum rear yard setback: 50 feet.
- (8) Maximum height for principal building (stories/feet): 2.5/35.
- (9) Maximum height for accessory structures: 15 feet.
- (10) Maximum lot coverage: 30%.
- (11) Maximum improved lot coverage: 65%.
- (12) Maximum floor area ratio: 50%.
- (13) Minimum landscaped buffer along residential zone: 15 feet.

SECTION 3. Chapter 150, "Zoning," Article VIII, "Regulations Governing Certain Conditional Uses," is hereby amended as follows.

§ 150-8.12 Assisted Living Facilities

- A. License required. No person shall operate any establishment or utilize any premises in the Township as or for an assisted living facility unless and until the assisted living facility has received or will be eligible to receive a license from the State of New Jersey, Department of Health and Senior Services, pursuant to the provisions of applicable state statutes and regulations.
- B. Maximum number of beds/units. The maximum number of assisted living units in an assisted living residence shall not exceed 30 assisted living beds per acre.
- C. Area, yard, and bulk regulations for assisted living facilities. In lieu of the area, yard and bulk regulations established in §150-17.11D. for the C-2 District, with the exception of

maximum lot coverage and maximum improved lot coverage, the following area, yard and bulk regulations shall apply to assisted living facilities.

- (1) Minimum lot size: 4.5 acres.
- (2) Minimum lot frontage and width: 45 feet.
- (3) Minimum front yard setback: 45 feet.
- (4) Minimum side yard setback: 20 feet for side yards adjacent to nonresidential uses and 30 feet for side yards adjacent to residential uses or residential zones.
- (5) Minimum rear yard setback: 50 feet.
- (6) Minimum landscaped buffer along residential uses and zones: 30 feet, except entrance driveways necessary for site access shall maintain a minimum landscape buffer of ten feet.
- (7) Minimum 20 feet landscaped buffer along the rear property line.
- (8) Maximum height for principal building (stories/feet): 3 stories / 40 ft.
- (9) Affordable housing requirements. A minimum of 15 percent of all bedrooms shall be set aside for very-low, low-, and moderate-income households in accordance with the pertinent affordable housing statutes, regulations, and shall follow the applicable standards set forth within the Uniform Housing Affordability Controls (UHAC) pursuant to N.J.A.C. 5:80-26.3-1 et. seq. The set-aside shall be reflected and documented in a deed restriction.
- (10) Minimum parking requirements. Sufficient parking shall be provided on the site to accommodate the maximum number of employees during the peak shift period plus 0.5 parking spaces per unit.
- (11) Any deviation from the maximum lot coverage and/or maximum improved lot coverage shall be requested pursuant to N.J.S.A. 40:55D-70(c).

D. Assisted living facilities in the C-2 Zone shall be located on properties with lot frontage on Grove Avenue, Commerce Court, or Pompton Avenue.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF JULY 26, 2024 AND XXX, 2024.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

INTRODUCTION: July 22, 2024
PUBLIC HEARING: August 5, 2024
EFFECTIVE DATE: