

TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2026-07

**AMENDING AND SUPPLEMENTING THE STANDARDS OF THE TOWN  
CENTER MIXED-USE ("TCMU") ZONE DISTRICT IN CHAPTER 150  
"ZONING" OF THE CODE OF THE TOWNSHIP VERONA**

**WHEREAS**, the Township of Verona has the authority to regulate land uses within its municipal boundaries under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. seq.;

**WHEREAS**, in June 2025, the Township of Verona adopted a Housing Element and Fair Share Plan, including a Master Plan Housing Element and Fair Share Plan to address the Township's Third Round Affordable Housing Obligations; and

**WHEREAS**, in June 2025, the Township filed a declaratory judgment action, captioned *In re Application of Township of Verona*, No. ESX-L-594-25, seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

**WHEREAS**, challenges to the Township's Fourth Round HEFSP were timely filed by interested parties: Fair Share Housing Center, DMH2 LLC, A&R Skyline Properties LLC, and JMF Properties LLC; and

**WHEREAS**, the Fair Share Housing Center ("FSHC") and the parties listed above agreed to settle on certain positions regarding the Fair Share Plan such that each party agreed the Fair Share plan satisfies Verona's "fair share" of the regional need for low- and moderate-income housing subject to certain amendments to the Fair Share Plan and;

**WHEREAS**, Verona had previously enacted the zoning for the TCMU district, which it is now desires to amend to further the purposes of the Fair Share Plan and as per the Settlement Agreement; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Verona, in the State of New Jersey, that the code of the Township of Verona be and is hereby amended and supplemented to read as follows:

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

**SECTION 1.**

Chapter 150, "Zoning," Article XVII, "Schedule of District Regulations," Section 150-17.14A, "TC MU (Town Center-Mixed Use) Zone," of the General Legislation of the Township of Verona is hereby amended by supplementing and deleting the following definitions.

The following are the specifications applicable to the TC MU Zone.

A. Principal permitted uses.

No building or premises shall be erected, altered or used except for uses designated for each property within the TC MU district as follows:

- (1) Retail stores and retail service establishments, including stores or shops or retail business.
- (2) Cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, confectionery and nut stores, retail bakeries.
- (3) Banks and other financial institutions, but not including drive-in uses.
- (4) Theatrical and motion picture theaters.
- (5) Family day-care centers.
- (6) Personal service establishments.
- (7) Residences. Residential housing units, including a required set-aside for affordable housing units.

B. Permitted accessory uses.

Any of the following accessory uses are permitted in conjunction with a permitted principal use:

- (1) Accessory uses customarily incidental to the principal or conditional use.
- (2) Outdoor restaurant seating in accordance with § 150-7.23, provided also that a minimum of six feet is maintained on the sidewalk for pedestrian movement between the edge of any approved outdoor dining area and the curb face.
- (3) Sidewalk cafes in accordance with § 150-7.22, provided also that a minimum of six feet is maintained on the sidewalk for pedestrian movement between the edge of any approved sidewalk cafe and the curb face.
- (4) Parking lots, including structured parking garages.
- (5) Amenity space(s) serving residences such as a fitness area, lobby, mailroom, meeting space for residences (not open to the general public), coffee service area, and the like as may be approved by the Verona Planning Board.
- (6) Internal roadways, parking areas, loading/unloading zones, courtyards and sidewalks.

C. Development standards.

- (1) Any property having any portion of a building bounded by Bloomfield Avenue shall be considered to front on Bloomfield Avenue.
- (2) All nonresidential uses shall be conducted entirely within the confines of the first floor of a building having frontage along Bloomfield Avenue with a maximum building footprint depth of 100 feet as measured from the building along Bloomfield Avenue to the rear (or back), including any setback from the street, of the retail or other nonresidential establishment including those identified as permitted uses.
- (3) Residential buildings and parking areas may be built on any area exceeding the 100-foot limitation as well as on any area of a property fronting Bloomfield Avenue where there is a permitted nonresidential use having a building depth of 50 feet as measured from the building along Bloomfield Avenue to the rear (or back), including any set back from the street.
- (4) Cafeterias, full-service restaurants, snack and nonalcoholic beverage bars, confectionery and nut stores and retail bakeries shall have a maximum seating capacity of 100 patrons and shall only be permitted on lots having frontage on Bloomfield Avenue.
- (5) Residential units, including the required affordable units, shall be situated on the second and third stories of the properties fronting Bloomfield Avenue which shall have nonresidential uses on the first 50 feet of the ground floor as measured from the building along Bloomfield Avenue to the rear (or back), including any setback from the street, subject to the limitations in Subsection C(6) hereof.
- (6) Residences, including the affordable units, shall be a principal permitted use on the ground floor (or first floor) as well as the second and third stories of the properties fronting on the side streets of Montrose Avenue and South Prospect Street. Notwithstanding the foregoing provisions, including the requirements of Subsection C(7) hereof, when a building fronting on Bloomfield Avenue has a depth of a minimum of 50 feet and contains nonresidential uses, then the residences may be built on the ground floor 50 feet or further upon the property to the south of Bloomfield Avenue.
- (7) Four pedestrian entrances to all of the residences in the TC MU Zone, of not greater than 12 feet in width, as measured from the inside of the door frame of each side of the door, may be provided along Bloomfield Avenue. All other pedestrian entrances shall be provided from the rear (or side) of any property located in the TC MU Zone or from an entrance from Montrose Avenue or South Prospect Street. The provisions of Subsection F, Affordable housing multifamily residential specifications, of this section shall also be complied with.
- (8) Parking lots, including structured parking garages, shall not exceed 28 feet in height, excluding a parapet wall not greater than six feet in height. Any parking structure shall contain a twenty-two-foot-wide cartway, inclusive of ground floor visitor parking areas, unless the Township Engineer approves deviation. No parking lot or structure shall front on Bloomfield Avenue.
- (9) The internal drives shall contain a twenty-two-foot-wide cartway, unless the Township Engineer approves a deviation.
- (10) There shall be a minimum of 100 feet between any two driveway curb openings on Bloomfield Avenue.

- (11) Primary materials for the exterior of buildings shall be brick, wood, HardiePlank<sup>®</sup> panels or similar fiber cement siding, stone, precast and cast stone and manufactured stone, and glass.
- (12) All entrances to any building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- (13) An appropriate roof pitch and roofline architectural treatment is required. If a flat roof is designed (or proposed), then the architectural treatment must be aesthetically pleasing so the building does not look like a monolithic structure.
- (14) The affordable residential units are required to be integrated with the market rate units.
- (15) Section 150-21.3 pertaining to residential fees shall not be applicable to the TC MU Zone.

D. Area, yard, bulk and parking regulations.

Note: All setbacks shall be measured from a structural (also known as a dominant) building wall(s). The appropriate dimension for building setbacks between structural building walls (defined as full or complete walls and excluding knee or hip walls and architectural walls or elements designed to add a wall feature and not be a load-bearing wall) and part of any building or property boundary shall be determined by the applicant's planner or architect at the time of site plan review based on the geometry of the site.

1.	Minimum lot size (square feet)	5,000
2.	Minimum lot width (feet)	50
3.	Minimum front yard setback (feet)	2
4.	Maximum front yard setback (feet)	30
5.	Minimum side yard setback-one (feet)	0
6.	Minimum side yard setbacks-both (feet)	0
7.	Minimum side yard setbacks-both (percentage of lot width)	N/A
8.	Minimum rear yard setback (feet) (this shall exclusively mean and is defined as the boundary with the houses of worship located at Block 1807, Lots 1 and 13)	18
9.	Maximum height for principal building (stories/feet)	3/50
10.	Maximum height for accessory structures other than parking structures (feet)	15
11.	Maximum building coverage, first floor building area as a percent of land area (percent)	80
12.	Maximum improved and landscaped lot coverage, defined as first floor building area plus impervious coverage, plus landscaped buffer area as a percent of land area (percent)	95
13.	Minimum landscaped buffer along a residential zone (feet) boundary, or along the boundary with any house of worship	15
14.	Parking provisions: <ol style="list-style-type: none"> <li>i. Notwithstanding § 150-12.6B, pertaining to RSIS parking standards, which shall not apply to the TC MU Zone, any residential development(s) in the TC MU Zone shall provide a minimum of 1.5 vehicle parking spaces per residential unit.</li> <li>ii. A minimum of 90% of such parking spaces shall be provided on-site, and the remaining 10% of required parking spaces may be provided through a long-term lease (or parking lot rental agreement), with a minimum term of 10 years, of off-street parking spaces no further than 1,000 feet from the development.               <ul style="list-style-type: none"> <li>• All required or designated resident parking shall be provided within the boundaries of the TC MU Overlay Zone.</li> </ul> </li> </ol>	N/A

	<p>Off-site parking satisfied outside of the TC MU Zone shall be limited to required or dedicated spaces for ground-floor commercial uses and shall be reserved for employees or customers of those commercial uses.</p> <ul style="list-style-type: none"> <li>• Off-site parking spaces shall only qualify for off-site parking agreements/ leases if located in public or commercial parking lots/ facilities or private parking lots/facilities which are accessory to existing nonresidential uses where the number of parking spaces exceeds the required amount for those existing nonresidential uses.</li> <li>• Such parking agreement or lease shall be in writing at the time a site plan application is submitted to the Verona Planning Board.</li> <li>• No private parking lot/ facility serving an existing use shall receive off-site parking spaces from the TCMU Zone if such an arrangement would cause or exacerbate a shortfall in the required number of parking spaces for that existing use.</li> </ul> <p>iii. A minimum of 5% of all on-site parking spaces shall be exclusively reserved and identified for electrically charged vehicles. The parking space(s) shall be equipped with electric charging devices (or apparatus). In addition, if the State of New Jersey should require that a greater number of electrically charged vehicle spaces be required than is required herein, then that requirement shall be applicable to any site plan application to be filed under the provisions of this chapter.</p>	
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E. Conditional uses.

The following conditional uses which are permitted within the Town Center Zone as identified in the conditional use regulations of the Township's zoning ordinance shall not apply to the TC MU Zone, except where specified in Subsection B hereof.

- (1) Mixed retail and residential uses.
- (2) Mixed retail and commercial (nonmedical) with residential uses.
- (3) Mixed retail and professional office (nonmedical) with residential uses.

F. Affordable housing multifamily residential specifications.

The TC MU Zone shall supersede the preexisting TC Zone applicable to the properties at Block 1807, Lots 2 through 12 and Lot 14 when an application for site plan approval is filed for any multifamily residential development having greater than two residential units.

- (1) Any residential development shall set aside **20%** ~~15%~~ of **the total number of proposed rental or for sale units**, ~~when the units are rented,~~ for affordable housing ~~and 20% of the units for affordable housing when the residential units are for sale.~~
- (2) The intent of the TC MU Zone is to permit the development of an inclusionary multifamily residential development in which a certain proportion of the dwelling units are set aside for occupancy by low- and moderate-income households satisfying the FHA and Uniform Housing Affordability Controls ("UHAC," N.J.A.C. 5:80-26.1 et seq.).
- (3) The residential multifamily residences situated in the TC MU Zone shall satisfy the following conditions:
- (4) There shall be no more than two bedrooms per residential unit, except three-bedroom units shall be provided as required under UHAC.
- (5) No three-bedroom unit shall have an area less than 900 square feet.
- (6) No more than 70 residential units, or 22 residential units per acre, may be located

in the TC MU.

- (7) The maximum living space, meaning finished floor area in any unit, shall not exceed 1,200 square feet unless UHAC, or other affordable housing rule or regulation, requires a larger unit size, which said applicable larger unit size shall only be applicable to the affordable units.

**SECTION 1. Repealer**

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 2. Severability**

If any section, subsection, or provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions.

**SECTION 3. Effective Date**

This Ordinance shall take effect upon final adoption and publication as provided by law.

ATTEST:

JENNIFER KIERNAN  
MUNICIPAL CLERK

**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 XXX AND XXX.**

**JENNIFER KIERNAN, CMC  
MUNICIPAL CLERK**

INTRODUCTION: February 23, 2026 – *Referred to Planning Board for consistency review*  
PUBLIC HEARING:  
EFFECTIVE DATE: