

7.

**TC: Town Center**

DISTRICT



TC: TOWN  
CENTER

**A. District Intent**

The Town Center is the heart of Morristown and provides for the highest development intensity. Pedestrian activity is greatest in the core, and design should be most oriented to walkability. A thorough mix of residential, office and retail uses will promote a vibrant downtown and allow families to live comfortably without access to a car.

**B. District Identity**

The Town Center Zone consists of mixed use buildings typically ranging from two to four stories with a shallow setback from the public right of way. Buildings increase in height up to 5 stories in the Village Green and Train Station Overlays and up to 14 stories in the Headquarters Plaza Overlay.

**C. District Overlays**

- i. **Transit Overlay District (TOD):** The TOD directs development around the train station

and is intended to create a stronger pedestrian connection between the train station and the Morristown Green. The overlay allows additional height in an area suitable to higher intensity uses, given its proximity of the train station. A comfortable and welcoming pedestrian environment throughout the overlay is a priority.

- ii. **Morristown Green Overlay District (MG):** The Morristown Green Overlay allows for greater height and bulk in the traditional downtown center of Morristown, which honors the character of existing development in this neighborhood. Buildings in the Overlay district range from four to five stories and have minimal setbacks.
- iii. **Headquarters Plaza Overlay District (HQP):** The Headquarters Plaza Overlay accommodates greater building height at Headquarters Plaza, reflecting current development patterns. Office and hotel uses above ground-floor retail uses are recommended in this location.

**D. Permitted + Conditional Uses**

i	USE TYPE	TC	TOD	MG	HQP
a.	3-4 Family	P	P	P	NP
b.	5 + Family	P	P	P	NP
c.	Art Gallery	P	P	P	P
d.	Artisan Workshop	C	NP	NP	NP
e.	Childcare Center	P	P	P	P
f.	Funeral Home	C	NP	NP	NP
g.	Live / Work	C	C	C	C
h.	Convenience Store	P	P	P	P
i.	Market	P	P	P	P
j.	Supermarket	C	C	C	C
k.	Hotel	C	C	C	C
l.	Theatre	C	C	C	C
m.	Gaming	C	C	C	C
n.	Media Production	P	P	P	P
o.	Offices, General and Professional	P	P	P	P
p.	Offices, Medical	P	P	P	P
q.	Coworking Facilities	P	P	P	P
r.	Parking	C	C	C	C
s.	Services, Business or Personal	P	P	P	P
t.	Restaurant (carry out/fast food)	C	C	C	C
u.	Restaurant (coffee shop/cafe)	P	P	P	P
v.	Restaurant (full service/sit down)	P	P	P	P
w.	Restaurant (liquor licensed)	C	C	C	C
x.	Bar/Nightclub	C	C	C	C
y.	Breweries/Brewpubs	C	C	C	C
z.	Retail	P	P	P	P
aa.	Club / Lodge / Fraternal Organization	P	P	P	P
ab.	Community Center	P	P	P	P
ac.	Gov / Utility Offices	P	P	P	P
ad.	House of Worship	C	C	C	C
ae.	Park / Playground	P	P	P	P
af.	School	C	C	C	C
ag.	Outdoor dining	C	C	C	C
ah.	Wireless Communication Antennas	C	C	C	C

P: Permitted, NP: Not Permitted, C: Conditional

**ii. ACCESSORY USES**

- a. Car Share
- b. Storage associated with principal uses

**iii. DENSITY**

	TC	Overlays
a. Max. Units per Acre	30* units/acre	50 units/acre

\* Density Exclusions: Building floor area in existence before the adoption of this code on parcels with less than 10,000 SF of land area are exempt from density regulations.

Small Infill Bonus: properties with less than one acre of land area are permitted an additional 10 units/acre.

Very Small Infill Bonus: properties with less than 10,000 SF of land area are permitted an additional 10 units/acre, in addition to the Small Infill Bonus.

**iv. FLOOR AREA RATIO (GROSS)**

	Permitted FAR*
a. TC Overlay	2.5
b. TOD Overlay	4.0
c. MG Overlay	4.0
d. HQP Overlay	2.0

\* Buildings that conform to Lot Regulations and Building Regulations of a permitted building type in Section 30-3 are excluded from FAR. Nonconformities with these standards arising from existing lot or building characteristics shall not require compliance with FAR standards.

**E. Permitted Building Types**

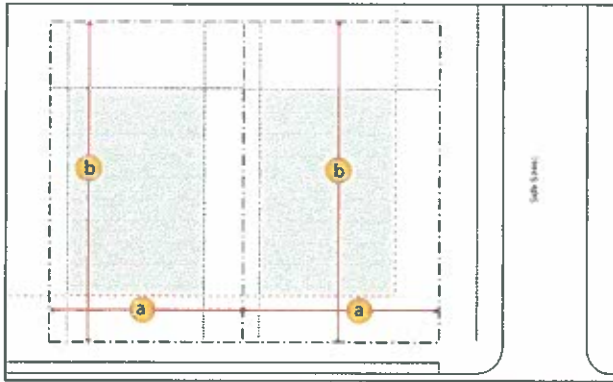
i.	BUILDING TYPE	TC	TOD	MG	HQP
a.	Estate	C	C	C	NP
b.	Urban Small	P	P	P	P
c.	Townhome	C	C	C	NP
d.	Urban Large	C	C	C	C
e.	Mixed Use Tower / Complex	NP	NP	NP	C

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DISTRICTS

TC: TOWN  
CORE

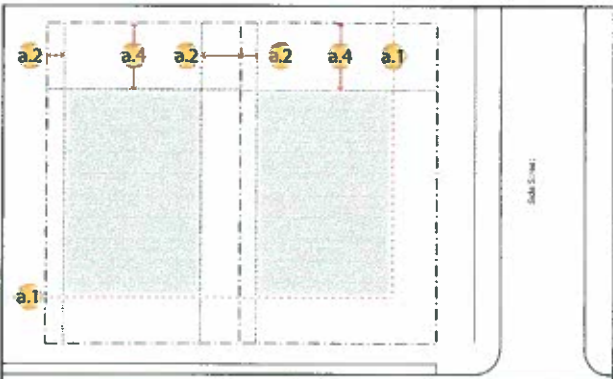
F. Lot Standards



LOT CHARACTERISTICS	
a. Lot Width	-
b. Min. Lot Depth	100 FT
c. Lot Size	-

Note: For building type standards please refer to Sec. 30-3, Building Standards

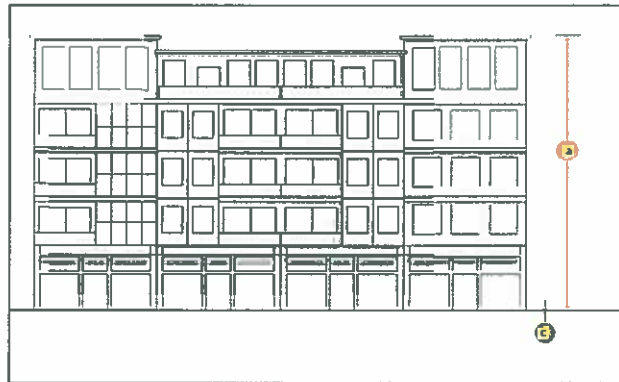
G. Building Placement



TC STANDARDS	Requirement
<b>a. Setbacks</b>	
(1) Build-to-Line	0 FT - 10 FT
(2) Side Yard (One)	Refer to specific building types
(3) Side Yard (Both)	
(4) Rear Yard	
<b>b. Coverage</b>	
(1) Building Coverage	Refer to specific building types
(2) Improved Coverage	

Note: For building type standards please refer to Sec. 30-3, Building Standards

H. Building Form



BUILDING HEIGHT	Min	Max
a. Principal Structure		4 ST / 48* FT
TOD Overlay		5 ST / 60* FT
MG Overlay		5 ST / 60* FT
HQP Overlay		6 ST / 72* FT
b. Accessory Structure(s)		15 FT
c. Finished Ground Floor (Downtown / Main Street)	Grade Level	
d. Finished Ground Floor (Downtown / Main Street Feeder)	Grade Level	24 inches

Note: For building type standards please refer to Sec. 30-3, Building Standards

\*Retail Height Bonus: Active Ground Floor Height Bonus: Where an active ground floor use is proposed, an additional 1 foot of building height is permitted for every foot of ground story floor-to-floor height in excess of 12 feet. Bonus height shall not exceed 5 additional feet.

\*Variable Roof Bonus: An additional 1 foot of building height is permitted for every foot of top story floor-to-floor height in excess of 12 ft. Bonus height shall not exceed 5 additional feet and areas with floor-to floor height above 12ft. shall comprise no more than 20% of floor area on the top story

\*When any TC overlay abuts a residential only district, the permitted height within a 30 foot buffer from any such residential district shall be limited to the 4 stories/ 48 feet.

DISTRICT

TC: TOW  
CORI

**I. Conditional Use Standards**

DISTRICTS

**i. ARTISAN WORKSHOP**

- a. Shall not be permitted on Downtown or Main Street frontage types.

**ii. FUNERAL HOMES**

- a. Funeral Home uses must submit a traffic management plan, particularly detailing the queuing of vehicles in procession from the funeral home to the cemetery as may be the case.

**iii. LIVE/WORK**

- a. Shall not be permitted on Downtown or Main Street street frontages.
- b. The residential portion of the unit shall be directly connected to the work portion of the unit.
- c. The work portion of the unit shall be no less than 30 feet in depth measured from the front of the building.
- d. A visual barrier shall separate the residential portion of the building from the work portion of the building.
- e. The residential portion may only be occupied by the owner, manager, or employee of the work portion of the unit and associated family members.
- f. The work portion of the unit shall be located along the street frontage and shall provide between 60% and 80% transparency.
- g. The residential portion of the unit may not front along the street front on the ground level.
- h. The work portion of the unit shall not exceed 50% of the unit's floor.

**iv. SUPERMARKETS**

- a. The street-facing ground floor shall be occupied by active uses.
- b. Large grocery stores shall have at least, one primary entrance located on the street front.
- c. Any additional floors shall cover no less than 50% of the linear frontage of the building. Uses on additional floors may include cafes, office or other uses accessory to the grocery store use.
- d. A delivery and trash collection management strategy shall be presented to the Board for review and approval.

**v. HOTELS**

- a. Food or alcohol service shall conform to the relevant conditions for Liquor Licensed Restaurant, Bar or Nightclub, or Breweries/Brewpubs.
- b. Off-site parking, if proposed, shall be managed through a valet service.

**vi. THEATERS**

- a. Where active ground floor use is required, no more than 25 feet of frontage may be dedicated to the theater.
- b. Any additional width of the theater shall be fronted either by an active ground floor use or by a public plaza.
- c. Use of public plaza to meet active ground floor use requirements shall incorporate the following standards:
  - (a). Be located along the street frontage requiring active ground floor uses.
  - (b). Be no less than 15 feet deep as measured from the edge of the sidewalk.
  - (c). Provide seating at a rate of one linear foot per 30 square feet of plaza area.
  - (d). Seating shall be no less than 18 inches high and no more than 24 inches high.
  - (e). Plaza area shall be open to and immediately accessible from the sidewalk for no less than 50% of the frontage.

**vii. GAMING**

- a. No cash prizes shall be permitted.
- b. Food or alcohol service shall conform to the relevant conditions for Liquor Licensed Restaurant, Bar or Nightclub, or Breweries/Brewpubs.
- c. Any gaming facility serving alcohol shall not admit individuals under the age of 21.

TC: TOWN  
CORE

viii **PARKING**

- a. all structured parking and newly constructed surface parking shall be screened from the public right-of-way by a liner building. All other parking shall be screened from the public right-of-way through the use of walls, landscaping and other site design treatments.
- b. Parking facilities used to meet parking demand of off-site uses shall operate under an off-site agreement as contained in [Section 30-2.F.4.d.vi](#).
- c. All structured parking facilities used for public parking shall have separate pedestrian doors and a well-lit lobby that conforms to the design requirements of [Section 30-3.D.7.e](#).
- d. All parking facilities used for paid public parking shall incorporate parking occupation sensors to alert drivers to the availability of spaces and shall incorporate payment upon departure systems to minimize the amount of on-street queuing.

DISTRICT.

ix **RESTAURANT, FAST FOOD**

- a. Shall only be permitted in mixed use buildings.
- b. Shall be permitted only in Urban Small, Urban Large, and Mixed Use Tower/Complex building types.

x **RESTAURANT, LIQUOR LICENSED**

- a. Shall conform with conditional use standards for Liquor Licensed Restaurants contained in [30-2.F.2.a](#).

x **NIGHTCLUB/BAR**

- a. Shall conform with conditional use standards for Nightclub and Bar uses contained in [30-2.F.2.b](#).

TC: TOWI  
CORI

xi **BREWERIES + PREWPUBS**

- a. Shall conform with conditional use standards for Brewery and Brewpub uses contained in [30-2.F.2.c](#).

xii **HOUSES OF WORSHIP**

- a. A minimum 50% of all required parking shall be under ownership of the religious organization and shall be within 200 feet of the church.
- b. Houses of worship shall be located along the following frontage types: Downtown Frontage, Main Street Frontage, Downtown Feeder, Main Street Feeder, Office Corridor or Flex Corridor
- c. The application shall be accompanied by the existing or proposed charter, by-laws of the organization and other documentation necessary to show that the organization:
  - (1) Is a registered non-profit religious organization
  - (2) Has been granted an exemption from taxation under the laws of both the State of New Jersey and the United States.
- d. The organization shall not engage in sales of products or materials to the general public, or engage in commercial activity except for the following cases:
  - (1) Rental of premises for meetings of other groups and events.
  - (2) Fundraisers occurring over no more than 4 weekends per year
  - (3) Sale of religious articles, books and items.

xiii **SCHOOLS**

- a. Schools shall be located along the following frontage types: Downtown Frontage, Main Street Frontage, Downtown Feeder, Main Street Feeder Office Corridor, or Flex Corridor

**xiv. OUTDOOR DINING**

- a. Use of outdoor dining facilities shall not be permitted after 11pm nightly.
- b. All tables and chairs within the establishment shall be stationary during open operations. Exceptions for rearranging tables to accommodate larger groups are permitted. A seating plan shall be a component of the site plan approval.

**xv. WIRELESS COMMUNICATION ANTENNAS**

- a. See Section 30-2.F.2.e

**J. Conditional Building Type Standards**

**i. CONDITIONAL BUILDING TYPE STANDARDS**

- a. Conditional buildings must conform with design standards in [Section 30-3A to Section 30-3.E](#).
- b. Townhome buildings not permitted on Downtown, Downtown Feeder and Main Street frontage types.
- c. Estate buildings types are permitted only if such buildings were in existence at the time of this Code's adoption.
- d. Urban small and urban large building types must include ground floor commercial uses.

**ii. MIXED USE TOWER/COMPLEX STANDARDS**

- a. Mixed Use Tower/Complex is only permitted on the east side of Speedwell Avenue.
- b. Building is permitted to exceed heights listed in this section for the HQP Overlay and build to a maximum of 14 stories and 182 feet.
- c. Loading bays shall not be permitted to front on Downtown Frontage Types
- d. Active uses are required on the ground floor.
- e. Windows may not be obstructed through use of glazing, screens, or other visual impediments.
- f. A minimum of 30 per cent of the air rights parcel site area over the multi level parking facility shall be used for publicly accessible open space including, but not limited to, plazas, gardens, walkways, and playgrounds.

**iii. URBAN LARGE**

- a. Urban Large buildings not permitted on Office Residential frontage types.
- b. Urban Large building type in the HQP Overlay is not required to provide a side yard and there is no minimum side yard requirement when a side yard is provided.
- c. Urban Large building type in the HQP Overlay is not required to provide a minimum rear yard.
- d. Urban Large building type in the HQP Overlay is permitted a maximum of 300 feet in building width.
- e. Urban Large building type in the HQP Overlay are not required to conform to the standards established in [Section 30-3.B.13.C.f](#).
- f. Urban Large building type in the HQP Overlay may be permitted a maximum building coverage of 95%.
- g. Urban Large building type in the HQP Overlay may be permitted a maximum lot coverage of 100%.
- h. Urban Large building type in the HQP Overlay shall provide stepbacks as required per [Section 30-3.C](#) and [Section 30-3.D.4](#), except that stepback shall be at 6th story and shall only be required along 50% of street frontage.

DISTRICTS

TC: TOWN  
CORE

IV. STEPBACKS		10 FT Stepback at Height
a.	TC	4th Story
b.	TOD	5th Story
c.	MG	5th Story
d.	HQP	6th Story

K. **Quick Reference**

QUICK REFERENCE	
Parking Standards	<a href="#">Sec. 30-2.F.4.</a>
Prohibited Uses	<a href="#">Sec. 30-2.F.1</a>
Design Standards	<a href="#">Sec. 30-3</a>
Signage Standards	<a href="#">Sec. 30-4.I.</a>
Site Design Standards	<a href="#">Sec. 30-4.A. - 30-4.H.</a>

c. A Resident's Guide

i. Regarding Variances and Conditional Uses:

- (1) The standards in this Ordinance were drafted to protect the general welfare of the Town of Morristown. However, there may be specific instances where the enforcement of this ordinance may result in undue hardship to the property owner or prevent development that advances the general welfare. As a result, the MLUL establishes a process for a property owner to request variance relief and to develop a property in a way not permitted under the ordinance. There are two general types of variance relief that may be granted: bulk and use.
- (2) A bulk variance relates to development that does not conform to dimensional requirements such as lot size, required yards, and lot coverage. These variances are permitted under standards in Section 70(c) of the MLUL. This type of variance relief serves as a catch-all for any variance that does not fit into the definition of a use variance. Bulk variances may be granted by the Planning Board and the Zoning Board.
- (3) A use variance generally relates to the use of a property. There are six types of use variances: non-permitted use, expansion of existing non-permitted use, conditional use, excessive floor area ratio, excessive density and in certain cases, excessive height. Use variances are subjected to higher scrutiny and may only be granted by the Zoning Board of Adjustment.
- (4) Conditional uses are used extensively throughout this ordinance. A conditional use is one which is considered permitted in the district so long as certain conditions are met. Land development applications that meet these conditions may be reviewed by the Planning Board, since the use is considered to be permitted. Land development applications that fail to meet the conditions imposed on the use require a use variance relief from the Zoning Board of Adjustment. Because the use is considered permitted in the zone (subject to conditions), the burden of proof to receive variance relief is less than that required for a use that is not permitted. In requesting variance relief for a conditional use, the key question is whether the use is still appropriate despite failing to comply with the conditions placed on the use.