



**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE #26-13**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO REGULATE CERTAIN USES OF COMMUNITY HOMES FOR PERSONS WITH DISABILITIES**

**WHEREAS**, the Municipal Land Use Law ("MLUL") of the State of New Jersey, N.J.S.A. 40:55D-1 et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings, and structures thereon; and

**WHEREAS**, the Borough of Florham Park ("Borough" or "Florham Park") has reviewed its Zoning Ordinance with regard to the regulation of community residences for people with disabilities; and

**WHEREAS**, the Borough recognizes that the Fair Housing Act, as amended (42 U.S.C. §3601) provides protections for persons with disabilities; and

**WHEREAS**, the Fair Housing Act does not preempt local zoning laws or preclude the adoption, amendment, or enforcement of zoning regulations by the Borough pursuant to its local police powers as long as the zoning regulations are consistent with state and federal law, including the Fair Housing Act as amended; and

**WHEREAS**, zoning regulation of community residences for people with disabilities should seek to achieve legitimate government interests, actually achieve those legitimate government interests, and be the least drastic means of actually achieving those legitimate government interests; and

**WHEREAS**, the clustering of community residences on a block or in a neighborhood undermines the ability of community residences to achieve normalization and community integration for their residents, which is one of the essential purposes of a community residence for people with disabilities; and



**WHEREAS**, the Borough desires to amend the Zoning Ordinance of the Borough of Florham Park to include zoning regulations that achieve those legitimate government interests and provide clarity and certainty to the public and the prospective operators of community residences for people with disabilities on where such community residences may locate as of right and via conditional use permits.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Florham Park, County of Morris, and State of New Jersey as follows:

**SECTION 1.** Section 250-2.2, “Definitions” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park, Morris County, New Jersey, is hereby amended and supplemented by the addition of the following:

*Cooperative sober living residence* means a recovery home that is a rooming or boardinghouse that has been issued a Class "F" License by the New Jersey Department of Community Affairs pursuant to N.J.A.C. 5:27-1.1 et seq.

*Oxford house model recovery home* means a recovery home in which the residents are self-governing, all residents contribute to the maintenance and expenses of the house, the residents determine who can reside in the house, there is no limit to how long an individual can reside in the house, there is no addiction treatment, therapy, or paid staff provided, the house operates as a single housekeeping unit, and the house is not required to be licensed by the New Jersey Department of Community Affairs.

**SECTION 2.** Article VII, PB Professional and Business Zone, of Chapter 250 “Zoning” of the Code of the Borough of Florham Park, Morris County, New Jersey, is hereby amended by the addition of a new Item (4) under Section 250-52.B, entitled “Conditional Uses in these zones (PB-1, PB-2) are as follows:,” which shall read as follows:



- (4) Cooperative Sober Living Residence shall be permitted in the PB-1 and PB-2 Zone, provided that the following conditions are met:
- (a) The owner shall have obtained a Class F license to operate a cooperative sober living residence from the New Jersey Department of Community Affairs pursuant to N.J.A.C. 5:27-1.1 et seq.
  - (b) The minimum distance to any other Cooperative Sober Living Residence or non-Oxford house model recovery home use shall be 200 feet.
  - (c) The bulk standards for single-family dwellings shall be met as set forth under the R-15 Zone.
  - (d) All other rooming houses and boarding houses are prohibited.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 4.** If any article, section, subsection, paragraph, phrase, or sentence of this Ordinance is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase, or sentence shall be deemed separable, and the balance of the Ordinance shall remain in full force and effect.

**SECTION 5.** This Ordinance shall take effect upon final publication as provided by law.

INTRODUCED: April 23, 2026

ADOPTED: May 21, 2026

  
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Mark Taylor, Mayor

Attest:

  
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Danielle M. Lewis, RMC, Municipal Clerk



**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on May 21, 2026.

*Danielle M. Lewis*  
Danielle M. Lewis, RMC, Municipal Clerk