ORDINANCE 2018- 07
FRANKLIN TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO ESTABLISH A NEW MF MULTI-FAMILY HOUSING DISTRICT AND TO SET FORTH THE STANDARDS AND CRITIERA APPLICABLE THERETO

WHEREAS, Franklin Township has a constitutionally-mandated requirement to provide affordable housing; and

WHEREAS, the Township Committee desires to create opportunities for the creation of affordable housing within the Township; and

WHEREAS, the Township Committee has determined that certain lands comprised of approximately ten acres within the C-N Commercial North Zone commonly referred to as Block 5, Lots 2 and 3 are suitable for inclusionary development; and

WHEREAS, the Township wishes to foster development that provides an affordable housing set-aside that is located near shops and services; and

WHEREAS, the location of the site next to commercial uses and preserved open space eliminates any concern for impacts on residential neighbors within the Township; and

WHEREAS, the site is located in close proximity to the Interstate 78 interchange, providing easy access to commuters; and

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Franklin in the County of Hunterdon and the State of New Jersey as follows:

SECTION 1.

Amend Section 220-5 "Definitions and word usage" to add the following new terms:

MULTI-FAMILY HOUSING

A building containing three or more dwelling units, including units that are located over one another. Units may have separate or joint entrances.

TOWNHOME

A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistance walls.

SIGN, GROUND

A sign in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

SIGN, TEMPORARY

A sign or advertising display that is not permanently mounted and is constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time, which is no longer than 6 months. Temporary signs shall not be illuminated.

SECTION 2.

Amend Section 220-6.A "Districts enumerated", to add Multi-family Housing Zone to the list of districts.

SECTION 3.

Amend the Schedule of Zone Requirements, referred to in 220-8 "Schedule of Zone Requirements" as shown by the underlined text in the attached schedule known as 220 Attachment 1:1

See schedule, which is attached to the end of the ordinance.

SECTION 4.

Amend Chapter 220 Land Use, Article III Land Use Regulations, Subsection 10 "Zone District Use Regulations" to add a new subsection F as follows:

F. Multi-family Housing Zone.

(1) Permitted principal uses and structures.

(a) Townhomes.

(b) Multi-family housing.

(2) Permitted accessory uses and structures.

(a) Signs. See Article IX of this chapter.

(b) Off-street parking.

(c) Garages under or incorporated into the building design.

(d) Non-commercial swimming pools, tennis courts and other indoor and outdoor recreation facilities and amenities.

(e) Management and/or leasing office for the development.

(f) Utilities and essential services

(3) Bulk regulations for the MF Multi-family Housing Zone, in addition to those found in the Schedule of Zone Requirements, are as follows:

(a) Building wall front-to-front setback – 60 feet

(b) Building wall side-to-side setback – 30 feet

(c) Building wall rear-to-rear setback – 60 feet

(d) Building wall other configuration – 45 feet

(e) Maximum building length – 180 feet

(f) Maximum number of stories – 3

(g) Maximum density – 8 units per acre

(h) Accessory buildings shall be set back 10 feet from any property line and shall be a maximum of 15 feet in height. Accessory buildings are not permitted in the front yard.

(4) Affordable housing requirements. Within the MF Multi-family Housing Zone all applications for development shall comply with the following:

(a) A minimum of 20% of for-sale units shall be reserved for affordable housing.

(b) A minimum of 15% of rental units shall be reserved for affordable housing.

(c) All required affordable housing units shall be built on site.

(d) If the required number of affordable units results in a fraction of 0.4 or less, the number shall be rounded down. If the required number of affordable units results in a fraction of 0.5 or greater, the Applicant shall either provide the additional affordable unit or pay an in-lieu-payment for the fractional unit. The payment-in-lieu fee in for 2018 is $100,000. The payment-in-lieu shall increase each year by 3%. Therefore, the fee will be $103,000 in 2019, $106,090 in 2020 and so on.

(e) Affordable units shall comply with the Fair Housing Act, the Uniform Housing Affordability Controls, Chapter 176 entitled "Affordable Housing Ordinance" and shall be deed restricted for a minimum of 30 years.

(f) The developer/property owner shall be responsible for retaining a qualified Administrative Agent to manage their affordable housing units.

(5) Refuse and recycling standards. Refuse and recycling shall be located in a centralized area. These areas shall be located for the convenience of the residents of the development. Outdoor refuse areas shall be screened and fully enclosed with a solid enclosure a minimum of 6 feet in height. Alternatively, refuse and recycling may be stored inside of the building.

(6) Landscape standards.

(a) Areas of the property not used for buildings, parking or other impervious surfaces shall be landscaped.

(b) There shall be a minimum 10-foot-wide landscaped buffer around the perimeter of the property (excluding driveways and utilities).

(c) Buffer plantings shall consist of a combination of shade trees, evergreen trees, ornamental trees and shrubs. Existing shade and evergreen trees within the buffer area may be counted in fulfilling the required buffer planting.

(d) Buffer plants shall include, at a minimum, the following:

[1] One shade tree for every 75 linear feet of buffer;

[2] One evergreen tree for every 40 linear feet of buffer;

[3] Ten shrubs for every 50 linear feet of buffer.

(e) Buffer plants shall be the following size at the time of planting:

[1] Shade trees shall be planted at a minimum 3-inch caliper and shall be a minimum of 12 to 14 feet in height, balled and burlapped.

[2] Evergreen trees shall be planted at a minimum height of 7 feet, balled and burlapped.

[3] Shrubs shall be planted at a minimum of 36 inches in height. All shrubs shall be evergreen.

(f) No more than 25% of the plantings shall be of the same species and/or variety of plant.

(7) Design parameters.

(a) Building facades shall consist of brick, stone, cast stone or other high-quality material along all sides.

(b) Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies and recesses shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

(c) The maximum spacing between building wall offsets shall be 35 feet.

(d) The minimum projection or depth of any individual vertical offset shall not be less than 1.5 feet.

(e) The maximum spacing between roof offsets shall be 40 feet.

(f) The architectural treatment of the front façade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent regarding style, materials, colors and details.

(g) Gable and hipped roofs shall be used to the greatest extent possible. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of 6 inches beyond the building wall. Flat roofs are permitted only as part of a green roof or renewable energy system, if all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane.

(h) Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.

(i) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.

(j) Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devise shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

(8) Utility improvements and services.

(a) All utilities shall be underground.

(b) The properties are not currently in the water or sewer service area. Any development permitted under Section 220-10.F. will be conditioned upon the inclusion of the property or properties in the service area and obtaining water and sewer capacity from agencies outside the jurisdiction of Franklin Township. The Township will support any applicant/developer seeking inclusion in the water and/or sewer service area for inclusionary development as permitted under Section 220-10.F.

(c) The applicant/developer shall be responsible for obtaining capacity from agencies outside the jurisdiction of Franklin Township. The Township will support any applicant/developer seeking additional capacity for inclusionary development permitted under Section 220-10.F.

SECTION 5.

Amend Section 220-52 "Off-street parking space requirements", subsection A to add the following <u>underlined text</u>:

Multifamily dwelling	5 for each 2 dwelling units
<u>Multifamily dwellings In the MF Multi-family Housing Zone</u>	<u>Residential Site Improvement Standards</u>
<u>Townhomes</u>	<u>Residential Site Improvement Standards</u>
Farms	As above or 2 for each vehicle used or stored on the premises

SECTION 6.

Amend Section 220-54 "Parking area design standards", to add the following underlined text:

C. General location. No off-street parking or loading area shall be located in a minimum required front yard. All parking shall be located in bays generally perpendicular to driveways or roads. Off-street parking within the MF Multi-family Housing Zone shall be a minimum of 10 feet away from any property line.

SECTION 7.

Amend Section 220-55 "Landscaping and drainage or parking areas", to add a new subsection D as follows:

D. Parking areas in the MF Multi-family Housing Zone shall provide one landscape area for every 20 off-street parking spaces. The landscape area shall be a minimum of 160 square feet. At least half of the landscape areas shall contain a shade tree. The remaining landscape area may contain shrubs. Shade trees shall be a minimum 3-inch caliper and shrubs shall be a minimum 24 inches high at installation.

SECTION 8.

Amend Section 220-56 "Lighting of parking areas", to add the following underlined text:

A. All nonresidential and nonfarm parking areas shall be lighted to provide a minimum of three footcandles at intersections and a total average of illumination of 1 1/2 footcandles throughout the parking area. Such lighting shall be shielded in such a manner as not to create a hazard or nuisance to the adjoining properties or the traveling public.

B. Lighting within the MF Multi-family Housing Zone shall comply with the following standards:

(1) Low-pressure sodium or mercury vapor lighting is prohibited.

(2) Parking lot lighting shall be no more than 20 feet in height.

(3) A minimum of one-half footcandle shall be maintained within the parking lot and over all pedestrian walkways.

SECTION 9.

Create a new Section 220-61.1 "Signs in MF Multi-family Housing Zone", with the following new text:

Signs in the MF Multi-family Housing Zone shall be regulated as follows:

A. Ground sign. One ground sign shall be permitted per parcel, subject to the following limitations:

(1) The maximum sign area shall be 36 square feet, which shall exclude the sign base.

(2) The maximum sign height shall be 6 feet, including the sign base.

(3) The sign shall be set back a minimum of 5 feet from any property line.

(4) A ground sign may be externally illuminated.

B. Temporary signs. Temporary signs shall be permitted identifying the owner, architect, builder, realtor and/or contractor on the premises on which a building is being constructed, altered or repaired, subject to the following limitations:

(1) For each parcel, one temporary construction sign shall be permitted.

(2) Temporary construction signs shall not exceed five square feet in area and four feet in height.

SECTION 10.

WHEREAS, upon adoption of this Ordinance, the Township Planner is directed to amend the official Zoning Map of the Township of Franklin to illustrate the location of the Multi-family Housing Zone.

SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

REPEALER. Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

EFFECTIVE DATE. This Ordinance shall not take effect until approved by the Court.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on March 8, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on March 29, 2018 at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 202 Sidney Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Ursula V. Stryker
Township Clerk

Adopted: 3-29-2018

Craig Repmann, Mayor
Township Committee

Attest:

Ursula V. Stryker

Ursula V. Stryker, RMC
Municipal Clerk

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Schedule of Zone Requirements[1]

[Amended 6-26-1985 by Ord. No. 85-1; 9-14-1995 by Ord. No. 95-12; 12-4-1997 by Ord. No. 97-44; 12-4-1997 by Ord. No. 97-44A; 12-4-1997 by Ord. No. 97-44B; 8-21-2003 by Ord. No. 2003-06; 9-16-2004 by Ord. No. 2004-12[4]; 10-31-2006 by Ord. No. 2006-12; 11-14-2006 by Ord. No. 2006-14]

Zone	Principal Permitted Uses	Minimum Lot Area (acres)	Minimum Lot Width at Right-of-Way (frontage) (feet)	Minimum Lot Width at Front Setback (feet)	Minimum Lot Depth (feet)	Minimum Setback for All Structures (feet)			Maximum Height (feet)	Maximum Impervious Coverage (percent of lot)	Maximum Floor Area Ratio (FAR)	Minimum Parking[2] (spaces)	Acreage Added for Each Bedroom in Excess of Four to the Minimum Zone Acreage Requirements[3]
						Front	Rear	Side (each)					
AR-7.0 Agricultural Residential	See § 220-10A	7	400	400	400	150	50	50	35	10%	N/A	2 per dwelling unit	1.75
RR-5.0 Rural Residential	See § 220-10A	5	350	350	350	150	50	50	35	10%	N/A	2 per dwelling unit	1.25
R-3.0 Residential[4]	See § 220-10B	3	250	250	300	100	50	50	35	10%	N/A	2 per dwelling unit	0.75
NB Neighborhood Business	See § 220-10E	7	275	275	300	100	100	50	35	75%	7.5%	1 per 200 square feet gross floor area	___
C-N Commercial North	See § 220-10C	5	250	250	250	100	25	25	35	60%	5.0%	1 per 200 square feet gross floor area	___
C-S Commercial South	See § 220-10D	7	400	400	400	150	50	50	35	60%	5.0%	1 per 200 square feet gross floor area	___
MF- Multi-Family	See § 220-10F	10	N/A	N/A	N/A	30	30	30	35	0.75	N/A	RSIS	N/A

NOTES

[1] For existing, nonconforming lots, see §§ 220-50 and 220-51 of this chapter. For conditional uses, also see particular zone and conditional use requirements.

NOTES (continued)

[2] See § 220-52 for parking requirements for specific uses.

[3] Preliminary approved and all preexisting lots meeting the schedule of requirements as of date of adoption shall be exempt from this requirement, up to an additional two bedrooms (six total).

[4] Setback requirements for lawfully existing lots of less than seven acres in the R-3.0 Zone are preserved (per Ord. No. 2006-14, adopted 11-14-2006). See § 220-10B.

[5] Flag lots shall provide a front yard setback. The front yard shall commence at the end of the stem and be perpendicular to the stem or in alignment with the front entrance to the dwelling. Lots on a lane shall provide a front yard setback with the front yard setback back immediately adjacent to the lane.

[6] The front yard setback shall be measured from the bordering edge of the road right-of-way.

[7] Side and rear setbacks defined in a new subdivision shall be adjusted to allow a minimum of 150 feet separation from existing structures on adjacent lots.

[8] A new residential structure being constructed in the R-3 Zone which exceeds a total of 3,000 square feet of interior area shall conform with the R-7 setbacks.

[9] Road frontage (as measured at curb) cul-de-sac: 100 feet.