

**TOWNSHIP OF GREENWICH
COUNTY OF WARREN
STATE OF NEW JERSEY**

ORDINANCE #05-2018

MF-1 DISTRICT ZONING ORDINANCE

WHEREAS, the Township of Greenwich entered into a Settlement Agreement with Fair Share Housing Center on September 18, 2017 (hereinafter the “Settlement Agreement”) that determines the municipality’s affordable housing obligation and the preliminary compliance plan for how the obligation will be addressed; and

WHEREAS, the Township’s preliminary compliance plan included in the Settlement Agreement included development of Block 26, Lot 2 with up to 144 affordable family rental housing units; and

WHEREAS, provided that the Township and Fair Share Housing Center Amend the 2017 Settlement Agreement, the Housing Element and Fair Share Plan will be amended to advance the development with 71 affordable family rental units; and

WHEREAS, the zoning amendments herein support development of Block 26, Lot 2 consistent with the anticipated amendment to the Settlement Agreement; and

WHEREAS, the revisions to the zoning map, and creation of the MF-1 Zoning District, are intended to follow the property lines of Block 26, Lot 2; and

WHEREAS, the Planning Board of the Township of Greenwich adopted a Housing Element and Fair Share Plan, that comprehensively provides for the creation of affordable housing in the Township in a manner consistent with all applicable affordable housing statutes and regulations.

NOW THEREFORE BE IT ORDAINED, by the Council of the Township of Greenwich, County of Warren, and State of New Jersey, as follows:

Section I. § 16-2 Zoning Map; boundaries

The boundary of the MF-1 Multi-Family Housing 1 District shall be applied to Block26, Lot 2

Section 16-2.1 Districts

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MF-1 Multi-family Housing 1 Zone

Section II. Chapter 16 entitled "Zoning" is hereby supplemented and amended to create the MF-1 District as follows (deletions are indicated ~~thus~~; additions are indicated thus):

§16-19E MF-1 Multi-family Housing 1 Zone.

1. Purpose.

- a. The Township hereby establishes the MF-1 Multi-family Housing 1 Zone to comply with the requirements and terms of a Settlement Agreement entered on September 27, 2017 (and as further amended) between the Township and Fair Share Housing Center and to address the Township's affordable housing obligation established therein. The ordinance creates design and bulk standards to ensure that multifamily housing in this zone is developed in a manner that is sensitive to the character of the surrounding area.

2. Permitted Uses.

- a. Multi-family affordable dwelling units that are constructed, controlled, and maintained in accordance with all applicable regulations of the Council on Affordable Housing ("COAH"), as well as the Fair Housing Act (N.J.S.A. 52-27D-301 et seq.), and the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.).

(1) In a multi-family affordable housing development, there may be one property manager's unit which shall not be a restricted affordable unit and which is not counted toward the permitted units in §16-19.E.6.k.

- b. Municipal buildings and uses.

3. Accessory Uses.

- a. Accessory uses and structures customarily incidental to permitted uses.
- b. Sewerage and sewage treatment, water, fire protection, stormwater management and other utility facilities.
- c. Parking and loading in accordance with the requirements of Section 16-10.
- d. Signs in accordance with the requirements of Section 16-11.
- e. Storage and maintenance buildings in accordance with the requirements of Section 16-5.1.

f. Recreational open space areas such as parks, recreation areas or facilities, tennis courts, bikeways, playgrounds and swimming facilities, along with structures and necessary features appurtenant thereto.

4. Conditional Uses.

a. None.

5. Prohibited Uses.

a. Any use other than those uses listed in §16-19.E.b.is prohibited.

6. Requirements

a. Minimum tract area: 13 acres

b. Minimum lot width: 300 feet

c. Minimum lot depth: 400 feet

d. Minimum setback to Dumont Road: 15 feet

e. Minimum setback to Greenwich Street: 50 feet

f. Minimum side and rear yard setback: 50 feet

g. Minimum setback to a residential zone district: 125 feet

h. Minimum distance between buildings:

(1) Front to any building: 60 feet

(2) Rear to any building: 60 feet

(3) Side to any building: 20 feet

i. Maximum building coverage: 20%

j. Maximum impervious coverage: 40%

k. Number of Units: Not more and not less than 71 units

l. Building Design

(1) Maximum building height: 2.5 stories / 35 feet

(2) Maximum units per building: 12

- (3) Maximum building length: 300 feet
- (4) An overall theme of design and architectural mode shall be utilized within the development for the purpose of presenting an aesthetically desirable effect, and shall be such that they provide varied building elevations, design and structural appearance within the context of the overall theme.
- (5) Buildings with flat roofs shall be prohibited. Buildings roofs shall be pitched and may include hipped roofs and gable roofs
- (6) The front façade of a multifamily building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
- (7) Mechanical equipment shall be screened from view of public streets and residentially zoned lots. Screening shall consist of plantings, fencing or other material found acceptable by the approving authority.

m. Landscape Buffer Requirements

- (1) A fifty (50) foot transition buffer shall be provided along the side and rear lot lines in accordance with the standards set forth in §16-4.14.
- (2) The buffer shall be planted with dense masses and groupings of shade trees, ornamental trees, evergreen trees and shrubs. No less than seventy-five (75%) percent of the buffer length shall be evergreen trees installed at a minimum height of six (6) feet. All plantings shall be installed according to accepted horticultural standards.
- (3) All multi-family buildings shall be provided with an aesthetically pleasing and functional landscape component. Building foundation plantings, planting clusters located in strategic areas, shade trees along roadways and sidewalks shall be incorporated into an overall landscape plan.
- (4) Street trees shall be provided along all public and private roads.

n. Circulation & Parking.

- (1) Minimum distance to off-street parking space: 10 feet
- (2) Maximum distance between off-street parking space and the unit served: 200 feet
- (3) Sidewalks shall be provided along all both sides of public and private streets and interior drives.

Section III: Chapter 16 entitled “Zoning” is hereby supplemented and amended to add “Bicycle Parking” regulations, as follows (deletions are indicated thus; additions are indicated thus):

§16-4.19 Bicycle Parking.

a. Location Requirements. All bicycle parking facilities shall be:

- 1. Located to avoid pedestrian and vehicle conflicts.**
- 2. Located outside of vehicle and pedestrian travel ways.**
- 3. Located within fifty (50) feet of a building entrance.**
- 4. Located on pavement or a similar hard surface.**
- 5. Located such that stair access from the street or main point of access is not required.**
- 6. Located at least four (4) feet from building entrances, hydrants, curb ramps, utility and signage poles, dumpsters, and other similar impediments.**
- 7. Bicycle Storage. All bicycle storage facilities must provide secure anchoring for locking devices for the bicycle frame and wheels, such as but not limited to bicycle lockers, post and loop racks, inverted “U” racks or “A-style” racks.**

b. Minimum number of spaces.

- 1. Residential uses with four (4) or more units: 1 bicycle parking space per 2 units**
- 2. Nonresidential uses: 1 bicycle parking space per 10 vehicle parking spaces.**

Section IV Continuation. In all other respects, the Unified Development Ordinance of the Township of Greenwich shall remain unchanged.

Section V. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

Section VI. Interpretation. If the specific terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Greenwich, then this Ordinance shall be enforced.

Section VII. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section VIII. Enactment. This Ordinance shall take effect upon the filing thereof with the Warren County Planning Board after final passage, adoption, and publication by the Township Committee of the Township of Greenwich in the manner prescribed by law.

Robert Barsony, Mayor

Lisa A. Burd Reindel, RMC, CMR
Township Clerk

First Reading: September 20, 2018
Publication: October 4, 2018
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