

ARTICLE IV
District Regulations

§ 148-13. General regulations for all zones.

No buildings shall hereafter be used, erected, altered, converted, enlarged, added to, moved or reduced, wholly or in part, nor shall any land be designed, used or physically altered for any purpose or in any manner except in conformity with this chapter. Where a lot is formed from part of a lot already occupied by a building, any subdivision shall be effected in such a manner as not to impair any of the requirements of this chapter with respect to the existing building and all yard and other open space in connection therewith so that all resulting lots have adequate dimensions consistent with the requirements of the zoning district in which they are located and so that all lots have adequate frontage on a street. No open space provided around any principal building for the purpose of complying with front, side, rear or other yard provisions of this chapter shall be considered as providing the yard provisions for another principal building.

§ 148-14. SRR Special Resource Residential Zone. [Amended 4-20-1998 by Ord. No. 9-98; 10-4-1999 by Ord. No. 24-99; 7-16-2001 by Ord. No. 12-2001; 5-20-2002 by Ord. No. 13-2002; 5-20-2002 by Ord. No. 14-2002; 4-5-2004 by Ord. No. 13-2004; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009]

A. Principal permitted uses. One of the following:

- (1) Detached single-family dwelling units.
- (2) Public and private open space and parks.
- (3) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefor shall be the same as for single-family dwelling units located within this district.

B. Accessory uses - SRR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.

- (8) Home occupations as regulated in § 148-53.
 - (9) ECHO housing. **[Added 8-2-2010 by Ord. No. 23-2010]**
 - (10) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- C. Conditional uses - SRR Zone (subject to regulations set forth in Article V).
- (1) Home occupations.
 - (2) Public utilities.
 - (3) (Reserved)¹
 - (4) Removal of more than two living trees.
- D. Maximum building height - SRR Zone. No building shall exceed 35 feet in height and 2 1/2 stories.
- E. Area and yard requirements - SRR Zone.
- (1) Conventional subdivision, detached dwellings:
 - (a) Minimum lot area: 10 acres.
 - (b) Minimum lot circle: 500 feet.
 - (c) Minimum lot frontage: 100 feet.
 - (d) Minimum front yard: 75 feet.
 - (e) Minimum side yard (each): 60 feet.
 - (f) Minimum rear yard: 80 feet.
 - (g) Maximum F.A.R.: 0.02.
 - (h) Maximum distance of lot circle from street right-of-way: 150 feet.
 - (i) Each lot shall have a minimum of 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement of the system.
 - (2) Tracts of land 30 acres or greater in size either at the time of the adoption of this chapter or that are assembled after the adoption of this chapter shall develop as a two-acre open space cluster with the following requirements:
 - (a) Minimum tract area: 30 acres.
 - (b) Minimum building lot size: two acres.

1. Editor's Note: Former Subsection C(3), which listed ECHO housing as a conditional use, was repealed 8-2-2010 by Ord. No. 23-2010. See now Subsection B(9).

- (c) Minimum open space: 80% of tract.
 - (d) Minimum lot circle: 275 feet.
 - (e) Minimum lot frontage: 50 feet.
 - (f) Minimum front yard: 75 feet.
 - (g) Minimum side yard (each): 40 feet.
 - (h) Minimum rear yard: 40 feet.
 - (i) Maximum F.A.R. on residential lot: 0.07.
 - (j) Maximum distance of lot circle from street right-of-way: 150 feet.
 - (k) Each lot shall have a minimum of 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.
- F. Off-street parking - SRR Zone. Parking spaces shall be provided according to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.). No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- G. Open space in two-acre cluster developments shall be permanently deed restricted from further development except for open space, natural resource conservation, or passive recreation approved by the Township and subject to the following regulations:
- (1) At the time of subdivision application for cluster development under § 148-14E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by a property owners' association or be offered for acceptance by the Township or other governmental agency. If open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.
 - (2) Proposed roads should be located within the development portion of the property. It is the intent to keep the open space portion continuous and free of intrusions; however, adequate access must be provided to this area. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
 - (3) The set-aside of common open space shall comply with § 148-60.

- (4) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.
 - (5) Where a side yard of a residential lot is adjacent to the open space, the side yard shall be considered a front yard for bulk zoning purposes.
 - (6) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The unpaved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
 - (7) Notwithstanding minimum lot circle requirements for the open space, the minimum width or depth for any portion of the open space shall be 500 feet.
- H. Street setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

§ 148-15. AR Agricultural Residential Zone. [Added 12-21-1998 by Ord. No. 43-98]

A. Permitted principal uses - AR Zone.

- (1) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (2) Detached single-family dwelling units.
- (3) Public and private open space and parks.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefor shall be the same as for single-family dwelling units located within this district. **[Added 4-5-2004 by Ord. No. 13-2004; amended 7-6-2009 by Ord. No. 19-2009]**
- (5) A farmer's market or portions thereof on any premises in addition to the permitted use or uses thereon notwithstanding any municipal land use provisions limiting the number of principal uses on one lot, but nevertheless subject to the terms and conditions contained and set forth in Subsection A(5)(a) through (f) below. Application for a farmer's market shall be by permit to be issued by the Zoning Official after review and approval by the Township Committee, the Chief of Police and Board of Health under the following conditions: **[Added 5-4-2009 by Ord. No. 18-2009]**
 - (a) The farmer's market shall be limited to agricultural products.
 - (b) Such use shall be permitted only on properties having an existing improved (i.e., paved or gravel) parking lot capable of holding at least 30 cars, as of the date of adoption of this Subsection A(5).

- (c) Such use shall be conducted only between June 10 and September 30 of any year.
- (d) Such use shall be conducted on one day per week, excluding Sundays for up to four hours per day as may be approved by the Township Committee, the Chief of Police (as to the safety of egress/ingress and circulation); and the Board of Health (as to any necessary food handling/sanitation requirements).
- (e) Said use shall be conducted only in accordance with such written plans for the same as may be required by the Township Committee, the Chief of Police and the Board of Health after those plans have been approved by each of them and only after any applicable licenses or permit as may be otherwise required have been obtained.
- (f) Said use shall also be operated under the current guidelines of the New Jersey Council of Farmers and Communities as set forth by the New Jersey Department of Agriculture.

B. Accessory uses - AR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential services.
- (8) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.
- (11) ECHO housing. **[Added 8-2-2010 by Ord. No. 23-2010]**
- (12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- (13) Farm-scale renewable energy facilities as regulated in § 148-60.2. **[Added 8-6-2018 by Ord. No. 11-2018]**

C. Conditional uses - AR Zone (subject to regulations set forth in Article V.) **[Amended**

5-20-2002 by Ord. No. 14-2002; 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No. 23-2010; 6-17-2019 by Ord. No. 13-2019; 3-16-2020 by Ord. No. 05-2020]

- (1) Limited brewery.
- (2) Home occupations.
- (3) Public utilities.
- (4) (Reserved)²

D. Maximum building height - AR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that agricultural structures shall not be limited in height. **[Amended 7-6-2009 by Ord. No. 19-2009; 12-17-2012 by Ord. No. 33-2012]**

E. Area and yard requirements - AR Zone. **[Amended 6-19-2000 by Ord. No. 23-2000; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009; 10-5-2020 by Ord. No. 26-2020]**

- (1) Existing lots: Lawfully created lots existing at the time of the adoption of this chapter that are less than 16 acres in area shall be subject to the following regulations:

AR Zone: Standards for Existing Lots Less than 16 Acres				
Lot Size	Maximum Floor Area Ratio	Maximum Impervious Coverage	Minimum Front Yard (feet)	Minimum Rear and Side Yards (feet)
3 acres or less	0.12	0.15	40	30
Greater than 3 acres and less than 6 acres	0.10	0.10	50	35
At least 6 acres and less than 8 acres	0.08	0.10	60	40
At least 8 acres and less than 16 acres	0.04	0.10	75	40

- (a) Lots of three acres or less may exclude, from both floor area ratio and impervious cover calculations, one single-story accessory building (such as a shed) that has a floor area of 200 square feet or less.
- (2) Tracts of land less than 24 acres, but not less than 16 acres, in size either at the time of adoption of this chapter or that are assembled after the adoption of this chapter, are

2. Editor's Note: Former Subsection C(5), which pertained to previously converted agricultural buildings prior to the effective date of this chapter, which immediately followed, was repealed 5-1-2023 by Ord. No. 09-2023.

subject to the following regulations:

- (a) Minimum lot size: eight acres.
 - (b) Minimum lot circle: 350 feet.
 - (c) Maximum floor area ratio per building lot: 0.04.
 - (d) Maximum impervious coverage: 0.10.
 - (e) Minimum setback from street line: 75 feet.
 - (f) Minimum setback from side or rear line: 40 feet.
 - (g) Minimum frontage on a street: 50 feet.
 - (h) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
 - (i) Each lot shall have a minimum 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.
- (3) Tracts of land 24 acres or greater in size either at the time of the adoption of this chapter or that are assembled after the adoption of this chapter shall develop as one-and-one-half-acre open space clusters with the following requirements:
- (a) Minimum tract area: 24 acres.
 - (b) Minimum open space set-aside: 80% of tract.
 - (c) Minimum residential lot size: 65,000 square feet.
 - (d) Minimum lot circle: 200 feet.
 - (e) Maximum floor area ratio per building lot: 0.12.
 - (f) Maximum impervious coverage: 0.10.
 - (g) Minimum front yard setback: 60 feet.
 - (h) Minimum rear yard setback: 35 feet.
 - (i) Minimum side yard setback: 35 feet.
 - (j) Minimum frontage on a street: 50 feet.
 - (k) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.
 - (l) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site

wells and septic systems and space for future replacement system.

- (m) A minimum fifty-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.
 - (n) The open space parcel shall contain a minimum of 80% of the gross tract area which shall contain a minimum of 65% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
 - (o) The open space parcel shall contain a minimum lot circle of 500 feet.
 - (p) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area, except as provided for in § 148-14G(6).
 - (q) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28 or Route 202 shall be 500 feet.
- F. Open space regulation - AR Zone. Open space in one-and-one-half-acre cluster developments shall be permanently deed restricted from further development and shall be utilized either for agriculture, natural resource conservation, open space or passive recreation as approved by the Township's approving authority and shall be subject to the following regulations: **[Amended 10-4-1999 by Ord. No. 24-99; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009]**
- (1) At the time of subdivision application for cluster developments under § 148-15E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.
 - (2) It is the intent of this chapter to preserve open space and farmland within Readington Township. Open space parcels shall either be devoted to agriculture, recreation, natural resource conservation or passive recreation. Where practical, to the extent that land intended for open space uses is presently being farmed, it should remain as farmland.

- (3) New agricultural construction (e.g., barns, shelters and greenhouses) shall not result in an F.A.R. of greater than 4% nor an impervious surface coverage in excess of 10% of the total acreage of the preserved open space parcel.
 - (4) The deed of any single-family dwelling sold as part of a cluster development under this section shall contain a notification that the Township Zoning Ordinance specifically includes farming as a permitted use in the AR Zone and that the open space in the development may be deed restricted for farming use. Furthermore, the developer and/or landowner who plans to sell the dwellings referenced above shall inform prospective purchasers in writing of the protection the Township ordinance conveys to agricultural operations.
 - (5) The set-aside of common open space shall comply with § 148-60.
 - (6) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.
 - (7) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.
 - (8) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The unpaved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
 - (9) Notwithstanding minimum lot circle requirements for open space, the minimum width or depth for any portion of the open space shall be 500 feet.
- G. Minimum off-street parking - AR Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- (1) Dwelling units shall provide parking spaces in accordance with the Residential Site Improvement Standards, N.J.A.C. 5:21-4.14.
 - (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.
- H. Street setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development. **[Added 5-20-2002 by Ord. No. 13-2002]**

§ 148-16. RR Rural Residential Zone. [Amended 12-6-1993; 6-5-1995 by Ord. No. 10-95; 8-5-1996 by Ord. No. 14-96; 11-4-1996 by Ord. No. 22-96; 4-20-1998 by Ord. No. 9-98;

4-20-1998 by Ord. No. 14-98; 12-21-1998 by Ord. No. 43-98; 10-4-1999 by Ord. No. 24-99; 5-20-2002 by Ord. No. 13-2002; 4-5-2004 by Ord. No. 13-2004; 5-3-2004 by Ord. No. 20-2004; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No. 23-2010; 10-1-2012 by Ord. No. 21-2012; 12-17-2012 by Ord. No. 33-2012; 8-6-2018 by Ord. No. 11-2018; 6-17-2019 by Ord. No. 13-2019; 10-5-2020 by Ord. No. 26-2020]

A. Permitted principal uses - RR Zone.

- (1) Detached single-family dwelling units.
- (2) Agriculture.
- (3) Public and private open space and parks.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefor shall be the same as for single-family dwelling units located within this district.

B. Accessory uses - RR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential services.
- (8) Agricultural storage sheds and barns.
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.
- (11) ECHO housing.
- (12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2.
- (13) Farm-scale renewable energy facilities as regulated in § 148-60.2.

C. Conditional uses - RR Zone (subject to regulations set forth in Article V).

- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
- (2) Home occupations.
- (3) Hospitals.
- (4) Public utilities.
- (5) (Reserved)³

D. Maximum building height - RR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that agricultural structures shall not be limited in height.

E. Area and yard requirements - RR Zone.

- (1) Existing lots: Lawfully created lots existing at the time of the adoption of this chapter that are less than 10 acres in area shall be subject to the following regulations:

RR Zone: Standards for Existing Lots Less than 10 Acres				
Lot Size	Maximum Floor Area Ratio	Maximum Impervious Coverage	Minimum Front Yard (feet)	Minimum Rear and Side Yards (feet)
1.5 acres or less	0.15	0.18	40	30
Greater than 1.5 acres and less than 3 acres	0.12	0.15	50	35
At least 3 acres and less than 5 acres	0.10	0.12	60	40
At least 5 acres and less than 10 acres	0.08	0.10	75	40

- (a) Lots of three acres or less may exclude from, both, floor area ratio and impervious cover calculations one single-story accessory building (such as a shed) that has a floor area of 200 square feet or less.
- (2) Tracts of land less than 20 acres, but not less than 10 acres, in size at the time of adoption of this chapter are subject to the following regulations:

3. Editor's Note: Former Subsection C(6), which pertained to previously converted agricultural buildings prior to the effective date of this chapter, which immediately followed, was repealed 5-1-2023 by Ord. No. 09-2023.

- (a) Minimum lot size: five acres.
 - (b) Minimum lot circle: 250 feet.
 - (c) Maximum floor area ratio per building lot: .08.
 - (d) Maximum impervious coverage ratio per building lot: 0.10.
 - (e) Minimum setback from street line: 75 feet.
 - (f) Minimum setback from side or rear line: 40 feet.
 - (g) Minimum frontage on a street: 50 feet.
 - (h) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
 - (i) Each lot shall have a minimum 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.
- (3) Tracts of land 20 acres or more in size shall develop as one-and-one-half-acre open space clusters with the following requirements:
- (a) Minimum open space set aside: 60% of tract.
 - (b) Minimum residential lot size: 65,000 square feet.
 - (c) Minimum lot circle: 200 feet.
 - (d) Maximum floor area ratio per building lot: 0.12.
 - (e) Maximum impervious coverage ratio per building lot: 0.15.
 - (f) Minimum front yard setback: 60 feet.
 - (g) Minimum rear yard setback: 35 feet.
 - (h) Minimum side yard setback: 35 feet.
 - (i) Minimum frontage on a street: 50 feet.
 - (j) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.
 - (k) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.
 - (l) A minimum fifty-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of

evergreen plantings, five feet in height or equivalent as approved by the Planning Board.

- (m) The open space parcel shall contain a minimum of 60% of the gross tract area which shall contain a minimum of 45% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles) and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
 - (n) The open space parcel shall contain a minimum lot circle of 500 feet.
 - (o) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area, except as provided in § 148-15F(8).
 - (p) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28 or Route 202 shall be 500 feet.
- (4) Lots within the RR Zone that were approved as agricultural cluster subdivisions under previously agricultural cluster requirements, prior to the adoption of this chapter, shall be permitted to continue as approved.

F. Open space regulation - RR Zone.

- (1) Open space in 1 1/2 acre cluster developments shall be permanently deed restricted from further development and shall be utilized either for, natural resource conservation, open space or passive recreation as approved by the Township's approving authority and shall be subject to the following regulations:
 - (a) At the time of subdivision application for cluster developments under § 148-16E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:550-43.
 - (b) Proposed roads should be located within the development portion of the property. It is the intent to keep the open space portion continuous and free of intrusions; however, adequate access must be provided to this area. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said

stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.

- (c) The set-aside of common open space shall comply with § 148-60.
 - (d) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space resulting from that cluster. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.
 - (e) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.
 - (f) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The unpaved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
 - (g) Notwithstanding minimum lot circle requirements for open space, the minimum width or depth for any portion of the open space shall be 300 feet.
- G. Minimum off-street parking - RR Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- (1) Dwelling units shall provide parking spaces in accordance with the Residential Site Improvement Standards, N.J.A.C. 5:21-4.14.
 - (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.
- H. Street setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

§ 148-16.1. HR - Hamlet Residential Zone. [Added 7-6-2009 by Ord. No. 19-2009]

- A. Principal permitted uses - HR Zone. One of the following:
- (1) Detached single-family dwelling units.
 - (2) Public and private open space and parks.
 - (3) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community

residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this district.

B. Accessory uses - HR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
- (8) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.
- (11) ECHO housing. **[Added 8-2-2010 by Ord. No. 23-2010]**
- (12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**

C. Conditional uses - HR Zone. **[Amended 8-2-2010 by Ord. No. 23-2010]**

- (1) ⁴Public utilities

D. Maximum building height - HR Zone. No building shall exceed 35 feet in height and 2 1/2 stories.

E. Area and yard requirements - HR Zone.

- (1) Single-family detached dwellings:
 - (a) Minimum lot area: two acres.
 - (b) Minimum lot circle: 50 feet.

4. Editor's Note: Former Subsection C(1), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(2) as C(1).

- (c) Minimum lot frontage: 20 feet.
 - (d) Minimum front yard: 25 feet.
 - (e) Minimum side yard (each): 25 feet.
 - (f) Minimum rear yard: 30 feet.
 - (g) Maximum F.A.R.: 0.10.
 - (h) Maximum distance of lot circle from street right-of-way: 150 feet.
 - (i) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement of the system.
- F. Off-street parking - HR Zone. Parking spaces shall be provided according to the NJ Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- G. Street setback. New streets shall be located no closer than 25 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

§ 148-17. R-1 Residential One-Acre Zone.

- A. Principal permitted uses - R-1 Zone. One of the following:
- (1) Detached single-family dwelling units.
 - (2) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**
 - (3) Public and private open space and parks.
 - (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District. **[Added 4-5-2004 by Ord. No. 13-2004]**
- B. Accessory uses - R-1 Zone.
- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
 - (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure as regulated in Article VI.
 - (3) Off-street parking.
 - (4) Fences and walls as regulated in Article VI.

- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
- (8) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.
- (11) ECHO housing. **[Added 8-2-2010 by Ord. No. 23-2010]**
- (12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- C. Conditional uses - R-1 Zone (subject to regulations set forth in Article V). **[Amended 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No. 23-2010]**
 - (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
 - (2) ⁵Home occupations.
 - (3) Hospitals.
 - (4) Nursing homes.
 - (5) Open air clubs.
 - (6) Public utilities.
- D. Maximum building height - R-1 Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that churches and agricultural structures shall not be limited in height. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- E. Area and yard requirements - R-1 Zone.
 - (1) Area and yard requirements for lots with public sewer and water.
 - (a) Minimum lot size: one acre.
 - (b) Minimum lot circle: 150 feet.
 - (c) Maximum floor area ratio: 0.12.

5. Editor's Note: Former Subsection C(2), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(3) through (7) as C(2) through (6), respectively.

- (d) Minimum front yard setback: 50 feet.
 - (e) Minimum rear yard setback: 30 feet.
 - (f) Minimum side yard setback: 30 feet.
 - (g) Minimum frontage on a street: 50 feet.
 - (h) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
 - (i) Each lot shall have a minimum of 40,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory building and structures and usable yard area.
- (2) For lots without public sewer and public water, the RR standards shall apply.
- F. Minimum off-street parking - R-1 Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- (1) Dwelling units shall provide two parking spaces per dwelling unit.
 - (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.
- G. Street setback. New streets shall be located no closer than 25 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development. **[Added 5-20-2002 by Ord. No. 13-2002]**

§ 148-18. VR Village Residential Zone.

- A. Principal permitted uses - VR Zone. One of the following:
- (1) Detached single-family dwellings.
 - (2) Townhouses and apartments on tracts of 20 acres or greater in size.
 - (3) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**
 - (4) Public and private open space and parks.
 - (5) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District. **[Added 4-5-2004 by Ord. No. 13-2004]**
- B. Accessory uses for single-family homes in VR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor and as regulated in Article VI.
 - (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure.
 - (3) Off-street parking.
 - (4) Fences and walls as regulated in Article VI.
 - (5) Signs as regulated in Article XII.
 - (6) Outdoor barbecue structures.
 - (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
 - (8) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
 - (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
 - (10) Home occupations as regulated in § 148-53.
 - (11) ECHO housing. **[Added 8-2-2010 by Ord. No. 23-2010]**
 - (12) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- C. Conditional uses - VR Zone (subject to regulations set forth in Article V). **[Amended 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No. 23-2010]**
- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
 - (2) 'Home occupations.
 - (3) Hospitals.
 - (4) Nursing homes.
 - (5) Open air clubs.
 - (6) Public utilities.
- D. Maximum building height - VR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that churches and agricultural structures shall not be limited in height. **[Amended 12-17-2012 by Ord. No. 33-2012]**

6. Editor's Note: Former Subsection C(2), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(3) through (7) as C(2) through (6), respectively.

E. Area and yard requirements - VR Zone.

- (1) For tracts of land without public sewer, the RR District zoning requirements shall apply.
- (2) For tracts of land less than five acres in size with public sewer:
 - (a) Minimum lot size: one acre.
 - (b) Minimum lot circle: 150 feet.
 - (c) Maximum floor area ratio (F.A.R.): 0.12.
 - (d) Minimum front yard setback: 50 feet.
 - (e) Minimum rear yard setback: 30 feet.
 - (f) Minimum side yard setback: 30 feet.
 - (g) Circumference of minimum lot circle may not be more than 150 feet from the street right-of-way.
 - (h) Each lot shall have a minimum 40,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory buildings and structures, usable yard and on-site wells.
- (3) Tracts of land five acres or greater in size with public sewer and public water may be further subdivided into lots meeting the following requirements:
 - (a) Minimum lot size: 20,000 square feet.
 - (b) Minimum lot circle: 100 feet.
 - (c) Maximum floor area ratio (F.A.R.): 0.20.
 - (d) Minimum front yard setback: 50 feet.
 - (e) Minimum rear yard setback: 20 feet.
 - (f) Minimum side yard setback: 20 feet.
 - (g) Each lot shall have a minimum 20,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence and accessory building and structures and a usable yard.
- (4) For tracts of land 20 acres or greater in size:
 - (a) Tracts of land 20 acres or greater in size with public sewer and public water may be developed with townhouses and apartments at a density of two dwelling units per acre.
 - (b) No townhouse or apartment (apartments shall be either rented or owned as a condominium with each living unit on a single floor) dwelling unit shall be constructed in the Township unless the dwelling is part of an approved site plan.

- (c) Each building and complex of buildings shall have an architectural theme with appropriate variations in design to provide attractiveness to the development compatible within the development and in its relationship to adjacent land uses. Such variations in design shall result from the use of landscaping and the orientation of buildings to the natural features of the site and to other buildings as well as from varying unit widths, using different exterior materials, changing rooflines and roof designs, varying building heights and changing window types, shutters, doors, porches and exterior colors. Architectural elevations shall be submitted to the Board for review and approval.
- (d) All dwelling units shall be connected to approved and functioning public water and public sanitary sewer systems prior to the issuance of a certificate of occupancy.
- (e) All parking facilities shall be on the same site as the building and located within 150 feet of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking, and there shall be no parallel or diagonal parking along interior streets.
- (f) No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area and equipment shall be made available within each building for the laundering and artificial drying of the laundry of the occupants of each building.
- (g) Dwelling units shall have access to a master television antenna system and individual townhouse units may not erect individual external television antenna.
- (h) Each dwelling unit shall have the following minimum net habitable floor areas:

Type of Unit	Apartments	Townhouses
Efficiency	500 square feet	
1-bedroom	600 square feet	700 square feet
2-bedroom	750 square feet	850 square feet
3-bedroom	950 square feet	1,050 square feet

- (i) For each apartment unit, in addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit 500 cubic feet of storage area in a convenient centrally located area in the cellar, basement or ground floor of the building where personal belongings and effects may be stored without constituting a fire hazard and where said belongings and effects may be kept locked and separated from the belongings of other occupants.
- (j) No townhouse dwelling unit shall be less than 20 feet wide.
- (k) Townhouse developments may be subdivided into fee-simple lots, and the lot and yard boundaries encompassing individual townhouse dwelling units may be freely disposed and arranged on a tract of land, provided that they are superimposed upon an approved site plan for the subject development. Additionally, the following

provisions shall be met:

- [1] The boundaries of any lot shall not infringe upon any common open space land areas, nor shall the boundaries of any lot be closer than five feet from any road or parking lot area.
 - [2] No lot line shall be located closer than 15 feet from any tract property line or any collector street nor closer than 10 feet from any local street. The distance between the lot line and tract property line or street line shall be devoted to open space owned by the homeowners' association.
 - [3] No construction permit shall be issued for any townhouse dwelling unit, at any time, unless the proposed construction is in accordance with an approved site plan, and this condition shall be recited in the deed of the subdivided townhouse lot.
- (l) The minimum distances between townhouse and apartment buildings shall be measured horizontally in feet and shall be measured from the front, side and rear of each building. The corner of a building offset more than a twenty-degree angle from a line drawn parallel to another building shall be considered a side of the building.

- [1] The minimum distance between townhouse and apartment buildings shall be:

Measurement	Minimum Distance
Front to front	50 feet
Front to side	40 feet
Front to rear	45 feet
Side to side	30 feet
Side to rear	35 feet
Rear to rear	40 feet

- [2] No building shall be located closer to a street right-of-way line than the following minimum distances:

Type of Street	Minimum Distance
Arterial street	50 feet
Collector street	40 feet
Local street	25 feet
Private road or parking area	15 feet

- [3] The minimum building setback from any tract line shall be 60 feet.
- (m) Townhouses and apartments shall be permitted signing as specifically approved by the Board based upon specific needs of the proposed development.

- (n) Townhouses and apartments shall provide a minimum of two parking spaces for each unit. Townhouses shall provide a minimum of one garage space for each unit. Each one car garage space and driveway leading to the garage space shall, together, be considered 1 1/2 spaces, provided that the driveway is of least 20 feet in length. Parking spaces within parking lots or structures shall be at least nine feet wide and 20 feet long.

F. Open space requirements. **[Amended 4-20-1998 by Ord. No. 9-98]**

- (1) Land area equal to a minimum of 50% of the tract of land proposed for residential development shall be specifically set aside for conservation, open space, floodplain, recreation and/or other common open space. Land utilized for street rights-of-way shall not be included as part of the above 50%, and no more than 1/2 of the minimum 50% land area may be critical lands.
- (2) The set-aside of common open space shall comply with §§ 148-59 and 148-60.

G. Accessory uses - VR Zone.

- (1) Recreational facilities planned and approved as part of the overall development.
- (2) Off-street parking and private garages.
- (3) Fences and walls as regulated in Article VI.
- (4) Signs as regulated in Article XII.

H. Minimum off-street parking - VR Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within five feet of any property line, except where common driveways are approved by the Board.

- (1) Dwelling units shall provide two parking spaces per dwelling unit.
- (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premise.

I. Street setback. New streets shall be located no closer than 25 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development. **[Added 5-20-2002 by Ord. No. 13-2002]**

§ 148-19. PND Planned Neighborhood Development Zone. [Amended 7-7-1997 by Ord. No. 8-97; 4-20-1998 by Ord. No. 9-98; 11-15-1999 by Ord. No. 28-99]

A. Principal permitted uses - PND Zone.

- (1) Detached single-family dwellings.
- (2) Semidetached dwellings.

- (3) Townhouses and/or apartments.
- (4) Public purpose use.
- (5) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (6) Senior citizen townhouses, which shall mean 55 years of age or older housing so as to qualify for "housing for older persons" within the meaning of the Fair Housing Amendments Act of 1988 and any amendments thereto, including but not limited to the Housing for Older Persons Act of 1995. In accordance with the discretion permitted by the Act, up to 15% of the units may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the unit shall be under the age of 19 years. **[Amended 4-4-2011 by Ord. No. 06-2011]**
 - (a) Any age-restricted development approved as of the date of this amendment to this section may be amended to provide that a maximum of 15% of the dwellings in said development may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19.
 - (b) An owner or developer seeking relief pursuant to this section shall send a written request to appear before the board which originally granted the approval of the development in order to attain approval of the number or percentage of units for which such relief will be granted.
- (7) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District. **[Added 4-5-2004 by Ord. No. 13-2004]**

B. Accessory uses - PND Zone.

- (1) Recreational facilities planned and approved as part of the overall planned neighborhood development.
- (2) Off-street parking and private garages.
- (3) Fences and walls as regulated in Article VI.
- (4) Signs as regulated in Article XII.
- (5) Family day-care centers.
- (6) Essential services.
- (7) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (8) The sale and processing of agricultural products the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.

- (9) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- C. Conditional uses - PND Zone (subject to regulations set forth in Article V). **[Amended 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009]**
- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
 - (2) ⁷Home occupations.
 - (3) Hospitals.
 - (4) Nursing homes.
 - (5) Open air clubs.
 - (6) Public utilities.
 - (7) Transmission lines over 69 kilovolts and radio and television transmitting aerials or antenna.
- D. Maximum building height - PND Zone. No principal building shall exceed 35 feet in height and 2 1/2 stories except that churches and agricultural structures shall not be limited in height. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- E. Maximum number of dwelling units permitted - PND Zone.
- (1) For tracts of land 25 acres or more in area, the maximum number of dwelling units within a planned neighborhood development shall be 2.65 dwelling units per acre.
 - (2) For tracts of land less than 25 acres, the VR Zone requirements shall apply.
- F. Area and yard requirements - PND Zone.
- (1) Detached single-family and semidetached single-family dwellings:

Principal Building Minimum

	Detached Single	Semidetached Single
Lot area	3,500 square feet	2,700 square feet
Lot frontage	45 feet	30 feet
Lot width	45 feet	30 feet
Lot depth	75 feet	75 feet
Side yard	10 feet	6 feet
Front yard	20 feet	20 feet
Rear yard	20 feet	20 feet

7. Editor's Note: Former Subsection C(2), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(3) through (8) as C(2) through (7), respectively.

Principal Building Minimum**Detached Single****Semidetached Single****Accessory Building Minimum****Detached Single****Semidetached Single**

Distance to side line	5 feet	5 feet
Distance to rear line	5 feet	5 feet
Maximum lot coverage	50%	60%

(2) Townhouse, apartments and senior citizen townhouses.

- (a) The minimum distances between townhouse and apartment buildings shall be measured horizontally in feet and shall be measured from the front, side and rear of each building. The corner of a building offset more than a twenty-degree angle from a line drawn parallel to another building shall be considered a side of the building.
- (b) The minimum distances between townhouse and apartment buildings shall be:

Measurement	Minimum Distance
Front to front	50 feet
Front to side	40 feet
Front to rear	45 feet
Side to side	30 feet
Side to rear	35 feet
Rear to rear	40 feet

- (c) No building shall be located closer to a street right-of-way line than the following minimum distances:

Type of Street	Minimum Distance
Arterial street	50 feet
Collector street	40 feet
Local street	25 feet
Private road or parking area	15 feet

- (d) The minimum building setback from any tract line shall be 60 feet.

G. Off-street parking - PND Zone.

- (1) Detached single-family, semidetached single-family, townhouses, senior citizen townhouses and apartments shall provide at least two off-street parking spaces per unit.

- (2) Townhouses and senior citizen townhouses shall provide at least one of the required spaces per unit within a garage.
- (3) For townhouses and senior citizen townhouses, each garage and the driveway leading up to the garage space shall together be considered 1 1/2 parking spaces, provided that the driveway is at least 20 feet in length.
- (4) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.

H. Open space requirements - PND Zone.

- (1) Land area equal to a minimum of 25% of the tract of land proposed for residential development shall be specifically set aside for conservation, open space, floodplain, recreation and/or other common open space. Land utilized for street rights-of-way shall not be included as part of the above 25%, and no more than 1/2 of the minimum 25% land area may be critical lands.
- (2) The set-aside of common open space shall comply with §§ 148-59 and 148-60.

I. Townhouses, senior citizen townhouses and apartments regulations - PND Zone. No townhouse, senior citizen townhouses or apartment dwelling unit shall be constructed in the Township unless the dwelling is part of an approved site plan and unless the following minimum standards are met in addition to other applicable requirements of this chapter:

- (1) Each building and complex of buildings shall have an architectural theme with appropriate variations in design to provide attractiveness to the development compatible within the development and in its relationship to adjacent land uses. Such variations in design shall result from the use of landscaping and the orientation of buildings to the natural features of the site and to other buildings as well as from varying unit widths, using different exterior materials, changing rooflines and roof designs, varying building heights and changing window types, shutters, doors, porches and exterior colors. The front and rear facade shall have variations in the facade line at least every 25 linear feet, with a relief in the facade of at least five feet. Architectural elevations shall be submitted to the Board for review and approval.
- (2) All dwelling units shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of a certificate of occupancy.
- (3) All parking facilities shall be on the same site as the building and located within 150 feet of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking, and there shall be no parallel or diagonal parking along interior streets.
- (4) No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area equipment shall be made available within each building for the laundering and artificial drying of the laundry of the occupants of each building.

- (5) Dwelling units shall have access to a master television antenna system and individual townhouse units may not erect individual external television antenna.
- (6) Each dwelling unit shall have the following minimum net habitable floor areas:

Type of Unit	Apartments	Townhouses
Efficiency	500 square feet	
1-bedroom	600 square feet	700 square feet
2-bedroom	750 square feet	850 square feet
3-bedroom	950 square feet	1,050 square feet

- (7) For each apartment unit, in addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit 500 cubic feet of storage area in a convenient centrally located area in the cellar, basement or ground floor of the building where personal belongings and effects may be stored without constituting a fire hazard and where said belongings and effects may be kept locked and separated from the belongings of other occupants.
- (8) No townhouse or senior citizen townhouse dwelling unit shall be less than 20 feet wide.
- (9) Townhouse and senior citizen townhouse developments may be subdivided into fee-simple lots, and the lot and yard dimensions encompassing individual townhouse dwelling units may be freely disposed and arranged on a tract of land, provided that they are superimposed upon an approved site plan for the subject development. Additionally, the following provisions shall be met:
 - (a) The boundaries of any lot shall not infringe upon any common open space land areas, nor shall the boundaries of any lot be closer than five feet from any roadway or parking lot area.
 - (b) No lot line shall be located closer than 15 feet from any tract property line or any collector street nor closer than 10 feet from any local street. The distance between the lot line and tract property line or street line shall be devoted to open space owned by the homeowners' association.
 - (c) No construction permit shall be issued for any townhouse dwelling unit, at any time, unless the proposed construction is in accordance with an approved site plan and this condition shall be recited in the deed of the subdivided townhouse lot.

§ 148-20. PND-1 Planned Neighborhood Development Zone.

A. Principal permitted uses - PND-1 Zone.

- (1) Detached single-family dwellings.
- (2) Semidetached dwellings.
- (3) Townhouses and/or apartments.

- (4) Public purpose use.
- (5) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (6) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District. **[Added 4-5-2004 by Ord. No. 13-2004]**

B. Accessory uses - PND-1 Zone.

- (1) Recreational facilities planned and approved as part of the overall planned neighborhood development.
- (2) Off-street parking and private garages.
- (3) Fences and walls as regulated in Article VI.
- (4) Signs as regulated in Article XII.
- (5) Family day-care centers.
- (6) Essential services.
- (7) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (8) The sale and processing of agricultural products the majority of which are raised or grown on the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (9) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**

C. Conditional uses - PND-1 Zone (subject to regulations set forth in Article V).

- (1) Public utilities.
- (2) Transmission lines over 69 kilovolts and radio and television transmitting aerials or antenna.
- (3) Home occupations.

D. Maximum building height - PND-1 Zone. No principal building shall exceed 35 feet in height and 2 1/2 stories except that churches and agricultural structures shall not be limited in height. **[Amended 12-17-2012 by Ord. No. 33-2012]**

E. Maximum number of dwelling units permitted - PND-1 Zone.

- (1) For tracts of land 25 acres or more in area, due to the presence of extensive critical areas in this zone, which include Cushetunk Lake, wetlands, flood hazard areas and steep slopes, the maximum density in this zone shall not exceed 2.65 dwelling units per gross acre.

(2) For tracts of land less than 25 acres in area, the VR Village Residential Zone requirements shall apply.

F. Minimum unit mix - PND-1 Zone. The PND-1 shall contain a variety of unit types in accordance with the following minimum percentages:

Unit Type	Minimum Percentage of Total Units
Single-family	40%
Townhouse	30%
Apartment (rental and/or condominium)	10%
Senior housing units	10%

G. Area and yard requirements - PND-1 Zone.

(1) Detached single-family and semidetached single-family dwellings:

	Detached Single- Family Dwellings	Semidetached Single-Family Dwellings
Principal Building Minimum		
Lot area	3,000 square feet	2,700 square feet
Lot frontage	45 feet	30 feet
Lot width	45 feet	30 feet
Lot depth	75 feet	75 feet
Side yard	10 feet	6 feet
Front yard	20 feet	20 feet
Rear yard	20 feet	20 feet
Accessory Building Minimum		
Distance to side line	5 feet	5 feet
Distance to rear line	5 feet	5 feet
Maximum lot coverage	50%	60%

(2) Townhouse and apartments.

(a) The minimum distances between townhouse and apartment buildings shall be measured horizontally in feet and shall be measured from the front, side and rear of each building. The corner of a building offset more than a twenty-degree angle from a line drawn parallel to another building shall be considered a side of the building.

(b) The minimum distance between townhouse and apartment buildings shall be:

Measurement	Minimum Distance
Front to front	50 feet
Front to side	40 feet
Front to rear	45 feet
Side to side	30 feet
Side to rear	35 feet
Rear to rear	40 feet

(c) No building shall be located closer to a street right-of-way line than the following minimum distances:

Type of Street	Minimum Distance
Arterial street	50 feet
Collector street	40 feet
Local street	25 feet
Private road or parking area	15 feet

(d) The minimum building setback from any tract line shall be 60 feet.

H. Off-street parking - PND-1 Zone.

- (1) Detached single-family, semidetached single-family, townhouses and apartments shall provide at least two off-street parking spaces per unit.
- (2) Townhouses shall provide at least one of the required spaces per unit within a garage.
- (3) For townhouses, each garage and the driveway leading up to the garage space shall together be considered 1.5 parking spaces, provided that the driveway is at least 20 feet in length.
- (4) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.

I. Low- and moderate-income housing requirements - PND-1 Zone. **[Amended 4-20-1998 by Ord. No. 9-98]**

- (1) Development within the PND-1 Zone shall comply with the requirements of Article XIV.

J. Open space requirements - PND-1 Zone.

- (1) Land area equal to a minimum of 25% of the tract of land proposed for residential development shall be specifically set aside for conservation, open space, floodplain,

recreation and/or other common open space. Land utilized for street rights-of-way shall not be included as part of the above 25%, and no more than 1/2 of the minimum 25% land area may be critical lands.

- (2) The set-aside of common open space shall comply with §§ 148-59 and 148-60. **[Amended 4-20-1998 by Ord. No. 9-98]**

K. Townhouses and apartments regulations - PND-1 Zone. No townhouse or apartment dwelling unit shall be constructed in the Township unless the dwelling is part of an approved site plan and unless the following minimum standards are met in addition to other applicable requirements of this chapter.

- (1) Each building and complex of buildings shall have an architectural theme with appropriate variations in design to provide attractiveness to the development compatible within the development and in its relationship to adjacent land uses. Such variations in design shall result from the use of landscaping and the orientation of buildings to the natural features of the site and to other buildings as well as from varying unit widths, using different exterior materials, changing rooflines and roof designs, varying building heights and changing window types, shutters, doors, porches and exterior colors. Architectural elevations shall be submitted to the Board for review and approval.
- (2) All dwelling units shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of a certificate of occupancy.
- (3) All parking facilities shall be on the same site as the building and located within 150 of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking and there shall be no parallel or diagonal parking along interior streets.
- (4) No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area equipment shall be made available within each building for the laundering and artificial drying of the laundry of the occupants of each building.
- (5) Dwelling units shall have access to a master television antenna system and individual townhouse units may not erect individual external television antenna.
- (6) Each dwelling unit shall have the following minimum net habitable floor areas:

Type of Unit	Apartments	Townhouses
Efficiency	500 square feet	
1-bedroom	600 square feet	700 square feet
2-bedroom	750 square feet	850 square feet
3-bedroom	950 square feet	1,050 square feet

- (7) For each apartment unit, in addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit 500 cubic feet of storage area in a convenient centrally located area in the cellar, basement or ground floor of the

building where personal belongings and effects may be stored without constituting a fire hazard and where said belongings and effects may be kept locked and separated from the belongings of other occupants.

- (8) No townhouse dwelling unit shall be less than 20 feet wide.
- (9) Townhouse developments may be subdivided into fee-simple lots, and the lot and yard dimensions encompassing individual townhouse dwelling units may be freely disposed and arranged on a tract of land, provided that they are superimposed upon an approved site plan for the subject development. Additionally, the following provisions shall be met:
 - (a) The boundaries of any lot shall not infringe upon any common open space land areas, nor shall the boundaries of any lot be closer than five feet from any roadway or parking lot area.
 - (b) No lot line shall be located closer than 15 feet from any tract property line or any collector street nor closer than 10 feet from any local street. The distance between the lot line and tract property between the lot line and tract property line or street line shall be devoted to open space owned by the homeowners' association.
 - (c) No construction permit shall be issued for any townhouse dwelling unit, at any time, unless the proposed construction is in accordance with an approved site plan, and this condition shall be recited in the deed of the subdivided townhouse lot.

§ 148-21. B Business Zone. [Amended 2-19-2002 by Ord. No. 2-2002; 4-15-2002 by Ord. No. 9-2002; 5-19-2003 by Ord. No. 9-2003; 4-19-2004 by Ord. No. 18-2004; 7-7-2008 by Ord. No. 19-2008; 7-6-2009 by Ord. No. 19-2009; 10-1-2012 by Ord. No. 21-2012; 12-17-2012 by Ord. No. 33-2012; 8-6-2018 by Ord. No. 11-2018; 10-3-2022 by Ord. No. 25-2022]

A. Permitted principal uses:

- (1) On lots less than 2.0 acres, one of the following uses:
 - (a) Professional and general office.
 - (b) Small appliance repair services, excluding automotive repair.
 - (c) Child-care centers.
 - (d) Public and private open space and parks.
 - (e) Office, medical.
 - (f) Live/work building.
 - (g) Home occupations (in residences existing at the time of adoption of this chapter).
 - (h) Sheltered workshop.
- (2) On lots 2.0 acres to less than 5.0 acres, one of the following uses:

- (a) Retail sales of goods and services (wholesaling excluded).
 - (b) Personal services facilities, such as barbershops, beauty salons, laundry collection, shoe repairing, radio and television repairing, watchmaking, funeral parlors, bars and taverns (provided that a liquor license is available), printing establishments and newspaper offices.
 - (c) Banks, not including drive-in facilities.
 - (d) Full-service restaurants.
 - (e) Agriculture.
 - (f) A single use permitted on lots 2.0 acres or less as listed in § 148-21A(1).
- (3) On lots 5.0 acres or greater in size:
- (a) Fast-food restaurants when located within a principal building of a shopping center or planned commercial development. Fast-food restaurants shall not be permitted in freestanding buildings.
 - (b) Planned commercial developments containing a mix of commercial uses permitted in this zone and planned as a single entity.
 - (c) Uses permitted on lots 2.0 acres or less and lots 2.0 acres to less than 5.0 acres as listed in § 148-21A(1) and (2).

B. Accessory uses:

- (1) Public and private parking.
- (2) Signs as regulated in Article XII.
- (3) Fences and walls as regulated in Article VI.
- (4) Agricultural storage structures and barns.
- (5) Other uses and structures customarily incidental to a principal permitted use.
- (6) Child-care centers for the sole use of employees of the principal use. (The floor area occupied by the accessory child-care center shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
- (7) The sale and processing of agricultural products raised or grown on the farm on which the accessory sale or processing is conducted.
- (8) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2.
- (9) Solar parking canopies as regulated in § 148-60.2.

C. Conditional uses:

- (1) Service station and automobile repair shops.
- (2) Hotels.
- (3) Conference inns.
- (4) Public utilities.
- (5) Assembly uses.

D. (Reserved)⁸

E. Area and yard requirements:

- (1) The minimum lot size shall be two acres.
- (2) Requirements.

	Existing Lots Less Than 2 Acres (With Public Sewer)	From 2 Acres But Less Than 5 Acres (With Public Sewer)	5 Acres or Greater (With Public Sewer)	Lots Without Public Sewer
Maximum floor area ratio (F.A.R.)	0.10	0.15	0.20	0.10
Maximum impervious coverage (MIC)	0.30	0.45	0.55	0.30
Maximum height in stories	2 1/2	2 1/2	2 1/2	2 1/2
Maximum building height in feet	35	35	40	35
Minimum required frontage	50 feet for home either owned or only otherwise 200 feet minimum	200 feet minimum occupation use controlled by applicant via legal easement providing for joint traffic access/egress and parking	200 feet minimum occupation use controlled by applicant via legal easement providing for joint traffic access/egress and parking	200

- (3) Minimum setbacks:

8. Editor's Note: Former Subsection D, Prohibited uses, was repealed 5-1-2023 by Ord. No. 09-2023.

Front:	75 feet from right-of-way of any state or county road. 50 feet from right-of-way of any municipal road.
Side:	75 feet minimum side yard when adjacent to residential zone. 15 feet minimum side yard when not adjacent to a residential zone. 50 feet minimum combined side yard unless adjacent to a residential zone.
Rear:	75 feet minimum rear yard when adjacent to a residential zone. 25 feet minimum rear yard when not adjacent to a residential zone.

(4) Buffers:

(a) Buffer to county or state road:

- [1] Fifty feet for lots less than two acres.
- [2] Seventy-five feet for lots of two acres to less than five acres.
- [3] One hundred feet for lots five acres and greater.

(b) Buffer to local street:

- [1] Twenty-five feet for lots less than two acres.
- [2] Fifty feet for lots of two acres to less than five acres.
- [3] One hundred feet for lots five acres and greater.

(c) Twenty-five-foot-wide screening buffer required in side and rear yards of lots less than two acres in size when adjacent to any residential use or zone.

(d) Fifty-foot-wide screening buffer required in side and rear yards of lots two acres or more in size when adjacent to any residential use or zone.

(5) Screening. The required screening buffers shall be planted in accordance with § 148-63.

(6) Off-street parking setbacks:

- (a) No parking area or driveway shall be located within five feet of any property line.
- (b) Where wider buffer areas are required, the parking and driveways shall comply with the buffer requirements.
- (c) Parking shall be prohibited in the front yard and may be permitted in the side or rear yards.

F. Minimum off-street parking. Each individual use shall provide parking spaces according to the following provisions.

- (1) Home occupations, small professional and general offices shall provide one space per 200 square feet of gross floor area.

- (2) Small appliance repair services and facilities for fabricating, finishing or assembling handcrafts, gifts, ornamental or similar goods shall provide one space per 500 square feet of gross floor area.
- (3) Retail sales of goods and services and personal services (except for bars and taverns) shall provide one space per 200 square feet of gross floor area.
- (4) Bars and taverns shall provide one space per two seats.
- (5) Child-care centers shall provide one parking space per three children.
- (6) Banks, professional and general offices under 50,000 square feet of gross floor area shall provide one space per 200 square feet of gross floor area.
- (7) Professional and general offices from 50,000 to 99,999 square feet of gross floor area shall provide one space per 250 square feet of gross floor area.
- (8) Professional and general offices 100,000 or greater square feet of gross floor area shall provide one space per 285 square feet of gross floor area.
- (9) Full-service restaurants shall provide one space per three seats.
- (10) Fast-food restaurants shall provide one space per 30 square feet of gross floor area.
- (11) Planned commercial developments under 400,000 square feet of gross leasable area shall provide one space per 250 square feet of gross leasable area.
- (12) Planned commercial developments 400,000 to 599,999 square feet of gross leasable area shall provide one space per 225 square feet of gross leasable area.
- (13) Planned commercial developments 600,000 square feet of gross leasable area or more shall provide one space per 200 square feet of gross leasable area.
- (14) Live/work buildings shall provide two spaces per dwelling plus those spaces required in accordance with § 148-21F(1) through (13).

§ 148-22. VC Village Commercial Zone.

A. Principal permitted uses - VC Zone.

- (1) Retail sales.
- (2) Small commercial offices.
- (3) Professional offices.
- (4) Personal service facilities, such as barbershops, beauty salons, laundry collection, shoe repairing, radio and television repairing, jewelry and watch repair, funeral parlors, small business offices, banks, restaurants, bars and taverns and printing establishments and newspaper offices.
- (5) Attended retail dry-cleaning services, not including bulk processing and not providing for the storage of more than five gallons of inflammable or toxic cleaning fluid on the

promises.

- (6) Attended laundry services (only where public water is available).
- (7) One or more residences, on floors above the ground floor, provided that the ground floor is used for one or more of the permitted uses within this zone.
- (8) Residences the first floor of a building shall be permitted only when they are existing at the time of the adoption of this chapter.
- (9) Facilities for fabricating, manufacturing, altering, finishing or assembling of goods for sale exclusively on the premises and at retail, provided that the horsepower does not exceed two horsepower for any one machine and is not in excess of a total of 10 horsepower for any one business.
- (10) Child-care centers.
- (11) Public and private open space and parks.
- (12) Agriculture. **[Amended 12-17-2012 by Ord. No. 33-2012]**

B. Accessory uses - VC Zone.

- (1) Public and private parking.
- (2) Signs as regulated in Article XII.
- (3) Fences and walls as regulated in Article VI.
- (4) Other uses and structures customarily incidental to a principal permitted use.
- (5) Child-care centers for the sole use of employees of the principal use. (The floor area occupied by the accessory child-care center shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
- (6) Agricultural storage sheds and barns. **[Amended 12-17-2012 by Ord. No. 33-2012]**
- (7) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (8) Building-mounted solar energy facilities as regulated in § 148-60.2.⁹ **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**

C. Conditional uses - VC Zone.

- (1) Hotels.
- (2) Public utilities.

9. Editor's Note: Former Subsection B(9), regarding accessory solar facilities, which immediately followed, was repealed 8-6-2018 by Ord. No. 11-2018.

- (3) Transmission lines.
- (4) Motion-picture and/or legitimate theaters inside closed buildings.
- D. (Reserved)¹⁰
- E. Area and yard requirements - VC Zone.
 - (1) Minimum lot size: 20,000 square feet unless existing (see Note 1).¹¹ Each lot shall have a minimum of 20,000 square feet contiguous usable land. This standard is established to provide a minimum area to support the buildings, structures, on-site parking and small yard area.
 - (2) Maximum F.A.R. (floor area ratio): 0.20 (see Note 2).¹²
 - (3) Minimum lot circle: 50 feet.
 - (4) Minimum front yard setback: 15 feet.
 - (5) Minimum side yard setback: 10 feet (see Note 3).¹³
 - (6) Minimum rear yard setback: 15 feet (see Note 3).¹⁴
 - (7) Maximum building height: 35 feet.
 - (8) Minimum street frontage: 50 feet.
 - (9) Maximum impervious coverage: 0.50.
- F. Architectural design considerations - VC Zone. In reviewing site plans for renovations, additions and new construction within the VC Zone, the Planning Board shall consider the sensitivity and compatibility of the proposed project with the building heights, roof shapes, windows, architectural details and facade materials of the architectural context of the village. Renovation, additions and new construction should blend reasonably well with the existing structures in the village.
- G. Minimum off-street parking - VC Zone. Each individual use shall provide parking spaces according to the following provisions. No parking area or driveway shall be located within

10. Editor's Note: Former Subsection D, Prohibited uses - VC Zone, was repealed 5-1-2023 by Ord. No. 09-2023.

11. Note 1: Existing lots and structures that do not conform to these standards shall be permitted to remain and be utilized. Further subdivision of nonconforming lots or expansion of building setback or F.A.R. nonconformities shall be prohibited.

12. Note 2: The maximum floor area ratio shall be permitted to increase up to 0.35, in accordance with the following schedule: Increase in F.A.R.: 0.03 Provide off-street parking 0.05 Provide off-street parking as shared parking, connecting with parking areas of neighboring properties. 0.03 Building design in conformity with architectural design and setbacks of neighboring village structures. 0.05 Building design in conformity with architectural design and setbacks of neighboring village structures and residential use on floors above the ground floor. 0.05 Provide a pedestrian mall on-site. At minimum, this mall shall provide space for informal seating and gathering and a significant visual amenity such as a fountain or garden.

13. Note 3: Where adjacent to a residential zone, the side and rear yard setbacks shall be increased to a minimum of 25 feet. A minimum twenty-five-foot-wide screening buffer shall be required in side and rear yards adjacent to any residential use or zone. The required screening buffers shall be planted in accordance with § 148-63. Parking shall be permitted in side and rear yards and be suitably screened from view from the street.

14. Note 3: Where adjacent to a residential zone, the side and rear yard setbacks shall be increased to a minimum of 25 feet. A minimum twenty-five-foot-wide screening buffer shall be required in side and rear yards adjacent to any residential use or zone. The required screening buffers shall be planted in accordance with § 148-63. Parking shall be permitted in side and rear yards and be suitably screened from view from the street.

five feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line. Parking shall be permitted in the side and rear yards and be suitably screened from view from the street.

- (1) Dwelling units shall provide two spaces per dwelling unit.
- (2) Retail sales and personal services (excluding restaurants, bars and taverns but including retail dry cleaning services) shall provide one space per 200 square feet of gross floor area.
- (3) Small commercial and professional offices shall provide one space per 200 square feet of gross floor area.
- (4) Fabricating, manufacturing, altering, finishing or assembling of goods shall provide one space per 500 square feet of gross floor area.
- (5) Restaurants shall provide one space per three seats.
- (6) Bars and taverns shall provide one space per two seats.
- (7) Child-care centers shall provide one space per three children.

§ 148-22.1. PO - Professional Office Zone. [Added 7-6-2009 by Ord. No. 19-2009; amended 10-1-2012 by Ord. No. 21-2012; 8-6-2018 by Ord. No. 11-2018; 10-3-2022 by Ord. No. 25-2022]

A. Permitted principal uses: west of Ridge Road.

- (1) Professional and general offices.
- (2) Banks, not including drive-in facilities.
- (3) Small appliance repair services, excluding automotive repair.
- (4) Public and private open space and parks.
- (5) Child-care centers.
- (6) Live/work building.
- (7) Animal hospital.
- (8) Office, medical.
- (9) Sheltered workshop.
- (10) Artisan/maker.
- (11) Art gallery.
- (12) Art/performance/instructional studio.
- (13) Multiple permitted principal uses shall be permitted on one lot.

B. Permitted principal uses: east of Ridge Road.

- (1) Professional and general offices.
- (2) Banks, not including drive-in facilities.
- (3) Small appliance repair services, excluding automotive repair.
- (4) Public and private open space and parks.
- (5) Child-care centers.
- (6) Computer center.
- (7) Medical offices.
- (8) Animal hospital.
- (9) Live/work building.
- (10) Multiple permitted principal uses shall be permitted on one lot.

C. Accessory uses:

- (1) Public and private parking facilities.
- (2) Fences and walls as regulated in Article VI.
- (3) Signs as regulated in Article XII.
- (4) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2.
- (5) Solar parking canopies as regulated in § 148-60.2.
- (6) Other uses and structures customarily incidental to a principal permitted use.

D. Conditional uses:

- (1) Public utilities.
- (2) Assembly uses.

E. (Reserved)¹⁵

F. Area and yard requirements: west of Ridge Road.

- (1) Minimum lot size: one acre.
- (2) Minimum lot width: 100 feet.
- (3) Building requirements:

15. Editor's Note: Former Subsection E, Prohibited uses, was repealed 5-1-2023 by Ord. No. 09-2023.

Lot Size	From 1.00 Acre		
	Less than 1.00 Acre	but Less Than 3.00 Acres	3.00 Acres or Greater
Maximum floor area ratio (FAR)	.10	.15	.20
Maximum impervious coverage	.30	.45	.55
Maximum height in stories	2	2	2 1/2
Maximum height in feet	35	35	40

(4) Required building setbacks:

- (a) Minimum front yard setback: 30 feet.
- (b) Maximum front yard setback: 60 feet.
- (c) Minimum side yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.
- (d) Minimum rear yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.

(5) Parking shall not be located between a building and a street right-of-way.

(6) Buffers:

- (a) A fifty-foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.
- (b) A twenty-five-foot screening buffer shall be required along any side property line adjacent to a residential use or zone.

(7) Off-street parking setbacks:

- (a) No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line.
- (b) Parking shall be prohibited in the front yard and may be permitted in the side or rear yards.

G. Area and yard requirements: east of Ridge Road.

- (1) Minimum lot size: 1 1/2 acres.
- (2) Minimum lot width: 100 feet.
- (3) Building requirements:

Lot Size	From 1.5 Acres		
	Less than 1.5 Acres	but Less than 3.00 Acres	3.00 Acres or Greater
Maximum floor area ratio (FAR)	.10	.15	.20
Maximum impervious coverage	.30	.45	.55
Maximum height in stories	2	2	2 1/2
Maximum height in feet	35	35	40

(4) Required building setbacks:

- (a) Minimum front yard setback: 30 feet.
- (b) Maximum front yard setback: 60 feet.
- (c) Minimum side yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.
- (d) Minimum rear yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.

(5) Parking shall not be located between a building and a street right-of-way.

(6) Buffers:

- (a) A fifty-foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.
- (b) A twenty-five-foot screening buffer shall be required along any side property line adjacent to a residential use or zone.

(7) Off-street parking setbacks:

- (a) No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line.
- (b) Parking shall be prohibited in the front yard and may be permitted in the side or rear yards.

H. Minimum off-street parking. Each individual use shall provide parking spaces according to the following minimum provisions:

- (1) Banks, commercial and professional offices shall provide one space per 200 square feet of gross floor area.
- (2) Child-care centers shall provide one space per three children.
- (3) Small appliance repair services shall provide one space per 500 square feet of gross floor area.

- (4) Live/work buildings shall provide two spaces per dwelling plus those spaces required in accordance with § 148-22.1H(1) through (11).
- (5) Animal hospitals shall provide one space per 200 square feet of gross floor area.
- (6) Medical offices shall provide one space per 200 square feet of gross floor area.
- (7) Sheltered workshops shall provide one space per employee on the largest shift and one space per one 1,000 square feet of gross floor area.
- (8) Artisan/maker shall provide one space per 500 square feet of gross floor area.
- (9) Art gallery shall provide one space per 300 square feet of gross floor area.
- (10) Art/performance/instructional studio shall provide one space per 200 square feet of gross floor area.
- (11) Computer center shall provide one space per 200 square feet.

§ 148-22.2. VH - Village Hospitality Zone. [Added 7-6-2009 by Ord. No. 19-2009]

A. Principal permitted uses - VH Zone:

- (1) Hotels.
- (2) Restaurants.
- (3) Spa/salon facilities.
- (4) Conference centers/ conference inns.
- (5) Public and private open space and parks.
- (6) Multiple uses shall be permitted on one lot.

B. Accessory uses - VH Zone.

- (1) Public and private parking facilities.
- (2) Fences and walls as regulated in Article VI.
- (3) Signs as regulated in Article XII.
- (4) Child-care centers.
- (5) ¹⁶Other uses and structures customarily incidental to a principal permitted use. **[Amended 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**

C. (Reserved)¹⁷.

D. Regulations for development - VH Zone.

16. Editor's Note: Former Subsections B(5) and B(6), regarding solar energy facilities, were repealed 8-6-2018 by Ord. No. 11-2018. This ordinance also renumbered former Subsection B(7) as Subsection B(5).

17. Editor's Note: Former Subsection C, Prohibited uses - VH Zone, was repealed 5-1-2023 by Ord. No. 09-2023

- (1) Intent. The intent of the VH District is to preserve the gateway to Whitehouse Village by preserving the landscape and buildings associated with the historic Ryland Inn complex. As such, the regulations contain incentives to encourage the re-utilization of the existing Ryland Inn complex.
 - (2) Minimum lot size: 10 acres.
 - (3) Minimum lot width: 500 feet.
 - (4) Building requirements: **[Amended 12-15-2014 by Ord. No. 26-2014]**
 - (a) Maximum floor area ratio: 8%.
 - (b) Maximum impervious cover: 35%.
 - (c) Maximum building height: two stories/35 feet, except three stories/45 feet for a hotel use.
 - (5) Required building setbacks:
 - (a) Minimum front yard setback: 300 feet from Route 22/Old Highway 28.
 - (b) Minimum side yard setback: 40 feet.
 - (c) Minimum rear yard setback: 75 feet.
 - (6) Parking shall not be located between a building line and a street right-of-way.
 - (7) Development of the zone district shall be fully integrated:
 - (a) Pedestrian and vehicular circulation shall provide convenient access between all public areas.
 - (b) Architectural design shall be similar to the existing Ryland Inn.
 - (8) Buffers:
 - (a) A fifty-foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.
 - (b) A twenty-five-foot screening buffer shall be required along any side property line adjacent to a residential use or zone.
- E. Minimum off-street parking - VH Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line. Parking shall be permitted in side or rear yards and shall be suitably screened from view from the street.
- (1) Hotels shall provide 1.25 spaces per guest room.
 - (2) Restaurants shall provide one space per every four seats.

- (3) Spas/salons shall provide one space per every 400 square feet of floor area devoted to patron use.

§ 148-23. ROM-1 Research Office and Manufacturing Zone.

A. Purpose - ROM-1 Zone. [Amended 5-7-2012 by Ord. No. 14-2012]

- (1) This district is intended for the research, development and manufacturing of products, delivery of professional services and administration of businesses serving local, regional and/or national markets
- (2) Site planning in this district should discourage all unnecessary traffic movements impeding traffic flows on major highways. Multiple structures may be built at one time or phased, provided that each site plan adheres to an overall site or tract design concept that coordinates traffic and pedestrian circulation, parking, loading, road access, buffers and screening, site design and architectural design and building locations.

B. Principal permitted uses - ROM-1 Zone. [Amended 10-1-2012 by Ord. No. 21-2012]

- (1) On lots less than 10 acres. One or more of the following uses:
 - (a) Professional, administrative and business offices.
 - (b) Agriculture.
 - (c) Child-care centers.
 - (d) Public and private open space and parks.
 - (e) ¹⁸Product assembly.
 - (f) Wholesaling.
- (2) On lots of 10 acres or more in size, one or more of the following (Note 1: On lots 25 acres or greater in size, the frontage of the tracts shall be developed only with office uses, and the parking shall be screened from the highway.):
 - (a) All uses permitted under § 148-23B(1).
 - (b) Research, testing and analytical laboratories.
 - (c) Computer centers.
 - (d) Processing, bottling, packaging and distribution of milk and milk products.
 - (e) Light manufacturing.
- (3) On a parcel or parcels of land comprising 20 or more contiguous acres that are in common ownership, the following uses shall be permitted:
 - (a) Solar energy facilities as regulated in § 148-60.2. **[Amended 8-6-2018 by Ord.**

18. Editor's Note: Former Subsection B(1)(e), regarding stand-alone renewable energy facilities, was repealed 8-6-2018 by Ord. No. 11-2018. This ordinance also renumbered former Subsections B(1)(f) and B(1)(g) as Subsections B(1)(e) and B(1)(f), respectively.

No. 11-2018]

- (b) Wind energy facilities as regulated in § 148-60.2. **[Amended 8-6-2018 by Ord. No. 11-2018]**

C. Accessory uses - ROM-1 Zone.

- (1) Signs as regulated in Article XII.
- (2) Private garages, off-street parking and truck loading spaces.
- (3) Eating facilities not open to the general public.
- (4) Display showrooms for products of permitted on-site research, testing or manufacturing.
- (5) Fences and walls as regulated in Article VI.
- (6) Child-care centers for the sole use of employees of the principal use (The floor area occupied by the accessory child-care centers shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
- (7) Warehousing. **[Amended 5-7-2012 by Ord. No. 14-2012]**
- (8) Repair and service of vehicles that are used, solely, in the operation of a permitted principal use. Repair and service are only permitted when conducted within an enclosed building. **[Amended 5-7-2012 by Ord. No. 14-2012]**
- (9) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**
- (10) Solar parking canopies as regulated in § 148-60.2. **[Amended 5-7-2012 by Ord. No. 14-2012; 10-1-2012 by Ord. No. 21-2012; 8-6-2018 by Ord. No. 11-2018]**
- (11) Wind energy facilities as regulated in § 148-60.2. **[Added 8-6-2018 by Ord. No. 11-2018]**

D. Conditional uses - ROM-1 Zone (subject to regulations set forth in Article V). **[Amended 7-6-2009 by Ord. No. 19-2009]**

- (1) Mixed-use corporate office park.
- (2) Public utilities.
- (3) Assembly uses.

E. (Reserved)¹⁹

F. Area and yard requirements - ROM-1 Zone.

- (1) Minimum lot size shall be 10 acres for new lots.

19. Editor's Note: Former Subsection E, Prohibited uses - ROM-1 Zone, as amended, was repealed 5-1-2023 by Ord. No. 09-2023.

(2) Requirements.

Maximum Floor Area Ratio (F.A.R.) (see Note 1)	Existing Lots Less Than 10 Acres	10 Acres or Greater
Office uses with public sewer and public water and favorable traffic accessibility (See definition in § 148-9.)	0.12	0.15
Office uses without public sewer and public water or favorable traffic accessibility	0.08	0.10
All other uses with favorable traffic accessibility	0.10	0.12
All other uses without favorable traffic accessibility	0.08	0.08

NOTE 1: An increment of no greater than 10% of the gross floor area (GFA) otherwise permitted by the applicable F.A.R. standard is permitted as additional GFA for buildings limited to office use, have favorable access to Route 22 and are 10 or more acres in size which employ either of the following design elements:

1. A minimum of one level of underground parking which is equivalent in area to 90% of the GFA of the ground floor of the office building being served by the parking; or
2. In multistory buildings, an atrium at the entrance or other central location within the building in which the interior space shall be open from the ground level to the ceiling of the highest floor. The atrium shall occupy a minimum of 5% of the ground floor area and be no less than 500 square feet in area.

A maximum increment of 20% of the GFA is permitted for buildings which employ both of the design elements cited above.

Maximum Impervious Coverage (MIC)	Less Than 10 acres	Existing Lots 10 Acres or Greater
Offices uses with public sewer and public water and favorable traffic accessibility (See definition in § 148-9.)	0.35	0.45
Office without public sewer and public water or favorable traffic accessibility	0.25	0.30
All other uses with Route 22 access	N/A	0.35
All other uses without Route 22 access	N/A	0.25
Required frontage (feet):		
For access from Route 22	200	200
For access from secondary streets	50 feet	50 feet
Setbacks (feet):		
Front		
From right-of-way of any state or county road	75	100
From right-of-way of any municipal street	75	100
Side		
Each side unless adjacent to a residential zone	50	50
Each side which is adjacent to residential zone district when two-story construction is proposed	75	100
Each side which is adjacent to residential zone district when three-story construction is proposed	125	150
Rear		
Same as side yard requirements		
Buffers (feet):		
Width of buffer required from right-of-way of any state or county highway	50	50

Maximum Impervious Coverage (MIC)	Less Than 10 acres	Existing Lots 10 Acres or Greater
Width of screening buffer required in the side and rear yards adjacent to any residential zone or existing residential use; screening buffers shall be planted in accordance with § 148-63	50	50
Height:		
Feet	35	45
Stories	2 1/2	3

NOTE: Roof-mounted mechanical equipment must be suitably screened from view and may exceed the height standard listed above by no more than 10 feet.

- G. Minimum off-street parking - ROM-1 Zone. Each individual use shall provide parking spaces according to the following provisions. No parking area shall be permitted in a front yard. No parking area shall be located within 25 feet of any property line. Where wider buffer areas are required, the parking and driveways shall comply with the buffer requirements.
- (1) Professional, administrative and business offices under 50,000 square feet of gross floor area shall provide one space per 200 square feet of gross floor area.
 - (2) Professional, administrative and business offices from 50,000 to 99,999 square feet of gross floor area shall provide one space per 250 square feet of gross floor area.
 - (3) Professional, administrative and business offices 100,000 square feet or greater in gross floor area shall provide one space per 285 square feet of gross floor area.
 - (4) Wholesaling shall provide one space per 5,000 square feet of gross floor area. **[Amended 5-7-2012 by Ord. No. 14-2012]**
 - (5) Research, testing and analytical laboratories shall provide one space per 1,000 square feet of gross floor area.
 - (6) Computer training centers shall provide one space per 200 square feet.
 - (7) Light manufacturing and the processing, bottling, packaging and distribution of milk and milk products shall provide one space per 800 square feet of gross floor area.
 - (8) Child-care centers shall provide one space per three children.
 - (9) Product assembly shall provide one space per 800 square feet of gross floor area. **[Added 5-7-2012 by Ord. No. 14-2012]**

§ 148-24. ROM-2 Research Office and Manufacturing Park Zone.

- A. Purpose - ROM-2 Zone. This district is intended to permit the development of small research, office and manufacturing uses on smaller size lots within a planned park.
- B. Permitted principal uses - ROM-2 Zone. **[Amended 5-7-2012 by Ord. No. 14-2012]**
- (1) Professional, administrative and business offices.
 - (2) Light manufacturing.
 - (3) Research, testing and analytical laboratories.
 - (4) Computer centers.
 - (5) Agriculture.
 - (6) Child-care centers.
 - (7) Public and private open space and parks.
 - (8) Product assembly. **[Amended 10-1-2012 by Ord. No. 20-2012]**
 - (9) On a parcel or parcels of land comprising 20 or more contiguous acres that are in common ownership, the following uses shall be permitted:²⁰ **[Added 10-1-2012 by Ord. No. 20-2012; amended 8-6-2018 by L.L. No. 11-2018; 12-3-2018 by Ord. No. 19-2018]**
 - (a) Stand-alone solar energy facilities as regulated in § 148-60.2.
 - (b) Stand-alone wind energy facilities as regulated in § 48-60.2.
- C. Accessory uses - ROM-2 Zone. **[Amended 5-7-2012 by Ord. No. 14-2012; 10-1-2012 by Ord. No. 21-2012; 8-6-2018 by Ord. No. 11-2018; 12-3-2018 by Ord. No. 19-2018; 8-2-2021 by Ord. No. 23-2021]**
- (1) Signs as regulated in Article XII.
 - (2) Private garages, off-street parking and truck loading spaces.
 - (3) Eating facilities not open to the general public.
 - (4) Display showrooms for products of permitted on-site research, testing or manufacturing.
 - (5) Fences and walls as regulated in Article VI.
 - (6) Child-care centers for the sole use of employees of the principal use. (The floor area occupied by the accessory child-care center shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
 - (7) Repair and service of vehicles that are used, solely, in the operation of a permitted principal use. Repair and service are only permitted when conducted within an enclosed

20. Editor's Note: Former Subsection B(9), regarding wholesaling, was repealed 12-3-2018 by Ord. No. 19-2018. This ordinance also provided for the redesignation of former Subsection B(10) as Subsection B(9).

building.

(8) Warehousing, subject to the following requirements:

(a) Warehousing shall only be permitted as an accessory and subordinate component of the following permitted principal uses:

- [1] Light manufacturing;
- [2] Research, testing and analytical laboratories; and
- [3] Product assembly.

(b) Warehousing shall only be permitted for the storage of:

- [1] Products that are manufactured, fabricated or assembled on-site as part of the principal use;
- [2] Materials used in the assembly, manufacturing or fabrication of products produced on-site;
- [3] Materials used in the packaging, shipping or marketing of products produced on-site;
- [4] Materials used in research, testing or analyses; and
- [5] Motorized and nonmotorized equipment, such as lifts, pallet jacks, etc., used for the movement of materials within a warehouse; but excluding any street-legal vehicles, such as delivery trucks.

(9) Building-mounted solar energy facilities as regulated in § 148-60.2.

(10) Ground-mounted solar energy facilities as regulated in § 148-60.2.

(11) Solar parking canopies as regulated in § 148-60.2.

D. Conditional uses - ROM-2 Zone (subject to regulations set forth in Article V). **[Amended 7-6-2009 by Ord. No. 19-2009]**

(1) Public utilities.

(2) Assembly uses.²¹

E. (Reserved)²²

F. Area and yard requirements - ROM-2 Zone. **[Amended 12-3-2018 by Ord. No. 19-2018]**

(1) Minimum lot area: 108,700 square feet.

(2) Minimum lot circle, per lot: 300 feet.

21. Editor's Note: Former Subsection D(3), regarding warehousing, added 10-1-2012 by Ord. No. 20-2012, which immediately followed this subsection, was repealed 12-3-2018 by Ord. No. 19-2018.

22. Editor's Note: Former Subsection E, Prohibited uses - ROM-2 Zone, as amended, was repealed 5-1-2023 by Ord. No. 09-2023.

- (3) Minimum street frontage: 50 feet.
 - (4) Minimum setbacks:
 - (a) Front yard: 50 feet.
 - (b) Side yard: 30 feet.
 - (c) Rear yard: 30 feet.
 - (5) Buffers. Minimum width adjacent to:
 - (a) A residential zone or existing residential use: 50 feet.
 - (b) Public street: 25 feet.
 - (6) Height: 35 feet.
 - (7) Maximum floor area ratio (F.A.R.):
 - (a) 0.25 when no materials, products or business vehicles are stored outside of a building.
 - (b) 0.17 base F.A.R.
 - (8) Maximum impervious coverage (MIC) ratio:
 - (a) .50 when no materials, products or business vehicles are stored outside of a building.
 - (b) 0.35 base MIC.
- G. Minimum off-street parking - ROM-2 Zone. Each individual use shall provide parking spaces according to the following provisions. No parking area shall be permitted in a front yard. No parking area shall be located within 25 feet of any property line. Where wider buffer areas are required, the parking and driveways shall comply with the buffer requirements.
- (1) Professional, administrative and business offices under 50,000 square feet of gross floor area shall provide one space per 200 square feet of gross floor area.
 - (2) Professional, administrative and business offices from 50,000 to 99,999 square feet of gross floor area shall provide one space per 250 square feet of gross floor area.
 - (3) Professional, administrative and business offices 100,000 square feet or greater in gross floor area shall provide one space per 285 square feet of gross floor area.
 - (4) Research, testing and analytical laboratories shall provide one space per 1,000 square feet of gross floor area.²³
 - (5) Computer centers shall provide one space per 200 square feet.

23. Editor's Note: Former Subsection G(4), regarding wholesaling, as amended, was repealed 12-3-2018 by Ord. No. 19-2018. This ordinance also provided for the redesignation of former Subsections E(5) through (9) as Subsections E(4) through (8), respectively.

- (6) Light manufacturing and the processing, bottling, packaging and distribution of milk and milk products shall provide one space per 800 square feet of gross floor area.
- (7) Child-care centers shall provide one space per three children.
- (8) Product assembly shall provide one space per 800 square feet of gross floor area.²⁴
[Added 5-7-2012 by Ord. No. 14-2012]

§ 148-25. RO Research Office Zone.

- A. Purpose - RO Zone. This district is intended for research and office development exclusive of the manufacturing and warehousing components of the ROM-1 and ROM-2 Districts but including ancillary uses that support this primary purpose. [Amended 9-8-2015 by Ord. No. 07-2015]
- B. Principal permitted uses - RO Zone. [Amended 12-17-2012 by Ord. No. 33-2012; 9-8-2015 by Ord. No. 07-2015]
 - (1) On lots less than 10 acres.
 - (a) Professional, administrative, medical and business offices.
 - (b) Agriculture.
 - (c) Child-care centers.
 - (d) Hotels on lots of at least five acres.
 - (e) Public and private open space and parks.
 - (2) On lots of 10 acres or more in size.
 - (a) All uses permitted under §148-25B(1).
 - (b) Research, testing and analytical laboratories.
 - (c) Computer centers.
 - (d) Combinations of principal permitted uses on one lot in single or multiple buildings.
- C. Accessory uses - RO Zone. [Amended 10-1-2012 by Ord. No. 21-2012; 12-17-2012 by Ord. No. 33-2012; 9-8-2015 by Ord. No. 07-2015]
 - (1) Signs as regulated in Article XII.
 - (2) Private garages, off-street parking and truck loading spaces.
 - (3) Display showrooms for products of permitted on-site research and testing.
 - (4) Conference center in conjunction with a hotel.

24. Editor's Note: Original Subsection E(10), regarding warehousing, added 10-1-2012 by Ord. No. 20-2012, which immediately followed this subsection, was repealed 12-3-2018 by Ord. No. 19-2018.

- (5) Eating facilities not open to the general public.
- (6) Eating and drinking facilities in conjunction with a hotel that may be open to the general public.
- (7) Health, fitness and spa center, tennis and golf in conjunction with a hotel.
- (8) Fences and walls as regulated in Article VI.
- (9) Child-care centers for the sole use of employees of the principal use. (The floor area occupied by the accessory child-care center shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
- (10) Agricultural storage sheds and barns.
- (11) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Amended 8-6-2018 by Ord. No. 11-2018]**
- (13) Solar parking canopies as regulated in § 148-60.2. **[Amended 8-6-2018 by Ord. No. 11-2018]**
- D. Conditional uses - RO Zone (subject to regulations set forth in Article V). **[Amended 7-6-2009 by Ord. No. 19-2009]**
 - (1) Public utilities.²⁵
- E. (Reserved)²⁶
- F. Area and yard requirements - RO Zone.
 - (1) Minimum lot size: 10 acres for new lots.
 - (2) Maximum floor area ratio (F.A.R.) (see Notes 1 and 2): **[Amended 4-4-1994; 5-16-1994]**

25. Editor's Note: Former Subsection D(2), which listed assembly uses as a conditional use, was repealed 9-8-2015 by Ord. No. 07-2015.

26. Editor's Note: Former Subsection E, Prohibited uses - RO Zone, was repealed 5-1-2023 by Ord. No. 09-2023.

Description	Existing Lots Less Than 10 Acres	10 Acres or Greater
With public sewer and public water and favorable traffic accessibility, provided that if access is to Route 523 the subject tract also has frontage on Route 523 (See definition in § 148-9.)	0.12	0.15
With public sewer and public water and favorable traffic accessibility to Route 523 without tract frontage thereon.	0.10	0.12
Without public sewer and public water but with favorable traffic accessibility.	0.08	0.10
Without public sewer and public water and without favorable traffic accessibility	0.05	0.07

NOTE 1: For the RO Zone on the north side of Route 22 near Branchburg, the maximum F.A.R. may be increased by 0.01 for each full 100 feet of additional frontage over the minimum required frontage on Route 22.

NOTE 2: An increment of no greater than 10% of the gross floor area (GFA) otherwise permitted by the applicable F.A.R. standard is permitted as additional GFA for buildings limited to parcels with favorable traffic accessibility to Routes 22, 202 or 523 and 10 or more acres in size which employ either of the following design elements:

- (a) A minimum of one level of underground parking which is equivalent in area to 90% of the GFA of the ground floor of the office building being served by the parking; or
- (b) In multistory buildings, an atrium at the entrance or other central location within the building in which the interior space shall be open from the ground level to the ceiling of the highest floor. The atrium shall occupy a minimum of 5% of the ground floor area and be no less than 500 square feet in area.

A maximum increment of 20% of the GFA is permitted for buildings which employ both of the design elements cited above.

(3) Maximum impervious coverage (MIC). [Amended 9-8-2015 by Ord. No. 07-2015]

Description	Less Than 10 Acres	10 Acres or Greater
With public sewer and public water and favorable traffic accessibility	0.35	0.45
Without public sewer and public water or favorable traffic accessibility	0.25	0.30
Without public sewer and public water and without favorable traffic accessibility	0.20	0.25

(4) Frontage. [Amended 9-8-2015 by Ord. No. 07-2015]

Distance	Less Than 10 Acres	10 Acres or Greater
Required frontage	200 feet	200 feet

(5) Setbacks:

Distance	Less Than 10 Acres	10 Acres or Greater
Front:		
From right-of-way of any state or county road.	75 feet	100 feet
From right-of-way of any municipal street.	75 feet	100 feet
Side:		
Each side unless adjacent to a residential zone.	50 feet	50 feet
Each side which is adjacent to residential zone district when two- story construction is proposed.	75 feet	100 feet
Each side which is adjacent to residential zone district when three- story construction is proposed.	125 feet	150 feet
Rear:		
Same as side yard requirements.		

(6) Buffers.

Width	Less Than 10 Acres	10 Acres or Greater
Width of buffer required from right-of-way of any state or county highway.	50 feet	50 feet
Width of screening buffer required in the side and rear yards adjacent to any residential zone or existing residential use.	50 feet	50 feet
Note: Screening buffers shall be planted in accordance with § 148-63.		

(7) Height: **[Amended 9-8-2015 by Ord. No. 07-2015]**

Feet/Stories	Less Than 10 Acres	10 Acres or Greater
Feet and stories	35 feet and 2 1/2 stories	45 feet and 3 stories

NOTE: Roof-mounted mechanical equipment shall be suitably screened from view and may exceed the height standard listed above by no more than 10 feet.

G. Minimum off-street parking - RO Zone. Each individual use shall provide parking spaces according to the following provisions. No parking area shall be permitted in a front yard. No parking area shall be located within 25 feet of any property line. Where wider buffer areas are required, the parking and driveways shall comply with the buffer requirements. **[Amended 9-8-2015 by Ord. No. 07-2015]**

- (1) Professional, administrative and business offices under 50,000 square feet of gross floor area and medical offices of any size shall provide one space per 200 square feet of gross floor area.
- (2) Professional, administrative and business offices from 50,000 to 99,999 square feet of gross floor area shall provide one space per 250 square feet of gross floor area.
- (3) Professional, administrative and business offices 100,000 square feet or greater in gross floor area and conference centers of any size shall provide one space per 285 square feet of gross floor area.
- (4) Research, testing and analytical laboratories shall provide one space per 1,000 square feet of gross floor area.
- (5) Computer centers shall provide one space per anticipated employee.
- (6) Child-care centers shall provide one space per three children.
- (7) Hotels shall provide 1.25 spaces per guest room.

- (8) Eating facilities open to the general public shall provide one space for each three seats.
- (9) Drinking facilities open to the general public shall provide one space for each 50 square feet devoted to patron use.

§ 148-26. (Reserved)²⁷

§ 148-27. PND-2 Planned Neighborhood Development Zone.²⁸ [Added 3-21-2016 by Ord. No. 03-2016; amended 8-5-2019 by Ord. No. 18-2019]

- A. Purpose of the PND-2 Zone. The PND-2 Zone is intended to provide for a planned residential development of single-family detached dwellings and open space pursuant to the settlement of the litigation entitled Ryland Developers, LLC, vs. The Township of Readington, et al., Docket Number HNT-L-496-09. Development within the PND-2 zone shall be substantially consistent with the Amended Concept Settlement Plan, entitled "Engineered Conceptual Site Plan" and dated May 17, 2019, that is attached to the Amended Settlement Agreement regarding the above-referenced litigation ("Amended Settlement Agreement"), dated June 24, 2019. The PND-2 Zone is intended to provide for the development of the above-referenced Engineered Conceptual Site Plan.
- B. Permitted principal uses.
 - (1) Detached single-family dwellings.
 - (2) Agriculture.
 - (3) Open space.
 - (4) Stormwater management facilities/infrastructure.
 - (5) Wastewater management facilities/infrastructure, including pump stations.
 - (6) Multiple principal permitted uses, as listed Subsection B(1) through (5), shall be permitted.
- C. Permitted accessory uses.
 - (1) Private residential swimming pools.
 - (2) Residential toolsheds, garages and storage buildings that do not exceed 15 feet in height.
 - (3) Off-street parking.
 - (4) Fences and walls, as regulated in Article VI.
 - (5) Signs as regulated in Article XII.
 - (6) Outdoor barbecue structures.

27. Editor's Note: Former § 148-26, RO-1 Research Office Zone, as amended, was repealed 5-1-2023 by Ord. No. 09-2023.

28. Editor's Note: Former § 148-27, SC Senior Citizen Residential District, added 4-21-1997 by Ord. No. 3-97, was repealed 7-6-2009 by Ord. No. 19-2009.

- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
 - (8) Home occupations, as regulated in § 148-53.
 - (9) Building-mounted and ground-mounted solar energy facilities, as regulated in § 148-60.2B and § 148-62.2C.
 - (10) Stormwater management facilities/infrastructure.
 - (11) Wastewater management facilities/infrastructure, including pump stations.
 - (12) Accessory uses regularly and customarily associated with a single-family residence.
 - (13) Multiple accessory uses, as listed in Subsection C(1) through (12), shall be permitted.
- D. Maximum building height. No building shall exceed 35 feet in height and 2 1/2 stories.
- E. Area and yard requirements.
- (1) Minimum lot size: 12,000 square feet.
 - (2) Maximum floor area ratio:
 - (a) Inclusive of garages, on lots where a "front-entry" garage is constructed but excluding basements: 0.30.
 - (b) Exclusive of garages and basements, on lots that do not have a "front-entry" garage: 0.35.
 - (3) Minimum front yard setback: 25 feet.
 - (4) Minimum rear yard setback: 25 feet.
 - (5) Minimum side yard setback: 10 feet minimum, 30 feet combined.
 - (6) Minimum frontage on a street: 40 feet.
 - (7) Maximum retaining wall height: Maximum retaining wall height shall not exceed eight feet in height when used for the purposes of constructing stormwater management basins. All other walls shall be subject to the regulations governing fences and walls at § 148-52.
 - (8) Infrastructure necessary to be constructed in order to implement the Engineered Conceptual Site Plan, including sanitary sewer, stormwater management, utility services, retaining walls and other structures shall have a minimum setback of five feet from the existing tract boundary, except where required to connect to structures beyond the tract perimeter. No setback is required for such structures from the property lines of new residential lots or the public street right-of-way created by the Engineered Conceptual Site Plan.
- F. Open space.

- (1) Open space totaling no less than 42% of the overall tract (i.e., Block 14, Lots 29.02 and 29.03) exclusive of stormwater management facilities, shall be permanently deed-restricted from further development and shall be utilized either for natural resource conservation, open space, agriculture or passive recreation. Additionally, the following regulations apply:
 - (a) The open space shown on the Engineered Conceptual Site Plan shall be dedicated to the Township in accordance with the terms of the settlement agreement and shall be maintained as open space or agriculture, as appropriate, as determined by the Township.
 - (b) Stormwater and wastewater management facilities and infrastructure required to implement the Amended Settlement Plan that is located within open space, public rights-of-way, easements, cartways, or accessways, shall be dedicated to, and maintained by, the Township as part of the overall stormwater and wastewater management system.
 - (c) The stormwater management system, wastewater management system and emergency access easement for the proposed development may be located in the open space parcel; however, the land area of any detention or retention basin(s) shall not be counted toward the minimum open space area requirements in this section. Rights-of-way, easements or cartways of any existing or proposed public or private streets or accessways shall not be included in the calculation of the minimum required open space area.
 - (d) The set-aside of open space shall comply with § 148-60, except that fencing shall be required to be provided between new residential lots and the proposed open space where rear and side yards for such lots directly abut the proposed open space. This does not preclude the developer from having to provide fencing, if necessary based on the final design, between the stormwater management facilities located within the open space and other portions of the open space and adjacent residential lots. The maintenance period for the open space shall end at such time as the Township accepts the dedication of the open space. Fencing shall be three-rail vinyl fencing.
 - (e) The extent and configuration of the open space area shall be substantially consistent with that which is delineated on the Engineered Conceptual Site Plan.
 - (f) A temporary sign identifying the location of this new residential development, but no permanent sign, is acceptable at this location within the open space. The maximum permitted total height shall not exceed eight feet and the total sign area shall not exceed 32 square feet. It shall not be illuminated in any manner. The sign shall be removed, and the ground restored to a vegetated condition, after 75% of homes have been sold.
- G. Minimum off-street parking. Each dwelling shall be provided for off-street parking in conformance with NJAC 5:21, et seq., the New Jersey Residential Site Improvement Standards (RSIS).

- H. Street setback. New streets shall be located no closer than 25 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.
- I. Garages/basements.
- (1) Front-entry garages are permitted, although non-front-entry garages are preferred if practical.
 - (2) Basements and garages are permitted.
- J. Buffer plantings.
- (1) Existing residential uses. Buffer plantings shall be provided where proposed residential lots located in the PND-2 Zone abut existing residential uses/lots.
 - (2) Stormwater basins. Buffer plantings shall be provided where proposed stormwater management basins located in the PND-2 Zone abut existing residential uses/lots, proposed streets and existing streets. Should consecutive retaining walls be used, plantings shall be provided at the base of each wall to reduce visual impacts.
 - (3) Buffer plantings designed to implement the requirements of this section shall be designed in accordance with Exhibit A (Conceptual Buffer Planting Exhibit) unless the Planning Board and the applicant mutually agree otherwise.²⁹
 - (4) Buffer plantings shall incorporate existing vegetation where feasible in order to protect the existing character of the abutting existing neighborhoods and context.
- K. Exemptions.
- (1) Development permitted in the PND-2 Zone that occurs within the delineated limits of site disturbance as depicted on the Engineered Conceptual Site Plan that is substantially consistent with the Engineered Conceptual Site Plan shall be exempt from the requirements of § 148-50, Critical areas, (e.g. steep slopes, stream corridors) of this chapter.
 - (2) Development permitted in the PND-2 Zone that occurs within the delineated limits of site disturbance as depicted on the Engineered Conceptual Site Plan that is substantially consistent with the Engineered Conceptual Site Plan shall be exempt from the requirements of § 148-60, Open space delineation of this chapter.
 - (3) Development permitted in the PND-2 Zone that occurs within the delineated limits of site disturbance as depicted on the Engineered Conceptual Site Plan that is substantially consistent with the Engineered Conceptual Site Plan shall be exempt from the requirements of § 148-60.1, Landform protection, of this chapter.
 - (4) Development permitted in the PND-2 Zone that occurs within the delineated limits of site disturbance as depicted on the Engineered Conceptual Site Plan that is substantially consistent with the Engineered Conceptual Site Plan shall be exempt from the

29. Editor's Note: Exhibit A is on file in the offices of the Township.

requirements of § 148-69, Natural features and existing structures, of this chapter only as follows:

- (a) Section 148-69A: There is no obligation to preserve "natural features," except as specified in Subsection K(4)(c) below.
 - (b) Section 148-69B: Development shall comply.
 - (c) Section 148-69C: This Subsection shall be construed to only require the location, size and species of trees within 20 feet of the outer edge of the limit of disturbance as shown on the Engineered Conceptual Site Plan, such that it provides an opportunity to adjust plans to save trees at the edges of disturbed areas.
- L. No homeowners' association or other community association shall be required, and all internal roadways and stormwater/wastewater management facilities/improvements (other than gravity pumps on individual buildable lots) shall be dedicated to the Township.

§ 148-27.1. SC-2 Senior Citizen-2 District. [Added 10-16-2000 by Ord. No. 38-2000; amended 2-19-2002 by Ord. No. 3-2002]

A. Purpose.

- (1) The SC-2 Senior Citizen-2 District is intended for age-restricted development in the Whitehouse Station vicinity designed to meet the diverse housing and health care needs of the aging population at densities of up to 2.7 dwelling units per acre or 210 dwelling units, whichever is lesser, or 5.2 beds per acre. Certain small-scale convenience retail and office uses designed to serve senior citizens are also allowed.
- (2) All dwellings shall be age-restricted and require than one member of a couple be at least 55 years of age and that no permanent resident may be younger than 19 years old. A member of a couple, at least one of whom is at least 55 years old, may be younger than 55. Notwithstanding, up to 15% of the dwellings in the development may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19. **[Amended 4-4-2011 by Ord. No. 06-2011]**
 - (a) Any age-restricted development approved as of the date of this amendment to this section may be amended to provide that a maximum of 15% of the dwellings in said development may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19.
 - (b) An owner or developer seeking relief pursuant to this section shall send a written request to appear before the board which originally granted the approval of the development in order to attain approval of the number or percentage of units for which such relief will be granted.

- B. Permitted uses. In the SC-2 Senior Citizen-2 Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

- (1) Single-family detached dwelling.
- (2) Semi-detached dwelling.
- (3) Attached dwellings.
- (4) Townhouse dwelling.
- (5) Apartment dwellings.
- (6) Continuing care retirement community consisting, at a minimum, of independent living units and long-term care.
- (7) Assisted-living residence.
- (8) Congregate-care apartment.
- (9) Long-term-care facility.
- (10) Combinations of uses in B(1) through (9).
- (11) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District. **[Added 4-5-2004 by Ord. No. 13-2004]**

C. Bulk requirements.

- (1) Tract requirements.
 - (a) Density. The maximum permitted density shall not exceed 2.7 dwelling units per acre or 210 dwellings units, whichever is lesser, or 5.2 beds per acre.
 - (b) Highway setback. All structures, including parking, drives, and utilities, shall be at least 500 feet from a state or United States highway. An entrance road and underground utilities are permitted within the five-hundred-foot setback.
 - (c) Street setback. All structures, including parking, drives, and utilities, shall be at least 250 feet from a county or municipal street.
 - (d) Railroad setback. All principal residential structures shall be at least 100 feet from adjacent railroad rights-of way.
 - (e) Tract boundary setback: 100 feet from a residential zone line and 50 feet from a nonresidential zone line for principal structures; 50 feet from a residential zone line and 25 feet from a nonresidential zone line for parking, drives and accessory structures. Underground utilities and stormwater management facilities are allowed in setback areas, except that no detention or retention basin shall be located within a setback from a state or United States highway.
 - (f) Principal building height: 45 feet or three stories for apartment dwellings, continuing care retirement community, independent-living units, long-term care,

assisted living residence, congregate-care apartment, long-term care facility; 35 feet or two stories for all other dwellings.

- (g) Maximum accessory building height: 28 feet or 1 1/2 stories.
 - (h) Maximum floor area ratio: .20.
 - (i) Maximum impervious coverage: .40.
 - (j) Minimum open space: 50% of the gross tract area, which shall contain a minimum of 40% of the unconstrained tract area, shall be set aside as open space. The unconstrained tract area shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles, roads, drives and rights-of-way). The stormwater management system for the proposed subdivision may be located in the open space area; however, the land area of any detention or retention basin(s) shall not be counted toward the minimum area requirements in this section. Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area.
 - (k) Open space lot circle. The open space area shall contain a minimum lot circle of 500 feet.
 - (l) Open space ownership. Open space shall be owned and maintained by an open space organization or other management entity. The developer shall provide for an organization or trust to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the open space organization or trust shall be in a form that is consistent with § 148-59 of the Readington Township Land Development Ordinance and the Municipal Land Use Law, N.J.S.A.40:55D-43.
- (2) Single-family detached dwellings
- (a) Minimum tract size: 40 acres.
 - (b) Minimum lot area: 6000 square feet.
 - (c) Minimum lot frontage: 50 feet.
 - (d) Minimum lot circle: 50 feet.
 - (e) Minimum front yard: 20 feet/one twenty-foot and one fifteen-foot on corner lots.
 - (f) Minimum side yard: five feet/15 feet total both sides.
 - (g) Minimum rear yard: 25 feet.
 - (h) Maximum floor area ratio per lot: .60.
 - (i) Maximum distance between lot circle and right-of-way: 40 feet.

- (j) Maximum percentage of all dwelling units on a tract that may be single-family detached: 40%.
- (3) Semidetached dwellings.
 - (a) Minimum tract area: seven acres.
 - (b) Minimum lot area: 3,000 square feet.
 - (c) Minimum lot frontage: 30 feet.
 - (d) Minimum lot width: 30 feet.
 - (e) Minimum lot depth: 100 feet.
 - (f) Minimum front yard: 30 feet.
 - (g) Minimum side yard: zero feet, one side; five feet, other side.
 - (h) Minimum rear yard: 25 feet.
 - (i) Maximum lot coverage: 50%.
- (4) Attached dwellings
 - (a) Minimum tract area: seven acres.
 - (b) Minimum distance between buildings:
 - [1] Side to side: 20 feet.
 - [2] Rear to rear: 50 feet.
 - (c) Minimum building setback from common drive: eight feet.
 - (d) Maximum number of units per building: eight.
 - (e) Accessory buildings:
 - [1] Minimum distance to other building: 10 feet.
 - [2] Maximum height: 15 feet.
- (5) Townhouses.
 - (a) Minimum tract size: seven acres.
 - (b) Minimum lot area: 2,000 square feet.
 - (c) Minimum lot frontage: 20 feet per unit.
 - (d) Minimum lot width: 20 feet per unit.
 - (e) Minimum front yard: 30 feet for units with garages; 15 feet for units without garages.

- (f) Minimum side yard: zero feet for a common wall, 15 feet otherwise.
- (g) Minimum rear yard: 20 feet.
- (h) Maximum number of units per building: eight.
- (i) Townhouse units attached on a single linear plane shall not exceed a length of 160 feet.
- (j) Each townhouse shall have a private rear yard of 200 square feet minimum.
- (k) A minimum of 300 square feet of storage shall be provided for each unit in the basement, attic or other area attached to the unit. This area shall include storage for garbage in the front of the unit, bicycles, garden equipment, barbecue equipment and so forth.
- (l) Accessory building setbacks for townhouses:
 - [1] Minimum side yard: five feet.
 - [2] Minimum distance to rear line: five feet.
 - [3] Minimum distance to other building: 10 feet.
 - [4] Maximum height: 15 feet.
- (6) Continuing-care retirement community, assisted living residence, congregate-care units, long-term-care facility, and combinations thereof:
 - (a) Minimum gross acreage of tract:
 - [1] Continuing-care retirement community: 35 acres.
 - [2] Long-term-care facility, congregate-care units or assisted-living facility: seven acres.
 - [3] Combinations of uses: seven acres.
 - (b) Minimum tract frontage: 1,000 feet.
 - (c) Maximum number of units in one building: 60.
 - (d) Maximum number of beds in one building: 120.
 - (e) Principal building setback from internal common driveway or street: 25 feet.
 - (f) Minimum distance between buildings: 50 feet.
 - (g) Convenient linkages shall be provided between existing mass transportation transfer points and pick-up points that are within 1,000 feet of the subject development or provisions shall be made for the transportation of residents to such locations.
 - (h) Buildings shall have a gable or hipped roof, unless waived by the Board, with a

minimum pitch of 6/12. Architecture shall be consistent with the vernacular residential and rural vocabulary and styles found in the villages of Whitehouse Station, Whitehouse and Three Bridges.

- (i) Individual dwelling units shall meet or exceed minimum design requirements specified by the New Jersey Housing Mortgage Finance Agency or the New Jersey Department of Health and Senior Services, as applicable.

D. Accessory uses.

- (1) Community room(s) integrated into a residential building or center in a separate building for the common uses of residents.
- (2) Swimming pool for the common use of residents.
- (3) Outdoor recreational facilities, including tennis or other court sports for the common use of residents.
- (4) Off-street parking, including automobile sheds.
- (5) Fences, walls, gazebos, mail kiosks and other street furniture.
- (6) Signs.
- (7) Satellite dish and television antennas.
- (8) Maintenance facility.
- (9) Facility management office.
- (10) Social service facility for the benefit primarily of residents.
- (11) Congregate dining facility.
- (12) Personal and medical services integrated into a residential building occupying no more than 30% of the gross floor area.
- (13) Clubhouse.
- (14) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]**

§ 148-27.2. Whitehouse-Mechanicsville Gateway Overlay Zone (WMG).³⁰ [Added 10-16-2017 by Ord. No. 14-2017]

- A. Purpose. The Whitehouse-Mechanicsville Gateway (WMG) Overlay Zone provides an optional series of land use regulations within the Research Office Manufacturing (ROM-1) District. These regulations provide for an increase in the maximum permitted floor area ratio where specific site elements are incorporated into a land development project that restores, enhance's and protects the scenic viewsheds of Mill Road and Old Highway 28, which form

30. Editor's Note: Former § 148-27.2, SC-3 Senior Citizen-3 District, added 10-16-2000 by Ord. No. 38-2000, as amended, was repealed 7-6-2009 by Ord. No. 19-2009.

part of the western gateway to the Whitehouse-Mechanicsville Historic District. Furthermore, the WMG Overlay Zone seeks to preserve agricultural lands within the Special Resources Residential (SRR) Zone, Agricultural Residential (AR) Zone, Rural Residential (RR) Zone through the transfer of density/intensity of use (in terms of floor area) from lands in those zones to the WMG Overlay Zone, as authorized by the provisions of the New Jersey Municipal Land Use Law for planned development pursuant to N.J.S.A. 40:55D-39c (4). The WMG Overlay Zone is based on the recommendations of the 2016 Master Plan Reexamination Report. The purpose of the overlay zone is to:

- (1) Preserve and protect the character of the Whitehouse-Mechanicsville Historic District and the Township's historic resources identified on the National Register of Historic Places; and
- (2) Preserve and enhance the viewsheds of Mill Road and Old Highway 28, each of which maintains a strong influence on the character of the western gateway to the Whitehouse-Mechanicsville Historic District; and
- (3) Permanently preserve agricultural uses and lands within the Township's rural environs through the transfer of floor area to the WMG Overlay Zone through the transfer of density between contiguous or noncontiguous lots; and
- (4) Protect the environmental resources associated with the Rockaway Creek from the impacts of impervious cover within the riparian buffer but to allow maintenance of existing impervious coverage necessary for existing operations and uses; and
- (5) Promote economic development opportunities for existing businesses to grow within Readington Township.

B. Applicability and conditions. The regulations in the WMG Overlay Zone may be used as an alternative to the ROM-1 regulations where the following conditions are met:

- (1) Public water and sewer must be available with sufficient capacity to serve the proposed development.
- (2) The tract on which the proposed development will be located must have frontage on Mill Road or Old Highway 28.
- (3) Minimum buffer width along Mill Road or Old Highway 28 must be 50 feet.
- (4) Site Illumination.
 - (a) No floodlights or directional lights shall be used within the property.
 - (b) All site lighting fixtures shall be full cutoff fixtures designed to avoid sky glow.
 - (c) All site lighting fixtures shall be LED with step-down transformers to enable dimming of site lighting during evening hours for those areas not necessary for the operation.
 - (d) Lighting for the site shall comply with the Illumination Engineering Society of North America standards for illumination within the off-street parking and loading

areas and other spaces.

(5) Noise.

- (a) Testing of existing sound levels shall be performed at the property boundary of all adjacent residential uses in accordance with Chapter 158.
- (b) If the test results indicate compliance with Chapter 158 and the New Jersey statute, then no further measures are necessary.
- (c) If the test results indicate that sound levels are not in compliance, then the applicant shall provide measures sufficient to achieve compliance with permitted sound levels.

(6) Impervious coverage. Additional impervious coverage within stream buffers is not permitted. However, replacement of existing impervious coverage within stream buffers is exempt from the foregoing prohibition.

(7) Architecture of all new structures shall be sympathetic to the historic, rural context of the district such that they are comprised of materials, colors and finishes that minimize the impact of such structures on the context of the district in terms of the perception of commercial or industrial uses, and their attributes, from the viewsheds of public roads, agricultural lands and residential properties. Examples include the use of weathering steel, rustic wood or other materials with low reflectivity and textures that suggest an established, traditional agricultural facility rather than a contemporary industrial use. Buildings or other structures that are regulated by state or federal requirements that prohibit this approach to architectural design and finishes are exempt from this provision.

C. Permitted principal uses. Principal uses shall be those permitted in the ROM-1 Zone pursuant to § 148-23B. Within the WMG Overlay Zone, multiple buildings are permitted in connection with a principal permitted use.

D. Accessory uses. Accessory uses shall be those permitted in the ROM-1 Zone, pursuant to § 148-23C.

E. (Reserved)³¹

F. Area and yard requirements. The following regulations apply only within the WMG Overlay Zone and shall supersede ROM-1 requirements. After applying the regulations herein, all remaining provisions regulating bulk and intensity of development, found at § 148-23F of the ROM-1 regulations, shall apply to development using the WMG Overlay Zone provisions:

(1) Maximum base floor area ratio: 0.25.

(2) Maximum floor area ratio using transfer of density: 0.33 (see § 148-27.2G Transfer of density).

31. Editor's Note: Former Subsection E, Prohibited uses, was repealed 5-1-2023 by Ord. No. 09-2023.

- (3) Maximum impervious coverage: 0.80.
 - (4) Maximum accessory building height: 20 feet and 1.5 stories.
 - (5) Maximum height for tanks required for processing, bottling, packaging and distribution of milk and milk products: 80 feet.
 - (6) An application that contains lawfully created preexisting, nonconforming structures that are proposed to remain, that do not comply with the bulk standards contained herein or the applicable complementary bulk standards within the ROM-1 district shall not serve as a basis to disqualify said application within the WMG Overlay Zone from utilizing the standards of the WMG Overlay Zone; however, the floor area of all existing structures to remain shall contribute towards the calculation of total floor area and the maximum permitted floor area ratio.
- G. Transfer of density/intensity of use. Transfer of density/intensity of use is authorized by the New Jersey Municipal Land Use Law provisions for planned development at N.J.S.A. 40:55D-39c(4). Such density transfer provides a mechanism to preserve lands by transferring density, or intensity of use, to another parcel(s) within the zones designated below. As part of this transfer, development of the parcel whose rights to develop are transferred shall be permanently restricted from any future development (other than maintenance) by filing a deed restriction or conservation easement. The right to the existing, developed or undeveloped use of the land remains untouched. This provision of the WMG Overlay allows floor area (not dwelling units) to be transferred from specific zones outside the WMG Overlay Zone to the WMG Overlay Zone to allow an increase in the floor area ratio above the maximum permitted base floor area ratio of 0.25 to a maximum of 0.33. In order to utilize this provision within the WMG Overlay Zone, all of the following conditions shall be met:
- (1) Property from which floor area is transferred to the WMG Overlay Zone shall be located within the Special Resource Residential (SSR), Agricultural Residential (AR) or Rural Residential (RR) Zone;
 - (2) The minimum size of a property from which floor area is transferred shall be five acres, if vacant, or six acres if it contains an existing dwelling;
 - (3) The property from which floor area is transferred shall consist of an agricultural use(s), as demonstrated by farmland assessment reporting forms (FA-1) and tax assessor records, shall demonstrate the capability to be used as farmland in the future or shall be suitable for conservation use.
 - (4) All or nothing. Any property from which floor area is transferred shall be deemed to have exhausted all remaining potential for the development of new floor area, regardless of the amount of transferred floor area that is actually utilized by the receiving property.
 - (5) Available Floor Area for Transfer. The amount of available floor area that may be transferred shall be determined as follows:
 - (a) Calculate the net lot area of the sending property;
 - (b) Multiply net lot area by the maximum permitted floor area ratio to calculate the

total permitted floor area of the sending property;

- (c) Subtract the total floor area of all existing buildings on the sending property from the total permitted floor area to calculate the available floor area for transfer.
- (6) Documentation of existing conditions of all of the sending and receiving properties for which floor area is transferred from or to shall be demonstrated through the submission of a current survey for each property prepared by a professional land surveyor depicting:
- (a) All property lines, easements and rights-of-way;
 - (b) All existing buildings and structures;
 - (c) Dimensions of all building footprints;
 - (d) Delineation and areal calculation of all elements identified as necessary to calculate "net lot area" as identified in § 148-9, Definitions, of the land development regulations;
 - (e) Calculation (in tabular form) of net lot area.
- (7) Documentation of existing buildings of all of the sending and receiving properties for which floor area is transferred from or to shall be demonstrated through the submission of a building survey prepared by a registered architect, engineer or professional land surveyor depicting:
- (a) Floor plan with interior and exterior dimensions for each floor;
 - (b) Calculation of the total existing floor area;
 - (c) Photographs for all elevations of all buildings keyed to a plan;
- (8) Transfer ratios. The following ratios shall be applied to the available floor area that is transferred pursuant to this section:
- (a) A sending property that has a net lot area that is not less than 75% of the existing gross lot area shall transfer floor area at a ratio of two square feet of floor area for every one square foot of floor area available after subtracting any existing floor area;
 - (b) A sending property that has a net lot area that is not less than 50%, but less than 75%, of the existing gross lot area shall transfer floor area at a ratio of one square feet of floor area for every one square foot of floor area available after subtracting any existing floor area;
 - (c) A sending property that has a net lot area that is not less than 25%, but less than 50%, of the existing gross lot area shall transfer floor area at a ratio of 0.5 square feet of floor area for every one square foot of floor area available after subtracting any existing floor area;
 - (d) Properties with a net lot area of less than 25% of the existing gross lot area are not eligible for the transfer of density.

- (9) Transfer documentation. Documentation of the ability to transfer floor area from the sending property shall be demonstrated through submission of the following documentation regarding the sending property:
 - (a) Consent of owner of sending property to enter into the transfer transaction;
 - (b) Certification of clear title;
 - (c) Copy of deed;
 - (d) Deed restriction eliminating the right to develop any additional building floor area or impervious surfaces as a result of the transfer and identifying the block and lot where available floor area is transferred;
 - (e) Deed restriction limiting land use on sending property to agricultural, conservation or open space use;
 - (f) Documentation of the available floor area being transferred and to which block and lot [documentation required in Subsection G(5), (6) and (7)] shall be incorporated as attachments to the deed.
- H. Parking. Minimum requirements for off-street parking applicable to the WMG Overlay Zone are found at § 148-23G of the ROM-1 regulations.
- I. Buffer composition:
 - (1) Buffer design shall ensure that off-street parking and loading areas, for both personal and business vehicles and trailers, are not visible from Mill Road. Buffers shall include either a masonry wall or an earthen berm/mounded earth, subject to the following conditions:
 - (a) Buffer wall. Buffers which include a masonry wall shall include the following:
 - [1] Minimum height of six feet above cartway center line elevation of Mill Road or Old Highway 28 (except as required to facilitate appropriate transitions between landforms and other site elements);
 - [2] Wall shall extend the full length of the required buffer, with the exception of intersecting driveways and sidewalks, and shall be designed to permit sufficient sight distance;
 - [3] Wall may be integrated with the buffer plantings or may be designed as a retaining wall to support an earthen berm that would have equally effective buffering capabilities;
 - [4] Wall surfaces facing Mill Road/Old Highway 28 shall be finished with a local or regionally sourced stone veneer;
 - [5] Wall shall be located within the buffer at the farthest point from Mill Road;
 - (b) Berm. Buffers which include an earthen berm/mounded earth shall include the following:

- [1] The minimum height of the berm, at its highest point, shall be six feet;
 - [2] The berm shall be articulated, both vertically and horizontally, and contoured to blend into the existing base plane in order to suggest a natural or agricultural origin and consistency with the existing character of the Mill Road/Old Highway 28 corridor;
 - [3] Plantings within the buffer area shall be integrated with the berm design.
- (c) Buffer plantings. The following standards shall be met with respect to plantings in the buffer:
- [1] Existing mature trees and forested areas shall be retained in the buffer; existing trees that would impact the construction of the wall shall be evaluated by the Township as to whether or not they should be retained or whether the wall should be routed to avoid damage to the trees;
 - [2] Evergreen trees shall be planted within buffers in two staggered rows; rows shall be no greater than 10 feet apart and trees shall be planted no greater than 10 feet on center;
 - [3] The evergreen trees shall be located along the edge of the buffer (within the buffer) that is farthest from Mill Road/Old Highway 28;
 - [4] Evergreen trees shall be planted at a minimum size classification of 10 to 12 feet;
 - [5] Shade trees shall be planted within the buffer in two staggered rows; rows shall be no greater than 30 feet apart, and the spacing of the trees shall be no greater than 40 feet on-center.
 - [6] Shade trees shall be planted between the evergreen plantings and Mill Road/Old Highway 28;
 - [7] Ground cover within the buffer shall be a low-grow tall fescue grass mix, such that it is not subject to regular mowing requirements, to establish a rural character to the ground plane within the buffer. Wildflowers may be included.
- (d) Temporary construction access shall not result in the removal of existing vegetation unless it is also planned as a permanent access
- (e) Buffer areas containing existing vegetation shall be augmented to comply with the performance standards of this section.
- J. Other standards. Where the regulations herein are silent, development pursuant to the WMG Overlay Zone shall comply with the standards of Chapter 148, including:
- (1) Article IV: general provisions.
 - (2) Article VII: subdivision and site plan standards.
 - (3) Article XI: fees, guaranties, inspections and off-tract improvements.

(4) Article XII: sign requirements and regulations.

- K. Major site plan required. Development within the WMG Overlay Zone shall obtain major site plan approval pursuant to § 148-102.
- L. Post-construction compliance. In addition to standard review of the implementation of an approved site plan, the following analyses, and subsequent resolution of noncompliant elements, shall be required:
 - (1) Post-construction testing shall be performed, at the expense of the applicant, to verify compliance with approved illumination performance. This shall consist of a plan that includes a point-by-point depiction of lighting levels extending beyond the property lines by a minimum of 25 feet and an analysis of conformity with the approved standards for illumination.
 - (2) Post-construction testing shall be performed, at the expense of the applicant, to verify compliance with the sound levels at the property limits.
 - (3) The applicant shall provide plans, details and technical information in order to communicate any remedies to address noncompliant elements for approval by the Township. Failure to satisfy the conditions of approval shall require an appeal for plan amendment before the approving authority.

§ 148-27.3. SC-4 Senior Citizen-4 Overlay Zone.³² [Added 12-3-2001 by Ord. No. 35-2001; amended 4-4-2011 by Ord. No. 06-2011; 10-1-2012 by Ord. No. 21-2012; 12-22-2014 by Ord. No. 27-2014]

- A. Purpose. The SC-4 Senior Citizen-4 Overlay Zone is an optional designation that may be applied within the VR Village Residential and VH Village Hospitality Districts. It is intended to provide an incentive to develop age-restricted housing in the Villages of Whitehouse Station, Three Bridges, and Whitehouse in order to meet the diverse housing and health care needs of the aging population. It provides an opportunity to create compact, multifamily housing in order to reduce land disturbance and preserve open space. The SC-4 Overlay Zone is based on the recommendations of the 2000 Senior Citizen Housing Element of the Master Plan.
- B. Applicability. The SC-4 Overlay Zone may be used as an alternative to the VR Village Residential or VH Village Hospitality regulations (not in combination with VR or VH) within the VR and VH Districts where the following conditions exist:
 - (1) Minimum tract size of seven acres.
 - (2) Public water and sewer is available.
 - (3) All dwellings shall be age-restricted and require that one member of a couple be at least 55 years of age and that no permanent resident may be younger than 19 years old. A member of a couple, at least one of whom is at least 55 years old, may be younger than 55. Notwithstanding, up to 15% of the dwellings in the development may be owned and/

32. Editor's Note: See § 148-18, VR Village Residential Zone, for additional provisions regarding the VR Zone.

or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19.

- (a) Any age-restricted development approved as of the date of this amendment to this section may be amended to provide that a maximum of 15% of the dwellings in said development may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19.
 - (b) An owner or developer seeking relief pursuant to this section shall send a written request to appear before the board which originally granted the approval of the development in order to attain approval of the number or percentage of units for which such relief will be granted.
- C. Permitted uses. In the SC-4 Overlay Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
 - (1) Apartment dwellings.
 - (2) Assisted-living residences.
- D. Bulk requirements.
 - (1) Highway setback. All structures, including parking, drives, and utilities, shall be at least 200 feet from a state or U.S. highway.
 - (2) Street setback. All structures, including parking, drives, and utilities, shall be at least 100 feet from a county or municipal street.
 - (3) Tract boundary setback. 50 feet for principal structures of 35 feet/2 stories; 100 feet for principal structures of 45 feet/3 stories; 25 feet for parking, drives, accessory structures and utilities
 - (4) Maximum floor area ratio: .15.
 - (5) Maximum impervious coverage: .30.
 - (6) Principal building height: 45 feet or three stories.
 - (7) Maximum accessory building height: 20 feet or 1 1/2 stories.
 - (8) Principal building setback from internal common driveway or street: 25 feet.
 - (9) Minimum distance between buildings: 50 feet.
 - (10) Apartment dwellings.
 - (a) Density. The maximum permitted density shall not exceed three dwelling units per acre.
 - (b) Maximum number of units in one building: 60.
 - (11) Assisted-living residences.

- (a) Density. The maximum permitted density shall not exceed three dwelling units or six beds per acre.
- (b) Maximum number of units in one building: 60.
- (c) Maximum number of beds in one building: 120.

(12) Accessory uses:

- (a) Community room(s) integrated into a residential building or center in a separate building for the common uses of residents.
- (b) Swimming pool for the common use of residents.
- (c) Outdoor recreational facilities, including tennis or other court sports for the common use of residents.
- (d) Off-street parking, including automobile garages.
- (e) Fences, walls, gazebos, mail kiosks and other site furniture.
- (f) Signs.
- (g) Satellite dish and television antennas.
- (h) Maintenance facility.
- (i) Facility management office.
- (j) Social service facility for the benefit primarily of residents, integrated within the principal residential structure.
- (k) Congregate dining facility. Such a facility shall be accessible to all residents via a fully enclosed route.
- (l) Building-mounted solar energy facilities as regulated in § 148-60.2. **[Amended 8-6-2018 by Ord. No. 11-2018]**
- (m) For assisted-living residences only:

[1] Personal and medical services integrated into a residential building occupying no more than 30% of the gross floor area.

- (13) Minimum open space. Fifty percent of the gross tract area, which shall contain a minimum of 40% of the unconstrained tract area, shall be set aside as open space. The unconstrained tract area shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), roads, drives and rights-of-way. The stormwater management system for the proposed development may be located in the open space parcel; however, the land area of any detention or retention basin(s) shall not be counted toward the minimum area requirements in this section. Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area.

- (14) Open space lot circle. The open space parcel shall contain a minimum lot circle of 300 feet.
- (15) Open space ownership. Open space shall be owned and maintained by an open space organization or other management entity. The developer shall provide for an organization or trust to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the open space organization or trust shall be in a form that is consistent with § 148-59 of the Readington Township Land Development Ordinance and the Municipal Land Use Law, N.J.S.A. 40:55D-43.
- (16) Buffers.
 - (a) Required widths.
 - [1] U.S. or State of New Jersey Highway: 100 feet.
 - [2] County or local street: 50 feet.
 - [3] Tract boundary: 25 feet.
 - (b) Composition. All buffers shall form an opaque visual screen throughout the year and shall be comprised, primarily, of native indigenous plant species, including canopy trees, evergreen trees, understory trees and shrubs. Native meadow grasses or wildflowers shall be utilized in lieu of turf grasses within the buffer area.
 - (c) Grading. Buffers for highways and streets shall be graded to establish an earthen mound or berm, having a width at its base that is at least 50% of the width of the buffer. The minimum height of this berm at its highest point shall be three feet, with the average height of the mound being five feet. The berm shall be articulated, both vertically and horizontally, and contoured to blend into the existing base plane in order to suggest a more natural or agricultural origin.
 - (d) Plantings within the buffer area shall be integrated with the berm.
 - (e) Existing vegetation. Existing vegetation located within the buffer areas shall be preserved, with the exception of breaks necessary for permanent site access. Temporary construction access shall not result in the removal of existing vegetation unless it is also planned as a permanent access. Buffer areas containing existing vegetation shall be augmented to comply with the performance standards of this section.

E. Site design standards.

- (1) The site design standards for senior citizen housing (§ 148-79.1) shall apply to all developments within the SC-4 Overlay Zone.
- (2) Pedestrian and vehicular access to the pedestrian and vehicular network of the Villages of Whitehouse Station, Three Bridges, or Whitehouse shall be incorporated into the overall development plan.

- (3) Convenient linkages shall be provided between existing mass transportation transfer points and pickup points that are within 1,000 feet of the subject development or provisions shall be made for the transportation of residents to such locations.
 - (4) The arrangement of buildings and other elements on the site shall reflect an overall organization that relates each element to each other in a logical, holistic manner.
- F. Building design standards. The purpose of these building design standards is to ensure that the design of buildings promotes a desirable visual and spatial environment and that the buildings fit within the existing range of vernacular styles within Readington Township.
- (1) Buildings shall have a gable or hipped roof unless waived by the Board. Architecture shall be consistent with the vernacular residential and rural vocabulary and styles found in the Villages of Whitehouse Station, Three Bridges, or Whitehouse.
 - (2) All building elevations shall exhibit classical proportions. The characteristics of classicism include symmetry, repetition of elements, expressions of hierarchy to reflect the building uses, and tripartite compositions (base, middle, top).
 - (3) Subelements within the facades and individual architectural components (i.e., railings, awnings, columns) shall also conform to the overall classical proportions of the facade.
 - (4) Principal roof eaves shall project at least two feet beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
 - (5) Primary roofs shall have a minimum pitch of 4/12.
 - (6) Secondary roofs may have a pitch below 4/12.
 - (7) The transition between a facade and a roof shall have a cornice/frieze that is designed to fit the overall composition of the facade.
 - (8) Windows and other openings in the facade shall exhibit a vertical emphasis, in harmony with the overall facade composition. Windows shall be double-hung and operable, with divided lights.
 - (9) Within each building elevation, the maximum ratio of windows to wall shall be 50% window to 50% wall. The minimum ratio of window to wall shall be 25% window to 75% wall.
 - (10) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
 - (11) Exterior building materials shall be stone (or cast stone), brick or wood shingles/clapboards. Unfinished wood shall not be visible and shall be painted or finished. Face-nailed members are not permitted.
 - (12) Roof material shall be slate, metal or dimensional asphalt shingles.
 - (13) Individual dwelling units shall meet or exceed minimum design requirements specified by the New Jersey Housing Mortgage Finance Agency or the New Jersey Department

of Health and Senior Services, as applicable.

(14) For apartment dwellings only:

- (a) A community room shall be incorporated within each residential building with a minimum floor area of 1,200 square feet and an adjacent outdoor area with a minimum area of 1,000 square feet.
- (b) A lobby shall be incorporated within each residential building with a minimum floor area of 900 square feet.
- (c) Each floor within each residential building shall contain a laundry room, provided that laundry facilities are not incorporated within all individual apartments.

**§ 148-27.4. Solberg-Hunterdon Air Safety and Historic Airport District (overlay district).
[Added 6-6-2007 by Ord. No. 18-2007]**

A. Purpose and general provisions.

- (1) Air safety and zoning: The Air Safety and Zoning Act of 1983, P.L. 1983, Chapter 260, and the provisions of N.J.A.C. 16:62, "Air Safety and Zoning," authorizes municipalities to delineate airport safety zones, regulate land uses within the delineated zones, and regulate the height of structures and plantings so as to promote the public safety and to promote compatible land uses and compatible development in and around public use airports. As used in this section, "airport" or "airports" shall mean and refer to Solberg-Hunterdon Airport, in Readington Township, Hunterdon County, New Jersey.
- (2) Solberg-Hunterdon Air Safety and Historic Airport District: An overlay district is herein established and airport safety zones are herein established at Solberg-Hunterdon Airport in accordance with the provisions of the Air Safety and Zoning Act of 1983, P.L. 1983, Chapter 260, and the provisions of N.J.A.C. 16:62, "Air Safety and Zoning."
- (3) Airport defined: This section is based upon, and presumes, an airport layout for Solberg-Hunterdon Airport as described in the March 3, 2005, map prepared by H. Clay McEldowney, PE/LS, and identified as Drawing No. 5761-F. The Solberg-Hunterdon Airport is depicted on this map as Parcel 4, with a gross area of 102.23 acres and a net area of 101.55 acres. The airport has two bidirectional public use runways, runways 4/22 and runways 13/31.
- (4) Interpretation: The provisions of this section overlay and supplement the other underlying zone standards and procedures of the Code of the Township of Readington. In the event of a conflict between a standard or procedure required pursuant to this section and other underlying zone standards and procedures of the Code of the Township of Readington, the standard or procedure required pursuant to this section shall prevail to the extent as necessary to effectuate the purposes herein.
- (5) Historic Airport District purpose: A purpose of the establishment of this section is to recognize and memorialize the state, national and international historic significance of Solberg-Hunterdon Airport, recognize and memorialize that Solberg-Hunterdon Airport

is part of the historic and cultural heritage of Readington Township, and to establish standards within the District consistent with these purposes.

- (6) Airport safety zone purpose: The purpose of the airport safety zones established herein is to set minimum standards for the control of obstructions and provide for safe and compatible adjoining land uses within the zones. No person shall build, rebuild, create or cause to be built, rebuilt or created any object or structure, or plant, or cause to be planted, or permitted to grow, any tree or vegetation contrary to the standards and procedures of the Air Safety and Zoning Act of 1983, P.L. 1983, Chapter 260; the Municipal Land Use Law, P.L. 1975, Chapter 291; the provisions of N.J.A.C. 16:62, "Air Safety and Zoning," and the standards of this section.
- (7) Existing nonconforming structures and plantings: Nothing in this section shall be interpreted as requiring the removal or lowering of, or any other change or alteration to, any structure or planting not conforming to these regulations at the time of their adoption.
- (8) Municipal Land Use Law procedures: The provisions of this section and the administration of airport safety zone standards and procedures shall be done in conformance with the applicable provisions of N.J.S.A. 40:55D, The Municipal Land Use Law.

B. Coordination with other aviation regulatory agencies.

- (1) State license required: Airports in the Air Safety and Historic District shall maintain a current valid license from the State of New Jersey pursuant to the provisions of N.J.A.C. 16:54, "Licensing of Aeronautical and Aerospace Facilities." Failure to maintain a current valid New Jersey license renders the development rights granted within this section invalid, and the underlying zoning regulations shall apply.
- (2) Conformance with state aeronautics regulations: Airports in the Air Safety and Historic District shall maintain conformance with the substantive and procedural standards of N.J.A.C. 16:54, "Licensing of Aeronautical and Aerospace Facilities," N.J.A.C. 16:55, "Licensing of Aeronautical Activities," N.J.A.C. 16:56, "Airport Safety Fund Program," N.J.A.C. 16:59, "Air Races, Meets, and Exhibitions," N.J.A.C. 16:59, "Aeronautical Investigation and Enforcement," and N.J.A.C. 16:62, "Air Safety and Zoning". Failure to maintain conformance with these regulations renders the development rights granted within this section invalid, and the underlying zoning regulations shall apply.
- (3) Conformance with federal aeronautics regulations: Airports in the Air Safety and Historic District shall maintain conformance with all lawful orders, directives, and requirements of the Federal Aviation Administration, United States Department of Transportation, United States Transportation Security Agency, and the National Transportation Safety Board. Failure to maintain conformance with these regulations renders the development rights granted within this section invalid, and the underlying zoning regulations shall apply.
- (4) Site planning and internal layout: The site planning and internal layout of airport land uses, paving, buildings and structures shall conform to such minimum internal setback

and vertical height standards as may be prescribed by the applicable regulatory airport licensing and airport certification standards promulgated by the New Jersey Department of Transportation, Division of Aeronautics, and the United States Department of Transportation, Federal Aviation Administration.

- (5) Airport hazard agreements recognized: In the event that an airport owner or operator has a written agreement with the New Jersey Department of Transportation, Division of Aeronautics, or the United States Department of Transportation, Federal Aviation Administration, for the control of airport hazards or vertical height development, the airport owner or operator shall comply with the most protective provisions of both said agreement and this section.
- (6) Informal development review procedures encouraged: Although not a requirement, applicants for changes of use of airport land, new airport development, or airport redevelopment are encouraged to make full use of informal development review procedures that may be available from state and federal regulatory entities and the Township. It shall be the policy of the Township to encourage such informal review processes so as to help effectuate timely and cooperative coordination between the airport and state, federal and local levels of government.
- (7) Variance procedure: The developer of a project requiring a variance or the creation or establishment of a prohibited land use or vertical height development within an airport safety zone shall first apply for approval of the creation or establishment of a prohibited land use or vertical height development from the appropriate Township Board pursuant to the provisions of N.J.S.A. 40:55D, the Municipal Land Use Law. If the appropriate Township board approves the creation or establishment of a prohibited land use or vertical height development within the airport safety zone, such approval shall be conditioned on the developer applying for and receiving a permit from the New Jersey Department of Transportation pursuant to the provisions of N.J.A.C. 16:62, "Air Safety and Zoning." Construction, development or creation of any prohibited land use shall not commence until a permit has been issued by the New Jersey Department of Transportation.

C. Delineation of the Airport Safety and Historic Airport District.

- (1) Airport safety zone delineation: The airport safety zone is delineated by the establishment of subzones of standard sizes around and off of the ends of public use airport runways. The three types of subzones comprising an airport safety zone are the runway subzone, the runway end subzones, and the clear zones located within the runway end subzone. The overall airport safety zone for an airport is geometrically constructed by defining and locating the runway subzone and the runway end subzones for each public use runway. The outermost boundaries of the overlapping subzones comprise the outermost boundary of the airport safety zone. The area within the outermost boundaries is the area regulated by the provisions of this section. The airport safety zone description in this paragraph shall be interpreted in conformance with the controlling regulations for airport safety zone delineation found in N.J.A.C. 16:62, "Air Safety and Zoning."
- (a) Runway subzone delineation: The runway subzone of an airport safety zone shall

consist of a rectangle having a uniform width of 2,350 feet centered longitudinally upon the runway center line. The length of each runway subzone shall be determined by the following methodology. Each runway subzone shall have two ends, the location of such ends being determined by a line drawn perpendicular to the runway center line at a point 200 feet inside of the airport property line from the point where the extended runway center line intersects with the airport property line. The runway subzone description in this paragraph shall be interpreted in conformance with the controlling regulations for runway subzone delineation found in N.J.A.C. 16:62, "Air Safety and Zoning." (See Exhibit 1, Airport Safety Zone: Runway Subzone Plan in Appendix.³³)

- (b) Runway end subzone delineation: The runway end subzone of an airport safety area shall consist of trapezoids located at either end of the runway subzone along the runway's flight approach and departure path. Each runway end subzone shall extend 3,000 feet from the end of the runway subzone, as measured along the extended center line of the runway. The base of the runway end subzone shall be defined by the end of the runway subzone, and shall have a width of 2,350 feet. The width of the runway end subzone shall progressively decrease as the distance from the end of the runway end subzone increases. Its final width at its final length of 3,000 feet shall be 850 feet. The runway end subzone description in this paragraph shall be interpreted in conformance with the controlling regulations for runway end subzone delineation found in N.J.A.C. 16:62, "Air Safety and Zoning." (See Exhibit 3, Airport Safety Zone: Runway End Subzone(s) Plan in Appendix.³⁴)
- (c) Clear zone delineation: The clear zone of an airport safety zone shall consist of trapezoids located within the runway end subzones along the runway's flight approach and departure path. Each clear zone shall extend 1,000 feet from the end of the runway subzone, as measured along the extended center line of the runway. The base of the clear zone shall be collocated with the end of the runway subzone, and shall have a width of 250 feet. The width of the clear zone shall progressively increase as the distance from the end of the runway subzone increases. Its final width at its final length of 1,000 feet shall be 450 feet. The clear zone description in this paragraph shall be interpreted in conformance with the controlling regulations for clear zone delineation found in N.J.A.C. 16:62, "Air Safety and Zoning." (See Exhibit 5, Airport Safety Zone: Clear Zone Plan in Appendix.³⁵)
- (d) Delineation of Air Safety and Historic Airport District: The Air Safety and Historic Airport District shall consist of all lands which are within any delineated runway subzone and any runway end subzone established by this section. The Air Safety and Historic District is geometrically constructed by defining and locating the runway subzone and the runway end subzones for each public use runway. The outermost boundaries of these overlapping subzones comprise the outermost boundary of the Air Safety and Historic District. The area within the outermost boundaries is the area regulated by the provisions of this section. (See Exhibit 6,

33. Editor's Note: See Attachment 7 to this chapter.

34. Editor's Note: See Attachment 7 to this chapter.

35. Editor's Note: See Attachment 7 to this chapter.

Zoning Map and Exhibit 7, Airport Districts in Appendix.³⁶⁾

- (2) Historic airport subarea: The historic airport subarea lies within the overall Air Safety and Historic Airport District. The boundaries of this subarea encompass the existing Solberg-Hunterdon Airport facilities and are coterminous with "Parcel 4," as identified on the plan entitled "Map for Chambers Brook and Holland Brook Greenway," dated March 3, 2005, prepared by H. Clay McEldowney, PE/LS, and identified as Drawing No. 5761-F. This area is created to provide for maintenance, development and redevelopment of airport facilities related to the existing Solberg-Hunterdon Airport use. (See Exhibit 6, Zoning Map and Exhibit 7, Airport Districts in Appendix.³⁷⁾)

D. Vertical development restrictions within the Air Safety and Historic Airport District.

- (1) Vertical development regulated: The maximum height of any structure or planting within the Air Safety and Historic District shall not exceed the vertical development standards established herein. All elevations shall be in relation to the horizontal plane established by runway end center line elevations and not the natural grade of the land. For example, if a point in the airport safety zone permits at a specific point development of up to "x" feet, that means "x" feet above the runway horizontal plane, not "x" feet above the natural grade of the land at that point in the airport safety zone.
- (2) Runway subzone vertical standards: The vertical standards within the runway subzones are determined by first establishing the elevations at the runway center lines at the ends of the runway subzone of the airport safety zone. From these elevations at the runway subzone ends, a line is run 90° outward from each side of the runway center line for a distance of 125 feet. Within the area defined by these four points, no development is allowed above the natural grade of the soil except for runway and flight safety equipment. The vertical standards within the remainder of the runway subzone of the airport safety zone are determined by establishing planes from the edges of the longitudinal zero-foot development restriction line established in the prior paragraph which slope upward at a rate of seven feet horizontally to one foot vertically. This upward plane ceases when it reaches the outer longitudinal borders of the runway subzone of any airport safety zone at the elevation of 150 feet above its starting point at the longitudinal zero-foot development line. (See Exhibit 2, Airport Safety Zone: Vertical and Horizontal Planes of Runway Subzone in Appendix.³⁸⁾)
- (3) Runway end subzone vertical standards: The vertical standards within runway end subzones of an airport safety zone are determined by first establishing a plane with a rising slope of one foot upward to 20 feet outward to the end of the runway subzone to the outermost end of the runway end subzone. This plane is bisected by the extended runway center line and is two hundred fifty (250) feet in total width at its innermost dimension and widens uniformly along its three-thousand-foot length so as to have a total width of 850 feet at its outermost dimension where it intersects with the outermost portion of the runway end subzone at the elevation of 150 feet above its starting point at

36. Editor's Note: See Attachment 7 to this chapter.

37. Editor's Note: See Attachment 7 to this chapter.

38. Editor's Note: See Attachment 7 to this chapter.

the zero-foot dimension line. The vertical standards within the remainder of the runway end subzone of an airport safety zone are determined by establishing sloping planes from the outermost longitudinal edges of the plane established in the prior paragraph. These planes rise upward at a rate of one foot upward to seven feet outward from the plane established in the prior paragraph above to where they meet the outermost longitudinal boundaries of the runway end subzones at the elevation of 150 feet. (See Exhibit 4, Airport Safety Zone: Vertical and Horizontal Planes of Runway End Subzone in Appendix.³⁹)

- (4) Clear zone standards: The vertical standards within runway clear zones are in addition to and more restrictive than the vertical standards for runway end subzones. Runway clear zones shall be maintained to such regulatory standards as may be prescribed by the New Jersey Department of Transportation, Division of Aeronautics, in N.J.A.C. 16:62, "Air Safety and Zoning." The methodologies used to establish the vertical development restrictions within runway subzones, runway end subzones, and clear zones shall be interpreted in conformance with the controlling regulations for vertical development restrictions found in N.J.A.C. 16:62, "Air Safety and Zoning."
- E. Permitted principal uses within the historic airport subarea. The following principal uses are permitted within the historic airport sub-area [as defined herein within Subsection C(2)]:
- (1) Airport, provided that said airport is a licensed public use airport and has met the state and federal regulatory requirements delineated in Subsection B of this section;
 - (2) Conservation.
 - (3) Agriculture.
 - (4) Passive recreation.
- F. Permitted accessory uses within the historic airport subarea. The following accessory uses are permitted within the historic airport subarea [as defined herein within Subsection C(2)] in addition to the airport use:
- (1) Aircraft rental, charter, sales, leasing, storage and tiedown.
 - (2) Sale of aircraft fuels, fluids, lubricants, parts, supplies and equipment.
 - (3) Aircraft and aircraft component repair and maintenance.
 - (4) Pilot flight schools and training.
 - (5) Aircraft mechanic schools and training.
 - (6) Equipment and appurtenances for aircraft communication, navigation and orientation.
 - (7) Food and beverage vending machines, provided that any internally illuminated panels are not visible from a public right-of-way, public open space, residential use or residential property line.

39. Editor's Note: See Attachment 7 to this chapter.

- (8) Restaurant, not exceeding 40 seats.
 - (9) Rental car, not exceeding five on-site rental vehicles.
 - (10) Gift shop.
 - (11) Sale of supplies and equipment for pilots and air crew members, provided that there is no outdoor display of merchandise.
 - (12) Airport museum.
 - (13) Office, terminal, waiting room, weather briefing, and conference room facilities.
 - (14) Conservation.
 - (15) Agriculture.
 - (16) Passive recreation.
 - (17) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. **[Added 8-6-2018 by Ord. No. 11-2018]**
 - (18) Solar parking canopies as regulated in § 148-60.2. **[Added 8-6-2018 by Ord. No. 11-2018]**
- G. Permitted uses outside of the historic airport subarea. Those lands that are within the Air Safety and Historic Airport District but do not lie within the historic airport subarea shall be subject to the underlying zoning district standards, but shall adhere to all development controls established by this section relative to land use and bulk.
- H. Prohibited land uses. The following uses are prohibited within the Air Safety and Historic Airport District:
- (1) Residential dwelling units not situated on a lot of at least three (3) acres in size.
 - (2) Residential dwelling units in a clear zone.
 - (3) Planned unit developments and multifamily dwellings.
 - (4) Hospitals.
 - (5) Schools (not including pilot and aircraft mechanic schools).
 - (6) Aboveground bulk tank storage of compressed flammable or compressed toxic gases or liquids.
 - (7) Aboveground bulk tank storage of flammable or toxic gases or liquids in runway end subzones.
 - (8) Uses that may attract massing birds.
 - (9) Above-grade major utility transmission lines and mains.
 - (10) Use of aircraft hangars for nonaviation purposes. For example, the use of aircraft

hangars for nonaviation purposes, such as the storage or sheltering of automobiles, boats, or household or business goods, is prohibited.

(11) All uses not specifically permitted.

I. Regulations for airports. Airports shall be required to meet the following regulations for airports:

- (1) Conformance with state and federal requirements: Airports shall maintain conformance with all applicable rules, regulations and lawful orders, directives and requirements of the State of New Jersey and the United States Federal Government.
- (2) Ordinance conformance: Airports shall maintain conformance with the substantive and procedural standards of the Air Safety and Historic District Ordinance and the Code of Readington Township and any deed restrictions which may apply to the airport property.
- (3) Landscaping and maintenance: Areas of the historic airport subarea not utilized by structures or paved surfaces shall be planted and maintained so as to promote a desirable visual environment and to promote good drainage and soil erosion management practices.
- (4) Setbacks: The minimum setback for airport buildings, structures, paving and aircraft parking shall be 25 feet from the boundaries of the historic airport subarea; the minimum setback for airport buildings, structures, paving and aircraft parking from public rights-of-way shall be 50 feet; the minimum setback from the longitudinal center line of any runway from the boundaries of the historic airport subarea shall be 125 feet.
- (5) Floor area: The maximum permitted cumulative floor area for aircraft hangars and aircraft maintenance shall not exceed 150,000 square feet. The maximum permitted cumulative floor area for other permitted and accessory airport uses shall not exceed 35,000 square feet.
- (6) Airport museum incentive: The first 1,000 square feet of "airport museum" building usage at an airport shall not be counted against the maximum permitted floor area of 35,000 square feet for "other permitted and accessory uses."
- (7) Historic design incentive: If the Planning Board or Zoning Board of Adjustment determines that a proposed new airport development or redevelopment application incorporates significant design, aesthetic, and architectural features that promote and recognize the historic heritage of the airport, 10% of the floor area of such development or redevelopment shall not be counted against the maximum permitted floor area of 150,000 square feet or 35,000 square feet specified herein.
- (8) Aircraft hangar incentive: The Township finds that fully enclosed lockable aircraft hangars designed and used to accommodate a single aircraft offer superior aircraft security, aircraft protection, and minimize aircraft-related "attractive nuisance" problems. Proposals for the development of new fully enclosed lockable aircraft hangars designed and used to accommodate a single aircraft shall be permitted to exclude 10% of the floor area of such development from the tabulation of the maximum permitted

floor area of 150,000 square feet specified herein.

- (9) Automobile parking: The airport shall have available a sufficient amount of on-airport automobile parking to accommodate airport business demands.
 - (a) Airport: one space/every three outdoor tiedowns; plus one space for every 2,000 square feet of hangar space; plus one space for each employee on the greatest shift.
 - (b) Restaurant: one space / three seats.
 - (c) Retail: one space / 300 square feet.
 - (d) Flight school: one space/ 1,000 square feet.
 - (e) Museum: one space / 500 square feet.
- (10) Vehicle and pedestrian supervision: The airport shall provide for such on-airport fencing, signage, and supervision of vehicles and pedestrians so as to provide for the general public safety.

- J. The Zoning Map is hereby amended to depict the Solberg-Hunterdon Air Safety and Historic Airport District as an overlay zone, and to depict the historic airport subarea within the overall zone as described herein. (See Exhibit 6, Zoning Map and Exhibit 7, Airport Districts.⁴⁰)

§ 148-27.5. Village Residential Affordable Housing-1 (VRAH-1) District. [Added 4-1-2019 by Ord. No. 05-2019]

- A. Applicability. The use, bulk, design and performance standards of the VR-1 District shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the VRAH-1 are silent, the standards of Chapter 148 shall apply with the exception of § 148-50 (Critical areas) shall not apply to the area demarcated as the "Limit of Disturbance, 593,499 square feet or 13.6 acres" as depicted on "Concept Plan 1, Block 36, Lot 5, 5.02 and 5.04" prepared by The Nader Group, LLC, and dated March 9, 2018.⁴¹
- B. Purpose. The tract subject to the VRAH-1 district regulations contains an abandoned defunct industrial facility with several dilapidated structures located in the southern half of the parcel. The VRAH-1 district provides land use regulations for the redevelopment of the site where specific site elements are incorporated that limit the impact to the surrounding parcels through the requirement of adequate development setbacks, alternate means of access and sufficient buffering. The VRAH-1 District is intended to provide for the development of multifamily housing with a portion of such housing restricted to occupancy by households of very-low-, low- and moderate-income. Single-family dwellings may be developed along Mullen Road within the zone, as a conditional use.
- C. Permitted uses. Permitted principal uses and structures. The following principal uses and

⁴⁰. Editor's Note: See Attachment 7 to this chapter.

⁴¹. Editor's Note: Concept Plan 1 is included as an attachment to this chapter.

structures shall be permitted in the VRAH-1 District.

- (1) Apartment dwellings.
- (2) Public and private open space and parks.

D. Accessory uses permitted. The following accessory uses and structures shall be permitted in the VRAH-1 District:

- (1) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to, pools, tennis courts, tot lots, fitness trails and bikeways. Sports lighting (high mast, high illumination) is not permitted for these facilities.
- (2) Community building/clubhouse.
- (3) Fences and walls.
- (4) Leasing office.
- (5) Maintenance and storage of maintenance equipment.
- (6) Off-street parking.
- (7) Signs.
- (8) Site furnishings (seating, etc.).
- (9) Transit node structure/building.
- (10) Accessory uses on the same lot and customarily incidental to a principal use.

E. Community design and access. Any plan for the development of apartments shall be substantially consistent with the exhibits contained herein, entitled "Concept Plan 2, Block 36, Lot 5, 5.02 and 5.04"⁴² or, in the alternative, if a 150-foot wetland buffer is required by NJDEP, then "Concept Plan 1, Block 36, Lot 5, 5.02 and 5.04" prepared by The Nader Group, LLC, and dated March 9, 2018,⁴³ shall be utilized, in terms of layout, arrangement, scale and intensity. In addition, the development shall accommodate a future alternative access to United States Highway Route 22 from the northernmost property boundary of the tract as depicted on the exhibit "Conceptual Site Plan With Alternate Access" prepared by Clarke Caton Hintz and dated May 2018.⁴⁴

F. Conditional uses.

- (1) Detached single-family dwellings, provided all of the following conditions are met:
 - (a) Dwellings shall front on Mullen Road only.
 - (b) Dwellings and lots shall conform with the following area and yard requirements:

42. Editor's Note: Concept Plan 2 is included as an attachment to this chapter.

43. Editor's Note: Concept Plan 1 is included as an attachment to this chapter.

44. Editor's Note: The Conceptual Site Plan With Alternate Access is included as an attachment to this chapter.

- [1] Minimum lot size: 17,500 square feet.
 - [2] Maximum number of new lots: Four.
 - [3] Minimum lot circle: 100 feet.
 - [4] Maximum floor area ratio (FAR): 0.20.
 - [5] Minimum front yard setback: 50 feet.
 - [6] Minimum rear yard setback: 30 feet.
 - [7] Minimum side yard setback: 15 feet.
 - [8] Each lot shall have a minimum 10,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence and accessory building and structures and a usable yard.
 - [9] Maximum building height: 35 feet and 2 1/2 stories.
- (c) Dwellings shall be served by public sewer and water.
 - (d) Apartment dwellings shall not be accessed from Mullen Road but have access to United States Highway Route 22 via the alternate access.
- G. Maximum building height. Apartment buildings shall not exceed 50 feet in height and three stories.
- H. Area and yard requirements. The following area and bulk regulations shall apply:
- (1) Apartments.
 - (a) Minimum tract size shall be as follows:
 - [1] Equal to the tract size of Block 36, Lots 5, 5.02 and 5.04; or
 - [2] If single-family dwellings are proposed in accordance with § 148-127.5F(1), then the tract size may be reduced to allow for the subdivision of conforming lots to accommodate the single-family dwellings.
 - (b) Maximum density: five dwelling units (du) per acre.
 - (c) Maximum number of dwelling units: 192.
 - (d) Maximum building coverage: 15%.
 - (e) Maximum impervious coverage: 30%.
 - (f) Minimum building setback from tract boundary (other than railroad right-of-way): 200 feet.
 - (g) Minimum building setback from railroad right-of-way: 170 feet.
 - (h) Minimum distance between buildings: 115 feet.

- (i) Minimum buffer widths.
 - [1] Railroad right-of-way: 50 feet.
 - [2] Tract boundary (other than railroad right-of-way): 100 feet.
- (j) Minimum building setback from any community amenity (i.e., clubhouse, pool, playground) shall be 150 feet. This does not apply to paths, walks and seating.
- (k) Buildings shall be located no closer than 15 feet to a street right-of-way, driveway or parking area.
- (l) In addition to any storage area contained inside individual dwelling units as depicted in the exhibit entitled "Typical Storage Unit Layout Diagram" prepared by Lessard Design and dated February 2, 2018; there shall be provided a storage area located in a conveniently accessible area in a building where personal belongings and effects may be stored without constituting a fire hazard. The storage area shall be a minimum of 2,500 square feet.
- (m) Parking spaces shall be provided for all residential dwellings according to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
- (n) Parking areas and driveways shall be located a minimum of 25 feet from any tract boundary, except where connectivity to adjacent properties or streets is necessary.
- (o) Minimum open space.
 - [1] Fifty percent of the gross tract area shall be set aside for conservation, passive or active recreation and/or other common open space.
 - [2] No more than 1/2 of the open space area shall be critical lands including floodplains, wetlands, wetlands buffers, streams, bodies of water, stream corridor buffers and steep slopes (90% of slopes between 15% and 25% and all slopes greater than 25%).
 - [3] The stormwater management system may be located in the open space area; however, the land area of any detention or retention basin shall not be counted toward the minimum open space area requirements.
 - [4] Open space area shall comply with §§ 148-50, 148-59 and 148-60 of the Land Development Ordinance.
- I. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law at N.J.S.A. 40:55D-51.
 - (1) Building design. The purpose of these building design standards is to ensure that the design of buildings promotes a desirable visual and spatial environment and that the buildings fit within the existing range of vernacular styles within Readington Township. The design of the apartment or townhouse buildings shall comply with the following standards and be substantially consistent with the exhibit contained herein, entitled

"Elevation: Mullen at Readington."

- (a) Buildings shall have a gable or hipped roof unless waived by the Board.
 - (b) All building elevations shall exhibit classical proportions and characteristics such as symmetry, repetition of elements, expressions of hierarchy to reflect the building uses, and tripartite compositions (base, middle, top).
 - (c) Subelements within the facades and individual architectural components (i.e., railings, awnings, columns) shall also conform to the overall classical proportions of the facade.
 - (d) Principal roof eaves shall project at least two feet beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
 - (e) Primary roofs shall have a minimum pitch of 5/12.
 - (f) Secondary roofs may have a pitch below 4/12.
 - (g) The transition between a facade and a roof shall have a cornice/frieze that is designed to fit the overall composition of the facade.
 - (h) Windows and other openings in the facade shall exhibit a vertical emphasis, in harmony with the overall facade composition. Windows shall be single hung and operable, with divided lights.
 - (i) Within each building elevation, on average, the maximum ratio of windows to wall shall be 25% window to 75% wall. The minimum ratio of window to wall shall be 25% window to 75% wall.
 - (j) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
 - (k) Any facade exceeding 45 feet in length shall include at least one change in wall plane (projection or recess) having a depth of at least 3% of the length of the entire facade or two-foot minimum, whichever is greater and extending for a minimum of 20% of the entire length of the facade or ten-foot minimum, whichever is greater.
- (2) Lighting.
- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. The use of light-emitting diode (LED) fixtures is required for energy efficiency and uniform illumination.
 - (b) Parking lots shall be illuminated with an average of no less than two-tenths

footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.

- (c) Illumination at property lines shall not exceed one-tenth footcandle, excluding public street rights-of-way.
 - (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source, and lighting fixtures not to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
 - (e) Pedestrian-level lighting shall be used along any pedestrian walkways not illuminated by parking lot lighting. The minimum illumination of pedestrian areas shall be two-tenths footcandle over the walkway surface, except that no illumination shall be required for trails and pathways in the passive recreation land use area. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.
 - (f) Fixtures for illumination shall be full-cutoff luminaires.
- (3) Signs.
- (a) Neighborhood identification. There may be a maximum of one permanent freestanding neighborhood identification sign located at the parking area entrance. Neighborhood identification signs shall be set back at least three feet from any property line, shall not exceed 35 square feet in sign area and shall not exceed five feet in height.
 - (b) Community building. The community building may have one wall identification sign. The permanent wall identification sign shall not exceed 10 square feet in sign area.
 - (c) Directional signs. Up to two directional signs shall be allowed on each street or driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - (d) Residential building identification. Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (4) Mechanical equipment, refuse and loading.
- (a) General. Such areas, due to their visual and noise impacts onto adjacent properties and visitors to the site, shall be screened, recessed and enclosed.
 - (b) Outdoor storage, utility meters, HVAC equipment, recycling containers, trash dumpsters, and other such service functions shall be incorporated into the overall design of the buildings and site layout. Walls, screens and enclosures for such uses shall be of a similar construction and material as the primary buildings to which

they are associated. Such accessory structures and uses shall be adequately landscaped to the point where the visual and acoustic impacts of these functions in conjunction with walls, screens and/or enclosures are fully contained and out of the view from general passersby.

(5) Streets.

- (a) Option A: alternate access. The access to the apartment dwellings shall be from an alternate access (See exhibit entitled "Conceptual Site Plan with Alternate Access" prepared by Clarke Caton Hintz and dated May 2018)⁴⁵ which shall be improved to meet RSIS standards for residential access and include the following:

- [1] On-street parking shall not be required;
- [2] Access width shall be 20 feet; and
- [3] A six-foot sidewalk shall be provided on one side of the access.

- (b) Option B: Mullen Road access. Access to the apartment dwellings from Mullen Road shall only be permitted if Option A, alternate access, does not receive the necessary outside agency approvals and efforts to construct the alternate access is in compliance with the affordable housing settlement agreement. The Mullen Road access shall be improved to meet RSIS standards for a residential access street classification and include the following:

- [1] Access shall accommodate on-street parking on both sides of the street;
- [2] Access width shall be 30 feet; and
- [3] Sidewalks on one side of the street shall be provided.

J. General standards.

- (1) There shall exist approved public water and public sewer systems which shall be available to each unit prior to the issuance of the building permit for that unit.
- (2) For developments to be constructed over a period of years, a phasing plan shall be submitted as part of the preliminary plan for the entire concept subject to a developer's agreement with the Township.

K. Affordable housing. All multifamily residential development shall be required to include affordable housing as a component. The following requirements shall apply:

- (1) At least 25% of all residential units shall be affordable to low- and moderate-income households.
- (2) A minimum of 48 affordable family rental apartment dwellings shall be provided.
- (3) Affordable units shall be interspersed uniformly throughout the development.
- (4) Very-low-, low- and moderate-income housing shall be constructed and rented in

45. Editor's Note: The Conceptual Site Plan With Alternate Access is included as an attachment to this chapter.

accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. The split between very-low-, low- and moderate-income housing shall provide the following:

- (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate income up shall not exceed maximum of 50% of all affordable units.
- (5) Bedroom distribution. A minimum of 20% of the affordable apartment dwellings shall be three-bedroom units. The remaining bedroom distribution shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA)⁴⁶ and all other applicable laws. **[Amended 7-1-2019 by Ord. No. 17-2019]**
- (6) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market-rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable laws.
- (7) Affordable housing units shall be affordable family rentals and shall not be age-restricted or supportive housing units.
- (8) The Township-designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.6. Multifamily Affordable Housing-1 (MFAH-1) District. [Added 3-4-2019 by Ord. No. 04-2019]

- A. Applicability. The use, bulk, design and performance standards of the MFAH-1 District shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the MFAH-1 are silent, the standards of Chapter 148 shall apply.
- B. Purpose. The tract subject to the MFAH-1 district regulations contains three existing office buildings and the remnants of four pad sites for future office buildings that were not constructed. The parcel also includes driveways and parking to support the office complex and site improvements, including stormwater utilities, plantings and lighting. The MFAH-1 district provides land use regulations for the redevelopment of the site where specific site elements are incorporated that limit the impact to the surrounding parcels through the

46. Editor's Note: See 42 U.S.C. § 3601 et seq.

requirement of adequate development setbacks and sufficient buffering. The MFAH-1 District is intended to provide for the redevelopment of the site for multifamily housing, including the demolition of all but one existing office building and the abandonment of the existing pad sites. The site will be redeveloped for multifamily housing with a portion of such housing restricted to occupancy by households of very-low, low and moderate income.

- C. Permitted uses. Permitted principal uses and structures. The following principal uses and structures shall be permitted in the MFAH-1 District:
- (1) Existing office use only. Any expansion shall require a use variance.
 - (2) Apartment dwellings.
 - (3) Public and private open space and parks.
- D. Accessory uses permitted. The following accessory uses and structures shall be permitted in the MFAH-1 District:
- (1) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to, pools, tennis courts, tot lots, fitness trails and bikeways. Sports lighting (high mast, high illumination) is not permitted for these facilities.
 - (2) Community room.
 - (3) Fences and walls.
 - (4) Business office.
 - (5) Maintenance and storage of maintenance equipment.
 - (6) Off-street parking.
 - (7) Signs.
 - (8) Site furnishings (seating, etc.).
 - (9) Transit node structure/building.
 - (10) Accessory uses on the same lot and customarily incidental to a principal use.
- E. Community design and access. Any plan for the development of apartments shall be substantially consistent with the annotated exhibit contained herein, entitled "Conceptual Site Plan" prepared by Chester, Ploussas, Lisowsky Partnership, LLC, and dated November 28, 2018,⁴⁷ in terms of layout, arrangement, scale and intensity. Specifically, the plan shall incorporate a central common space for active recreation and a pedestrian network connecting the residential community to the transit stop. The pedestrian network shall also provide connections to individual apartment buildings, the open space/common areas, recreational areas and the community/recreation building.
- F. Maximum building height. Apartment buildings shall not exceed 45 feet in height and three

47. Editor's Note: The Conceptual Site Plan is included as an attachment to this chapter.

stories.

G. Area and yard requirements. The following area and bulk regulations shall apply:

(1) Apartments.

- (a) Minimum tract size shall be equal to the size of Block 4, Lots 51 and 52; however the subdivision of the parcel for the purposes of ownership divisions is permitted.
- (b) The maximum number of dwelling units is 254 family rental dwelling units.
- (c) Maximum dwelling units per building shall not exceed 30 for walk-up dwellings and 44 for elevator-serviced buildings.
- (d) Minimum building setback from United States Route 22 right-of-way shall be 100 feet.
- (e) Minimum building setback from any tract boundary adjacent to an existing residential use or zone shall be 50 feet.
- (f) Minimum building setback from any tract boundary adjacent to a nonresidential use or zone shall be 30 feet.
- (g) Minimum distance between buildings.

[1] Apartment buildings.

- [a] Front to front: 40 feet.
- [b] Front to side: 40 feet.
- [c] Side to side: 30 feet.
- [d] Rear to rear: 50 feet.

(h) Minimum buffer widths.

- [1] Residential use or zone: 50 feet.
- [2] Tract boundary adjacent to United States Route 22: 50 feet.
- [3] Rear yard tract boundary adjacent to building: 20 feet.
- [4] Side yard tract boundary adjacent to building: 30 feet.
- [5] Tract boundary adjacent to parking: 10 feet.
- (i) Residential buffers shall allow walkways and trails but will provide a minimum of 40 feet of planted area.
- (j) New buildings shall be located no closer than 18 feet to a parking area. Existing structures containing or converted to a permitted use located next to parking shall be permitted to be closer as exists.

- (k) New buildings shall be located no closer than 30 feet to the main entrance driveway.
 - (l) For each apartment dwelling, in addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit 150 cubic feet of storage area located in a conveniently accessible area of the building where personal belongings and effects may be stored without constituting a fire hazard and where said belongings and effects may be kept locked and separated from the belongings of other occupants.
 - (m) Off-street parking shall be provided for all residential dwellings according to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
 - (n) Parking areas and driveways shall be located a minimum of 10 feet from any tract boundary, except where connectivity to adjacent properties or streets is necessary.
 - (o) Minimum open space.
 - [1] Thirty percent of the gross tract area shall be set aside for conservation, passive or active recreation and/or other common open space.
 - [2] No less than 25% of the required open space area shall be unconstrained by critical lands, including floodplains, wetlands, wetlands buffers, streams, bodies of water, stream corridor buffers and steep slopes (90% of slopes between 15% and 25% and all slopes greater than 25%).
 - [3] The stormwater management system may be located in the open space area; however, the land area of any detention or retention basin shall not be counted toward the minimum open space area requirements.
 - [4] Open space areas shall be substantially consistent with the concept plan and shall comply with §§ 148-50, 148-59 and 148-60 of the Land Development Ordinance. In instances where the open space areas are not compliant with §§ 148-50, 148-59 and 148-60, the concept plan shall take precedence.
- H. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law at N.J.S.A. 40:55D-51.
- (1) Building design. The purpose of these building design standards is to ensure that the design of buildings promotes a desirable visual and spatial environment and that the buildings fit within the existing range of vernacular styles within Readington Township. The design of the apartment or townhouse buildings shall comply with the following standards and be substantially consistent with the exhibit contained herein, entitled "Readington Front Elevation" prepared by Chester, Ploussas, Lisowsky Partnership, LLC.⁴⁸
 - (a) Buildings shall have a gable or hipped roof unless waived by the Board.

48. Editor's Note: The Readington Front Elevation is included as an attachment to this chapter.

Architecture shall be consistent with the vernacular residential and rural vocabulary and styles found in the Villages of Whitehouse Station, Three Bridges, or Whitehouse.

- (b) All building elevations shall exhibit classical proportions. The characteristics of classicism include symmetry, repetition of elements, expressions of hierarchy to reflect the building uses, and tripartite compositions (base, middle, top).
 - (c) Subelements within the facades and individual architectural components (i.e., railings, awnings, columns) shall also conform to the overall classical proportions of the facade.
 - (d) Principal roof eaves shall project at least two feet beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
 - (e) Primary roofs shall have a minimum pitch of 6/12.
 - (f) Secondary roofs may have a pitch below 4/12.
 - (g) The transition between a facade and a roof shall have a cornice/frieze that is designed to fit the overall composition of the facade.
 - (h) Windows and other openings in the facade shall exhibit a vertical emphasis, in harmony with the overall facade composition. Windows shall be double hung and operable, with divided lights.
 - (i) Within each building elevation, the maximum ratio of windows to wall shall be 50% window to 50% wall.
 - (j) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
 - (k) Any facade exceeding 30 feet in length shall include at least one change in wall plane (projection or recess) having a depth of at least 3% of the entire length of the facade and extending for a minimum of 20% of the entire length of the facade.
- (2) Lighting.
- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. The use of light-emitting diode (LED) fixtures is required for energy efficiency and uniform illumination.
 - (b) Parking lots shall be illuminated with an average of no less than two-tenths footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.

- (c) Illumination at property lines shall not exceed one-tenth footcandle, excluding public street rights-of-way.
 - (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source, and lighting fixtures not to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
 - (e) Pedestrian-level lighting shall be used along any pedestrian walkways not illuminated by parking lot lighting. The minimum illumination of pedestrian areas shall be two tenths footcandle over the walkway surface, except that no illumination shall be required for trails and pathways in the passive recreation land use area. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.
 - (f) Fixtures for illumination shall be full-cutoff luminaires.
- (3) Signs.
- (a) Community/recreation building. The community building may have one wall identification sign. The permanent wall identification sign shall not exceed 10 square feet in sign area.
 - (b) Directional signs. Up to two directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - (c) Residential building identification. Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (4) Mechanical equipment, refuse and loading.
- (a) General. Such areas, due to their visual and noise impacts onto adjacent properties and visitors to the site, shall be screened, recessed and enclosed.
 - (b) Outdoor storage, utility meters, HVAC equipment, recycling containers, trash dumpsters, and other such service functions shall be incorporated into the overall design of the buildings and site layout. Walls, screens and enclosures for such uses shall be of a similar construction and material as the primary buildings to which they are associated. Such accessory structures and uses shall be adequately landscaped to the point where the visual and acoustic impacts of these functions in conjunction with walls, screens and/or enclosures are fully contained and out of the view from general passersby.
- I. Affordable housing. All multifamily residential development shall be required to include affordable housing as a component. The following requirements shall apply:
- (1) A minimum of 25% of all apartment dwellings shall be affordable family rental

dwelling units. Assuming the project generates the contemplated yield of 254 units this would mean a total of no less than 64 affordable housing units.

- (2) Affordable dwelling units shall be interspersed among all buildings throughout the development with no less than five and no more than eight affordable dwelling units within each building.
- (3) Very-low-, low- and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. The split between very-low-, low- and moderate-income housing shall provide the following:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate income up shall not exceed maximum of 50% of all affordable units.
- (4) Bedroom distribution. The bedroom distribution shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable laws.
- (5) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market-rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable laws.
- (6) Development that includes inclusionary affordable housing shall be exempt from § 148-9, which defines a stream corridor associated with Category 1 waters to be measured 300 feet from the top of the stream bank. The stream corridor shall be measured from the top of the stream bank to the closest existing building pad. All other requirements pertaining to stream corridors shall apply to development in the OMAH District.
- (7) The Township-designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.7. Age-Restricted Affordable Housing-1 (ARAH-1). [Added 6-15-2020 by Ord. No. 21-2020; amended 7-20-2020 by Ord. No. 23-2020]

- A. Applicability. The use, bulk, design and performance standards of the ARAH-1 District shall supersede the zoning provisions of the Readington Township Land Use Development

Ordinance (Chapter 148). However, where the regulations and standards of the ARAH-1 are silent, the standards of Chapter 148 shall apply.

- B. Purpose. The tract subject to the ARAH-1 District regulations contains an existing private eighteen-hole golf course that straddles the Readington Township and Branchburg Township border. The ARAH-1 District is intended to provide for the redevelopment of the site for 100% age-restricted housing with a portion of such housing restricted to occupancy by households of very-low-, low- and moderate-income. Redevelopment shall be substantially consistent with the "Open Space Concept Plan", Fox Hollow Golf Club, Block 15, Lot 28 Readington Township, Block 5.11 Lot 2 Branchburg Township, prepared by Gladstone Design dated September 3, 2019, revised March 16, 2020, ("Concept Plan"), which is attached as an exhibit to this chapter.⁴⁹ The ARAH-1 Zone shall provide for no more than 240 total dwelling units and shall provide 48 affordable dwelling units.
- C. Permitted principal uses.
- (1) Age-restricted housing required. All dwellings shall be age-restricted via deed as defined by the Secretary of HUD as "housing for older persons" pursuant to Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. §§ 3607, and in compliance with the Fair Housing Amendments Act of 1988 and amendments thereto, including but not limited to the Housing for Older Persons Act of 1995. Such restrictions shall require that one occupant of a dwelling be at least 55 years of age and that no permanent resident may be younger than 19 years old and that one occupant of a dwelling, at least one of whom is at least 55 years old, may be younger than 55. Notwithstanding, up to 15% of the dwellings in the development may be owned and/or occupied by families, at least one member of which has attained the age of 45, and no permanent resident of the dwelling shall be under 19.
 - (a) Any person who was permitted to, and did occupy, a dwelling with an age-qualified person may continue to occupy the home after the death of such age-qualified person.
 - (b) In the event of the death of an age-qualified owner/occupant of a dwelling, ownership may pass to a person under the age of 55, however, that person shall not be permit to occupy the dwelling except as provided above.
 - (2) Detached single-family dwellings.
 - (3) Townhouses.
 - (4) Group homes.
 - (5) Public and private open space, recreation and parks.
 - (6) Multifamily dwellings, including stacked townhouses and apartments.
- D. Permitted accessory uses.
- (1) Active common recreational facilities for the use and enjoyment of residents and their

49. Editor's Note: Said exhibit is included as an attachment to this chapter.

guests, including, but not limited to pools, tennis courts, tot lots, fitness trails and bikeways. "Sports" lighting (high-mast, high illumination) is not permitted for these facilities.

- (2) Clubhouse, community building, rental/business office and model unit(s) to be converted into residential units.
- (3) Patios.
- (4) Fences and walls as regulated in Article VI.
- (5) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
- (6) Private garages and off-street parking.
- (7) Signs.
- (8) Site furnishings (seating, trash and recycling enclosures, etc.).
- (9) Conservation, open space and public purpose uses.
- (10) Accessory uses on the same lot and customarily incidental to a principal use.
- (11) Stormwater management, sanitary sewer facilities, including treatment and disposal, and other public or private utilities appurtenant to an age restricted affordable housing development.

E. Tract requirements.

- (1) Minimum tract size: The minimum tract size shall be equal to the tract size of Block 15, Lot 28. All lands within the tract shall be included as part of a development application for development provided for herein. All proposals for land use and development/redevelopment within the tract shall be fully articulated within the development application.
- (2) Maximum number of dwelling units: 240 dwellings.
- (3) Maximum building coverage for tract: 20%.
- (4) Maximum impervious coverage for tract: 35%.
- (5) Minimum tract boundary setback and buffer: 25 feet (market-rate DU); 20 feet AHDU.
- (6) Minimum building setback from community amenity: 75 feet (not applicable to paths, walks and seating).

F. Area and yard requirements for dwelling types.

- (1) Single-family detached dwellings.
 - (a) Maximum height: 35 feet and 2 1/2 stories.
 - (b) Minimum lot area: 5,000 square feet.

- (c) Minimum lot frontage: 45 feet.
 - (d) Minimum lot depth: 75 feet.
 - (e) Minimum side yard: five feet one side/12 feet combined.
 - (f) Minimum front yard: 20 feet.
 - (g) Minimum rear yard: 20 feet.
 - (h) Maximum impervious coverage: 65%.
 - (i) Maximum building coverage: 50%.
- (2) Market-rate townhouses.
- (a) Maximum height: 35 feet and 2 1/2 stories.
 - (b) Maximum dwelling units per building: eight.
 - (c) Minimum lot area: 2,800 square feet.
 - (d) Minimum lot frontage: 28 feet.
 - (e) Minimum lot depth: 75 feet.
 - (f) Minimum side yard: 10 feet.
 - (g) Minimum front yard: 20 feet; for corner lots one front yard may be 15 feet.
 - (h) Minimum rear yard: 20 feet.
 - (i) Maximum impervious coverage: 85%.
 - (j) Maximum building coverage: 65%.
- (3) Affordable townhouses.
- (a) Maximum height: 35 feet and 2 1/2 stories.
 - (b) Maximum dwelling units per building: eight.
 - (c) Minimum lot area: 1,900 square feet.
 - (d) Minimum lot frontage: 20 feet.
 - (e) Minimum lot depth: 75 feet.
 - (f) Minimum side yard: 7.5 feet.
 - (g) Minimum front yard: 10 feet from street right-of-way, driveway or parking area, except that 20 feet is required where a front facing garage is part of the building.
 - (h) Minimum rear yard: 20 feet.
 - (i) Maximum impervious coverage: 90%.

- (j) Maximum building coverage: 80%.
- (4) Permitted building encroachments for residential buildings.
 - (a) Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to four feet in a front, rear or side setback.
 - (b) Bay windows and chimneys projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
 - (c) Decks projecting no more than 10 feet from the building face are permitted in the rear yard setback, but in no case shall the encroachment exceed five feet.
- (5) Community building.
 - (a) Maximum height: 35 feet and two stories.
- (6) Multifamily dwellings (stacked townhouses or apartments).
 - (a) Maximum height: 35 feet and 2 1/2 stories.
 - (b) Maximum dwelling units per building: 16.
 - (c) Minimum lot size: 800 square feet per two stacked dwelling units.
 - (d) Minimum lot depth: 75 feet.
 - (e) Minimum side yard: 10 feet.
 - (f) Minimum front yard: 10 feet from a street right-of-way, driveway or parking area, except that 20 feet is required where a front-facing garage is part of the building.
 - (g) Minimum rear yard setback: 10 feet.
 - (h) Maximum Impervious coverage: 90%.
 - (i) Maximum building coverage: 80%.

G. Parking and circulation.

- (1) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21).
- (2) Parking areas and driveways shall be located a minimum of 25 feet from any tract boundary, except where connectivity to adjacent properties or streets is necessary.
- (3) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.

H. Open space.

- (1) Minimum: 20% of the tract area, including privately-owned common areas and

dedicated public open space, but excluding any lands retained for use for the Fox Hollow Golf Course.

(2) Permitted open space uses:

- (a) Conservation.
- (b) Passive recreation.
- (c) Active recreation.

(3) The stormwater management and sanitary sewer systems may be located in open space and the land area of any detention or retention basin shall be counted toward the minimum open space area requirements.

(4) Physical access shall be provided by the developer to open space that is dedicated to the Township. Such access shall consist of a connection to a proposed shared path that mirrors the primary access road within the residential portion of the zone; and a connection to the parking area that serves the golf course use. The nature and extent of such access is subject to approval of the Township Committee and shall be memorialized within a site plan approval and recorded in the form of a dedication of land, easement or right-of-way. If dedicated, such land shall not reduce the amount of land used in calculation of building coverage, impervious coverage, floor area ratio or density. Such access shall be no less than 10 feet in width.

I. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

(1) Building design.

- (a) Buildings shall have a gable or hipped roof.
- (b) Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
- (c) Primary roofs shall have a minimum pitch of 6/12.
- (d) Secondary roofs may have a pitch below 4/12.
- (e) Within each front building elevation, the maximum ratio of windows to wall shall be 25% window to 75% wall.
- (f) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
- (g) Townhouse unit facades facing streets shall be offset from each other by at least two feet (projection or recess) between units.
- (h) Apartment storage. For each apartment, there shall be provided a minimum of 100 cubic feet of storage.

(2) Lighting.

- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- (b) Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to one.
- (c) Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
- (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures not to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- (e) Fixtures for illumination shall be full cutoff luminaires.

(3) Signs.

- (a) Neighborhood identification. There may be a maximum of one permanent freestanding neighborhood identification sign located at the entrance to the community. Neighborhood identification signs shall be set back at least three feet from any property line, shall not exceed 60 square feet in sign area and shall not exceed five feet in height. Neighborhood identification signs may be mounted on brick or masonry walls or buildings.
- (b) Community/recreation/clubhouse building. The community/recreation/clubhouse building may have one wall identification sign. The permanent wall identification sign shall not exceed 20 square feet in sign area.
- (c) Directional signs. Up to two directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
- (d) Residential building identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.

(4) Open space.

- (a) Configuration, location and extent of open space shall be substantially consistent with the Concept Plan.

- (b) Detailed plans shall be provided for all common open space and recreation areas for approval.

J. Affordable housing.

- (1) Minimum number of affordable dwelling units: 48.
- (2) Minimum percentage of affordable dwellings: 20% of the total number of dwelling units.
- (3) Affordable dwelling units shall be located in similar locations as shown on the Concept Plan.
- (4) Affordable dwelling units shall be constructed and sold or rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (5) Affordable dwelling unit household income breakdown:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate-income up shall not exceed maximum of 50% of all affordable units.
- (6) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. Age restricted low- and moderate-income units may utilize a modified bedroom distribution consisting of one- and two-bedroom units, with no three-bedroom units. At a minimum, the number of bedrooms shall equal the number of age restricted low- and moderate-income units within the inclusionary development. The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
- (7) The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.
- (8) In the event the Affordable Housing units are transferred to an affordable rental property management company, the affordable rental property management company can become the Affordable Housing Administrator for the project.

§ 148-27.8. Age-Restricted Affordable Housing-2 (ARAH-2). [Added 5-4-2020 by Ord. No.

12-2020]

- A. **Applicability.** The use, bulk, design and performance standards of the ARAH-2 District shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the ARAH-2 are silent, the standards of Chapter 148 shall apply.
- B. **Purpose.** The ARAH-2 District provides for the municipally-sponsored redevelopment of the zone for 100% affordable housing through the creation of multifamily dwellings consisting of independent age-restricted apartments, independent living supportive apartments and supportive housing group homes. The total number of dwelling units/bedrooms shall be up to 43 and, along with anticipated bonuses, should result in the creation of 63 affordable housing credits. Redevelopment of this zone shall be substantially consistent with the plan entitled "BCUW Readington" consisting of two sheets, dated February 13, 2020 ("Concept Plan").
- C. **Permitted principal uses.**
 - (1) Affordable, multifamily dwellings consisting of the following:
 - (a) **Age-restricted housing.** Age-restricted dwellings shall be age-restricted to persons 62 and older via deed as defined by the Secretary of HUD as "housing for older persons" pursuant to Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. §§ 3607, and in compliance with the Fair Housing Amendments Act of 1988 and amendments thereto, including but not limited to the Housing for Older Persons Act of 1995.
 - (b) **Supportive housing** for individuals with developmental disabilities, as defined by the State of New Jersey.
- D. **Permitted accessory uses.**
 - (1) Passive and active common recreational facilities for the use and enjoyment of residents and their guests.
 - (2) Business office.
 - (3) Fences and walls as regulated in Article VI.
 - (4) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
 - (5) Off-street parking.
 - (6) Signs.
 - (7) Site furnishings (seating, trash and recycling enclosures, etc.).
 - (8) Conservation, open space and public purpose uses.
 - (9) Accessory uses customarily incidental to the principal use.

E. Area and yard requirements.

- (1) Minimum tract size: The minimum tract size shall be equal to the tract size of Block 22, Lot 66. All lands within the tract shall be included as part of a development application for development provided for herein. All proposals for land use and development/redevelopment within the tract shall be fully articulated within the development application.
- (2) Maximum number of dwelling units: 43.
- (3) Maximum building height: 35 feet and 2 1/2 stories.
- (4) Minimum front yard setback: 20 feet.
- (5) Minimum rear yard setback: 20 feet.
- (6) Minimum side yard setback: 30 feet.
- (7) Maximum impervious coverage: 70%.
- (8) Maximum building coverage: 40%.

F. Off-street parking.

- (1) Off-street parking shall be provided and shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.
- (2) Minimum front yard setback for off-street parking: 50 feet except where connectivity to adjacent properties or streets is necessary.
- (3) Minimum side and rear yard setback for off-street parking: zero feet.

G. Open space.

- (1) Minimum: 10% of the tract area.
- (2) The stormwater management elements may be located in open space and the land area of any detention or retention basin shall be counted toward the minimum open space area requirements.

H. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

- (1) Building design.
 - (a) Buildings shall have a gable or hipped roof.
 - (b) Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.

- (c) Primary roofs shall have a minimum pitch of 6/12.
- (d) Secondary roofs may have a pitch below 4/12.
- (e) Apartment storage. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided 200 cubic feet of storage in a conveniently accessible area, either within the building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(2) Lighting.

- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- (b) Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to 1.
- (c) Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
- (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- (e) Fixtures for illumination shall be full cutoff luminaires.

(3) Signs.

- (a) Project identification: There may be a maximum of one permanent freestanding project identification sign located at the entrance to the project. Such sign shall be set back at least three feet from any property line, shall not exceed 32 square feet in sign area and shall not exceed five feet in height.
- (b) Directional signs: Up to two directional signs shall be allowed at the driveway frontage from which vehicular access is derived. A directional sign shall not exceed four square feet in sign area and shall not exceed four feet in height. A directional sign shall be set back from any lot line by at least three feet.
- (c) Residential building identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be integrated within the architecture of the buildings.

I. Affordable housing.

- (1) Minimum number of affordable dwelling units: 43.
- (2) Minimum percentage of affordable dwellings: 100% of the total number of dwelling units.
- (3) Affordable dwelling units shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (4) Affordable dwelling unit household income breakdown:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income households (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate-income shall not exceed maximum of 50% of all affordable units.
- (5) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution consisting of one- and two-bedroom units, with no three-bedroom units. At a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development.
- (6) The range of affordability, pricing and rent of units, affirmative marketing, fifty-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
- (7) The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.9. Age-Restricted Affordable Housing-3 (ARAH-3). [Added 6-15-2020 by Ord. No. 17-2020]

- A. **Applicability.** The use, bulk, design and performance standards of the ARAH-3 District shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the ARAH-3 are silent, the standards of Chapter 148 shall apply.
- B. **Purpose.** The ARAH-3 District includes the entirety of Block 21.05 Lot 2, which is owned by the Township of Readington. This zone contains the existing Stephen A. Mirota Senior

Residence, consisting of 60 affordable senior rental apartments and provides for the development of an additional 80 age-restricted affordable rental apartments in association with the existing Mirota complex.

C. Permitted principal uses.

- (1) Age-restricted multifamily apartments. Age-restricted dwellings shall be age-restricted via deed as defined by the Secretary of HUD as "housing for older persons" pursuant to Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. §§ 3607, and in compliance with the Fair Housing Amendments Act of 1988 and amendments thereto, including but not limited to the Housing for Older Persons Act of 1995.

D. Permitted accessory uses.

- (1) Passive and active common recreational facilities for the use and enjoyment of residents and their guests.
- (2) Business office.
- (3) Fences and walls as regulated in Article VI.
- (4) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
- (5) Off-street parking.
- (6) Signs.
- (7) Site furnishings (seating, trash and recycling enclosures, etc.).
- (8) Conservation, open space.
- (9) Accessory uses customarily incidental to the principal use.

E. Area and yard requirements.

- (1) Maximum number of total dwelling units: 140, consisting of 60 existing and 80 additional.
- (2) Maximum building height: 50 feet and three stories.
- (3) Minimum front yard setback: 40 feet.
- (4) Minimum rear yard setback: 50 feet.
- (5) Minimum side yard setback: 20 feet.
- (6) Maximum impervious coverage: 80%.
- (7) Maximum building coverage: 65%.

F. Off-street parking.

- (1) Off-street parking shall be provided and shall be designed, to comply with the New

Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.

- (2) Minimum front yard setback for off-street parking: 20 feet except where connectivity to adjacent properties or streets is necessary.
 - (3) Minimum side and rear yard setback for off-street parking: 20 feet.
- G. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

(1) Building design.

- (a) Buildings shall have a gable or hipped roof.
- (b) Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
- (c) Primary roofs shall have a minimum pitch of 6/12.
- (d) Secondary roofs may have a pitch below 4/12.
- (e) Apartment storage. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided 200 cubic feet of storage in a conveniently accessible area, either within the building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(2) Lighting.

- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- (b) Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to 1.
- (c) Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
- (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.

(e) Fixtures for illumination shall be full cutoff luminaires.

(3) Signs.

- (a) Project identification: There may be a maximum of two permanent freestanding project identification signs located at the entrance to the project. Such signs shall be set back at least three feet from any property line, shall not exceed 32 square feet in sign area and shall not exceed five feet in height.
- (b) Directional signs: Up to two directional signs shall be allowed at each driveway frontage from which vehicular access is derived. A directional sign shall not exceed four square feet in sign area and shall not exceed four feet in height. A directional sign shall be set back from any lot line by at least three feet.
- (c) Residential building identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be integrated within the architecture of the buildings.

H. Affordable housing.

- (1) Minimum number of affordable dwelling units: 140, consisting of 60 existing and 80 additional.
- (2) Minimum percentage of affordable dwellings: 100% of the total number of dwelling units.
- (3) Affordable dwelling units shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (4) Affordable dwelling unit household income breakdown:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate-income shall not exceed maximum of 50% of all affordable units.
- (5) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution consisting of one- and two-bedroom units, with no three-bedroom units. At a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development.
- (6) The range of affordability, pricing and rent of units, affirmative marketing, fifty-year

minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.

- (7) The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.10. Multifamily Affordable Housing-2.5 (MFAH-2.5). [Added 5-4-2020 by Ord. No. 15-2020; amended 8-3-2020 by Ord. No. 24-2020; 12-20-2021 by Ord. No. 41-2021; 2-22-2022 by Ord. No. 07-2022]

- A. Applicability. The use, bulk, design and performance standards of the MFAH-2.5 District constitute a zoning district for the creation of market-rate and affordable housing through multifamily inclusionary residential development and the development of municipally sponsored multifamily housing consisting of 100% affordable dwellings. The regulations herein are applicable to Block 81, Lots 1, 2, 3, and 4, and shall replace the existing MFAH-2 and MFAH-5 overlay district regulations. Furthermore, this section shall constitute an overlay district, such that the underlying AR Agricultural Residential Zone shall remain in effect.
- B. Purpose. The MFAH-2.5 District includes the entirety of Block 81, Lots 1, 2, 3 and 4. This zone represents the combination of the existing MFAH-2 Multifamily Affordable Housing-2 Zone (an overlay zone providing for 168 dwelling units with 42 affordable dwelling units) and the MFAH-5 Multifamily Affordable Housing-5 Zone (a zone providing for municipally sponsored affordable dwelling units). The MFAH 2.5 zone is created in order to fulfill Readington's obligation to provide for affordable housing in accordance with its court-approved Housing Plan Element/Fair Share Plan. It also includes minor adjustments to certain provisions to better accommodate the planned development of homes, in recognition of an existing stream corridor and freshwater wetlands. Furthermore, it expands the overlay provisions (currently contained within the existing MFAH-2 Zone) onto Block 81, Lot 4, to provide additional flexibility in the development of residential development within this zone. All land development rights as articulated herein are contingent upon the availability of public sanitary sewer service to accommodate development. The first priority for allocation of public sanitary sewer shall be for municipally sponsored affordable housing.
- C. Permitted development. Development permitted within the MFAH-2.5 Zone shall consist of:
- (1) Municipally sponsored affordable multifamily residential development. Family rental apartment dwellings, within a municipally sponsored development, having 100% of the dwellings affordable to low- and moderate-income households; and
 - (2) Inclusionary affordable multifamily residential development. Up to 168 multifamily residential dwellings, with no less than 25% of dwelling units affordable to households of low- and moderate-income households.
- D. Regulations for municipally sponsored affordable multifamily residential development.

Family rental apartment dwellings, within a municipally sponsored development, wherein 100% of the dwellings are affordable to low- and moderate-income households, shall be developed pursuant to the following:

(1) Permitted principal uses.

- (a) Multifamily rental apartments affordable to low-and moderate-income households.

(2) Permitted accessory uses.

- (a) Passive and active common recreational facilities for the use and enjoyment of residents and their guests.
- (b) Business office.
- (c) Fences and walls as regulated in Article VI.
- (d) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
- (e) Off-street parking.
- (f) Signs.
- (g) Site furnishings (seating, trash and recycling enclosures, etc.).
- (h) Conservation, open space.
- (i) Accessory uses customarily incidental to the principal use.

(3) Area and yard requirements.

- (a) Maximum building height: three stories and not exceeding 50 feet.
- (b) Minimum front yard setback: 60 feet.
- (c) Minimum rear yard setback: 50 feet.
- (d) Minimum side yard setback: 40 feet.
- (e) Maximum impervious coverage: 70%.
- (f) Maximum building coverage: 50%.
- (g) Off-street parking shall be provided, and shall be designed, to comply with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.
- (h) Minimum front yard setback for off-street parking: 60 feet except where connectivity to adjacent properties or streets is necessary.
- (i) Minimum side and rear yard setback for off-street parking: 50 feet.

- (4) Public sanitary sewer service required.
- (5) Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

- (a) Building design.

- [1] Buildings shall have a gable or hipped roof.
- [2] Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
- [3] Primary roofs shall have a minimum pitch of 6/12.
- [4] Secondary roofs may have a pitch below 4/12.
- [5] Apartment storage. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided storage in a conveniently accessible area, either within the building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

- (b) Lighting.

- [1] General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- [2] Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.
- [3] Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
- [4] Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- [5] Fixtures for illumination shall be full cutoff luminaires.

- (c) Signs.

- [1] Project identification. There may be a maximum of two permanent

freestanding project identification signs located at the entrances to the project. Such signs shall be set back at least three feet from any property line, shall not exceed 32 square feet in sign area and shall not exceed seven feet in height.

- [2] Directional signs. Up to two directional signs shall be allowed at each driveway frontage from which vehicular access is derived. A directional sign shall not exceed four square feet in sign area and shall not exceed four feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - [3] Residential building identification. Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed the minimum size required by local fire/code official. Such signs shall be integrated within the architecture of the buildings.
- (6) Exemptions. Development pursuant these standards shall be exempt from the following sections of the Land Development Ordinance:
- (a) § 148-50, Critical Areas.
 - (b) § 148-52, Fences and walls, but only with respect to retaining walls.
 - (c) § 148-60.1, Landform protection.
- (7) Affordable housing.
- (a) Minimum percentage of affordable dwellings: 100% of the total number of dwelling units.
 - (b) Affordable dwelling units shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
 - (c) Affordable dwelling unit household income breakdown:
 - [1] At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income, which shall count towards the overall requirement for low-income units; very-low-income shall be defined pursuant to the Fair Housing Act as households earning no more than 30% of the region's median income.
 - [2] At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - [3] The balance of units permitted at moderate-income shall not exceed maximum of 50% of all affordable units.
 - (d) Affordable dwelling bedroom distribution. Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. This bedroom

distribution shall apply to each income classification (very-low-, low- and moderate- income).

- (e) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls shall also be in accordance with the Council on Affordable Housing Rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. Dwellings qualifying for the federal low-income housing tax credit shall follow rules under Section 42 of the Internal Revenue Code, where such rules supersede.

[1] The owner/developer shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the owner/developer.

[2] Alternatively, in the case that the owner/developer does not provide such administrative services, the Township-designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the owner/developer.

[3] Affordability controls may be unilaterally extended by the Township beyond the initial thirty-year deed restrictions.

- E. Regulations for inclusionary affordable multifamily residential development. Up to 168 multifamily residential dwellings, with no less than 25% of dwelling units affordable to households of low- and moderate-income, may be developed pursuant to the following:

- (1) Requirements for the filing of an application for development:

- (a) A developer shall demonstrate that their plan for multifamily residential inclusionary development shall not exceed a total of 168 dwellings for the entire zone (not including dwelling units that are permitted pursuant to the regulations for a municipally sponsored project) and that no less than 25% of the proposed dwelling units in their plan shall be affordable to households of low- and moderate-income; and
- (b) Public sanitary sewer service required. All development shall be serviced by public sanitary sewer.

- (2) Permitted principal uses.

- (a) Townhouses.
- (b) Multifamily apartments.

- (3) Permitted accessory uses.

- (a) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to, pools, tennis courts, tot lots, fitness trails and bikeways. Sports lighting (high mast, high illumination) is not permitted for

these facilities.

- (b) Clubhouse, community building/facility, rental/business office and model unit(s) to be converted into residential units.
 - (c) Patios.
 - (d) Fences and walls as regulated in Article VI.
 - (e) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
 - (f) Private garages and off-street parking.
 - (g) Signs.
 - (h) Site furnishings (seating, trash and recycling enclosures, etc.).
 - (i) Conservation, open space and public purpose uses.
 - (j) Accessory uses on the same lot and customarily incidental to a principal use.
 - (k) Stormwater management, sanitary sewer facilities, including treatment and disposal, and other public or private utilities.
- (4) Zone requirements. The following requirements shall apply to inclusionary development(s) in the MFAH-2.5 Zone:
- (a) Maximum number of dwelling units: 168.
 - (b) Minimum percentage of affordable dwelling units: 25%.
 - (c) Maximum building coverage: 50%.
 - (d) Maximum impervious coverage: 70%.
 - (e) Minimum tract boundary setback and buffer: 25 feet.
 - (f) Minimum building setback from community building/facility (if a stand-alone facility): 30 feet (not applicable to paths, walks and seating).
- (5) Area and yard requirements for dwelling types.
- (a) Townhouses.
 - [1] Maximum height: 2 1/2 stories and not exceeding 35 feet.
 - [2] Maximum garage height: one story and not exceeding 20 feet.
 - [3] Maximum dwelling units per building: eight.
 - [4] Minimum lot area: 2,000 square feet.
 - [5] Minimum lot depth: 110 feet.

- [6] Minimum distances for side facade(s):
 - [a] Building to building: 28 feet.
 - [b] Building to street: 15 feet.
 - [7] Minimum distances from front facade to streets:
 - [a] Building to sidewalk: 14 feet.
 - [b] Building to curb: 21 feet.
 - [8] Minimum distance from a garage facade to curb, edge of lane/alley pavement or edge of sidewalk: 20 feet.
 - [9] Maximum impervious coverage: 70%.
 - [10] Maximum building coverage: 50%.
 - [11] Vehicular access required: Rear-loaded from lane or alley; no driveway access is permitted from the front of dwellings.
- (b) Apartments.
- [1] Maximum height: three stories and not exceeding 50 feet. Note: off-street parking provided within the building envelope in accordance with the requirements of Subsection E(6)(h) shall not be counted as a story for the purpose of determining building height.
 - [2] Maximum dwelling units per building: 48.
 - [3] Minimum distance between buildings:
 - [a] Front-to-front: 50 feet.
 - [b] Front-to-side: 40 feet.
 - [c] Side-to-side: 30 feet.
 - [d] Rear-to-rear: 40 feet.
 - [4] Minimum setback to sidewalk, street right-of-way, access driveway or parking area: 15 feet.
- (c) Permitted building encroachments for residential buildings.
- [1] Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to six feet in a front, rear or side setback.
 - [2] Bays, eaves, bay windows and chimneys projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
- (d) Community building (stand-alone).

[1] Maximum height: 1 1/2 stories and not exceeding 25 feet.

[2] Setbacks shall conform to those applicable to apartments.

(6) Parking and circulation.

- (a) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.
- (b) Parking areas and driveways shall be located a minimum of 15 feet from any tract boundary; this requirement shall not apply to driveways where connectivity to adjacent properties or streets is necessary.
- (c) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.
- (d) Townhouses units shall utilize rear lanes/alleys for vehicular access to parking.
- (e) Townhouses shall provide at least one on-site parking space within an enclosed garage located in the rear yard with access from a lane/alley.
- (f) Townhouse parking may occur within the driveway leading to a garage, in which case said garage shall be set back no less than 20 feet from curb or between the garage door and a sidewalk, whichever distance is less, to accommodate a car without projecting into the right-of-way.
- (g) While off-street parking is preferred, on-street parking may be delineated, calculated and included towards meeting the requirements. No striping of on-street parking is required.
- (h) Off-street parking may be located beneath the lowest residential floor level, provided:
 - [1] The parking area beneath the building shall be fully enclosed by the building except for those locations where vehicular or pedestrian access is necessary.

(7) Open space.

- (a) Minimum: 20% of gross tract area.
- (b) Permitted open space uses:
 - [1] Conservation.
 - [2] Passive recreation.
 - [3] Active recreation.
- (c) The stormwater management and subterranean sanitary sewer elements may be located in open space and the land area may be counted toward the minimum open space area requirements.

(8) Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

(a) Building design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.

[1] Design standards applicable to all buildings:

[a] Buildings shall have a gable or hipped roof.

[b] Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.

[c] Primary roofs shall have a minimum pitch of 6/12.

[d] Secondary roofs may have a pitch below 4/12.

[e] Within each front building elevation, the maximum ratio of windows to wall shall be 25% window to 75% wall.

[f] Balconies and patios shall be designed as integral subcomponents of the building facade.

[g] Cantilevered balconies are not permitted.

[2] Townhouse standards.

[a] Townhouse buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements. Variety among dwelling units should be expressed through the manipulation of common elements such as porches, roofs, bays, eyebrows, trim, accents, etc., that create interest without creating disparate architectural approaches among units or buildings.

[b] Each building shall contain, at a minimum, one end unit model and one interior model. Each base model type home in any block shall have at least two alternative front elevations containing different design features, including, but not limited to, the following:

[i] Porches.

[ii] Porticos.

[iii] Columns.

[iv] Dormers.

[v] Accent windows.

[vi] Door color.

- [c] Materials, finishes and colors shall be unified among all townhouses.
 - [d] Finished first floor shall be a minimum of 18 inches above the front sidewalk elevation, but shall not exceed 60 inches.
 - [e] Townhouse unit facades facing streets (not lanes or alleys) shall be offset from each other by at least two feet (projection or recess) between units.
- [3] Apartment standards.
- [a] Buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements.
 - [b] Storage. For each apartment, in addition to any storage areas contained within the unit, there shall be provided 150 cubic feet of storage in a conveniently accessible area, either within the apartment building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(b) Lighting.

- [1] General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- [2] Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to one.
- [3] Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
- [4] Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures not to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- [5] Fixtures for illumination shall be full cutoff luminaires.

(c) Signs.

- [1] Neighborhood identification. There may be a maximum of one permanent freestanding neighborhood identification sign located at the entrance to the community. Neighborhood identification signs shall be set back at least three feet from any property line, shall not exceed 60 square feet in sign area and shall not exceed five feet in height. Neighborhood identification signs may be

mounted on brick or masonry walls or buildings.

- [2] Community/recreation/clubhouse building. The community/recreation/clubhouse building may have one wall identification sign. The permanent wall identification sign shall not exceed 20 square feet in sign area.
 - [3] Directional signs. Up to two directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - [4] Residential building identification. Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (d) Open space. The following standards shall apply, except where these regulations are silent, where the open space regulations of Chapter 148 shall apply.
- [1] Open spaces shall be planted with a single row of shade trees along thoroughfare frontages at a maximum spacing of 35 feet.
 - [2] A detailed site plan at sufficient scale for common open spaces shall be submitted for review and approval.
 - [3] Common open space shall be provided, and shall include at a minimum:
 - [a] Children's play area.
 - [b] Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 2,500 square feet. In-lieu of a stand-alone community building, a common community facility may be incorporated within a residential building, provided that such a facility is directly related to exterior common open space.
- (9) Exemptions. Development pursuant these standards shall be exempt from the following sections of the Land Development Ordinance:
- (a) § 148-50, Critical areas.
 - (b) § 148-52, Fences and walls, but only with respect to retaining walls.
 - (c) § 148-60.1, Landform protection.
- (10) Affordable housing.
- (a) Minimum percentage of affordable dwellings: 25% of the total number of dwelling units.
 - (b) Affordable dwelling units shall be constructed and rented in accordance with the

Council on Affordable Housing Rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.

(c) Affordable dwelling unit household income breakdown:

- [1] At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income, which shall count towards the overall requirement for low-income units; very-low-income shall be defined pursuant to the Fair Housing Act as households earning no more than 30% of the region's median income.
- [2] At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
- [3] The balance of units permitted at moderate-income shall not exceed maximum of 50% of all affordable units.

(d) Affordable dwelling bedroom distribution. Bedroom distribution shall be in accordance with the Council on Affordable Housing Rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. This bedroom distribution shall apply to each income classification (very-low-, low- and moderate-income).

(e) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market-rate units developed on the tract shall also be in accordance with the Council on Affordable Housing Rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.

- [1] The owner/developer shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the owner/developer.
- [2] Alternatively, in the case that the owner/developer does not provide such administrative services, the Township-designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the owner/developer.
- [3] Affordability controls may be unilaterally extended by the Township beyond the initial thirty-year deed restrictions.

§ 148-27.11. Multifamily Affordable Housing-3 (MFAH-3). [Added 6-15-2020 by Ord. No. 18-2020]

- A. Applicability. The use, bulk, design and performance standards of the MFAH-3 District constitute an overlay zoning district for the creation of market-rate and affordable housing. The land development rights as articulated herein are contingent upon the availability of

public sanitary sewer service to accommodate all development within the zone. In such a case, the standards herein shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the MFAH-3 are silent, the standards of Chapter 148 shall apply.

- B. Purpose. The MFAH-3 District provides for the development of multifamily residential land uses with a portion of such housing restricted to occupancy by households of very-low-, low- and moderate-income. As an inclusionary zone, MFAH-3 provides for a gross density of 6.0 dwelling units per acre and that either 15% (rental) or 20% (for-sale) of the total number of dwelling units developed be available to qualifying households. The MFAH-3 Zone will create 41 affordable dwelling units.
- C. Requirement for use of MFAH-3 regulations. Prior to making an application for development pursuant to the regulations herein, a developer shall demonstrate that there is adequate public sanitary sewer capacity to develop all permitted and required uses within the zone and that such capacity has been allocated to said developer by the body holding authority over such allocations. No development applications will be processed by the Township that fail to comply with this threshold provision prior to application.
- D. Permitted principal uses.
 - (1) Multifamily apartments.
- E. Permitted accessory uses.
 - (1) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to pools, tennis courts, tot lots, fitness trails and bikeways. "Sports" lighting (high-mast, high illumination) is not permitted for these facilities.
 - (2) Clubhouse, community building, rental/business office and model unit(s) to be converted into residential units.
 - (3) Patios.
 - (4) Fences and walls as regulated in Article VI.
 - (5) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
 - (6) Private garages and off-street parking.
 - (7) Signs.
 - (8) Site furnishings (seating, trash and recycling enclosures, etc.).
 - (9) Conservation, open space and public purpose uses.
 - (10) Accessory uses on the same lot and customarily incidental to a principal use.
 - (11) Stormwater management, sanitary sewer facilities, including treatment and disposal, and other public or private utilities.

F. Tract requirements.

- (1) Minimum tract size: The minimum tract size shall be equal to the tract size of Block 21.13, Lots 12, 13 and 14. All lands within the tract shall be included as part of a development application for development provided for herein. All proposals for land use and development/redevelopment within the tract shall be fully articulated within the development application.
- (2) Maximum permitted gross density: 6.0 DU/acre.
- (3) Minimum required number of affordable dwelling units: 41.
- (4) Maximum building coverage for tract: 20%.
- (5) Maximum impervious coverage for tract: 50%.
- (6) Minimum tract boundary setback and buffer: 25 feet.
- (7) Minimum building setback from community amenity: 75 feet (not applicable to paths, walks and seating).

G. Area and yard requirements for dwelling types.

- (1) Apartments:
 - (a) Maximum height: 45 feet and three stories.
 - (b) Maximum dwelling units per building: 30.
 - (c) Minimum distance between buildings:
 - [1] Front-to-front: 60 feet.
 - [2] Front-to-side: 40 feet.
 - [3] Side-to-side: 30 feet.
 - [4] Rear-to-rear: 40 feet.
 - (d) Minimum setback to sidewalk, street right-of-way, access driveway or parking area: 15 feet.
- (2) Permitted building encroachments for residential buildings.
 - (a) Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to six feet in a front, rear or side setback.
 - (b) Bay windows and chimneys projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
- (3) Community building.
 - (a) Maximum height: 25 feet and 1 1/2 stories.

(b) Setbacks shall conform to those applicable to apartments.

H. Parking and circulation.

- (1) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21).
- (2) Parking areas and driveways shall be located a minimum of 25 feet from any tract boundary, except where connectivity to adjacent properties or streets is necessary.
- (3) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.
- (4) While off-street parking is preferred, on-street parking may be delineated, calculated and included towards meeting the RSIS requirements. No striping of on-street parking is required.
- (5) Off-street parking may be located beneath the ground floor provided:
 - (a) It is accessible only from the building elevation opposite from street frontage; and
 - (b) The parking area beneath the building is not visible from a street.

I. Open space.

- (1) Minimum: 25% of the tract area.
- (2) Permitted open space uses:
 - (a) Conservation.
 - (b) Passive recreation.
 - (c) Active recreation.
- (3) The stormwater management and sanitary sewer systems may be located in open space and the land area of any detention or retention basin may be counted toward the minimum open space area requirements.

J. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

- (1) Building design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.
 - (a) Design standards applicable to all buildings:
 - [1] Buildings shall have a gable or hipped roof.
 - [2] Principal roof eaves shall project at least one foot beyond the building facade

or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.

[3] Primary roofs shall have a minimum pitch of 6/12.

[4] Secondary roofs may have a pitch below 4/12.

[5] Within each front building elevation, the maximum ratio of windows to wall shall be 25% window to 75% wall.

[6] Balconies and patios shall be designed as integral subcomponents of the building facade.

[7] Cantilevered balconies are not permitted.

(b) Apartment standards.

[1] Buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements.

[2] Storage. For each apartment, in addition to any storage areas contained within the unit, there shall be provided 200 cubic feet of storage in a conveniently accessible area, either within the apartment building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(2) Lighting.

(a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.

(b) Parking lots shall be illuminated with an average of no less than 0.2 footcandle. The ratio between maximum footcandles and average footcandles shall be no greater than 20 to 1.

(c) Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.

(d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.

(e) Fixtures for illumination shall be full cutoff luminaires.

(3) Signs.

(a) Neighborhood identification: There may be a maximum of one permanent

freestanding neighborhood identification sign located at the entrance to the community. Neighborhood identification signs shall be set back at least three feet from any property line, shall not exceed 60 square feet in sign area and shall not exceed five feet in height. Neighborhood identification signs may be mounted on brick or masonry walls or buildings.

- (b) Community/recreation/clubhouse building: The community/recreation/clubhouse building may have one wall identification sign. The permanent wall identification sign shall not exceed 20 square feet in sign area.
 - (c) Directional signs: Up to two directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - (d) Residential building identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (4) Open space.
- (a) Open spaces shall be planted with double rows of shade trees along thoroughfare frontages.
 - (b) A detailed site plan for open spaces shall be submitted for review and approval.
 - (c) Common open space shall be provided, and shall include at a minimum:
 - [1] Children's play area.
 - [2] Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 2,500 square feet.
 - [3] Central open space for passive uses.
 - (d) Stormwater facilities shall not impede function of open space.

K. Affordable housing.

- (1) Minimum required number of affordable dwelling units: 41.
- (2) Minimum percentage of affordable dwellings: 15% (rental) or 20% (for sale) of the total number of dwelling units.
- (3) Affordable dwelling units shall be constructed and sold or rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (4) Affordable dwelling unit household income breakdown:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI)

households at 30% of the median income;

- (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate-income up shall not exceed maximum of 50% of all affordable units.
- (5) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
 - (6) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
 - (7) The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.12. Multifamily Affordable Housing-4 (MFAH-4). [Added 5-4-2020 by Ord. No. 14-2020]

- A. Applicability. The use, bulk, design and performance standards of the MFAH-4 District constitute an overlay zoning district for the creation of market-rate and affordable housing. The land development rights as articulated herein are contingent upon the availability of public sanitary sewer service to accommodate all development within the zone. In such a case, the standards herein shall supersede the zoning provisions of the Readington Township Land Use Development Ordinance (Chapter 148). However, where the regulations and standards of the MFAH-4 are silent, the standards of Chapter 148 shall apply.
- B. Purpose. The MFAH-4 district is intended to provide for the development of up to 165 dwelling units, composed of townhouses or apartment dwellings, which includes the creation of no less than 33 dwelling units affordable to qualifying low- and moderate-income households. Although no maximum density requirements are promulgated herein, the maximum gross density anticipated is approximately 6.4 dwelling units per acre. The MFAH-4 district contains land use regulations for the redevelopment of Block 36 Lot 4.
- C. Requirement for use of MFAH-4 regulations. Prior to making an application for development pursuant to the regulations herein, a developer shall demonstrate that there is adequate public sanitary sewer capacity to develop all permitted and required uses within the zone and that such capacity has been allocated to said developer by the body holding authority over such allocations. No development applications will be processed by the Township that fail to comply with this threshold provision prior to application.
- D. Permitted principal uses.

- (1) Townhouses.
- (2) Multifamily apartments.

E. Permitted accessory uses.

- (1) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to pools, tennis courts, tot lots, fitness trails and bikeways. "Sports" lighting (high-mast, high illumination) is not permitted for these facilities.
- (2) Clubhouse, community building, rental/business office and model unit(s) to be converted into residential units.
- (3) Patios.
- (4) Fences and walls as regulated in Article VI.
- (5) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
- (6) Private garages and off-street parking.
- (7) Signs.
- (8) Site furnishings (seating, trash and recycling enclosures, etc.).
- (9) Conservation, open space and public purpose uses.
- (10) Accessory uses on the same lot and customarily incidental to a principal use.
- (11) Stormwater management, sanitary sewer facilities, including treatment and disposal, and other public or private utilities.

F. Tract requirements.

- (1) Minimum tract size: The minimum tract size shall be equal to the tract size of Block 36 Lot 4. All lands within the tract shall be included as part of a development application for development provided for herein. All proposals for land use and development/redevelopment within the tract shall be fully articulated within the development application.
- (2) Maximum permitted number of dwelling units: 165 dwellings.
- (3) Minimum required number of affordable dwelling units: 33.
- (4) Maximum building coverage for tract: 20%.
- (5) Maximum impervious coverage for tract: 30%.
- (6) Minimum tract boundary setback and buffer: 100 feet.
- (7) Minimum building setback from community amenity: 75 feet (not applicable to paths, walks and seating).

- (8) Minimum planted buffer to single-family residential zone or use: 50 feet.
- (9) Minimum setback from parking areas and driveways to single-family zones or uses: 50 feet.
- (10) Minimum setback from parking areas and driveways to multifamily zones or uses: 25 feet.
- (11) Minimum open space.
 - (a) 40% of the gross tract area shall consist of conservation, passive or active recreation and/or other common open space.
 - (b) No more than 25% of the open space area shall be critical lands including floodplains, wetlands, wetlands buffers, streams, bodies of water, stream corridor buffers and steep slopes (90% of slopes between 15% and 25% and all slopes greater than 25%).
 - (c) The stormwater management system may be located in the open space area, however, the land area of any detention or retention basin shall not be counted toward the minimum open space area requirements.
 - (d) Open space shall comply with §§ 148-50, 148-59 and 148-60 of the Land Development Ordinance.

G. Area and yard requirements for dwelling types.

- (1) Townhouses.
 - (a) Minimum distances between townhouse buildings:
 - [1] Side-to-side: 30 feet.
 - [2] Side-to-rear: 50 feet.
 - [3] Rear-to-rear: 30 feet.
 - (b) Maximum number of dwelling units in one townhouse building: eight.
 - (c) Minimum driveway length:
 - [1] Twenty feet between building and front sidewalk;
 - [2] Twenty-five feet between building and cartway of street providing access to driveway.
 - (d) Townhouses shall have at least one enclosed garage parking space measuring a minimum of 12 feet wide and 270 square feet.
 - (e) Maximum building height: 2 1/2 stories and 35 feet.
- (2) Apartments.
 - (a) Minimum setback between building and sidewalk: 10 feet.

- (b) Maximum building height: 45 feet and three stories.
 - (c) Minimum distances between buildings:
 - [1] Side-to-side: 40 feet.
 - [2] Side-to-rear: 35 feet.
 - [3] Rear-to-rear: 35 feet.
 - (d) Maximum dwelling units in one building: 24.
 - (e) For each apartment, in addition to any storage areas contained within the apartment, there shall be provided 300 cubic feet of storage in a conveniently accessible area, either within the apartment building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.
- (3) Permitted building encroachments for residential buildings.
- (a) Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to six feet in a front, rear or side setback.
 - (b) Bay windows and chimneys projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
- (4) Community building.
- (a) Maximum height: 25 feet and 1 1/2 stories.
 - (b) Setbacks shall conform to those applicable to apartments.

H. Parking and circulation.

- (1) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21).
- (2) Parking areas and driveways shall be located a minimum of 25 feet from any tract boundary, except where connectivity to adjacent properties or streets is necessary.
- (3) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.
- (4) Townhouses shall provide at least one on-site parking space within an enclosed garage located in the rear yard with access from a lane/alley.
- (5) While off-street parking is preferred, on-street parking may be delineated, calculated and included towards meeting the RSIS requirements. No striping of on-street parking is required.
- (6) Off-street parking may be located beneath the ground floor provided:

- (a) It is accessible only from the building elevation opposite from street frontage; and
 - (b) The parking area beneath the building is not visible from a street.
- I. Open space.
 - (1) Minimum: 25% of the tract area.
 - (2) Permitted open space uses:
 - (a) Conservation.
 - (b) Passive recreation.
 - (c) Active recreation.
 - (3) The stormwater management and sanitary sewer systems may be located in open space and the land area of any detention or retention basin may be counted toward the minimum open space area requirements.
- J. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.
 - (1) Neighborhood design.
 - (a) Concept plan consistency. The location of buildings, facilities, thoroughfares, streets and parking within in the MFAH-4 Zone shall be substantially in accordance with the exhibit entitled "Concept Plan, Hionis Property" dated July 2019, prepared for Premier Development (the "Concept Plan"). Minor deviations shall be permitted provided they are deemed consistent with the design principles expressed in the concept plan.
 - (b) Vehicular access to US Route 22. Development within the VRAH-2 District will require vehicular access to US Route 22 via a public street. Currently, the only abutting public street is Maple Lane, having a ROW of 40 feet and a cartway off approximately 20 feet. However, Readington Township is developing plans for a new public Minor Collector Road that would provide access between the VRAH-2 and VRAH-1 Districts and US Route 22. This route is preferred over access from Maple Lane. Since the new public road is not yet memorialized in terms of design and permitting, this article provides two options for access, as articulated as follows:
 - [1] Option A: Planned public new minor collector road. Access to Block 36 Lot 4 shall be from an alternate access (See exhibit entitled "Block 36 Redevelopment Proposed Multifamily Housing + Circulation" dated February 2019,⁵⁰ prepared by Clarke Caton Hintz). Said collector road would be located on the adjacent tract to the southeast of Block 36 Lot 4, under separate ownership and will be configured to allow access from Block 46 Lot 4. As

50. Editor's Note: Said exhibit is on file in Township offices.

part of this option, Maple Lane would be terminate in a cul-de-sac at its terminus with Block 36 Lot 4. The new minor collector would be improved to meet RSIS standards for residential access and include the following:

- [a] On-street parking shall not be required;
 - [b] Emergency access width shall be 20 feet; and
 - [c] A six-foot sidewalk shall be provided on one side of the access.
- [2] Option B: Maple Lane access. Access from Maple Lane shall only be permitted if Option A, alternate access does not receive the necessary outside agency approvals and efforts to construct the alternate access. Should this option be triggered, Maple Lane shall be improved to meet RSIS standards for a residential access street classification and include the following:
- [a] Access shall accommodate on-street parking on both sides of the street;
 - [b] Access width shall be 30 feet; and
 - [c] Sidewalks on one side of the street shall be provided.
- (c) Pedestrian connectivity. Pedestrian walkways connecting streets and the dwellings shall be provided. Sidewalks and paths shall be provided substantially in accordance with the concept plan.
- (2) Building design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.
- (a) Design standards applicable to all buildings:
- [1] Buildings shall have a gable or hipped roof.
 - [2] Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
 - [3] Primary roofs shall have a minimum pitch of 6/12.
 - [4] Secondary roofs may have a pitch below 4/12.
 - [5] Within each front building elevation, the maximum ratio of windows to wall shall be 25% window to 75% wall.
 - [6] Balconies and patios shall be designed as integral subcomponents of the building facade.
 - [7] Cantilevered balconies are not permitted.
- (b) Townhouse standards.
- [1] Townhouse buildings shall be designed to create a unified architectural theme,

in terms of design, composition, color, materials and elements. Variety among dwelling units should be expressed through the manipulation of common elements such as porches, roofs, bays, eyebrows, trim, accents, etc. that create interest without creating disparate architectural approaches among units or buildings.

- [2] Each building shall contain, at a minimum, one end unit model and one interior model. Each base model type home in any block shall have at least two alternative front elevations containing different design features, including, but not limited to, the following:

- [a] Porches.
- [b] Porticos.
- [c] Columns.
- [d] Dormers.
- [e] Accent windows.
- [f] Door color.

- [3] Materials, finishes and colors shall be unified among all townhouses.
- [4] Finished first floor shall be a minimum of 18 inches above the front sidewalk elevation, but shall not exceed 60 inches.
- [5] Townhouse unit facades facing streets (not lanes or alleys) shall be offset from each other by at least two feet (projection or recess) between units.

(c) Apartment standards.

- [1] Buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements.
- [2] Storage. For each apartment, in addition to any storage areas contained within the unit, there shall be provided 200 cubic feet of storage in a conveniently accessible area, either within the apartment building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(3) Lighting.

- (a) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- (b) Parking lots shall be illuminated with an average of no less than 0.2 footcandle.

The ratio between maximum footcandles and average footcandles shall be no greater than 20 to 1.

- (c) Illumination at property lines shall not exceed 0.1 footcandle, excluding streets or driveways.
 - (d) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
 - (e) Fixtures for illumination shall be full cutoff luminaires.
- (4) Signs.
- (a) Neighborhood identification: There may be a maximum of one permanent freestanding neighborhood identification sign located at the entrance to the community. Neighborhood identification signs shall be set back at least three feet from any property line, shall not exceed 60 square feet in sign area and shall not exceed five feet in height. Neighborhood identification signs may be mounted on brick or masonry walls or buildings.
 - (b) Community/recreation/clubhouse building: The community/recreation/clubhouse building may have one wall identification sign. The permanent wall identification sign shall not exceed 20 square feet in sign area.
 - (c) Directional signs: Up to two directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - (d) Residential building identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (5) Open space.
- (a) Open spaces shall be planted with double rows of shade trees along thoroughfare frontages.
 - (b) A detailed site plan for open spaces shall be submitted for review and approval.
 - (c) Common open space shall be provided, and shall include at a minimum:
 - [1] Children's play area.
 - [2] Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 2,500 square feet.
 - [3] Central open space for passive uses.

(d) Stormwater facilities shall not impede function of open space.

K. Affordable housing.

- (1) Minimum required number of affordable dwelling units: 33.
- (2) Anticipated percentage of affordable dwellings: 20% of the total number of dwelling units.
- (3) Affordable dwelling units shall be constructed and sold or rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (4) Affordable dwelling unit household income breakdown:
 - (a) At least 13% of the affordable units shall be affordable to very-low-income (VLI) households at 30% of the median income;
 - (b) At least 50% of the affordable units shall be made affordable to low-income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (c) The balance of units permitted at moderate-income up shall not exceed maximum of 50% of all affordable units.
- (5) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
- (6) The range of affordability, pricing and rent of units, affirmative marketing, thirty-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.
- (7) The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the developer.

§ 148-27.13. (Reserved).⁵¹ [Added 5-4-2020 by Ord. No. 13-2020]

§ 148-27.14. VR-1 Village Residential-1 Zone. [Added 10-4-2021 by Ord. No. 31-2021]

- A. Purpose. The purpose of the VR-1 Village Residential-1 Zone is to provide the opportunity to develop and maintain single-family detached and single-family semi-detached residences within the village of Whitehouse Station where the availability of public sanitary sewer service makes the development of smaller lots feasible and available for affordable housing.

51. Editor's Note: Former § 148-27.13, Multifamily Affordable Housing-5 (MFAH-5), added 5-4-2020 by Ord. No. 13-2020, was repealed 12-20-2021 by Ord. No. 41-2021.

B. Permitted principal uses.

- (1) Detached single-family dwellings.
- (2) Semi-detached single-family dwellings.

C. Permitted accessory uses.

- (1) Private residential swimming pools.
- (2) Residential toolsheds, garages and storage buildings.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
- (8) Home occupations as regulated in § 148-53.
- (9) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2.

D. Maximum building height: 35 feet and 2 1/2 stories.

E. Area and yard requirements.

- (1) Minimum lot size:
 - (a) Single-family detached: 16,000 square feet.
 - (b) Single-family semi-detached: 8,000 square feet (8,000 square feet/each dwelling unit).
- (2) Minimum lot circle:
 - (a) Single-family detached: 100 feet.
 - (b) Single-family semi-detached: 50 feet.
- (3) Circumference of minimum lot circle shall not be more than 75 feet from the street right-of-way.
- (4) Maximum floor area ratio (FAR):
 - (a) Single-family detached: 25%.
 - (b) Single-family semi-detached: 40%.
- (5) Maximum impervious coverage:

- (a) Single-family detached: 20%.
- (b) Single-family semi-detached: 35%.
- (6) Minimum front yard setback: 15 feet. Stairs connecting an open front porch to the ground may encroach up to five feet into the minimum required front setback.
- (7) Minimum rear yard setback: 15 feet.
- (8) Minimum side yard setback:
 - (a) Single-family detached: 10 feet.
 - (b) Single-family semi-detached: 10 feet, except for where the common wall between dwelling units is located, where no setback is required.
- F. Minimum off-street parking: Off-street parking shall be provided in accordance with the requirements of the New Jersey Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21 et seq.
- G. Minimum parking area/driveway setback: five feet, except for common driveways.
- H. Public sanitary sewer required: Any development pursuant to the regulations herein shall be served by public sanitary sewer.

§ 148-27.15. Licensed Cannabis Business Overlay (LCBO) Zone. [Added 2-7-2022 by Ord. No. 04-2022]

- A. The Licensed Cannabis Business Overlay (LCBO) Zone is created to establish an appropriate location within the existing Business B Zone where Class 1, 2, 3 and 4 licensed cannabis business(es) may be located.
 - (1) Permitted principal uses.
 - (a) Cannabis cultivation facility for which a current and legal Class 1 cannabis license has been issued for the proposed establishment by the State of New Jersey.
 - (b) Cannabis manufacturing facility for which a current and legal Class 2 cannabis license has been issued for the proposed establishment by the State of New Jersey.
 - (c) Cannabis wholesaler for which a current and legal Class 3 cannabis license has been issued for the proposed establishment by the State of New Jersey.
 - (d) Cannabis distributor for which a current and legal Class 4 cannabis license has been issued for the proposed establishment by the State of New Jersey.
 - (2) Permitted accessory uses.
 - (a) Directional and building identification signs.
 - (b) Off-street parking and loading.
 - (c) Outdoor seating and pedestrian paths for employee use.

- (d) Refuse and recyclable storage (noncannabis).
 - (e) Site lighting.
 - (f) Solar parking canopies.
 - (g) Utilities.
- (3) Limitation on the number of cannabis businesses.
- (a) Maximum number permitted within Township. The number of cannabis businesses located within the Township shall not exceed one. A single entity that holds any combination of a cannabis cultivator license (Class 1), a cannabis manufacturer license (Class 2), a cannabis wholesaler license (Class 3), or a cannabis distributor license (Class 4) shall be permitted, so long as it is on the same premises.
 - (b) Maximum number permitted in Zone. The number of cannabis businesses located within the Licensed Cannabis Business Overlay (LCBO) Zone shall not exceed one. A single entity that holds any combination of a cannabis cultivator license (Class 1), a cannabis manufacturer license (Class 2), a cannabis wholesaler license (Class 3), or a cannabis distributor license (Class 4) shall be permitted, so long as it is on the same premises.
- (4) Security.
- (a) A cannabis business licensee shall maintain security on the site pursuant to Readington Township's licensing requirements.
- (5) Hours of operation. Hours of operation by licensees shall be from 8:00 a.m. to 8:00 p.m. only, with the exception of on-site security.
- (6) Site development standards. These standards provide enhanced regulations above and beyond the specific requirements of the Business B Zone and the general site development requirements of Chapter 148, Land Development, which remain applicable within the Licensed Cannabis Business Overlay Zone (LCBO). Where a conflict exists, the more stringent standard shall apply.
- (a) The existence of cannabis within a building shall not be perceptible from the exterior of the building as viewed from a street or residence.
 - (b) Cannabis plants, products, and paraphernalia shall not be visible from any exterior windows.
 - (c) All operations related to the manufacturing, cultivation, and processing of cannabis, including the disposal of cannabis waste, shall be performed in a fully enclosed space within a building. Shipping and receiving may occur within exterior locations closely related to the building that are designated for shipping and receiving.
 - (d) Lighting. Greenhouse lighting shall not be visible from the exterior of the building.
 - (e) Odor control.

[1] For any licensed cannabis business, the facility shall have an air treatment system with sufficient odor absorbing ventilation and exhaust systems, along with any other physical or operational elements, such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property or within adjacent public rights-of-way.

[2] Odor shall otherwise be as regulated in Article XII, § 148-71E.

(7) Expansion of facility.

- (a) Expansion of the facility shall not be permitted without site plan approval.
- (b) A cannabis business shall not be eligible for a site plan waiver as regulated in § 148-120A.

(8) Signs.

- (a) No cannabis business shall display signs containing text and/or images intended to promote consumption of legal marijuana products.
- (b) No cannabis business shall place or cause to be placed any off-site advertising signs.
- (c) No signs, other than directional or building identification shall be permitted. No commercial message of any kind shall be contained on directional signs.
- (d) All signs shall be subject to the regulations of Chapter 148, Article XII.

(9) Public water.

- (a) Recognizing that a cannabis cultivation operation is water intensive, public water service is required for any cannabis cultivator license (Class 1) in order to protect the groundwater supply and the public from potential negative impacts resulting from the consumption of groundwater, including reductions in available water supply and degradation of water quality.
- (b) Any facility operating as a Class 1 cultivator facility shall apply for a public water connection to provide all water demands of the facility within one year of the passage of the ordinance. A copy of the application and will serve letter shall be provided to the municipality.
- (c) Any facility operating as a Class 1 cultivator facility shall connect to, and utilize, a public water service to provide for all water demands of the facility within three years of the passage of the ordinance.
- (d) After completing a public water service connection, all existing sources of groundwater shall be disconnected. Furthermore, all facilities and structures formerly devoted to the use of groundwater shall be abandoned, removed and disposed of in accordance with all applicable regulations. Areas of the site formerly devoted to the use of groundwater infrastructure shall be restored in accordance with applicable standards and regulations. A plan showing the restoration of the

site, including any necessary details, shall be approved by the Township Engineer and any other relevant outside agency.

§ 148-27.16. Nelson Street Redevelopment Area and Plan. [Added 3-20-2017 by Ord. No. 03-2017]

See Attachment 9 et seq. at the end of this chapter, which contains the Redevelopment Plan for the Nelson Street Redevelopment Area and includes the applicable development regulations governing same.

§ 148-27.17. Redevelopment Area and Plan for Block 36, Lots 4, 5, 5.02, 5.04, 65 and 66. [Added 3-7-2022 by Ord. No. 05-2022]

See Attachment 20 et seq. at the end of this chapter, which contains the Redevelopment Plan for the Block 36, Lots 4, 5, 5.02, 5.04, 65 and 66, Redevelopment Area and includes the applicable development regulations governing same.

§ 148-27.18. Block 81 Redevelopment Area (BL-81-RA) and Plan. [Added 11-21-2022 by Ord. No. 31-2022]

- A. The redevelopment plan entitled "Block 81 Redevelopment Plan within the Three Bridges Block 81 Redevelopment Area" is attached hereto as Exhibit A⁵² and incorporated herein by reference.
- B. Designation of the Three Bridges Block 81 Redevelopment Area. The Three Bridges Block 81 Redevelopment Area, which encompasses Block 81, Lot 1, shall constitute a new zone which supersedes and replaces the MFAH- 2.5 and underlying AR Agricultural Residential Zones for the area contained in the plan. The Zoning Map of the Township of Readington, § 148-11 of the Code of the Township of Readington, is hereby amended to designate the areas set forth in this plan as the "Block 81 Redevelopment Area" or "BL-81-RA Zone" as applicable or appropriate.⁵³
- C. Relationship to other ordinances. The requirements set forth in the Block 81 Redevelopment Area contain zoning provisions which are intended to supersede and replace other inconsistent provisions of Chapter 148, the Township's Land Use Ordinance. Where the regulations and standards of the Three Bridges Block 81 Redevelopment Plan are silent, the standards of Chapter 148, the Township's Land Use Ordinance, that are applicable to site development shall apply as permitted by N.J.S.A. 40A:12A-7.a(2), except where inconsistent with the standards set forth in the redevelopment plan.
- D. Plan to remain on file. The above-referenced Block 81 Redevelopment Plan, and any amendments thereto, shall remain on file in the office of the Township Clerk and shall be available for public inspection during normal business hours.

52. Editor's Note: The redevelopment plan is included as Attachment 21 of this chapter.

53. Editor's Note: Said Zoning Map amendment is included within the Block 81 Redevelopment Plan, included as Attachment 21 of this chapter, as the figure entitled "Zoning Map Amendment" on page 8 of the plan.