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CA - General (Multiple Forms)

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- Suggestions for Revision of Individual Ordinances (Labeled Appendix B Part II)

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APPENDIX B PART II

SUGGESTIONS FOR REVISION OF INDIVIDUAL ORDINANCES

TOWNSHIP OF CRANBURY

1. The township shall provide for a single family residential zone consistent with reasonable and modest standards, not to exceed the following:

- a. minimum lot size no more than 6,000 ft²
- b. minimum frontage no more than 60 feet
- c. minimum interior floor area no more than 800 ft² or meeting the FHA Minimum Property Standards and the New Jersey Uniform Construction Code.
- d. one and two family houses to be permitted; in the case of the latter lot size may be increased to 7,500 ft² and frontage to 75 ft.

The provisions for this zone shall not include any requirements for basements, enclosed automobile parking, variation in facade or appearance of dwelling units, or any other restrictive provision of similar nature.

2. The Township shall provide for a multifamily residential zone consistent with reasonable and modest standards, not to exceed the following:

- a. maximum density no less than 15 dwelling units/acre
- b. minimum lot size no more than 2 acres.
- c. no restrictions on bedrooms, directly or indirectly; e.g., through maximum average floor area per dwelling unit provisions.
- d. open space dedication requirements to be modest, and no recreational facilities to be required other than (a) community room; (b) playground facilities consistent with anticipated number of children. Additional facilities to be at discretion of developer.
- e. parking requirements not to exceed 1.5 spaces/dwelling unit, all of which may be open spaces.
- f. maximum height shall provide for no fewer than three habitable floors.

The provisions governing development in this zone shall not include any requirements for amenities other than those specified above, any requirements for variation in facade or setback ("zigzag" provisions) or other so-called aesthetic requirements, or any restrictive provisions of similar nature.

2a. Alternatively, the Township may provide for multifamily development consistent with the above standards in the context of a Planned Unit Development or planned community of a similar nature.

2b. In the event that the Township adopts ordinance provisions for Planned Unit Development or similar planned communities, the provisions must be fully consistent with the planned development considerations set forth previously by plaintiff.

3. The Township shall provide for a special exception use for low and moderate income housing, such special exception to apply extensively and throughout all parts of the Township. Housing to be constructed under the special exception provisions shall be governed by provisions no more restrictive than those embodied in Section (2) above, and shall provide as well for waiver of ordinance provisions in favor of applicable State and Federal standards. The provisions should further specify the definition of low and moderate income housing for purposes of the special exception, and shall state the clear intent of the municipality's fair share allocation.

4. The township shall repeal its provision prohibiting mobile homes, and shall make no distinction between mobile homes and other single family dwellings within the ordinance. The Township shall further provide for mobile home parks within those parts of the township appropriate for such uses, in particular in appropriate locations along Highway 130.

5. The Township shall repeal its existing provisions dealing with conversion of single family to two family dwellings, and shall add a provision clearly permitting conversion of single family dwellings to two or more family dwellings, permission for conversion and for specifying the number of units to be created to be based solely on health and safety standards of a modest and reasonable nature.

6. The township shall amend its zoning map to provide for ample land for development under the provisions of Sections(1) (2), and (3) above. "Ample" shall be defined as the amount of land necessary to make possible effective provision of housing in the amounts called for by the fair share allocation. For

purposes of Sections (1) and (2) this shall be interpreted to mean that the net allocation in each zone, exclusive of land environmentally unsuitable for development, land not realistically available on the marketplace, and land otherwise unsuitable or unfeasible for development, shall be at least three times the amount of land required for the sum total of construction under the fair share allocation plan. In the case of Section (3) the net allocation shall be at least ten times the amount of land required for the sum total of construction under the fair share allocation plan.

6a As a result of the rezoning, the total residentially zoned vacant land supply shall be increased by at least half the total acreage in the zones created pursuant to Sections (1) and (2).

7. The Township shall adopt a sewer and water plan, specifying in detail how sewer and water service will be made available to the modest single family and the multifamily housing, conventional and subsidized, to be provided under these provisions. This plan shall (a) provide for extension of public sewers where feasible, and specify feasible alternatives for disposal of wastes and provision of drinking water elsewhere; (b) provide for such facilities without imposing onerous burdens on developers, housing sponsors, and by extension, to future residents of anticipated developments.

TOWNSHIP OF EAST BRUNSWICK

1. The Township shall provide for a single family residential zone consistent with the provisions of Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-4 single family zone to meet those standards.
 2. The township shall repeal the following provisions governing single family dwellings under the ordinance:
 - a. the ordinance provision specifying that all or a large part of each dwelling be constructed over a full basement.
 - b. The 'no-look-alike' ordinance provision.
 3. The Township shall add a provision to its ordinance clearly permitting conversion of single family dwellings to two or more dwellings, permission for conversion and for specifying the number of units to be created to be based solely on health and safety standards of a reasonable and modest nature.
 4. The Township shall provide for a multifamily residential zone consistent with the standards and provisions of Section (2) of the Cranbury exhibit; alternatively, it shall amend the provisions of the O-1 zone:
 - (a) to incorporate all standards set forth in Section (2) of the Cranbury exhibit and eliminate all provisions inconsistent with that section.
 - (b) to repeal those provisions dealing with basements, air conditioning, and similar excessive provisions.
 - (c) to provide, in the event that the Township continues to allow non-residential uses by right in this zone, that the amount of land to be developed for non-residential uses shall not restrict the number of multifamily units constructed, or hinder the Township's meeting its fair share.
- 4A alternatively, the Township may provide for multifamily development consistent with the above standards in the context of a Planned Unit Development or planned community of similar nature.
- 4B. In the event that the Township adopts an ordinance incorporating PUD or similar provisions, that ordinance must be fully consistent with the planned development considerations set forth.

5. The Township shall repeal the prohibition on mobile homes, and shall make no distinction in the ordinance between mobile homes and other single family dwellings. The Township shall further provide for mobile home parks in those parts of the Township appropriate for such uses, such as along Highway 18.

6. The township shall provide for a special exception use provision for low and moderate income housing, such special exception to apply extensively and throughout the Township. Housing to be constructed under the special exception provisions shall be governed by provisions no more restrictive than those embodied in Section (2) of the Cranbury exhibit, and shall provide as well for waiver of ordinance provisions in favor of applicable State and Federal standards. The provision should further specify the definition of low and moderate income housing for purposes of the special exception, and shall state the clear intent of the municipality to approve any development meeting the standards and definitions set forth, within the numerical limits of the municipality's fair share allocation.

7. The Township shall amend its zoning map to provide for ample land for development of housing of a modest nature, subsidized and unsubsidized, under the provisions of Sections (1), (4), and (6) above. The use of the term 'ample' shall be the same as in the Cranbury exhibit.

8. The Township shall adopt a sewer and water plan, containing elements similar to those required under Section(7) of the Cranbury exhibit.

TOWNSHIP OF EDISON

1. The Township shall amend its single family residential provisions as follows:

a. minimum floor area requirements in the R-B and R-BB zones shall be reduced to 800 ft² or to conformity with FHA Minimum Property Standards and NJ Uniform Construction Code.

b. The provision requiring that each dwelling unit have a garage shall be repealed.

c. the provision specifying that mobile homes are non-conforming shall be repealed. No distinction shall be made in the ordinance between mobile homes and other single family dwellings.

2. A provision shall be adopted similar to (3) of the East Brunswick exhibit dealing with conversions.

3. In view of the ordinance provisions distinguishing between zoning standards for R-B and R-BB zones with and without sewer provision, the Township shall adopt a plan for extension of sewer and water facilities to all vacant land zoned R-B and R-BB, such plan to be consistent with the volume of development required under a fair share plan.

4. The Township shall significantly expand the land available for multifamily development within the township, either through making available additional land under existing provision of the L-R zone, or through adoption of PUD or similar zoning provisions. The Township shall further adopt a special exception use provision for low and moderate income housing similar to that provided as Section (3) of the Cranbury exhibit.

5. The township shall provide in the ordinance that no distinction applies between mobile homes and other single family dwellings in any single family residential zone. The Township shall further provide for mobile home parks in those parts of the Township appropriate for such use.

TOWNSHIP OF MONROE

1. The Township shall provide for a single family residential zone consistent with the standards enunciated under Section (1) of the Cranbury exhibit.
2. The township shall provide for a multifamily residential zone consistent with the provisions of Section (2) of the Cranbury exhibit.
 - 2a. Alternatively to (2) above, the Township may provide for multifamily development meeting the above standards in the context of a Planned Residential Development or planned community of similar nature.
3. In the event that the Township chooses to provide multi-family housing through provision of PUD or similar planned community approaches, all such provisions must be consistent with the considerations given on P.____. Furthermore, in so doing the Township must amend its present PRC zone as provided below, or repeal those provisions and replace them with a new body of planned development provisions.
 - 3a. The Township must repeal all provisions of the PRC zone not consistent with the planned development considerations set forth, including but not limited to the following:
 - a. Any restrictions on residence in planned communities, by age or otherwise.
 - b. maximum of 28 residents/acre. This standard may be replaced by an appropriate series of density standards.
 - c. requirements that golf course, lake, pool, and similar facilities be provided. This may be replaced by appropriate standards for open space dedication and for provision of basic and necessary recreational facilities, others to be at the discretion of the developer.
 - d. requirement that minimum area of 400 acres be provided to qualify for planned community provisions. This can be replaced with a standard of not more than 50 acres.
4. Independently of the planned community provisions, the Township shall provide special exception use provisions for low and moderate income housing similar to that provided as Section (3) of the Cranbury exhibit.
5. A provision shall be adopted similar to Section (3) of the East Brunswick exhibit dealing with conversions.

6. The Township shall repeal the prohibition on mobile homes, and shall not make any distinction in the ordinance between mobile homes and other single family dwellings. The Township shall further provide for mobile home parks in those parts of the Township appropriate for such uses.

7. The Township shall amend its zoning map to provide for ample land for development under the provisions of Sections (1), (2), or (2a), and (4) of this exhibit. The use of the term "ample" shall be the same as in the Cranbury exhibit.

8. The Township shall adopt a sewer and water plan incorporating all elements specified under Section (7) of the Cranbury exhibit.

TOWNSHIP OF NORTH BRUNSWICK

1. The Township shall provide for a single family residential zone consistent with the standards enunciated under Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-4 zone to meet these standards. The Township shall further repeal those provisions dealing with single family dwellings requiring garages for each dwelling unit, and requiring 2 parking spaces per dwelling.

2. The Township shall repeal those provisions of the R-5 garden apartment zone not consistent with Section(2) of the Cranbury exhibit, including but not limited to the following:

(a) five acre minimum lot size and 300 ft. frontage. May not exceed 2 acres and 100 feet.

(b) density of 10 dwelling units/acre. May not be less than 15/acre

(c) bedroom restrictions shall be removed entirely.

(d) parking provisions shall be reduced to 1.5 spaces/dwelling, and all provisions for carports shall be removed.

(e) air conditioning, storage space, and 'zigzag' provisions shall be removed.

(f) playground provisions shall be substantially reduced and shall not exceed conventional standards based on anticipated number of children

(g) minimum floor area requirements

3. The Township shall repeal those provisions of the ERD zone inconsistent with reasonable and modest standards, including but not limited to:

(a) single family development shall not exceed the standards of the R-4 zone

(b) gross density provisions shall be removed. Gross density permissible shall be a function of the relationship of net density under R-4 and R-5 provisions, SF/MF ratio, and open space dedication.

4. The Township shall repeal those provisions of the PUD zone inconsistent with the considerations for planned development set forth, including but not limited to the following:

(a) the requirement that non-residential uses be provided will be removed. The ordinance may specify that commercial facilities reasonably required by residents of the PUD shall be provided, but not in excess of this requirement.

(b) all bedroom restrictions shall be removed.

(c) net density standard shall be raised to no less than 15 dwellings/acre.

5. The Township shall provide special exception use provisions for low and moderate income housing similar to those provided as Section (3) of the Cranbury exhibit.

6. A provision shall be adopted similar to Section (3) of the East Brunswick exhibit dealing with conversions.

7. The Township shall repeal its prohibition on mobile homes, and shall not make any distinction between mobile homes and other single family dwellings in the ordinance. The Township shall further provide for mobile home parks in those parts of the Township appropriate for such uses, such as in appropriate locations along US Route 1 and State Highway 130.

8. The Township shall amend its zoning map to provide for ample land for development under the provisions of Sections (1), (2) and (5) of this exhibit. The use of the term 'ample' shall be the same as in the Cranbury exhibit. The Township may make a showing that ample land under that definition already exists in the R-4, R-5, and PUD zones (as amended as specified above) in order to meet the requirements of Sections (1) and (2) of this exhibit.

TOWNSHIP OF PISCATAWAY

1. The Township shall provide for a single family residential zone consistent with the standards enunciated under Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-7.5 zone to meet those standards.
2. The Township shall repeal those provisions of the zoning ordinance dealing with single family residential zones requiring the provision of an enclosed garage for each dwelling, and specifying variation in appearance (no-look-alike).
3. The Township shall provide for a multifamily residential zone consistent with reasonable and modest standards through repeal of those provisions of the R-M multifamily zone not consistent with Section(2) of the Cranbury exhibit, including but not limited to the following:
 - a. 5 acre minimum lot size and 200 ft minimum lot frontage. May not exceed 2 acres and 100 feet.
 - b. density of 15 bedrooms/acre. May not be less than 15 dwellings/acre. density standards based on number of bedrooms per acre may not be adopted unless a reasonable minimum requirement for multi-bedroom apartments is adopted as well.
 - c. parking provision shall be reduced to 1.5 spaces/dwelling
 - d. air conditioning, storage space, and 'zigzag' provisions shall be removed.
 - e. minimum floor area requirements shall be reduced or replaced with N.J. Housing Finance Agency standards by reference.
 - f. requirement that minimum number of units be no less than 32 should be removed
4. The Township shall provide special exception use provisions for low and moderate income housing similar to those provided as Section (3) of the Cranbury exhibit.
5. A provision shall be adopted similar to Section (3) of the East Brunswick exhibit providing for conversion of single family dwellings.
6. The Township shall repeal its prohibition on mobile homes, and shall not make any distinction between mobile homes and other single family dwellings in its ordinance. The Township

shall further provide for mobile home parks in those parts of the Township appropriate for such uses.

7. In the event that the Township chooses to provide for multifamily development in the form of a PUD or similar provision in the zoning ordinance, such provisions must be consistent in all regards with the planned development considerations set forth.

8. The Township shall amend its zoning map to provide for ample land for development under the provisions of sections (1), (3), and (4) of this exhibit. Such amendment shall be subject to the following provisions:

a. In the event that the Township creates a new single family residential zone to meet the objectives of section (1) of this exhibit, land allocated to that zone shall not be taken from vacant land at present in either the R-10, R-7.5, or R-M zones.

b. In the event that the Township amends the provisions of the R-7.5 zone, such additional land that will be required to make ample provision as defined herein shall not be taken from vacant land in either the R-10 or the R-M zone.

c. The Township may meet its obligations to provide for multifamily housing either through adding ample land to the R-M (as amended) zone, or through assigning vacant land to a PUD or similar zone created for that purposes. In either case, land shall not be transferred from the R-10, or R-7.5 zones to meet multi-family housing obligations.

d. Land designated for special exception use provisions under Section (4) of this exhibit shall be over and above land zoned multifamily or PUD.

BOROUGH OF SAYREVILLE

1. The Borough shall provide for a single family residential zone consistent with the standards enunciated under Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-7 single family zone to meet those standards.
2. The Borough shall provide for multifamily residential development consistent with regard to reasonable and modest standards through repeal of those provisions of (a) the townhouse option of R-7 zone, and (b) the G-1 garden apartment zone, not consistent with Section(2) of the Cranbury exhibit, including but not limited to the following:
 - a. With regard to the townhouse option in the R-7 zone:
 - (1) 20 Acre minimum lot size. May not exceed 2 acres.
 - (2) 5 unit/acre maximum density. May not be less than 10 units/acre
 - b. With regard to the G-1 garden apartment zone:
 - (1) 5 acre minimum lot size. May not exceed 2 acres.
 - (2) 12 unit/acre maximum density. May not be less than 15 units/acre
 - (3) parking provisions of 2 spaces/unit and 25% garage parking shall be removed. Shall not exceed 1.5 spaces/unit
 - (4) 'zigzag' provisions shall be removed.
3. The Borough shall repeal all provisions of its PUD ordinance not consistent with the planned development considerations previously set forth, including but not limited to the following:
 - a. The requirement that industrial uses and commercial uses over and above the immediate commercial facility needs of the residents be provided shall be removed. The ordinance may specify that commercial facilities reasonably required by residents of the PUD but not in excess of that, be provided.
 - b. The net residential densities shall be raised from 8 units/acre for townhouses to 10 units/acre, and from 12 units/acre to 15 units/acre for garden apartments.
 - c. Gross residential densities shall be removed. Gross density shall be a function of net density and land use distribution.
 - d. Minimum acreage requirements shall be reduced to 50 acres to qualify for PUD provisions.

- e. floor area provisions shall be reduced or replaced with New Jersey Housing Finance Agency standards by reference.
 - f. the no-look-alike provision shall be removed.
 - g. The parking requirement shall be reduced from 1.75 to 1.5 spaces/unit
 - h. The single family development standards in all PUD areas shall not exceed those of the R-7 zone.
 - i. The entire section dealing with timing of development, and proportionate staging for residential and non-residential development shall be removed.
4. The Borough shall provide special exception use provisions for low and moderate income housing similar to those provided in Section (3) of the Cranbury exhibit.
5. The Borough shall adopt a provision similar to Section (3) of the East Brunswick exhibit providing for conversion of single family dwellings.
6. The Borough shall repeal its prohibition on mobile homes, and shall not make any distinction between mobile homes and other single family dwellings in the ordinance. The Borough shall further provide for mobile home parks in those parts of the Borough appropriate for such uses.
7. The Borough shall amend its zoning map to provide for ample land for development under the provisions of Sections (1), (2) and (4) of this exhibit. The use of the term 'ample' shall be the same as in the Cranbury exhibit. The Borough may meet its obligations to provide for multifamily housing either through adding ample land to the G-1 (as amended) and R-7 zones, or through amendment and cleansing of the PUD ordinance. Land designated for special exception use provisions under Section (4) of this exhibit shall be over and above land zoned for multifamily development or for PUD.

TOWNSHIP OF SOUTH BRUNSWICK

1. The Township shall provide for a single family residential zone consistent with the provisions of Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-3 and/or the R-4 zones to meet those standards.

2. The township shall repeal the provisions governing single family dwellings and requiring (a) a garage for each dwelling unit; and (b) 100 ft² storage in each dwelling unit over and above minimum floor space requirements.

3. The township shall provide for a multifamily residential zone consistent with the provisions of Section (2) of the Cranbury exhibit.

3a. Alternatively, the Township may provide for multifamily housing meeting the above standards in the context of a planned unit development or planned community of similar nature. In the event that the Township chooses to provide for multifamily housing through the existing PRD provisions of the ordinance, it shall repeal all provisions not consistent with the planned development considerations set forth, including but not limited to the following:

a. net density for single family development of 4/acre shall be increased to at least 6/acre. Other SF provisions consistent with (1)

b. net density for townhouse development of 8/acre shall be increased to at least 10/acre

c. gross density figures shall be repealed. Gross density shall be a function of net densities, housing distribution by type, and open space provisions.

d. 100 ft² storage provision shall be repealed.

e. 2 parking space/dwelling provision shall be reduced to no more than 1.5 parking /dwelling

f. 'zigzag' provisions shall be repealed.

4. Independently of the planned community provisions, the Township shall provide special exception use provisions for low and moderate income housing similar to those provided as Section (3) of the Cranbury exhibit.

5. A provision shall be added to the ordinance similar to Section (3) of the East Brunswick exhibit dealing with the conversion of single family houses to two or more family houses.

6. The Township shall repeal the arbitrary limitations on mobile home park development, and shall provide reasonable opportunity for development of mobile home parks in those parts of the township appropriate for such use, in particular along US highway 1 and Route 130.

7. The Township shall amend its zoning map to provide for ample land for development under the provisions of Sections (1), (3), or (3a), and (4) of this exhibit. The use of the term 'ample' shall be the same as in the Cranbury exhibit. The allocation of vacant land by zone shall be clearly linked to the continuing availability of infrastructure for the density of development required under these provisions.

8. In view of the planning principles of the Township embodied in the ordinance, and in view of the goal of (a) staging development to provide for orderly growth; and (b) linking the location and timing of development with the provision of infrastructure, the township shall adopt a sewer and water plan to ensure that the extension of infrastructure is adequate to provide for development of the Township's fair share, with regard to all types of housing called for under the fair share plan, in a fashion timely enough not to hinder the development of necessary low and moderate income housing. The plan shall further provide (a) that public water and sewer shall be available for all development required under the fair share allocation, or failing that, reasonable and environmentally sound alternative methods for water supply and waste disposal; (b) that such facilities will be provided without imposing onerous burdens on developers, housing sponsors, and by extension, the future residents of low and moderate income housing development.

9. The Township shall undertake its rezoning in such a manner that at least half of the net amount of land contained in the zones created pursuant to Section (7) above shall represent a net increase to the available residential land supply. For these purposes, land in the A-5 and A-3 zones is not at present considered part of that supply.

BOROUGH OF SOUTH PLAINFIELD

1. The Borough shall provide for a single family residential zone consistent with the standards enunciated under Section (1) of the Cranbury exhibit; alternatively, it shall amend the provisions of the R-7.5 single family zone to meet those standards.
2. The Borough shall repeal the following provisions affecting development in the single family zones under the ordinance:
 - a. the requirement that there be 2 parking spaces per dwelling.
 - b. the ordinance provision specifying that all or part of the dwelling be constructed above a full basement.
 - c. The 'no-look-alike' provision
3. The Borough shall repeal the ordinance provision restrictive of conversion of single family dwellings into two or more family dwellings, and shall adopt provisions clearly permitting all such conversions, subject only to health and safety standards of a reasonable nature.
4. The Borough shall provide for a multifamily development zone consistent with the provisions of Section (2) of the Cranbury exhibit.
 - 4a. Alternatively, the Borough may provide for a comparable or greater amount of multifamily development, meeting the above standards, in the context of a Planned Unit Development or planned community ordinance of similar nature.
 - 4b. In the event that the Borough chooses to provide multifamily housing through adoption of a PUD or similar planned community approach, all such provisions shall be consistent with the planned development considerations set forth above.
5. Independently of the provisions of Sections (4), (4A-B), the Borough shall provide special exception use provisions for low and moderate income housing similar to those provided in Section (3) of the Cranbury exhibit.
6. The Borough shall provide in the ordinance that no distinction applies between mobile homes and other single family dwellings in any single family residential zone. The Borough shall further provide for mobile home parks in those parts of the Borough appropriate for such uses.

7. The Borough shall amend its zoning map to provide for ample land for development under the provisions of Sections (1), (4), and (5) of this exhibit. The term 'ample' shall be used in the same sense that it is defined in the Cranbury exhibit. Such amendment shall be subject to the following provisions:

a. With the exception of minor adjustments that may be necessary, all land provided to meet the requirements of Sections (1) and (4) shall represent net additions to the total vacant residentially zoned land in the Borough.

b. All land made available under the provisions of Section (5) for low and moderate income housing shall be land that is otherwise zoned for residential or compatible land uses.