

Monroe 1985?

Amendment to Monroe's Development Regulations

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AMENDMENT TO MONROE
DEVELOPMENT REGULATIONS:
ARTICLE VIII
PLANNED DEVELOPMENT OPTION

SECTION 1: Purpose

The purpose of this Article is to provide an orderly procedure for the review, consideration, and approval of Planned Developments within the G-C zone of the Township of Monroe. This article is designed to:

1. Encourage the innovative design and development of selected uses permitted in the General Commercial zoning district of Monroe Township in combination with residential uses, where general commercial development constitutes the predominant use on the site and where multiple, yet distinct, land uses are combined into a single unified development plan.
2. Encourage the creation of a planned development that serves the existing and foreseeable needs of Monroe Township and enables the preservation of natural features and open space in the interest of Monroe's future.
3. Encourage careful planning of traffic circulation and off-street parking in order to avoid traffic congestion and inadequate parking.
4. Encourage the planning and utilization of land and the harmonious design, erection and use of buildings in a diversified community that will contribute to the economic base of the Township of Monroe.

For purposes of interpretation of this Article, Planned Development within the G-C zone shall be regarded as Planned Commercial Development as that term is used and defined in the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.

SECTION 2: Definitions

COLLECTOR STREET -a collector street is a street which is proposed on the "Overall Development Plan" as a collector street which meets the standards set forth and the procedures for dedication in Article 5E for collector streets.

DENSITY AVERAGING--the development regulation which permits the developer the right to develop portions of the residential area of the planned development at densities greater than the Overall Residential Density so long as the development of the entire residential area of the planned development does not exceed the Overall Residential Density.

DWELLING, MULTI-FAMILY--one building containing two (2) or more dwelling units separated by a vertical and/or horizontal party wall or floor.

DWELLING, SINGLE FAMILY DETACHED--a dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWELLING, PATIO HOME--A single family dwelling attached to one other single family dwelling by a common vertical wall with each dwelling located on a separate lot.

DWELLING, TOWN HOME--one building containing two (2) or more attached dwelling units located adjacent to one another in a side to side configuration and separated by a vertical party wall. Each unit shall have its own front and rear access to the outside.

GREEN SPACE--means an area of open space consisting predominantly of pervious surface, trees, grass, or other vegetation, including golf courses, and intended to remain permanently as open space through deed restriction or other legally binding mechanism.

OVERALL RESIDENTIAL DENSITY--the total number of dwellings in the Residential Area(s) of a Planned Development divided by the total number of acres constituting the Residential Area(s) of a Planned Development.

OVERALL DEVELOPMENT PLAN--A plan containing the elements set forth in Section 6 (B) of this Article.

PLANNED COMMERCIAL DEVELOPMENT--means a minimum Tract Area as specified by ordinance to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses or both and any residential and other uses incidental to the predominant use as may be permitted by ordinance.

RESIDENTIAL AREA(S)--Those areas designated by the applicant on the Overall Development Plan for residential development.

TECHNICAL COORDINATING COMMITTEE--includes the Township Engineer, the Township Planner, two members of the Township Planning Board appointed by the Planning Board Chairman, and any other licensed professionals employed by the Township that have been appointed by the Planning Board.

TRACT AREA--an area of land which consists of lots having one or more common boundaries. The intent of this Article is that separation of lots or portions of the tract by dedicated streets shall not be deemed to destroy the continuity of the acreage which is the subject of an application for Planned Development.

SECTION 3: General Provisions

A. Within those areas specifically designated on the Zoning Map of Monroe Township as General Commercial (G-C), application may be made in accordance with the regulations and procedures described in Section 6 of this ordinance, pertaining to a Planned Development, provided that the proposal meets with all of the following minimum criteria:

1. The Tract Area to be developed has a minimum of four hundred (400) acres;

2. At least thirty-five (35) percent of the Planned Development Tract Area is to be preserved as Green Space. The thirty-five (35) percent Green Space requirement for a Planned Development shall be over and above other pervious areas required to comply with lot coverage requirements.

3. The Tract Area is to be developed according to an Overall Development Plan as a single entity to accomodate:

a. Non-residential uses as permitted in Section 4 of this Article, and;

b. Residential uses as permitted in Section 4 of this article, so long as no more than twenty-five (25) percent of the Planned Development Tract Area is to be devoted to residential uses.

B. A Planned Development shall be an optional form of development which shall be permitted only upon proof of the ability to comply with the standards set forth in Section 3 (A) above. If such an option is chosen by the applicant and approved by the Planning Board in accordance with Section 6 of this Article, the regulations and requirements of this Article shall apply thereafter in place and instead of the G-C zone regulations and requirements. However, in the event that such an option is not chosen, the underlying G-C zoning applicable to the subject property shall remain in effect.

SECTION 4: Permitted Uses

Only the following building types or uses shall be permitted in a Planned Development:

A. PRINCIPAL USES

1. General business, corporate, and professional offices, including administrative, sales, executive, research and development, high technology and other general or corporate business uses.
2. Hotel and conference centers, including professional meeting and training facilities (i.e. classrooms, auditoriums, amphitheaters), recreational and athletic facilities, dining and banquet facilities and accessory retail or other service facilities incidental to said use.
3. Fully enclosed establishments for the sale and repair of office-related equipment and the sale of office supplies.
4. Research and development uses, including, but not limited to, computer centers and data processing facilities.
5. Restaurants and drinking establishments, excluding drive-thru take-out establishments.
6. Golf course(s) and/or clubhouse and meeting facilities.
7. Commercial/retail establishments or facilities limited to ten (10) percent of the gross square footage of all non-residential uses within the Planned Development, except that the ten (10) percent limit on retail establishments shall not apply to a conference center and facilities or to a country club, clubhouse and facilities.
8. Private medical centers or professional medical offices, including but not limited to, doctors', dentists' or other health related offices.
9. Commercial health spa and athletic facilities, including but not limited to, racquetball, swimming, tennis, or nautilus-type health clubs.
10. Residential dwellings, including single-family detached, patio homes, town homes, and multi-family dwellings.

B. ACCESSORY USES

1. Parking decks and/or garages and loading facilities incidental to and supportive of the Principal Uses in this zone, not to exceed 3 stories.

2. Wholesale, distributive, light assembly, and storage uses, only when incidental to, or in support of, a Principal Use or uses or combination thereof.

3. All uses which are customarily incidental to and supportive of the Principal Uses, or combination thereof, listed in Section 4(A) above.

4. Signs and directories.

5. Private residential swimming pools.

Note--Accessory Uses except for parking areas shall not occupy a floor area greater than thirty (30) percent of the floor area dedicated to the Principal Use or combination of Principal Uses to which the accessory use or uses relate. Accessory Uses may be located within the same building as the Principal Use or in a separate accessory structure.

SECTION 5: Development Standards

Notwithstanding any provisions elsewhere in this Article, or in any ordinance of Monroe Township, Planned Developments are subject only to the standards and provisions contained in this Section.

A. DEVELOPMENT STANDARDS--GENERAL COMMERCIAL USES

1. Lot Dimensions--minimum required.

- a. Area -- one acre
- b. Width -- 150 feet
- c. Depth -- 150 feet

2. Yard dimensions--minimum required
Principal Buildings Setbacks

- a. Front yard--50 feet
- b. Side yard---25 feet each
- c. Rear yard---40 feet

3. Height of Buildings--maximum permitted

- a. Stories--five (5) or sixty-five (65) feet

Note #1--Rooftop penthouses shall not be included in the measurement of maximum height. The use of rooftop penthouses shall be limited to passive commercial uses such as the housing of equipment.

Note #2--With the exception of any proposed hotel conference center, buildings in excess of two stories may not be located closer than two hundred (200) feet to the boundary line of the Tract Area of a Planned Development adjacent to an existing residential use. Buildings of

four (4) stories or greater may not be located closer than four hundred (400) feet and five (5) story buildings may not be located closer than six hundred (600) feet to the boundary line of the Tract Area of a Planned Development adjacent to any existing residential use. These setbacks do not apply to any residential area or section thereof within the Planned Development Tract Area.

4. Maximum Coverage--

a. Building coverage for principal buildings shall be permitted to a maximum of twenty-two (22) percent of the Tract Area of a Planned Development devoted to commercial development. Total impervious coverage shall be permitted to a maximum of sixty-five (65) percent of the Tract Area of a Planned Development devoted to commercial development.

b. Averaging of building coverage and total impervious coverage over the total area of a Planned Development devoted to commercial development shall be permitted.

B. DEVELOPMENT STANDARDS--RESIDENTIAL USES

1. Density - maximum permitted.

a. Overall Residential Density - Six and one quarter (6.25) units per acre.

b. Density Averaging shall be permitted.

2. Height of Buildings - maximum permitted.

a. Stories - 3 or 35 feet

3. Setbacks - residential

a. Principal buildings and structures from any exterior boundary line of the Tract Area of the Planned Development shall be 40 feet measured from the right-of-way line.

b. Accessory structures shall be permitted within said setback areas.

c. The front of any principal residential structure shall be set back a minimum of 25 feet from internal road rights of way lines. Sidewalks are permitted in the front yard setback area.

d. Principal residential structures shall be located a minimum distance of 100 feet from any principal commercial building or parking deck. The 100 foot requirement may include road rights of way.

4. Access - No residential unit shall have its driveway on a street having a right of way width of sixty (60) feet or more.

C. BUFFER REQUIREMENTS - GENERALLY:

1. A two hundred foot (200') perimeter landscape buffer, measured from the right of way line of any street which adjoins a residential area previously developed and located outside of the Planned Development Tract Area shall be provided in connection with an application proposing the Planned Development Option. The two hundred foot buffer shall be attractively landscaped and with the exception of any proposed hotel conference center and facilities shall not contain any buildings.

2. In all other cases, a forty foot (40') perimeter buffer, measured from the right of way line of any municipal or county street which adjoins the outer boundary of the Tract Area of a Planned Development, shall be provided.

D. MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

1. Number of spaces by use.

a. General business and corporate or professional offices shall require three and three tenths (3.3) parking spaces for every one thousand (1000) square feet of floor area or one per employee, whichever is less.

b. Hotel/Conference Centers shall require one (1) space for each three hundred (300) square feet of meeting space, one (1) space for every four (4) restaurant seats (including bar stools), and one (1) space for each unit of occupancy.

c. Country club and golf course facilities shall require a minimum of two hundred (200) spaces, provided there are no more than thirty six (36) holes of golf course.

d. Wholesale, distributive and storage establishments shall require one (1) parking space for every two thousand (2,000) square feet of floor area or one per employee, whichever is less.

- e. Research and development uses shall require two (2) spaces for every one thousand (1,000) square feet of floor area or one per employee, whichever is less.
- f. Restaurants shall require one (1) space for each three (3) seats (including bar stools).
- g. Retail establishments shall require one (1) space for each two hundred (200) square feet of floor area.
- h. Private medical centers or professional medical offices shall require one (1) space for each one thousand (1,000) square feet of floor area, plus one (1) additional space for each resident doctor.
- i. Commercial health and athletic facilities shall require one (1) space for each four hundred (400) square feet of floor area.
- j. Residential dwellings shall require one and one half (1.5) spaces for each dwelling unit with one (1) bedroom and two (2) spaces for each dwelling unit with two (2) bedrooms and three (3) parking spaces if more than two (2) bedrooms are provided, parking space counts shall include garage spaces and individual driveways.

2. The size of a retail parking space shall be ten (10) feet by twenty (20) feet. The size of a parking space for non-retail commercial use shall be nine (9) feet by nineteen (19) feet. Up to thirty (30) percent of the total spaces required for any non-residential use may be nine (9) feet by eighteen (18) feet, and utilized for compact cars only. Parking spaces for compact cars must be designated on-site.

3. Areas provided for loading and unloading of delivery trucks and other vehicles, and for servicing of buildings by refuse collection, and other service vehicles shall be adequate in size, and shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.

4. All parking, loading, access and service areas shall be adequately illuminated at night. Such lighting, including sign lighting, shall be arranged so as to protect the highway and adjoining property and roads from direct glare or hazardous interference of any kind, and

shall be of a height and reflected away from windows of any surrounding or adjacent dwelling units in order to minimize the impact of such lighting on the residents in the dwelling units.

5. The Planning Board may permit a twenty (20) percent reduction of the required number of parking spaces required to be constructed in connection with any individual site plan if the applicant can prove that there is unlikely to be a sufficient parking demand to warrant full compliance and if the site plan contains an area reserved for future parking expansion if and when needed.

6. No street side parking shall be permitted on internal roads in the area of a Planned Development devoted to commercial development.

E. STREETS

Collector Streets shall be designed to accommodate through traffic in the Planned Development to and from surrounding areas.

1. Minor streets shall be so planned and identified so as to discourage through traffic.

2. The right-of-way width on all streets shall be measured from lot line to lot line and shall meet the following minimum widths:

a. Collector streets: sixty (60) feet.

b. Streets other than collector streets: thirty-six (36) feet.

c. Right of way widths for internal roads and alleys in a Planned Development may be proposed at less than thirty six (36) feet, but not less than thirty two (32) feet, but shall in all cases be of sufficient width and design to safely accommodate the reasonably anticipated traffic, parking, and loading needs where applicable, as well as access for fire-fighting equipment.

3. All streets which are not both proposed for dedication and accepted by Monroe Township shall be regarded as private streets. The maintenance or improvement of private streets shall be the responsibility of the developer or its successors in interest.

4. Street intersections shall be as nearly at right angles as is possible and in no case shall be less than sixty (60) degrees.

5. A tangent of at least one hundred (100) feet shall be provided between reverse curves on collector streets.

6. A cul-de-sac shall be no more than two thousand (2,000) feet in length.

7. The pavement standard for streets within a Planned Commercial Development shall be in accordance with the standards set forth in the Monroe Township Subdivision Ordinance.

8. T-type intersections shall be off-set a minimum of one hundred and twenty five (125) feet.

9. Sidewalks shall be required where necessary and appropriate to provide adequate pedestrian access from parking facilities to proposed buildings and curbing shall be required where necessary and appropriate to control the projected street-side runoff.

F. DRAINAGE

Storm drainage standards shall be as set forth in the Monroe Township Subdivision Ordinance.

G. FIRE DEPARTMENT AND FIRST AID STATION LOCATION

The applicant shall give consideration to the appropriate location on or off the Tract Area for a one-acre site to be dedicated for use in connection with fire safety and first aid needs.

H. PERFORMANCE STANDARDS

Permitted uses within a Planned Development shall comply with the performance standards set forth in Article VI of the Monroe Township Zoning Ordinance.

SECTION 6: Procedure for Approval of the Planned Development

A. PLANNING BOARD REVIEW: The Planning Board shall review applications for approval of a Planned Development.

1. Notice: Public notice of a hearing of an application for Planned Development shall be given as required by statute in accordance with N.J.S.A.40:55D-12.

2. Time for action: Upon submission to the Administrative Officer of a complete application for Planned Development, the Planning Board shall grant or deny Planned Development approval within 95 days of the

date of submission or within such further time as may be consented to by the applicant. Failure of the Board to act within the prescribed time shall constitute approval.

B. REQUIRED SUBMISSIONS - COMPLETE APPLICATION: An application for approval of the Planned Development Option shall be deemed complete, as per the provisions of N.J.S.A.40:55D-10.3, upon submission by the applicant of the following:

1. An application form containing:
 - a. the name of the developer
 - b. a signed statement of the developer affirming compliance with all of the minimum criteria for Planned Development contained in Section 3 of this Article
 - c. proof that the property taxes pertaining to the subject property have been paid to date
 - d. a corporate or partnership disclosure statement, where applicable, in accordance with the provisions of N.J.S.A.40:55D-48.1 and 40:55D-48.2
 - e. any application fees that may be established by ordinance.

2. An Overall Development Plan consisting of the following:

a. A LAND USE PLAN, indicating the Tract Area and approximate land areas to be devoted to the proposed land uses. Commercial areas shall be documented as to approximate acreage and types of uses. Where residential uses are intended, the Land Use Plan shall document the:

1. General locations and approximate size of the Residential Area(s).
2. Types of residential dwellings proposed, and;
3. The Overall Residential Density.

The Land Use Plan shall be prepared at a scale of not smaller than one inch equals 200 feet.

b. A TRAFFIC CIRCULATION PLAN, indicating the location of all existing collector streets and the general location of any proposed collector streets, typical road cross-sections and key intersections and access points. The plan shall indicate how the

overall collector road network relates to the terrain, the overall design of the Planned Development and the road network of the municipality. The Traffic Circulation Plan shall conform to the plan adopted by Monroe Township in connection with any off-tract improvement ordinance.

c. A DRAINAGE PLAN, indicating the general size and location of on-site and off-site drainage areas and direction of run-off flow, the approximate size of major existing conduits and pipes, existing water courses and flood plains, and the existing and proposed methods of controlling and draining surficial water on and from the site.

d. A GREEN SPACE PLAN, indicating the approximate major land areas to become Green Space, a description of the intended improvements within said areas, and the allocation of responsibility for maintenance of the Green Space.

e. AN ENVIRONMENTAL IMPACT STATEMENT, as specified in Article ___ Section ___ of the Monroe Township Land Development Ordinance.

The items listed in Sections 6(B) (1) and (2) above shall constitute the submissions required to be enumerated on a checklist supplied to the applicant as per the provisions of N.J.S.A.40:55D-10.3.

C. TECHNICAL ANALYSIS: Upon submission of an application for Planned Development to the Planning Board, the applicant shall submit a copy of the application to the Monroe Township Engineer. Within 15 days of receipt of the copy of the application by the Township Engineer, the Technical Coordinating Committee shall meet with the developer and the developer's experts for the purpose of reviewing:

1. The Traffic Circulation Plan;
2. The Drainage Plan; and
3. The Environmental Impact Statement.

D. TECHNICAL REPORT SUBMITTED TO PLANNING BOARD: The Technical Coordinating Committee shall submit a report of its technical analysis to the full Planning Board within 45 days of submission of complete application by the applicant. The review of the Technical Coordinating Committee shall be based upon the design standards set forth in this ordinance and any other applicable recognized professional engineering standards.

E. PLANNING BOARD REVIEW: The Planning Board shall schedule hearings on the application for the Planned Development option at the time the application is deemed complete by the Board.

1. The Planning Board shall begin its review with an analysis of:

a. The Land Use Element of the Overall Development Plan; and

b. the Green Space Element of the Overall Development Plan.

2. Upon receipt of the report of the Technical Coordinating Committee, the Planning Board shall review the recommendations contained in the report in connection with:

a) the Traffic Circulation Plan;

b) the Drainage Plan; and

c) the Environmental Impact Statement.

F. ACTION BY THE PLANNING BOARD: The Planning Board shall approve the application for the Planned Development if it finds that the application conforms and complies with the requirements of this Article.

If the Planning Board determines, based upon the evidence submitted, that the application for the Planned Development Option does not satisfy the above criteria, the Planning Board may deny the application. If the application is denied, the Planning Board shall supply the applicant with a written decision setting forth the specific deficiencies upon which the denial is based.

G. The individual site plan and subdivision approvals applied for in accordance with an approved Planned Development shall be granted conditioned upon approval of the Monroe Township Municipal Utility Authority as to the adequacy of sewer and water facilities for the individual site plan or subdivision under consideration. Any necessary approvals required from other governmental agencies or authorities may also be made a condition of any individual site plan or subdivision applied for in accordance with an approved Planned Development. The Planning Board's decision on a Planned Development application shall not await the determination of any other governmental entities.

Section 7: Effect of Planned Development Option Approval

A. Planned Development approval shall confer upon the applicant the following rights and obligations until the entire Planned Development is fully developed:

1. that the general terms and conditions upon which approval has been granted, including, but not limited to, on site improvement requirements, shall not be changed;
2. that the provisions of this Article effective on the date of approval with respect to permitted uses, permitted densities, parking requirements and layout and design standards shall not be changed.

B. Approval of Preliminary and Final Site Plan and/or Subdivision applications which may be submitted from time to time for portions of a Planned Development shall be granted upon proof of compliance with the approved Overall Development Plan and with the permitted uses, densities and development standards set forth in this Article as of the date of approval of the Planned Development Option. Notwithstanding the above, the applicant may be required by the Planning Board to post any performance or maintenance guarantees and pay any inspection fees permitted by statute in accordance with N.J.S.A. 40:55D-53 and required by ordinance.

Section 8: Planned Development Approval Revisions:

A. If an application for a Planned Development has been approved by the Planning Board, and the applicant subsequently desires to make a substantial revision(s) to the Overall Development Plan, the applicant shall submit to the Planning Board a request for approval of the intended revision(s). Based upon the extent of the revision(s), the Planning Board shall at the request of the applicant, waive the application requirements which do not relate to the proposed revision. Substantial revisions are those changes that, in the opinion of the Township Engineer and Planner, would result in significant changes to the gross drainage or traffic impacts of the Planned Commercial Development. The Planning Board's review shall be restricted to the proposed revision(s).

B. If an application for a Planned Development is denied by the Planning Board, the Applicant shall have the option of submitting a revised Overall Development Plan for review and action by the Planning Board. Based upon the extent of the revisions, the Planning Board shall at the request of the applicant, waive part of the application requirements set forth in Section 6 of this Article which do not relate to the Board's findings as to the application's deficiencies.

C. Revision to a previously approved Planned Commercial Development Approval shall not alter the rights set forth in Section 7 of this Article.

Section 9: Effective Date:

This ordinance shall take effect upon final adoption and publication according to law.

Section 10: Severability:

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 11: Repealer:

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.