

U.L. v. Carteret

Oct. 12, 1983

S. Bamsayuk

From Rachel to Urban League Re: S. Bamsayuk
ordinance.

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Notes : RULS - ML - 5251

ML0003150

October 12, 1983

To: Urban League team
Fr.: Rachel
Re: South Brunswick ordinance

ML000315L

The South Brunswick ordinance contains a number of features geared towards low income housing construction, including two zones with mandatory set-asides and two permitting mobile home parks. However, these zones make up a small percentage of the town's total area, so that it is not clear that they will be able to accomodate all of the low/moderate prospective housing need. (The town projects 16,000-21,000 jobs by the year 2000, compared with 7,400 in 1980. It also states in its master plan that given the current economic climate, there are "few alternatives" to meet projected low/moderate income housing needs, apart from zoning out price inflators. However, it does acknowledge its obligation to address such needs in both its master plan and land use ordinance.) South Brunswick is clearly interested in encouraging developments for low income senior citizens, rather than other low income groups, and provides a number of incentives for such developments. Objectionable features of the ordinance are as follows:

1. A developer seeking approval of a site planned for a PRD (PRDs have a 20 percent mandatory set-aside) must submit landscaping plans, a "circulation impact statement", a school impact statement, and an environmental impact statement. See 16-42.1.
2. All site plans must be screened around their entire perimeter. 16-56.2d.
3. Minimum tract size for a PURD is 100 acres. 16-57.1
4. One area zoned for PRDs limits gross density to 7 units/acre. A second area limits gross density to 5 units/acre. 16-57.2
5. A PRD developer must include at least 20 percent low/moderate income units. However, breakdown is not specified, and all units are to be built with state or federal subsidies. The developer can increase maximum building height by up to six stories- but only so

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long as the height of surrounding trees equals the height of the building. In a PRD 7 area, a developer can build one low/moderate income senior residence, and is permitted a net density of 30 units/acre. 16-57.3

6. Neither multi-family dwellings nor townhouses can make up over 40 percent of the total PRD units. (However, ^{together} they must make up at least 50 percent of all such units.) Single family units must make up at least 10 percent of total PRD dwellings, and require a lot size of 1 acre or 10,000 square feet. Neither semi-detached single family dwellings nor two family houses can exceed 25 percent of the total PRD dwellings. Both types of housing have lot size requirements ^{similar to} like those for single family dwellings. 16-57.4.

7. PRDs must contain at least 5 contiguous acres of ^{designated} open space (i.e., land left in a natural state or set aside for recreation) 16-57.9

8. Attached units must have staggered front facades and roof lines. 16-57.18.

9. Developer must include 2 off-street parking spaces per unit. Minimum parking space size is 10 feet by 20 feet. 16-57.21d. (however, a senior multi-family unit requires only one parking space per two dwelling units- 16-62.5b; Only one parking space per unit is required if the dwelling is within 500 feet of public transit. 16-62.g)

10. Like townhouse units within or without a PRD require a minimum tract of ten acres, and a minimum frontage of 350 feet on an improved, dedicated road. Maximum building coverage cannot exceed 20 percent of the total tract area. 16-59.

11. The R-3 area is conditionally zoned for two family houses and single family semi-detached houses. However, there is a minimum lot size of $1\frac{1}{2}$ acres or 30,000 square feet for two family houses, and $\frac{3}{4}$ acre or 15,000 square feet for single family semi-detached houses.

12. Single family semi-detached dwellings and two family houses in the R-3, R-4, and C-1 zones must be located within 1,500 feet of a commercial zone. 16-62.11; 16-62.12.

13. Low/moderate income housing is conditionally permitted in the R-3, R-4, and C-1 zones if located within 1,000 feet of a commercial ~~district~~ ^{zone}. There is a maximum gross density limit of 8 units/acre, unless the project is for those over 62, in which case the maximum gross density permitted is 15 units/acre. 16-62.13.

14. Contributions for off-tract improvements are required pre-site plan approval. 16-48.

On its face, the South Brunswick ordinance compares favorably to that of Plainsboro or Cranbury, since it contains mandatory set-asides, and a provision that low income units must remain in the hands of low income residents (16-62.13). Its most objectionable features are the PURD minimum tract size (100 acres), and the favoritism given to senior citizen low income projects.