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ML

Ringwood

10/31/1985

Report. - Implementing Ringwood's
ML Housing obligation.

pgs. 19

~~(has handwritten notes)~~

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ML000600E

IMPLEMENTING RINGWOOD'S
MOUNT LAUREL HOUSING OBLIGATION

PREPARED FOR:

GOVERNING BODY AND PLANNING BOARD
• RINGWOOD, NEW JERSEY

"Subject to review and approval by "legal
counsel r ""

..... JULY 8, 1985
AT-ENDED OCTOBER 31, 1985

malcolm kasler & associates, p.a.

ORDINANCE

AN ORDINANCE to amend and supplement an ordinance entitled "An Ordinance to Regulate and Restrict the Location and Use of Buildings, Structures and Land for Industries, Business, Residence or Other Purposes; the Height and Size of Buildings and Other Structures; the Intensity of Such Uses; the Area of all Yards and Other-Open Spaces; to Divide the Borough into Districts and to Provide for Enforcement of the Provisions Herein and Prescribe Penalties" and more commonly known as the "Zoning Ordinance of the Borough of Ringwood".

1. Section 2.200 Definitions is amended by adding the following:

"TOWNHOUSE"- A building or structure designed for or occupied by no more than one (1) family or household and attached to other similar buildings or structures by not more than two (2) party walls extending from the foundation to the roof and providing two (2) direct means of access from the outside. No dwelling unit in a townhouse shall be located above another unit. Furthermore, each such dwelling unit shall be provided with cooking-, sleeping and sanitary facilities for the use of each family or household of the townhouse. For the purpose of this chapter, a townhouse may include a building or structure in fee simple, condominium, cooperative or leasehold ownership or any combination thereof.

TOWNHOUSE-DUPLEX OR FLATS- A townhouse type of structure in which a row of dwelling units are permitted, with no dwelling unit permitted atop one another, except for the end units in the row.

QUADRUPLEX- Four attached dwellings in one structure in which each unit minimally has two open space exposures and shares one or two walls with adjoining unit or units. In a quadruplex, one dwelling unit atop another is possible.

SANITARY SEWER SYSTEM- A collection and treatment system consisting of minimum size (6 or 8 inches) or larger gravity and lift stations and interceptors leading to a central treatment plant operated by a public agency as shall be approved by the New Jersey Department of Environmental Protection, the Borough Engineer of Ringwood and the engineer or engineers serving the Ringwood Borough Sewer Authority and the Wanauque Valley Sewer Authority.

MULTIPLE-FAMILY DWELLING- A building occupied or intended for occupancy as separate living quarters for more than two (2) families or households with two (2) separate means of access to the outside from each dwelling unit and further provided with separate cooking, sleeping and sanitary facilities for the exclusive use of the occupants of each unit.

no package plant within the Borough of Ringwood

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2. Section 3.100 Districts-Designated is amended as follows:

"3.100 Districts Designated

For the purpose of this Ordinance, the Borough of Ringwood Zoning Ordinance is hereby amended into the following types of zone districts, differentiated according to use, area and bulk regulations and to be designated as follows:

ZONE

DESIGNATION

C-200	Conservation
R-40V	Single-Family Residential
R-40	Single-Family Residential
R-20	Single-Family Residential
RT-40	One and Two Family Residential
PRD-1	Planned Residential Development-1
PRD-2	Planned Residential Development-2
CC-80	Community Commercial
CS-40	Community Shopping
NC-15	Neighborhood Commercial
GB-80	General Business
CR-800	Commercial Recreation
OR-200	Office and Research
1-120 - -	Industrial •
FH	Flood Hazard

3. The Zoning Map of the Borough of Ringwood prepared by Malcolm Kasler and Associates, P.A. dated February 23, 1982 as may be amended *from* time to time, hereby amended by creating two new zone districts PRD-1 and PRD-2 as noted for Block 752 Lot 1 and portions of Block 877 Lot 16 therein.
4. Section 4.100 Schedule of Regulations Schedule IV-1 Schedule of District Use Regulations is amended by adding the following permitted, accessory and conditional uses in the planned residential one and two zones as follows:

5. Section 4.100 Schedule of Regulations, Schedule 4-2 Area Bulk and Yard Requirements is amended as follows: *

SCHEDULE IV-1
SCHEDULE OF DISTRICT USE REGULATIONS
MUNICIPALITY OF RINGWOOD, NEW JERSEY

ZONE

PERMITTED PRINCIPAL USES

PERMITTED ACCESSORY USES

CONDITIONAL USES

PRD-1
PLANNED
RESIDENTIAL
DEVELOPMENT-ONE

1. Single-family dwellings;
2. Municipal parks and playgrounds* municipal buildings, libraries and fire stations,
3. Townhouses and patio houses.¹
4. Townhouse-duplex combination.
5. Quadruplexes.
6. Public utilities.

1. Accessory uses customarily incidental to a permitted principal use.
2. Signs, subject to Section 6.207 .
3. Private garages, subject to Section 6.206.
4. Off-street parking.
5. Indoor and outdoor recreational facilities, including skiing facilities, arboretum, swimming pools, tennis courts, botanical gardens, hiking trails and other similar facilities. Indoor tennis courts are excluded from this listing. Community buildings, and maintenance centers.
6. Fences and walls subject to Section 6.204,
7. Home occupations subject to Section 6.211.

1. Agricultural and horticultural uses, subject to Section 6.301.
2. Essential services subject to Section 6.303.
3. Churches and other places of worship, including parish houses, Sunday school buildings subject to Section 6.309.
4. Public or private nursery, elementary or secondary schools, subject to Section 6.306.

-4-

PRD-2
PLANNED
RESIDENTIAL
DEVELOPMENT-TWO

1. Single-family dwellings;
2. Municipal parks and playgrounds. municipal buildings, libraries and fire stations.
3. Townhouses and patio houses;
4. Townhouse-duplex combination;
5. Mandatory low and moderate income housing; which may include single-family, townhouse, townhouse* duplex, quadruplex or multiple-family dwelling units.
6. Public utilities.
7. Quadruplexes.

1. Accessory uses customarily incidental to a permitted principal use;
2. Signs subject to Section 6.207;
3. Private garages subject to Section 6.206;
4. Off-street parking;
5. Indoor and outdoor recreational facilities including swimming pools, tennis courts, skiing facilities, arboretum, botanical gardens, hiking and biking trails and other similar facilities. Indoor tennis courts are excluded from this listing. Community buildings and maintenance centers.
6. Fences and walls, subject to Section 6.204.
7. Home occupations subject to Section 6.211.

1. Agricultural and horticultural uses, subject to Section 6.301.
2. Essential services subject to Section 6.303;
3. Churches and other places of worship, including parish houses, Sunday school buildings subject to Section 6.309;
4. Public or private nursery elementary or secondary schools subject to Section 6.306.

Amended 10/1/88

SCHEDULE '4-2
 AREA, BULK AND YARD REQUIREMENTS
 BY ZONING DISTRICT
 BOROUGH OF RINGWOOD, NEW JERSEY

ZONING	PLCCTDTRT ULSIKID	MINIMUM AREA REQUIREMENTS			MAXIMUM BULK REQUIREMENTS					MINIMUM YARD REQUIREMENTS		
		LOT AREA (SQ. FT.)	LOT WIDTH (FT.)	LOT DEPTH- (FT.)	MAXIMUM DISTURBED LAND AREA (%)**	IMPROVED		BLD(5.HT. PRINCIPAL STYS.	FRONT YARD (FT.)	EACH SIDE YARD (FEET)	REAR YARD (FT.)	
						LOT COVERAGE (%)***	LOT COVERAGE (%)****					
C-200	Conservation	200,000	200	500	10	8	5	35	2h	100	- 75	150
R-40V	One-Family See Schedule 4-3.....						35	2 1/2	35	30	50
R-40	One-Family	40,000	150	200	30	25	20	35	2h	35	30	50
R-20	One-Family	20,000	100	175	50	35	25	35	2s	35	15	35
RT-40	One-and Two-Family	40,000	150	200	40	35	25	35	2 1/2	35	30	50
PRD-1	Planned Residential Development****											
	One-Family	40,000	150	200	20	25	20	35	2 1/2	35	30	50
	Planned Development	60 acres	500	500	60	35	15	40	3 See Section 6.851 T....		
PRD-2	Planned Residential Development****											
	One-Family	if nna / far	150	200	30	25	20	35	2 1/2	35	30	50
	Planned Development	50 acres	500	500	65	35	15	40	3 See Section 6.851.....		
CC-80	Community Commercial	80,000	200	200	--	60	25	35	2 1/2	55	35	40
CS-40	Community Shopping	40,000	200	150	--	75	25	35	2 1/2	55	35	40
NC-15	Neighborhood Commercial	15,000	100	100	--	75	25	35	2 1/2	35	15	20
GB-80	General Business	80,000	175	200	--	60	35	35	2 1/2	40	35	40
CR-800	Commercial Recreation	800,000	750	750	--	50	10	35	2 1/2	200	200	200
OR-200	Office and Research*	200,000	300	400	*..	60	20	40	3	75	50	75
I-120	Industrial*	120,000	250	300	..	60	35	40	3 *	75	50	75
FH	Flood Hazard See Section 6.500										

Arch. error on conceptual. actual piece is about 44% (#*-

*When fronting Margaret King Avenue, a minimum lot width of 400 feet shall be required.
 ** See Section 5.500 herein.
 *** See Section 5.600 herein.
 **** See Sections 6.800 and 6.900 for additional requirements.

Amended 10/31/95

6. Article VI Supplemented Regulations Concerning Certain Uses is Amended by Adding Sections 6.800 and 6.900 as follows:

6.800 Planned Residential Development

6.810 Size of Planned Residential Development

No tracts, parcels or lots, or tract parcel or lot shall be developed as a planned residential development in the Planned Residential Zone 1 or 2 unless it shall contain a minimum of 60 acres or 50 acres respectively of adjoining and contiguous land shall contain sufficient access to an approved and improved street. For the purpose of this section, internal streets, roads and rights-of-way shall not be deemed to divide acreage of a planned residential development.

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6.820 Sanitary Sewer System

A planned residential development in a Planned Residential Zone 1 or 2 shall be required to be joined to a centralized sanitary sewerage system as defined herein. Said linkage to a sanitary sewerage system must be reviewed and approved by both the New Jersey Department of Environmental Protection, (the Borough Engineer of Ringwood,) the Ringwood Sewerage Authority and the Wanaque Valley Sewerage Authority.

as may be required. ✓
I don't want to pay for 4 reviews!
why?

6.830 Environmentally Sensitive Lands

No (planned residential development) located in a Planned Residential Zone 1 or 2 shall be located within environmentally sensitive lands including wetland areas/flood hazard and flood fringe areas as defined by the New Jersey Department of Environmental Protection;

limited to
structures

6.840 Centralized Water Supply Facilities

A planned residential development shall be provided with an adequate supply of water from the requisite serving utility. [Proof of its availability and sufficient water pressure shall be provided to the community at the time of submission of an application for development]

Letter from
Mr. [unclear]
to obtain to
agreement

own
sewer
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Agree
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no - 6 - for P U

W -
to prom

6.850. Planned Residential Development Area, Yard and Bulk Requirements

Public of the sheets of the 2 feet

6.851 Boundary line setback requirement. All buildings and structures shall be setback less than fifty (50) feet from any external street right-of-way line or a distance equal to the height of any building or structure from said right-of-way line, whichever is greater, within a planned residential development.

6.852 Area, yard and bulk controls. Area, yard and bulk controls shall be in accordance with the Schedule of Area, Yard and Bulk Controls for planned residential developments herein and as noted in Schedule 6-3 .

Add table of yd. requirements for simple development

this is PRD-1 in PRD-2 we will subdivide

G has old notes on this! check Corvin's #'s

SCHEDULE 6-3
BUILDING RELATIONSHIPS PLANNED
RESIDENTIAL DEVELOPMENTS

In all planned residential developments where dwelling units are not being subdivided into lots and the circulation system is privately owned and maintained, the following shall be the minimum distance between buildings:

- (1) The front of one building to the front of another building... 75 feet
- (2) The front of one building to the side of another building..... 60 feet
- (3) The front of one building to the rear of another building..... 60 feet
- (4) The side of one building to the side of another building (other than an attached unit)*... 30 feet
- (5) The side of one building to the rear of another building... 50 feet
- (6) The rear of one building to the rear of another building.... 75 feet
- (7) The maximum length of a building unit containing town-houses shall be..... 135 feet in length.

60'

40'

60'

50'

PR-1

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(8) The maximum length of a building-unit containing townhouses and duplexes or flats shall be200 feet in length.

-200-

subdiv

6.853. Measurements of Setbacks. All setbacks shall be measured from the right-of-way line of the street, but if the Master Plan or Official Map of the Borough shows the location of a right-of-way line different from the existing right-of-way line, the required setbacks shall be measured from the right-of-way line as shown on the Official Map, if any, or the Master Plan.

6.860 Land Use Intensity and Distribution of Units

6.861 Overall Residential Density, The maximum overall residential density for a planned residential development -one zone shall be four and five, tenths (4.5) units per acre of total land area* A maximum of two hundred and eighty (280) dwelling units shall be permitted in the PRO-1 Zone. Within the planned residential development two zone, a maximum density of six (6) units per acre shall be permitted. The PRD-2 Zone shall minimally provide 49 low and moderate income housing units and 190 market rate units and as a maximum 80 low and moderate income housing units and 190 market rate units.

if 44 Ac. + lane
to build 190
38 270 ft.
dens. = 6.136

6.862 Low and Moderate Income Housing. Within the planned residential development-one zone, there is no mandatory requirement for low and moderate income housing. Within the planned residential development-two zone, low and moderate income housing, minimally totalling 49 housing units and a maximum of 80 units shall be mandatorily required.

The exact number of low and moderate income housing to be constructed is dependent upon the number of off-site low and moderate income housing units which are certified to be in a substandard condition and are rehabilitated with funds provided by the applicant.

to be

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The application for subdivision and/or site plan approval shall indicate the minimum and maximum conditions -indicated- construction of low and moderate income housing units enumerated in the first paragraph of-Section 6.8w2.

to be constructed as

The applicant will be required to contribute to a fund set up and administered by the Borough of Ringwood for the rehabilitation of up to thirty[^]orie (Si) such existing Mount Laurel units in the sum of \$6,000 per unit or a total of \$186,000.00,

included new!
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The applicant shall construct the low and moderate income housing units, and provide the funds for rehabilitation as set forth in Schedule 6-4, which provides the developer with the option of accelerating the rehabilitation payments. It is understood that in each phase of construction of low and moderate income units, the number of low income units constructed shall be approximately equal to the number of moderate income units* and, to the extent that it can be feasibly accomplished, the bedroom mix in each phase of low and moderate income units shall be similar to that of the total number of low and moderate income units to be constructed.

6.863 Distribution of Low and Moderate Income Dwelling Units

Within the planned residential development two zone there shall be no economic segregation of dwelling units.

Within both planned residential development zones one and two, four (4) percent of the dwelling units shall be designed for occupancy by handicapped persons where applicable in accordance with NJSA 17:19A-1.1 et seq.

The distribution of dwelling units designed for the handicapped shall be distributed equally amongst market-rate and Mount Laurel housing units.

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6.864 Distribution of Bedroom Units

Within the planned residential development two zone, the distribution of residential units for low and moderate income families shall be governed by the following distribution of required bedroom units.

Waller
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State

NUMBER OF DWELLINGS (%)

	LOW INCOME DWELLINGS	MODERATE INCOME DWELLINGS
--	----------------------	---------------------------

One Bedroom	50	50
Two Bedrooms	35	40
Three Bedrooms	<u>15</u>	<u>10</u>
TOTAL	100	100

100 percent of the low and moderate income housing shall be given priority for occupancy by senior citizens who qualify for such housing with a minimum age of at least one occupant of 62 years.

6.870 Timing of Development

6.871 For the purpose of development timing and the settlement entered into by Countryside Properties, Inc., the Wallace and Czura Land Company, the Borough of Ringwood and the Ringwood Planning Board, the Planned Residential Development One and Two Zones are integrally related to one another.

6.872 Rehabilitation Fund

Upon the receipt of the first certificate of occupancy for any market-rate dwelling unit in either the PRD1 or PRD2 Zone, the applicant shall be required to contribute a total of \$36,000 to a rehabilitation fund as enumerated in the aforementioned settlement agreement.

6.873 The applicant may construct the first twenty percent of the market rate units in either the PRO 1 or PRD2 Zone before constructing any low or moderate income units. The applicant shall not be issued any certificates of occupancy beyond twenty percent of the market rate units, until he has elected to construct lower income units or make contributions to the rehabilitation fund according to either Section 6-4(A) or Schedule 6-4(B) and made the appropriate contribution and/or constructed the appropriate number of lower income units as set forth in the schedule.

In the event at least one unit on-site low & mod inc. with the number of sec. 6.862 then

shall be given priority for occupancy

*the commission with my name * 1/2 of the fund rehab fund is nothing more than a rehab fund unit*

SCHEDULE 6-4

ALTERNATIVE SCHEDULES FOR DEVELOPER CONTRIBUTION
AND CONSTRUCTION OF LOWER INCOME
UNITS

MAXIMUM NUMBER/ PERCENT OF MARKET RATE UNITS WHICH MAY
BE CONSTRUCTED OR FOR WHICH CERTIFICATES OF OCCUPANCY
MAY BE ISSUED BEFORE MAKING CONTRIBUTION OR CONSTRUCTION
OF LOWER INCOME UNIT

SCHEDULE A

MARKET RATE UNITS
DEVELOPER MAY
CONSTRUCT

MARKET RATE UNITS
CERTIFICATE OF OCCUPANCY

CONSTRUCTION OF
MOUNT LAUREL UNITS,

AMOUNT OF
CONTRIBUTION
TO REHABILITATION
(CUMULATIVE)

<u>NUMBER</u>	<u>PERCENT</u>
0	0
188	40
282	60
376	80
470	100
470	100
470	100

<u>NUMBER</u>	<u>PERCENT</u>
0	0
94	20
188	40
282	60
376	80
423	90
470	100

<u>NUMBER</u>	<u>PERCENT</u>
0	0
10	20
20	40
35	70
35	70
49	100
49	100

\$ 36,000
72,000
108,000
147,000
186,000
186,000
186,000

*m.l. prep
20% w/o
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SCHEDULE B

0	0
188	40
282	60
376	80
470	100
470	100
470	100

0	0
94	20
188	40
282	60
353	75
423	90
470	100

0	0
0	0
10	20
20	40
35	70
49	100
49	100

\$ 36,000
132,000
186,000
186,000
186,000
186,000
186,000

6.874 The applicant shall not be permitted to seek certificates of occupancy for any more units, and shall not be issued any more certificates of occupancy, except to the extent that he makes the contributions to the fund, and constructs and sells to qualified income households the lower income units as required according to the schedule elected by the applicant,

6.880 Open Space, Buffer Zones

6.881 Required amount. Each planned residential development area shall contain a minimum of thirty percent (30%) of its total area in open space,

6.882 Computation. Any required open space may include common recreation areas for residential uses, wetlands and flood hazard areas, and required buffer areas for computation purposes as well as other permitted open space functions as defined herein.

6.883" Buffer Area

The landowner shall provide and maintain a buffer zone for a planned residential development no less than fifty (50) feet wide from all external lot lines of the site except for that portion which fronts upon an existing external street or roadway. Such buffer zone shall be kept in its natural state where wooded; and when natural vegetation is sparse or non-existent, the landowner may be required to provide a year-round visual screen as determined by the Planning Board.

The Planning Board, upon specific findings or particular circumstances relating to conditions of topography, natural features, lot configuration, natural vegetation or the lack of same, soil conditions, drainage or other similar site characteristics or where said proposed development is compatible with existing development, may decrease the required buffer to a minimum of twenty-five (25) feet ^{AT} increase the required buffer to a maximum of ~~one hundred (100)~~ ^{seventy five (75)} feet.] - take out.

No use or structure, including parking or loading areas, shall be permitted within the required buffer area, but the Planning Board may, upon a finding of reasons therefor, permit a portion of a buffer area to be used for utility easements or streets to ensure access to or from adjacent property. W building shall be constructed within twenty (20) feet of a required buffer zone.

Public open space lands
not req.
on to building
25' front setback

will be
problems
of appeal
street
question of
internal buffers
for environmental
sensitive features

double
buffer

✓ out
✓ note trees to be removed in buffer area -
-12
temporary unit.
fence during construction

Structure next to buffer
can replace
renew vegetation

The required buffer area may be included in the area of a planned residential development for the purpose of computing compliance with the open space requirements.●●

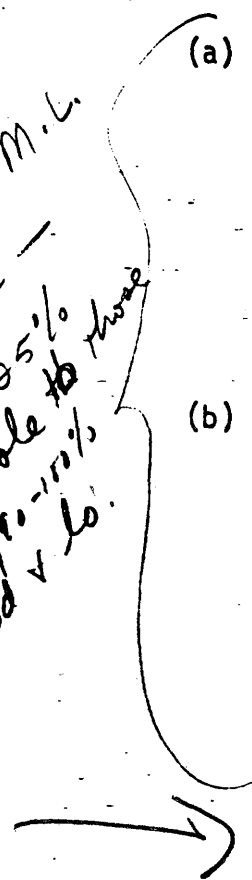
6.890 Affordability Standards for Low and Moderate Income Units; Resale and Re-Rental Standards

6.891 For purposes of this ordinance a "low income household" shall be a household earning 50% or less of the area median income, adjusted by household size, and a "moderate income household" shall be a household earning between 50% and 80% of the area median income adjusted by household size. The area median income shall be the most recent median income figures promulgated by the United States Department of Housing and Urban Development for the Bergen-Passaic PMSA, unless said figures are superseded by a ruling of a court of competent jurisdiction, or an administrative agency of the State of New Jersey acting under statutory authority.

6.892 Within any development, the low and moderate, income units shall be priced as follows:

- (a) Moderate Income Units- 50 percent of the moderate income units shall be affordable to households earning 90 percent of the moderate income ceiling, or-72 percent of the area median income, adjusted for family size; and 50 percent of the moderate income units shall be affordable to households earning 75 percent of the moderate income ceiling, or 60 percent of the area median income, adjusted for family size; preference in purchase or rental of these units shall be given to moderate income households earning less than 90 percent of the moderate income ceiling.
- (b) Low Income Units-50 percent of the low income units shall be affordable to households earning 90 percent of the low income ceiling, or 45 percent of the area median income, as adjusted for household size; and 50 percent of the low income units shall be affordable to households earning 75 percent of the low income ceiling, or 37.5 percent of the area median income as adjusted for household size; preference in purchase or rental of these units shall be given to low income households earning less than 45 percent of the area median income ceiling.

This chap. M.L. definition - let's pay 25% affordable to those earning 80-100% of mod & lo.



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[Handwritten scribble]

6.893 The distribution of units by bedroom mix shall be approximately similar within each of the four price categories set forth in Section 6.892.

6.894 Each unit offered for sale shall be affordable to a household at the appropriate income level for each category as set forth in Section 6.892, spending not more than 28 percent of gross household income for the sum of the following :

- (a) principal and interest on a mortgage, based on a 20 percent down payment and realistically available mortgage interest rates;
- (b) property taxes at the rate currently levied in the Borough of Ringwood;
- (c) insurance; and
- (d) homeowners' association fees, if any.

based on the amended value of the unit, which shall be the amount which shall be multiplied by the current calculation rate.

This is the formula! don't restrict here. Some may afford bigger down. pmt.

on net Laurel values! define this as equalized! not market value!

shouldn't master do this?

The proposed prices for low and moderate income units, and the calculations by which these prices have been established, submitted for approval by the applicant as a part of the application for preliminary site plan approval. Nothing contained herein shall prevent any applicant from qualifying purchasers on the basis of a mortgage interest rate established through use of New Jersey Housing and Mortgage Finance Agency financing, or through use of mortgage buydowns or adjustable rate mortgages, provided that any such buydown or mortgage provides for an annual rate of increase in mortgage interest rate of no more than one half of one percent.

6.895 If low or moderate income units are to be offered for rent, they shall be rented for no more than 30 percent of the gross household income of a household at each of the income levels set forth in Section 6.892, said rental to be inclusive of all services, maintenance, and utilities. In the event that any utility or other charges are paid directly by the tenant, the maximum rental of 30 percent shall represent the sum of the contract rent and all such utility or other charges. Rents shall be set individually for each tenant, on the basis of individually verified household income.

Bob

In establishing affordability of a unit of a given number of bedrooms, such units shall be priced to be affordable as set forth above to household sizes as follows:

1 bedroom unit	2 person, household
2 bedroom unit	3 person household
3 bedroom unit	5 person household

6.896 Standards Governing Resale and Re-Rental of Low and Moderate Income Units

*job of govt agency
or market - do now!
market paid
20 yrs.*

(a) Any developer submitting an application under the provisions of this ordinance shall submit a plan for controlling resale or rere rental of the units in order to ensure that the units remain affordable to low and moderate income households for no less than thirty (30) years from the date of initial occupancy. Such plan shall contain all of the elements set forth in this section, as well as conform to any regulations or guidelines consistent with this section adopted by the Borough of Ringwood, pursuant to the provisions of **Section 6.896(g)**.

(b) **Any plan for controlling the resale of low and moderate** income units shall permit the owner of such unit, upon resale, to sell the unit for a price determined as follows:

(1) The initial price paid for the unit, plus the initial price multiplied by 75 percent of the percentage increase in the Consumer Price Index between the date of initial purchase, and ~~that the~~ ^{date he} ~~owner notifies the agency responsible for administering these controls~~ ^{to} ~~the unit.~~ ^{the unit.} *scale*

(2) **Reimbursement for documented monetary outlays made for reasonable property improvements, the determination of reasonableness to be at the discretion of the administering agency;** ^{V ^ < ^ S > Z}

(3) Reasonable costs incurred ⁱⁿ ~~in~~ selling the unit.

(c) The plan shall provide that the low income units upon resale may be sold to low income buyers, and the moderate income units to either low or moderate income buyers; provided, however, that the administering agency may establish reasonable provisions for waivers of this condition on a case by case basis in the event it finds that a particular unit may not feasibly be sold subject to this condition. In the event that the administering agency **grants such a waiver, it shall provide that the unit be sold at the formula price**

set forth in Section 6.896(b) , and that the resale controls remain in effect for any subsequent sales of the unit.

*omit agency
or master do
this.
do now!*

(d)

Resale controls shall be embodied in a deed restriction on the property that shall be submitted by the developer at the time of preliminary site plan approval, and shall be subject to approval by the municipal attorney and by the administering agency. All deed restrictions shall be consistent with all of the provisions of this section, and with any regulations adopted by the administering agency.

(e)

Any low or moderate income unit offered as a rental unit shall continue to be offered as a rental unit or at least fifteen (15) years. After fifteen (15) years, they may be converted to condominium or cooperative occupancy, but must be sold at prices affordable to low or to moderate income households* and subject to resale controls consistent with this section to ensure that the units will remain affordable to low or moderate income households for the remainder of the thirty (30) year period beginning with issuance of certificates of occupancy for the last low or moderate income unit in the development.

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(f)

The Borough of Ringwood shall designate by resolution of the governing body an administering agency responsible for administering the provisions of this section, which may be the municipality or any division, board or agency thereof; any other public or private nonprofit agency; or the developer acting under direct supervision and control of an agency of the municipality. The Borough shall not require the developer to administer these controls as a condition of approval nor any resale controls be administered merely through the existence of a deed restriction on the property.

(g)

The administering agency shall adopt such regulations and guidelines not inconsistent with the provisions of this section as may be necessary to carry out the provisions of this section; provided, however, that such regulations, if promulgated by other than an agency of the Borough of Ringwood, shall not be effective until approved by resolution of the governing body of the Borough of Ringwood.

6.900 Circulation, Parking, Utilities, Planning and Staging

6.901 Off-street parking and loading. In any planned residential development, off-street parking and loading facilities standards shall be in accordance with the following standards as well as the requirements of the subdivision and site plan review ordinance.

6.902 Street Requirements.

(a) The right-of-way and pavement widths of all internal streets, roads and vehicular-traveled ways shall be determined from sound planning and engineering standards in conformity to the estimated needs of the full proposed development and the traffic to be generated thereby. They shall be adequate in size, loading and design to accomodate the maximum traffic, "parking and loading and design to accomodate the maximum traffic, parking and loading needs-and access forvJ^ fire-fighting and police vehicles. *

no parky is perm head

*is this Condo roads also?
NO - 20'*

(b) All private residential roads and streets shall contain a minimum pavement width of twenty-four (24) feet

for me streets

(c) All streets and roads, either dedicated public streets or privately owned and maintained, or any combination thereof, shall be subject to the laws of the State of New Jersey with regard to construction safety.

Ringwood

(d) When deemed necessary by the Planning Board, the applicant shall provide a continuous street circulation system with adjoining land areas.

the other

(e) Where an Official Map or Master Plan, or both, have been adopted, the proposed street system shall conform to the proposals and conditions shown thereon except as may be modified by the Planning Board or Governing Body, as provided by law.

not crossing Hi. into Bk

Problem explain - not running street to field

6.903 Utility Improvements.

(a) Every planned residential development shall be serviced by a centralized water and sanitary sewerage system as defined herein.

(b) All utility improvements, including storm drainage systems, sanitary sewage collection and disposal and water supply systems, shall be in accordance with standards and procedures as established by local, county and state regulations. Said improvements shall be subject to review and approval by the New Jersey Department of Public Safety and the Borough Engineer and the Borough Board of Health.

applicable where

as well as appropriate county and state agencies. Water-supply facilities shall be subject to review and approval by the Borough Engineer and Fire Department.

6.904 Electric, Gas and Telephone Service ...

(a) Electric, gas and telephone service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be provided, as part of an underground system.

*Water Supply
Sole discretion
of Utility*

(b) If such underground facilities cannot be reasonably provided due to topographic or geological conditions of the land due to technological circumstances, and if the landowner shall adequately demonstrate the lack of feasibility of such an undertaking to the satisfaction of the Planning Board, a waiver of this requirement may be granted by the Planning Board.

*hp
he revised
this is
PUC area*

6.910 Environmental Standard

Any application for a planned residential development shall adhere to the environmental criteria established in this Ordinance and all Borough Ordinances. All buildings or structures which shall be erected and any existing buildings or structures which are to be moved, enlarged, altered or added to and any land, buildings or structures which are to be designed, used or intended to be used shall comply with these requirements.

Specify which Ordinance

*remove
change
up to 5%
with approval
of borough
engineer*

6.911 There shall not be an increase in the rate of runoff of any adjoining or nearby stream or watercourse, whenever alternative solutions are available. Zero percent increase in runoff shall be maintained for the site in consideration of a 100 year storm.

*ok on PRS-1
want allowance of
5% inc at 50' culvert
on PRS-2*

6.912 All principal buildings shall be setback a minimum of thirty (30) feet from the water mark of any stream or watercourse. All streams and watercourse corridors within this thirty foot distance shall remain in their natural state except where necessary to provide utility easements or connecting roadways. The Planning Board shall, in addition, require an easement of not less than ten (10) feet along each side edge of said body of water.

or detention facilities

why?

6.913 All federal and state requirements affecting potable water shall be adhered to.

*Boro (not us)
is purveyor
of water*

6.914 No development shall impede the existing waterways or streams, or substantially alter the hydrology of the area.

explain

6.920 Comprehensive Plan

The applicant for a planned residential development shall be* required to submit a comprehensive" plan for the entire area so zoned and under the applicant's control. Said plan shall be submitted in accordance with the subdivision ordinance, site plan ordinance, zoning ordinance and other applicable municipal, county and State regulations.

the comprehensive plan t a mandatory requirement, shall be submitted as a part of the preliminary application. The applicant*, upon approval of the development shall be obligated to build and construct the low and moderate-income housing despite the ownership or sale of some or all of the marketplace residential development subject to the community's receipt of a certificate of compliance from a court of compenent jurisdiction as provided herein.

6.930 Excessive Restrictions

There shall be no excessive restrictions contained in the Borough's subdivision or site plan ordinance as it pertains to low and moderate income housing.

*Including all future interests in said property as defined herein.

6.940 Staging

As permitted under N.J.S. 40:550-39 subsection C(6), each *
planned residential development may be developed in stages*.*

In deliberation of the proposed sequence of stages, the
Approving Authority shall be guided by the following criteria
and factors:

- (a) That each stage is substantially self-functioning and self-sustaining with regard to access, utility services, parking, open space and other similar physical features and shall be capable of occupancy, operation and maintenance upon completion of construction and development.
- (b) That each stage is properly related to every other segment of the planned residential development and to the community as a whole and to all necessary community services which are available or which may be needed to serve the development in the future..
- (c) That adequate protection will be provided to ensure the proper disposition of each stage through the use of maintenance and performance guarantees, covenants and other formal agreements affecting public improvements.
- (d) That the landowner will provide a balanced distribution for development in each stage. Said disposition shall be judged on the basis of the level of improvement costs, physical planning and coordination required and other relationships which may be necessary to undertake each stage or segment.

Does this include community facilities?

OK! I don't understand this!

Relationship to Master Plan

As required by law, pursuant to N.J.S. 40:550-62, the Governing Body finds that certain provisions of this ordinance may not be totally consistent with the Borough Master Plan or the land use plan element therein and accordingly will establish the reasons for so acting in its minutes when final adoption of the zoning ordinance is so effectuated.

~~Interpretation of Validity, Repealer and Effective Date~~

- (a) Interpretation.

In the interpretation and the application of the provisions of this Ordinance, they shall be held to be the minimum requirement for the promotion of health, safety, morals and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances, provided that where this Ordinance imposes greater restrictions, the provision of this Ordinance shall apply.

20 so w/ respect to law provisions.

DON'T LIKE THIS AT ALL!

(b) Validity

If any section, subsection, sentence, clause or phrase of this* Ordinance is for any reason held by a court of competent jurisdiction held to be Invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance, The Governing Body of the Borough of Ringwood hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or part thereof be declared invalid.

(c) Repealer

All Ordinances and parts of Ordinances inconsistent Herewith or inconsistent with the Municipal Land Use Law (Chapter 291, Laws of N.J. 1975) are repealed.

(d) Effective Oate

This Ordinance shall take effect subsequent to appropriate publication after final adoption as required by law.

OTHER RECOMMENDATIONS

If these zoning changes are acceptable in concept to the Planning Board and the Governing Body, it is also necessary to review and amend where appropriate, the development regulations in the site plan and subdivision regulations as well as where they apply to low and moderate income housing.

Mallach wants these precisely defined and to cover!

Mr. Karko will draft new and amend
' \$ > \$ & * M
John U