

RULS - AD - 1980 - 440

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Definitions Applicable to Planned Unit Development District

Pgs - 33

SECTION 200

DEFINITIONS APPLICABLE TO
PLANNED UNIT DEVELOPMENT DISTRICT

RULS - AD - 1980 - 440

- New) Affordable Housing - For sale housing, for families within a given income range, priced no more than three times the maximum annual income of households in that income range. If the dwelling units are to be constructed as rentals, the annual rent shall be no more than one-third (1/3) of the maximum annual income of households in that income range.
- Coppola) Applicant - The landowner or the agent, optionee, contract purchaser or other person authorized to act for an acting for the landowner submitting an application under this Ordinance.
- Coppola) Application for Development - The application or appeal forms and all accompanying documents required by this Ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction for issuance of a permit pursuant to N.J.S.A. 40:44D-34 or N.J.S.A. D-36.
- Coppola) Building - Any structure or extension thereof or addition thereto having a roof supported by such things as columns, posts, piers or walls and intended for the shelter, business, housing or enclosing of persons, animals or property.
- Modified) Building Height - The vertical distance measured to the average height of the roof from the mean elevation of the finished grade at the foundation provided that no part of the roof shall extend more than five (5) feet above the permitted height. However, architectural features and appurtenances such as, but not limited to, clock towers, chimneys, spires and other features shall be allowed in excess of the stated height.
- New) Common Open Space - The total of Community Open Space and Neighborhood Open Space.
- New) Community Open Space - An area designation within a Planned Unit Development which is designed and intended for use and enjoyment of residents and owners of the Planned Unit Development or the Township.
- Modified) Dwelling Unit - A room or series of connected rooms designed for permanent residency containing living, cooking, sleeping and sanitary facilities for one housekeeping unit. The dwelling unit shall be self-contained and shall not require the passing through another dwelling unit to get to any portion of the dwelling unit, nor shall there be shared facilities with another housekeeping unit.
- Coppola) Detached Single Family - A building physically detached from other buildings or portions of buildings which is occupied or intended to be occupied for residence purposes by one housekeeping unit which has its own sleeping, sanitary and general living facilities.

Modified)

Two-Family - A building containing two (2) dwelling units only, each having separate entrances, intended for residential occupancy by two housekeeping units, each living independently of each other and each with its own sleeping, cooking and sanitary facilities. The dwelling units shall be entirely separated from one another by vertical walls or horizontal floors, unpierced except for access to the outside or to a common basement.

New)

Midrise Residential - A building containing ten or more dwelling units.

New)

Multi-Family - A building containing three or more dwelling units.

New)

Permitted Use - Any use of land or buildings as permitted by this Ordinance.

New)

Planned Unit Development - A zoning district of 100 acres or more.

New)

Residential Cluster - 1 (RC-1) - An area designation within a Planned Unit Development which permits the following type dwelling units:

- a) Detached Single Family
- b) Two-Family

New)

Residential Cluster - 2 (RC-2) - An area designation within a Planned Unit Development which permits the following type of dwelling units:

- a) Detached Single Family
- b) Two-Family
- c) Multi-Family

New)

Residential Cluster - 3 (RC-3) - An area designation within a Planned Unit Development which permits the following type dwelling units:

- a) Detached Single Family
- b) Two-Family
- c) Multi-Family
- d) Midrise Residential

New)

Planned Commercial (PC) - An area designation within a Planned Unit Development which permits the following type dwelling units and uses:

- a) Detached Single Family
- b) Two-Family
- c) Multi-Family
- d) Midrise Residential
- e) Neighborhood Commercial Uses
- f) Office, Hotel, Motel

Coppola)

Restaurant - Any establishment, however designated, at which food is sold primarily for consumption on the premises. However, a snack bar or refreshment stand at a public or community swimming pool, playground, playfield or park, operated solely by the agency or group operating the recreational facility and for the convenience of patrons of the facility, shall not be deemed a restaurant.

Modified)

Restaurant, Drive-In - Any restaurant, refreshment stand, snack bar, dairy bar, hamburger stand or hot dog stand where food is served primarily for consumption at counters, stools or bars outside the building or primarily for consumption in automobiles parked on the premises whether brought to said automobiles by the customers or employees of the restaurant, regardless of whether or not additional seats or other accommodations are provided for customers inside the building.

Coppola)

Hotels and Motels - A building or group of buildings consisting of individual sleeping units designed for transient travelers and not for permanent residency, except that up to three (3%) percent of the total units may be provided for the sole use of resident employees.

Coppola)

Housekeeping Unit - One or more persons living together in one dwelling unit on a non-seasonal basis and sharing living, sleeping, cooking and sanitary facilities on a non-profit basis, except that more than five (5) persons, exclusive of domestic servants, not related by blood, marriage, adoption or approved foster care arrangements shall not be deemed a "housekeeping unit".

New)

Gross Area - The entire acreage of a tract without deduction for roads, easements, rights-of-way, historical or environmentally sensitive lands within the Township.

New)

Gross Density - The total number of dwelling units in the proposed development divided by the Gross Area.

New)

Impervious Coverage - The relationship between the impervious surfaces of a parcel of land measured on a horizontal plane and the net area expressed as a percentage.

Coppola)

Mean Elevation - The average of the ground level measurements computed at the four (4) extreme corner points of any proposed or existing building.

New)

Neighborhood Commercial Uses - Retail, commercial, office and personal service establishments located within a Planned Unit Development designed to serve the people who reside or are employed within the given Planned Unit Development.

New)

Neighborhood Open Space - An area designation within the Residential Cluster - 1, RC-2, RC-3 and Planned Commercial Components of a Planned Unit Development for use and enjoyment of residents and owners.

Net Area - The entire acreage of a parcel of land excluding streets to be dedicated to a public agency.

New)

Net Density - The total number of dwelling units in a parcel of land divided by the Net Area.

Loppola) Open Space Organization - An incorporated, non-profit organization operating in a Planned Development under recorded land agreement through which a) each owner is automatically a member; (b) each occupied dwelling unit is automatically subject to a charge for proportionate share of expenses for the organization's activities and maintenance, including any maintenance costs levied against the organization by the Township; and (c) each owner and tenant has the right to use the common property.

(Modified) Parking Space - An area for the parking of motor vehicles exclusive of driveways, access drives, fire lanes and public rights-of-way, except that nothing shall prohibit private driveways for attached or detached dwelling units from being considered off-street parking areas.

New) Section - Any part or portion of a Planned Unit Development designated by the developer for development as part of the same construction phase.

Loppola) Setback Line - A line drawn parallel with a street line or lot line and drawn through the point of a building nearest to the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line or lot line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

Loppola) Site Plan - A development plan of one or more lots on which is shown (1) the existing and proposed conditions of the lot, including but not limited to topography, vegetation, drainage, flood plains, marshes and waterways; (2) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and (3) any other information that may be reasonably required in order to make an informed determination concerning the adequacy of the plan in accordance with the requirements of this Ordinance.

Loppola) Major Site Plan - Any development plan not classified as a minor site plan.

Loppola) Minor Site Plan - Any development plan which is limited to the proposed construction of any permitted accessory use(s) such as a sign, a barn or off-street parking area, as such accessory uses are specifically permitted in Section 400 of this Ordinance, or any development plan consisting of an expansion of, or addition to, an existing conforming structure and use; providing that such development plan does not involve planned development, the installation of any road improvements or the expansion of public facilities and does not adversely affect the development of an adjoining property or properties.

Coppola)

Township - Township of Bedminster, Somerset County, New Jersey.

Coppola)

Tract - An area of land composed of one or more lots adjacent to one another, having sufficient dimensions and area to make one parcel of land meeting the requirements of this Ordinance for the use(s) intended. The original land area may be divided by one existing public street and still be considered one tract provided that the street is not an arterial road and that a linear distance equal to more than seventy-five (75%) percent of the frontage of the side of the street having the larger street frontage lies opposite an equivalent linear distance of street frontage on the other side of the street.

Variance - A departure from the terms of this Ordinance authorized by the appropriate municipal agency in accordance with N.J.S.A. 40:55D-1, et seq.

SECTION 300

ZONING DISTRICTS AND ZONING MAP

For the purpose of this Ordinance the Township of Bedminster is divided into seven (7) districts as follows:

<u>Symbol</u>	<u>Name</u>
R-3	3 acre single family residential
APT/TH	Apartment/Townhouse
SL	Small lots residential
B	Business
RO	Research Office
(PUD)	Planned Unit Development

302 ZONING MAP

The boundaries of these zoning districts are established on the map entitled "Zoning Map of the Township of Bedminster", dated April 1980, which accompanies and is hereby made a part of this Ordinance.

303 INTERPRETATION OF BOUNDARIES

- A. Zoning district boundary lines are intended to follow street centerlines, railroad rights-of-way, streams and lot property lines as they exist on lots of record at the time of enactment of this Ordinance unless otherwise indicated by dimensions on the Zoning Map.
- B. Any dimensions shown on the Zoning Map are in feet and are measured horizontally and, when measured from a street, are measured from the street right-of-way line even if the centerline of that street is used for the location of the zoning district line.
- C. The exact location of any disputed zoning boundary line shall be determined by the Zoning Board of Adjustment.
- D. The zoning standards, controls and designations apply to every structure, lot and use within each district and the district lines extend vertically in both directions from ground level.

SECTION 400

DISTRICT REGULATIONS

400 INTRODUCTION

The regulations in this section of the Land Development Ordinance are adopted pursuant to the power delegated to the governing body under Article 8 of the Municipal Land Use Law (N.J.S.A. 49:550-62 through 40:55-68) and are zoning regulations and not site plan, subdivision or design standards. Zoning regulations control the nature and extent of the uses of land and of buildings and structures thereon in the various districts and control unless a variance is granted by the Zoning Board of Adjustment or Planning Board pursuant to Section 700 of this Ordinance.

410 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

A. Permitted Uses

- 1) Any permitted use in an R-3, APT/TH, SL or B district providing there is compliance with the regulations controlling those districts.
- 2) Planned Unit Development containing one or more residential cluster and planned commercial developments to be developed in accordance with an approved conceptual land use plan.
 - a) The various components of a Planned Unit Development and their respective permitted uses are as follows:
 - 1) Residential Cluster - 1 (RC-1)
 - i) Detached single family
 - ii) Two family
 - iii) Neighborhood Open Space
 - 2) Residential Cluster - 2 (RC-2)
 - i) All uses permitted in Residential Cluster - 1
 - ii) Multi-family
 - iii) Neighborhood Open Space
 - 3) Residential Cluster - 3 (RC-3)
 - i) All uses permitted in Residential Cluster - 2
 - ii) Midrise residential
 - iii) Neighborhood Open Space

4) Planned Commercial (PC)

- i) Any use permitted in Residential Cluster - 3
- ii) The following Neighborhood Commercial uses:
 - a) stores and shops for the conduct of any retail business;
 - b) personal service establishments including, but not limited to, a tailor, barber shop, or a beauty salon;
 - c) offices for professional services including, but not limited to, physicians, lawyers or architects, commercial or financial offices (e.g. banks, realtors, or travel agencies) and offices incidental to uses permitted in this paragraph;
 - d) restaurants, taverns and neighborhood food service establishments.
- iii) Office buildings
- iv) Hotels and motels and related shops and services.

5) Community Open Space (CO)

- 6) Any public or private utility shall be a permitted use in any component of a Planned Unit Development.

B. Area and Bulk Regulations

- 1) Area and bulk regulations for uses permitted in R-3, APT/TH, B, SL, and CD districts:

- a) The area and bulk regulations for all uses permitted in the R-3, APT/TH, B or SL districts shall be the same as set forth in the area regulations for those districts as set forth in Section _____.

- 2) Planned Unit Development

- a) Acreage for Planned Unit Developments:

A minimum gross area of at least one hundred (100) acres,

- b) Gross Density:

Six (6) dwelling units per acre shall be the maximum gross density permitted in a Planned Unit Development,

- c) Net Density permitted within various components of the Planned Unit Development:

<u>PUD Component</u>	<u>Maximum Density</u>
RC-1	6 dwelling units/ac.
RC-2	11 dwelling units/ac.
RC-3	25 dwelling units/ac.
PCD	25 dwelling units/ac.

- d) Impervious Coverage:

<u>PUD Component</u>	<u>Maximum Impervious</u>
RC-1	55%
RC-2	65%
RC-3	75%
PC	80%

- e) Building Height:

- i) The maximum Building Height for structures within the Residential Cluster - 1 shall be thirty-five (35) feet
- ii) The maximum Building Height for structures within the Residential Cluster - 2 shall be thirty-five (35) feet
- iii) The maximum Building Height for structures within the Residential Cluster - 3 shall be forty-five (45) feet; however, the maximum Building Height for Midrise Residential structures shall be sixty-five (65) feet
- iv) The maximum Building Height for structures within the Planned Commercial shall be sixty-five (65) feet.

C. Other Regulations

1) Mandatory Inclusionary Standards

Not less than twenty (20%) percent of all dwelling units in a Planned Unit Development shall be required as Affordable Housing for persons and families making not more than one hundred and twenty (120%) percent of the median income as established from time to time for persons and families in Somerset County. This provision can be complied with in whole or part through the offering of sufficient acreage to meet the 20% standard to a non-profit or limited dividend corporation eligible under federal law for rent subsidy and/or housing purchase plans, or through private or internal subsidies.

2) Services

A Planned Unit Development shall be served, at the time of occupancy, by a public or private water and sewer system.

3) Common Open Space

Not less than thirty (30%) percent of a Planned Unit Development shall be designed and devoted to Common Open Space for use primarily by the residents of the Planned Unit Development. Such Common Open Space shall consist of land in a natural state or land developed for specific recreational purposes.

SECTION 500

520 NON-APPLICABILITY OF SECTION 500 STANDARDS TO PLANNED DEVELOPMENTS

Notwithstanding any other provisions in this section, all subdivisions, site plan, general provisions and design standards effecting planned developments shall be governed by the standards set forth in Section 600 of this Ordinance.

SECTION 600

601 FINDINGS FOR PLANNED DEVELOPMENT

Unless the Planned Development is required as part of a judicially ordered plan for specific corporate relief, the planning board shall, prior to approval of any Planned Development, find as required by N.J.S.A. 40:550-45 the following facts and conclusions:

- A. That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning standards applicable to the Planned Development;
- B. That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate;
- C. That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;
- D. That the proposed Planned Development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;
- E. In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

602 SUBDIVISION OR SITE PLAN STANDARDS FOR PLANNED UNIT DEVELOPMENT

A. Residential Cluster - 1

1) Setback line:

a) Front and rear: twenty (20) feet

b) Side: Five (5) feet, provided that a minimum of ten (10) feet is maintained between a building on the immediately adjacent lot. This standard shall be required unless one of the following conditions prevail:

- i) Buildings which abut Common Open Space may abut the common property line and have openings onto such Common Open Space.

ii) An attached or detached garage or carport may abut a side property line or another building provided, in the case of garages, no openings are located on the abutting surface.

iii) Two (2) dwelling units may be attached provided no openings are located on the abutting surface.

2) Limitation:

The minimum distance between buildings is ten (10) feet.

3) Exceptions:

The above standards shall be required unless modified by the site plan approval.

4) Parking:

Two (2) parking spaces per dwelling unit within a garage or carport.

B. RESIDENTIAL CLUSTER - 2

1) Setback line:

a) Front and rear: ten (10) feet

b) Side: Two (2) feet, provided that a minimum of four (4) feet is maintained between a building on the immediately adjacent lot. More than one dwelling unit may be contained in a structure. This standard shall be required unless one of the following conditions prevail:

i) Buildings which abut Common Open Space may abut the common property line and have openings onto such Common Open Space.

ii) An attached or detached garage or carport may abut a side property line or another building provided, in the case of garages, no openings are located on the abutting surface.

2) Limitation:

The minimum distance between buildings is four (4) feet.

3) Exceptions:

The above standards shall be required unless modified by the preliminary site plan approval.

4) Parking:

Two (2) parking spaces per dwelling unit, one within a garage or carport and one uncovered. Tandem parking is permitted. In addition, one uncovered guest parking space shall be required for each five (5) units.

C. RESIDENTIAL CLUSTER - 3

1) Setback line:

- a) Front and rear: ten (10) feet
- b) Side: Three (3) feet, provided that a minimum of four (4) feet is maintained between a building on the immediately adjacent lot. More than one dwelling unit may be contained in a structure. This standard shall be required unless one of the following conditions prevail:
 - i) Buildings which abut Common Open Space may abut the common property line and have openings onto such Common Open Space.
 - ii) An attached or detached garage or carport may abut a side property line or another building provided, in the case of garages, no openings are located on the abutting surface.

2) Limitation:

The minimum distance between buildings other than Midrise Residential is four (4) feet. The minimum distance between Midrise Residential buildings (not including garages, carports or parking structures) is thirty (30) feet.

3) Exceptions:

The above standards shall be required unless modified by the preliminary site plan approval.

4) Parking:

- a) Efficiency and one bedroom dwelling unit:
 - 1.1 uncovered off-street parking spaces for each dwelling unit
- b) Two (2) bedroom dwelling units:
 - 1.4 uncovered off-street parking spaces for each dwelling unit

c) Three (3) bedroom or more dwelling units:

2.0 uncovered off-street parking spaces for each dwelling unit plus 0.2 off-street parking spaces for each bedroom in excess of three (3).

d) In addition to the required number of parking spaces for each dwelling unit, one guest parking space shall be required for each five (5) units.

e) For building sites containing five (5) or more dwelling units, up to fifty (50%) percent of the required uncovered parking spaces may be of compact car size.

D. PLANNED COMMERCIAL

1) Setback line:

A minimum of twenty (20) feet shall be maintained from all property lines with the following exceptions:

a) If the subject site is adjacent to a commercially zoned parcel, no setback line shall be required between said parcels.

b) Setback line from public street shall be a minimum of ten (10) feet from the right-of-way line.

2) Streetside setback area:

The entire area between the edge of cartway and setback line shall be landscaped to a depth of ten (10) feet. Landscaping in these areas shall consist of an effective combination of street trees, trees, ground cover and shrubbery and may include such items as sidewalks, access driveways, signs, flagpoles, fountains and other similar appurtenances.

3) Parking:

a) Parking space:

i) Each off-street parking stall shall consist of a geometric area not less than nine (9) feet wide by twenty (20) feet long except as follows:

1) Parking spaces designated for use by compact cars may be reduced in size to a minimum of seven and one-half (7½) feet in width and fifteen (15) feet in length.

2) Those parking spaces designated for use by motor-cycles shall consist of a minimum usable area of fifty-six (56) square feet.

- 3) Certain parking spaces may be reduced in length by two (2) feet as provided in Subsection 602. E. 3. c. iv.

b) Landscaping:

- i) A minimum of fifteen (15%) percent of the total off-street parking area shall be landscaped with at least one fifteen (15) gallon minimum size tree per each five (5) parking stalls (which may be clustered or grouped) and appropriate ground cover.
- ii) All off-street parking areas shall be screened so as to minimize the negative visual effect from access streets.

c) Standard improvements:

- i) Wheel stops (concrete tire guard, redwood headers, etc.) not less than six (6) inches in height shall be provided along any property line which abuts a public walkway, street or alley except where wheel-stop landscaping can serve as wheel stop.
- ii) Lighting shall be provided if off-street parking facilities are to be operated during hours of darkness after 7:00 p.m. The lighting shall be designated, arranged and installed so as to confine direct rays onto the premises and to direct light away from adjacent structures, premises or streets.
- iii) All parking spaces shall be clearly outlined with double lines on the surface of the parking facility or any other permanent space designator (trees, shrubs, etc.).
- iv) In all parking facilities containing twenty-one (21) or more spaces, all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to expedite traffic movement.
- v) All parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or any other all-weather surfacing (turf block, etc.) except that a parking stall may be reduced by two (2) feet lengthwise if landscaping separated from the paved area of the parking stall by a bumper or tire guard is provided in the remaining two (2) feet of the parking space. All areas within the parking area which are not paved shall be landscaped.

vi) Unenclosed off-street parking spaces shall be screened whenever such parking spaces abut the boundary of the building site or are located between a building or buildings and an abutting street with screening materials to be three and one-half (3½) feet in height when placed within ten (10) feet of the street and to be a minimum of three and one-half (3½) feet if placed over ten (10) feet from the street, and may consist of one, or any combination of the following types:

- a) Walls: A wall shall consist of concrete, stone, brick tile or similar types of solid masonry material a minimum of four (4) inches thick;
- b) Fences, solid: A solid fence shall be constructed of wood, masonry or other materials to form an opaque screen;
- c) Fences, open: An open weave, mesh-type or wrought iron fence shall be combined with plant materials to form an opaque screen;
- d) Planting: Plant materials, when used as a screen shall be of a kind, or used in such a manner, as to provide screening and have a minimum height of two (2) feet within eighteen (18) months after initial installation;
- e) Berms: Berms, including grass or plant materials shall not exceed the height limitations set forth in (d) above.

Parking areas shall be computed by adding the areas used for access drives, aisles, stalls, maneuvering and landscaping within that portion of the premises that is devoted to vehicular parking.

d) **Special requirements:**

The following parking spaces shall be in the closest proximity to the facility for which they are designated in order to encourage their use.

- i) Those facilities with twenty-five (25) or more spaces shall designate two (2%) percent of the total number of spaces for use by the handicapped.
- ii) Motorcycle facilities with twenty-five (25) or more parking spaces shall provide at least one designated parking area for use by motorcycles. Developments with over one hundred (100) spaces shall provide motorcycle parking at the rate of one (1%) percent.

- iii) Facilities with twenty-five (25) or more parking spaces may provide up to fifty (50%) percent of its parking for use by compact cars.
- iv) All commercial areas shall provide adequate locking facilities for bicycle parking at any location convenient to the facility for which they are designated.

A. Ownership Requirements

Common Open Space may be deeded to the Township or other governmental agency or dedicated to a homeowners' association or trust, with incorporation and by-laws to be approved by the Planning Board. If Common Open Space is not dedicated and accepted by the Township or another governmental agency, the landowner shall provide for and establish an organization for the ownership and maintenance of Open Space. Such organization shall not be dissolved nor shall it dispose of any Common Open Space by sale or otherwise, except to an organization conceived and established to own and maintain the common recreation areas and development open space, without first offering to dedicate the same to the Township or any other government agency.

If the applicant proposes that the common open space shall be dedicated to the Township, then the Planning Board shall forward such request with its recommendation to the Township committee prior to the granting of preliminary plan approval of any development application containing Common Open Space

If the Township Committee does not approve such dedication, the applicant may submit a cluster or planned development plan providing only for ownership of common land as outlined herein.

B. Open Space Maintenance Requirements

- 1) In the event that the organization created for open space management shall, at any time after the establishment of a Planned Unit Development, fail to maintain any open space or recreation area in a reasonable order and condition in accordance with the plan, the Township may serve written notice upon such organization or upon the owners of the development setting forth the manner in which the organization has failed to maintain said areas in reasonable conditions, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty-five (35) days thereof and shall set the date and place of a hearing thereon which shall be held within fifteen (15) days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time not to exceed sixty-five (65) days, within which they shall be cured.

If the deficiencies set forth in the original notice or in modifications thereof shall not be cured within said thirty-five (35) days or any extension thereof, the Township, in order to preserve the open space and maintain the same for a period on one (1) year may enter upon and maintain such land. Said entry and said maintenance shall not vest in the public any rights to use the open space and recreation areas except when the same is voluntarily dedicated to the public by the owners

Before the expiration of said year, the Township shall, upon its initiative or upon the request of the organization theretofore

responsible for the maintenance of said areas, call a public hearing upon fifteen (15) days written notice to such organization and to the owners of the development to be held by the Township at which hearing such organization and owners of the development shall show cause why such maintenance by the municipality shall not, at the election of the Township, continue for a succeeding year. If the Township shall determine that such organization is ready and able to maintain said open space and recreation areas in reasonable condition, the Township shall cease to maintain said open space and recreation areas at the end of said year. If the Township shall determine such organization is not ready and able to maintain said open space and recreation areas in a reasonable condition, the Township may, in its discretion, continue to maintain said open space and recreation areas during the next succeeding year and, subject to a similar hearing, a determination in each year thereafter. The decision of the Township in any such case shall constitute a final administrative decision subject to judicial review.

- 2) The cost of such maintenance by the municipality shall be assessed pro rata against the properties within the development that have a right of enjoyment of the open space in accordance with the assessed value at the time of imposition of the lien, and shall become a lien and tax on said properties and be added to and be a part of the taxes to be levied and assessed thereon, and enforced and collected with interest by the Township and in the same manner as other taxes.

A. Recreational Facilities

- 1) Pathway and bikeways should be used to connect open space. Vehicular conflicts with open space are discouraged; however, pathways and bikeways may be located within road rights-of-way. The following pathway width design guidelines shall be observed:

	<u>Pathway Width (feet)</u>
a) Bikeway shared with pedestrians	8
b) One-way independent bikeway path	4
c) Two-way independent bikeway path	8

- 2) Playgrounds should be designed for a variety of uses and equipment. Sandboxes and play sculpture for young children, basketball courts or backboards for older youths, paved areas for various activities, and shuffleboard and sunny and quiet areas for the elderly are appropriate uses. The size of playgrounds should generally be based on population as follows:

<u>Estimated Population</u>	<u>Size (acres)</u>
2,000	3.50
3,000	4.75
4,000	7.00
5,000	10.00

If the site area has special natural or man-made features or amenities, these requirements shall be reduced by fifty (50) percent. The use of these special features shall include but not be limited to hiking, picnicking, camping, horseback riding, bicycling, jogging, aerobic exercising course, paddle tennis and nature study.

605 STREET STANDARDS FOR A PLANNED UNIT DEVELOPMENT

A. Right-of-Way Widths and Cartway Widths

<u>Classification</u>	<u>Cartway Width(s)</u>	<u>Maximum R-O-W Widths</u>
Collector	24 ft. consisting of two 12-foot driving lands; No parking; Minimum graded section: 34 feet.	50 feet
Minor	18 ft. consisting of two 9-foot driving lanes; No parking; Minimum graded section: 28 feet.	40 feet
Private	18 ft. consisting of two 9-foot driving lanes; No parking;	18 feet

B. Grades

The maximum grades shall be as follows:

Collector - 10% Minor - 12% Private - 12%

C. Curves

The minimum centerline radii shall be as follows:

<u>Classification</u>	<u>Maximum Design Speed</u>	<u>Minimum Radii</u>
Collector	35 MPH	250 feet
Minor	25 MPH	150 feet
Private	25 MPH	None

D. Cul-de-Sac Turnarounds

The minimum outside radius of a cul-de-sac shall be as follows:

<u>Classification</u>	<u>Parking Restriction</u>	<u>Exterior Cartway Radius</u>	<u>R-O-W Radius</u>
Collector & Minor	No parking	40 feet	50 feet
Private	None	None	None

The interior portion of the turnaround may be left unpaved and improved as a landscaped area.

606 UTILITIES REQUIREMENTS FOR A PLANNED UNIT DEVELOPMENT

All proposed utilities shall be placed underground. Utilities can go within the road right-of-way but are not limited thereto.

607 STORM DRAINAGE REQUIREMENTS FOR A PLANNED UNIT DEVELOPMENT

A. Runoff Standards

No land area in a Planned United Development shall be developed so that:

- 1) The rate of storm water runoff for a Once-in-100-Year-Storm on adjoining property occurring after development is increased over that which occurs under existing conditions.
- 2) Sedimentation on adjoining property after development is increased over what naturally occurs prior to construction.

B. Streets

All streets shall be so designed as to provide for the discharge of surface water from their paved area and shoulders into surface drainage ways.

C. Swales

The design of swales and conveyance channels will promote infiltration and are the preferred method of conveyance. Velocities will be limited to those specified in the New Jersey Soil and Erosion Control Standards. In all cases, scouring at out-falls, confluences, and other channel transitions will be prevented by matching velocities and by increasing roughness with coarse grass or rip-rap. The design of conveyance swales shall be based upon the Soil-Cover Complex Method and the Hydrograph Method found in Technical Release No. 55, U.S.D.A. Soil Conservation Service, January 1975.

D. Storage Facilities

Detention and retention basins shall be designed to limit peak discharge from 10, 20 and 100-year storms of one hour duration. The release rate for peak discharge shall be that which occurs under natural, undeveloped conditions for each of the design storm intensities. The sizing of basins shall be based upon the Soil Cover Complex Method and the Hydrograph Method found in Technical Release No. 55, U.S.D.A. Soil Conservation Service, January 1975.

E. Erosion

To control soil erosion before and after construction the Soil Erosion and Sedimentation Control Standards for New Jersey, N.J. State Soil Conservation Committee, 1974, shall be applied.

E. Intersections

The following design standards shall apply to all intersections of public streets within the Planned Unit Development:

1) Grades

Intersections shall be approached on all sides by a straight leveling area of fifty (50) feet, the maximum grade of which shall be two (2%) percent.

2) Separation

Intersections shall be separated from other road intersections by a minimum distance of 125 feet between centerlines.

3) Angle of Intersection

All streets shall intersect at an angle between 100 degrees and 80 degrees.

4) Arcs

Street intersections shall be rounded by an exterior cartway arc with a minimum radius of 20 feet.

F. Street Construction

The following standards shall apply to street construction:

1) Subgrade shall consist of native in-place material compacted to a minimum density of 90%.

2) Pavement

a) The pavement base course shall consist of New Jersey Department of Transportation Mix No. 1, bituminous concrete, compacted to a minimum thickness as follows:

<u>Classification</u>	<u>Minimum Thickness</u>
Collector	5 inches
Minor	4 inches
Private	4 inches

b) Damaged or ruptured pavement base shall be removed and replaced prior to construction of the surface course.

c) After the surface of the base course has been thoroughly cleaned, a tack coat consisting of RS-1 asphalt emulsion or other approved material shall be uniformly applied to the base course surface.

d) The pavement surface course shall consist of New Jersey Department of Transportation Mix No. 5, bituminous concrete, compacted to a minimum thickness of 2 inches for collectors, minors and privates.

608 PLANNED UNIT DEVELOPMENT SUBDIVISION STANDARDS

Any section of a Planned Unit Development, including individual structures or portions thereof, may be subdivided provided there is a permanent means of ingress and egress, either direct or through a common element, from such subdivided section of the Planned Unit Development to a public or private street.

C. Details required for preliminary Major Site Plans for Planned Unit Developments.

Each Preliminary Site Plan shall be drawn by a professional engineer licensed to practice in the State of New Jersey and shall bear the signature, seal, license number and telephone number of the said professional engineer.

1) Plan and Map Standards. All maps submitted shall be prepared on one of four of the following standard sheet sizes (8 $\frac{1}{2}$ " x 13"; 15" x 21"; 29" x 26"; 30" x 42"). If one sheet is insufficient to show the entire territory, the map may be shown on separate sheets of equal sizes referencing adjoining sheets. Such map sheet shall contain the following information:

a) Title Block:

- 1) Name of the development, municipality and county,
- 2) Name and address of the developer,
- 3) Name and address of the owner or owners of record,
- 4) Scale, and
- 5) Date of original preparation and of each subsequent revision thereof and a list of the specific versions entered on each sheet.

b) North Arrow:

c) Approval Signatures:

- 1) Chairman,
- 2) Secretary, and
- 3) Township Engineers.

d) Tract Boundary Line (heavy solid line)

e) Conceptual land use plans must show, in addition:

- 1) Gross area to the nearest tenth of an acre,
- 2) Zoning district boundaries affecting the tract.

- 2) Location Map. Shall be drawn at a scale of 1" = 1000' and shall show the relationship of the closest following facilities to the Planned Unit Development:
 - a) School
 - b) Police station
 - c) Fire station
 - d) Highway access

- 3) Tax Map. Shall be drawn at a scale of 1" = 200' and shall show the following:
 - a) The names and addresses of all property owners within two hundred (200) feet of the borders of the tract, as shown on the most recent tax list prepared by the Township Tax Assessor.
 - b) Existing block and lot number(s) of the lots to be subdivided or developed as they appear on the Township Tax Map and proposed block and lot numbers as provided by the Township Tax Assessor upon written request.

- 4) Land Evaluation Map. Shall be drawn at a scale of 1" = 200' and shall show the following:
 - a) Topography based upon existing data.
 - b) Vegetation based upon existing Somerset County aerial photos.
 - c) Soils based upon existing USDA SCS maps.

- 5) Conceptual Land Use Plan. Shall be drawn at a scale of 1" = 200'. It shall show the land use components, net area of each component and maximum number of dwelling units for each component and total number of dwelling units in the Planned Unit Development. In addition, the total net square footage shall be shown for the Planned Commercial Component.

- 6) Utilities Plan. Shall be prepared at a scale of 1" = 200' and shall show existing and proposed sewer and water lines, pump stations, wells, sewer treatment plants and water storage reservoirs.

- 7) Circulation and Drainage Plan. This shall be drawn to a scale of 1" = 200' and show all collector road locations. Typical road cross-sections and critical spot evaluations and grades shall be shown. Drainage swales indicating the direction of flow shall be shown. Also, the location of culverts and the location and size of detention and/or retention structures shall be shown.

- 8) Open Space Report. This shall be a general outline of the organizational and management requirements proposed for the common open space.

- 9) Sewer and Water Report. This shall be a narrative description of how these utilities will be provided, including listing of the agencies involved and their roles.
- 10) Stormwater Management. This shall describe the concept of stormwater management to be employed and shall contain the supportive calculations. Conceptual description of Soil Erosion and Sedimentation Control shall be provided.
- 11) Traffic Report. A traffic report containing calculations of the average daily traffic and peak hour traffic entering or leaving the site. A licensed traffic engineer shall certify that the internal circulation plan and the external access roadways including the two nearest intersections on collector roadways are adequate to handle this anticipated traffic, made by a qualified traffic engineer. In addition, the report shall explain how road layout relates to terrain and the reasons for any proposed deviations from the Township's design standards.
- 12) Development Schedule. This is required if the proposed construction is to extend over more than one year, including the following:
 - a) A Schedule Map at a scale of 1" = 200' showing the location of each section of the development.
 - b) An Improvement Schedule Report describing the improvements which will be needed to service each component or section of the Planned Unit Development, the number of residential units by type in each component or section and the square footage of commercial to be serviced by the improvements.

NOTE: Move present Section 804 C. (Environmental Impact Statements) to 804 E.

804

D. Details Required For Preliminary and Final Major Subdivision of a Section or Sections Within an Approved Planned Unit Development.

An applicant who has obtained preliminary site plan approval of a Planned Unit Development pursuant to Section 804 C. of this Ordinance who proposes to subdivide off a section of such Planned Unit Development for development in conformance with the preliminary approval shall submit, in lieu of the requirements set forth in Sections 804 B., 804 E. and 805 B. of this Ordinance the following:

1) Preliminary Major Subdivision Details

The applicant shall submit a preliminary plat, as described in Section 804 B., but containing only the details set forth in subsections 1 through 11 of that section.

2) Final Major Subdivision Details

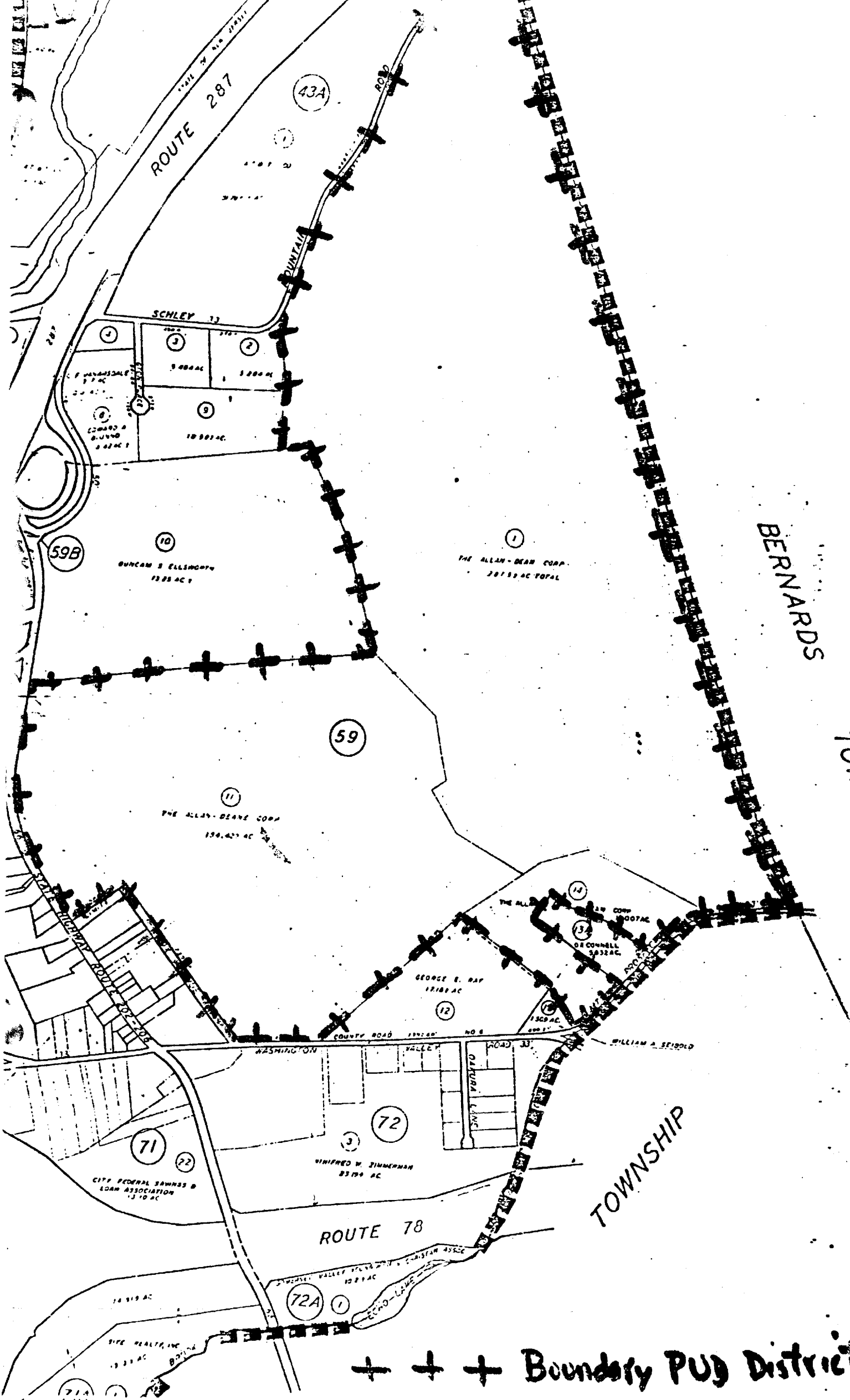
The applicant shall submit a final plat containing the following:

- a) All details required in Sections 804 D. 1. of this Ordinance,
- b) The engineering data required in Section 804 B. 4. d. of this Ordinance,
- c) Certification from the Township Tax Assessor that all taxes are paid up to date,
- d) A certification from the applicant that he is aware of all conditions of preliminary site plan approval which effect the section being subdivided and that he proposes to develop that section in conformance with the preliminary site plan approval.

- 3) In the case of a Planned Unit Development which has elected to apply preliminary site plan approval pursuant to Section 804 C. of this Ordinance, the Planning Board may grant Preliminary Site Plan approval of the following:
 - a) A conceptual land use plan showing:
 - i) The total Gross Area and maximum number of Dwelling Units.
 - ii) The land use components, the Net Area of each land use component, the maximum number of Dwelling Units for each component and the total Net Building square footage of the Planned Commercial component.
 - b) A circulation, drainage and utilities map showing:
 - i) The major collector roads in the Planned Unit Development.
 - ii) The location and capacity of major retention and detention basins.
 - iii) The location of major sewer and water lines and, if applicable, the sewage treatment plant and potable water storage facilities.
 - c) A schedule and map of the improvements which the developer intends to complete in the various sections of the Planned Unit Development concerned with the completion of Dwelling Units or commercial buildings in each section.
- 4) The effect of the preliminary site plan approval provided for in Section 804 F. 3. shall be to confer upon the applicant only the following rights, for such period as shall be determined by the planning board pursuant to 804 F. 2. hereinabove:
 - a) The general terms and conditions of all use requirements;
 - b) The total number of dwelling units of the Planned Unit Development, the number of dwelling units of each component and total Net Building square footage in the Planned Commercial component;
 - c) The major collector road locations;
 - d) The relationship of construction of the improvements to the development of the various sections of the Planned Unit Development;

- e) The sizing and location of major detention and retention basin improvements;
- f) The location of major sewer and water lines and if applicable, the location of sewage treatment plant and potable water storage facilities.

NEW 901 D. In the case of planned developments of 100 units of housing or more or containing 25 acres or more, the applicant may be required by the Planning Board to pay an additional 25% of the applicable application fee and escrow account to cover costs.



BERNARDS

TOWNSHIP

TOWNSHIP

+ + + Boundary PUG District

WATER