

RULS-AD-1984-170

S/72/84

letter

• Ordinance amending "Land Dev. Ord.", Bedminster
- w/Ordinance

Pgs. 9



TOWNSHIP OF BEDMINSTER
ADMINISTRATIVE & EXECUTIVE OFFICES
HILLSIDE AVENUE, BEDMINSTER, N. J. 07921

*DT-23 encl
11/7/84 - EW*

RUIS - AD - 1984 - 170

(201) 234-0333

MAY 22, 1984

Memorandum To: Township of Bedminster Planning Board
From: Margaret C. Francisco, Township Clerk
Re: AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE
ENTITLED "THE LAND DEVELOPMENT ORDINANCE OF
THE TOWNSHIP OF BEDMINSTER"

Attached please find a copy of the above mentioned Ordinance which was Introduced at the Regular Semi-Monthly Meeting of May 21, 1984 of the Township Committee of the Township of Bedminster. Please review and comment by June 18, 1984 as the Public Hearing on the above mentioned Ordinance is scheduled for 8:00 P.M., June 18, 1984, Municipal Building, Hillside Avenue, Bedminster, New Jersey.

cc: All Planning Board Members
Roger Thomas, Esq., Planning Board Attorney
John Cilo, Jr., Township Engineer
Richard Coppola, Township Planner
Anne Sieminski, Planning Board Secretary

AN ORDINANCE TO AMEND AND SUPPLEMENT
AN ORDINANCE ENTITLED "THE LAND
DEVELOPMENT ORDINANCE OF THE TOWNSHIP
OF BEDMINSTER".

BE IT ORDAINED By the Township Committee of the
Township of Bedminster in the County of Somerset, New Jersey,
as follows:

A. An ordinance entitled "The Land Development
Ordinance of the Township of Bedminster" adopted October 6,
1980, as heretofore amended and supplemented, be and the
same is hereby further amended and supplemented in accordance
with the following additions, changes, and deletions:

1. Add new Subsections 13-404.1 h. and 13-405.1 h.

"h. Senior Citizen Housing as a conditional use under N.J.S.A. 40:55D-67 (see Section 13.601 for standards).

2. Change 13-601.2 in its entirety to read:

13-601.2 Senior Citizen Housing.

- a. No site shall contain less than seven acres.
- b. The maximum residential density shall not exceed fifteen dwelling units per gross acre.
- c. No dwelling unit shall contain more than two bedrooms except that a dwelling unit for a resident manager of the building may contain more than two bedrooms.
- d. Individual dwelling units shall meet the minimum design requirements specified by the New Jersey Housing Finance Agency.
- e. The maximum building height shall not exceed 35 feet and two and one-half stories.
- f. A minimum 1.0 parking spaces shall be provided for each dwelling unit except that a lesser number, as determined by the subsidizing governmental authority, can be paved.
- g. A land area or areas equal in aggregate to at least 250 square feet per dwelling unit shall be designated on the site plan for the recreational use of the residents of the project; except that where a project is located within 300 feet of any existing or previously approved park or recreational area, the Planning Board may waive this requirement at the time of site plan review.
- h. Prior to any Township site plan approval, the following prerequisites shall have been accomplished:
 1. Verification that there are or will be adequate utility services and support facilities for the project, including transportation facilities and commercial establishments serving everyday needs, within a one mile walking distance of the proposed site.
 2. Assurance that the occupancy of such housing will be limited to households, the single member of which, or the husband and/or wife of which, or any of a number of siblings or unrelated individuals of which, or a parent of children of which, is/are 62 years of age or older, or as otherwise defined by the Social Security Act, as amended, except that this provision shall not apply to any resident manager and family resident on the premises.

3. Verification of conceptual approval of the project by any State or Federal agency which finances or assists the financing or operation of such housing.

4. A bona fide non-profit or limited dividend sponsor shall have been established and approved by the subsidizing governmental authority to develop the project.

3. Add new Subsection 13-606.1 e. to read:

"e. Single-family clusters are permitted on tracts of land at least fifty acres in area where indicated on the zoning map."

4. Add new Section 134-606.6 to read:

"13-606.6 Single Family Clusters.

a. Principal permitted uses on the land and in buildings.

1. Detached dwelling units.
2. Public playgrounds, conservation areas, parks and public purpose uses.
3. Public utility uses as conditional uses under N.J.S.A. 40:55D-67 (see Section 13-601 for standards).

b. Accessory uses permitted.

1. Private residential swimming pools in rear yard areas only (see Section 13-514).
2. Private residential tool sheds not to exceed 15 feet in height.
3. Boats on trailers and campers to be parked or stored and located in rear or side yards only. Their dimensions shall not be counted in determining total building coverage, and they shall not be used for temporary or permanent living quarters while situated on a lot.
4. Usual recreational facilities.
5. Off-street parking and private garages.
6. Fences and walls not exceeding six feet in height in rear and side yard areas and three feet in height in front yard areas (see Section 13-503).
7. Signs.
8. Residential agriculture.
9. Home office occupations.

- c. Maximum building height. No detached dwelling shall exceed 35 feet and two and one-half stories in height.
- d. Maximum number of dwelling units permitted. The number of dwelling units permitted within a single-family cluster is equal to one dwelling unit per acre of non-critical land on the tract plus a transfer of an additional one-fifth dwelling unit per acre from the critical lands within the tract to the non-critical areas.
- e. Area and yard requirements.

Principal Building
Minimum

Lot area	14,500 sq. ft. minimum and 33,000 sq. ft. maximum, with an average lot size no less than 22,000 sq. ft.
Lot frontage	100'
Lot width	100'
Lot depth	125'
Side yard (each)	20', except 10' for an attached garage
Front yard	40'
Rear yard	30'

Accessory Building
Minimum

Distance to side line	10'
Distance to rear line	15'
Distance to other buildings	10'

Maximum

Building coverage of principal building	10%
Building coverage of accessory building(s)	3%

- f. Minimum off-street parking.
 - 1. Each detached dwelling unit shall be provided with no less than two off-street parking spaces and no parking space or driveway shall be located within six feet of any property line.
 - 2. See Section 13-508 for additional standards.
- g. Permitted signs.
 - 1. Detached dwelling: Information and direction signs as defined in subsection 13-512.1e.
 - 2. See Section 13-512 for additional standards.
- h. Open space requirements. See subsection 13-606.5 hereinabove.

5. Change Subsection 13-606.3.i. in its entirety to read:

- i. Low and moderate income housing requirements. At least twenty percent (20%) of the total number of residential dwellings within a development shall be subsidized or otherwise made affordable to low and moderate income households as discussed and defined in the "Mt. Laurel II" Supreme Court Decision (So. Burlington Cty. N.A.A.C.P. v. Mt. Laurel Tp., 92 N. J. 158 (1983)). The applicant shall submit, with the application for development, a narrative description of the mechanism to be used to insure that the required affordable dwelling units are rented or sold only to low and moderate income households and that such units will continue to be occupied by low and moderate income households for a period not less than 20 years. In addition to such description, actual samples of language to be included in the nature of covenants shall be submitted. The submitted description shall detail the entity or entities responsible for monitoring the occupancy of the low and moderate income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants, etc. Every affordable unit shall be sold at a cost (including mortgage, taxes, owners association fees and insurance, but excluding utilities) not exceeding 28% of the earning limits calculated for low and moderate income households or rented at a cost (including utilities) not exceeding 30% of those earning limits. For purposes of this Ordinance, "low income households" are those earning less than 50% of the median income calculated for the 11 northern New Jersey counties, utilizing HUD median family income data weighted by the number of families in each county, exclusive of any area outside of New Jersey, and adjusted for household size. "Moderate income households" are those earning between 50% and 80% of the calculated median income figure.

1. At least 25 percent of the required 20 percent shall be rental units subsidized in accordance with available subsidy programs authorized and regulated by the Federal Department of Housing and Urban Development or the New Jersey Housing Finance Agency. If no subsidy programs are available, this fact shall be certified to the Planning Board, and the rental units shall be restricted in size to be no larger than 15 percent greater in area than the minimum net habitable floor area as specified by H.U.D. as a minimum for a particular unit. In any case, 50% of said rental units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 20 percent of the units shall have three (3) bedrooms.
2. At least 25 percent of the required 20 percent, and such additional units as may be required to achieve the low and moderate income housing requirements within the development, shall be dwellings for sale. 50% of said sale units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 20% of the units shall have three (3) bedrooms.

3. If the Planning Board determines, upon proofs submitted by the applicant, that low and moderate income housing units are more likely to be produced by the waiver of the mix requirements set forth in subsections 13-606.3i.1. and 13-606.3i.2. hereinabove, the Planning Board may, subject to such appropriate conditions as it may impose, permit the applicant to provide only rental or only sale units.
6. Change subsection 13-606.4j. in its entirety to read:

"j. Low and moderate income housing requirements. See Subsection 13-606.3 i. for requirements.
7. The Zoning Map is changed as attached herewith and dated May 1984.

B. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

C. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

D. This ordinance shall take effect immediately upon final passage and publication and the filing of a copy thereof with the Somerset County Planning Board as required by law.

Introduced: 5/21/84

First Passage: 5/21/84

Published: 5/31/84

Referred to Planning Board 5/21/84

Final Passage:

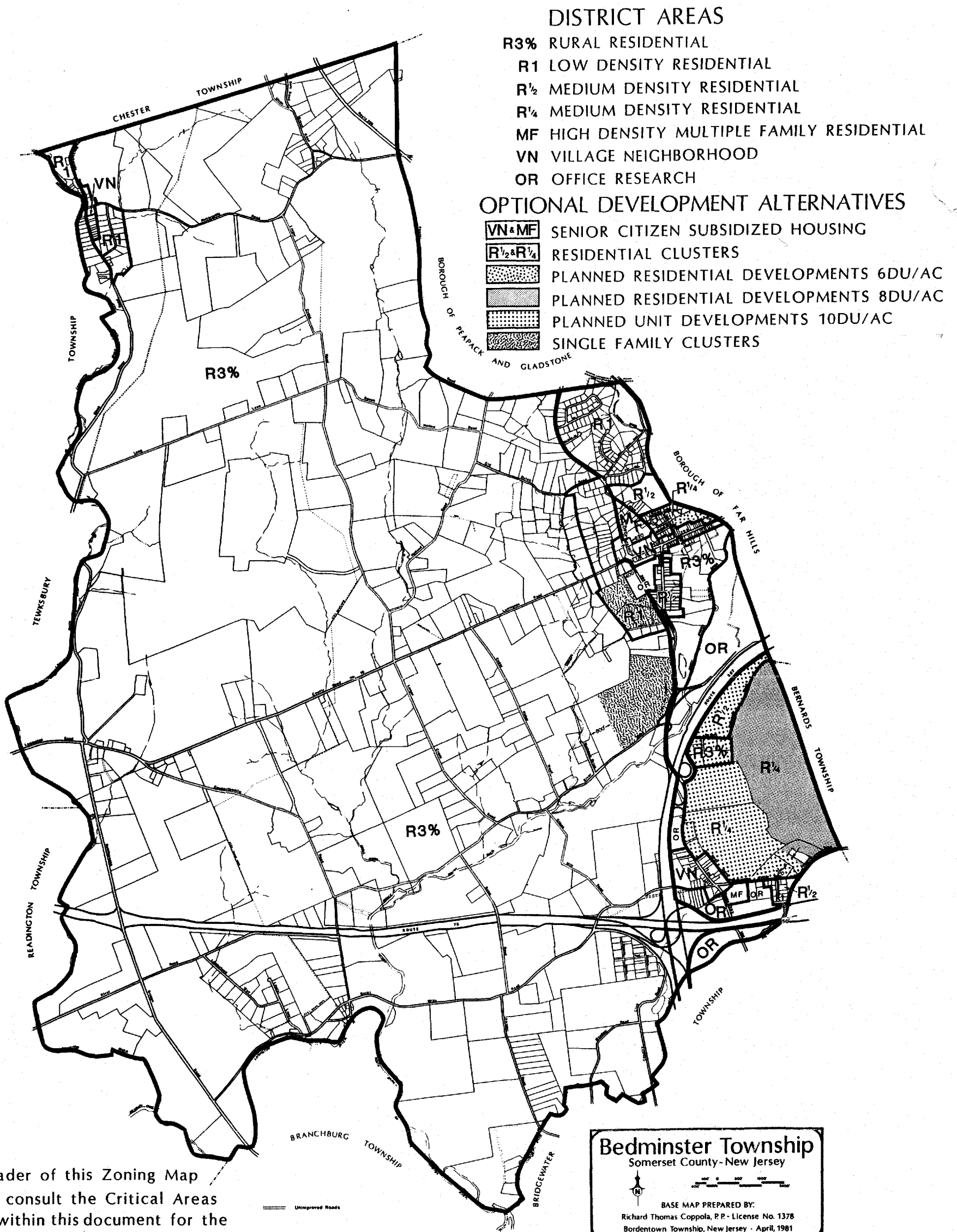
Paul F. Gavin, Mayor

Attest:

Margaret C. Francisco
Township Clerk

ZONING MAP

MAY 1984



NOTE: The reader of this Zoning Map should consult the Critical Areas Maps within this document for the location of "critical areas" as defined and controlled by Section 13-605 of the Land Development Ordinance of the Township of Bedminster.