

HAMPTON TOWNSHIP #2018-15

AN ORDINANCE AMENDING THE HAMPTON TOWNSHIP CODE TO AMEND CHAPTER 108 – THE ZONING ORDINANCE TO AMEND ARTICLE IV, THE DISTRICT REGULATIONS TO INCLUDE A NEW ZONE DISTRICT KNOWN AS THE AFFORDABLE HOUSING ZONE DISTRICT WHICH INCLUDES BLOCK 3603, LOT 7.02 AND BLOCK 3603, LOT 7.03

Section 2, Article IV is hereby amended to include the new Zone District entitled “The Affordable Housing Zone District” as follows:

Section 108-17.3 – The Affordable Housing Zone District applies to Block 3603, Lot 7.02 and Block 3603, Lot 7.03.

A. Purpose.

The purpose of the Affordable Housing Zone District 108-17.3 which applies to Block 3603, Lot 7.02 and Block 3603, Lot 7.03 (the property or “tract”) is to provide areas in the Township responsive to the need to permit Affordable Housing Units and other uses in order to meet the Affordable Housing Obligations of Hampton Township. Residential uses including multi-family housing with Affordable Housing Units and single family housing with Affordable Housing Units are permitted uses on Block 3501, Lot 44.09, Block 3501, Lot 44.08, Block 3603, Lot 7.02 and Block 3603, Lot 7.03. The above referenced four (4) lots shall be the site of up to 612 residential units with 107 units being set aside for Affordable Housing. There is a mandatory 17.5 % set-aside for Affordable Housing Units.

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

- 1) Agricultural uses as defined in sec. 108-7.
- 2) Multi-story apartments.
- 3) Garden apartments as defined in 108-7.
- 4) Townhouses as defined in 108-7.
- 5) Group homes and facilities.
- 6) Detached single-family dwellings according to the area and yard requirements set forth below in Section F3, below.
- 7) All permitted uses in the HC and HC-MFG Districts as defined to 108-15 and 108-16, respectively.
- 8) Professional office as defined in 108-7.
- 9) Retail Business Establishment as defined in 108-7.
- 10) Restaurants as defined in 108-7.
- 11) Restaurants, drive-in or drive-thru as defined in 108-7.
- 12) Shopping center as defined in 108-7.
- 13) Motels or hotels as defined in 108-7.
- 14) Manufacturing as defined in 108-16(BX4).

- 15) Wholesale distribution centers and warehouses.
- 16) Solar farms and panels and wind energy systems.

Mixed uses of residential and non-residential in the same building are not permitted uses and are prohibited.

C. Accessory uses permitted.

- 1) Playgrounds.
- 2) Swimming pools subject to the standards of Sec. 108-33A [Amended 6-25-1985]
- 3) Off-street parking, subject to the design standards of Section 108-26, and with respect to number, subject to RSIS standards for residential uses and 1 per 250 square feet (for non-residential uses).
- 4) Structures necessary for utilities and infrastructure.
- 5) Solar farms and panels and wind energy systems.

D. Building Height.

- 1) Maximum building height (Commercial). Retail and other permitted commercial structures shall not exceed 48 feet in height except as allowed in Sec. 108-39. No story limitation shall apply.
- 2) The maximum building height (Residential). Residential and multi-family structures shall not exceed five (5) stories in height except as allowed in Section 108-39. Residential and multi-family structures shall be permitted to have five (5) stories of residential units.

E. Area and Yard Requirements.

- 1) Offices, manufacturing plants and wholesale distribution centers and warehouses, and agricultural uses.
 - a. Principal Building.

| <u>Requirements</u> | <u>Minimum Dimensions</u> |
|---------------------|---------------------------|
| Lot area | 2 acres |
| Lot frontage | 200 feet |
| Lot width | 200 feet |
| Lot depth | 200 feet |
| Side yard, each | 50 feet |
| Front yard | 100 feet |
| Rear yard | 50 feet |

- b. Maximum Building Coverage.

| <u>Type of Building</u> | <u>Coverage</u> |
|-------------------------|-----------------|
| Principal | 50% |
| Accessory | 20% |

- c. Where applicable and requested by applicant, the provisions of Section 108-15E(2) shall apply.

2) Retail, including business establishments, restaurants of any kind, shopping centers, hotels and motels.

a. Standards

| <u>Requirements</u> | <u>Minimum Dimensions</u> |
|---------------------|---------------------------|
| Lot area | 2 acres |
| Lot frontage | 100 feet |
| Lot depth | 150 feet |
| Side yard, each | 30 feet |
| Front yard | 50 feet |
| Rear yard | 50 feet |

b. Maximum Building Coverage

| <u>Type of Building</u> | <u>Coverage</u> |
|-------------------------|-----------------|
| Principal | 50% |
| Accessory | 20% |

- c. Where applicable and requested by the Applicant, the provisions of 108-J5E(2) shall apply.

3) Single family detached dwellings.

a. Standards

| <u>Requirements</u> | <u>Minimum Dimensions</u> |
|---------------------------|-----------------------------|
| Lot area | 10,000 square feet |
| Lot width | 80 feet |
| Lot depth | 100 feet |
| Side yard, each | 10 feet each, 30 feet total |
| Front yard | 30 feet |
| Rear yard | 30 feet |
| Maximum building coverage | 35% |

- b. Accessory Uses. Accessory uses shall be those permitted in Section 108-12.2.

4) Multi-story apartments, townhouses and garden apartments.

a. Standards

| <u>Requirements</u> | <u>Minimum Dimensions</u> |
|---------------------------|---------------------------|
| Lot width | 100 feet |
| Side yard, each | 30 feet |
| Front yard | 50 feet |
| Rear yard | 60 feet |
| Maximum building coverage | 60% |

b. There shall be the following minimum distances between buildings.

| | |
|--|---------|
| Windowless wall to windowless wall | 30 feet |
| Window wall to window wall | 30 feet |
| Window wall to windowless wall | 30 feet |
| Rear to rear | 30 feet |
| End to end | 30 feet |
| Any building face, except garage face to common parking area or street | 12 feet |
| Garage face to common parking area | 5 feet |

The Planning Board may reduce the above distances if there is an angle between buildings, and sufficient landscaping or buffers are placed between buildings.

c. Parking spaces in common parking areas for multi-family residential development shall be located within 250 feet of the dwelling units served.

d. No building shall exceed a length of 250 feet in any single direction.

e. No room within a dwelling unit intended for human habitation shall be located in a cellar, basement or attic, except that a cellar or basement may contain a family room or recreation room. Any story which abuts a finished grade shall not be considered a basement or cellar. Any floor of any dwelling unit containing a ceiling, the exterior of which floor abuts below the finished grade, shall not be considered a story.

f. Multi-family development in this district shall not be subject to any density adjustment factors and regulations otherwise applicable to townhouses or garden apartment developments, and all other standards of Sections 108-34 and 108-35 shall not be applicable to multi-family development in this zone district.

F. Density (Residential)

1) 30 units per acre for land committed to residential development where residential development contains market rate and affordable housing units as part of project.

- 2) 20 units per acre, where residential development project is 100% affordable units.

G. Minimum off-street parking.

- 1) Residential:
 - a. RSIS standards, as set forth at N.J.A.C. 5:21-4, 14 and Table 4.4 therein.
- 2) Retail of any kind:
 - a. Parking shall be provided at one (1) space/250 SF.
- 3) Office Manufacturing/Warehouse/Wholesale Distribution:
 - a. Parking shall follow requirements as located in Section 108-16(g).
- 4) Theaters/Restaurants/Hotels/Other Uses: 1 space per 4 seats.

H. Signs.

- 1) Each pylon sign shall not exceed 50 feet in height, shall be set back from the street rights-of-way and driveways at least 20 feet, shall not exceed an area of 200 square feet, and shall be at least 800 linear feet from the centerline of Route 206.
- 2) Retail/Office to follow Section 108-15(H).
- 3) Manufacturing/Warehouse/Wholesale Distribution: to follow Section 108-(16)-1.
- 4) Notwithstanding the provisions of Section 108-30.4C, digital sequential signs shall be permitted on the Property.
- 5) The provisions of Section 108-30.5E shall not apply to the Property. Signs including, but not limited to digital sequential signs, may be located off of the Property, on land and/or existing free standing signs fronting on Route 206 (pursuant to a private agreement between the Property owner and the owners of land fronting on Route 206) in order to identify and describe the uses on the Property, and for such off Property signs, the provisions of Section 108-30.3 shall not apply.

Signs on the Property and any free standing sign permitted along Route 206 shall pertain only to properties, owned by Pio Costa Enterprises, LP, Cage Investors, LLC and Carant, LP. No billboard type signs will be permitted to advertise any commercial businesses other than those on properties owned by Pio Costa Enterprises, LP, Cage Investors, LLC and Carant, LP, however, community and public service announcement shall be permitted. Digital sequential signs shall be permitted for businesses on the Property and for businesses already identified on

existing signs along Route 206.

- 6) Notwithstanding the provisions of Section 108-30.5G, digital sequential signs shall be permitted.
- 7) The provisions of Section 108-30.5H shall not apply.
- 8) Notwithstanding the provisions of Section 108-30.11, the number of signs permitted shall be one free-standing sign per building, provided each establishment in such building shall have a placard (sign) identifying it on the standing sign, one façade sign per establishment; and one off-site sign per establishment. Notwithstanding the provisions of Section 108-30.4C, all signs pertaining to the development of the Property may be digital sequential signs.
- 9) A monument sign, not a pylon sign, shall be permitted along County Route 519 to advertise and identify commercial uses on the Property and residential uses or developments on the Property.

I. Affordable Housing.

- 1) At least 17.5% of all residential units proposed in an inclusionary residential development of market rate and affordable units shall be affordable to low and moderate-income households as defined by N.J.A.C. 5:93-1.3 and N.J.A.C. 5:93-7.4, provided that once 107 units of affordable rental housing have been developed, this restriction shall no longer apply.
- 2) All inclusionary affordable housing units shall be constructed in accordance with the Township's Affordable Housing Ordinance, the Uniform Housing Affordability Controls (UHAC), the rules and regulations of the N. J. Council on Affordable Housing (COAH), and the Fair Housing Act.

J. Development fees.

No development fees (i.e., Affordable Housing Fees), as described in N.J.S.A. 40:55 D-8.1, et seq., and Hampton Township Code Sections 108-66, 108-67, and 108-68 for residential development only, shall be applicable to, assessed to or collected from any development on the Pio Costa Enterprises, LP and Cage Investors, LLC Properties.

CERTIFICATION

I hereby certify that the above Ordinance was adopted by the Hampton Township Committee at their regular meeting held on September 25, 2018 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: _____

Kathleen Armstrong, RMC
Township Clerk

NOTICE

TAKE NOTICE that the foregoing Ordinance was introduced and passed on the first reading at the regular meeting of the Hampton Township Committee held on August 28, 2018 and was ordered published according to law, and will be further considered at the meeting of the Hampton Township Committee to be held on September 25, 2018 at 7:00 P.M. prevailing time, at the Hampton Township Municipal Building, Baleville, New Jersey at which time and place all interested parties may appear and be heard. A copy of this Ordinance has been posted on the bulletin board upon which Public Noticed as customarily posted in the Township Hall of the Township.

Kathleen Armstrong
Hampton Township Clerk

**HAMPTON TOWNSHIP
NOTICE
ORDINANCE 2018-15**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2018-15 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, September 25, 2018, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC
Township Clerk