

HAMPTON TOWNSHIP #2018-13

AN ORDINANCE AMENDING THE HAMPTON TOWNSHIP CODE TO AMEND CHAPTER 108 – THE ZONING ORDINANCE TO AMEND ARTICLE IV, THE DISTRICT REGULATIONS TO BE KNOWN AS THE AFFORDABLE HOUSING ZONE DISTRICT WHICH INCLUDES BLOCK 3501, LOT 44.09

Section 4, Article IV is hereby amended to include the new Zone District entitled “The Affordable Housing Zone District” as follows:

Section 108-17.5 – The Affordable Housing Zone District applies to Block 3501, Lot 44.09

A. Purpose.

The purpose of the Affordable Housing Zone District 108-17.5 which applies to Block 3501, Lot 44.09 (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 according to the area and yard requirements as set forth in Section E-2 below.
- 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 E-1, below.

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

All non-residential uses including without limitation commercial and/or retail uses are not permitted in this zone district.

C. Accessory uses permitted.

- 1) Playgrounds.
- 2) Swimming pools subject to the standards of Sec. 108-33A [Amended 05-01-2005]
- 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.
- 4) Structures necessary for utilities and infrastructure.

D. Building Height.

Maximum building height (Residential). Residential and multi-family structures shall not exceed 48 feet in height except as allowed in Section 108-39. Residential and multi-family structures shall be permitted to have four (4) stories of residential units.

E. Area and Yard Requirements.

1) 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.

2) 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) 15 units per acre 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.

Residential:

- a. RSIS standards, as set forth at N.J.A.C. 5:21-4.14.

H. 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.

I. 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, and Carant, LP. Referred to herein.

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 2018-13**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2018-13 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