

ORDINANCE NO. 3737

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, ARTICLE XXVIA, RETAIL OVERLAY DISTRICT, SECTION 112-206.2, PERMITTED USES AND STANDARDS; SCHEDULE 2, LOT AND YARD REQUIREMENTS AND SCHEDULE 3, HEIGHT, COVERAGE AND BUILDING REQUIREMENTS.

SUMMARY

This ordinance also amends Article XXVIA of Chapter 112, Land Development, so as to make the design standards contained therein applicable to all commercial development, whereas currently these standards are only applicable to commercial development in the Retail Overlay District. The ordinance also amends the bulk requirements of the Retail Overlay District so as to make it consistent with the bulk requirements of the General Business District.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin be and it is hereby revised, amended and supplemented as follows:

SECTION I

Chapter 112, Land Development, Article XXVIA, Retail Overlay District, Section 112-206.2, Permitted Uses and Standards, is hereby amended as follows:

ARTICLE XXVIA ~~Retail Overlay District~~ *Commercial Design Standards* [Added 3-20-2006 by Ord. No. 3597]

§ 112-206.2. ~~Permitted uses and standards.~~ *Applicability*

The Commercial Design Standards contained herein shall apply to all commercial development including: retail goods and services stores; eating and drinking establishments; professional, medical and general offices; restaurants; child care centers; banks; hotels; and other such commercial uses, whether permitted as-of-right or via use variance. The Commercial Design Standards shall not apply to warehouses; laboratories; manufacturing uses; and other such light industrial uses. The Commercial Design Standards shall also not apply to development within the Renaissance Redevelopment Area or the Hamilton Street Business District, which areas have their own design standards.

~~The following is a listing of the permitted uses and zoning standards for commercial development in portions of the M-1 and C-B Zones, specifically in the areas of Elizabeth Avenue, New Brunswick Road and Davidson Avenue, as shown on the attached map entitled Retail Overlay Map:~~ **Editor's Note: Said map is included at the end of this chapter.**

A. ~~Principal uses:~~

- ~~(1) Retail goods and service stores, including but not limited to: food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair, tailor shops, dry cleaning shops, professional offices, financial institutions, restaurants; excluding body art establishments.~~
- ~~(2) Public use.~~
- ~~(3) Eating and drinking establishments.~~
- ~~(4) Quasi-public or private club or fraternity.~~
- ~~(5) Child care centers.~~

B. Accessory uses:

- (1) ~~Buildings customary and incidental to the operation of the principal use.~~
- (2) ~~Signs (see § 112-9C).~~

C. Standards:

- (1) ~~Minimum lot size (interior and corner): 20,000 square feet.~~
- (2) ~~Minimum frontage (interior and corner): 100 feet.~~
- (3) ~~Principal building front yard setback: 20 feet.~~
- (4) ~~Principal building one side yard setback: 10 feet.~~
- (5) ~~Principal building total side yard setback: 25 feet.~~
- (6) ~~Principal building rear yard setback: 30 feet.~~
- (7) ~~Accessory building side yard setback: 10 feet.~~
- (8) ~~Accessory building rear yard setback: 10 feet.~~
- (9) ~~Maximum height: two stories/30 feet.~~
- (10) ~~Maximum percent of lot coverage: 40%.~~
- (11) ~~Maximum percent of impervious coverage: 80%.~~
- (12) ~~Maximum floor area ratio (FAR): 0.4.~~

SECTION II

Chapter 112, Land Development – Schedule 2, Lot and Yard Requirements, is amended as follows:

LAND DEVELOPMENT
112 Attachment 2
Schedule 2
Lot and Yard Requirements
Township of Franklin

	MINIMUM SIZE OF LOTS				MINIMUM REQUIRED YARD DEPTH (IN FEET)							
	INTERIOR LOTS		CORNER LOTS		PRINCIPAL BUILDING				ACCESSORY BLDG		GARDEN SHED ACCESSORY BLDG	
	AREA (Square feet)	FRONT-AGE (feet)	AREA (Square feet)	FRONT-AGE (feet)	FRONT YARD	ANY ONE SIDE YARD	TOTAL OF TWO SIDE YARDS	REAR YARD	SIDE YARD	REAR YARD	SIDE YARD	REAR YARD
RDO	20,000 80,000	100	20,000 80,000	100	20	10	25 40	30	10	10	-	-

SECTION III

Chapter 112, Land Development – Schedule 3, Height, Coverage and Building Requirements, is amended as follows:

LAND DEVELOPMENT
112 Attachment 3
Schedule 3
Height, Coverage and Building Requirements
Township of Franklin

	MAXIMUM HEIGHT	MAXIMUM	MAXIMUM PERCENT	MAXIMUM
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	(stories)	(feet)	PERCENT OF LOT COVERAGE	OF IMPERVIOUS COVERAGE	FLOOR AREA RATIO (FAR)
RDO	2	30	40 30	80 70	0.4 0.3

SECTION IV

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION V

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION VI

This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE NO. 3737

This is a true copy of an ordinance adopted by the Township Council Township of Franklin, Somerset County, New Jersey.

Introduced: January 8, 2008
Public Hearing: February 12, 2008
Adoption: February 12, 2008
Notice of Adoption: February 19, 2008
Effective Date: March 3, 2008

Ann Marie McCarthy, Township Clerk