

ORDINANCE NO. 3890-10

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, LAND DEVELOPMENT, TO IMPLEMENT AN ELEMENT OF THE FAIR SHARE PLAN KNOWN AS CAMPUS DRIVE (MULTI-FAMILY RESIDENTIAL ZONE)

SUMMARY

This ordinance amends Chapter 112, Land Development, so as to implement an element of the Fair Share Plan with the creation of the Multi-Family Residential Zone which accommodates townhouse and apartment residences while providing low- and moderate-income housing. The Official Zoning Map is amended to change the designation of property known as Block 536.01, Lot 2.03 from CB to MR (Campus Drive).

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 is hereby amended as follows:

SECTION I

Chapter 112, Land Development, is amended to amend Section 112-5, Districts enumerated, in Article II, Zoning Districts and Zoning Map, to add the Multi-Family Residential zone as follows:

MR Multi-Family Residential

SECTION II

Chapter 112, Land Development, section 112-8, Purposes of Districts, is amended to create a new Section 112-8.AD, to incorporate the MR zone as follows:

AD. Multi-Family Residential. The purpose of the MR District is to accommodate townhouse and apartment residences while providing low- and moderate-income housing.

SECTION III

Chapter 112, Land Development, Article II, Section 112-6, Zoning Map, Paragraph B, Official Zoning Map, is amended as follows to rezone Block 536.01, Lot 2.03 from the CB to the MR District, as follows:

The Official Zoning Map is amended to change the designation of property known as Block 536.01, Lot 2.03 from CB to MR.

SECTION IV

Chapter 112, Land Development, Article IV, shall be amended as follows to add new Section 112.33.2, Multi-Family Residential:

§ 112-33.2. Multi-Family Residential.

A. Permitted Uses.

- (1) Townhouse Developments.**
- (2) Garden Apartments Developments.**

B. Accessory uses.

- (1) Private Garages.**
- (2) Private Swimming Pools.**
- (3) Signs.**
- (4) Home Occupations.**
- (5) Other uses customary and incidental to the principal permitted use.**

C. Development Requirements. Development within this zone shall be in accordance with the following standards and site plan review:

- (1) *Minimum lot area: 3 acres.*
- (2) *Maximum density: 6 units per acre.*
- (4) *Maximum height: 2½ stories/ 35 feet.*
- (5) *Maximum lot coverage: 35%.*
- (6) *Maximum impervious coverage: 60%.*
- (7) *Minimum setbacks for all buildings: 25 feet.*
- (8) *Off-street parking: In accordance with the Residential Site Improvement Standards (RSIS).*
- (9) *Minimum parking setbacks:*
 - (a) *From building: 10 feet.*
 - (b) *No parking area shall be permitted in the required front yard or within 10 feet of side or rear lot lines.*
- (10) *The development shall be serviced by public water and sewer facilities.*
- (11) *Provision of low- and moderate-income housing; mandatory set-aside requirements. The developer shall provide or cause others to provide, on-site, low- and moderate-income dwelling units totaling 100% of the units. The developer shall abide by all applicable requirements of the Council on Affordable Housing (COAH) including the Uniform Housing Affordability Controls (UHAC) including but not limited to pricing, bedroom mix, low/moderate income split, affirmative marketing, and assignment of a COAH-qualified Administrative Agent. The Developer shall be solely responsible for all payments required for the services of the Administrative Agent. The Administrative Agent shall be COAH-qualified, shall be approved by the Township, and shall perform all duties and responsibilities of an administrative agent as set forth in the COAH Rules and UHAC, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which duties and responsibilities include, but are not limited to: affordability controls; affirmative marketing; household certification; communication and education; and enforcement.*

SECTION V

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 VI

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

SECTION VII

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

ORDINANCE NO. 3890-10

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

Introduced: August 10, 2010
 Public Hearing: August 24, 2010
 Adoption: August 24, 2010
 Published: September 1, 2010
 Effective Date: September 13, 2010

Ann M. McCarthy, RMC, CMC, Township Clerk