

Explanation: This Ordinance amends Chapter XVI entitled “Zoning” by amending the Zoning Map and by adding new section 16-21 entitled “AH-2 Affordable Housing District”.

TOWNSHIP OF WARREN

ORDINANCE NO. 19-08

AN ORDINANCE OF THE TOWNSHIP OF WARREN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN, CHAPTER XVI ENTITLED “ZONING” BY AMENDING SECTION 16-2 ENTITLED “ESTABLISHMENT OF DISTRICTS” AND SUBSECTION 16-3 ENTITLED “OFFICIAL ZONING MAP” AND BY THE ADDITION OF NEW SECTION 16-21 ENTITLED “AH-2 AFFORDABLE HOUSING DISTRICT”

BE IT ORDAINED by the Township Committee of the Township of Warren in the County of Somerset, State of New Jersey, as follows:

SECTION 1. Section 16-2 entitled “Establishment of Districts” of Chapter XVI entitled “Zoning” of *The Revised General Ordinances of the Township of Warren* is hereby supplemented and amended by the addition of the following to Subsection 16-2.1 entitled “Districts”:

AH-2 Affordable Housing

SECTION 2. Subsection 16-3.1 entitled “Official Zoning Map” of Section 16-3 entitled “Official Zoning Map and Interpretation” of Chapter XVI entitled “Zoning” of *The Revised General Ordinances of the Township of Warren* is hereby supplemented and amended as follows:

A. Change the zoning district classification on the official zoning map from R-65 1 1/2 Acre Residential to AH-2 Affordable Housing District for the following properties:

Block 205, Lots 58, 59, 60, 61 & 62

Boundaries of the rezoned area are indicated on Exhibit A attached to this Ordinance.

SECTION 3. Chapter XVI entitled “Zoning” of *The Revised General Ordinances of the Township of Warren* is hereby supplemented and amended by the addition of new Section 16-21 entitled “AH-2 Affordable Housing District” to read as follows:

16-21 AH-2 AFFORDABLE HOUSING DISTRICT

16-21.1 Purpose. The objectives and standards set forth hereafter are designated to implement the Housing and Affordable Housing Plan Element. The uses and standards for development are

- k. Parking Development shall meet Residential Site Improvement Standards (RSIS).
- l. Signage Development ID permitted at entrances. ID sign face shall have maximum area of 25 square feet and height of no greater than 5 feet. Sign shall be no less than 10 feet from public right-of-way.
- m. Buffer A 50 foot buffer coinciding with the northerly tract boundary (Block 205 Lots 12.11-12.16) of which no less than 25 ft shall remain in its natural state.
- n. Housing Affordability 44 units shall be affordable pursuant to Requirements Section 16-6 of Chapter XVI (Zoning Ordinance)
- o. Recreational Requirements The project shall provide recreational opportunities including a club house, pool and open play space.
- p. Access To Majors Road Except for emergency vehicle access, there shall be no vehicular access to Majors Road from this development or egress from the development to Majors Road

16-20.3 Design Standards. The general design theme shall be generally variations of a traditional theme. Buildings, signage and all other improvements shall be designed to follow a project design theme to the extent possible. The following design standards shall apply and shall be utilized to carry out the design theme of the project.

- a. Applicability. These guidelines and standards shall apply to all applications for development.
- b. General Design Standards.
 - 1. All buildings should be designed with an eye toward architectural detailing that can be unique, and complement the appearance of adjacent structures.
 - 2. Buildings shall have varied facades. Use of texture and window variations shall be encouraged.
 - 3. Entryways shall give orientation and add aesthetically pleasing character to the front façade.
 - 4. Entrances shall include such features as canopies or porticos, overhangs, recesses/projections, raised corniced parapets over the door, peaked roof forms and arches.

c. Continuity of Treatment. The architectural treatment of a façade or roof shall be completely continued around all visibly exposed sides of a building. All sides of building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details. In the instance of multi-story buildings, the architectural treatment and building materials of the first floor shall be compatible with upper stories.

d. Roof. The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, color and design of such building.

e. Windows. Windows shall be architecturally compatible with the style, materials, colors and details of a building. Windows shall be vertically proportioned.

f. Doors and Entrances. All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.

g. Physical Plant. All air-conditioning units, HVAC systems, exhaust pipes or stacks and elevator housing shall be shielded from view. Such shielding shall be accomplished by utilizing the walls or roof of the building and be designed to be architecturally compatible with the style, materials, colors and details of such building. If systems are ground mounted, landscaping and fencing shall be required for visual screen. Louver vents for HVAC systems are permitted on the exterior walls of buildings.

h. Materials, Colors and Details. All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other.

i. Shutters. The use of shutters on building facades shall be encouraged.

j. Lighting. Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such produces. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas shall be the same or compatible. The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited.

k. All buildings may have a basement and basements may contain garages/parking.

l. All units shall, at a minimum, be equipped with Energy Star certified appliances and utilities or equivalent.

16-20.4 Parking Design Standards.

a. Provision of parking spaces. The design and number of parking spaces required per this ordinance shall be provided in conformance with RSIS (NJAC 5:21-4.14 through 4.16).

b. Screening. Where buffers are required, there shall be provided along the exterior lot line of the development a continuous, year-round planting screen at least six (6) feet in height.

16-20.5 Streetscape/Landscape Design Standards.

Interior roadway shall provide streetscape elements including sidewalks and lampposts.

Street trees shall be provided in accordance with all applicable Township Code requirements.

16-20.6 Traffic Study.

A traffic study shall be performed as part of any application to the Warren Township Planning Board and must specifically include the impacts from all new Warren Township and Berkeley Heights developments, including those listed in the Berkeley Heights development matrix, attached hereto as Exhibit B. Such studies shall specifically include the impacts to Emerson Lane running east from Hillcrest Road. Such traffic study must also be submitted to Berkeley Heights as part of any Warren Planning Board application.

SECTION 4. If any article, 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 and they shall remain in full force and effect.

SECTION 5. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Warren, the provisions hereof shall be determined to govern. All other parts, portions and provisions of *The Revised General Ordinances of the Township of Warren* are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. Pursuant to N.J.S.A. 40:55D-62.1, the Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the owners of all real property as shown on the current tax duplicates located within the district and within the State within 200 feet in all directions of the boundaries of the district. The municipal clerk shall also provide notice to the Office of Planning Advocacy and to any military facility commander who has registered with the municipality pursuant to N.J.S.A. 40:55D-12.4 at least ten (10) days prior to the hearing by personal service or certified mail.

Pursuant to N.J.S.A. 40:55D-15, notice by personal service, certified mail or email with confirmation that the email was delivered, shall be made to the Somerset County Planning Board and to the clerk of an adjoining municipality of all hearings on the adoption, revision or amendment of the zoning ordinance involving property situated within 200 feet of such adjoining

municipality at least ten (10) days prior to such hearing. The notice provided pursuant to N.J.S.A. 40:55D-15 shall include a copy of this ordinance.

Notice provided as set forth herein shall state the date, time and place of the hearing, the nature of the matter to be considered and an identification of the affected zoning districts and proposed boundary changes by street names, common names or other identifiable landmarks, and by reference to lot and block numbers as shown on the current tax duplicate in the municipal tax assessor's office.

Notice shall also be given by (1) serving a copy on the property owner as shown on the current tax duplicate, or his agent in charge of the property, or (2) mailing a copy by certified mail and regular mail to the property owner at his or her address as shown on the current tax duplicate. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200 feet of the boundaries of the district which is the subject of the hearing, may be made in the same manner as to a corporation, in addition to notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

The Township Clerk shall execute affidavits of proof of service of the notices required by this section, and shall keep the affidavits on file along with the proof of publication of the notice of the required public hearing on the proposed zoning ordinance change. Costs of the notice provision shall be the responsibility of the proponent of the amendment.

SECTION 7. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Warren for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 8. This ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Somerset County Planning Board pursuant to N.J.S.A. 40:55D-16.

ATTEST:

TOWNSHIP OF WARREN

Cathy Reese, RMC
Township Clerk

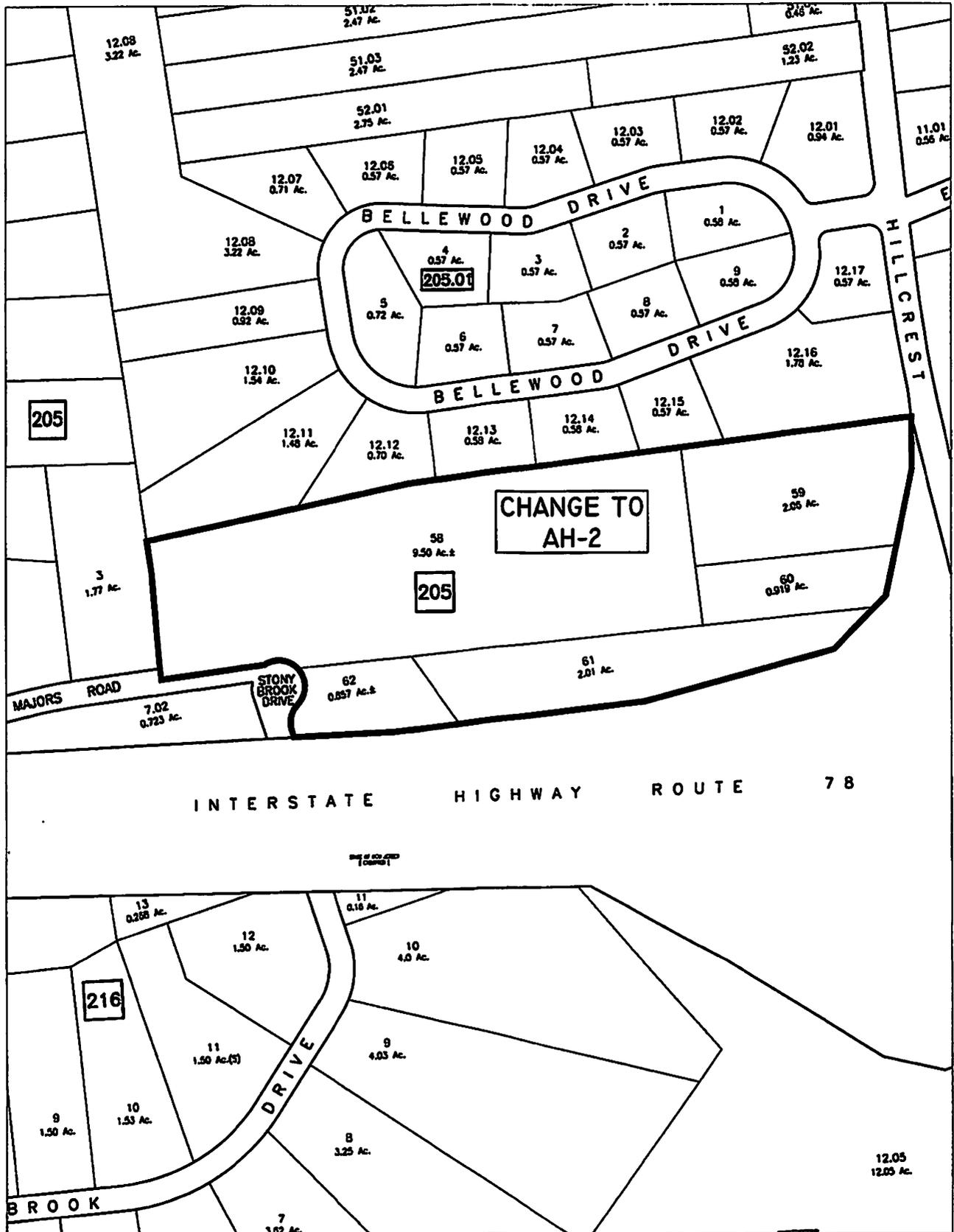
By: _____
Gary DiNardo, Mayor

INTRODUCED: February 7, 2019

ADOPTED: February 28, 2019

EFFECTIVE: March 7, 2019

PROPOSED ZONING MAP AMENDMENT



August 14, 2017 (updated September 21, 2018)

Township of Berkeley Heights – Residential Projects						
Project	Projected Distribution of 3 rd Round Inclusionary Projects					
	Total Number of Residential Units	Total Number of Affordable Units (included within the total number of residential uses)	Total Bedroom Distribution			
			1 Bed	2 Bed	3 Bed	
100 Locust Avenue (Block 1901, Lot 35)	196	29	63	133	----	
Kings Shopping Center 434 Springfield Avenue (Block 702, Lot 17)	150	23	82	63	5	
Movie Theater 450 Springfield (Block 702, Lot 13)	20	3	9	10	1	
Former Hotel Site Lone Pine Drive (Block 702, Lot 18)	62	9	28*	32*	2*	
Elite- Berkeley Florist Springfield Avenue (Block 502, Lots 1, 2, 4, & 5)	45	7	9	35	1	
Mondelli – Elite 182 Plainfield Avenue (Block 614, Lot 3)	10	2	5*	4*	1*	
500 Connell Drive (Block 4101, Lot 1)	328	37	153*	167*	8*	
DH-24 91 Lone Pine Drive (Block 703, Lots 1, 2, 3, 4, & 8)	380 (170 +/- Millcreek signed MOU)	57	174*	194*	12*	

August 14, 2017 (updated September 21, 2018)

DMX Zone 235 & 273 Snyder Avenue (Block 703, Lots 6 & 7)						
10 (3) Unit Unmet in Downtown Zones	20	3	10*	9*	1*	
20 -Unit Unmet Need Township Wide	130	20	59*	67*	4*	
Hamilton Avenue 110 Roosevelt Avenue (Block 1301, Lot 18)	100 -67	20	4	5212	44-51	
Totals	1,441 1,408	210 (included within the total number of residential uses)	596*	766* 726	79* 86	

Note – all numbers marked with an * are estimated only and are subject to further negotiations, settlement agreements, development of concept plans and approval by the Township & Court

Township of Berkeley Heights – Non-Residential Projects			
Project	Square Feet	Use	Project Status
500 Connell Drive (Block 4101, Lot 1)	85,000	Retail / Restaurant	
135 Industrial Road (Block 1301, Lot 6)	7,500	Office	
	46,900	Warehouse	
Elite – Berkeley Florist Springfield Avenue (Block 502, Lots 1, 2, 4, & 5)	4,300	Mixed Use Retail	
Movie Theater 450 Springfield (Block 702, Lot 13)	4,000	Mixed Use Retail	
YMCA on Locust Avenue	(details to be provided separately)	Reconstruction of the Berkeley Heights Swim	

August 14, 2017 (updated September 21, 2018)

59 Locust Avenue (Block 2201, Lot 19)		Club (across the street from 100 Locust Avenue)	
Redevelopment of the Berkeley Heights Municipal Complex & Commuter Parking Lot 29 Park Avenue (Block 504, Lots 5 & 6; Block 608, Lots 1 & 4)	61,000 Sq. Municipal Complex at 29 Park Avenue	Municipal Complex w/ new Police Station, Library, Community Center and Administration (out to bid)	