

Explanation: This Ordinance amends Chapter XVI entitled “Zoning” by amending the Zoning Map and by adding new section 16-22C entitled “AH-6 Affordable Housing District” for Block 90, Lot 2.

**TOWNSHIP OF WARREN**

**ORDINANCE NO. 19-15**

**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 16-22C ENTITLED “AH-6 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-6 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 RBLR and R65 to AH-6 Affordable Housing District for the following properties:

Block 90, Lot 2

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 16-25 entitled “AH-6 Affordable Housing District” to read as follows:

**16-22C AH-6 AFFORDABLE HOUSING DISTRICT**

**16-22C.1 Purpose.** The objectives and standards set forth hereafter are designated to implement, in phases, the Affordable Housing Plan Element. The uses and standards for development are

permitted only within the AH-6 zone as shown on the revised Official Zoning Map attached hereto as Exhibit A.

The intent and purpose are to implement the Affordable Housing Plan Element of the adopted Master Plan of Warren Township. This section provides for the phased implementation of the Plan. The objectives are to provide and encourage development of housing affordable to low and moderate income households as defined by the New Jersey Fair Housing Act, as well as middle income, age targeted and adult households.

**16-22C.2 Development Standards and Requirements.**

- a. Permitted Uses                      Townhomes  
    Apartments where units may be designed to be one above another.
  
- b. Accessory Uses.                      Patios, balconies, decks  
    Fences and walls  
    Signs  
    Stormwater facilities  
    Pump stations  
    Refuse corrals  
    Common recreational facilities
  
- c. Housing Units                        No more than 26 dwelling units shall be permitted, of which 10 shall be affordable units
  
- d. Minimum Habitable                  1 bedroom-700 square feet  
    Space for Income                      2 bedroom-770 square feet  
    Restricted                                3 bedroom-875 square feet  
    Affordable Units\*
  
- \*Habitable space shall not include garage, unfinished attic and basement floor space whether finished or not. Habitable space shall be calculated using outside wall dimensions. The affordable housing bedroom distribution mix shall be as per UHAC regulations Section 5:80-26.3 where applicable due to small number of units.
  
- e. Maximum Units                      16 units/structure  
    per Building
  
- f. Maximum No.                         3/unit  
    Bedrooms/Unit
  
- g. Maximum Average                  Townhome unit 1600 square feet  
    Habitable Unit Floor                Apartment unit 1000 square feet  
    Area



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.

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.

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

#### **16-22C.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.

## **16-22C.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.

**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 28, 2019

ADOPTED: March 14, 2019

EFFECTIVE: March 21, 2019