

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2021-03

**AN ORDINANCE TO AMEND THE CODE OF THE
TOWNSHIP OF CRANFORD, CHAPTER 255 LAND DEVELOPMENT,
TO CREATE AFFORDABLE HOUSING OVERLAY DISTRICTS**

WHEREAS, in December 2018, the Township of Cranford adopted a Housing Element and Fair Share Plan, including a Master Plan Housing Element and Fair Share Plan to address the Township’s Third Round Affordable Housing Obligations; and

WHEREAS, in December 2018, the Township filed a declaratory judgment action, captioned *In re Application of Township of Cranford*, No. UNN-L-3976-18, seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

WHEREAS, the Fair Share Housing Center (“FSHC”) and the Township agreed to compromise certain positions regarding the Fair Share Plan such that each party agreed the Fair Share plan satisfies Cranford’s “fair share” of the regional need for low and moderate income housing subject to certain amendments to the Fair Share Plan; and

WHEREAS, Cranford had previously proposed affordable housing overlays for its Downtown and adjacent districts, which it now desires to amend to further the purposes of the Fair Share Plan.

NOW, THEREFORE, be it ordained by the Township Committee of the Township of Cranford, Union County, State of New Jersey, as follows:

SECTION 1. Chapter 255, Article V. Zoning, Section 33 A. is hereby amended as follows:

§ 255-33 Zone districts.

A. Designation of zoning districts. For the purpose of this article, the Township of Cranford is hereby divided into districts or zones, to be designated as follows:

- | | |
|--------|---|
| R-1 | One-Family Detached Residence District |
| R-2 | One-Family Detached Residence District |
| R-3 | One-Family Detached Residence District |
| R-4 | One-Family Detached Residence District |
| R-5 | One- and Two-Family Residence District |
| R-6 | Townhouse Residence District |
| R-7 | Garden Apartment Residence District |
| R-8 | Apartment Residence District |
| R-SC-1 | Senior Citizen Apartment Residence District |

IMR	Inclusionary Multifamily Residence District
D-C	Downtown Core District <u>& Downtown Core Overlay District</u>
D-B	Downtown Business District <u>& Downtown Business Overlay District</u>
D-T	Downtown Transition District <u>& Downtown Transition Overlay District</u>
VC	Village Commercial District
NC	Neighborhood Commercial District
O-1	Low-Density Office Building District
O-2	Medium-Density Office Building District
ORC	Office Residential Character District
C-1	Commercial - 1 District
C-2	Commercial - 2 District
C-3	Commercial - 3 District
E-1	Education District
P-1	Public Use District
R-CC	Cranford Crossing Redevelopment District
R-WG	Western Gateway Rehabilitation District
R-R	Riverfront Redevelopment District
R-ARR	Age-Restricted Redevelopment District
FO	Floodplain Overlay District
<u>PO</u>	<u>Park Street Overlay District</u>

SECTION 2. Chapter 255, Article V. Zoning, Section 36 B. is hereby amended as follows:

§ 255-36 Use regulations.

The use regulations applicable to each zone district within the Township of Cranford are as follows. (Note that "PPU" is permitted principal use; "CU" is conditional use.)

B. Business districts.

(1) Principal permitted and conditional uses.

Uses	Districts Where Permitted			
	D-C	D-B	D-T	VC
Advertising agencies and website design companies	CU	CU	PPU	CU
Antique stores	PPU	PPU	PPU	PPU
Apparel and accessory stores	PPU	PPU	PPU	PPU
Apparel embroidery and printing stores	PPU	PPU	PPU	PPU
Appliance and electronic service, supply and repair shops	CU	CU	PPU	CU
Art galleries	PPU	PPU	PPU	PPU
Artist and artisan studios and workshops	PPU	PPU	PPU	PPU
Bakeries	PPU	PPU	PPU	PPU

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Banks and financial institutions	CU	PPU	PPU	PPU
Banks and financial institutions with drive-through services	—	CU	CU	—
Bars and taverns	PPU	PPU	—	—
Beauty and barber shops	PPU	PPU	PPU	PPU
Bed-and-breakfast hotel	CU	CU	—	CU
Bicycle repair and sales shops	PPU	PPU	PPU	PPU
Building supply, garden and hardware stores	PPU	PPU	PPU	PPU
Camera and photo supply stores	PPU	PPU	PPU	PPU
Candy stores	PPU	PPU	PPU	PPU
Child-care centers	PPU	PPU	PPU	PPU
Coffee shops	PPU	PPU	PPU	PPU
Convenience stores	CU	CU	CU	CU
Cooking schools	PPU	PPU	PPU	PPU
Dance and theatrical studios	PPU	PPU	PPU	PPU
Delicatessens	PPU	PPU	PPU	PPU
Educational services	PPU	PPU	PPU	PPU
Essential services	PPU	PPU	PPU	PPU
Eyeglass sales and repair	PPU	PPU	PPU	PPU
Florists	PPU	PPU	PPU	PPU
Fruit and vegetable stores	PPU	PPU	PPU	PPU
Funeral homes	—	CU	CU	CU
Furniture stores	—	PPU	PPU	—
Gasoline service stations	—	CU	CU	—
Gift, card and novelty shops	PPU	PPU	PPU	PPU
Grocery stores	PPU	PPU	PPU	PPU
Hobby and game shops	PPU	PPU	PPU	PPU
Home furnishing stores	PPU	PPU	PPU	PPU
Household appliance sales	—	PPU	PPU	—
Hotels	CU	CU	—	—
Institutional and public uses	CU	CU	CU	CU
Insurance agents and brokers	CU	CU	PPU	CU
Jewelry stores	PPU	PPU	PPU	PPU
Laundry and dry-cleaning services	PPU	PPU	PPU	PPU
Liquor and package goods stores	PPU	PPU	PPU	PPU
Luggage and leather goods stores	PPU	PPU	PPU	PPU
Museums and art galleries	PPU	PPU	PPU	PPU
Musical instrument sales, rentals and repair shops	PPU	PPU	PPU	PPU
New and used bookstores	PPU	PPU	PPU	PPU

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New and used vehicle sales dealers	—	CU	—	—
Offices (professional, business, administrative)	CU	CU	PPU	PPU
Office, professional in dwellings	—	CU	PPU	PPU
Office supply and support stores	PPU	PPU	PPU	PPU
Paint and wallpaper stores	PPU	PPU	PPU	PPU
Party goods stores	PPU	PPU	PPU	PPU
Performing arts studios	CU	CU	PPU	—
Pet groomers, supply and purchase stores	PPU	PPU	PPU	PPU
Pharmacies	PPU	PPU	PPU	PPU
Photography studios	PPU	PPU	PPU	PPU
Physical fitness studios, gyms, yoga and martial arts instruction	PPU	PPU	PPU	PPU
Picture framing	PPU	PPU	PPU	PPU
Printing and publishing services	CU	CU	PPU	CU
Public and private garages (structured parking)	CU	CU	PPU	—
Religious goods stores	PPU	PPU	PPU	PPU
Residential apartments	CU	CU	CU	CU
	<u>PPU*</u>	<u>PPU*</u>	<u>PPU*</u>	
Restaurant	PPU	PPU	—	PPU
Secondhand and consignment stores	PPU	PPU	PPU	PPU
Security brokers	CU	CU	PPU	CU
Shoe and luggage repair	PPU	PPU	PPU	PPU
Sidewalk cafes	PPU	PPU	PPU	PPU
Social service agencies	CU	CU	CU	—
Spa, nail and hair salons	PPU	PPU	PPU	PPU
Sporting goods stores	PPU	PPU	PPU	PPU
Stationary stores	PPU	PPU	PPU	PPU
Tax return preparation service	CU	CU	PPU	—
Theaters	CU	PPU	—	CU
Trophy shops	PPU	PPU	PPU	PPU
Veterinarian office	CU	CU	CU	—
Watch and clock repair	PPU	PPU	PPU	PPU
Web-based retailers	—	—	PPU	—

* in corresponding Overlay District.

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SECTION 3. Chapter 255, Article V. Zoning, Section 36 is hereby amended to add a new Subsection H. as follows:

H. Downtown Core Overlay District.

- (1) Purpose. The purpose of the Downtown Core Overlay District is to provide an opportunity downtown for the construction of multiple family housing in developments where not less than 20% of the units shall be reserved for low- and moderate-income households in accordance with applicable affordable housing regulations.
- (2) Permitted principal uses.
 - (a) Multifamily residential dwellings.
 - (b) Mixed use incorporating any of the permitted uses in the underlying district and multifamily residential dwellings.
- (3) Accessory uses.
 - (a) Parking garages (other than podium parking) when wrapped by a building containing multifamily residential dwellings on at least three sides of the four-sided parking structure.
 - (b) Trash and garbage collection areas which are fully screened.
 - (c) Maintenance, leasing and administration offices and storage buildings, swimming pools and other noncommercial community recreational facilities associated with multifamily residential uses in all yards but the front yard.
 - (d) Podium parking in multifamily residential structures.
 - (e) Ground-level parking.
- (4) Yard and bulk regulations.
 - (a) Front yard setback: 5 feet
 - (b) Side yard setback: none
 - (c) Rear yard setback: minimum of 10 feet
 - (d) Density. A maximum residential density of 35 dwelling units per acre of gross tract area is permitted for the construction of dwelling units, provided 20% of the units are deed restricted for occupancy by very-low, low- and moderate-income households in accordance with applicable affordable housing regulations.
 - (e) Parking requirements. As required per N.J.A.C. 5:21 Table 4.4 of the Residential Site Improvement Standards for residential development.
 - (f) Building height. The maximum height shall be four stories of residential units or three stories of residential units above a maximum of one level of parking. For purposes of this subsection, a story shall mean a "story" as defined in §§ 202 and 505.1 of the 2009 International Building Code, New Jersey Edition. The maximum height of all buildings shall be 55 feet to the mid-point of the roof.
 - (g) Multifamily residential building to multifamily residential building setback requirements: minimum of 25 feet.

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- (5) Supplemental regulations.
- (a) Affordable units shall be allocated throughout the development and shall not be segregated within one building or portion of a building.
 - (b) Affordable units shall comprise at least 20% of the units in any application for development pursuant to these regulations.
 - (c) All affordable units shall be provided in accordance with the Uniform Housing Affordability Controls (UHAC), applicable rules of the Council on Affordable Housing and the Fair Housing Act.
- (6) General requirements.
- (a) Circulation.
 - [1] The design shall provide for pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas; off-street loading and unloading; and movement of people, goods and vehicles from access roads within the site, between buildings and between buildings and vehicles.
 - [2] The Planning Board shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.
 - (b) Design and building layout. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection and impact on and from surrounding development and contiguous and adjacent buildings and lands.
 - (c) Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Planning Board. Lights shall be arranged so as to minimize glare and reflection on adjacent properties.
 - (d) Landscaping.
 - [1] Landscaping shall be provided as part of the overall development design to minimize headlight glare, noise, light from structures and the movement of people and vehicles and to shield activities from adjacent properties and shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving materials in an imaginative manner.
 - [2] Landscaping shall be maintained and the owner shall be responsible for replacement of dead plants, trees or other landscaping items.
 - [3] A landscape plan prepared by a certified or licensed landscape architect, building elevations and lighting and architectural plans shall be submitted as part of all applications for development in the D-C Zone.
 - [4] In any D-C Zone District, it shall be the intent of the design guidelines to encourage streetscapes of the highest quality. For any such zone which abuts a residential zone, the D-C Zone development shall be designed to be compatible with the character of the adjacent residential area.

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(7) Utilities.

- (a) Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
- (b) All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
- (c) Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
- (d) Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of Section 18-1 of the Revised General Ordinances of the Township of Cranford as well as the following:
 - [1] Each receptacle shall be located in a completely enclosed building.
 - [2] Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings.
 - [3] Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(8) Developer's Obligation to Provide Affordable Housing.

- (a) Prior to the issuance of any construction permit, and as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct at least 20 percent of all dwelling units as low and moderate income housing units.
- (b) At least 50% of the rental units shall be available to low income households with no less than 13% of all affordable units being affordable to very-low income households earning no more than 30% of the median income in the housing region (i.e. 37% of the total number of affordable units available to low-income households and 13% of the total number of affordable units available to very low-income households). The remaining 50% of the units shall be available to moderate income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units and the phasing of construction of market and affordable units shall provide for the construction of affordable units in tandem with the market units according to the requirements of N.J.A.C.5:93-5.6(d).
- (c) The required minimum residential densities and affordable housing set asides for multi-family housing, including apartments and condominiums shall be as follows:
 - [1] 40 dwelling units per acre with a 20% affordable housing set-aside.

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SECTION 4. Chapter 255, Article V. Zoning, Section 36 is hereby amended to add a new Subsection I. as follows:

I. Downtown Business Overlay District.

- (1) Purpose. The purpose of the Downtown Business Overlay District is to provide an opportunity downtown for the construction of multiple family housing in developments where not less than 20% of the units shall be reserved for low- and moderate-income households in accordance with applicable affordable housing regulations.
- (2) Permitted principal uses.
 - (a) Multifamily residential dwellings.
- (3) Accessory uses.
 - (a) Parking garages (other than podium parking) when wrapped by a building containing multifamily residential dwellings on at least three sides of the four-sided parking structure.
 - (b) Trash and garbage collection areas which are fully screened.
 - (c) Maintenance, leasing and administration offices and storage buildings, swimming pools and other noncommercial community recreational facilities associated with multifamily residential uses in all yards but the front yard.
 - (d) Podium parking in multifamily residential structures.
 - (e) Ground-level parking.
- (4) Yard and bulk regulations.
 - (a) Front yard setback: 5 feet.
 - (b) Side yard setback: none.
 - (c) Rear yard setback: minimum of 10 feet.
 - (d) Impervious coverage: Impervious coverage, as defined in N.J.A.C. 7:8-1.2 (definition of "impervious surface"), or such successor stormwater management regulations as may be promulgated by the State of New Jersey, shall not exceed 85%.
 - (e) Density. A maximum residential density of 30 dwelling units per acre of gross tract area is permitted for the construction of dwelling units, provided 20% of the units are deed restricted for occupancy by low- and moderate-income households in accordance with applicable affordable housing regulations.
 - (f) Parking requirements. As required per N.J.A.C. 5:21 Table 4.4 of the Residential Site Improvement Standards for residential development.
 - (g) Building height. The maximum height shall be four stories of residential units or three stories of residential units above a maximum of one level of parking. For purposes of this subsection, a story shall mean a "story" as defined in §§ 202 and 505.1 of the 2009 International Building Code, New Jersey Edition. The maximum height of all buildings shall be 55 feet to the mid-point of the roof.

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- (h) Multifamily residential building to multifamily residential building setback requirements: minimum of 25 feet.
- (5) Supplemental regulations.
- (d) Affordable units shall be allocated throughout the development and shall not be segregated within one building or portion of a building.
- (e) Affordable units shall comprise at least 20% of the units in any application for development pursuant to these regulations.
- (f) All affordable units shall be provided in accordance with the Uniform Housing Affordability Controls (UHAC), applicable rules of the Council on Affordable Housing and the Fair Housing Act.
- (6) General requirements.
- (a) Circulation.
- [1] The design shall provide for pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas; off-street loading and unloading; and movement of people, goods and vehicles from access roads within the site, between buildings and between buildings and vehicles.
- [2] The Planning Board shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.
- (b) Design and building layout. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection and impact on and from surrounding development and contiguous and adjacent buildings and lands.
- (c) Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Planning Board. Lights shall be arranged so as to minimize glare and reflection on adjacent properties.
- (d) Landscaping.
- (e) Landscaping shall be provided as part of the overall development design to minimize headlight glare, noise, light from structures and the movement of people and vehicles and to shield activities from adjacent properties and shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving materials in an imaginative manner.
- [1] Landscaping shall be maintained and the owner shall be responsible for replacement of dead plants, trees or other landscaping items.
- [2] A landscape plan prepared by a certified or licensed landscape architect, building elevations and lighting and architectural plans shall be submitted as part of all applications for development in the D-B Zone.

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[3] In any D-B Zone District, it shall be the intent of the design guidelines to encourage streetscapes of the highest quality. For any such zone which abuts a residential zone, the D-B Zone development shall be designed to be compatible with the character of the adjacent residential area.

(7) Utilities.

- (a) Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
- (b) All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
- (c) Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
- (d) Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of Section 18-1 of the Revised General Ordinances of the Township of Chatham as well as the following:
 - [1] Each receptacle shall be located in a completely enclosed building.
 - [2] Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings.
 - [3] Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(8) Developer's Obligation to Provide Affordable Housing.

- (a) Prior to the issuance of any construction permit, and as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct at least 20 percent of all dwelling units as low and moderate income housing units.
- (b) At least 50% of the rental units shall be available to low income households with no less than 13% of all affordable units shall be affordable to very low income households earning no more than 30% of the median income in the housing region (i.e. 37% of the total number of affordable units shall be available to low-income households and 13% of the total number of affordable units shall be available to very low-income households). The remaining 50% of the units shall be available to moderate income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units and the phasing of construction of market

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and affordable units shall provide for the construction of affordable units in tandem with the market units according to the requirements of N.J.A.C.5:93-5.6(d).

- (c) The required minimum residential densities and affordable housing set asides for multi-family housing, including apartments and condominiums shall be as follows:

[1] 30 dwelling units per acre with a 20% affordable housing set-aside.

SECTION 5. Chapter 255, Article V. Zoning, Section 36 is hereby amended to add a new Subsection J. as follows:

J. Downtown Transition Overlay District.

- (1) Purpose. The purpose of the Downtown Transition Overlay District is to provide an opportunity downtown for the construction of multiple family housing in developments where not less than 20% of the units shall be reserved for low- and moderate-income households in accordance with applicable affordable housing regulations.
- (2) Permitted principal uses.
 - (a) Multifamily residential dwellings.
- (3) Accessory uses.
 - (a) Parking garages (other than podium parking) when wrapped by a building containing multifamily residential dwellings on at least three sides of the four-sided parking structure.
 - (b) Trash and garbage collection areas which are fully screened.
 - (c) Maintenance, leasing and administration offices and storage buildings, swimming pools and other noncommercial community recreational facilities associated with multifamily residential uses in all yards but the front yard.
 - (d) Podium parking in multifamily residential structures.
 - (e) Ground-level parking.
- (4) Yard and bulk regulations.
 - (a) Front yard setback: 5 feet
 - (b) Side yard setback: none
 - (c) Rear yard setback: minimum of 10 feet
 - (d) Impervious coverage: Impervious coverage, as defined in N.J.A.C. 7:8-1.2 (definition of "impervious surface"), or such successor stormwater management regulations as may be promulgated by the State of New Jersey, shall not exceed 85%.
 - (e) Density. A maximum residential density of 25 dwelling units per acre of gross tract area is permitted for the construction of dwelling units, provided 20% of the units are deed restricted for occupancy by low- and moderate-income households in accordance with applicable affordable housing regulations.
 - (f) Parking requirements. As required per N.J.A.C. 5:21 Table 4.4 of the Residential Site Improvement Standards for residential development.

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- (g) Building height. The maximum height shall be three stories of residential units or two stories of residential units above a maximum of one level of parking. For purposes of this subsection, a story shall mean a "story" as defined in §§ 202 and 505.1 of the 2009 International Building Code, New Jersey Edition. The maximum height of all buildings shall be 55 feet to the mid-point of the roof.
 - (h) Multifamily residential building to multifamily residential building setback requirements: minimum of 25 feet.
- (5) Supplemental regulations.
- (a) Affordable units shall be allocated throughout the development and shall not be segregated within one building or portion of a building.
 - (b) Affordable units shall comprise at least 20% of the units in any application for development pursuant to these regulations.
 - (c) All affordable units shall be provided in accordance with the Uniform Housing Affordability Controls (UHAC), applicable rules of the Council on Affordable Housing and the Fair Housing Act.
- (6) General requirements.
- (a) Circulation.
 - [1] The design shall provide for pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas; off-street loading and unloading; and movement of people, goods and vehicles from access roads within the site, between buildings and between buildings and vehicles.
 - [2] The Planning Board shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.
 - (b) Design and building layout. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection and impact on and from surrounding development and contiguous and adjacent buildings and lands.
 - (c) Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Planning Board. Lights shall be arranged so as to minimize glare and reflection on adjacent properties.
 - (d) Landscaping.
 - [1] Landscaping shall be provided as part of the overall development design to minimize headlight glare, noise, light from structures and the movement of people and vehicles and to shield activities from adjacent properties and shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants,

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sculpture, art and the use of building and paving materials in an imaginative manner.

[2] Landscaping shall be maintained and the owner shall be responsible for replacement of dead plants, trees or other landscaping items.

[3] A landscape plan prepared by a certified or licensed landscape architect, building elevations and lighting and architectural plans shall be submitted as part of all applications for development in the D-T Zone.

[4] In any D-T Zone District, it shall be the intent of the design guidelines to encourage streetscapes of the highest quality. For any such zone which abuts a residential zone, the DB Zone development shall be designed to be compatible with the character of the adjacent residential area.

(7) Utilities.

(a) Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.

(b) All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.

(c) Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.

(d) Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of Section 18-1 of the Revised General Ordinances of the Township of Chatham as well as the following:

[1] Each receptacle shall be located in a completely enclosed building.

[2] Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings.

[3] Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(8) Developer's Obligation to Provide Affordable Housing.

(a) Prior to the issuance of any construction permit, and as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct at least 20 percent of all dwelling units as low and moderate income housing units.

(b) At least 50% of the rental units shall be available to low income households with no

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- less than 13% of all affordable units affordable to very low income households earning no more than 30% of the median income in the housing region (i.e. 37% of the total number of affordable units shall be available to low-income families and 13% of the total number of affordable units shall be available to very low-income households). The remaining 50% of the units shall be available to moderate-income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units and the phasing of construction of market and affordable units shall provide for the construction of affordable units in tandem with the market units according to the requirements of N.J.A.C.5:93-5.6(d).
- (c) The required minimum residential densities and affordable housing set asides for multi-family housing, including apartments and condominiums shall be as follows:
- [1] 25 dwelling units per acre with a 20% affordable housing set-aside.

SECTION 6. Chapter 255, Article V. Zoning, Section 36 is hereby amended to add a new Subsection K. as follows:

K. Park Street Overlay District.

- (1) Purpose. The Park Street Overlay District shall consist of the property identified on the Tax Map of the Township of Cranford (June 1977) as Block 555, Lots 1, 2, 3, and 7. The purpose of the Park Street Overlay District is to provide an opportunity for the construction of multiple family housing in developments where not less than 20% of the units shall be reserved for low- and moderate-income households in accordance with applicable affordable housing regulations.
- (2) Permitted principal uses.
- a. Townhouse residential dwellings
- (3) Townhouse Development Standards.
- a. Townhouse Lot Area. Each dwelling unit shall be constructed on an individual lot, and there shall be a minimum of 3,630 square feet of tract area per dwelling unit.
- b. Individual lots.
- (1) Minimum width. The required average width of all individual lots shall be not less than 20 feet, and no individual lot shall have a width of less than 18 feet, said width to be measured at the actual building setback line for each individual lot. In addition, for each individual lot with a width less than the required average, there shall be not less than one individual lot with a width greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot.

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(2) Minimum area. The required average area of all individual lots shall be not less than 1,600 square feet, and no individual lot shall have an area of less than 1,400 square feet.

(3) Front and rear yards. The required average for front and rear yards on all individual lots shall be not less than 25 feet, and no individual lot shall have a front or rear yard of less than 20 feet, except that where the front or rear property line of an individual lot abuts open space and which open space shall have a minimum dimension of 50 feet measured at right angles along the full length of the abutting property line, then the required average and minimum yard requirements set forth herein may be reduced by not more than 10 feet for the abutting yard. In addition, for each individual lot with a front or rear yard less than the required average, there shall be not less than one individual lot with corresponding yard greater than the required average, and the deviation from the required average of the larger yard shall be at least equal to the deviation from the required average of the corresponding smaller yard.

(4) Side yards. There shall be a single side yard of not less than 10 feet required only for each individual lot occupied by a semidetached dwelling unit.

(5) Multifamily residential building to multifamily residential building setback requirements: minimum of 25 feet.

(6) Impervious coverage: Impervious coverage, as defined in N.J.A.C. 7:8-1.2 (definition of "impervious surface"), or such successor stormwater management regulations as may be promulgated by the State of New Jersey, shall not exceed 75%.

c Buildings.

(1) Design.

[a] Each dwelling unit shall have not fewer than two means of ingress and egress.

[b] Each dwelling unit shall have not fewer than two exposures.

[c] There shall be no more than eight dwelling units in any single group of dwelling units.

[d] No living space shall be permitted above the third story.

[e] No more than two adjacent dwelling units may be constructed without providing a front wall setback of not less than four feet.

(2) Siting.

[a] Each group of dwelling units shall set back not less than 25 feet from all streets, roads or ways, whether public or private.

[b] Each group of dwelling units within a tract shall be set back not less than 30 feet from any other group of dwelling units within the same tract and shall set back not less than 15 feet from the tract boundary line.

d. Garages.

(1) Design. All garages shall conform architecturally to, and be of similar materials as, the principal building in the development.

(2) Location. Garages may be built into townhouses or may be constructed on individual lots or on common areas, all subject to the approval of the Planning Board.

(3) Private garages. Garages constructed on individual lots under this article shall be subject to the following:

[a] A garage need not be set back from one side line of an individual lot and may be attached to a garage on an adjacent individual lot.

[b] No garage which is not attached to or part of a townhouse on the same individual lot shall be closer than 20 feet to said townhouse.

[c] Common garages shall meet the setback requirements for parking areas as set forth in Article IV, § 255-26G(3), except that the rear walls of such garages may be situated as close as 25 feet to a peripheral public street subject to any greater existing setbacks and approval by the Planning Board.

f. Density. A maximum residential density of 12 dwelling units per acre of gross tract area is permitted for the construction of townhouse dwelling units, provided 20% of the units are deed restricted for occupancy by very-low, low- and moderate-income households in accordance with applicable affordable housing regulations.

g. Parking requirements. As required per N.J.A.C. 5:21 Table 4.4 of the Residential Site Improvement Standards for residential development.

h. Building height. The maximum height shall be three stories. For purposes of this subsection, a story shall mean a "story" as defined in §§ 202 and 505.1 of the 2009 International Building Code, New Jersey Edition. The maximum height of all buildings shall be 55 feet to the mid-point of the roof.

i. Ownership of common areas. Common areas of any tract utilized for a townhouse development which are not accepted by the Township shall be deeded to a corporation, association, individual or individuals or other legal entity consisting of a majority of the property owners within the development for their use, control, management and maintenance. Any agreement providing for such ownership shall be reviewed and approved by the Township Attorney to ensure that adequate safeguards are included guaranteeing the continuance of the agreement in perpetuity and protecting the Township from harm. In any event, said agreement shall give the Township the right to perform maintenance and assess the cost to the property owners in the event that said property owners fail to maintain the property in accordance with the agreement.

- (4) Accessory uses. Permitted accessory uses for the Park Street Overlay District shall be the same accessory uses permitted in the R-5 District.
- (5) Supplemental regulations.
- (a) Affordable units shall be allocated throughout the development and shall not be segregated within one building or portion of a building.
 - (b) Affordable units shall comprise at least 20% of the units in any application for development pursuant to these regulations.
 - (c) All affordable units shall be provided in accordance with the Uniform Housing Affordability Controls (UHAC), applicable rules of the Council on Affordable Housing and the Fair Housing Act.
- (6) General requirements.
- (a) Circulation.
 - [1] The design shall provide for pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas; off-street loading and unloading; and movement of people, goods and vehicles from access roads within the site, between buildings and between buildings and vehicles.
 - [2] The Planning Board shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.
 - (b) Design and building layout. The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection and impact on and from surrounding development and contiguous and adjacent buildings and lands.
 - (c) Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be a type approved by the Planning Board. Lights shall be arranged so as to minimize glare and reflection on adjacent properties.
 - (d) Landscaping.
 - [1] Landscaping shall be provided as part of the overall development design to minimize headlight glare, noise, light from structures and the movement of people and vehicles and to shield activities from adjacent properties and shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and the use of building and paving materials in an imaginative manner.
 - [2] Landscaping shall be maintained and the owner shall be responsible for replacement of dead plants, trees or other landscaping items.

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[3] A landscape plan prepared by a certified or licensed landscape architect, building elevations and lighting and architectural plans shall be submitted as part of all applications for development in the P-O Zone.

[4] In the P-O Zone District, it shall be the intent of the design guidelines to encourage streetscapes of the highest quality. For any such zone which abuts a residential zone, the P-O Zone development shall be designed to be compatible with the character of the adjacent residential area.

(7) Utilities.

(a) Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.

(b) All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.

(c) Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.

(d) Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of Section 18-1 of the Revised General Ordinances of the Township of Cranford as well as the following:

[1] Each receptacle shall be located in a completely enclosed building.

[2] Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings.

[3] Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(8) Developer's Obligation to Provide Affordable Housing.

(a) Prior to the issuance of any construction permit, and as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct at least 20 percent of all dwelling units as low and moderate income housing units.

(b) At least 50% of the rental units shall be available to low income households with no less than 13% of all affordable units shall be affordable to very low income households earning no more than 30% of the median income in the housing region (i.e. 37% of all affordable units shall be affordable to low-income households and at least 13% of all affordable units shall be affordable to very low-income households). The remaining

50% of the units shall be available to moderate income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units and the phasing of construction of market and affordable units shall provide for the construction of affordable units in tandem with the market units according to the requirements of N.J.A.C.5:93-5.6(d).

- (c) The required minimum residential densities and affordable housing set asides for multi-family housing, including apartments and condominiums shall be as follows:

[1] 12 dwelling units per acre with a 20% affordable housing set-aside.

SECTION 7. The property identified on the Cranford Tax Map as Block 508, Lot 1, and known as 464 South Avenue is hereby removed from the Downtown Core District and instead designated as within the Downtown Transition District.

SECTION 8. Chapter 255, Attachment 1 – Schedule of Zone District Area, Yard and Building Requirements shall be updated and revised to reflect the requirements contained in this Ordinance.

SECTION 9. Chapter 255, Attachment 2 – Zoning Map shall be updated and revised to reflect the Zones and amendments enacted by this Ordinance.

SECTION 10. 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 11. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Cranford, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Cranford are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 12. 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 Union County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

SECTION 13. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Cranford for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

SECTION 14. This Ordinance shall take effect immediately upon (1) adoption and publication in accordance with the laws of the State of New Jersey; (2) filing of the final form of adopted ordinance by the Clerk with (a) the Union County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

Introduced:

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Adopted:

APPROVED:

Kathleen Miller Prunty
Mayor

ATTEST:

Patricia Donahue
Township Clerk

RECORDED VOTE

INTRODUCED

ADOPTED

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NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the Regular Business Meeting of the Governing Body of the Township of Cranford held in the Municipal Building on the ____ day of _____, 2020, and the same shall come up for public hearing at the Regular Business Meeting of the Governing Body to be held on the ____ day of _____, 2020, at ____ p.m., at which times any persons interested shall be given the opportunity to be heard concerning said Ordinance. Following the public hearing, said Ordinance shall be considered for final adoption.

, R.M.C.
Municipal Clerk

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