



## ORDINANCE 1736

### CHAPTER 70.12 ZONE REGULATIONS .090 Planned Residential Development Zone (PRD Zone)

#### AN ORDINANCE REPLACING AND SUPERSEDING CHAPTER 17.12.090 OF THE MUNICIPAL CODE OF THE BOROUGH OF GLEN RIDGE IN ITS ENTIRETY TO ADDRESS THE BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS UNDER THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC)

##### 17.12.090 Planned residential development zone (PRD zone).

**A. Purpose.** It is the intent of the PRD zone regulations to create a realistic opportunity for the construction of low- and moderate-income housing in the Borough of Glen Ridge and thereby help to address the fair share housing obligation of the Borough of Glen Ridge under the New Jersey Fair Housing Act ("FHA"), applicable Council on Affordable Housing ("COAH") regulations, the settlement agreement entered into between the Borough and Fair Share Housing Center ("FSHC") on November 12, 2018, and the Borough's Housing Element and Fair Share Plan. The Planned Residential Development Zone (PRD Zone) encourages the development of low- and moderate-income housing by allowing for inclusionary residential development. Any provisions of this title or any other ordinance in conflict with the PRD zoning regulations and which impose higher standards not related to health and safety shall be inapplicable.

##### **B. Definitions**

1. **STACKED TOWNHOUSE.** An attached dwelling unit arrangement with an exterior townhouse appearance where one dwelling unit or a part of one dwelling unit is below or above another dwelling unit, with each dwelling unit having a separate exterior entrance on the ground floor.

##### **C. Permitted principal uses**

1. Townhouses; stacked townhouses
2. Private country clubs subject to the special restrictions in Chapter 17.20;
3. Single-family detached houses. (properties along Ridgewood Avenue) (Shall conform to the R-1 Zone standards)

**D. Permitted Accessory Uses.** Permitted accessory uses shall include accessory use that is customary and incidental to the permitted uses in the PRD Zone, including but not limited to:

1. Accessory buildings;
2. Fences and walls;
3. Off-street parking and garages;

4. Recreational facilities;
5. Signs;
6. Public utility uses;
7. Common open space

#### **E. Affordable housing**

- (1) All multifamily/townhouse developments constructed in the PRD Zone shall be required to set aside a minimum percentage of units for affordable housing. Where units will be for sale, the minimum set aside shall be twenty percent (20%). Where units will be for rent, the minimum set aside shall be fifteen percent (15%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.
- (2) All affordable units to be produced pursuant to this section shall comply with the Borough's Affordable Housing Ordinance of the Borough Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC")(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, and the Borough's Housing Element and Fair Share Plan, as may be amended from time to time. This includes, but is not limited to, the following requirements for all affordable units:
  - a. Low/Moderate Income Split: A maximum of 50% of the affordable units shall be moderate-income units and a minimum of 50% of the affordable units shall be low-income units. At least 13% of all restricted rental units shall be very low-income units across all bedroom distribution, which shall be counted as part of the required number of low-income units within the development.
  - b. Bedroom Mix: If the development is not age-restricted, the following bedroom mix shall apply:
    - i. The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total low- and moderate-income units;
    - ii. At least 30% of all low- and moderate-income units shall be two bedroom units;
    - iii. At least 20% of all low- and moderate-income units shall be three bedroom units; and
    - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
  - c. Deed Restriction Period: All affordable units shall be deed restricted for a period of at least 30 years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period") or until the municipality in which the unit is located elects to release the unit from such requirements pursuant to action taken in compliance with UHAC Section 5:80-26.11E. The affordability controls shall expire at the end of 30 years after the date of the initial occupancy of the respective individual affordable unit, except, as to rental units, the affordability controls shall remain in effect until the date on which a rental unit shall become vacant, provided that the occupant household continues to earn a gross annual income of less than 80% of the applicable median income. See N.J.A.C. 5:80-26.11(b). If, at any time after the end of 30 years after the date of initial occupancy, a rental household's income is found to exceed 80% of the regional median income, the rental rate restriction shall expire at the later of either the next scheduled lease renewal or 60 days. Ibid. For for-sale units, the deed restriction shall expire only after it is properly released by the Town and/or the Borough's Administrative Agent.
  - d. Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
  - e. Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Borough's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and

screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between all of the buildings on its site, and shall identify the exact location of each affordable unit at the time of site plan application.

## **F. Requirements**

1. Area, Bulk and density requirements.
  - a. Minimum Tract Size. Thirteen acres.
  - b. Maximum Permitted Density. The maximum density shall be 18 units per acre for the property available for townhouse/stacked townhouse development.
  - c. Minimum Tract Setback. All development shall maintain a twenty five-foot minimum buffer to all exterior property lines, except there shall no buffer along the shared municipal boundary of the golf course. Said buffer shall be bermed or landscaped with a 4-season buffer and remain unoccupied except for entrance roads or utilities. In addition, there shall be a forty five-foot setback from all townhouse development units to all interior single-family property lines.
  - d. Frontage Along Ridgewood Avenue. The frontage along Ridgewood Avenue shall be developed for single-family homes. The single-family lots shall comply with the bulk standards of the R-1 zone, Section 17.12.020.
  - e. Maximum Height.
    - a. Single Family
      - i. Principal building: thirty-five feet.
      - ii. Accessory building: fifteen feet.
    - b. Townhomes
      - i. 3 stories or 42 feet, whichever is lesser
  - f. Minimum Common Open Space. Twenty percent. Ownership and maintenance of common open space shall be regulated by N.J.S.A. 40:55D-43, Standards for the Establishment of Open Space Organization.
  - g. Yards
    - a. Single Family (Shall conform to the R-1 Zone standards)
    - b. Townhomes
      - i. Front yard. There shall be no front yard less than 20 feet
      - ii. Side yard. No side yard shall be less than 15 feet, for a lot that fronts two intersecting roadways, whether private or public streets, the side yard fronting on said roadway shall meet front yard requirements.
      - iii. Rear yard. There shall be a rear yard of at least 20 feet
  - h. Maximum Impervious Coverage. Seventy percent.

## **2. Building Requirements**

- A. Single Family Homes – Shall conform to the R-1 Zone standards
- B. Townhomes
  - a. Location of building. Dwelling units, buildings and their front facades shall be oriented towards the public and/or private roadway. Primary dwelling unit entrances shall be located on the front façade of any structure that is oriented towards the public and/or private roadway. Where dwelling units or building does not front on a public/private roadway, they shall be oriented towards interior open spaces. All units and buildings shall be oriented away from parking lots.

- b. Units per building. No building shall contain more than 6 dwelling units in a townhome configuration and 12 units in a stacked townhome configuration and no dwelling unit shall be located in an attic, basement or cellar.
- c. Distance between buildings. There shall be a minimum distance of 40 feet between principal structures. If an access drive is located between principal structures, the minimum distance between the structures shall be 40 feet. In addition, the following requirements shall be met:
  - i. Buildings which are parallel to one another or approximately so but which overlap one another, shall be at least 40 feet apart at the closest point; provided.
- d. Construction. The outside walls of a building shall be of fire-resistant material, such as brick, stone or masonry, as approved by the Planning Board. Interior walls separating dwelling units shall also be constructed with fire resistant material.
- e. Design. In order to provide attractiveness, identity and individuality to dwelling units, buildings and complexes of buildings within the entire development and to avoid the monotonous repetition of design elements and its undesirable visual effects, the following design standards shall be utilized:
  - i. Varying dwelling unit widths, staggering dwelling unit setbacks and altering building heights and rooflines;
  - ii. Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building;
  - iii. Varying the front entrance definition and articulation between dwelling units, buildings or complexes of buildings, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - iv. Each dwelling unit shall have at least two exterior exposures with at least one window in each exposure.
  - v. Each townhouse dwelling unit shall contain as a minimum a separate living room, a separate bedroom, a separate bath, a basement or cellar for storage and utilities, an enclosed garage and a separate kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
- f. Dwelling unit size: One, two and three bedroom units are permitted are only permitted in townhouse dwelling structures. Units shall meet the following criteria:
  - i. One bedroom - unit minimum 750 sq. ft.
  - ii. Two bedroom - unit minimum 1100 sq. ft.
  - iii. Three bedroom - unit minimum 1250 sq. ft.
  - iv. As it relates to any units with dens:
    - a. Dens must adjoin a living space
    - b. Dens must be built without closets and at all times post-construction have no closets
    - c. Dens must be accessed through a wider-than-usual opening
    - d. The addition of a door, wall and a closet is at all times prohibited
  - v. Each change in lease occupancy (including lease assignment and lease sub-letting) would require the issuance of a certificate of continued occupancy to verify continue compliance with the foregoing, the

reasonable cost of each such inspection to be borne by the owner of the property.

- vi. All affordable units shall be constructed as the same size as market rate units.
- g. Miscellaneous.
  - i. Buildings shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents.
  - ii. Window air conditioning units are not permitted.
  - iii. Television connections shall be provided for each unit. One satellite dish shall be permitted per structure and may not be visible from any street.
  - iv. All trash and recyclables shall be stored in covered containers. They may be stored within or outside the building. If the materials are stored outside, they must be kept in a permanent enclosure with a latching gate in a centrally located, concealed area approved by the Planning Board.
  - v. Each dwelling unit shall be provided with a completely enclosed, covered storage space. Such storage area shall be exclusive of normal interior closets and may either be contained within the dwelling unit or building, attached thereto or located separately.
  - vi. Each townhouse dwelling unit shall have an individual private yard area or open patio or court adjoining the unit of at least 20 feet in depth. Steps, roof overhangs, bay windows and similar features shall not project into such area more than three feet. Each private yard area, patio or court shall be effectively screened from adjoining units by a fence, wall, or natural screening in order to provide a reasonable degree of privacy. For units facing a common green/open space, that shall meet the requirement of a yard space.

### **3. Minimum Off-Street Parking Requirements**

- a. Off-street parking facilities shall be provided in accordance with the Residential Site Improvement Standards (RSIS).
- b. All required parking must be provided on-site.
- c. Garages may be counted as parking space.
- d. All common parking lots shall be screen from the public view through approved landscaping.
- e. Adequate fire and emergency access must be provided
- f. On-site parking shall not be provided for any use or to any party other than a resident or visitor of the site, nor shall parking areas be used for any purpose other than parking.
- g. Signage shall be provided where parking spaces are to be reserved for residents. Visitor parking shall be signed and painted for each space designated for such a purpose.
- h. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).

### **4. Lighting**

- a. Adequate lighting shall be provided for all parking areas and pedestrian walkways.
- b. All outdoor lighting, including street lamps and accent lighting, should comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies.

- c. Lighting for a building must be contained on the property on which the building is located.
- d. LED lighting shall be permitted in addition to all of the conditions of the land use ordinance standards for lighting.

Ordinance Introduction: Tuesday, October 13, 2020

Ordinance Adoption: Monday, October 26, 2020

ATTEST:

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Stuart K. Patrick  
Mayor

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Tara Ventola  
Municipal Clerk