

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #17-14

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO AMEND AN ORDINANCE ENTITLED REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, AND MORE SPECIFICALLY TO AMEND CHAPTER 16.02-PURPOSE, ADMINISTRATION, AND DEFINITIONS, CHAPTER 16.22 ZONING DISTRICTS ESTABLISHED, CHAPTER 16.64 GENERAL DESIGN AND USE REGULATIONS, CHAPTER 16.68_ CONDITIONAL USES, AND SECTION 16.26F PLANNED COMMERCIAL-OFFICE-SERVICE DISTRICT

BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan as follows:

Section I - Intent

It is the intent of this amendment to permit the development of commercial, office, and service uses, as well as an inclusionary residential development option within the PCOS zoning district of the Township when such uses provide adequate open space and a mixture of uses.

Section II-Planned Commercial-Office Service District

Section 16.63 Planned Commercial-Office-Service District is hereby amended as follows:

16.63.020 Purpose

It is the purpose of this amendment to permit the development of a residential component to the existing Raritan Town Square to permit the development of a rental housing component that will include apartments affordable to low and moderate income households when such uses provide adequate open space, architectural detail, public and semi-public areas, provide for a mixture of uses, and are serviced by public sanitary sewer and public water.

16.63.030 Principal Permitted Uses

- A. Retail;
- B. Professional Offices;
- C. Business Offices;
- D. Restaurants (including outdoor seating areas and drive through);
- E. Delicatessen;
- F. Medical Offices;
- G. Optometrist, including eye glass sales;
- H. Movie Theaters;
- I. Catering and Assembly Halls;
- J. Hotels (excluding motels);
- K. Dry Cleaning drop off shops;
- L. Banks;

- M. Barbers, Beauty Salons, Nail Salons, Spas and other cosmetic services;
- N. Travel Agents;
- O. Photographers;
- P. Real Estate offices;
- Q. Indoor Recreational Uses;
- R. Outdoor Recreation facilities;
- S. Public Uses;
- T. Theaters and Civic Facilities;
- U. Parking Structures;
- V. Light Manufacturing provided the use is not visible by the general public and the *use* is conducted solely within a building
- W. Child Care Centers;
- X. Multi-family residential housing units, subject to conditions in Section 16.20.040.
- Y. The following Uses are specifically prohibited:
 - 1. Car Wash
 - 2. Vehicle Repair
 - 3. Vehicle Sales
 - 4. Wholesale and distribution facilities
 - 5. Kennels
 - 6. Motels
 - 7. Outdoor storage of goods or materials.
 - 8. Permanent Outdoor sales

Section 16.63.040 Conditional Uses

- A. Essential Services
- B. Public and Private Schools and Day Nurseries
- C. Houses of Worship
- D. Seasonal Sales Areas

Section 16.63.050 Floor Area Requirements: Maximum total FAR 590,250 s.f. (0.24) for Lots 35 & 36

Use Category (Principal Use)	Min. Required Square Feet (% of total retail square feet developed)	Max. Developable Square Feet (% of total floor area developed)
1. (Retail)	N/A	65%
2. (Service Uses)	74,995 sf	No Maximum
3. (Office Uses)	12,636	No Maximum

Residential apartment buildings are not included in floor area ratio calculations.

Category 1: Retail Sales

Category 2: Service Uses, Child Care, Restaurants (including take out and exterior eating areas), Hotels, Banquet Facilities, Conference Facilities, Recreation, Movie Theaters, Theaters, Public Uses, Civic Uses, Light Manufacturing, Insurance and Real Estate offices, and Travel Agencies.

Category 3: Office Uses (including professional, business, medical, research labs)
(See Section 16.63.060.B for additional requirements)
Any Civic Use developed shall count towards Category 2 as 1.5 sq. ft. for every 1 sq. ft. developed when approved by the Planning Board (See Section 16.63.060.8.3).

Category 4: Residential Uses: The maximum permitted total units for multi-family apartment housing within the district is 140 dwelling units of which 20% or 28 dwelling units shall be deed restricted so as to remain affordable to low and moderate income households.

- C. The market rate rental apartments units shall be either efficiency units, one-bedroom or two (2) bedroom units only. There shall be no market rate units with more than two (2) bedrooms. The affordable units shall comply with the bedroom allocation requirements pursuant to N.J.A.C. 5:93 – 7.3(a).
- D. The phasing of market rate to affordable units during construction will meet the construction sequence schedule set forth in N.J.A.C. 5:93– 5.6(d).
- E. Each structure shall have a mix of market rate and affordable units, intermixed throughout the building structure and floors. The exterior of the affordable units shall be visually similar in appearance to the market rate units.

Section 16.63.060 Open Space and Buffer Requirements

- A. A 100 ft. open space buffer area shall be provided along the frontage of a state highway and a 50 ft. open space buffer shall be provided along the frontage of any County or Township road.
 - 1. The open space buffer shall not be used for parking, loading, storage, or any activity that is either part of or accessory to the proposed use.
 - 2. The open space buffer may contain utility lines, driveways, or pedestrian or bicycle paths, provided that:

- a. The proposed locations of such uses are necessary for their proper functioning, and such uses cross the buffer where feasible, rather than lie along the length of the, buffer, and
 - b. The total width of the buffer is maintained.
3. Detention basins shall not be permitted in the open space buffer, with the exception that retention ponds and/or underground storm water management systems are permitted:
- B. A minimum of 10% of the total lot area shall be set aside and/or developed for usable open space, public and/or civic uses. All open space and civic or public uses shall be reviewed and approved by the Planning Board.
1. The open space requirement may be provided by exterior green spaces or interior civic or other public indoor recreational facility or interior public spaces or any combination thereof. The use of interior civic or public recreational spaces shall be considered as a Category 2 use, as listed in Section 16.63.050. Interior spaces shall account for no more than 50% of the total open space requirement. Interior spaces may be located in individual buildings, on upper floors, portions of buildings, or any combination thereof.
 2. The Residential Uses shall provide a recreational amenity located in proximity to the Residential building and provide a minimum area of 400 s.f. for play- area or structure.
 3. Maximum impervious cover = 55%
 4. Any interior civic space may be counted as 1.5 sq. ft. of floor area under category 2 in Section 16.63.050 Floor Area Requirements, for every 1 sq. ft. of gross floor area developed when such Civic space is approved by the Planning Board.

Section 16.63.070 Utilities

- A. All uses must be serviced by sanitary sewer and public water. Applicant shall submit evidence of sufficient sanitary sewer and potable water capacity, as per the municipal application checklist requirements before application can be heard.
- B. All public utilities must be located underground.

Section 16.63.080 Shared development

Either through private agreements, joint ownership, joint application, or other means the hard surface coverage, parking, open space and floor areas for the various uses may be provided, transferred and/or clustered on one or all sites (i.e. the entire zone may be developed as one site). Such transfer will require approval of any and all agreements, easements or other necessary documentation by the Planning Board.

Section 16.63.090 Parking

- A, Parking requirements on the site may be reduced to 1 space per 250 sq. ft. of gross floor area provided an adequate mixture of land uses is provided that permits the sharing of parking facilities. Additional sharing, of parking facilities may be permitted after review by the Planning Board.
- B. Parking for the residential use must meet RSIS standards.
- C. Parking islands and landscaping to meet existing Township standards.
- D. Handicapped parking spaces must be provided in accordance with State of NJ regulations.

Section 16.63.110 Design Guidelines

1. Signs (both ground and wall signs) shall be coordinated in color and design. Directional signs shall be provided throughout any development to assist in the flow of traffic to the most efficient entry and exit point.
2. A common green space complimentary to civic and recreational uses shall be provided.
3. A mixed use (retail/office/service/civic) area shall be provided adjacent to the central green space.
4. Uses should be clustered within any development to aid in pedestrian access among the various uses. Uses shall not be located on isolated building pads.
5. Multi-story development is encouraged.
6. Parking facilities should be designed so that they are shielded from view from the public areas within the site and from passers-by on exterior roadways. Parking areas should be so located as to aid in the sharing of parking facilities.
7. All parking areas, storm water systems, buffers, green spaces and other areas shall be landscaped as per township requirements.
8. The overall architectural design of the site should be coordinated in color, scale and design. Each individual use shall be architecturally delineated.
9. Loading and other building service areas shall be shielded from view from the public and shall be combined, where possible.
10. Lighting shall be kept to a minimum and shall follow requirements found elsewhere in this ordinance.

11. Any parking structures shall be adequately lit. In addition, any such structure shall be incorporated into the overall architectural design of the site.
12. School Bus Pads that meet the standards of the Raritan Township public school districts need to be provided
13. Each residential shall have a mix of market rate and affordable units, intermixed throughout the building structure and floors. The exterior of the affordable units shall be visually similar in appearance to the market rate apartment units.

Section 16.63.120 Hours of Operation

All uses shall be closed to the general public from 2 am to 5 am of every day, except uses within 200' of the Residential Buildings shall limit hours of operation to 12 am to 5 am.

Section III

Section 16.68.60 Specific Standards shall be amended as follows:

U. Seasonal Sales Areas.

1. The seasonal sales shall be accessory to a use already conducted on the site.
2. The sales shall not exceed a period of 6 months per calendar year.
3. No additional signage is permitted.
4. The area shall be designated on an approved site plan.
5. If the seasonal sales area is to be located on area designed and approved for use as parking, the Planning Board may determine at any time that the area shall be converted back to its primary use as a parking area if the parking demand of the property requires it.

Section IV

Section 16.64.010 Schedule I (Schedule of Area, Yard, and Building Requirements) shall be amended and supplemented as follows:

See separate table

Section V

Any component of the residential portion permitted within the PCOS District shall be exempt from the requirements of Section 16.20.040.

Section VI

Residential Affordable Housing Requirements

All Residential Rental Development shall set aside a minimum of 20% of the total number of units for affordable housing. There shall be a maximum of 140 units allowed in the PCOS Zone.

Each individual applicant for tenancy in an affordable unit shall be reviewed by the applicant and the Township's administrative agent, (present Central Jersey Housing Resources Center Inc.), The applicant shall provide on a timely basis and upon request to the Township planner and Administrative Agent with all the information necessary for the Township to document affordable housing compliance. There will be a 30 year deed restriction on the affordable housing units, which will restrict the use of the 28 units to affordable housing in accordance with the rules and regulation of the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq. and the substantive rules of the Council on Affordable Housing., if applicable, as amended and in effect. The form of this deed restriction shall be reviewed by the Raritan Township Special Affordable Housing Attorney for conformity to this resolution and will be recorded with the Hunterdon County Clerk prior to the start of construction.

Zone	Principal Permitted Uses	Lot Area ² (Sq. ft)	Lot Width ³ (frontage)		Minimum Yards Principal Structures			Side & Yards Setbacks for Accessories Structures			Maximum Height	Maximum Hard Surface Coverage (percent)	FAR (%)	Existing Lot of Record		Residential Cluster Subdivision Permitted
			Inside Lot	Corner Lot	Front	Rear	Side	Housing Animals	Other Farm Structures	Non-Farm Structures				Principal Structures	Accessory Structures	
PCOS	Retail, Office Service	5 acres	300	300	100/50 ¹⁹	40	50 ²¹	100 ²¹	N/A	N/A	N/A	55%	20 ²⁰	N/A	N/A	N/A

² See Section 16.64.130 for steep slope modifications.

³ See Section 16.64.090 for where measured, exceptions and lot circle requirements.

¹⁹ Front setback requirement is 100 ft. from a state highway and 50 feet from a county or township road. See Section 16.63 for additional setback and buffer requirements.

²⁰ See section 16.63.050 for additional floor area requirements.

²¹ There shall be no side setback requirements where interior lot lines within the zone abut.

Section VII Severability

If the provision of any article, subsection, paragraph, subdivision or clause of this Chapter shall be judged invalid by any Court of competent jurisdiction, such Order or Judgement shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section VIII

All other provisions of the said ordinance shall remain in full force and effect.

Section IX

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 with the Hunterdon County Planning Board.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

Rose Sollena, RMC
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan at a meeting held on June 5, 2017 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of June 20, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Raritan Township (Flemington), N.J. at which time all interested persons will be heard.

Rose Sollena, RMC
Acting Township Clerk