

ORDINANCE NO. 15-2022

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, AMENDING CHAPTER 225 ZONING OF
THE HARRISON TOWNSHIP CODE TO ADD TO ARTICLE II RESIDENTIAL DISTRICTS §225-
15.1 R-8 SPECIAL RESIDENTIAL DISTRICT

WHEREAS, pursuant to the authority and process outlined by the New Jersey Supreme Court in In the Adoption of N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015) ("Mount Laurel IV"), the Township of Harrison ("Township") initiated a declaratory judgment action in the Superior Court of New Jersey, entitled In the Matter of the Application of the Township of Harrison in Gloucester County, Docket No. GLO-L-908-15, seeking a declaration that its Housing Element and Fair Share Plan (the "Plan") presents a realistic opportunity for the production of affordable housing, that said plan satisfied the Township's Mount Laurel affordable housing obligations, and seeking entry of a Judgment of Compliance and Repose; and

WHEREAS, during the pendency of the proceedings, the Township was able to reach a settlement with Fair Share Housing Center ("FSHC" or "Fair Share"), dated November 14, 2019, regarding satisfaction of the Township's third round fair share obligation, which agreement was approved by the Court at a Fairness Hearing held on January 7, 2021, and with the Township's efforts towards compliance, resulted in the granting of a Conditional Judgment of Compliance and Repose entered on January 27, 2021; and

WHEREAS, due to changes in the status of one or more compliance mechanisms set forth in the Township's plan, the Township and FSHC successfully re-engaged in negotiations and were able to reach agreement on an amended Plan to ensure the Township's continued satisfaction of its Mount Laurel affordable housing obligations; and

WHEREAS, the terms of the amended settlement between the Township and FSHC are memorialized in an Amended Settlement Agreement entered into on December 20, 2021 (the "Amended Settlement Agreement"), which was reviewed and approved by the Court at a Fairness Hearing held on March 11, 2022; and

WHEREAS, pursuant to the terms of the Amended Settlement Agreement and in accordance with the March 11, 2022 Fairness Hearing, on March 17, 2022, the Harrison Township Joint Land Use Board adopted an amendment to the Plan entitled "Amendment to the 2016 Third Round Housing Element and Fair Share Plan, Township of Harrison, Gloucester County, New Jersey," dated March 4, 2022, incorporating the changes to the Plan; and

WHEREAS, pursuant to its obligations under the Court approved settlement agreement, and in furtherance of the Amended Plan, the Township seeks to create a new R-8 Special Residential Zoning District.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Harrison, County of Gloucester, and State of New Jersey, as follows:

Section 1. Chapter 225 "Zoning" of the Code of the Township of Harrison, Amended. Chapter 225 "Zoning", Article II "Residential Districts", of the Code of the Township of Harrison ("Code"), is hereby amended to add a new Section 225-15.1 "R-8 Special Residential District", to read as follows:

§ 225-15.1. R-8 Special Residential District.

A. Purpose. To provide for a diversity of housing options in the Township and to provide affordable housing options as required by N.J.A.C. 5:93 et seq, Chapter 67, Affordable Housing of the Harrison Township General Legislation, and in conformance with the Fair Share Housing Center 2021 Settlement Agreement.

B. General.

- (1) All regulations in §225-13 R-4 Special Residential District shall apply unless otherwise modified in this ordinance.
- (2) The district shall be developed in a comprehensive manner pursuant to one development plan.

C. Permitted uses.

- (1) Permitted uses. In the R-8 Special Residential District, no building or premises shall be used, and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses:
 - (a) Townhouses
 - (b) Mid-Rise Apartments
- (2) All permitted uses on the site shall include a 20% set aside of affordable units that complies with Chapter 67 Affordable Housing of the Harrison Township General Regulations and the 2016 Housing Plan as amended through 2022
- (3) Accessory uses. In the R-8 District, the following uses may be permitted as accessory uses:
 - (a) Parking
 - (b) Community and recreational amenities, including clubhouse, rental office, and management office
 - (c) Dumpsters, trash compactors, and other trash, recycling, utility, or maintenance structures
 - (d) Street furnishings, planters, streetlights, and exterior, garden-type shade structures
 - (e) Fences and walls
 - (f) Decks, patios, and terraces

(g) Mailbox structures

(h) Loading/Delivery areas

D. District bulk, area, and other regulations. The following shall be the standards for the R-8 Special Residential District:

(1) Tract development.

(a) Minimum tract area: 60 acres.

(b) Minimum building setbacks.

i. Where building facade to tract line: 50 feet from the tract line.

(c) Minimum buffer from tract line to parking, drive aisle, or turnaround area: 25 feet

(d) Maximum permissible development density:

i. The average gross density shall not exceed 8 dwelling units per acre.

(e) Maximum building height: 45 feet.

(2) Design criteria.

(a) Distances between structures. In development groups (more than one building or structure on the tract), the following distances shall be maintained between structures.

i. Any building face to street curb or internal road right of way: 15 feet minimum from any front building face or 15 feet from any side building face or corner.

ii. End wall to window wall: 25 feet minimum.

iii. Window wall to window wall (separate buildings): 25 feet minimum.

iv. Window wall to window wall (in same building): 40 feet minimum, exclusive of architectural accents, including, but not limited to, nooks, notches, or bays.

(3) Building site design principles.

(a) Overall Principles.

- i. While not required, all buildings shall try to integrate the design standards set forth in §174-13 as related to architectural style and materials.
- ii. Parking stalls for residents and visitors shall be located near dwelling unit entrances.
- iii. Screening of private outdoor living areas shall be addressed and may be accomplished with plant materials, masonry structures or wood fencing. Architectural elements such as masonry walls and fences shall be compatible in both style and materials with the dwelling unit of which it is part.
- iv. The design of all accessory uses, including but not limited to street furnishings, planters, streetlights, exterior garden-type shade structures, fences, walls, decks, patios, and terraces, shall complement the architectural style, type, and design of the buildings and the overall project design.

(b) Townhouses.

- i. Townhouse structure shall be limited to 8 ground floor units per structure and shall not exceed a total of 16 units per structure if stacked townhouses are used. Townhouses shall be grouped in clusters of consistent architectural design. Architectural treatment, roof changes or vertical or horizontal offsets of a minimum of two feet to create visual breaks on the exterior of buildings should be provided.
- ii. Open balconies or outdoor private living spaces for individual dwelling units should be provided. Balconies integrated into the architectural facade shall be considered as architectural offsets if more than two feet in depth.

(c) Mid-rise apartments.

- i. Mid-rise apartments shall be located on a site directly adjacent to the major portions open space in the development.
- ii. Open balconies, decks, patios, or garages at the ground floor units should be provided. Balconies integrated into the architectural facade shall be considered as architectural offsets if more than two feet in depth.
- iii. Architectural treatment, roof or parapet changes, or jogs of a minimum of two feet to create visual breaks on the exterior of the buildings should be provided.

- iv. Architectural treatments, porticos and material changes at points of principal entry should be provided.

(4) Vehicular, bicycle, and pedestrian circulation.

- (a) Access. One access point, to and from the tract, shall be permitted for every 300' of frontage. Access drives or driveways shall be provided in accordance with the criteria provided in this section.

- (b) General vehicular circulation design principles.

- i. The street system should utilize, where appropriate, cul-de-sacs, roundabouts, loop streets, and other suitable forms of street layout. Varying street widths according to their intended traffic carrying and parking purposes are encouraged.
- ii. An emergency access drive may be provided. This access drive may be fenced off or gated when not in use.
- iii. Road and driveway connections from main roads shall be located at grade and not below the crest of vertical curves.
- iv. Vehicular connections to adjacent properties may be provided where appropriate.

- (c) Pedestrian circulation.

- i. Comprehensive on-site pedestrian circulation shall be provided that includes ADA compliant crosswalks at all internal intersections.
- ii. A comprehensive bicycle and pedestrian plan shall be provided that takes into consideration future development at the State, County, and local level. Consideration shall be given to linking pedestrian and bicycle circulation features to adjoining open space and amenities, as determined, to be appropriate and feasible.
- iii. Thermoplastic and laddered or paved crosswalks, a minimum of six (6') feet in width and stop bar, as well as stop sign shall be placed across all curb cuts, in accordance with Manual on Uniform Traffic Control Devices (MUTCD).

(5) Parking and loading requirements.

- (a) Off-street parking. The standards set forth in the RSIS shall govern all off-street parking.
- (b) EV Charging Stations. The standards set forth in the Model Statewide Municipal Electric Vehicle (EV) Ordinance published by the New Jersey

Department of Community Affairs on September 1, 2021, shall govern the requirements for the installation of electric vehicle charging stations as required under P.L. 2021, c. 171.

- (c) Location of parking spaces.
 - i. Parking spaces, open or enclosed, shall be on the same lot or tract of land as the building or use to be served.
 - ii. A parking space plan addressing parking space allocations shall be submitted with the site plan application.
- (d) Bicycle parking design principles.
 - i. Location. Bicycle parking facilities shall be located indoors and outdoors.
 - ii. Mid-rise apartment buildings shall have dedicated interior space or an enclosed room for storage of bicycles.
- (e) Off-street loading requirements.
 - i. Mid-rise apartments should provide one off-street loading area for deliveries per building.
- (6) Open space and recreational facilities.
 - (a) Open space distribution requirements are as follows:
 - i. Common active open space, including recreational facilities: 40,000 square feet minimum. Common active open space calculations shall not include lands in conservation easements.
 - (b) Recreational facilities.
 - i. Play lots. One play lot, a minimum of 5,000 square feet in size, that includes facilities within the play lot for multiple age groups including toddlers and adolescents, shall be provided. All facilities shall be ADA compliant.
 - ii. Passive recreation features including walking paths, shade structures, benches and other types of seating areas should be integrated into the overall design.
- (7) Landscape standards. All landscaping requirements shall conform to §225-138 as indicated below or unless otherwise noted below.
 - (a) Street trees. Street trees shall be provided in addition to any buffer requirements for municipal or county streets in accordance with §192-22.

(b) Landscape buffers. Buffers shall be provided along all site edges as provided for herein:

i. A 25' landscape buffer shall be required around the entirety of the tract in compliance with §225-138.

(c) Parking areas.

i. Landscape Islands.

[a] Each off-street parking area shall have interior islands with a minimum area equivalent to one parking space per every ten (10) spaces.

[b] No more than twenty (20) parking spaces shall be placed in one row of parking without an intervening parallel landscape island.

[c] Islands shall be landscaped with shade trees and a combination of evergreen bushes and/or ground cover. Tree canopies should be no lower than 7' and bushes no higher than 3' to allow for proper vehicular visibility.

[d] Parallel parking islands shall be a minimum of 9' wide to allow doors to open and provide sufficient soil volume for shade trees planted in the island.

[e] Perpendicular parking islands shall be a minimum of 10' wide to allow for car overhang and provide sufficient soil volume for shade tree growth.

[f] All parking islands shall be protected with concrete or Belgium block curbing

(8) Stormwater.

(a) All stormwater management on the site shall be in compliance with N.J.A.C. 7:8 and Chapter 188 Stormwater Management of Harrison Township's General Legislation.

(b) Low impact development techniques, such as protecting natural drainage features, using low maintenance landscaping and natural vegetation for retention, and minimizing lawn areas to reduce fertilizer and pesticide use, and others as required under N.J.A.C. 7:8, shall be utilized across the site.

(c) All basins on the site shall be naturalized with appropriate vegetation in accordance with best management practices as described in NJDEP's, NJ Stormwater Best Management Practices Manual as most recently amended.

- (9) Sign regulations. Signage in the R8 Special Residential District shall conform to the requirements provided in this subsection.
- (a) General. Each site plan application shall include a signage plan showing the specific design, location, size, height, construction, and illumination of proposed signs in accordance with the regulations contained herein.
 - (b) Permitted signs. The following standards shall apply to all signs in the R8 Special Residential District. No sign type other than those identified below shall be permitted.
 - i. Monument signage.
 - [a] One monument sign shall be permitted at each access point.
 - [b] The maximum monument sign area, excluding the base structure, shall be 30 square feet per side.
 - [c] The maximum monument sign height, including structure and sign area, for signs along Swedesboro Road shall be 12 feet.
 - ii. Wayfinding signage.
 - [a] One freestanding or wall wayfinding sign shall be permitted for each building entrance.
 - [b] Freestanding wayfinding signs shall be permitted, to be spaced throughout the site for the purpose of wayfinding as needed.
 - [c] The maximum wayfinding sign area shall not exceed nine square feet and the letter height shall not exceed four inches.
 - [d] For freestanding signs, the maximum sign height, including structure and sign area, shall be six feet above existing grade.
 - iii. Street address signage.
 - [a] Street address signage shall be provided on each building or for each individual tenant.
 - [b] Street address numbers shall have a maximum height of six (6) inches on Townhomes and ten (10) inches on mid-rise apartment buildings.
 - iv. Seasonal banners may be attached to light posts.
- (10) Loading, refuse and recycling, and service utility areas.

- (a) All loading, refuse and recycling collection, service and utility areas shall be sufficient in size to collectively serve the development. The required method of screening for dumpsters, trash compactors, recycling facilities or other outdoor storage areas shall conform to the standards outlined in § 174-14.G.
- (b) Outside deposit areas shall not be permitted in any required yard, setback, or buffer area, nor shall they interfere with the operation of off-street parking facilities.
- (c) Trash compactors, recycling facilities, and loading areas shall be located on the site so as to provide clear and convenient access for collection vehicles.
- (d) The applicant shall provide a waste management and recycling plan, subject to Township review and approval. Such management plan shall be submitted with an application for preliminary approval.
- (e) Refuse and recycling requirements. All refuse and recycling requirements of §185-8 shall apply.
- (f) Outdoor waste and recycling storage areas.
 - i. A central area consisting of trash compactors and recycling facilities may be provided to service the entire development. This area shall be conveniently located for residential deposition of waste and recyclables.
 - ii. Alternatively, indoor storage areas may be provided in the apartment buildings and Townhouses and temporarily placed outside on days of pickup.
- (g) Dwelling unit storage.
 - i. Townhouse dwelling units shall provide a location within the unit for storage of designated recyclable materials and solid waste. Such storage space may be provided within the attached garage structure.
 - ii. A separate location for storage of designated recyclable materials within individual mid-rise apartment building dwelling units is not required, provided that each floor of the mid-rise apartment building shall include a central room for trash and recycling with bins for collection of recycling and a chute for trash terminating in a collection area within the structure
- (h) Transformers, telephone terminal boxes, and cable TV boxes located on the ground shall be screened from view with appropriate landscaping or architectural features integrated into the building or overall site design.

(11) Snow storage and removal. Procedures for snow storage and removal shall be identified. On site salt storage may only occur in enclosed structures.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Harrison Township Code, or other ordinance or resolution or any part thereof, inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. Referral. After introduction, the Municipal Clerk is hereby directed to submit a copy of the within Ordinance to the Harrison Township Joint Land Use Board for its review and report in accordance with N.J.S.A. 40A:55D-64.

Section 5. Notice. The Municipal Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Gloucester County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40A:55D-62.1.


Section 6. Effective Date. This Ordinance shall take effect upon its passage and publication, filing with the Gloucester County Planning Board, and as otherwise provided for by law.

TOWNSHIP OF HARRISON

By:

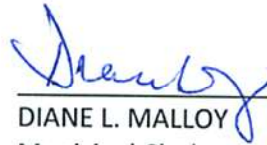

LOUIS F. MANZO, MAYOR

ATTEST:


DIANE L. MALLOY, Municipal Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on April 4, 2022. It will be further considered for final passage, after public hearing heron, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on April 18, 2022, at 7:30 p.m. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.



DIANE L. MALLOY
Municipal Clerk