

ORDINANCE NO. 14-2022

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 ARTICLE VIII.A "SUPPORTIVE SPECIAL NEEDS
HOUSING" OVERLAY 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 Supportive Special Needs Housing Overlay 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", of the Code of the Township of Harrison ("Code"), is hereby amended to add a new Article VIII.A "Supportive Special Needs Housing Overlay District", to read as follows:

Article VIII.A SSNH Supportive Special Needs Housing Overlay District.

§ 225-68.1. Supportive Special Needs Housing (SSNH) Overlay District.

A. Purpose. In order to provide for a diversity of housing options in the Township, provide supportive housing to adults with special needs 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 Code, and in conformance with the December 20, 2021 Settlement Agreement with Fair Share Housing Center in an affordable housing declaratory judgment action entitled In the Matter of the Application of the Township of Harrison in Gloucester County, Docket No. GLO-L-908-15.

B. General.

- (1) All regulations in Article VIII INS Institutional District shall apply unless otherwise modified in this ordinance.
- (2) The overlay zone shall be developed in a comprehensive manner pursuant to one development plan.

C. Permitted uses.

- (1) Permitted uses. In the Supportive Special Needs Housing (SSNH) Overlay 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) One-Story Attached Living Spaces for Supportive Special Needs Housing that include a shared interior and exterior communal living space for residents, which shall be 100% affordable units that comply with Chapter 67 Affordable Housing of the Harrison Township Code and the 2016 Housing Plan as amended through 2022.
- (2) Accessory uses. In the Supportive Special Needs Housing (SSNH) Overlay District, the following uses may be permitted as accessory uses:
 - (a) Parking
 - (b) Community and recreational amenities, including a community building 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
- (i) Structures for support staff that may include facilities for overnight stays.

§ 225-68.2. **District bulk, area, and other regulations.**

The regulations found in Article XIII, INS Institutional District shall apply unless otherwise modified below. The following shall be the standards for the SSNH Supportive Special Needs Housing Overlay District:

A. Tract development.

- (1) Minimum tract area: 5 Acres
- (2) Maximum permissible development density:
 - (a) The average gross density shall not exceed 6 dwelling units per acre.
 - (b) Maximum permitted building coverage: 25%
 - (c) Maximum permitted impervious coverage: 50%
 - (d) Building site design principles.
 - i. If feasible, 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, visitors, and employees shall be located near building entrances.
 - iii. 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.
 - iv. 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.
 - v. Architectural treatments, porticos and material changes at points of principal entry should be provided.

B. Vehicular and pedestrian circulation.

- (1) 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.
- (2) General vehicular circulation design principles.
 - (a) An emergency access drive may be provided. This access drive may be fenced off or gated when not in use.
 - (b) Vehicular connections to adjacent properties may be provided where appropriate.
 - (c) Comprehensive on-site pedestrian circulation shall be provided that includes ADA compliant crosswalks at all internal intersections.
 - (d) 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).

C. Parking and loading requirements.

- (1) Off-street parking. Off street parking standards shall be based on a Parking Assessment and Needs Report submitted with the application and approved by the Joint Land Use Board.
- (2) 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.
- (3) Location of parking spaces.
 - (a) Parking spaces, open or enclosed, shall be on the same lot or tract of land as the building or use to be served.
 - (b) A parking space plan addressing parking space allocations for residents, visitors, and staff shall be submitted with the site plan application.
- (4) Off-street loading requirements.

One off-street loading area for deliveries shall be provided that is accessible to all structures.

D. Open space and recreational facilities.

- (1) Enclosed recreation areas, accomplished through the architectural design of the buildings or fencing and landscaping, shall be provided.
 - (2) Passive recreation features including walking paths, shade structures, benches and other types of seating areas should be integrated into the overall design.
- E. Landscape and lighting standards. Landscape and lighting standards shall comply with the site design standards found in §174-14 and §225-138.
- F. Stormwater.
- (1) 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.
 - (2) 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.
 - (3) 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.
- G. Sign regulations. Signs shall comply with §225-90 Signs in Residential Districts.
- H. Loading, refuse and recycling, and service utility areas.
- (1) 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.
 - (2) 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.
 - (3) Trash compactors, recycling facilities, and loading areas shall be located on the site so as to provide clear and convenient access for collection vehicles.
 - (4) 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.
 - (5) Refuse and recycling requirements. All refuse and recycling requirements of §185-8 shall apply.
 - (a) A central area consisting of trash compactors and recycling facilities shall be provided to service the entire development. This area shall be conveniently located for residential deposition of waste and recyclables.

(6) 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.

- I. 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.

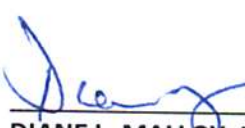
Section 6. Effective Date. This Ordinance shall take effect upon its passage and publication, filing with the Gloucester County Planning Board, and as otherwise provided for by law.

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