

ORDINANCE # 18 -__

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT THE REDMOND PRESS REDEVELOPMENT PLAN

WHEREAS, the Municipal Council has adopted a resolution designating Block 31207, Lots 11 through 18, as an area in need of redevelopment.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey as follows:

SECTION 1. Chapter 19, Land Use, Article 5, Zone Regulations, §19-5.5, Map and Schedule, Schedule Area, Yard and Bulk Requirements, is hereby amended to include the following: “Redmond Press Redevelopment Area.”

SECTION 2. Chapter 19, Land Use, Article 5, Zone Regulations, is hereby amended and supplemented to establish a new section to read as follow:

“Redmond Press Redevelopment Area.

- a. Intent and Purpose. The purpose of this ordinance is to implement the Redmond Press Redevelopment Plan.

For the purpose of this redevelopment plan, the following shall not be considered a “structure”:

Stairs, sidewalks, retaining walls, handrails, lighting fixtures, fences, gates or any ADA required ramps or fixtures;

Recreational facilities such as: benches, picnic tables, gazebos, grills, bicycle racks, flagpoles, and playground equipment;

Seepage pits or monitoring wells;

Facilities for the collection of solid waste such as dumpsters and recycling bins.

- b. Applicability. The provisions of this section shall apply only to Block 31207, Lots 16 and 17.

1. Permitted Uses. The redevelopment of this site shall contain one of the following permitted uses:
 - (a) Garden Apartments.
 - (b) Mid Rise Apartments.

2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:
 - (a) Decks
 - (b) Patios/Terraces
 - (c) Porticos
 - (d) Open Space / Recreation area; including but not limited to
 - (i) Gazebos
 - (ii) Benches
 - (iii) Picnic tables
 - (iv) Grilling facilities
 - (v) Playground equipment
 - (vi) Bicycle Racks
 - (e) Emergency Generator
 - (f) Signs
 - (g) Solid Waste and Recycling Facilities
 - (h) Retaining Walls
 - (i) Lighting
 - (j) Community Facility including but not limited to
 - (i) Fitness room
 - (ii) Lobby
 - (iii) Community room

(k) Parking in conformance with the standards found in the Residential Site Improvement Standards.

3. Density. A maximum of 30 dwelling units per acre is permitted on the subject properties.
4. Bedroom Distribution. In any garden or mid-rise apartment development governed by this redevelopment plan there shall be the following distribution of bedrooms:

One (1) bedrooms: between 59-61 percent of the development.

Two (2) bedrooms: between 39-41 percent of the development.
In no case shall any building contain only one bedroom dwellings.

Any mathematical calculations resulting in a fraction in excess of .49 shall be rounded up to the next whole number otherwise it shall be rounded down to the whole number.

5. Bulk Standards. In any garden or mid-rise apartment development governed by this redevelopment plan the following bulk standards shall apply:

Principal Building Setbacks:

Front yard setback	50 feet
Side yard setback	25 feet
Rear yard setback	50 feet

Accessory Building Setbacks

Front yard setback	50 feet
Side yard setback	25 feet
Rear yard setback	5 feet

Parking spaces setback

Front yard setback	10 feet
Side yard setback	5 feet
Rear yard setback	5 feet
Distance to point of access	150 feet

Maximum Building Height 50 feet
Maximum Building Length 400 feet
Buildings in excess of 200 feet in length must provide two additional points of access.

Maximum Accessory Structure Height 18 Feet

Maximum Coverage

Building Coverage	25%
Impervious Coverage	80%

6. Open Space Requirement. There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.
7. Trash. The development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and routine collection. Provisions shall be made so that individual unit tenants are not required to access said trash enclosure. Said trash area shall be enclosed with a solid fence of at least six feet in height and shall contain landscaping on three sides. The trash enclosure shall be located no closer than five feet from any property line.
8. Mailboxes. All mailboxes shall be internal to the building and accessible through a common lobby.
9. Parking. All parking areas shall be designed with service aisles to meet the following standards:
 - (a) Parallel to thirty-degree angle parking: twelve-foot aisle width.
 - (b) Thirty-one-degree to forty-five-degree angle parking: fourteen foot aisle width.
 - (c) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.
 - (d) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

The parking requirements shall comport with the Residential Site Improvement Standards (RSIS).
10. Lighting. The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville's zoning ordinance.
11. Utility Meters. All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.
12. Air conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.

13. Decks and Patios. All decks and patios shall have a maximum area of 75 square feet and shall not extend more than six feet from the building wall. Where possible said deck or patio shall be inset and not extend past the furthest projected building wall. Although the use of decks and patios will be governed by a rental agreement, there shall be no storage permitted on any deck or patio. Furthermore, no cooking equipment or drying racks or lines shall be allowed on said decks or patios.

14. Signage. With the exception of the allowable two wall signs, street signs, and traffic control signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign or freestanding sign.

A proposed monument or freestanding sign shall be located on the property, but outside of any required sight triangle area, shall contain no more than twenty-four (24) square feet per side and no more than two (2) sides. A proposed monument or free standing sign shall not exceed five feet in height from the base of the sign and may be externally lit.

Two wall signs shall be permitted to contain no more than twenty-four (24) square feet and may be back lit or externally lit.

15. Vehicular Access. Vehicular Access from Route 53 shall be governed by the New Jersey Department of Transportation. A secondary point of access can be permitted through adjacent properties so long as access easements are granted in perpetuity.

16. Affordable Housing. The redevelopment of this site must provide affordable housing consistent with the Township of Denville's Housing Element and Fair Share Plan. All said units shall be constructed on site and integrated among all buildings and throughout the development so as to be indistinguishable from the exterior of the building.

For any multi-family development, the applicant shall be required to provide a minimum of 15 percent of the entire number of dwelling units for low and moderate income housing.

c. Applicability. The provisions of this section shall apply only to Block 31207, Lot 11.

1. Permitted Uses. The redevelopment of this property shall contain one of the following permitted uses:

(a) Those uses that are lawfully existing at the time of the adoption of this redevelopment plan shall be considered permitted uses.

- (b) Retail / Office mixture wherein retail is on the first floor and office space is located on the second floor.
2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:
- (a) Open Space / Recreation area
 - (b) Emergency Generator
 - (c) Signs
 - (d) Solid Waste and Recycling Facilities
 - (e) Retaining Walls
 - (f) Lighting
 - (g) Sidewalks/Walkways
 - (h) Parking
3. Conditional Uses. If the owner of Lot 11 in Block 31207 also owns Lots 16 and 17 in the same Block the following uses are permitted after all three lots have been merged the following uses may be permitted in the existing structure or a newly constructed structure:
- (a) Fitness center
 - (b) Meeting room
 - (c) Card room
- The following recreational uses are also permitted on site:
- (a) Gazebos
 - (b) Benches
 - (c) Picnic tables
 - (d) Grilling facilities
 - (e) Playground equipment
 - (f) Bicycle racks
 - (g) Other similar recreational uses
4. Bulk Standards. Reuse of the current structure shall be permitted and be considered conforming under this redevelopment plan.

For redevelopment of the site where the existing structure is removed, the following setbacks shall apply:

Principal Building Setbacks:

Front yard setback	25 feet
Side yard setback	10 feet
Rear yard setback	15 feet

Parking spaces setback

Front yard setback	10 feet
Side yard setback	5 feet
Rear yard setback	5 feet

Maximum Building Height	30 feet
Maximum Accessory Structure Height	18 Feet

Maximum Coverage

Building Coverage	25%
Impervious Coverage	80%

5. Open Space Requirement. There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.
6. Trash. Any new development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and routine collection. Said trash area shall be enclosed with a solid fence or landscaping on at least two sides. The trash enclosure shall be located no closer than five feet from any property line.
7. Parking. All parking areas shall be designed with service aisles to meet the following standards:
 - (a) Parallel to thirty-degree angle parking: twelve-foot aisle width.
 - (b) Thirty-one-degree to forty-five-degree angle parking: fourteen foot aisle width.
 - (c) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.
 - (d) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

For the purpose of this redevelopment plan the definition of parking space shall be as follows:

PARKING SPACE:

The parking area for the parking of one motor vehicle. Such a parking space shall provide for a rectangular area of not less than 162 square feet exclusive of access drives or aisles and shall be a minimum of 9 feet in width measured perpendicular to the axis of the length. Each space shall abut an access driveway or aisle.

8. Lighting. The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville's zoning ordinance.
 9. Utility Meters. All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.
 10. Air conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.
 11. Signage. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. For reuse of the existing building a single wall sign shall be permitted. This wall sign shall contain no more than twelve (12) square feet and may be externally lit.
- d. Applicability. The provisions of this section shall apply only to Block 31207, Lots 12, 13 and 15.
1. Permitted Uses. The redevelopment of these properties shall be done when all three properties are under common ownership or control and may contain one of the following permitted uses:
 - (a) Retail sales and services;
 - (b) Retail/Apartment Mix wherein retail is on the first floor and apartments are on the second floor.
 2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:
 - (a) Open Space / Recreation area
 - (b) Emergency Generator

- (c) Signs
- (d) Solid Waste and Recycling Facilities
- (e) Retaining Walls
- (f) Lighting

3. Density. A maximum of 12 dwelling units per acre are permitted on the subject properties.

4. Bulk Standards. Reuse of the current structure shall be permitted:

Principal Building Setbacks:

Front yard setback	25 feet
Side yard setback	10 feet
Rear yard setback	15 feet

Parking spaces setback

Front yard setback	10 feet
Side yard setback	5 feet
Rear yard setback	5 feet

Maximum Building Height	30 feet/2 stories
Maximum Accessory Structure Height	18 Feet

Maximum Coverage

Building Coverage	25%
Impervious Coverage	80%

5. Open Space Requirement. There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.

6. Trash. Any new development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and routine collection. Said trash area shall be enclosed with a solid fence or landscaping on at least two sides. The trash enclosure shall be located no closer than five feet from any property line.

7. Parking. All parking areas shall be designed with service aisles to meet the following standards:

(e) Parallel to thirty-degree angle parking: twelve-foot aisle width.

(f) Thirty-one-degree to forty-five-degree angle parking: fourteen foot aisle width.

(g) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.

(h) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

The parking requirements shall comport with the Residential Site Improvement Standards (RSIS).

8. Lighting. The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville's zoning ordinance.
9. Utility Meters. All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.
10. Air conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.
11. Signage. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign or a wall sign may be permitted.

A proposed monument sign shall be located on the property, but outside of any required sight triangle area, shall contain no more than twenty-four (24) square feet per side and no more than two (2) sides. A proposed monument shall not exceed three feet in height from the base of the sign and may be externally lit.

This wall sign shall contain no more than twenty-four (24) square feet and may be externally lit.

12. Affordable Housing Units. The redevelopment of this site must provide affordable housing consistent with the Township of Denville's Housing Plan and Fair Share Plan. All said units shall be constructed on site and integrated among all buildings and throughout the development so as to be indistinguishable from the exterior of the building.

For any multi-family development, the applicant shall be required to provide a minimum of 15 percent of the entire number of dwelling units for low and moderate income housing.

e. Applicability. The provisions of this section shall apply only to Block 31207, Lots 14 and 18.

1. These two lots have been included in this redevelopment plan as they are outlying property that do not meet the statutory requirements for redevelopment. The permitted uses for these properties are transportation uses and associated parking only.”

SECTION 3. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.

SECTION 4. All ordinances of the Township of Denville, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 5. If any 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.

SECTION 6. This Ordinance may be renumbered for purposes of codification.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:

KATHRYN BOWDITCH-LEON, RMC
MUNICIPAL CLERK

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on _____, 2018

Dated: _____

KATHRYN BOWDITCH-LEON, RMC