

**TOWNSHIP OF HARDYSTON
SUSSEX COUNTY, NEW JERSEY
ORDINANCE NO. 2016-03**

AN ORDINANCE AMENDING CHAPTER 185, "ZONING," OF THE TOWNSHIP OF HARDYSTON TOWNSHIP CODE ADDING THE R-5 ATTACHED SINGLE FAMILY/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT AND USE AND BULK REGULATIONS.

Purpose Statement- the purpose of this Ordinance is to amend the Township of Hardyston Zoning Ordinance to add the R-5 Attached Single-Family/Multi-Family Residential Zone District and the applicable use and bulk regulations

BE IT ORDAINED by the Township Council of the Township of Hardyston as follows:

1. Section 185-4, Definitions, is hereby amended to include the following definition:

QUADRAPLEX DWELLING — Four (4) attached dwellings in one building in which each unit has two open space exposures and shares one or two walls with the adjoining unit or units.

2. Section 185-6, Designation of Zoning Districts, is hereby amended to add the following:

R-5 Attached Single Family/Multi-Family Residential District

3. Section 185-7 Zoning Map is hereby amended as follows:

The location and boundaries of the above districts are hereby established on the Zone Map of the Township of Hardyston in Sussex County, dated January 2016 (prepared by Carrine Piccolo-Kaufer, AICP, P.P.), which is attached hereto and made a part of this section. Copies of the map are on file in the office of Township Clerk and are available for inspection. [1]

[1]: Editor's Note: Said map is also included at the end of this chapter.

4. Article XXII, Sections 185-194 through 185—196 are to be amended as follows:

**ARTICLE XXII: R-5 Attached Single Family/Multi-Family Residential District
185 -194. Use Regulations**

- A. Principal uses. The following principal uses shall be permitted in the R-5 District:
 - (1) Attached single-family dwellings.
 - (2) Quadraplex dwellings
- B. Accessory Uses. The following accessory uses shall be permitted in the R-5 District:
 - (1) Required off-street parking spaces.
 - (2) Private garages and private patios and decks, as defined in this chapter.
 - (3) Signs as permitted by Article XIX.

- (4) Community swimming pools, tennis courts and clubhouses and gyms not to exceed twenty-five (25) feet in height.
- (5) Stormwater management structures
- (6) Rental/Management Office
- (7) Maintenance/storage buildings
- (8) Any other use which the applicable Board determines is customarily incidental to the principal permitted use on the premises.

C. **Conditionally Permitted Uses.** The following uses are permitted only after review and approval by the Planning Board pursuant to the standards and criteria set forth in Article XVI.

- (1) Institutional and public uses.
- (2) Public utility uses and essential services.

185-195. Bulk requirements and other conditions

- A. Maximum number of residential units permitted in the district shall be 303.
- B. Maximum building coverage in the district shall be 20 percent
- C. Minimum perimeter setback to the zone boundary is 25 feet
- D. Minimum distance from a townhouse unit and a quadraplex unit is 80 feet
- E. Attached single-family dwellings and quadraplex dwellings: See 185-196 (schedule of bulk requirements below)
- F. Accessory structures: all accessory structures shall meet the bulk and other requirements of the R-3 Districts except as may otherwise be specifically provided in Section 185-196
- G. All required off-street parking shall conform to the Residential Site Improvement Standards (RSIS)
- H. Recreation amenities shall be constructed throughout the entire tract consistent with the amenities which have already been constructed and shall include both passive and active amenities including but not limited to walking paths, tot lots, open space, athletic fields and park/picnic areas
- I. Affordable Housing: A minimum of twenty-four (24) affordable housing unit shall be required to be built in connection with the construction of market rate residential units. Construction of the affordable units shall be phased to achieve a balanced mix of both affordable and market rate units. The mix of bedroom types and income distribution shall be subject to the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C 5:80-26.1 et seq.

185-196. Attached Single-Family House and Quadraplex Dwellings in the R-5 Attached Single Family/Multi-Family Residential District

Schedule of Bulk Requirements		
Development Standard	Attached Single-Family	Quadraplex Dwellings
Maximum number of units per structure	6	4
Maximum length of structure	200 feet	100 feet
Maximum number of single units served by a single common entrance	1	1

Minimum number of entrance/exits per unit	2	1
Maximum height [1]	35 feet	35 feet
Minimum distance between groups of structures:		
End to End	35 feet	15 feet
Rear to rear	60 feet	25 feet
Front to rear	75 feet	75 feet
Front to front	75 feet	75 feet
Front to side (except that buildings may join at corners)	50 feet	50 feet
Minimum distance to public road	65 feet	65 feet
Minimum distance to private road	25 feet	25 feet
Minimum lot width at street	12 feet	N/A
Minimum lot width at building front line	18 feet	N/A
Minimum distance to side property line	25 feet	N/A
Minimum distance to rear property line	25 feet	N/A
Minimum front yard	25 feet	N/A
Minimum rear yard	25 feet	N/A
Required off-set	Minimum of 4 feet every 50 feet	Minimum of 4 feet every 50 feet [2]
Required off-street parking spaces	Per Residential Site Improvement Standards	Per Residential Site Improvement Standards
Patios and decks	Permitted in rear yard but not within 15 feet of a rear property line	Permitted within the rear yard but not within 25 feet of another building[3]

[1] Accessory structures shall not exceed twenty five (25) feet in height.

[2] Applies only to the front (street-facing) façade of the building.

[3] Patios and/or decks attached to the rear of one building shall be setback the following minimum distance from a patio and/or deck attached to the rear of another building: when facing rear-to-rear, 25 feet; when facing side-to-side, 15 feet.

5. Severability. If any article, 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 and they shall remain in full force and effect.

6. Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

7. Effect. This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on February 10, 2016. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on March 23, 2016, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk