

**BOROUGH OF MILLTOWN
ORDINANCE 21-1496**

**ORDINANCE AMENDING CHAPTER 34, COMPREHENSIVE DEVELOPMENT
OF THE CODE OF THE BOROUGH OF MILLTOWN TO CREATE
AFFORDABLE HOUSING OVERLAY ZONES**

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Milltown, Middlesex County, State of New Jersey, as follows:

Section 1: Chapter 34, Article 19, Section 1, Schedule of Zones, is hereby amended to add the following:

<i>Zone</i>	<i>Description</i>
AHO-7	Multifamily affordable housing overlay

Section 2: Chapter 34, Article 19, Section 2, Zoning Map, is hereby amended to place an overlay zone in addition to the existing underlying zoning for the following properties:

<i>Tax Lots</i>	<i>Overlay Zone</i>
Block 84.02, Lots 1.10 & 1.11	AHO-6
Block 84.02, Lots 1.06 & 1.12	AHO-7

Section 3: Chapter 34, Comprehensive Development, Section 20A Affordable Housing Overlay Districts is hereby amended to add the following:

§34-20A.8 AHO-7 Multifamily Affordable Housing Overlay Zone

The following regulations shall apply in the AHO-7 Multifamily Affordable Housing Overlay Zone, and in the event of a conflict between the provisions of this section and other sections of the Borough's development regulations with respect to the development of the uses permitted herein, the provisions of this AHO-7 Multifamily Affordable Housing Overlay Zone shall govern:

- a. *Permitted Principal Uses.*
 1. Multifamily residential dwellings, with a minimum of 20% of units set aside for low- and moderate-income households.
- b. *Permitted Accessory Uses.*
 1. Private garage space and parking areas for the storage of motor vehicles.
 2. Private recreational facilities such as, but not limited to swimming pools and tennis courts, provided these uses shall be noncommercial and that all lighting shall be directed away from all adjacent lots.
 3. Community clubhouse space for use by residents and their guests.
 4. Pocket parks.
 5. Fences, wall, hedges, and signs.
 6. Other uses customarily incidental to the permitted principal use.
- c. *Bedroom and Income Distribution*
 1. The bedroom and income distribution of low- and moderate-income units shall comply with N.J.A.C. 5:80-26.1 et seq. (i.e., the "Uniform Housing Affordability Controls").
 2. Thirteen percent of the low- and moderate-income units shall be reserved for very low-income households pursuant to N.J.S.A. 52:27D-329.1 (i.e., the "Fair Housing Act").
 3. No more than 20% of market rate units may be 3-bedroom units.
- d. *Bulk Regulations.*
 1. Minimum Lot Area: 8 acres (prior to any right-of-way dedications)
 2. Minimum Lot Width: 450 feet
 3. Minimum Lot Depth: 700 feet
 4. Minimum Setback From Ryders Lane to Any Principal Structure: 50 feet
 5. Minimum Setback From the New Jersey Turnpike and New Jersey Turnpike Service Road to Any Principal Structure: 50 feet
 6. Minimum Setback From All Other Lot Lines to Any Principal Structure: 35 feet
 7. Minimum Setback From Any High Pressure Gas Transmission Line Easement to Any Principal Structure: 65 feet

BOROUGH OF MILLTOWN
ORDINANCE 21-1496

8. Maximum Building Height:
 - (a) 3 stories/35 feet for flat roof buildings
 - (b) 3 stories/40 feet to midpoint of ridge with minimum 6:12 slope for pitched roof buildings.
 9. Maximum Lot Coverage: 30%
 10. Maximum Impervious Coverage: 65%
 11. Maximum Gross DU/Acre: 15 dwelling units per acre up to a maximum of 279 units on Block 84.02, Lots 1.06 and 1.12 combined. The density may be transferred between Block 84.02, Lots 1.06 and 1.12 such that the maximum gross density on Lot 1.06 does not exceed 22 dwelling units per acre or 190 units, whichever is less.
 12. Minimum Distance Between Buildings:
 - (a) Windowless wall to windowless wall: 25 feet
 - (b) Window wall to windowless wall: 30 feet
 - (c) Window wall to window wall:
 - i. Front to front: 90 feet
 - ii. Rear to rear: 50 feet
 - iii. End to end: 35 feet
- e. *Parking and Other Site Requirements.*
1. Off-street parking space with appropriate access thereto shall be provided on the same lot or tract it is intended to serve, in accordance with the following standards:
 - (a) Minimum off-street parking per each dwelling unit: shall be provided in accordance with N.J.A.C. 5:21-1.1 et seq. (“New Jersey Residential Site Improvement Standards” or “RSIS”).
 - (b) There is no minimum off-street parking requirement for a community clubhouse that is for the exclusive use of residents and their guests.
 - (c) The minimum setback of any parking area from any lot line shall be fifteen (15) feet except the minimum setback of any parking area from the lot line along the New Jersey Turnpike service road shall be five (5) feet.
 - (d) Parking garages shall be enclosed and screened from view from any public right-of-way and adjacent properties using the same architectural detailing and finishing as the rest of the building.
 2. Landscaping and open space shall be provided on the site as follows:
 - (a) A minimum of 30% of the total lot area shall be landscaped, and/or devoted to active or passive recreational areas including the community clubhouse.
 - (b) A planted buffer area and/or natural buffer area shall be provided along the perimeter of the property. Planting material shall be at least six (6) feet in height at the time of planting.
 - i. The buffer along Ryders Lane shall be a minimum width of fifteen (15) feet
 - ii. The buffer along New Jersey Turnpike shall be a minimum of fifteen (15) feet.
 - iii. The buffer along all other property lines including the New Jersey Turnpike service road shall be a minimum of five (5) feet.
- f. *Permitted Signs.*
1. All signs as specified in the R-4 Zone at §34-20.2.g.
 2. One (1) freestanding sign, nonilluminated, to identify the project/complex name, not exceeding a maximum twenty-four (24) square feet on all surfaces, not more than eight (8) feet long, with a maximum height of sign and sign base above finished grade level of seven (7) feet. No such sign shall be located closer than ten (10) feet to any front lot line or six (6) feet to any side lot line. No such signs shall be located within any required street or driveway sight triangle area. All such signs shall be provided with a monument type base with planter area.
 3. One (1) Advertising and/or Commercial Sign, permitted only on the portion of the Property adjacent to the New Jersey Turnpike within the rear yard setback subject to a height limitation of forty (40) feet and a maximum area of one hundred (100) square feet.
 4. Unless a specific sign is expressly permitted in this zone, it shall be deemed prohibited.
- g. *Development Standards.*
1. Multiple principal buildings on a lot are permitted, and there shall be no minimum lot area, depth, width or yard requirements governing development other than as established herein.
 2. Buildings may be developed without frontage on a public street, so long as such building is provided access to a public street by means of an improved driveway.

**BOROUGH OF MILLTOWN
ORDINANCE 21-1496**

BE IT FURTHER. ORDAINED that this Ordinance shall take effect immediately upon:

- i. Adoption; and
- ii. Publication in accordance with the laws of the State of New Jersey.

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent	Adopted on First Reading Dated:
	Council President Farkas					
	Councilman Ligotti					
	Councilwoman O'Donnell					_____
	Councilwoman Neubauer					Marie M. Marlor, RMC
	Councilman Pareti					Borough Clerk
	Councilman Zambrana					

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent	Adopted on Second Reading Dated:
	Council President Farkas					
	Councilman Ligotti					
	Councilwoman O'Donnell					_____
	Councilwoman Neubauer					Marie M. Marlor, RMC
	Councilman Pareti					Borough Clerk
	Councilman Zambrana					

Approval by the Mayor on this

Trina Mehr, Mayor