

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 2010-4**

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER XVI,
LAND DEVELOPMENT ORDINANCE, TOWNSHIP OF
EDGEWATER PARK, BURLINGTON COUNTY, NEW JERSEY

WHEREAS, the Township of Edgewater Park has been engaged in litigation in the New Jersey Superior Court regarding zoning standards calling for a 6-acre minimum lot size, and it is evident that the 6-acre minimum is not appropriate and that revised zoning standards must be established,

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey as follows:

SECTION 1: § 16-82.9 R-LD Residential, Low-Density District is hereby modified as follows:

§ 16-82.9.1 R-7 Residential, Low-Density District.

(a) Permitted Principal Uses. In an R-7 Residential, Low Density District, land shall be used only for the following permitted uses:

- (1) Single-family detached dwellings.
- (2) Public parks and recreational facilities.
- (3) Governmental buildings and facilities.

(b) Permitted Accessory Uses. Only the following accessory uses are permitted when on the same lot with and customarily incidental to the foregoing permitted uses:

- (1) Private garages.
- (2) Utility sheds.
- (3) Private swimming pools, including above and below ground.
- (4) Fences and walls.
- (5) Decks and patios.
- (6) Home occupations.
- (7) Signs pursuant to §16-90.

(c) Area and Bulk Regulations.

- (1) The area and bulk regulations for this district shall be in accordance with the requirements set forth in the Schedule of Area and Bulk Requirements.

- (2) A minimum 50' wide conservation easement shall be provided along any abutting R-2 Zoning District. The easement shall prohibit the location of any structures therein other than fencing.
- (3) A minimum 25' wide conservation easement shall be provided along all tract boundaries that abut zoning districts other than an R-2 District. The easement shall prohibit the location of any structures therein other than fencing and public roadways.
- (4) A minimum 20 percent of a tract shall be open space not including the required conservation easements indicated in (2) and (3), above. The 20 percent required open space may include stormwater management facilities and passive or active recreation space to be maintained by a homeowner's association or other approved entity.
- (5) New residential lots shall be setback at least 200' from existing public roadways.
- (6) Existing lots fronting on Bridgeboro Road and Mount Holly Road shall not be subject to the conservation easement requirements herein.

(d) Affordable Housing. Any developer shall be obligated to provide the affordable housing units on the subject lots, or at such other location within the Township of Edgewater Park acceptable to the Township.

SECTION 2: A new zoning district shall be created as follows:

§ 16-82.21 R-8 Single-Family Residential District.

- A. Permitted Principal Uses. In an R-8 Single-Family Residential District, land shall be used only for the following permitted uses:
 - (1) Single-family detached dwellings.
 - (2) Single-family attached dwellings.
 - (3) Public parks and recreational facilities.
 - (4) Governmental buildings and facilities.
- B. Permitted Accessory Uses. The following accessory uses shall be permitted when on the same lot with and customarily incidental to the foregoing permitted uses:
 - (1) Private garages.
 - (2) Utility sheds.
 - (3) Private swimming pools, including above and below ground.
 - (4) Fences and walls.
 - (5) Decks and patios.
 - (6) Home occupations.
 - (7) Signs pursuant to §16-90.

C. Area and Bulk Regulations.

- (1) All uses other than residential shall comply with the requirements of the R-3 Zone or their applicable conditional use requirements.
- (2) The area and bulk regulations for this district shall be in accordance with the requirements set forth in the Schedule of Area and Bulk Requirements.
- (3) A continuous, low maintenance uniform perimeter privacy fence shall be provided along the sides and rear property lines of the tract at a height not less than 5'. Property owners shall be bound to maintain the fence and replace when necessary with a compatible fence.
- (4) Single-family attached units (townhouses) developed to comply with the applicable affordable housing regulations of the State of New Jersey may be provided as part of a larger development of single-family detached units for the purpose of providing additional housing types at varying levels of affordability. Single-family attached units shall be located on individual lots, however all such lots shall be governed by a Homeowner's Association that will regulate uniformity of unit appearance and maintenance.
- (5) Single-family attached units (townhouses) shall be set back at least 25' from interior site roadways, 60' from existing municipal public roadways, 40' from county public roadways.
- (6) Where sides of units, both single-family detached and attached, face existing public streets, an evergreen plant buffer shall be provided to shield views to the sides and rears of units from the public right-of-way. The width of the buffer shall be designed such that the intended screening can be effectuated.
- (7) Recreation areas for the tract are required and subject to Planning Board approval.

SECTION 3: The Zoning Schedule of Area and Bulk Requirements shall be modified to add new standards for both the R-7 and R-8 Zones as follows:

ZONING

SCHEDULE OF AREA AND BULK REQUIREMENTS

Zoning District	Minimum Lot Requirements			Minimum Yard Requirements				Maximum Principal Building & Structure Height (feet/stories)	Max. Impervious Coverage (%)	Minimum Habitable Floor Area (sq. ft.)
				Principal Buildings & Structures						
	Lot Area (sq. ft.)	Width (ft.)	Depth (ft.)	Front (ft.)	One Side (ft.)	Two Sides (ft.)	Rear (ft.) ⁽¹⁾			
R-7	32,000	150	200	30	20	50	35	35 / 2½	20	--
R-8 SF	8,125	60	125*	25	10	20	25	35 / 2½	40	
R-8 TH	2,500	24	100	25	**	**	25	35 / 2½	65***	

* Perimeter lots Include a 25' conservation easement that prohibits the location of structures therein, excluding fences.

** 10' Side yard for end units. 20' between two rows of units. No more than 6 units in a row.

*** In the R-8 zoning district, maximum impervious coverage shall allow an additional 250 square feet for rear patios for single family attached (townhouse) units.

SECTION 4: Block 404.06, Lot 1 is hereby rezoned from R-3 to R-8 and permits 19 single family detached units and 24 single family attached (townhouse) units. Single family attached (townhouse) units shall be constructed on interior roadways surrounded by single family detached units or open space.

SECTION 5: Block 203, Lots 3Q Farm and 3.02 are hereby rezoned to R-7 and permits 44 single family detached units.

NOTICE

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on February 2, 2010. This ordinance will be consider for adoption of final reading and public hearing to be held on March 16, 2010, at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Linda M. Dougherty, RMC/Admin
Township of Edgewater Park