

\*\*\*\*\*ADOPTED MARCH 16, 2009\*\*\*\*\*

**DELANCO TOWNSHIP  
Ordinance No. 2009-4**

**An Ordinance Amending and Supplementing Chapter 110 Governing Zoning in various named  
Sections**

**Of the Ordinances entitled Part II Land Use Procedures of the Township of Delanco**

**For the Establishment of the “Planned Development–Affordable Housing–2” Zoning District**

**WHEREAS**, the Planning Board of the Township of Delanco adopted a Housing Element of the Master Plan and a Fair Share Plan at a duly noticed public hearing on December 15, 2008 that identified the Abundant Life property (Block 2200, Lots 2.01 and 3) as an affordable housing site and provided a draft ordinance for re-zoning of the site;

**WHEREAS**, the Township Committee of the Township of Delanco endorsed the adopted Housing Element of the Master Plan and Fair Share Plan at a duly noticed public meeting on December 15, 2008;

**WHEREAS**, the Planning Board of the Township of Delanco adopted a Comprehensive Master Plan at a duly noticed public hearing on January 6, 2009, which contains a Land Use Plan Element that acknowledges the Abundant Life property (Block 2200, Lots 2.01 and 3) as an affordable housing site that is appropriate for a planned development multi-family residential, house of worship and commercial use;

**WHEREAS**, the Township Committee desires to implement the portions of the Housing Element and Fair Share Plan and the Comprehensive Master Plan that pertain to the Abundant Life property (Block 2200, Lots 2.01 and 3) at this time.

**NOW, WHEREFORE, IT IS HEREBY ORDAINED** by the Township Committee of the Township of Delanco as follows:

**Section 1.**

§110-2. Districts enumerated.

Add “Planned Development– Affordable Housing–2” to the list of districts.

Remove “C-3 Highway Commercial District” from the list of districts.

**Section 2.**

Add:

§110-34.2 Planned Development–Affordable Housing– 2 (PD-AH-2)

- A. Purpose. This zone is intended to provide for a planned community containing affordable housing opportunities for senior citizens as well as commercial and place of worship opportunities. It is also the purpose of this district to provide the opportunity for a compact village associated with the house of worship centered around Holiday Lake and the interior of the site that will serve to reduce impervious coverage, reduce construction costs, increase opportunities for a higher quality project in terms of design, materials, amenities such as landscaping, outdoor gathering spaces and walking paths and increase pedestrianism.

B. Zoning Standards.

(1) Permitted principal uses:

- (a) Place of worship;
- (b) Planned Unit Development containing a mix of the following:

[1]Place of worship;

[2]Age-restricted attached or multi-family independent or supportive/special needs housing in stand-alone structures or in a mixed-use format over commercial space. All units shall be occupied by households that qualify as low- or moderate-income per COAH's (New Jersey Council on Affordable Housing) rules, and at least 90 percent of all units shall meet the crediting requirements set forth by COAH, most specifically its requirements regarding affirmative marketing of units and bedroom distribution. Thirteen percent of all COAH-credit-eligible units shall be occupied by very-low-income households.

[3]Principal permitted commercial uses.

- [a] Grocery stores and supermarkets.
- [b] Department stores.
- [c] Clothing and jewelry stores.
- [d] Garden Centers and Nurseries.
- [e] Home appliances and electronics stores and repair shops.
- [f] Furniture stores.
- [g] Drug stores.
- [h] Stationery and bookstores.
- [i] Florists and flower shops.
- [j] Sporting goods stores.
- [k] Banks and fiduciary institutions.
- [l] Baked goods stores.
- [m] Funeral homes and mortuaries.
- [n] Barber and beauty shops.
- [o] Dry-cleaning and tailor shops.
- [p] Laundromats.
- [q] Restaurants.
- [r] Professional offices of doctors, lawyers, accountants, and similar professionals.
- [s] Offices of realtors, travel agents and other personal and business service providers.
- [t] Planned shopping centers that contain a mix of the foregoing uses.

(2) Permitted accessory uses:

- (a) Schools associated with a place of worship that is a principal use on the site;
  - (b) Community center and recreation facilities and amenities;
  - (c) Gazebo or sun shelter;
  - (d) Bus stop,
  - (e) Bank or pharmacy drive-thru;
  - (f) Private garage;
  - (g) Trash enclosure;
  - (h) Fences and walls;
  - (i) Other customary accessory uses and structures which are clearly incidental to the principal structure and use.
- (3) At least 20,000 square feet of commercial space shall be provided on the tract.
- (4) Maximum residential density: 4.25 units/gross acre.
- (5) There shall be a perimeter setback of 100' on the tract, except commercial and mixed-use buildings along Route 130 may be set back 75'.
- (6) Residential units, except those in mixed-use buildings along Route 130, shall be set back at least 250' from Route 130.
- (7) Maximum building height shall be 54', however no building over 40' shall be located less than 250' from the front property line and not less than 150' to the rear property line.
- (8) Required open space: 30 percent of gross tract area. Applicant shall indicate the ownership and maintenance entity of the open space. Applicant may donate, sell or otherwise transfer the open space to the Township or another public entity upon the approval of the Township. Applicant shall otherwise retain ownership and may not transfer same to a homeowners' association or another entity without the approval of the Township.
- (9) Required improved open space: 15 percent of gross tract area. A village green or similar gathering area shall be provided consisting of 1% of the overall acreage and is permitted to be included in the open space calculation.
- (10) Maximum building coverage: 20 percent of gross tract area.
- (11) Maximum total lot coverage: 30 percent of gross tract area.

C. Supplemental Design Standards:

- (1) The tract shall have a common architectural, streetscape, lighting and landscaping scheme.
- (2) Commercial buildings should be at least 2 stories in height.
- (3) Terminal vistas to the Rancocas Creek and any village green shall be provided.
- (4) There shall be a strong interrelation and pedestrian connection between the commercial component and the residential component. Commercial buildings shall be oriented toward the interior of the site and the residential component; and shall also be oriented toward Route 130 or Creek Road.

- (5) Traffic calming techniques including but not limited to pedestrian bump outs at corners, landscaped medians and islands, sidewalks on both sides of public streets and driveways shall be required.
- (6) The residential component shall follow a compact, village format to promote pedestrianism and increase efficiency. Opportunities for outdoor gathering including front porches, patios, etc. shall be provided.
- (7) There shall be a strong pedestrian connection between the County parkland, site open space, and/or the residential portion of the site, including landscaped pedestrian paths connecting the site to the public park that are a minimum of 20 feet wide with a 4-5' walkway.
- (8) To the extent feasible, green building practices should be employed to reduce the project's dependency upon natural resources. These practices include, but are not limited to, the following:
  - (a) Orient buildings to maximize solar gain in the winter and shade in the summer; include vegetated wind breaks and sun screens;
  - (b) Create shaded porches and patios for summertime gatherings;
  - (c) Plant indigenous vegetation to minimize water, pesticide and herbicide usage and to create foraging opportunities for local wildlife;
  - (d) Install operable windows, awnings, shading devices and roof vents to reduce reliance on HVAC units;
  - (e) Maximize daylight in living spaces to reduce reliance on artificial lighting;
  - (f) Utilize renewable sources for electricity, heating and cooling;
  - (g) Maximize building and window insulation and create ante-rooms or foyers between the outdoors and living spaces to increase HVAC efficiency;
  - (h) Utilize recycled building and site materials and recycle construction debris;
  - (i) Create covered parking areas, or heavily shaded parking areas, to reduce reliance on automotive air conditioning;
  - (j) Utilize pervious pavement to increase water infiltration and locate parking areas in locations where it can be shared between uses;
  - (k) Create opportunities for bicyclists and pedestrianism to reduce reliance on automobiles including shaded sidewalks, benches, bike lanes and bike racks.
- (9) Parking shall be permitted in front of commercial buildings, however no more than 50 percent of proposed parking may be located in front of the building.
- (10) Parking may be shared between the uses if it is demonstrated that parking demand for the uses will not exceed the number of spaces provided.
- (11) If a community center is proposed, a reasonable number of parking spaces, particularly handicapped accessible spaces, should be located adjacent to the building.
- (12) In order to effectuate the goals of the Route 130/River Route Strategic Plan prepared by the County, the site's Route 130 frontage should be heavily landscaped and signage square-footage and height should be kept to a minimum. Utility, service and parking areas shall be screened from view of Route 130.

- (13) There shall be no buffer required between residential and commercial uses on the tract, however utility, service and parking areas shall be screened from view by a 15' wide area planted with a solid screen of evergreen trees and shrubs, which may also contain a 6' high solid fence.
- (14) Utilities shall be located underground.
- (15) Trash enclosures shall be constructed on 3 sides of 6' high masonry finished to match the principal building. A gate on the fourth side shall be provided where appropriate.
- (16) Stormwater control shall be provided in wet basins, vegetated basins and underground systems to the extent feasible, and above-ground facilities shall not be located in a front yard. The use of sand infiltration basins shall be limited.
- (17) Some reduction in the parking requirement for the commercial uses may be warranted if it can be demonstrated to the Board's satisfaction that a proportionate percentage of customers are coming from within the site itself as pedestrians or via shuttle.

D. Informal submission of a concept plan shall be strongly encouraged in order for the Board to provide input regarding the plan prior to full engineering and design. The concept plan submission should contain the following information:

- (1) A Land Use Plan indicating proposed uses, site layout including building setbacks, massing, separation, orientation, height, number of units, unit types, floor area or commercial uses, location of required passive and active open space, location of parking and shared parking areas, and interrelations between residential, commercial and house of worship components.
- (2) Delineation of wetlands, buffers and floodplains and waterbodies.
- (3) Proposed stormwater management areas.
- (4) Circulation plan indicating proposed vehicular and pedestrian routes, ingress/egress, parking areas, transit stops, linkages to adjacent properties and public streets.
- (5) Affordable housing plan indicating the types of units proposed and demonstrating compliance with COAH's rules. The number of units proposed versus the number proposed for COAH crediting shall be provided.

E. Findings for planned developments. Per N.J.S.A. 40:55D-45, every ordinance that provides for planned developments shall require that prior to approval of such planned developments the planning board shall find the following facts and conclusions:

- (1) That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning ordinance standards pursuant to subsection 52c. of the Act;
- (2) That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate;
- (3) That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;
- (4) That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;
- (5) In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of

the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

**Section 3**

**Remove C-3 from the Schedule of Area and Bulk Requirements**  
**Reserve §110-37.**

**Section 4.**

Rezone Block 2200, Lots 2.01 and 3 from C-3 to PD-AH-2 on the official zoning map.

**Section 5.** Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective date. This Ordinance shall take effect upon proper passage and approval in accordance with the law.

This is certification that the above-entitled ordinance was passed upon second and final reading after a public hearing at a meeting of the Township Committee on March 16, 2009 at the municipal building, 770 Coopertown Road, Delanco, New Jersey.