

shall be permitted.

(5) Architectural elevations and floor plans shall be provided for the clubhouse.

I. Permitted signs.

- (1) A site identification sign shall be permitted on each street frontage.
- (2) The maximum sign area shall not exceed twenty-four (24) square feet.
- (3) The maximum height shall not exceed six (6) feet.
- (4) All signs shall be located in a landscaped island.
- (5) Signs shall be setback fifteen (15) feet from all property lines and located outside all sight triangles.
- (6) Additional sign regulations are provided under Section 70-28.

J. Refuse storage.

- (1) The refuse storage area shall be suitably located and screened and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle.
- (2) All refuse storage areas shall be enclosed with a block wall with a finish similar to the facades of the residential structures.
- (3) The gate on the refuse storage enclosure shall consist of a solid material and be self-closing.
- (4) A side entry shall be provided to the trash enclosure so that residents can easily access the containers.
- (5) Landscaping shall be provided around the exterior of the refuse storage enclosure.

K. Deed restrictions.

- (1) Approval shall be conditioned upon the placement of restrictive covenants on the deeds to any and all portions of the tract so developed to insure that the age-restricted units qualify as "55 or over housing" within the meaning of the Federal Fair Housing Act.
- (2) The master deed and bylaws shall provide that all tenants of the income restricted units shall have use of the clubhouse/community building and the recreation facilities of the development.
- (3) The master deed, restrictive covenants and restrictions shall be subject to review by the Borough Attorney.

L. Affordable housing requirements.

- (1) A set-aside of fifteen percent (15%) of the total units shall be provided as affordable housing units. As an age-restricted development the total number of units which are income and age-restricted is controlled through COAH rules and regulations. Therefore the total number of on-site income and age-restricted units shall be consistent with the maximum number of income and age-restricted units identified in the Borough's Housing Element and Fair Share Plan. The on-site units shall be constructed as either sale or rental units. If the units are provided as rental units the developer shall be permitted to reduce the total obligation with the assigned bonus credits in accordance with 5:93-5.15. The balance of the affordable housing units will be subject to a payment in-lieu to fund affordable housing addressing the Borough's non-age-restricted affordable housing obligation. The payment-in-lieu shall be equal to ninety-five thousand dollars (\$95,000.) per unit to fund alternative affordable housing units as detailed in the Borough's Fair Share Plan.
- (2) Affordable housing regulations. The affordable housing shall be developed and sold or rented in accordance with the current applicable COAH rules, including requirements on: split between low and moderate income housing, bedroom distribution, range of affordability, pricing and rent of units, affirmative marketing, affordability controls, and construction phasing with the market-rate units developed on the tract.
- (3) Design and location of affordable housing. If the affordable housing units are proposed as sale units they shall be dispersed throughout the development in various buildings. If the affordable housing units are rental units they may be located in a single structure for the purposes of management and maintenance. The facade of an affordable housing structure shall be indistinguishable from the facade of the market-rate structures.

§ 70-13.2 RM Residential Multifamily District
[Added 4-18-12 by Ord. No. 6-2012]

- A. The purpose of the RM District is to provide for the construction of multifamily dwellings, and to create a realistic opportunity for the construction of a portion of the low and moderate income housing obligation of the Borough of Woodbury Heights under New Jersey's Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the rules of the New Jersey Council on Affordable Housing, N.J.A.C. 5:93-1 et seq., and the Mount Laurel doctrine. The Residential Multifamily District will result in a set-aside of at least fourteen and one-half percent (14.5%) affordable housing units.
- B. Principal permitted uses.
- (1) Multifamily residential units.
- C. Accessory uses permitted.
- (1) Recycling and solid waste collection facilities.
 - (2) Recreation facilities and buildings.
 - (3) Fences, walls and signs.
 - (4) Other customary incidental uses.
- D. A maximum density of 13.4 units per acre in no more than nine (9) separate buildings shall be permitted.
- E. Maximum building height of three (3) stories/forty-five (45) feet if the following conditions are satisfied:
- (1) The building is designed to conform to the applicable building codes.
 - (2) Additional requirements are provided under Section 70-34.
- F. Area and yard requirements.
- (1) Minimum lot frontage: 200 feet
 - (2) Minimum lot depth: 200 feet
 - (3) Minimum side yard setback: 50 feet
 - (4) Minimum front yard setback: 60 feet
 - (5) Minimum rear yard setback: 50 feet
 - (6) Maximum building coverage: 25%
 - (7) Maximum impervious coverage: 45%
 - (8) A minimum building separation of 35 feet shall be provided.
 - (9) Accessory structures shall be subject to the same setback requirements as principal buildings, as provided above.
- G. Landscaping, buffers, street/shade trees and landscaping in parking facilities shall be provided in accordance with Section 70-49.14 and as follows:
- (1) All rear, front and side yards shall include a minimum 25-foot wide landscape buffer. The buffer width may be reduced to accommodate sidewalks provided that the material included in the buffer is sufficient to screen the development from the adjoining single-family residential area. Berms may be appropriate where the buffer width is reduced.
 - (2) The landscaping in the buffer shall consist of a combination of trees, shrubs and planting beds. The use of landscape berms and decorative fencing are encouraged. In addition to this section, the plans shall conform to the buffer requirements under Section 70-49.14F in order to ensure adequate screening between the multifamily development and surrounding single-family residential development.
 - (3) Existing vegetation should be preserved to the extent possible and be supplemented with additional screening.
 - (4) Within required landscape buffers, where existing vegetation is to remain, the plans shall identify the remaining material including size and type. The plans shall generally define the remaining vegetation in all other areas.
 - (5) Tree protection measures shall be provided on the plans for areas where existing vegetation will remain.
 - (6) Landscaping around stormwater management areas shall be provided in accordance with Section 70-49.6G and the requirements of Section 70-49.6.

- H. Off-street parking shall be provided in accordance with the Residential Site Improvement Standards and Section 70-23. Parking shall not be permitted along drive aisles and shall be within designated parking areas.
- I. A minimum of three (3) site access points shall be provided to the site. Two (2) of the access points shall be provided on Academy Avenue and one (1) on Chestnut Avenue.
- J. Curbs and sidewalks shall be provided along the entire length of street frontage and throughout the development connecting the residential units to the parking areas.
- K. Building design. The design of the buildings shall be consistent with the surrounding single-family neighborhood so that the appearance remains residential and not institutional.
- (1) Architectural elevations and floor plans shall be provided for each of the buildings.
 - (2) The building design shall incorporate a combination of stone, stucco or other combination of building materials.
 - (3) The buildings shall include breaks in the facades to break up the building lengths.
 - (4) Rooflines shall be pitched. If flat roofs are provided they shall incorporate design techniques to shield any roof mounted equipment.
 - (5) No more than two-bedrooms per unit shall be provided. This shall not apply to the affordable housing units, which shall meet the requirements of the Uniform Housing Affordability requirements.
 - (6) All HVAC and mechanical equipment shall be incorporated into the building design and not visible except where such equipment shall be placed at ground level, in which case such equipment shall be appropriately screened from public view.
- L. Bedroom distribution (excluding the affordable housing units).
- (1) No more than two (2) bedrooms shall be provided per unit.
 - (2) The number of two-bedroom units shall not exceed sixty (60%) percent of the total market rate units.
 - (3) Dens are permitted in a one-bedroom unit subject to the following:
 - (a) The inclusion of a provision within the lease agreements, and the enforcement of such a provision, prohibiting the den to be used as a bedroom or sleeping area.
 - (b) The design of any den area may include either a closet or a door, but shall not include both design features.
 - (c) Dens are not permitted in a two-bedroom unit.
- M. Common recreation shall be provided as follows:
- (1) A clubhouse or community building with a minimum size of five thousand (5,000) square feet and a swimming pool shall be provided.
 - (2) A playground area for children shall be provided. The playground shall include equipment appropriate for different age groups. The playground may be separated into two (2) areas. Seating shall be provided around all playground areas. The plans shall include details of the proposed equipment, surface area and any other improvements.
 - (3) Additional recreation areas may be appropriate consisting of picnic areas, sitting areas, walkways or other similar areas.
 - (4) All such common uses shall be subordinated to the residential character of the development, and no commercial advertising shall be permitted.
 - (5) Architectural elevations and floor plans shall be provided for the clubhouse.
 - (6) The completion of the common recreation areas shall be tied to the completion of the units so that at no time shall there exist residential units without any recreational amenities. The clubhouse area shall be considered a recreational amenity provided that areas for recreational use are included within the building. A plan shall be submitted addressing the timing of the completion of the common recreation areas.
- N. Permitted signs.
- (1) A site identification sign shall be permitted on each street entry.

- (2) The maximum sign area shall not exceed twenty-six (26) square feet.
 - (3) The maximum height shall not exceed eight (8) feet.
 - (4) All signs shall be located in a landscaped island.
 - (5) Signs shall be located outside all sight triangles.
 - (6) Subject to additional sign regulations as provided under Section 70-28.
- O. Refuse storage.
- (1) The refuse storage area shall be suitably located and screened and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle.
 - (2) All refuse storage areas shall be within a solid enclosed structure. Fencing is not considered a solid structure for the purposes of this section. The enclosure shall either include a landscaping screen or decorative finish. The intent is to ensure that the enclosure is sturdy and screened from view either with an appropriate finish in more visible areas, or landscaping in more remote areas.
 - (3) The gate on the refuse storage enclosure shall consist of a solid material and be self-closing.
 - (4) A side entry shall be provided to the trash enclosure so that residents can easily access the containers.
 - (5) Landscaping shall be provided around the exterior of the refuse storage enclosure as needed to provide appropriate screening from public view.
- P. Subject to developer's right to seek variances and waivers in accordance with the Municipal Land Use Law Standards, all development shall conform to the Residential Site Improvement Standards and other provisions of the local land use ordinance not specifically referenced in this subsection.

Q. Affordable housing requirements.

- (1) A set-aside of at least fourteen and one-half percent (14.5%) of the total units shall be provided as affordable housing units. The affordable housing units shall be constructed as either sale or rental units.
- (2) The developer is responsible for preparing and implementing an Affirmative Marketing Plan in accordance with the requirements of Section 70-32.2 of the chapter. The developer shall enter into a contract with the Borough to act as the Municipal Housing Liaison and be responsible for administering the affordable housing program pursuant to standards and requirements provided in Section 70-32.2.M of this chapter.
- (3) Affordable housing regulations: The affordable housing units shall be developed and sold or rented in accordance with the current applicable Uniform Housing and Affordability regulations (N.J.A.C. 5:80-26 et seq.), including requirements on: split between low and moderate income housing, bedroom distribution, range of affordability, pricing and rent of units, affirmative marketing, affordability controls, and construction phasing with the market-rate units developed on the tract. Developer shall not be required to provide "very low" income units as such units are defined at N.J.S.A. 52:27D-304(m).
- (4) Design and location of affordable housing: The affordable housing units shall be dispersed throughout the development in various buildings. If the affordable housing units are rental units and the market rate units are sale units then the affordable units may be located in a single structure for the purposes of management and maintenance. The facade of an affordable housing structure shall be indistinguishable from the facade of the market-rate structures.

§ 70-13.3. Residential Multifamily Affordable (RM-2) District.
[Added 11-26-13 by Ord. No. 15-2013]

- A. The purpose of the RM-2 District is to provide for the construction of supportive housing for persons of low and moderate income consistent with New Jersey's Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the rules of the New Jersey Council on Affordable Housing and the Mount Laurel Doctrine.
- B. Permitted principal uses.
- (1) All principal permitted uses in the Residential – R District under Section 70-13A.
 - (2) Supportive housing in single-family, semi-detached or quadruplex dwelling units.