

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD AMENDING THE  
UNIFIED DEVELOPMENT ORDINANCE (UDO)  
OF THE TOWNSHIP OF DEPTFORD  
TO ADD THE  
PLANNED VILLAGE DEVELOPMENT 2 DISTRICT  
IN FURTHERANCE OF THE FAIR HOUSING ACT**

**WHEREAS**, the Township of Deptford entered into a Settlement Agreement with Fair Share Housing Center dated May 3, 2019, most recently revised to August 15, 2019, that determines the municipality's affordable housing obligation and the means of addressing such obligations; and

**WHEREAS**, the Planning Board adopted a Reexamination Report of the Master Plan, dated January 11, 2017, that reviews and analyzes the land use and development policy of the Township of Deptford, including the need for the implementation of the Housing Element and Fair Share Plan of the municipality through ordinance amendment; and

**WHEREAS**, the Township of Deptford has entered into a Memorandum of Understanding with Bankbridge Farms, LLC; Abcon Holdings, LLC and P&I Associates, LLC (collectively, "Lakes of Bankbridge") as successors in interest to Glouco Approvals Group, LLC for the development of an inclusionary housing development; and

**WHEREAS**, the Township of Deptford is desirous of implementing the PVD-2 zoning district to apply to the Lakes of Bankbridge property as more specifically set forth herein in furtherance of its affordable housing obligations; and

**WHEREAS**, the Municipal Land Use Law at N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Land Use Plan Element; and

**WHEREAS**, the Township of Deptford, as a municipality in the State of New Jersey, hereby declares that, pursuant to the purposes of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-2, the Ordinance promotes the public health, safety, morals, and general welfare and that it implements the preliminary compliance plan included in the Settlement Agreement with FSHC, as well as advances the Township's efforts to meet its constitutional obligation to provide its fair share of very low, low and moderate income housing; and

**WHEREAS**, the Township Council formally refers this Ordinance to the Planning Board for review, discussion, and recommendations in accordance with N.J.S.A. 40:55D-26; and

**WHEREAS**, the adoption of this Ordinance was appropriately noticed pursuant to Municipal Land Use Law at N.J.S.A. 40:55D-15 and N.J.S.A.40:55D-62.1.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Deptford, County of Gloucester, and State of New Jersey, as follows:

**Section 1.** §7.B entitled, “Establishment of zoning districts and zoning map”, shall be amended by inserting “PVD-2: Planned Village Development 2 District” following the “PVD-1: Planned Village Development 1 District” as follows:

B. Establishment of zoning districts and zoning map.

1. The following zoning districts are hereby created and all land within the Township of Deptford shall be placed in one of these districts by designation on a zoning map, as described below.

- R-40: Low Density Residential Zoning District
- R-20: Medium Density Residential District
- R-20A: Medium Density Residential District
- R-10: Medium Density Residential District
- R-10A: Medium and Low Density Residential District
- R-6: High Density Residential District
- R-6A: Affordable High Density Residential District
- AR-1: Age-Restricted Residential 1 District
- AR-2: Age-Restricted Residential 2 District
- AR-3: Age-Restricted Institutional 3 District
- AR-4: Age-Restricted Mixed 4 District
- RM-1: Multi-family Residential 1 District
- RM-2: Multi-family Residential 2 District
- PUD: Planned Unit Developments
- PVD-1: Planned Village Development 1 District
- PVD-2: Planned Village Development 2 District
- TC-1: Transitional Commercial 1 District
- TC-2: Transitional Commercial 2 District
- BC-1: Business Center 1 District
- BC-2: Business Center 2 District
- BC-3: Business Center 3 District
- BC-4: Business Center 4 District
- ROM: Research, Office and Manufacturing District
- O: Office District
- C-1: General Commercial District
- C-2: Neighborhood Commercial District

FLX: Flex Space District  
LI-1: Light Industrial 1 District  
LI-2: Light Industrial 2 District  
INS: Institutional Zoning District

**Section 2.** §7.B, Establishment of Zoning Districts and Zoning Map, shall be amended to apply the Planned Village Development 2 district to Block 398; Lots 31, 32, 33 and 52 on the tax assessment maps of the Township of Deptford.

**Section 3.** §14.2, Planned Village Development 2 District, shall be added to the Unified Development Ordinance as follows:

**§14.2. Planned Village Development 2**

- A. Purpose. The Planned Village Development 2 (PVD-2) is intended for residential development with a variety of housing types serving various segments of the population and with a significant inclusionary affordable housing component. A submission for development approval as a planned unit residential development pursuant to N.J.S.A. 40:55D-62 is encouraged.
- B. Permitted Uses. No lot within the PVD-2 shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
1. Parks and recreation; conservation.
  2. Single family detached dwellings.
  3. Stacked townhouse dwellings.
  4. Townhouse dwellings.
  5. Multi-family dwellings.
  6. Municipal purpose.
- C. Accessory Uses and Structures Permitted. Any of the following accessory uses and structures shall be permitted when used in conjunction with a principal permitted use:
1. Community center and recreation center.
  2. Gatehouse.
  3. Community swimming pool for the common use of residents.
  4. Outdoor recreational facilities, including tennis or other court sports.
  5. Off-street surface and structured parking.

6. Car sheds and detached garages for private residential use, only.
7. Fences, walls and street furniture.
8. Signs.
9. Common satellite dish and television antennas.
10. Management building and sales or rental office.
11. Maintenance building.
12. For single family detached uses, any accessory or conditional use allowed in §8.B.2.
13. For other residential uses, home occupations in accordance with §8.B.2.a.11 except that no non-resident employee may work from the premises.
14. Accessory uses on the same lot and customarily incidental to the principal use.

D. Density Limitations and Affordable Housing Requirements. The base residential density shall be six (6) dwellings per gross acre with a mandatory setaside for affordable housing of twenty percent (20%), or as set forth in any developer's agreement. For the purposes of this district, "gross acre" shall mean the total acreage of all of the lots included in the application for development minus any existing rights-of-way and lands deed restricted from further development at the time of an application for development. Non-contiguous planned development where some or all of the dwelling units either for market-rate (as such term is defined in N.J.S.A. 5:93-1 et seq.), affordable units, or both, shall be permitted to transfer to any planned village development district provided that the gross density is not exceeded.

E. General tract requirements.

1. The amount of land to be reserved for park and active recreation facilities shall be equal to or greater than 0.01 acres per dwelling and shall be organized in a central recreation area and as preserved stream corridor.
2. Minimum frontage on an arterial road shall be seven hundred fifty (750) lineal feet.
3. Minimum overall tract perimeter setback for buildings shall be fifty (50) feet, except for single family detached uses which shall be governed by -F.3, hereinbelow.
4. Minimum parking area setback shall be fifty (50) feet from a public street existing prior to the development of the tract and twenty (20) feet from any other tract boundary except that in no circumstance shall parking be permitted in any required perimeter buffer.
5. Common open space and adequate recreation areas shall be set aside to provide for the recreation needs of residents. A planned unit residential development is required to have continuity of open space resulting from the integration of upland, wetland, floodplain and

surface water areas within the tract. A central passive and/or active recreation area shall be incorporated in the design of the development.

6. Appearance and Aesthetic Control. All development shall be planned and designed to promote and achieve aesthetically pleasing views from and to the various residential building types within the development. The creation and promotion of such aesthetic conditions shall strengthen and preserve the municipality's environmental characteristics and promote the civic pride, prosperity, and general welfare of the residents of the development, the Township, and visitors thereto.
7. Pedestrian circulation. There shall be a system of pedestrian walks serving all facilities within the development, providing access to dwellings, parking areas, open spaces, recreational and other communal facilities. Sidewalks along streets shall conform to the applicable standards in N.J.A.C. 5:21-1 et seq. Pedestrian walkways shall have adequate lighting that may be provided in whole or in part by the street lighting system.

F. Bulk Requirements. Except as otherwise modified, the following area, yard, and coverage standards contained herein shall apply to all development in the PVD-1 district. These regulations shall not apply to any lot dedicated for public utility uses or solely used for storm water management:

1. Building type ratios. No more than sixty percent (60%) of any one residential building type shall be permitted within the PVD-2 district.
2. A minimum of fifteen percent (15%) of the total number of dwellings, shall be single family detached.
3. Lots for single family detached dwellings shall conform to the following requirements:
  - a. Minimum lot area - Seven thousand five hundred (7,500) square feet.
  - b. Minimum street frontage - Fifty (50) feet.
  - c. Minimum lot width - Sixty (60) feet.
  - d. Minimum lot depth - One hundred fifteen (115) feet.
  - e. Minimum front yard setbacks:
    - 1) Corner lot – Thirty (30) feet on the shorter frontage and twenty (20) feet on the longer frontage.
    - 2) Other lots – Thirty (30) feet.
  - f. Minimum individual side yard setback - Five (5) feet.
  - g. Minimum aggregate side yard setback (both yards) - Fifteen (15) feet.
  - h. Minimum rear yard setback - Twenty-five (25) feet.

- i. Maximum permitted building coverage - Thirty-five percent (35%).
  - j. Maximum permitted impervious coverage - Fifty percent (50%).
  - k. Maximum permitted building height - Thirty-five (35) feet.
  - l. Accessory structures shall not be located in a front yard nor within five (5) feet of a side or rear property line. All accessory structures, including sheds, shall be constructed in accordance with the requirements of the Uniform Construction Code.
4. Building limitations and separation requirements for townhouses, stacked townhouses and multi-family uses shall be as indicated in the following table:

Requirement	Standard
Maximum Dwellings per Building (Townhouses)	8 dwellings
Maximum Dwellings per Building (Stacked Townhouses)	16 dwellings
Maximum Dwellings per Building (Multi-family)	48 dwellings
Minimum Distance from Building front to Building front	60 feet
Minimum Distance from Building front to Building side	35 feet
Minimum Distance from Building front to Building rear	60 feet
Minimum Distance from Building side to Building rear	35 feet
Minimum Distance from Building rear to Building rear	50 feet
Minimum Distance from Building side to Building side	20 feet

5. Building dimensions. Minimum and maximum building dimensions shall be as indicated in the following table:

Requirement	Standard
Minimum width of townhouse or stacked townhouse with no attached garage	18 feet
Minimum width of townhouse or stacked townhouse with attached or internal garage	20 feet
Maximum building length through the long axis of a townhouse or stacked townhouse structure	228 feet
Maximum height - townhouse	3 stories
Maximum height - stacked townhouses and multi-family buildings	4 stories and 60 feet

6. Fee simple townhouse and community building requirements shall be as indicated in the following table:

Use	Townhouse (fee simple lots)	Community Building
Minimum lot size	1,800 sf.	10,000 sf.
Maximum lot size	2,650 sf.	Not Applicable
Minimum lot frontage	Per -F(5) unit width standard	100 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum building coverage	70%	50%
Maximum lot coverage	80%	70%
Principal Building Minimum Yard Depths and Height Limitations		
Front yard	20 ft.	25 ft.
Side yard	0 ft. common wall, 12 ft. end unit.	20 ft.
Rear yard	25 ft.	30 ft.
Maximum Height	3 stories	35 ft.
Accessory Building Minimum Yard Depths and Height Limitations		
Front Yard	N.P.	N.P.
Side yard	N.P.	10 ft.
Rear yard	5 ft.	10 ft.
Maximum accessory building height	18 ft.	28 ft.
Tool shed height	12 ft.	12 ft.
Tool shed side and rear yard	5 ft.	5 ft.

N.P. = Not a permitted location

7. Building setbacks from streets and driveways (excepting single family detached uses). Minimum building setbacks shall be as in the following table:

Requirement	Standard
From major collector drive or street (r.o.w. or private r.o.w. easement)	50 feet <sup>(1)</sup>
Front façade from a residential access drive or street (r.o.w. or private r.o.w. easement)	22 feet <sup>(2)</sup>

Rear façade from a residential access drive or street (r.o.w. or private r.o.w. easement)	20 feet
Side facades from a residential access drive or street (r.o.w. or private r.o.w. easement)	12 feet <sup>(3)</sup>

- (1), or 60 feet from the edge of cartway, whichever is greater.
- (2), or 30 feet from the edge of cartway, whichever is greater.
- (3), or 20 feet from the edge of cartway, whichever is greater.

8. Parking lot setbacks. Where parking lots for residential uses are proposed, no parking space shall be closer than twelve (12) feet to a building. This requirement shall not apply to driveways leading to individual garages. Parking lots shall be setback a minimum of twenty (20) feet from a right-of-way or private right-of-way easement, sixty (60) feet from the edge of cartway of a major collector or minor arterial road, and twenty (20) feet from the edge of a residential access cartway.
9. Master Plan Streets. The public street plan for any Planned Village Development that encompasses all or part of a new, extended or expanded street, as depicted on the Circulation Plan of the Master Plan, shall be designed to implement the intent and purpose of said master plan street.

G. Design standards.

1. Multi-Family Buildings. The following standards shall be used in the design of multi-family buildings:
  - a. A minimum of one hundred twenty (120) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
  - b. Access to dwellings shall be designed as to provide a sense of safety and security for the residents, particularly in internal stairwells.
  - c. All stairs shall be enclosed in the building.
  - d. The exterior of the building shall be designed to visually break up any facade in excess of one hundred (100) lineal feet through the use of, but not limited to, offsets, bump-outs and building entrances.
  - e. The design should distinguish between the base, middle, and top of the building.
  - f. Where an outdoor living space is proposed, adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways shall be provided. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of 4 feet in height. Architectural elements, such as masonry walls and fences, shall be compatible in both style and materials with the dwelling.
  - g. All utility meters or boxes, air compressors, heat pumps, or other exterior equipment shall be located at the side or rear of buildings and shall be screened by architectural elements or landscape plantings.
2. Townhouses and Stacked Townhouses. The following standards shall be used in the design of townhouse and stacked townhouse buildings:



- a. A minimum of one hundred fifty (150) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
- b. The front facades of at least 40% of the number of dwellings in a structure shall be set back not less than two (2') feet behind the facades of the remaining dwellings in such structure.
- c. The roof lines of at least 30% of the number of dwellings which are attached in a structure, shall be staggered in line with the offsets required in -2.b, hereinabove. Chimneys, skylights, dormers, and other roof structures are encouraged, but not required, to vary the elevation and provide additional light into upper story dwellings.
- d. Where an outdoor living space is included for a unit, it shall be provided with adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of 4 feet in height. Architectural elements, such as masonry walls and fences, shall be compatible in both style and materials with the dwelling unit.

**Section 5.** Continuation. In all other respects, the Unified Development Ordinance of the Township of Deptford shall remain unchanged.

**Section 6.** Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

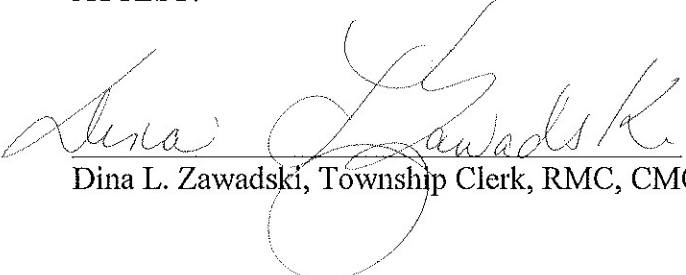
**Section 7.** Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Deptford, then the restriction which imposes the greater limitation shall be enforced.

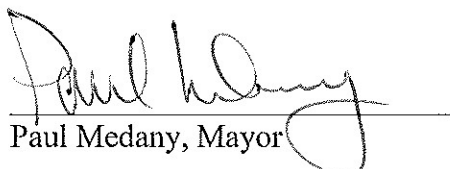
**Section 8.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 9.** Enactment. This Ordinance shall take effect upon the filing thereof with the Gloucester County Planning Board after final passage, adoption, and publication by the Township Council of the Township of Deptford in the manner prescribed by law.

ATTEST:

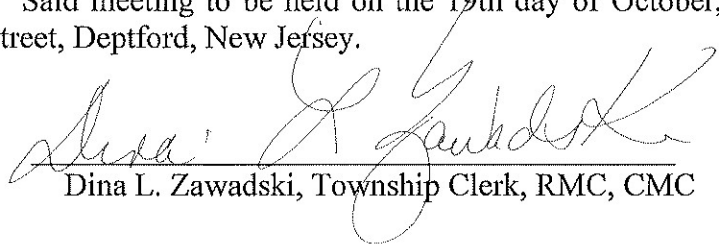
Township of Deptford

  
Dina L. Zawadski, Township Clerk, RMC, CMC

  
Paul Medany, Mayor

**CERTIFICATION**

The foregoing Ordinance was introduced at a Work Session Meeting of Township Council of the Township of Deptford held on the 21<sup>st</sup> day of September, 2020 and will be considered for final passage and adoption at a Work Session Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 19<sup>th</sup> day of October, 2020 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.

  
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 Dina L. Zawadski, Township Clerk, RMC, CMC

RECORD OF VOTE – Introduction O.17.20					RECORD OF VOTE – Adoption O.17.20				
Council Member	Yes	No	Abstain	Absent	Council Member	Yes	No	Abstain	Absent
Medany	✓				Medany	✓			
Hufnell	✓				Hufnell	✓			
Barnshaw	✓				Barnshaw	✓			
Belling	✓				Belling	✓			
Lamb	✓				Lamb	✓			
Love	✓				Love	✓			
Schocklin	✓				Schocklin				✓