

**ORDINANCE
AMENDING THE
UNIFIED DEVELOPMENT ORDINANCE (UDO)
TO MODIFY THE R-10 DISTRICT
FOR THE LOCUST GROVE PUC
OF THE TOWNSHIP OF DEPTFORD
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.*, confers power to a municipality to regulate the use of lands within the jurisdiction of Deptford Township; and

WHEREAS, the Deptford Township Council desires to implement standards specific to the as-built conditions of the Locust Grove Planned Unit Community in the Unified Development Ordinance; and

WHEREAS, it has been determined by Deptford Township Council that the implementation of these modifications to the R-10 zoning district would effectuate the intent and purpose of the goals and objectives of the Master Plan of the Township of Deptford; and

WHEREAS, the Municipal Land Use Law requires that any amendments or revisions to Deptford Township's Unified Development Ordinance shall be reviewed by the Planning Board to determine if said amendments or revisions thereto are substantially consistent with the "Land Use Plan Element" of the Master Plan of the Township of Deptford; and

WHEREAS, the Planning Board of the Township of Deptford finds that the zoning district is consistent with the intent and purpose of the Master Plan; and

WHEREAS, this ordinance effectuates a classification and boundary change recommended in a periodic general reexamination of the master plan pursuant to *N.J.S.A. 40:55D-89*; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Deptford that the Unified Development Ordinance (UDO) be hereby amended as follows:

Section 1. §10, R-10 Medium Density Residential District, shall be amended as follows:

§ 10. R-10 Medium Density Residential District.

- A. [no change]
- B. Uses. In the R-10 district, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
1. All principal and accessory uses as permitted by right and conditionally in the R-40 Zoning District except that private swimming pools shall only be permitted for single family detached and semi-detached dwellings.
 2. In the R-10 district marked on the Zoning Map with a designation of LG-3 semi-detached single family dwellings shall be an additional permitted principal use.
 3. In the R-10 district marked on the Zoning Map with a designation of LG-4, LG-5 and LG-6, the following additional principal uses shall be permitted:
 - a. Multi-family dwellings.
 - b. Townhouse dwellings.
 4. In the R-10 district marked on the Zoning Map with a designation of LG-4, LG-5 and LG-6, the following additional accessory uses shall be permitted:
 - a. Community center.
 - b. Indoor and outdoor recreational facility.
 - c. Maintenance building.
- C. Bulk standards.
1. Lots with public sewer and water:
 - a. Minimum lot area - Ten thousand (10,000) square feet.
 - b. Minimum street frontage - Seventy (70) feet.
 - c. Minimum lot width - Eighty (80) feet.
 - d. Minimum lot depth - One hundred (100) feet.
 - e. Minimum front yard setback - Thirty (30) feet.

- f. Minimum individual side yard setback - Ten (10) feet.
 - g. Minimum aggregate side yard setback (both yards) - Twenty-five (25) feet.
 - h. Minimum rear yard setback - Thirty (30) feet.
 - i. Maximum building coverage - Twenty percent (20%).
 - j. Maximum impervious coverage - Thirty percent (30%).
 - k. Maximum building height - Thirty-five (35) feet.
2. Affordable single family semi-detached dwelling.
- a. Minimum lot size – Five thousand (5,000) square feet.
 - b. Minimum street frontage – Fifty (50) feet.
 - c. Minimum lot width – Fifty (50) feet.
 - d. Minimum lot depth – One hundred (100) feet.
 - e. Minimum front yard setback – Thirty (30) feet.
 - f. Minimum side yard setback, common wall – Zero (0) feet.
 - g. Minimum side yard setback, other – Twelve feet (12) feet.
 - h. Minimum rear yard setback – Thirty (30) feet.
 - i. Maximum building coverage – Thirty percent (30%).
 - j. Maximum impervious coverage – Forty percent (40%).
 - k. Maximum building height – Thirty-five (35) feet.
 - l. Accessory buildings and structures shall conform to the requirements of §10.C.1.1.
3. Lots without public sewer and water shall comply with the bulk standards as required in §8.C.1, the R-40 zoning district, for single family detached dwellings.

4. The following bulk standards shall apply to any area designated R-10 and LG-1 on the Zoning Map:
 - a. Minimum lot area - Eight thousand (8,000) square feet.
 - b. Minimum street frontage - Sixty (60) feet.
 - c. Minimum lot width – Seventy-five (75) feet.
 - d. Minimum lot depth – Ninety (90) feet.
 - e. Minimum front yard setback - Thirty (30) feet.
 - f. Minimum individual side yard setback - Ten (10) feet.
 - g. Minimum aggregate side yard setback (both yards) - Twenty-five (25) feet.
 - h. Minimum rear yard setback – Twenty-five (25) feet.
 - i. Maximum building coverage – Twenty-five percent (25%).
 - j. Maximum impervious coverage – Thirty-five percent (35%).
 - k. Maximum building height - Thirty-five (35) feet.

5. The following bulk standards shall apply to any area designated R-10 and LG-2 on the Zoning Map:
 - a. Minimum lot area - Nine thousand (9,000) square feet.
 - b. Minimum street frontage - Sixty (60) feet.
 - c. Minimum lot width – Ninety (90) feet.
 - d. Minimum lot depth – Ninety (90) feet.
 - e. Minimum front yard setback - Thirty (30) feet.
 - f. Minimum individual side yard setback - Ten (10) feet.
 - g. Minimum aggregate side yard setback (both yards) - Twenty-five (25) feet.
 - h. Minimum rear yard setback – Twenty-five (25) feet.

- i. Maximum building coverage – Twenty-five percent (25%).
 - j. Maximum impervious coverage – Thirty-five percent (35%).
 - k. Maximum building height - Thirty-five (35) feet.
6. The following bulk standards shall apply to any area designated R-10 and LG-3 on the Zoning Map:
- a. Single family detached dwellings.
 - 1) Minimum lot area - Seven thousand (7,000) square feet.
 - 2) Minimum street frontage - Forty (40) feet.
 - 3) Minimum lot width – Fifty-six (56) feet.
 - 4) Minimum lot depth – One hundred twenty-five (125) feet.
 - 5) Minimum front yard setback – Twenty-five (25) feet.
 - 6) Minimum individual side yard setback - Seven (7) feet.
 - 7) Minimum aggregate side yard setback (both yards) - Fifteen (15) feet.
 - 8) Minimum rear yard setback – Twenty-five (25) feet.
 - 9) Maximum building coverage – Thirty percent (30%).
 - 10) Maximum impervious coverage – Forty percent (40%).
 - 11) Maximum building height - Thirty-five (35) feet.
 - b. Single family semi-detached dwellings.
 - 1) Minimum lot size – Four thousand five hundred (4,500) square feet.
 - 2) Minimum street frontage – Eighteen (18) feet.
 - 3) Minimum lot width – Thirty-six (36) feet.
 - 4) Minimum lot depth – One hundred twenty (120) feet.

- 5) Minimum front yard setback – Twenty-five (25) feet; secondary front yard for a corner lot, fifteen (15) feet.
 - 6) Minimum side yard setback, common wall – Zero (0) feet.
 - 7) Minimum side yard setback, other – Six feet (6) feet.
 - 8) Minimum rear yard setback – Twenty-five (25) feet.
 - 9) Maximum building coverage – Thirty percent (30%).
 - 10) Maximum impervious coverage – Forty percent (40%).
 - 11) Maximum building height – Thirty-five (35) feet.
7. The following bulk standards shall apply to any area designated R-10 and LG-4 on the Zoning Map:
- a. Maximum density - Five (5) dwelling units per acre.
 - b. Minimum lot size – Two thousand four hundred (2,400) square feet.
 - c. Minimum street frontage – Fourteen (14) feet.
 - d. Minimum lot width – Twenty-four (24) feet.
 - e. Minimum lot depth – One hundred (100) feet.
 - f. Minimum front yard setback – Twenty (20) feet; secondary front yard for a corner lot, ten (10) feet.
 - g. Minimum side yard setback, common wall – Zero (0) feet.
 - h. Minimum side yard setback, other – Fifteen (15) feet.
 - i. Minimum rear yard - Twenty-five (25) feet.
 - j. Maximum building coverage, individual lot - Fifty-five percent (55%).
 - k. Maximum impervious surface coverage, individual lot – Seventy-five percent (75%).
 - l. Maximum building height - Thirty-five (35) feet.
 - m. Minimum dwelling width – Twenty-four (24) feet.
 - n. Minimum distance between buildings - Thirty (30) feet.

- o. Minimum fully planted landscaped buffer adjacent to public rights-of-way - Twenty-five (25) feet.
 - p. No more than eight (8) dwellings shall be contained in any one (1) building.
8. The following bulk standards shall apply to any area designated R-10 and LG-5 on the Zoning Map:
- a. Minimum tract area – Five (5) acres.
 - b. Maximum density – Eight (8) dwellings per acre.
 - c. Minimum building setback:
 - 1) From tract perimeter – Fifty (50) feet.
 - 2) From street sidewalk – Twenty-five (25) feet.
 - 3) From edge of cartway – Thirty-three (33) feet.
 - 4) From parking lot – Twenty-five (25) feet.
 - 5) From on street parking – Twenty (20) feet.
 - d. Minimum dwelling width – Twenty (20) feet.
 - e. Maximum building length through the long axis – One hundred sixty (160) feet.
 - f. Minimum distances between buildings:
 - 1) From front of building to any other building – ninety (90) feet.
 - 2) From rear of building to rear of building – Forty (40) feet.
 - 3) From side of building to side of building – Twenty (20) feet.
 - 4) From rear of building to side of building – Thirty (30) feet.
 - g. Maximum building height – Thirty-five (35) feet.
 - h. Maximum building coverage of tract – Twenty-five percent (25%)
 - i. Maximum impervious coverage of tract – Fifty percent (50%)
 - j. Minimum parking setback from tract perimeter – Fifty (50) feet.

- k. Minimum fully planted landscaped buffer adjacent to public rights-of-way - Twenty-five (25) feet.
 - l. No more than eight (8) dwellings shall be contained in any one (1) structure.
9. The following bulk standards shall apply to any area designated R-10 and LG-6 on the Zoning Map:
- a. Minimum tract area – Five (5) acres.
 - b. Maximum density – Twelve (12) dwellings per acre.
 - c. Minimum building setback:
 - 1) From tract perimeter – Fifty (50) feet.
 - 2) From parking lot and on street parking – Ten (10) feet.
 - d. Maximum building length through the long axis – Two hundred fifty (250) feet.
 - e. Minimum distances between buildings:
 - 1) From front of building to any other building – One hundred (100) feet.
 - 2) From rear of building to rear of building – Sixty (60) feet.
 - 3) From side of building to side of building – Thirty (30) feet.
 - 4) From rear of building to side of building – Forty (40) feet.
 - f. Maximum building height – Thirty-five (35) feet.
 - g. Minimum parking setback from tract perimeter – Twenty-five (25) feet.
 - h. Maximum building coverage of tract – Twenty-five percent (25%)
 - i. Maximum impervious coverage of tract – Fifty percent (50%)
 - j. Minimum fully planted landscaped buffer adjacent to public rights-of-way - Twenty-five (25) feet.
10. Accessory uses and structures, with the exception of –B.4 uses, shall not be located in a front yard or within ten (10) feet of any property line, provided however, that accessory structures which are one hundred (100) square feet or less in gross floor area may be located 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. Accessory uses and structures permitted under –B.4 herein shall meet the area and yard requirements for principal uses and structures.

D. [No change]

E. Landscaping shall be provided as required in §31.

Section 2. §7.B, Establishment of Zoning Districts and Zoning Map dated September 23, 2008, shall be revised to apply the following Locust Grove PUC overlay zoning districts in the R-10 Zoning District to the following block and lots on the tax assessment maps of the Township of Deptford:

- LG-1 Blocks 5.04, 5.05, 5.06, 5.07 and 5.08, all lots (Locust Grove Section SF-1, Blanchard Landing);
Blocks 5.18, 5.19 and 5.20, all lots (Locust Grove Section T-1, Lafayette Village);
- LG-2 Blocks 5.12, 5.13 and 5.14, all lots (Locust Grove Section SF-2, Patriot's Ridge I);
Blocks 5.15, 5.16 and 5.17, all lots (Locust Grove Section SF-3, Patriot's Ridge II);
- LG-3 Blocks 5.26 and 5.27, all lots (Locust Grove Section S-1, Beacon Hill);
- LG-4 Blocks 5.28, 5.29, 5.30, 5.31, 5.32, 5.33, 5.34, 5.355,36, 5.37, 5.38 and 5.39, all lots (Locust Grove Section MF-5, Rittenhouse at Locust Grove);
Blocks 5.41 and 5.42, all lots (Locust Grove Section TA-1 [part], Rittenhouse at Locust Grove);
- LG-5 Block 5, Lots 3 and 7 (Locust Grove Section MF-3, Westrum/Iron Oaks)
Blocks 5.09, 5.10 and 5.11, all lots (Locust Grove Section MF-2, Washington Crossing)
Blocks 5.21, 5.22, 5.23, 5.24 and 5.25, all lots (Locust Grove Section MF-4, Liberty Place);
- LG-6 Block 5.03, Lot 1 (Locust Grove Section MF-1, Steeplechase); and
Block 16.01, all lots (Locust Grove Section TA-1 [part], The Club).

Section 3. Continuation. In all other respects, the Unified Development Ordinance of the Township of Deptford shall remain unchanged.

Section 4. 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 thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. 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 6. 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 7. 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.

TOWNSHIP OF DEPTFORD

BY:

PAUL MEDANY, MAYOR

ATTEST:

DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The above Amended Ordinance was introduced and passed upon first reading at a Work Session Meeting of the Township Council of the Township of Deptford held on the 23rd day of February, 2009 and will be taken up for final consideration and passage at the Work Session Meeting of Mayor and Council of the Township of Deptford to be held at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey, Gloucester County, on the 16th day of March, 2009 at 7:00 P.M. or as soon thereafter as the matter can be reached at which time any person interested shall be given an opportunity to be heard.

DINA L. ZAWADSKI, TOWNSHIP CLERK

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		0.3.09				
Medany						
Love						
DiMarco						
Hufnell						
Schocklin						
Scott						
Tenaglia						