

ORDINANCE NO. 30 - 2023

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING §170-107.1.B, MU-1 MIXED-USE OVERLAY DISTRICT, OF THE CODE OF THE TOWNSHIP OF LIVINGSTON

WHEREAS, the Township Council previously adopted §170-107.1 MU-1 Mixed-Use Overlay District; and

WHEREAS, in order to increase the opportunity for the development of the authorized housing and the provision of affordable housing credits to the Township, the Council deems it appropriate to amend §170-107.1.B, MU-1 Mixed-Use Overlay District, as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, as follows: (**Bold and underlined** language is added [Bracketed strikeout] language is deleted.)

Section 1. § 170-107.1 MU-1 Mixed-Use Overlay District of the Township of Livingston is hereby amended as follows:

B. Primary intended uses:

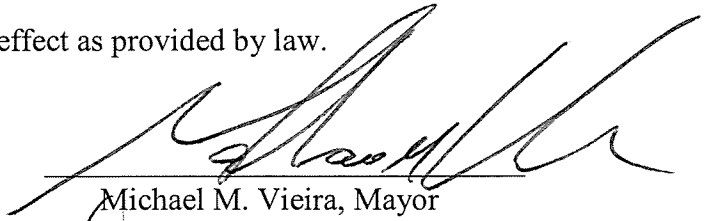
* * * * *

(2) On the second and third floors, a total of 26 residential units. [~~of which no less than four of the units shall be deed restricted as units available only to low and moderate income households.~~] No more than nine third-floor units may be duplex two-bedroom units. All other third-floor units may have lofts; however, such lofts shall not be utilized as sleeping accommodations. Extension of lofts or duplex units into the volume of the pitched roof assembly shall not be deemed to constitute an additional floor of the building.

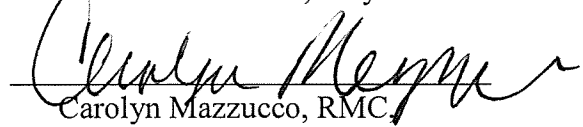
(3) There shall be a required affordable housing set aside of 4 units, which shall be deed restricted as units available only to low- and moderate-income households, and which may be provided on site in accordance with the applicable standards for bedroom mix. Alternatively, the affordable housing requirement can be met, in whole or in part, in the form of eligible Supportive and Special Needs housing based on unit/bedroom credits received by the Township. If affordable housing is in the form of Supportive and Special Needs Housing, it may be provided off-site at a location approved by the Township.

Section 2. Except as hereby amended, the Code of the Township of Livingston, shall remain in full force and effect.

Section 3. This Ordinance shall take effect as provided by law.



Michael M. Vieira, Mayor



Carolyn Mazzucco, RMC.
Township Clerk

Introduced: September 7, 2023

Adopted: October 16, 2023