TOWNSHIP OF EVESHAM
ORDINANCE NO. 13-6-2018

ORDINANCE OF THE TOWNSHIP OF EVESHAM AMENDING CHAPTER 160, THE ZONING CODE OF THE TOWNSHIP OF EVESHAM TO COMPLETELY REPLACE THE ZONING STANDARDS IN SECTION 160-74.1 SENIOR CITIZEN CONTINUING CARE WITH THE SEN-3 SENIOR RESIDENTAL ZONING DISTRICT AS SET FORTH HEREIN AND TO REZONE LOT 2 in BLOCK 2.06 IN ACCORDANCE WITH THE SEN-3 SENIOR RESIDENTIAL ZONE

WHEREAS, the Township of Evesham strives to adopt and implement land use regulations that advance the goals and objectives of the Township as set forth in the Township's Master Plan and Fair Share Plan; and to provide a range of housing opportunities including age-restricted affordable housing to partially satisfy the Township's obligations under the Fair Housing Act; and

WHEREAS, in order to satisfy the Township's prospective affordable housing obligations, the Township wishes to provide reasonable opportunities for the construction of affordable housing units in areas where such development can be accommodated in terms of infrastructure, site design, and compatibility with surrounding land uses; and

WHEREAS, the proposed Senior Residential Zoning District (SEN-3) standards will provide an opportunity for affordable age-restricted residential development on an infill site in the non-Pinelands area of the Township, and will facilitate the production of affordable housing in an area that is well established and able to accommodate such development; and

WHEREAS, the SEN-3 Zone standards as applied to lot 2 in block 2.06 will assist in enabling development of a property that is presently within the Industrial Park (IP) zone, is vacant and has remained vacant though the surrounding properties were developed in the 1980s and 1990s, and is not contributing to the betterment of the community; and

WHEREAS, the surrounding properties on Stow Road and Eves Drive are within the IP zoning district and are developed with office and warehouse buildings, and vacancies are prevalent in the area. The rezoning of lot 2 in block 2.06 will provide an opportunity for needed affordable senior residential housing and will assist in maintaining the vitality of the area; and

WHEREAS, the site is in close proximity to transportation opportunities, retail centers, and community services and is therefore ideally situated to accommodate the uses that will be permitted and encouraged by the SEN-3 zone.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey as follows:

SECTION I. Amend the Evesham Township Zoning Map to rezone the following property:

1. Lot 2 in Block 2.06 from IP to SEN-3 (16 Stow Road)

SECTION II. Replace the existing section 160-74.1 Senior Citizen Continuing Care SEN-3 requirements with Senior Residential SEN-3 as follows.

160-74.1 Senior Residential (SEN-3) Zone

A. Purpose. The purpose of the SEN-3 Zone is to provide an opportunity for needed age-restricted affordable residential apartments on infill sites in a manner that is compatible with surrounding development, and in areas that have existing infrastructure and are in close proximity to transportation, recreation, and shopping.

B. Principal Permitted Uses.

(1) Age-restricted (senior) affordable rental apartments.[1]

C. Accessory uses.

(1) Off street parking for motor vehicles.
(2) Motor vehicle charging stations
(3) Common recreational facilities, both indoor and outdoor
(4) Stormwater management facilities
(5) Trash enclosures for trash and recycling containers
(6) Fences up to 6 feet in height, but not in front yard
(7) Signs
(8) Porches, patios, gazebos
(9) Temporary construction and sales trailers

D. Performance Standards and Regulations

(1) The area and dimensional regulations set forth in Table 19 SEN-3 Performance Regulations located at the end of this chapter shall apply.

(2) The age-restricted affordable apartments must be affordable to low and moderate income individuals/households and shall strictly conform with the rules adopted by the New Jersey Council on Affordable Housing (COAH), or its successor, the Uniform Housing Affordability Controls (UHAC), and the requirements of the Township's affordable housing ordinances including, but not limited to requirements for phasing, bedroom mix, 50-50 low/moderate income split, affirmative marketing, controls on affordability, adaptability requirements, etc. A deed restriction with covenants restricting rentals, conveyance and improvements, and requiring notice of foreclosure and bankruptcy shall be filed prior to the issuance of a building permit.

(3) Indoor amenities must be provided for the benefit of the residents of the development and must be available to all tenants of residential units. Indoor amenities may include a fitness facility, conference room, library, party room, etc.

(4) Outdoor passive or active recreation space must be provided for the benefit of the residents of the development. Outdoor amenities may include tennis, bocce, or shuffle

[1] "Age-restricted" or "senior" housing is housing designed for, and occupied by, at least one person fifty-five (55) years of age or older per dwelling unit, and which has significant facilities and services specifically designed to meet the physical and/or social needs of older persons.

board courts, sitting areas, grill and picnic areas, pavilions, etc. These areas must be landscaped to provide shade and to beautify the area.

(5) Parking and Driveways.
   a. The required parking ratio is 1.1 parking space per age-restricted residential unit. A minimum of 1 space per unit must be provided on site.
   b. Parallel parking may be provided along the property's frontage within the public right-of-way if designed and approved as part of the site plan.
   c. All driveways within the development shall be in conformance with New Jersey Residential Site Improvement Standards.

(6) Sidewalks are required along road frontages and along main access driveways within the site.

(7) Crosswalks at points where an access driveway meets the right-of-way and at primary pedestrian crossings within the site must be constructed with textured pavement.

(8) Shade trees at 40 foot intervals and landscaping (see section 62-56) shall be provided along sidewalk areas and along the right-of-way where existing vegetation is not maintained.

(9) Measures to enhance sustainability and green infrastructure shall be considered in planning the site; such as using water and energy efficiently, using sustainable building materials, installing solar panels to generate power, collecting rainwater for irrigation, employing methods to increase stormwater infiltration, reducing waste, generally minimizing impacts to the environment, and ensuring a healthy indoor environment

E. Building Design and Architecture.

(1) Architectural elevations showing all sides of each building must be submitted along with a site plan application.

(2) Architectural design features shall be employed to create visual interest at the pedestrian or street level, and to integrate each building or structure with the surrounding area.

(3) Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections and recesses shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple long wall.

(4) Brickwork should be incorporated where practicable as a unifying primary material.

(5) Building facades shall be broken up at twenty-five-to-fifty-foot intervals with facade variations or projections and recesses at least one and one-half feet (1' 6") in depth.

(6) Upper and lower cornice lines must be articulated.

(7) All sides of a building visible to the public must be designed with treatment similar to the front facade.

(8) Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and roof-mounted equipment, to provide interest, and reduce the scale of large buildings.

(9) Utilities including gas and electric meters must be located on the short end of buildings, and must be adequately shielded with evergreen landscaping or a green screen wall.

(10) Where parking is proposed on the first floor of a building, a wall a minimum of 24" in height must be constructed along the open areas, of materials consistent with the architectural design of the building (such as brick).

(11) Where parking is proposed on the first floor of a building, at least 50% of the façade area oriented to the public view (excluding vehicle access areas) must be enclosed with architectural wall treatment. The open areas of the first floor parking should be enclosed with a transparent decorative fence (such as iron or aluminum). The pedestrian access door to the building must be prominent with double doors and an overhead projection (such as canopy or awning).

F. Enclosures for trash and recyclables.

(1) Trash enclosures or central trash compaction and recycling areas are required and must comply with the requirements of chapter 118 and sections 160-27 and 160-27.1 of the Township Code except as modified below.

(2) Trash enclosures or compactors must be sufficiently sized to contain both trash and recyclable materials, such that dumpsters are not permitted to sit in the open anywhere on the site.

(3) Trash enclosures or central trash compaction/recycling areas shall be masonry structures, with an exterior facade to match the principal building.

(4) If required, trash enclosure gates shall be decorative fencing materials to complement the buildings with a steel frame and self-locking.

(5) Trash enclosures shall be a minimum of six feet in height, or higher as needed to shield the enclosure. Landscaping may also be used in combination with structures to shield the trash and recycling area.

(6) Trash enclosures for multi-family residential units must include a door or opening for pedestrian access in addition to the truck access.

SECTION III. Amend Table 19 for the SEN-3 Performance Regulations as follows:

Permitted Uses	Min Tract Area	Maximum Density DU/ gross acre	Minimum Lot Area	Minimum Lot frontage	Minimum Lot width	Minimum Yard (in Feet)			Max Impervious	Max Bldg height
						Front	Side	Rear		
Affordable Senior Apartment	2 acres	32 du/ acre	2 acres	150 feet	125 feet	25 feet	15 feet*	25 feet	.70	55 feet or 4 stories
* When adjacent lot contains an historic structure the side yard building setback to that lot shall be a minimum of 25 feet. Minimum perimeter buffer is 15 feet, to be landscaped in accordance with 160-17 and 62-56										

SECTION IV. REPEALER

Ordinances or provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION V. INVALIDITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION VII. EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Burlington County Planning Board in accordance with N.J.S.A. 40:55D-16 and the Pinelands Commission in accordance with N.J.A.C. 7:50-3.31 through 3.45.

ROLL CALL VOTE			*Upon Introduction* 5/31/18			
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
D'ANDREA						✓
DIENNA			✓			
HACKMAN	✓		✓			
ZEULI		✓	✓			
MAYOR BROWN						✓

ROLL CALL VOTE			*Upon Adoption* 6/12/18			
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
D'ANDREA			✓			
DIENNA	✓		✓			
HACKMAN			✓			
ZEULI		✓	✓			
MAYOR BROWN					✓	

Adopted on second and final reading on 6/12/18.

Mayor

Attest: Mary Lou Berg
Clerk

ENTERED