

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 20-2020

AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180-3, “ESTABLISHMENT OF ZONING DISTRICTS,” AND CHAPTER 180-66 “LENOLA TOWN CENTER AFFORDABLE HOUSING OVERLAY DISTRICT” IN FURTHERANCE OF THE FAIR HOUSING ACT

WHEREAS, Chapter 180-3, Establishment of Zoning Districts, needs to be updated; and

WHEREAS, in furtherance of the Fair Housing Act and through the adoption of Ordinance 38-2019, the Lenola Town Center Overlay (LTC-O) District was created; and

WHEREAS, the Township Council wishes to amend Sections 3 and 66 of Chapter 180 of the Code of the Township of Moorestown.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Moorestown, County of Burlington, and State of New Jersey, that Sections 3, Establishment of Zoning Districts, and 66, Lenola Town Center Affordable Housing Overlay District, of Chapter 180 of the Code of the Township of Moorestown shall be amended as follows:

Section 1. §180-3, Establishment of Zoning Districts, is hereby amended as follows:

§ 180-3 Establishment of Zoning Districts.

For the purposes of this chapter, the area of the Township of Moorestown is hereby divided into zones, districts, or zoning districts designated respectively as follows:

Symbol	Zoning District
R-1	Residence Districts
R-1-A	Residence Districts
R-1-Aa	Residence Districts
R-1-A-OS	Residence Districts Open Space
R-2	Residence Districts
R-3	Residence Districts
SC-1	Senior Citizen Residence 1 Districts
AR-1	Age-Qualified Residence 1 Districts
AMF-1	Affordable Multifamily Residence 1 District
AMF-2	Affordable Multifamily Residence 2 District

Symbol	Zoning District
AMF-3	Affordable Multifamily Residence 3 District
AMF-4	Affordable Multifamily Residence 4 District
AMF-5	Affordable Multifamily Residence 5 District
AMF-6	Affordable Multifamily Residence 6 District
AMF-7	Affordable Multifamily Residence 7 District
L-MR	Low- and Moderate-Income Residence Districts
R3-TH	Residence Districts
R/PO	Residential/Professional Office Districts
RTC-1	Residence Town Center-1 Districts
RTC-2	Residence Town Center-2 Districts
CIO	Commercial-Institutional Office Districts
CRO	Commercial-Retail Office Districts
CHS	Commercial-Highway Service Districts
RLC	Residence-Limited Commercial Districts
C	Commercial Districts
SRC	Specially Restricted Commercial Districts
SRC-O1	Specially Restricted Commercial - Overlay 1 Districts
SRC-1	Specially Restricted Commercial 1 Districts
SRC-2	Specially Restricted Commercial 2 Districts
LTC	Lenola Town Center District
LTC-O	Lenola Town Center Affordable Housing Overlay District
BP-1	Business Park 1
SRI	Specially Restricted Industrial Districts
MX-1	Mixed-Use Overlay District 1
MX-2	Mixed-Use Overlay District 2

Section 2. §180-66, Lenola Town Center Affordable Housing Overlay District, is hereby deleted in its entirety and replaced with the following language:

§180-66. LTC-O, Lenola Town Center Affordable Housing Overlay District.

- A. Intent and Purpose. It is the intent and purpose of this section to allow for residential uses within a portion of the LTC, Lenola Town Center District, designated as the LTC-O Lenola Town Center Affordable Housing Overlay District on the Zoning Map of the Township of Moorestown, for the purpose of implementing its affordable housing obligations.

- B. Principal Uses. In the LTC-O District, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following principal uses:
- (1) Any use permitted in the Lenola Town Center District.
 - (2) Multiple dwellings.
- C. Any accessory use or structure permitted in the LTC District shall be permitted as an accessory use or structure in the LTC-O District.
- D. Required Income Restriction. In the LTC-O District, at least 20% of the total number of dwellings shall be affordable to very-low-, low- and moderate-income households. Affordable units shall be restricted, regulated and administered consistent with the Township's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), including the Fair Housing Act's definition of very-low-income households and all other provisions of the Township's Affordable Housing Ordinance (see Chapter 97).
- E. Area and Yard Requirements. With the exception of §180-65.1.A and -65.1.B, the provisions of §180-65.1 shall apply to development within the LTC-O district, in addition to, or amended by, the following requirements:
- (1) The number of dwellings shall not exceed sixty (60) units in total in the overlay district.
 - (2) Minimum front yard requirements.
 - (a) Buildings fronting on West Camden Avenue shall meet the front yard requirement of the Lenola Town Center District.
 - (b) Buildings fronting on Grant Avenue within one hundred seventy-five (175) feet of the right-of-way of West Camden Avenue shall be set back a minimum of twenty (20) feet from Grant Avenue.
 - (c) Buildings fronting on any other Grant Avenue right-of-way shall be set back a minimum of forty (40) feet.
 - (d) Buildings fronting on Franklin Avenue shall be set back a minimum of twenty (20) feet.
 - (3) The floor area ratio of the entire district shall not exceed .28.
 - (4) In all other respects, the area, yard and coverage requirements of the LTC district not modified herein shall apply.
 - (5) Any building on the site, whether residential or commercial, shall not exceed three (3) stories and forty-five (45) feet in height.

- (6) Dwellings per building. The minimum number of multiple dwellings in a building shall be twelve (12) and the maximum number shall be thirty-six (36).
- F. Parking Requirements. The provisions of §180-65.2 shall apply to parking in the LTC-O district.
- G. Signs. The provisions of §180-65.3 shall apply to signs in the LTC-O district.
- H. Landscape Buffers. The provisions of §180-65.4 shall apply to landscape buffers in the LTC-O district.
- I. Design Standards. The design standard provisions of §180-65.5 shall apply to the LTC-O district. Any deviation from the provisions of this section shall be considered a design exception by the board of jurisdiction in accordance with N.J.S.A. 40:55D-51.

Section 3. Repealer. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 4. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance, the provision which imposes the greater restriction or limitation shall control.

Section 5. Severability. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Township Council of the Township of Moorestown declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 6. Effective Date. This Ordinance shall take effect twenty days after final passage and upon transmittal to the Burlington County Planning Board.

CERTIFICATION

I, Patricia L. Hunt, Township Clerk, hereby certify that the attached is a true and correct copy of Ordinance No. 20-2020 which was introduced and adopted on first reading on August 24, 2020 and heard on second reading and was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on September 14, 2020.

<u>VOTE:</u>	
GILLESPIE	YES
DONNELLY	YES
LOCATELL	YES
NAPOLITANO	YES
PETRIELLO	YES

Patricia L. Hunt, RMC
Township Clerk