ORDINANCE 2011-#13
DESIGN GUIDELINES AND BULK STANDARDS

The purpose of this Ordinance is to amend and supplement Section 4.3.2.2 and Section 4.7 of the Riverside Township Redevelopment Plan, dated October 2004 so as to establish permitted uses, bulk standards design guidelines, and other development Standards for the redevelopment of Block 1201, Lots 1, 1.01, 2 & 2.01 and Block 904, Lots 1, 2 & 2.01 in the Special District 1 (SD-1) Redevelopment Area. This Ordinance also provides for General Development Plan standards to govern the Redevelopment of the SD-1 Redevelopment Area and revises the section of the Redevelopment Plan concerning affordable housing to bring it into compliance with new State law.

BE IT ORDAINED by the Mayor and Committee of the Township of Riverside, County of Burlington, State of New Jersey, as follows:

Section 1

Strike 4.3.2.2 of the Riverside Township Redevelopment Plan in its entirety and replace with the following:

4.3.2.2 SPECIAL DEVELOPMENT DISTRICT 1 (SD-1)

Area Description:

Special District 1 (SD-1) is a redevelopment area commonly referred to as "Taubel's Mill." This special development district is generally bordered by Delaware Avenue, New Jersey Avenue, Second Street, Fairview Street and Hancock Street. Any redevelopment project within this district must include high quality streetscaping since the frontage roads have high visibility. The area is adjacent to the Riverside Station of the *RiverLine.* The provisions of this Ordinance specifically supersede those contradicting sections of the Land Development Ordinance of the Township of Riverside, Adopted 2/23/2005.

Intent

The intent of the SD-1 area is as follows:

- To rehabilitate and redevelop a neglected property;
- To increase opportunities for home-ownership within the Township of Riverside;
- To establish a residential phased development of moderate intensity which takes full advantage of the area adjacent to Riverside's commercial district and to create a well-designed, transit-oriented village development demonstrating the principles of Smart Growth.

Permitted Uses

The objective of the SD-1 is the development of market units without age restrictions which provide a variety of housing options. The residential units may be for-sale or for-rent, but the intent of the Redevelopment Plan is to maximize the number of units that are for-sale units, including condominiums. No more than 25% of all residential units proposed within the SD-1 district may be rentals.

Permitted Principal Uses

- Single Family Detached Dwellings;
- Single Family Attached Dwellings;
- Townhouse Dwellings;
- Town Over Town Attached Dwellings;*
- Multi-Family Dwellings;
- Home Occupation;
- Public park, waterfront walkway and recreational facilities; and
- Government offices.

* For purposes of this Redevelopment Plan, a Town Over Town Attached Dwelling is defined as a building designed for and occupied exclusively as residences with no less than four (4) and no more than sixteen (16) separate and distinct one-family dwelling units, in which one dwelling unit is wholly or partially above another dwelling unit and both units are separate from the adjoining unit(s) by a common party wall.

Permitted Accessory Uses

- Decks and patios;
- Clubhouse;
- Recreational Facilities (i.e. pool, tennis court, bocce court, playground); and
- Refuse enclosures.

Permitted Temporary Uses

Construction and sales trailers may be permitted as a temporary use provided the property owner complies with the provisions of §255-106 of the Land Development Ordinance

of the Township of Riverside.

Bulk Requirements

	Residential/Accessory
Minimum Lot Size:	1,000 SF
Minimum Lot Width:	16'
Minimum Front Setback:	6'*
	0' for alley access townhouses
Minimum Side yard setback:	0'
Minimum Rear yard setback:	15'**
Minimum Residential Unit Size:	750 SF
Maximum Residential Density:	58 Units per Acre;
	Net Density 100 per Acre***
Max Dwellings per Building:	14 Units
Maximum Building Length:	290 Feet
Max. Floor Area Ratio:	N/A
Max. Impervious Coverage:	80%****

* Decks, patios and stoops (covered or uncovered) shall be allowed within building setbacks. Decks shall be a minimum of 10' away from the rear of any building opposite.

** For Multi-Family Dwellings a 0' setback is permitted.

***Net Density Calculation: For Purposes of this Amendment to the Redevelopment Plan, net density shall be the number of homes permitted per net developable acre of tract area. Net developable area shall be calculated by subtracting all areas dedicated as Open Space.

****For purposes of calculating impervious cover, there shall be a maximum impervious cover of 80% per Block and Lot within the tract area as well as a maximum impervious cover of 80% of the entire tract area.

Building Height:

Single Family Detached Dwelling:	4 stories / 50 feet
Single Family Attached Dwelling:	4 stories / 50 feet
Townhouse Dwelling:	4 stories / 50 feet
Town Over Town Attached Dwelling:	4 stories / 50 feet
Multi-Family Dwelling (walk-up):	4 stories / 60 feet
Multi-Family Dwelling (with elevator):	6 stories / 75 feet

Streets and Sidewalks:

Streets and sidewalks shall comply with the Residential Site Improvement Standards (RSIS).

The street design criteria are as follows:

a. Sidewalks — All sidewalks shall comply with the requirements of 255-85 of the Land Development Ordinance of the Township of Riverside.

b. Street furniture — An average of one (1) bench per every one hundred fifty *(150)* linear feet of commercial or civic frontage shall be provided on any public road and along trails in any open space. Benches shall not be required along residential frontage, except where associated with a public transportation stop.

c. Internal Roadways — Internal roadways for townhouses with rear access shall be 20 feet wide with the alley access to an individual garage and 18 foot driveway for each townhouse unit. The alleys will not be dedicated roads to the Township. They will be owned and maintained by a Homeowners Association.

Off Street Parking Standard:

Off-street parking provided for residential uses shall comply with the Residential Site Improvement Standards (RSIS) for residential uses. Given the proximity of the Taubel's Mill to the *RiverLine,* a 15% allowance is permitted if the area is developed as a transit village. All Single Family Detached Dwellings, Single Family Attached Dwellings, Townhouse Dwelling and Town over Town Attached Dwelling units will include a minimum of two spaces, one of which must be garaged space. Multi-Family Dwellings will include a minimum of 1.5 spaces per unit.

All off-street parking must comply with all other requirements of *255-83* of the Land Development Ordinance of the Township of Riverside, except that parking spaces may measure a minimum of 9' x 18'.

While driveways are permitted in front yards, no parking is allowed on driveways located between residential units amid the street. No other parking shall is permitted in any front yard.

Open Space Standards:

Overall, projects constructed on Block 1201, Lots 1, 1.01, 2 & 2.01 and Block 904, Lots 1, 2 & 2.01 shall provide open space equivalent to 10% of the total land area. Open space may be provided through any of the following:

1. Because the SD-1 area comprises a relatively small area, broken into several parcels by existing public streets. Open space may be provided by small pocket parks situated either mid-block or at intersections with the public streets. These areas may include special paved areas, grassy areas, benches or other outdoor seating and landscaping to create aesthetic outdoor spaces.

2. A village green space may be provided as open space for unstructured recreation purposes. A village green is spatially defined by building frontages. It's landscaping shall consist of walkways, lawn & trees. Tables, chairs and other possible

hardscaping may be provided.

Architecture/Building Design Standards:

Design standards and architectural standards are intended to establish architectural scheme and quality to complement the Township of Riverside. While it is not the intent of the Township to dictate a specific architectural style, the Redeveloper is expected to adhere consistently with the chosen architectural style throughout the development.

Review and Approval

The Redeveloper shall submit the following materials for review and approval of the Riverside Redevelopment Agency:

1. A report, prepared by a New Jersey registered Architect, with textural and graphic building descriptions, denoting the features that will be incorporated into all building designs;

2. Building elevation(s), drawn to scale, for the front, side, and rear elevations of each building type. The elevations shall include:

   a. Building height dimension(s);
   b. Number of stories noted;
   c. Building skin and trim materials;

3. Material samples and/or color boards illustrating color, texture, and size of each skin material to be used;

4. Written outline specifications denoting the roofing specifications, general construction characteristics, manufacturers' specifications and cut sheets on windows, doors and garage doors, gutters, specialty trim, columns and railings; and

5. Description of the nonstructural site improvements (buffering, landscaping, walls, fencing and other screening) that will be used to protect the integrity of the neighborhood.

Deviations

1. The Riverside Township Planning Board may grant a variance from the strict application of the regulations contained within this Amendment to the Redevelopment Plan, except those standards and regulations specified in paragraph 2 below, in accordance with the provisions of *N.J.S.A.* 40:55D-60 and -70c.

2. No variance shall be granted that result in any of the following effects or conditions:

a. To allow a use not specifically permitted within the redevelopment district;

b. Exceeding the maximum building or structure height;

c. Deviation from the phasing plan for public improvements or other contractual obligations of the redeveloper under a Redevelopment Agreement with the Township.

Standards

All development within the SD-1 area shall comply with the following design standards:

The architectural criteria are as follows:

a. A variety of building types and architectural styles are appropriate to the overall architectural character of the development. The architectural styles used shall be compatible with and complementary to one another and to Riverside Township. Classic design styles such as Colonial, Georgian, Victorian, Craftsman, etc. are encouraged but not required. The building walls should reflect and reinterpret the traditional materials and construction techniques of Riverside and the Delaware River Valley region. Complex and ostentatious detailing is not favored. The intent is for the community to look as if it had developed over time.

b. Exposed foundation walls shall be natural or manufactured brick, concrete, or stone. Chimneys shall be made of natural or manufactured brick or stone.

c. The character of the architecture facing the street shall reinforce pedestrian scale and have a varied look.

d. Strategic variations in ridge and roof types and heights are encouraged to provide visual interest and reduce monotony.

e. Gable, hip, mansard, hipped gable, gambrel, shed, dome, and flat roofs are permitted. Applied mansard roofs are not permitted. Flat roofs shall be concealed with parapets and/or cornices along any right of way. Pitched roofs, if provided, shall be sloped no less than *5:12,* except that porches may be attached with shed roofs with slopes not less than 2:12.

f. All building types shall have all street elevations detailed at quality levels substantially consistent with each other.

g. Front doors shall face public streets, greens or plazas. Whenever possible, corner units shall have the front door located on the end wall.

h. Windows, bays, offsets, additional fenestration, turned gables, door openings, and other architectural features shall be used to enhance the architectural character of end walls.

i. The public street elevations shall provide variety and interest. Changes in material, texture, color, and detail shall be employed to that end, appropriate to the chosen design vernacular. Garage doors facing a public street must have visual relief with the use of panels, textures and/or glass. Architectural design shall endeavor to minimize the visual impact of garage doors facing a public or neighborhood street.

j. Windows shall be compatible in style, size, scale, proportion and trim with the architectural style/vernacular used. Each facade of any building facing a park, square, public street or neighborhood street shall contain transparent windows covering a minimum of 10% and a maximum of 65% of the total wall area of the public facing façade.

k. Shutters may be used when appropriate to the style and window. Shutters shall be sized to match the window opening. Shutters used for ganged windows are not permitted.

l. Balconies shall not project more than four (4) feet beyond the building façade, and they may not project over the sidewalk. Balconies may be roofed.

m. Entries and porches shall be consistent with the design vernacular. Entries shall face streets to the extent possible, and be clearly identified within the façade of the building.

n. Where turrets, cupolas, open porches or stoops are provided, each shall comply with the following design standards:

i. Turrets/Cupolas — no more than 3.5% of the building coverage area shall contain turrets/cupolas. Turrets/cupolas may exceed the maximum building height in the district by a maximum of 15' above the highest point of the roof. Buildings of civic importance such as government buildings, public facilities, and buildings of historic importance such as government buildings, public facilities, historic landmarks, and places of worship may exceed the maximum building height of the district by a maximum of 30' above the highest point of the roof.

ii. Open Porches — the length of all porches shall be 25% to 66% of the building frontage facing any public street and the depth shall be a minimum of 6' deep, except that single family detached dwellings may have porch widths of 100% of the building frontage facing the public street. Open porches shall be a minimum of 12" and a maximum of 60" iii height from grade to the top of the stairs. Open porches shall be roofed and roofs may extend into the right of way.

iii. Stoops — the length of all stoops shall be a minimum of 4' and a maximum of 6'; and the depth shall be a minimum of 3' and a maximum of 5' deep. Stoops shall be a minimum of 12" and a maximum of 96" in height from grade to the top of the stairs. Stoops may be uncovered or roofed and roofs may extend into the right of way.

o. Building and mechanical equipment, including meters, grills and satellite dishes shall be

located so as to be visually shielded from the public street to the extent allowed by utility companies. Window air conditioners are not permitted.

p. No more than three (3) material types shall be visible on any exterior wall excluding foundations and piers of the building. Stucco is permitted but not over existing natural brick or stone. Aluminum, vinyl or plywood siding are not permitted materials for front facades, below eight (8) feet from grade for buildings on Pavilion Avenue or Franklin Street. Heavier materials such as stone, brick or concrete shall be located below lighter materials such as wood or cementitious fiberboard. Material changes shall occur along a horizontal line. The front façade of buildings are encouraged to be finished with more than one finish material. Side facades exposed to a public street shall be finished from the corner to any building entrance.

q. Similar colors, value and tone are recommended and encouraged on adjacent buildings. If a traditional architectural theme is used, the colors should be consistent with the architectural style.

Fencing:

Fences and walls located along the frontage shall complement the architectural theme of the buildings and form continuous, cohesive enclosures along the street. Fences located between the front build-to line and a public or neighborhood street shall be natural or manmade wood picket fences, powder coated aluminum, wrought iron, or non-shiny vinyl.

All fences shall be of quality materials and properly installed and shall otherwise comply with the requirements of 255-93 of the Land Development Ordinance of the Township of Riverside. All fences shall be maintained by the property owner or the appropriate condominium or community association.

Landscaping:

Landscaping and street trees shall be provided in a manner consistent with 255-89 to 255-92 of the Land Development Ordinance of the Township of Riverside. Plants and trees shall be typical of their species and variety, have normal growth habits, well developed branches and vigorous root systems, and be densely foliated, and shall be free from defects, injuries, diseases and infestation. Site walls not exceeding 6' in height are permitted. Appropriate signage may be placed on site walls if otherwise consistent with this Redevelopment Plan.

Signs:

All signs shall comply with the requirements of §255-97 of the Land Development Ordinance of the Township of Riverside, except that the following signs are expressly prohibited:

a. Beacons;
b. Tethered balloons;
c. Signs using red, yellow and green lights which mimic the operation of any traffic

control signal;

d. Signs using the words such as "stop," "look," or "danger" which are placed to constitute a traffic hazard or interfere with the free flow of traffic;
e. Roof signs or signs mounted on the roof;
f. Pennants;
g. Inflatable signs;
h. Animated or moving signs;
i. Internally illuminated signs, awnings and canopies;
j. Vehicle(s) or trailer(s) permanently located to serve as a sign in circumvention of this Redevelopment Plan;
k. Signs which present lewd or graphic sexual depictions;
l. Bench signs which display a commercial message;
m. Bus shelter signs; and
n. Neon or gas tubing signs.

In addition to the temporary construction signs permitted under 255-94.B.7.a. of the Land Development Ordinance of the Township of Riverside, three (3) additional temporary construction or marketing/sale signs are permitted beginning with the issuance of the building permit and terminating with the issuance of a certificate of occupancy or the expiration of the building permit, whichever comes first. Each temporary sign shall not exceed sixteen (16) square feet. Such signs may indicate things such as Sales Office, Model Name, "Coming Soon" and "New Phase."

Lighting:

1. All lighting and light fixtures shall comply with the requirements of 255-94 of the Land Development Ordinance of the Township of Riverside, except to the extent of inconsistency with the following:

a. Fixtures illuminating a pedestrian walkway not associated directly with a road shall have a maximum height of 12'.

b. Cobra head fixtures are not allowed.

c. Details of the luminaries shall be provided indicating the manufacturer and model number, optics or distribution type (i.e. Type I, Type V, etc.), lamp wattage of the lamp, mounting height to light center and color.

2. Section *255-94.E.2* of the Land Development Ordinance of the Township of Riverside is specifically superseded by the following:

Metal-halide fixtures with full cut-off are required with the caveat that other types of lighting fixtures may be used so long as it is proved to the satisfaction of the Township of Riverside Planning Board that they produce better light at greater efficiencies than metal-halide fixtures. High- or low- pressure sodium lamps are not allowed. In no instance is a luminary allowed that does not have a full cut-off for night-sky quality.

Section 2

Add to the Riverside Township Redevelopment Plan the following section:

§ 4.3.2.2.1 GENERAL DEVELOPMENT PLAN REQUIREMENTS

A. Purposes of the General Development Plan Provisions

The Township of Riverside has determined that its goals and objectives for the Redevelopment of the Special District 1 (SD-1) Redevelopment Area commonly referred to as "Taubel's Mill" (Taubel's Mill Redevelopment Area), are in accord with the provisions of the Local Redevelopment and Housing Law (LRHL), *N.J.S.A.* 40A:12A-1 et seq. Although the Municipal Land Use Law, (MLUL), *N.J.S.A.* 40:55D-1, et seq., provides General Development Plan approvals are only available for parcels in excess of 100 acres, it is the intention of the Redevelopment Plan to provide specific authority for General Development Plan approval for the Taubel's Mill Redevelopment Area in order to provide for an orderly and consistent planning of the Area. This Plan incorporates the review criteria and procedural requirements of the statutory general development plan approval to provide a flexible procedure for review, consideration, and hearings for the Taubel's Mill Redevelopment Area. It is the intent of this Redevelopment Plan to adopt a similar, yet distinct, procedure to recognize that the process may involve conditional use approval, site plan approval, subdivision approval and additional affirmative findings by the Riverside Township Planning Board ("Board") with regard to planned developments. The authority for the general development plan process does not arise from the MLUL, but rather arises from the governing body's authority to adopt a Redevelopment Plan pursuant to the LRHL.

B. Applicability

Any redeveloper of a parcel of land located in the Taubel's Mill Redevelopment Area, ("TMRA"), zoning district and for which the redeveloper is seeking approval of a planned development, pursuant to this Redevelopment Plan, may submit a General Development Plan, ("GDP"), to the Board in accordance herewith. Any project proposed as a GDP under this Redevelopment Plan shall follow the appropriate zoning requirements of the Township of Riverside and the applicable subdivision and site plan requirements. To the extent that the procedures, design standards, uses and zoning regulations set forth in this Redevelopment Plan conflict with other provisions of the Township Zoning Regulations, the provisions of this Redevelopment Plan, including but not limited to the GDP provisions, shall apply.

C. Requirements for General Development Plan Approval

1, Submission Required. Any redeveloper of a parcel of land for which the redeveloper, as applicant, is seeking approval of a GDP, including authorized representatives of all lands within the subject planned redevelopment tract, shall submit a GDP for the entire parcel of land for review and approval by the Planning Board prior to, or simultaneous with, any application(s) for preliminary and/or final site plan or subdivision approval(s) for any portion of the proposed redevelopment. All references to *N.J.S.A.* 50:55D-45.1 *et seq.* are for guidance and instruction

only. Any approval of a GDP shall be obtained pursuant to this Redevelopment Plan and shall be governed by the requirements of this Redevelopment Plan.

2. Contents of GDP. The GDP shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New Jersey in accordance with the requirements of *N.J.S.A.* 40:55D-45.1.a and shall bear the signature, seal, license number and telephone number of the said professional engineer and/or land surveyor; provided, however, that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor. All GDPs shall include the following:

(a) *Land Use Plan.* A land use plan submitted in plat form at a scale of one inch equals 100 feet for a tract up to 150 acres and one inch equals 200 feet for a tract of 150 acres or more. The land use plan shall include all of the information required to be included in a general land use plan as set forth in *N.IS.A.* 40:55D-45.2.a;

(b) *Circulation Plan.* A circulation plan showing all of the information required to be included in a circulation plan as set forth in *N.J.S.A.* 40:55D-45.2.b;

(c) *Open Space Plan.* An open space plan showing all of the information required to be included in an open space plan as set forth in *N.J.S.A. 40:55D-45.2.c;*

(d) *Utilities Plan.* A utilities plan indicating all of the information required to be included in a utility use plan as set forth in *N.J.S.A. 40:55D-45.2.d;*

(e) *Stormwater Management Plan.* A stormwater management plan setting forth all of the information required to be included in a stormwater management plan as set forth in *N.J.S.A. 40:55D-45.2.e;*

(f) *Environmental Inventory.* An environmental inventory, including all of the information required to be included in an environmental inventory as set forth in *N.J.S.A.* 40:55D-45.2.f;

(g) *Community Facilities Plan.* A community facility plan indicating all of the information required to be included in a community facilities plan as set forth in *N.J.S.A.* 40:55D-45.2.g;

(h) *Housing Plan.* If applicable, a housing plan containing all of the information required to be included in a housing plan as set forth in *N.J.S.A.* 40:55D-45.2.h

(i) *Local Service Plan.* A local service plan containing all of the information required to be included in a local service plan as set forth in *N.J.S.A.* 40:55D-45.2.i;

(j) Fiscal Report. A fiscal report containing all of the information required to be included in a fiscal report as set forth in *N.J.S.A.* 40:55D-45.2.j;

(k) *Proposed Timing Schedule.* A proposed timing schedule in the case of a planned

redevelopment whose construction is contemplated over a period of years, indicating the areas to be redeveloped in each stage, the priority of each stage and the anticipated completion dates, as well as any terms or conditions which are intended to protect the interests of the public who occupy any section of the redevelopment prior to the completion of the redevelopment in its entirety;

(l) *Redevelopment Agreement.* A fully executed Redevelopment Agreement setting forth the rights and obligations of the redeveloper and the Township shall be a condition of final approval of any GDP;

(m) Certification that the redeveloper/applicant is/are the owner(s) of the subject land or is/are a properly authorized agent, or that the owner of a property has given his/her consent under an option agreement, contract to purchase or other enforceable proprietary interest of the land;

(n) Certification from the Township Tax Collector that all taxes and assessments have been paid to date; and

(o) A title block in accordance with the rules governing title blocks for professional engineers *N.J.S.A. 45:8-36).*

D. Planning Board Action on Applications

1. Review of Plan. The Board shall act upon the application after the Board and its professionals have sufficiently reviewed the application, and the applicant has had sufficient opportunity to present its request for redevelopment approval to the Board, and that the concerns of other interested persons have been considered. All hearings held on any application for GDP approval shall comply with the notice requirements set forth in the MLUL.

(a) *Redevelopment Agreement.* The Board shall confirm that the applicant has executed a Redevelopment Agreement with the Township. If a Redevelopment Agreement has not been executed at the time of Board approval of a GDP, approval of the GDP shall be conditioned upon the execution of Redevelopment Agreement with the Township upon terms which are acceptable to the Township.

(b) *Term of GDP.* The term of the effect of GDP approval shall be determined by the Board in consultation with the Township Committee, except that the term of the effect of the approval shall not exceed twenty (20) years from the date upon which the applicant received final approval of the first section of the planned development. In making its determination regarding the duration of the effect of approval of the GDP, the Board and Township Committee shall consider the number of dwelling units and the amount of nonresidential floor area to be constructed; prevailing economic conditions; the timing schedule to be followed in completing the redevelopment and the likelihood of its fulfillment; the redeveloper's capability of completing the proposed redevelopment; the contents of the GDP and any conditions which the Board attaches to the approval thereof.

2. Board Approval or Denial. The Board shall take action on the application for GDP approval in accordance with the applicable requirements of the MLUL, *N.J.S.A.* 40:55D-1, *et seq.*, within the timeframe established in *N.J.S.A.* 40:55D-45.3, or within such time as may be consented to by the redeveloper/applicant. Upon failure of the Board to act within the aforementioned time periods, the Board shall be deemed to have granted GDP approval to the site plan.

3. Findings for planned unit developments. Prior to approval of a GDP for a planned unit redevelopment, the Board shall find the following facts and conclusions:

(a) That departures by the proposed redevelopment from zoning regulations otherwise applicable to the subject property conform to zoning ordinance standards adopted pursuant to *N.J.S.A. 40:55D-65c* of the MLUL;

(b) That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate;

(c) That provisions through the physical design of the proposed planned unit redevelopment for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;

(d) That the proposed planned unit redevelopment shall not have an unreasonably adverse impact upon the area in which it is proposed to be established;

(e) In the case of a proposed planned unit redevelopment which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and the residents, occupants, and owners of the proposed redevelopment in the total completion of the redevelopment are adequate.

E. Effect of Approvals

1. Redevelopment of the Project. The project shall be redeveloped in accordance with the GDP approved by the Board notwithstanding any provision of the MLUL or of any ordinance or regulation adopted pursuant thereto after the effective date of the approval, subject to the following:

(a) Once the GDP has been approved by the Board, it may be amended only upon application by the applicant to the Board and all variations in the physical features of the project after the GDP has been approved shall be in accordance with the requirements set forth in *N.J.S.A.* 40:55D-45.5 and *40:55D*-45.6.b.

(b) Upon completion of each section of the redevelopment as set forth in the approved GDP, the redeveloper shall notify the Township Clerk by certified mail that the redeveloper/applicant has fulfilled its obligations under the approved GDP. For purposes of this section, "completion" of any section of the redevelopment shall mean

that the redeveloper has acquired a Certificate of Occupancy for every residential unit or every nonresidential structure as set forth in the approved GDP and pursuant *N.J.S.A. 52: 57D-l*33. If the Township does not receive such notification at the completion of any section of the redevelopment, the Township shall notify the redeveloper/applicant, by certified mail, in order to determine whether or not the terms of the approved GDP are being complied with.

2. Modification of Time Schedule. All modifications of the approved timing schedule shall comply with the requirements of *N.J.S.A. 40:55D-45.4.*

F. Termination of GDP.

An approved GDP may be terminated as follows:

1. Failure to Comply With Project Schedule. If the redeveloper/applicant does not complete any section of the redevelopment within the time required in the Board's approval of the GDP, or if at any time the Township has cause to believe that the Redeveloper is not fulfilling its obligations pursuant to the approved GDP and the Redevelopment Agreement, the Township may take steps to terminate the GDP approval in accordance with *N.J.S.A. 40:55D-45.7.*

2. Failure to Apply for Preliminary Site Plan Approval. If the redeveloper/applicant does not apply for preliminary approval for the planned redevelopment which is the subject of that GDP approval within five *(5)* years of the date upon which the GDP was approved by the Board, the Township may terminate the GDP approval.

3. Completion of the Project. The GDP approval may be terminated prior to the end of the term approval pursuant to *N.J.S.A. 40:55D-45.8.*

G. Survival of GDP Approval.

In the event this Redevelopment Plan is Amended and the terms of GDP approval within the Amended Plan are amended and/or repealed, all GDP approvals obtained prior to such amendment or repeal shall survive and all rights and obligations of the redeveloper/Applicant shall remain in place until completion of the Redevelopment project pursuant to the GDP approval and the applicable Redevelopment Agreement.

Section 3

Section 4.7 of the Riverside Township Redevelopment Plan which was amended by Ordinance 2008-#2, is further amended hereby by adding the following to the end of the section:

Notwithstanding anything to the contrary in this Section, a redeveloper who entered into a Redevelopment Agreement with the Township which specifies its affordable housing obligation shall comply with the affordable housing obligations as set forth in the executed Redevelopment Agreement rather than the requirements of this Section 4.7.

Section 4

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance or the Riverside Township Redevelopment Plan which shall remain in full force and effect.

Section 5

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

Section 6

This Ordinance shall take effect in the time and manner prescribed by law.

Attest: Township of Riverside

Susan Dydek, Township Clerk

George Conard, Sr., Mayor

The above Ordinance was passed by the Township Committee of Riverside, New Jersey, at a meeting of said Committee held on December 19, 2011, and was taken up for a second reading and final passage at a meeting of said Committee held on December 19, 2011.

PUBLIC NOTICE

TOWNSHIP OF RIVERSIDE

Notice is hereby given that the foregoing Ordinances of the Township of Riverside, in the County of Burlington and State of New Jersey, was passed on second and final reading after public hearing at a Regular Meeting of the Township Committee of the Township of Riverside held on Monday evening, December 19, 2011.

Ordinance 2011-#11 entitled, "AMENDING CHAPTER 243, OF THE TOWNSHIP CODE ENTITLED "VEHICLES AND TRAFFIC."

Ordinance 2011-#13 entitled, "DESIGN GUIDELINES AND BULK STANDARDS."

Ordinance 2011 - #14 entitled, "AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF RIVERSIDE, IN THE COUNTY OF BURLINGTON, AND THE STATE OF NEW JERSEY, FOR THE YEAR 2012."

Ordinance 2011 - #15 entitled, "AMENDING CHAPTER 129 OF THE CODES OF THE TOWNSHIP OF RIVERSIDE ENTITLED, "CERTIFICATE OF OCCUPANCY; CERTIFICATE OF HABITABILITY; CERTIFICATE OF APPROVAL."

Susan M. Dydek, RMC
Municipal Clerk