



BOROUGH OF FLORHAM PARK
ORDINANCE #16-17

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH
OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
AMENDING SECTION 250 “ZONING” OF THE BOROUGH CODE WITH RESPECT
TO SUPPORTIVE AND SPECIAL NEEDS HOUSING WITHIN THE PLANNED
OFFICE DISTRICT ZONES**

WHEREAS, the Borough Council deems it appropriate to amend the Borough Code with respect to certain elements of the Office District Zones, specifically with regard to supportive and special needs housing.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Florham Park, County of Morris, State of New Jersey, as follows:

SECTION 1. Subsection 250-2.2D, “Definitions,” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby amended to include the following new definition:

SUPPORTIVE and SPECIAL NEEDS HOUSING

A living arrangement for intellectually and/or developmentally disabled persons providing services and support in a community setting, privately-leased or owned by the provider, all of which are utilized for the provision of residential services, which include group homes, supervised apartments, and supportive shared living. All individuals or households occupying supportive and special needs housing shall be of very-low, low-or moderate-income.

SECTION 2. Subsection (6) (beginning with the phrase “Ancillary surface parking...”) of Section 250-117 “Permitted uses in the POD-S Zone” of Article XVIII, “Planned Office District Zones” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby deleted in its entirety.

SECTION 3. Subsection (1) “Any planned unit development in the POD-N and POD-S Zones,” of Subsection A “Components of PUD,” of Section 250-123, “Planned unit development in POD-N and POD-S Zones” of Article XVIII, “Planned Office District Zones” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby amended to include a new subsection e, to read as follows:

A supportive and special-needs housing component consisting of a mix of one-bedroom and two-bedroom supportive housing units not to exceed 98 bedrooms and one group home with a maximum of four bedrooms for special needs adults who require full-time supervision.

SECTION 4. Subsection (2) of Section 250-123 “Required Components of PUD,” of Subsection 250-123, “Planned unit development in POD-N and POD-S Zones” of Article XVIII, “Planned Office District Zones” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby amended to read in its entirety as follows:

Except as provided in Subsection B below with regard to utility improvements, no part of the commercial use component, commercial athletic training facilities component, age-restricted residential housing component, or supportive and special-needs housing component of any planned unit development may be located in the POD-N Zone.

SECTION 5. Subsection E of Section 250-123 “Required Components of PUD,” of Section 250-123, “Planned unit development in POD-N and POD-S Zones” of Article XVIII, “Planned Office District Zones” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby amended to read in its entirety as follows:

E. Requirements for age-restricted residential housing component.

(1) All housing units within the age-restricted residential housing component shall comply with the following requirements:

(a) Minimum number of low-and moderate-income housing units: 18 units.

(b) Minimum building setback from Park Avenue right-of-way: 150 feet.

(c) Minimum building setback from all other streets, public or private, providing direct access to any nonresidential use within the PUD: 50 feet from right-of-way line for public streets; 50 feet from curblines for private streets.

(d) Minimum building setback to all perimeter boundaries of the PUD: 50 feet.

(e) Minimum building setback from all other property lines: 20 feet.

(f) Minimum parking setback from Park Avenue right-of-way: 150 feet.

(g) Minimum parking setback to all other streets, public or private, providing direct access to any nonresidential use within the PUD: 50 feet from right-of-way line for public streets; 50 feet from curblines for private streets.

(h) Minimum parking setback to all perimeter boundaries of the PUD: 50 feet.

(i) Subject to the exceptions below, the minimum building setback from all streets or alleyways providing direct access to a garage at the rear of a residential building (such streets or alleyways are herein referred to as "garage accessways") shall be 8.5 feet measured from the curblines; the minimum building setback from all other streets, public or private, providing direct access only to age-restricted housing units within the PUD shall be 20 feet, measured from the right-of-way line for public streets and from the curblines for private streets. Notwithstanding the foregoing:

(1) For single-family detached age-restricted housing units, encroachments within minimum building setbacks shall be permitted as provided in § 250-123E(2)(e) and (f) below.

(2) For multifamily age-restricted housing units, open covered porches, uncovered patios and decks, balconies, and stoops may extend seven feet into the required setback from

streets other than garage accessways; uncovered steps may extend up to two feet from the street sidewalk, measured from the sidewalk edge closest to the building; and planter boxes may extend up to the street sidewalk edge located closest to the building.

(j) Minimum building setback from all parking spaces serving age-restricted residential uses within the PUD: 15 feet. This requirement shall not apply to parking on streets or in driveways.

(k) Minimum parking setback from all streets, public or private, providing direct access only to age-restricted residential uses within the PUD: 10 feet from right-of-way line for public streets; 10 feet from curblines for private streets. This requirement shall not apply to on-street parking.

(l) Maximum aggregate building coverage within the age-restricted residential housing component: 25%. (Such coverage shall be calculated based on the total land area within the age-restricted residential housing component of the PUD.)

(m) Maximum aggregate improved tract coverage within the age-restricted residential housing component: 50% (such coverage shall be calculated based on the total land area within the age-restricted residential housing component of the PUD); provided, however, that total improved coverage for the entire POD-S Zone shall not exceed 40%.

(n) Notwithstanding anything to the contrary elsewhere in this chapter, roof projections such as chimneys, spires, cupolas, towers, and flagpoles shall be permitted to extend up to 10 feet beyond the highest point of the roof, provided that the area of all such projections does not exceed 10% of the total roof area.

SECTION 6. Section 250-123 “Required Components of PUD,” of Section 250-123, “Planned unit development in POD-N and POD-S Zones” of Article XVIII, “Planned Office District Zones” of Chapter 250 “Zoning” of the Code of the Borough of Florham Park is hereby amended to include a new Subsection F as follows”

F. Requirements for supportive and special-needs housing component.

(1) Minimum lot size shall be eight (8) acres.

(2) Minimum building setback from Park Avenue right-of-way shall be 50 feet.

(3) Minimum building setback from other streets shall be 50 feet.

(4) Minimum building setback from all other property lines shall be 25 feet.

(5) Minimum parking setback from Park Avenue right-of-way shall be 100 feet, 50 feet from other streets and 15 feet from other property lines.

(6) Maximum building coverage shall be 25% (Such coverage shall be calculated based on the total land area within the supportive and special needs housing component of the PUD.).

(7) Maximum impervious coverage shall be 45% (Such coverage shall be calculated based on the total land area within the supportive and special needs housing component of the PUD.).

(8) Minimum distance between buildings shall be 25 feet.

(9) Maximum building height: 2 1/2 stories/ 35 feet.

(10) Parking shall be provided in accordance with the requirements of N.J.A.C. 5:21 and Residential Site Improvement Standards (RSIS). However, the Planning Board shall have the discretion to grant a de minimis exception from RSIS standards based on the anticipated reduced parking demand for supportive and special needs housing.

SECTION 7. All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 8. If any article, section, subsection, paragraph, phrase or sentence of this ordinance is for any reason declared to be invalid, such declaration shall not affect the remainder of the ordinance.

SECTION 9. - This ordinance shall take effect upon final publication as provided for by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park introduced on September 1, 2016 and will be further considered for adoption after Public Hearing held on September 15, 2016 at 7:00 p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, NJ 07932.

INTRODUCED: September 1, 2016

ADOPTED: September 15, 2016

Mark Taylor, Mayor

ATTEST:

Sheila Williams, Borough Clerk

Certified to be a true copy of an Original Ordinance adopted on September 15, 2016.

Sheila A. Williams, R.M.C., Borough Clerk