

DELAWARE TOWNSHIP
ORDINANCE #2011-11LU

AN ORDINANCE SUPPLEMENTING AND AMENDING THE ORDINANCE ENTITLED “THE LAND USE ORDINANCE OF THE TOWNSHIP OF DELAWARE” BY PERMITTING HAMLETS IN THE A-1 AND A-2 DISTRICTS AND PROVIDING DEVELOPMENT STANDARDS THEREFOR. #2011-11LU

WHEREAS, the Municipal Land Use Law has among its purposes:

- providing the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment; and
- providing sufficient space in appropriate locations for a variety at agricultural, residential, recreational, commercial and industrial uses and open space, both public and private according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and
- promoting a desirable visual environment through creative development techniques and good civic design and arrangement; and

WHEREAS, the hamlet development option provides more varied housing opportunities to meet the needs of Township residents; and

WHEREAS, the regulations set forth herein provide design and development regulations that ensure that any hamlet in Delaware Township is developed with appropriate location and design standards to meet the purposes of the Master Plan and to balance growth with protection of the Township’s environment, scenic values, rural character and agricultural base.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Delaware, in the County of Hunterdon, State of New Jersey, that the Land Use Ordinance of the Township of Delaware be amended as follows (additions are shown with underlining and deletions are shown with ~~strikethrough~~):

SECTION 1.

Section 3:5, “Regulations Applying to the A-1 Zone,” is amended as follows:

Section 3:5.2, Use Regulations

A. Permitted uses. Any of the following uses shall be permitted:

* * *

11. Hamlets, subject to the provisions of Section 3:17 of this Ordinance.

SECTION 2.

Section 3:5.4 is amended as follows:

Section 3:5.4, Table of Performance, Area and Dimensional Regulations for the A-1 Zone.

Permitted Use	Minimum Size of Tract (Acres)	Open Space Ratio ⁽¹⁾	Minimum Lot			Minimum Yard Setbacks (Feet)					
			Area	Width ⁽²⁾ (Feet)	Depth (Feet)	Principal Building			Accessory Building		
						Front	Side	Rear	Farm	≤ 500 S.F	>500 S.F
Single Family Detached	3.0		3.0 Acres	250	400	50	50	100		10	50
Single Family Detached w/ Lot Size Averaging	12.0		1.5 Acres ⁽³⁾	150	200	50	40	50		10	50
Single Family Detached Cluster	12.0	.70	30,000 SF ⁽⁴⁾	115	250	25 ⁽⁵⁾	15	40		10	50
Village Cluster Hamlet ⁽⁶⁾	100	.82									
Village House			14,000 SF	115	130	15 ⁽⁵⁾	10	40		10	50
Zero Lot Line House			14,000 SF	110	130	15	20 ⁽⁷⁾	40		10	50
Twin House			12,000 SF	90	130	15	10	40		10	50
Flag Lot	4.0 ⁽⁸⁾		4.0 Acres ⁽⁸⁾	Flagpole Width 50 feet	400	75	75	75		10	50

Lot on a Private Access Way	6.0		3.0 Acres	150	400	25	25	75		10	50
Agriculture and Other Uses	3.0		3.0 Acres						75-livestock		
									10-no livestock		

* * *

Additional Requirements:

- Maximum gross density for all uses in the A-1 Zone shall be one dwelling unit for each three (3) acres except for Hamlets (see Section 3:17.2).

* * *

SECTION 3.

Section 3:6, “Regulations Applying to the A-2 Zone,” is amended as follows:

Section 3:6.2, Use Regulations

- Permitted uses. Any of the following uses shall be permitted:

* * *

- Hamlets, subject to the provisions of Section 3:17 of this Ordinance.

SECTION 4.

Section 3:6.4 is amended as follows:

Section 3:6.4, Table of Performance, Area and Dimensional Regulations for the A-2 Zone.

Permitted Use	Minimum Size of Tract (Acres)	Open Space Ratio ⁽¹⁾	Minimum Lot			Minimum Yard Setbacks (Feet)					
			Area	Width ⁽²⁾ (Feet)	Depth (Feet)	Principal Building			Accessory Building		
						Front	Side	Rear	Farm	≤ 500 S.F	>500 S.F
Single Family Detached	6.0		6.0 Acres	250	400	50	50	100		10	50
Single Family Detached w/ Lot Size Averaging	24.0		3.0 Acres ⁽³⁾	250	400	50	50	100		10	50

Single Family Detached Cluster	24.0	.70	1.5 Acres ⁽⁴⁾	115	400	25 ⁽⁵⁾	15	40		10	50
Village Cluster Hamlet ⁽⁶⁾	100	.82									
Village House			24,000 SF	115	200	15 ⁽⁵⁾	10	40		10	50
Zero—Lot Line House			24,000 SF	110	200	15	20 ⁽⁷⁾	40		10	50
Twin House			22,000 SF	90	200	15	10	40		10	50
Flag Lot	7.0 ⁽⁸⁾		7.0 Acres ⁽⁸⁾	Flagpole Width 50 feet	400	75	75	75		10	50
Lot on a Private Access Way	12.0		6.0 Acres	150	400	25	25	75		10	50
Agriculture and Other Uses	6.0		6.0 Acres						75-livestock 10-no livestock		

* * *

Additional Requirements:

1. Maximum gross density for all uses in the A-1 2 Zone shall be one dwelling unit for each ~~three~~ **(3) six (6) acres** except for Hamlets (see Section 3:17.2).

* * *

SECTION 5.

A New Section 3:17, entitled “Hamlets,” is hereby added as follows:

3:17 Hamlets

3:17.1 Intent. Hamlets shall be designated, located and established in accordance with the Township Master Plan. The primary intent of this development option is to create new forms of compact development that reflect, in large part, the principles contained in the State Development and Redevelopment Plan. Hamlets primarily reflect a residential character with, in some cases, limited non-residential forms of development such as a multi-purpose community building, a school, a house of worship, a landscaped commons or green as a community focal point or other similar land uses. In

addition, this development option is intended to have an overall density that conforms to the carrying capacities of the natural and built systems and is designed to promote an integrated and interconnected transportation system which facilitates internal movement, including pedestrians and bicycles.

3:17.2 Standards. The following standards shall apply to hamlet developments:

1. A hamlet development plan may result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for a hamlet development, a Lot Yield and Buildable Tract Area Calculation shall be provided to the Municipal Agency (See Section 12:1.3). The number of lots in this calculation shall be the maximum number of lots permitted under a hamlet development.
2. For purposes of calculating lot yield, the maximum dwelling unit density applied to the net buildable tract area shall be 0.333 dwelling units per acre.
3. All dwelling units and other permitted land uses associated with a hamlet shall be required to locate:
 - a. On either a County or State Road.
 - b. At least one mile from the intersection of County Routes 604 and 523.
4. The hamlet shall be located on a tract with a mix of woodland and open fields, so that the site design can take advantage of these features and the development portion of the tract can be attractively designed and shielded/screened.
5. The tract on which the hamlet is located shall have a minimum size of 100 acres.
6. The hamlet shall generally be designed to reflect any of the three (3) concept plans as well as the contiguous and non-contiguous clustering design principles and photos contained in the adopted Delaware Township Master Plan Amendment, Land Use Plan Element for the A-R Zone, dated October 20, 2009. Maximum gross dwelling unit density on the hamlet tract shall be 0.706 dwelling units per acre. The total number of dwelling units shall not exceed seventy-seven (77), exclusive of existing historic farm dwelling units.
7. The hamlet shall be located in an area where aquifer testing demonstrates that sufficient water supplies are available to sustain the proposed development, in accordance with Township ordinances or where public water supply.
8. The hamlet shall be served by a domestic treatment works facility that meets NJDEP requirements.
9. A hamlet development plan shall be designed in accordance with the bulk requirements for single-family detached and twin units found on Tables 1 and 2 below.

10. At least 82 percent of the tract shall be designated as “Open Lands” and shall, as a condition of approval of the development, be deed restricted for agriculture and, where applicable, for conservation use.

11. The open lands may be composed of contiguous or noncontiguous parcels, provided that the open land area shall contain at least 30 contiguous acres. All open lands shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.

12. General design requirements.

a. A hamlet shall be conceived, designed, subdivided, site planned and approved by the Municipal Agency as a single development according to a comprehensive site development plan. In addition, site landscaping, building design and common area maintenance guideline control standards shall be established.

b. The hamlet shall be developed with a common architectural theme that shall be subject to review and approval by the Municipal Agency at the time of preliminary site plan and/or subdivision approval. The architectural theme shall include buildings, signing, fencing, lighting, paving, curbing, landscaping and other similar and related physical features.

c. Building design, standards, guidelines, and uses.

(1) Dwelling unit styles shall be selected from among the range of existing historic buildings in the Township. The choices of dwelling unit styles shall be reflected in the ratio of building width to height, the exterior arrangement for windows and doors, the pitch and style of the roof, the style of the porch and the selection of exterior materials, trim and detailing. The local examples serving as the basis for the choices of dwelling styles and the design features of each style shall be proven to the satisfaction of the Municipal Agency at the public hearing on the application and shall be based, in part, on “Design Principles and Images” found in the Township Master Plan.

(2) The treatment of side and rear walls of any building that abuts a public street or park, in terms of fenestration, building materials and colors, shall be similar to the treatment of the front facade.

(3) All buildings shall be designed to convey a small scale hamlet character. Buildings shall contain the following design elements:

(a) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior.

(b) A variety of housing setbacks, rooflines, color schemes, elevations and heights shall be required in the development to

avoid a repetitious and monotonous streetscape. The placement of the various model types within the development shall be varied so that the same elevation is not permitted adjacent to one another, directly across the street from one another or adjacent to the house directly across the street from one another.

(c) When houses which are substantially alike in exterior design and appearance are located within the same block, the materials used on the exterior shall be varied. Houses shall be considered substantially alike in exterior design and appearance if they share any one of the following characteristics: the basic dimensions of the floor plans are without substantial differentiation, the height and design of the roofs are without substantial change in design and appearance, or the size, location and type of windows and doors in the front elevation are without substantial differentiation. There shall be not less than eight (8) basic house designs within a hamlet that contains between fifty (50) and seventy-seven (77) dwelling units. There shall be not less than five (5) basic house designs for a hamlet under fifty (50) units. To insure house design conformity, no construction permit shall hereafter be issued for more than one dwelling in any housing development until the builder shall post, for each specific lot on the map of subdivision on file with the Construction Official, the type and model of each house for which a construction permit has been or is being issued.

(d) Architectural details, style, color, proportion, and massing shall reflect the features of a traditional hamlet residential neighborhood.

(e) Residential building walls and soffits may be fieldstone, wood, clapboard, cedar shingles, vinyl “cedar shake”, brick or cement fiber clapboards or shingles, such as “Hardi-Plank”, or a combination thereof. Fieldstone shall be of a type and color native to the Township. Clapboards shall be individual planks made of wood or untextured masonry material.

(f) Roof pitches shall be generally consistent throughout the hamlet development. Roofs shall be simply and symmetrically pitched. Flat type roofs are prohibited. Roof vents on facades shall be of a size, shape, color and material which is in proportion to and compatible with the building facade.

(g) Provide for an orderly relationship among windows, doors, porches, and roof forms.

(h) Exposed foundation walls shall show a finish of brick, local fieldstone, finished poured concrete or patterned brick-form poured concrete.

(4) The front facades, as well as other street and public open space facing elevations of single-family and twin units, are dedicated to the public view and therefore every house shall have a minimum of one of the following elements on each publicly visible façade: (1) Open and usable porches (minimum eight-foot depth and ten foot length); (2) stoops; (3) bay windows; (4) portico. Other decorative architectural treatments can be substituted on a case-by-case basis. Such architectural elements may encroach by no more than four (4) feet into building setback lines. Porches may include appropriately styled balustrades and trim to match the style of the house.

(5) Any porch built by the property owner and not provided by the builder at the time of initial construction shall be considered an “Accessory Porch.” Accessory porches shall complement the architectural style and design of the dwelling unit and the overall project design. Accessory porches shall have a minimum depth of eight (8) feet.

(6) Decks, patios and terraces shall complement the architectural style and design of the dwelling unit and the overall project design, as established during the site plan and/or subdivision review and approval process. Decks shall be constructed immediately adjacent to the side and rear wall of the house and shall not be constructed closer than ten (10) feet to the side and rear property lines. Patios constructed at grade shall not be constructed closer than five (5) feet from the side or rear property line. All design standards for decks, patios and terraces shall be approved by the Municipal Agency.

(7) The space below decks and porches which is visible from nearby public property and/or rights-of-way shall be skirted by wood or vinyl lattice with not greater than one-and-one-half-inch spaces between the boards.

(8) Decks may be built of durable hardwoods, concrete, masonry or suitable synthetic wood products which appear to be traditional wood flooring. In addition, decks may be built of unfinished pressure-treated wood when not readily visible from public property and/or rights-of-way (excluding alleys). Decks and stairs built of pressure-treated wood and readily visible from public property and/or rights-of-way (excluding alleys) must be painted or stained, with the exception of the floor and the treads, which may be painted, stained or left unfinished.

(9) All residential accessory storage structures shall be attached to the principal dwelling or detached garage. Such structures shall be no taller than one story and shall be designed as an integral part of the structure to which it is attached, including same exterior materials and color. No freestanding structures of this type shall be permitted. The yard setback requirements for such structures shall be the

same as the structure to which it is attached.

(10) All swimming pools and spas shall be in-ground type and shall be located at least ten (10) feet from all property lines. Spas, however may be allowed aboveground if incorporated into a deck and enclosed by a fence that is at least one (1) foot higher than the spa. All design standards for pool and spa facilities shall be approved by the Municipal Agency.

(11) Other accessory structures (e.g. gazebo, arbor, trellis, pergola) not otherwise enumerated above shall be established by design standards approved by the Municipal Agency. The following standards shall apply:

a. Gazebos or other similar free-standing accessory structures are permitted in the rear yard only. Maximum height shall not exceed twelve (12) feet above adjacent grade, excluding rooftop ornaments. It shall be constructed of wood and shall have a maximum size of 150 square feet.

b. Trellises and Arbors are permitted in the side and rear yards. They shall be proportionately sized for the overall area of the yard; shall not exceed eight (8) feet in height, five (5) feet in width and they shall be constructed of wood and compliment the architectural style, type and design of the fence or dwelling.

(12) Screened porches and sunrooms shall be permitted along the rear building facade.

(13) The developer shall submit a concept plan reflecting the design standards included herein and in the Township Master Plan Amendment, Land Use Plan Element for the A-R zone dated October 20, 2009.

13. Site design requirements.

(1) Larger residential lots are encouraged at street intersections, and smaller residential lots are encouraged adjacent to parks or other open spaces.

(2) The scale and massing of building on any given street shall be harmonious with one another.

(3) Special ground texture treatment shall be required for pedestrian crossings in streets and elsewhere to include brick, pavers, stone and/or other suitable material.

(4) Landscape details such as gates, walls, and benches shall be integrated into the overall design of public spaces.

(5) All streets, alleys, sidewalks and pathways shall connect to other such facilities within and outside the hamlet development, as appropriate. Dead-end

streets are generally not permitted within a hamlet development unless such condition is unavoidable.

14. Fences, walls and hedges are permitted to define the front yard. All design standards for fences, walls and hedges shall be approved by the Municipal Agency. The following standards shall apply:

A. Fences;

1. Front yard shall not be less than 18 inches, nor more than 36 inches.
2. Side yard and rear yard shall not exceed 6 feet in height.
3. Front yard shall not exceed 50% solid, side and rear shall be a minimum of 50% solid.
4. Shall be made of wood, or other materials that effectively simulate the look of wood or wrought iron. Samples of any non-wood material shall be submitted to the Board for approval.
5. Gates:
 - a. Design of the Gate shall compliment the design of the fence.
 - b. Front gates permitted only at walkways leading to the dwelling.
 - c. Rear gates permitted at walkways and driveway openings.
 - d. No gates permitted in side yard fencing.
 - e. Corner posts shall be larger and taller than intermediary posts, and corner posts shall be capped.
6. All fencing shall line up with fences on neighboring properties.
7. Placement:
 - a. Front yard: zero (0) to two (2) feet from front property line
 - b. Side yard: Placed on the property line.
 - c. Rear back onto alley: no closer than 5 feet to the rear property line.
 - d. Rear no alley: zero (0) to two (2) feet from rear property line.
8. Return to dwelling:
 - a. Front yard Shall return to the dwelling at a minimum of 1/3 the depth of the unit and may vary depending upon architecture window placement.
 - b. Rear yard Shall return to the dwelling at a minimum of 2/3 the depth of the unit and can vary depending upon architecture window placement.
9. All residents shall be responsible for maintaining permanent rear and side fencing or hedges adequate to provide adjacent neighbors with reasonable privacy.

B. Hedges shall be planted zero (0) to two (2) feet from the property line 36" on center at a minimum height of three (3) feet at time of planting.

15. Traffic and circulation.

- a. Vehicular access to and from the hamlet shall be via no more than two (2) roadway curb cuts onto the County or State road. No new

driveways serving individual dwelling units shall be provided along any County or State Road.

b. A five-foot (5') wide sidewalk shall be located on both sides of all interior streets. Sidewalks shall be either finished concrete, exposed aggregate concrete, patterned/stamped concrete pavers, brick or other approved equivalent, which shall be located according to a comprehensive hamlet sidewalk plan. A minimum two-foot wide grass strip is required between the sidewalk and the street and shall not preclude the introduction of bio-swales. Primary house entry walks shall be brick when connecting with a concrete public walk. Other walks and pathways may be built of brick, stone or concrete.

c. The hamlet street system design shall incorporate, where determined necessary by the Municipal Agency, speed tables, sidewalk bump outs at intersections raised intersections, alternative paving materials, chicanes and or neighborhood circles.

d. Street trees shall be required along public streets and shall be in accordance with Section 11:7.8., Street Shade Trees.

e. To the greatest extent possible, all portions of the hamlet shall be linked via a sidewalk and/or pathway network as approved by the Municipal Agency. The hamlet shall be pedestrian-oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to surrounding off-site areas.

16. Alley specifications.

a. Traffic flow: one-way or two-way.

b. Parking: none.

c. Minimum right-of-way: one-way at 11 feet; two-way at 22 feet.

d. Minimum pavement width: one-way at 9 feet; two-way at 18 feet.

e. Speed limit: 10 miles per hour.

f. Curbing: mountable granite block.

g. Drainage: inverted center line with inlets prior to roadway intersections.

h. Pedestrian crossing: sidewalks cross alleys at grade.

i. Street lighting: at corners, curves and at least every 200 feet.

17. Garage, parking and driveway design standards.

a. Two (2) garage parking spaces shall be provided for each dwelling unit.

b. Garages shall be designed to have individual doors.

c. All garages shall be designed to be consistent with the architecture of the principal building including the roof pitch, exterior materials, windows/doors, and colors. Garages shall be located to the rear of the principal building to be accessed either off of an alley or from a driveway that connects the garage to the street located in front of the building. Windows are encouraged on garages to admit light and eliminate blank walls. Garage doors shall be built of wood, embossed hardboard, embossed steel or fiberglass.

d. Garages shall be located at or behind the rear elevation of a dwelling, and, with the exception of corner lots, no garages shall be located to the side of a dwelling.

e. With the exception of lots that do not back up to alleys, driveways and driveway access shall be prohibited in any front yard area.

f. Driveways shall be no wider than twelve (12) feet and shall be set back a minimum of two (2) feet but no more than five (5) feet from the side property line and the side of the principal building. No more than one driveway opening on a street or alley shall be permitted per lot.

g. The surface treatment of driveways shall maximize, to the greatest extent practicable, the use of pavement materials for that include porous bituminous concrete or other porous pavement treatments or any other surface such as open jointed pavers or base construction such that the design and construction maximizes the infiltration of rainfall runoff.

h. The sides of garages, where the garage is either detached or partially detached (e.g. connected to house by open breezeway or porch), shall have a minimum setback from the rear and side property lines of four (4) feet. All garage doors for vehicles that face an alley shall be set back a minimum of twenty (20) feet from the pavement edge of the alley to permit driveway off-street parking.

i. Garages on corner lots are permitted direct access to a side street, provided the garage is set back a minimum of twenty (20) feet from the right-of-way.

18. Landscaping and lighting.

a. Those portions of individual lots not used for off-street parking, pedestrian circulation, patio or deck areas shall be planted with trees, shrubs and grass and other suitable landscaping materials or a combination thereof and maintained in good condition. Typical residence planting plans shall be required for single-family detached and twin dwellings.

b. Residential lot property lines that abut alley rights-of-way shall be

separated by a six-foot-high fence to maximize rear yard privacy. Alley rights-of-way shall be separated from adjacent outbound parcels by a minimum of a ten-foot-wide planter or fenced buffer.

c. No plantings shall be permitted within the alley rights-of-way.

d. Landscaping shall be in conformance with the standards found in Section 11:12.1. Landscaping shall provide for a variety and mixture of plant materials taking into consideration their susceptibility to disease, colors (by season), textures, shapes, blossoms and foliage. Only native and water efficient plantings shall be utilized throughout the development.

e. Shrubs used within the development shall have an initial height of not less than three (3) feet and planted at intervals appropriate for the activities involved.

f. Landscape details such as gates, decorative walls and benches shall be integrated into the overall design and compliment the architectural theme.

g. Streets and alleys shall be provided with adequate lighting, while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties. House side shields shall be provided where abutting a residential use.

h. Lighting shall be the minimum required for safety and must be provided in the least intrusive manner. Lighting fixtures and poles shall be required along streets and pedestrian pathways. The height of such light fixtures shall be appropriate to its setting.

i. Lighting fixtures and poles shall be of consistent architectural style throughout the hamlet development and shall complement the architectural style of the building.

19. Drainage.

a. Nonstructural stormwater management strategies shall be used to the maximum extent practicable, as set forth in Section 11:15.4, Stormwater Management Requirements for Major Development. Low Impact Best Management Practices such as native ground cover, rain gardens, bio-swales, porous pavement and cisterns are strongly encouraged as design solutions that are consistent with hamlet design principles set forth in the Township Master Plan. Use of on-site stormwater solutions shall be used to minimize the size and depth of stormwater basins.

20. Open space areas.

a. Open space design standards, methods of conveyance and maintenance, and use regulations shall comply with Sections 11:11.1, 11:12.2, 11:12.3 and 11:12.4.

21. Historic farm dwelling unit. Existing historic dwelling units may remain within a hamlet development. The following standards shall apply:

a. Minimum lot area shall be one and one-half (1 1/2) acres. No further subdivision shall be permitted.

b. An historic dwelling unit shall comply with the bulk requirements found on Table 3 below.

c. The Municipal Agency may permit the establishment of an exception area within the preserved open space associated with the hamlet, not to exceed 3 acres, to be identified on the preserve lands lot, upon which is located the existing historic farm dwelling, the septic disposal field and any other buildings or structures not used for agricultural/open space purposes.

d. Existing view corridors to and from buildings located within the historic setting shall be preserved.

e. To the maximum extent possible, the design of the adjacent hamlet development shall contain buildings that reflect the architectural design, style and materials of the historic farm buildings.

f. Existing driveway access shall either be maintained and/or modified to connect with new hamlet roadway construction.

Table 1

Bulk Requirements for Single – Family Detached Dwellings ^{(1) (2)}

PRINCIPAL BUILDING:

	<u>MIN</u>	<u>MAX</u>
<u>Lot Area</u>	<u>9,500 sq. ft.</u>	<u>15,000 sq. ft.</u>
<u>Lot Frontage & Width</u>	<u>50 ft.</u>	<u>85 ft.</u>
<u>Lot Depth</u>	<u>130 ft.</u>	<u>220 ft.</u>
<u>Front Yard</u>	<u>10 ft.</u>	<u>35 ft.</u>
<u>Rear Yard</u>	<u>25 ft.</u>	
<u>(excluding rear loaded garage)</u>		
<u>Side Yards</u>	<u>5 ft.</u>	<u>20 ft.</u>
<u>Building Coverage</u>		<u>30%</u>

Impervious Coverage	40%
Building Height	2 ½ stories or 35 feet maximum

Table 2

Bulk Requirements for Twin Dwellings ^{(1) (2) (4)}

PRINCIPAL BUILDING:

	MIN	MAX
Lot Area	7,500 sq. ft.	14,000 sq. ft.
Lot Frontage & Width	50 ft.	65 ft.
Lot Depth	130 ft.	220 ft.
Front Yard	10 ft.	35 ft.
Rear Yard	25 ft.	
<u>(excluding rear loaded garage)</u>		
Side Yards ⁽³⁾	5 ft.	20ft.
Building Coverage		30%
Impervious Coverage		40%
Building Height		2 ½ stories or 35 feet maximum

Notes:

(1) Minimum and maximum lot sizes and lot frontage and width standards applicable to corner lots and lots fronting on the major access roadway into the hamlet development shall be increased by 25%.

(2) Build-to line: 10 ft. with a 5 ft. variation.

(3) Applicable only to unattached side of dwelling unit; attached side of unit has a zero side yard requirement.

(4) No more than 20% of the total number of dwelling units within the hamlet.

Table 3

Bulk Requirements for Single – Family Detached Dwellings

PRINCIPAL BUILDING:

Minimum Lot Frontage & Width	115 feet
Minimum Lot Depth	250 feet
Minimum Front Yard	25 feet
Minimum Rear Yard	40 feet
Minimum Side Yards	15 feet
Maximum Impervious Coverage	See 3:6.4
Maximum Building Height	2 ½ Stories or 35 feet

Accessory Buildings shall comply with Section 3:6.5.D.1 through 4.

SECTION 6.

In addition to the deletions set forth above, the following provisions of the Land Use Ordinance are deemed to be inconsistent with the Hamlet regulations being adopted herein, and are therefore deleted:

3:1.7 Exceptions to Minimum Lot Size and Yard Requirements.

A. All residential lots of: (a) thirty thousand (30,000) square feet or less shall not include any resource protection areas within the required minimum lot area; and (b) more than thirty thousand (30,000) square feet shall include a minimum contiguous area of thirty thousand (30,000) square feet of lot area exclusive of resource protection areas. ~~Except in a Village Cluster development, the~~ The minimum lot area or minimum contiguous non-resource protection area shall permit a circle with a diameter of one hundred (100) feet to be inscribed within it. The building envelope shall be drawn to include the area within the applicable building setbacks and to exclude resource protection areas. All buildings and septic disposal fields, except as otherwise provided for Single Family Detached Cluster development, shall be located within the building envelope. Areas with trees on wooded lots (Section 12:2.2.G.) shall not be treated as “resource protection areas” for the purposes of applying this paragraph only.

3:5.2 Use Regulations.

A. Permitted Uses. Any of the following uses shall be permitted:

* * *

~~5. Single Family Detached Cluster Development~~

3:5.4 Table of Performance, Areas and Dimensional Regulations for the A-1 Zone.

Delete footnote 7.

3:5.5 Other Requirements for A-1 Zones.

Delete subsection G, “Village Cluster development standards,” in its entirety.

3:6.4 Table of Performance, Area and Dimensional Regulations for the A-2 Zone.

Delete footnote 7.

3:6.5 Other Requirements for A-2 Zones.

Delete subsection F, “Village Cluster development standards,” in its entirety.

SECTION 7.

Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 8.

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

SECTION 9.

Codification. This ordinance may be renumbered for codification purposes.

SECTION 10.

Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

ATTEST:

Kenneth J. Novak, Mayor

Judith A. Allen, RMC
Township Clerk
September 12, 2011
Published 9/15/11

PLEASE TAKE NOTICE that the Delaware Township Committee approved the above ordinance on first reading at its Regular Meeting held on September 12, 2011. It will be considered on second reading for final adoption and will have a public hearing at a Regular Meeting beginning at 8:00 p.m. on September 26, 2011 at the Delaware Township Municipal Bldg., 570 Rosemont Ringoes Rd. (County Rt. 604), Sergeantsville, NJ. At that time an opportunity will be given for all interested citizens to be heard.