

Approved

**BOROUGH OF STRATFORD LAND USE BOARD
RESOLUTION #2021:11**

Report, Recommendations and Findings, on Ordinance 2021:07 involving Land Use and Zoning – The R-4 Affordable Housing Residential District in its Entirety Action and Memorialized Date: April 22, 2021
Project: Recommendation on Proposed Ordinance No. 2021:07

WHEREAS, the Borough of Stratford (the “Borough”) is a municipal corporation organized and operating under the laws of the State of New Jersey; and

WHEREAS, pursuant to the MLUL, N.J.S.A. 40:55D-1, et seq., any ordinance involving and/or affecting the land use and zoning ordinances of a municipality must be referred to the Land Use Board for review and comment prior to a second reading; and

WHEREAS, the Mayor and Council of the Borough of Stratford introduced proposed Ordinance No. 2021:07, attached as Exhibit “A”, on first reading on April 13, 2021, which is and has been considered and reviewed by the Joint Land Use Board at its meeting on April 22, 2021; and

WHEREAS, Ordinance No. 2021:07 has been reviewed and considered by the Borough of Stratford Joint Land Use Board. In conjunction with that review, and at its April 22, 2021 meeting, the Board also heard and took into consideration the expert testimony of the Board Professional, Leah Furey Bruder, PP, AICP of LFB Land Planning, LLC. She provided testimony concerning the proposed Ordinance. She testified that Ordinance 2021:07 is part of a package of affordable housing compliance documents that she has assisted the Borough in putting together. The Borough entered into a Settlement Agreement with FSHC in November 2016. The Borough’s obligation is as follows: present need of 24, prior round of 70, and third round of 91. The Borough conducted a vacant land analysis and adjustment that resulted in an RDP of 22. The Housing Element and Fair Share Plan was adopted in January 2016 and then amended in December 2016 (adopted January 2017) to comply with conditions of the settlement. Ordinances and implementing documents were to be adopted as a condition of the Order granting Third Round Substantive Certification and this ordinance partially satisfies the conditions.

The Borough’s RDP will be satisfied on the property included in the R-4 Zoning District. The revised zoning will enable multi-family development at a maximum density of 16 du/acre with a 15% (for rental) affordable housing component.

Ms. Furey Bruder offered her recommendation for the adoption of the proposed Ordinance No. 2021:07, for the reasons stated herein and on the record during the meeting, and her opinion that the proposed ordinances are consistent with the Housing Element of the Master Plan and are designed to implement the HEFS Plan and ensure compliance with the Borough’s Fair Share obligations; and

WHEREAS, the Board is in agreement with the form, substance, and intent of Ordinance No. 2021:07 and recommends its adoption, without further comment. The Board determined that it is in the best interest of the Borough of Stratford to adopt the Ordinance for the reasons explained above. The Board determines that it is in the best interest of the Borough of Stratford to adopt the Ordinance to ensure that the Ordinances are consistent with the Master Plan, Redevelopment Plans, and corresponding parts of the Borough Code; and

WHEREAS, a public hearing was required and the Board has considered that public comments were not made by the public;

WHEREAS, it appears that all jurisdictional and procedural requirements of applicable Township Ordinances have been met; and

WHEREAS, the Board has considered the proposed Ordinance No. 2021:07 of the Mayor and Council of the Borough of Stratford; and

WHEREAS, the Board has considered the recommendations and testimony of its Professional, Leah Furey Bruder, PP, AICP as detailed above;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Borough of Stratford Joint Land Use Board has reviewed the proposed Ordinance No. 2021:07 and recommends that the Mayor and Council of the Borough of Stratford, New Jersey adopt the proposed Ordinance No. 2021:07 to amend the City Code as outlined in said Ordinance.

2. This Resolution shall be considered the report and recommendation of the Borough of Stratford Joint Land Use Board as required by N.J.S.A. 40:55D-1, et seq.

The foregoing action was taken and memorialized by the Borough of Stratford Joint Land Use Board on April 22, 2021 upon the motion of Lomanno, seconded by St. Maur with the vote on the motion being as follows:

AYE: Mancini, McGovern, Keenan, Kozeniewski, Lomanno, Morello,
Mount, & St. Maur


NAY:

ABSTAIN: Hall

ABSENT:

DID NOT PARTICIPATE:

The undersigned Secretary of the Board hereby certifies that the above is a true copy of the Resolution 2021:11 adopted and memorialized by the Board on April 22, 2021.

A handwritten signature in cursive script, appearing to read "Sharon McCart", is written over a horizontal line.

SHARON McCART,
Stratford Joint Land Use Board Secretary

EXHIBIT "A"

BOROUGH OF STRATFORD

ORDINANCE NO. 2021:07

**ORDINANCE OF THE BOROUGH OF STRATFORD
AMENDING CHAPTER 17.21, THE R-4 AFFORDABLE HOUSING RESIDENTIAL
DISTRICT IN ITS ENTIRETY**

WHEREAS, the Borough of Stratford strives to enact land use regulations that implement the recommendations in the Borough Master Plan and that advance the Borough's goals and objectives as set forth in the Master Plan and specifically the Housing Element and Fair Share Plan, and that facilitate the production of affordable housing in satisfaction of the Borough's obligations under the Fair Housing Act; and

WHEREAS, through the adoption of inclusionary zoning ordinances, the Borough will create opportunities for the construction of affordable housing units together with market rate housing units to partially satisfy its fair share affordable housing obligations; and

WHEREAS, the R-4 residential zoning district was initially created in 2007 in order to implement one of the compliance mechanisms included in the Borough's 2006 Housing Element and Fair Share Plan and provided that townhouses and multi-family apartments would be permitted at a density up to 16 units per acre with a 25% affordable housing set aside; and

WHEREAS, the site to which the R-4 zoning applies (Block 62 Lot 8) has remained vacant and is again included in the Borough's 2016 Housing Element and Fair Share Plan and the executed Fair Share Settlement as an inclusionary site but with a 15% affordable housing set aside for rental units and a 20% set aside for owner occupied units; and

WHEREAS, revision of the affordable housing set aside and of the performance standards for the site will create a more realistic opportunity for the provision of affordable family housing as part of an overall inclusionary development.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey as follows:

SECTION I. Amend section 17.21 R-4 Affordable Housing Residential District in its entirety and replace it as follows.

17.21 R-4 Inclusionary Multi-family Residential District

17.21.010 Purpose.

The purpose of the R-4 Inclusionary Multi-family Residential District is to enable and encourage coordinated development of the district that will result in multi-family housing that integrates market rate and affordable housing units and ensures high quality design.

17.21.020 Principal Permitted Uses

- A. Garden style buildings containing multi-family apartment residences
- B. Mid-rise style buildings containing multi-family apartment residences

17.21.30 Accessory Uses

- A. Off street parking for motor vehicles.
- B. Motor vehicle electric charging stations
- C. Common recreational facilities to serve the residents of the development, both indoor and outdoor
- D. Stormwater management facilities
- E. Trash enclosures for trash and recycling containers
- F. Fences up to 6 feet in height, but not in the front yard
- G. Signs as permitted in this Chapter
- H. Porches, patios, gazebos, picnic shelters
- I. Temporary construction and sales trailers

17.21.40 Standards and Requirements

- A. Multiple buildings are permitted on one parcel of land when they are designed in a coordinated manner, under common ownership, and with shared access and parking.
- B. Residential development must be inclusionary with 15% of the total number of residential rental units being affordable or 20% of the total number of residential for-sale units being affordable. The affordable housing units shall be set aside and reserved for low- and moderate-income 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 Borough's affordable housing ordinances including, but not limited to requirements for phasing, bedroom mix, 50-50 low/moderate income split, 13% very low income units, affirmative marketing, controls on affordability, and adaptability requirements. A 30-year deed restriction with covenants restricting rentals, conveyance and improvements, and requiring notice of foreclosure and bankruptcy shall be filed prior to the issuance of any building permits within the zoning district. Any bonus credits that may result from the creation of affordable rental units shall accrue to the benefit of the Borough's Fair Share Plan and shall not be used to reduce the applicant's obligation to provide actual affordable units.
- C. The area and dimensional requirements are as set forth in the table below.

	Required
Maximum Density	16 du/acre
Minimum Lot Area	5 acres
Minimum Lot Frontage	200 feet
Minimum Lot Width	200 feet
Minimum Front Yard Setback	75 feet
Minimum Setback from Internal or Private Roadway	25 feet

Minimum Side Yard Setback	25 feet
Minimum Rear Yard Setback	25 feet
Minimum Setback Between Buildings	50 feet
Maximum Impervious Coverage	75%
Minimum Common Open Space Area	20% of usable site area
Maximum Building Height	40 feet or 3 stores

- D. Off Street Parking shall be in accordance with the requirements of Chapter 17.68, except as modified below.
- a. Parking and drive aisles shall be set back a minimum of 15 feet from the Route 30 (White Horse Pike) right-of-way.
 - b. Parking and drive aisles shall be set back a minimum of 10 feet from buildings.
 - c. Parking and drive aisles shall be setback a minimum of 10 feet from side and rear property lines unless drive aisles connect with those on an adjacent property and a cross access easement is provided; in which case there is no set back requirement.
 - d. The required parking ratio is 2 spaces per residential unit.
- E. Pedestrian Access
- a. Sidewalks a minimum of four feet wide shall be provided along road frontages and along main access driveways within the site and shall connect to the residential buildings.
 - b. Crosswalks and signage are required at primary pedestrian crossings within the site.
- F. Landscape, Buffering and Lighting.
- a. A landscape plan shall be provided in accordance with the requirements of Chapter 16.36 and this section.
 - b. Landscaped areas should be irrigated and irrigation systems must include rain sensors.
 - c. Shade trees shall be provided along the right-of-way and along main access drives at intervals of 40 to 50 feet, and should be placed 3 feet back from the sidewalk.
 - d. A landscape screening buffer at least 10 feet in width shall be provided around parking areas and shall include evergreen trees, shrubs (at least 50% evergreen) and perennials.
 - e. Lighting for all streets, driveways, parking areas, and pedestrian areas shall be provided in accordance with Chapter 16.36 and this section.
 - f. Light poles within parking areas shall not exceed 20 feet in height.
 - g. Pedestrian scaled lighting shall be provided along pedestrian pathways.
- G. Building Design
- a. Architectural elevations showing all sides of proposed building must be submitted with a site plan application.
 - b. Buildings shall be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including windows, projections, and recesses shall be used in order to add architectural interest and variety.

- c. All sides of a building visible to the public, whether from a public street or internal driveway, must be designed with treatment similar to the front façade.
- d. Variations in rooflines (parapet walls or architectural screen) shall be used to completely screen HVAC and roof mounted equipment.
- e. Utilities entering and exiting buildings must be located on the short end of buildings, and must be adequately shielded with evergreen landscaping or a green screen wall (leaving adequate space for access).
- f. A minimum of 130 cubic feet of internal storage with a minimum height of six feet shall be provided for each unit for the storage of items such as strollers, bicycles, etc. The space shall be in addition to typical closets and may be located within the unit or in another locked location on the site.
- g. Laundry facilities shall be included with each unit.

H. Enclosures for Trash and Recyclables

- a. Trash enclosures or central trash compaction and recycling areas are required for multi-family residential and must comply with the requirements of Chapter 8.36 and Chapter 8.40 of the Borough Code except as modified below.
- b. 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.
- c. Trash enclosures or central trash compaction/recycling areas shall be masonry structures, with an exterior facade to match the principal buildings.
- d. If required, trash enclosure gates shall be decorative fencing materials to complement the buildings with a steel frame and self-locking gate.
- e. 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.
- f. Trash enclosures are not permitted in any required buffer area.
- g. Trash enclosures for multi-family residential units must be located in a common area and include a door or opening for pedestrian access in addition to the truck access.

I. Permitted Signs.

- a. The development may have freestanding monument style sign at each access point.
- b. Signs must be set back a minimum of five feet from the property line and may not encroach into sight triangles.
- c. Signs may be a maximum of 30 square feet in area and 8 feet in height.

SECTION II. 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 III. 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 IV. EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Camden County Planning Board in accordance with N.J.S.A. 40:55D-16.

PUBLIC NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at the meeting of the Governing Body held on April 13, 2021 and will be considered for final passage on May 11, 2021 subsequent to a Public Hearing on the same date through electronic teleconference.

John D. Keenan, Jr.
Acting Borough Administrator

Notice is hereby given that a Public Hearing was held for the foregoing Ordinance on May 11, 2021. I certify that the foregoing Ordinance No. 2021:07 was approved for final adoption by the Governing Body at a meeting held on May 11, 2021.

John D. Keenan, Jr.
Acting Borough Administrator

Josh Keenan
Mayor