

**AN ORDINANCE OF THE CITY OF VINELAND
AMENDING CHAPTER 425 ENTITLED “LAND USE” OF
THE CITY OF VINELAND TO CREATE THE
RESIDENTIAL TOWNHOUSE (RT) OVERLAY
DISTRICT**

WHEREAS, the City Council of the City of Vineland, a municipal corporation in the County of Cumberland, State of New Jersey, finds that an amendment to the Land Use Ordinance of the City of Vineland to revise the Land Use Ordinance is appropriate and will guide the development of land in the municipality in a manner which will promote the public health, safety, morals, and general welfare pursuant to the purposes of *N.J.S.A. 40:55D-2*.

WHEREAS, the Planning Board of the City of Vineland has adopted a Master Plan that comprehensively provides for the appropriate use, regulation and development of lands in the municipality under *N.J.S.A. 40:55D-28*; and

WHEREAS, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; and

WHEREAS, periodically, the Planning Board has reviewed the Master Plan of the City of Vineland and has make findings and recommendations for the revision of this document and its implementing ordinances; and

WHEREAS, the Planning Board completed such periodic reexamination report of the Master Plan on December 12, 2018 wherein various amendments and district boundary changes to the Land Use Ordinance were recommended.

WHEREAS, the City Council formally refers this Ordinance to the Planning Board for examination, discussion, and recommendations in accordance with *N.J.S.A. 40:55D-26*; and

WHEREAS, the adoption of this Ordinance was appropriately noticed pursuant to Municipal Land Use Law at *N.J.S.A. 40:55D-15* and in accordance with *N.J.S.A.40:55D-62.1*.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Vineland, County of Cumberland, and State of New Jersey, as follows:

Section 1. The Residential Townhouse Overlay District shall be added to the Land Use Ordinance following §425-303, Regional Mall Overlay District and numbered according to appropriate sequence:

Residential Townhouse Overlay District

- A. Intent. The Residential Townhouse (RT) Overlay district is intended to provide for townhouse development on larger parcels in the vicinity of Vineland’s educational and medical centers to expand the types of housing allowed than is otherwise permitted in the base zoning district.
- B. Principal Permitted Uses. In the RT district, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
 - 1. Townhouse dwellings.
 - 2. Municipal purpose.
 - 3. Open space.

- C. Accessory Uses and Structures Permitted. Any of the following accessory uses and structures shall be permitted when used in conjunction with a principal or conditional permitted use:
1. Active common recreational facilities for the use and enjoyment of residents and their guests, including but not limited to, tennis, community swimming pool, court and field sports, fitness center, fitness trail and bikeway.
 2. Sales center for on-tract real estate transactions only, until the final dwelling is initially sold.
 3. Decks on fee simple townhouses or as approved as part of a site plan for other tenure.
 4. Off-street surface parking.
 5. Fences, walls and street furniture, provided that such fencing and walls are uniform in nature throughout the development and approved by the board with jurisdiction through the development review process.
 6. Signs as otherwise permitted in this Chapter.
 7. Accessory uses on the same lot and customarily incidental to the principal use.
- D. Eligibility Standards for Overlay Uses. An applicant may submit an application for development provided that the minimum tract area is five (5) acres and the maximum tract area is twenty (20) acres, and can be feasibly served with public water and sewer.
- E. Bulk Standards. The following area, yard, and coverage standards shall apply to uses within the RT district:
1. Maximum density. The maximum density of the RT district shall not exceed six (6) dwellings per gross acre.
 2. Perimeter setback. No principal or accessory building, individual residential lot, above ground stormwater management facility, or recreational structure (excluding those associated with recreational trails) shall be located with twenty-five (25) feet of the tract perimeter.
 3. Townhouse dwelling, fee simple lots. See Zoning Schedule, attached hereto.
 4. Townhouse dwellings, other tenure. Where individual fee simple lots are not proposed, the following distance requirements shall substitute for required yard areas:
 - a. Minimum distance from the front of any building to any other building – One hundred (100) feet.
 - b. Minimum distance from the side of any building to any other building – Thirty (30) feet.
 - c. Minimum distance from the rear of any building to any other building – Sixty (60) feet.
 - d. Minimum distance of community recreational structures to any dwelling – Eighty (80) feet.
 - e. Minimum distance of any dwelling to the tract perimeter – Sixty (60) feet.
 - f. Maximum building coverage of net tract area – Twenty-five percent (25%)

- g. Maximum impervious coverage of net tract area – Fifty percent (50%).
5. Additional townhouse requirements.
- a. Maximum building height – Thirty-five (35) feet.
 - b. Minimum unit width – Twenty (20) feet.
 - c. No more than eight (8) townhouse dwellings shall be permitted in any one structure.
 - d. Driveways to individual dwellings shall be ganged together to reduce curb cuts to allow for uniform on-street parking.
 - e. No patio, terrace, or other hardscaping shall occupy more than fifty percent (50%) of the yard area in which it is placed.
 - f. In no event shall a patio, terrace or deck extend more than ten (10) feet from the exterior wall of the dwelling with which it is associated.
 - g. Where parking lots for townhouse uses are proposed, no parking space shall be closer than twelve (12) feet to the exterior wall of the building. This provision shall not be construed as to affect private parking in residential driveways.
 - h. Where private driveways to individual dwellings are proposed, the driveway width shall not exceed ten (10) feet within twenty (20) feet of the right-of-way line, the outside edge of a street sidewalk or twenty-two (22) feet from the edge of cartway, depending on the existing or proposed condition. Each driveway shall be able to accommodate two stacked passenger vehicles without encroaching on the right-of-way, passage of pedestrians on a street sidewalk or within five (5) feet of a cartway.
 - i. The front façade of any garage, whether attached or detached, shall not extend towards a residential access street, whether public or private, any closer than the front façade of the dwelling, but may be recessed to accommodate the requirement in –E.5.e.
 - j. A minimum of two hundred (200) square feet of full height internally accessed storage shall be provided for each unit, excluding kitchen and bathroom cabinetry, and any required storage under –E.5.i.
 - k. Accessory structures shall not be located in a front yard or within five (5) feet of a side or rear property line. All accessory structures shall be constructed in accordance with the requirements of the Uniform Construction Code.
 - l. Each townhouse dwelling in a development without common exterior maintenance of the grounds shall be equipped with a closet with an external door for the storage of outdoor furniture, cooking equipment, lawn maintenance equipment and similar items with a minimum volume of 288 ft³.
 - m. The front façade of each townhouse shall be separate and distinct from an adjacent townhouse by means of variation in the front yard depth and changes in building materials.

F. Buffer and Landscape Requirements. In addition to the general requirements of §425-73, the following specific requirements pertain to the RT district:

1. Perimeter buffer requirements. Landscape buffers shall be required along the perimeter property lines of the tract. In the development of the site, existing vegetation shall be retained which is of high quality and appropriate density. Where existing vegetation is unsuitable, it shall be augmented or replaced by new plantings in accordance with a landscape plan submitted to and approved by the board with jurisdiction. The perimeter buffer shall be a minimum width of twenty-five (25) feet and suitable for its function of site enhancement, screening, and control of climatic effects. The perimeter buffer may be planted within any required perimeter setback but shall not be included in any fee simple lot.
2. Building within a perimeter buffer. Buffers shall be continuous except for public and private streets providing access to the site through the buffer. Accessory structures and buildings such as utilities, entrance gate facilities, recreational trails, signs approved as part of the signage plan, and traffic signal and street lighting systems shall be permitted within the buffer. No off-street parking facilities, dumpster enclosures, aboveground stormwater management facilities or other buildings and aboveground structures shall be constructed within the required perimeter buffer.
3. Required plant densities. The density of plantings and the requirements for structures shall vary with the width of the buffer in accordance with the following table:

Minimum Plant Density for Buffers

| Buffer Width⁽¹⁾ | Minimum Number of Required Plant Types per 100 Lineal Feet | | | |
|-----------------------------------|---|---------------------------|-------------------------|--------|
| | Large or Medium Trees | Small or Ornamental Trees | Evergreens and Conifers | Shrubs |
| 25 feet | 5 | 8 | 15 | 30 |
| 40 feet | 6 | 9 | 18 | 36 |
| 50 feet | 8 | 12 | 24 | 48 |
| 75 feet | 10 | 15 | 30 | 60 |

⁽¹⁾-The number of plants required shall be interpolated from the proposed buffer width where the proposed width is different from the examples in the table.

4. Where application has been made and approved for a buffer less than the prescribed minimum width of twenty-five (25) feet, the buffer shall incorporate a fence or wall into the landscape design.
- G. Open Space Requirements. Lands not in fee simple lots and building separation yards or for stormwater management purposes shall be in open space. At least thirty percent (30%) of the land area shall be in designated open space, which may include the perimeter buffer land area. Common or public open space provided as a part of any development shall be landscaped in one of the following ways, depending upon the intent of the use for the open space:
1. Conservation use. Conservation areas are appropriate in areas adjacent to and inclusive of natural features to be preserved, including wooded areas, water bodies, streams wetlands, and steep slopes. The following conservation use design guidelines shall apply:
 - a. Natural features shall be encompassed in open space areas rather than moved or eliminated in the development process to the degree feasible.
 - b. Cleared areas shall be revegetated to a naturalistic appearance where appropriate.
 - c. Revegetated areas may be seeded with a wildflower and/or meadow grass mix.

2. Passive and active recreational open space. The following landscape standards shall apply for recreational uses:
 - a. Grading and plantings of the recreation area shall remain consistent with the overall landscape design. The landscape design shall consist of massed deciduous and evergreen trees and berms to create spaces and views and ornamental trees and shrub masses for visual variety, interest and detail.
 - b. Plants shall be provided at the following minimum rates:
 - 1) Shade trees - 15 per acre
 - 2) Evergreen trees - 5 per acre
 - 3) Flowering shrubs - 3 per acre
 - 4) Other shrubs - 20 per acre
 - 5) Where open space includes required perimeter buffers, the buffer standards of subsection –F shall apply.
 - c. Adjacent dwelling units shall be buffered from active play areas.
 - d. In the area where a recreation facility fronts onto a public or private street, fencing may be required to provide controlled access. The adjacent street tree planting shall be continued along this area, and any reverse frontage buffer planting shall be integrated with open space plantings.

Section 2. Zoning Schedule, attached to and made part of Chapter 425, Land Use, of the Code of the City of Vineland, shall be modified to add the RT - Residential Zone, Uses and Bulk Standards, for individual lots, as follows:

| Zone | Use | Minimum Lot Dimensions | | | | |
|----------------|----------------------------------|------------------------|--------|-----------------|--------|------------------|
| | | Area-Net (sf.) | | Frontage (feet) | | Depth-Net (feet) |
| | | Inside | Corner | Inside | Corner | |
| RT-Residential | Townhouse (fee simple, each lot) | 2,250 | 4,000 | 20 | 35 | 115 |
| | Municipal Use | 40,000 | 40,000 | 200 | 200 | 200 |

[Zoning Schedule, cont.]

| Minimum Yards | | | Maximum Bulk Standards | | | | | Parking Space Minimums |
|---------------|---|-------------|-----------------------------|------------------------|-----------|------------------|-----------------------------|------------------------|
| Front (feet) | Side (feet) Exterior Wall / Common Wall | Rear (feet) | Dwelling Units per Building | Building Height (Feet) | | Lot Coverage (%) | Dwelling units/Lot Area-Net | |
| | | | | Principal | Accessory | | | |
| 30 | 20/0 | 25 | 8 | 38 | 15 | 75 | N/A | See Parking Standards |
| 50 | 35 | 50 | N/A | 28 | 20 | 50 | N/A | |

Section 3. §425-271, Enumeration of Zones and Overlay Areas; Zoning Map, shall be amended by adding the RT Residential Townhouse Overlay district to §425-271.B as –B(6), following Regional Mall. The Zoning Map shall be amended to apply the RT Residential Townhouse Overlay to the following blocks and lots:

| <u>Block</u> | <u>Lots</u> |
|--------------|--|
| 4705 | 18, 50, 56-59 |
| 5401 | 7-16 |
| 5501 | 8-28 |
| 5502 | 1-3, 4.01-4.36, 11, 25, 26, Lot 48 excluding that portion within 612.82 feet of S. Delsea Drive, 59-75 |
| 5503 | 1-17 |
| 5601 | 1-38, 56-58, western half of Lot 59, 124-148 |
| 6001 | 3-18 and including that portion of Lot 19 within 550 feet of Lot 18 |
| 6101 | 32, 35 and 36 |
| 6105 | 1-4, Lot 15 excluding that portion within 168 feet of Coronado Dr., 16-21, 43-48 |

Section 4. Applicability. The provisions of this ordinance shall be applicable throughout the City of Vineland, and the Chapter 425 entitled “Land Development” of the Code of the City of Vineland shall be deemed amended accordingly.

Section 5. Continuation. In all other respects, the Zoning Ordinance of the City of Vineland shall remain unchanged.

Section 6. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered

Section 7. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the City of Vineland, then the restriction which imposes the greater limitation shall be enforced.

Section 8. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 9. Enactment. This Ordinance shall take effect upon the filing thereof with the Cumberland County Planning Board after final passage, adoption, and publication by the City Council of the City of Vineland in the manner prescribed by law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk