

**§ 17-28.14. SRC, Special Residential Cluster Zone. [Ord. No. 00-02A]**

- a. Principal Permitted Uses.
  - (1) Multifamily dwelling units for age-restricted households.
  - (2) Municipal uses such as parks, playgrounds, firehouse and library.
- b. Permitted Accessory Uses.
  - (1) Off-street parking and loading facilities.
  - (2) Signs as provided in § 17-24.8.
  - (3) Accessory structures and common recreational facilities in conjunction with the principal permitted uses.
  - (4) Common open space.
- c. Conditional Uses.
  - (1) Essential services as provided in § 17-33.6.
- d. Minimum Tract Area, Yard and Bulk Requirements.
  - (1) Minimum contiguous tract area. The entire tract will be developed comprehensively on not less than 30 acres.
  - (2) Minimum tract lot width as measured at the narrowest point on the tract: Three hundred feet.
  - (3) Maximum tract density: Four (4.0) d.u./acre rounded to the nearest whole number. The maximum number of units shall not exceed 144 units.
  - (4) Setbacks.
    - (a) All structures including buildings, recreation facilities, solid waste facilities and parking lots: Fifty feet from any tract perimeter property line, except as provided in paragraphs (b) and (c) below.
    - (b) All drainage facilities such as retention and detention facilities: Twenty-five feet from any tract perimeter property line. The facility shall be attractively landscaped. If adjacent to a single family residential use, buffering shall be provided to mitigate its view.
    - (c) All buildings over 35 feet in height: One hundred feet from any tract perimeter property line abutting a single-family residential use or zone district. At least 50 feet of the 100 feet setback shall contain natural foliage, landscaping, berms, fences or other suitable methods as determined to be necessary as part of site plan review to buffer the adjacent uses or districts. The minimum setback of a building 35 feet or less in height from a single family use or zone shall be 50 feet.

- (5) Maximum building tract coverage: 10%.
- (6) Maximum impervious tract coverage: 25%.
- (7) Open space areas. It shall be the goal of the development plan to maximize the preservation of permanent undisturbed open space and to minimize clearing and regarding on the tract especially in areas of steep slopes and areas adjacent to existing residential neighborhoods in accordance with the following:
  - (a) Minimum open space areas. A minimum of 51% of the tract area shall be set aside from development and preserved as permanent open space. To the extent feasible, the maximum amount of such areas shall remain undisturbed. Lands dedicated to the municipality and/or developed for municipal use, shall be calculated towards meeting this requirement.
  - (b) Temporary disturbed areas. Up to 15% of the tract may be temporarily disturbed and set aside as open space provided such areas are restored as specified below.
  - (c) Restored areas. Open space areas permitted to be temporarily cleared and regarded shall be restored to meet one or more of the following standards:
    - [i] Buffer areas. Areas adjacent to existing residential use shall be planted to provide a dense planting of evergreen trees so that within 10 years it will effectively screen the development from view from the existing neighborhood.
    - [ii] Re-forested areas. Areas replanted with trees of a size and density of plantings sufficient to achieve a complete tree canopy within 10 years.
    - [iii] Landscaped areas. Areas replanted with landscape materials other than grass, of a size and density of plantings sufficient to achieve a complete landscaped ground cover within 10 years.
    - [iv] The Planning Board may retain the services of a landscape architect to assist in the review of a restoration plan.
- e. Recreation Area. At least 10% of the site shall be developed with recreational facilities appropriate for the occupants. Recreation facilities include municipal use, and active and passive recreation uses.
- f. Multifamily Requirements.
  - (1) Maximum number of units per building is 30.
  - (2) Minimum building to building separation: 50 feet.
  - (3) Minimum distance building to street (public or private): 20 feet.
  - (4) Minimum distance building to parking: 15 feet.

- (5) Maximum building height:
  - (a) As measured in feet: 50 feet.
  - (b) As measured in stories: 3 stories.
    - [i] No habitable floor area of any type shall be permitted above the third floor.
    - [ii] An in-building garage shall not be counted as a story.
- (6) Off-street parking. A minimum of two spaces per unit shall be provided.
  - (a) All spaces shall be minimum of 9' × 18'.
  - (b) The minimum parking area setback shall be 25 feet. The minimum parking area setback from a single family use or zone shall be 50 feet. This 50 foot setback shall contain landscaping to visually screen vehicles and the parking area.
  - (c) One garage space per dwelling shall be provided.
  - (d) Ten percent of required parking shall be set aside for visitor parking.
- g. Municipal Use. In addition to any proposed recreation and/or common use buildings and lands for the SRC residents, the site plan shall contain a community resource facility, as determined at site plan review, not to exceed three and one-half (3.5) acres in land area which shall be available for dedication for municipal use.
- h. Solid Waste, Boat and Recreational Storage, Utilities, Recreational Facilities and Details.
  - (1) Solid waste collection shall be provided for the development either:
    - (a) Curbside, or
    - (b) Through solid waste/refuse storage areas conveniently scattered throughout the development designed, and screened so as to minimize any detrimental effect on the character of the development or surrounding properties. They shall be kept a minimum distance of 50 feet from all exterior property lines.
    - (c) There shall be no boat or recreational vehicle storage on site or inside structures.
    - (d) All utility transmission systems and connections to the individual dwelling units shall be underground. Such transmission systems and connections shall include but shall not be limited to electrical, telephone, water, sewage, gas, oil, steam, and condensate utilities.
    - (e) Common recreational facilities shall be provided as necessary to serve the residents of the development and shall be shown on the site plan.

- (f) A lightning and landscaping plan for the entire development and individual clusters of dwelling units shall be submitted which shall include details of fences, berms, walls, and street furniture as well as landscaping and lightning.
- i. Building Design and Site Improvement Standards.
  - (1) Common accessory buildings and facilities shall be designed to harmonize with the overall character of the development and shall meet the building setback requirements set forth in this section.
  - (2) All roads shall meet RSIS standards. The Planning Board, in conjunction with the applicant, shall determine which roads shall be public and which shall remain private. Lighting on roads fire hydrants, and similar improvements shall be considered as part of site plan review. A nonbinding advisory report shall be sought from the Borough Police Department and Fire Companies.
  - (3) The stormwater runoff system shall be designed in accordance with the RSIS.
  - (4) Applicant shall use topographic features of the site and landscaping to minimize the off-site visual impact of buildings and parking areas.
  - (5) Lighting shall be designed to minimize glare on adjacent properties.
  - (6) All exterior walls of each building shall be attractively finished with suitable and durable materials.
- j. Common Elements. Ownership and maintenance of all common elements shall be as regulated in N.J.S.A. 40:55D-43 (Standards for the Establishments of Open Space Organizations) of the Municipal Land Use Law. Common elements shall include all facilities, land, utilities, roads, sewers, storm water facilities, and similar elements not conveyed to the Borough or owned in fee simple by any resident of the development. Applicant shall submit for information to the Planning Board Attorney and Borough Attorney all master deeds, maintenance agreements and homeowners and/or condominium association regulations as they affect the control, maintenance and use of all common elements not deeded to the Borough. Maintenance procedures for all common element facilities not conveyed to the Borough, shall also be subject to the requirements of all applicable Borough ordinances presently in existence or hereafter adopted relative to the maintenance of such facilities.
- k. Environmental Impact Statement(s) (EIS). An EIS as outlined in Article XI of the Land Development Chapter shall be submitted with the initial application for preliminary approval and a copy thereof shall be simultaneously served to the Lake Hopatcong Commission.

**§ 17-28.15. SRC-B, Special Residential Cluster B Zone. [Ord. No. 00-10 § 1]**

- a. Purpose. It shall be the goal of the development plan to maximize the preservation of permanent undisturbed open space and to minimize clearing and regarding on

the tract specially in areas of steep slopes, critical areas and areas adjacent to existing residential neighborhoods.

b. Principal Permitted Uses.

- (1) Multifamily dwelling units for aged restricted households.
- (2) Single family detached dwelling units for age restricted households.

c. Permitted Accessory Uses.

- (1) Off-street parking and loading facilities.
- (2) Signs as provided in § 17-24.8.
- (3) Accessory structures and common recreational facilities in conjunction with the principal permitted uses.
- (4) Common open space.

d. Conditional Uses.

- (1) Essential services as provided in § 17-33.6.

e. Minimum Tract Area, Yard and Bulk Requirements.

- (1) Minimum contiguous tract area: The entire tract shall be developed comprehensively on not less than 70 acres.
- (2) Minimum tract lot width as measured at the narrowest point on the tract: 1,000 feet.
- (3) Maximum tract density: 2.5 dwelling units/acre. **[Ord. No. 21-09]**
- (4) Setbacks.
  - (a) All structures including buildings, recreation facilities, solid waste facilities and parking lots: Fifty feet from any tract perimeter property line, except as provided in paragraphs (b) and (c) below.
  - (b) All drainage facilities such as retention and detention facilities: Twenty-five feet from any tract perimeter property line.
  - (c) All buildings over 35 feet in height: 100 feet from any tract perimeter property line abutting a single-family residential use or zone district. At least 50 feet of the 100 feet setback shall contain natural foliage, landscaping, berms, fences or other suitable methods as determined to be necessary as part of site plan review to buffer the adjacent uses or districts. The minimum setback of a building 35 feet or less in height from a single family use or zone shall be 50 feet.
- (5) Maximum tract building coverage: 10%.

- (6) Maximum tract impervious coverage: 25%.
- (7) Open space area shall be addressed pursuant to the purposes of this article in accordance with the following:
  - (a) Minimum open space areas. A minimum of 51% of the tract area shall be set aside from development as permanent open space. To the extent feasible, the maximum amount of such areas shall remain undisturbed. Developed parts of recreation areas shall not be considered "open space".
  - (b) Temporary disturbed areas. Up to 15% of the tract may be temporarily disturbed and set aside as open space provided such areas are restored as specified below.
  - (c) Restored areas. Open space areas permitted to be temporarily cleared and regraded shall be restored to meet one or more of the following standards:
    - [i] Buffer areas. Areas adjacent to existing residential use shall be planted to provide a dense planting of evergreen trees so that within 10 years it will effectively screen the development from view from the existing neighborhood.
    - [ii] Re-forested areas. Areas replanted with trees of a size and density of plantings sufficient to achieve a complete tree canopy within 10 years.
    - [iii] Landscaped areas. Areas replanted with landscape materials other than grass, of a size and density of plantings sufficient to achieve a complete landscaped ground cover within 10 years.
    - [iv] The Planning Board may retain the services of a landscape architect to assist in the review of a restoration plan.
- f. Recreation Areas. At least 10% of the site, shall be developed with recreational facilities appropriate for the occupants. Recreation facilities include active and passive recreation uses.
- g. Multifamily Requirements.
  - (1) Maximum number of units per building is 24.
  - (2) Minimum building to building separation: 35 feet.
  - (3) Minimum distance building to street (public or private): 20 feet.
  - (4) Minimum distance building to parking: 15 feet.
  - (5) Maximum building height:
    - (a) As measured in feet: 50 feet.
    - (b) As measured in stories: 3 stories.

- [i] No habitable floor area of any type shall be permitted above the third floor.
  - [ii] An in-building garage shall not be counted as a story.
- (6) Maximum percent of multifamily units shall not exceed 65% of the total dwelling units on the tract.
- h. Single Family Detached Dwelling Unit Requirements.
  - (1) Minimum distance building to street: 25 feet.
  - (2) Minimum building to building separation: 10 feet.
  - (3) Maximum height: 2-1/2 stories or 35 feet.
- i. Off-Street Parking. A minimum of two spaces per unit shall be provided.
  - (1) All spaces shall be minimum of 9' × 18'.
  - (2) The minimum parking area setback shall be 25 feet from the tract perimeter. The minimum parking area setback from a single family use or zone shall be 50 feet. This 50 foot setback shall contain landscaping to visually screen vehicles and the parking area.
  - (3) One garage space per dwelling shall be provided.
  - (4) Ten percent of required parking shall be set aside for visitor parking.
- j. Drainage facilities such as a detention or retention basin shall be setback not less than 25 feet from a property line. The facility shall be attractively landscaped. If adjacent to a single family residential use, buffering shall be provided to mitigate its view.
- k. Solid Waste, Boat and Recreational Storage, Utilities, Recreational Facilities and Details.
  - (1) Solid waste collection shall be provided for the development either:
    - (a) Curbside, or
    - (b) Through solid waste/refuse storage areas conveniently scattered throughout the development designed, and screened so as to minimize any detrimental effect on the character of the development or surrounding properties. They shall be kept a minimum distance of 50 feet from all exterior property lines.
    - (c) There shall be no boat or recreational vehicle storage on site or inside structures.
    - (d) All utility transmission systems and connections to the individual dwelling units shall be underground. Such transmission systems and connections shall include but shall not be limited to electrical, telephone,

water, sewage, gas, oil, steam, and condensate utilities.

- (e) Common recreational facilities shall be provided as necessary to serve the residents of the development and shall be shown on the site plan.
- (f) A lighting and landscaping plan for the entire development and individual clusters of dwelling units shall be submitted which shall include details of fences, berms, walls, and street furniture as well as landscaping and lighting.

l. Building Design and Site Improvement Standards.

- (1) Common accessory buildings and facilities shall be designed to harmonize with the overall character of the development and shall meet the building setback requirements set forth in this section.
  - (2) All roads shall meet RSIS standards. The Planning Board, in conjunction with the applicant, shall determine which roads shall be public and which shall remain private. Lighting on roads, fire hydrants, and similar improvements shall be considered as part of site plan review. A nonbonding advisory report shall be sought from the Borough Police Department and Fire Companies.
  - (3) The stormwater runoff system shall be designed in accordance with the RSIS.
  - (4) Applicant shall use topographic features of the site and landscaping to minimize the off-site visual impact of buildings and parking areas.
  - (5) Lighting shall be designed to minimize glare on adjacent properties.
  - (6) All exterior walls of each building shall be attractively finished with suitable and durable materials.
- m. Common Elements. Ownership and maintenance of all common elements shall be as regulated in N.J.S.A. 40:55D-43 (Standards for the Establishments of Open Space Organizations) of the Municipal Land Use Law. Common elements shall include all facilities, land, utilities, roads, sewers, storm water facilities, and similar elements not conveyed to the Borough or owned in fee simple by any resident of the development. Applicant shall submit for information to the Planning Board Attorney and Borough Attorney all master deeds, maintenance agreements and homeowners and/or condominium association regulations as they affect the control, maintenance and use of all common elements not deeded to the Borough. Maintenance procedures for all common element facilities not conveyed to the Borough, shall also be subject to the requirements of all applicable Borough ordinances presently in existence or hereafter adopted relative to the maintenance of such facilities.
- n. Environment Impact Statement(s) (EIS). An EIS as outlined in Article XI of the Land Development Ordinance shall be submitted with the initial application for preliminary approval and a copy thereof shall be simultaneously served to the Lake Hopatcong Commission.