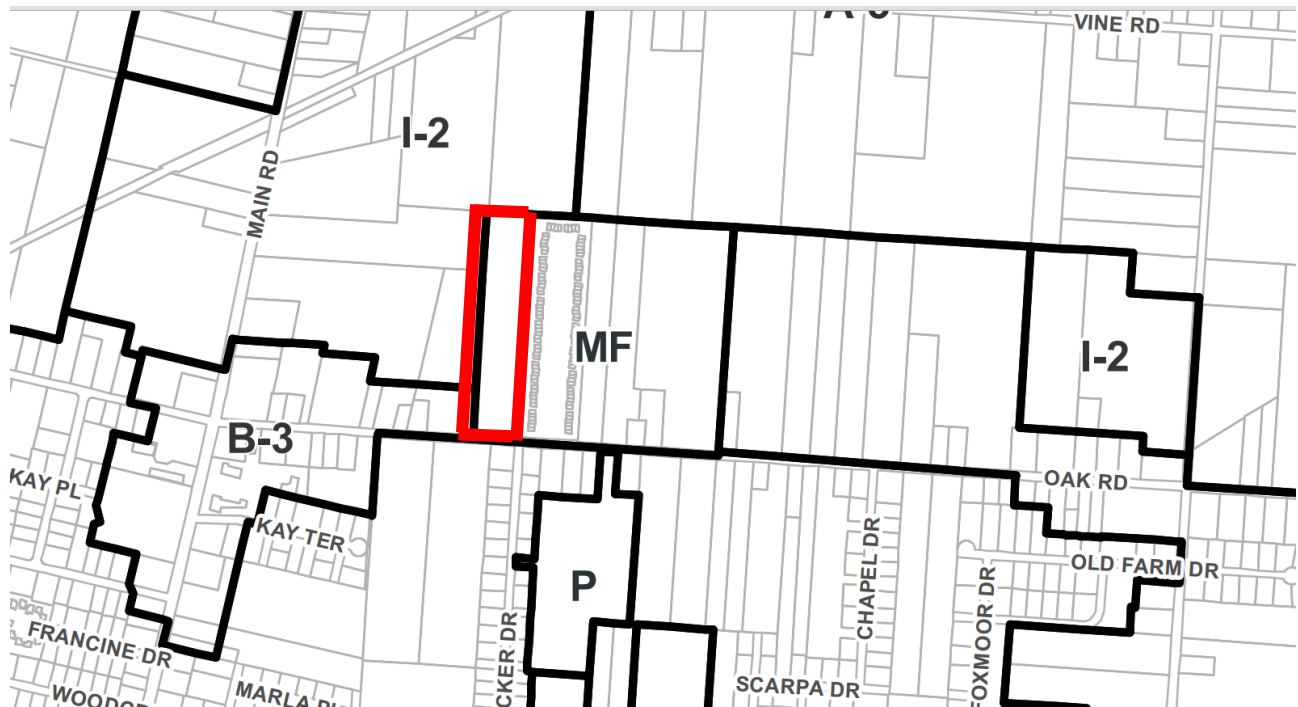


1890 E. Oak Road, Vineland, NJ

7.41 Acres Tax ID# 14-01909-00050



MF Multifamily Zone standards.

A. Purpose. The purpose of the MF Multifamily Zone is to permit residential development that includes the multifamily development of townhouses as a residential cluster. The townhouse cluster is an alternative to single-family development in the zone. The increased density for the townhouse development must be offset by open space preservation as part of the cluster.

B. Permitted uses in the MF Multifamily Residential Zone shall be as follows:

- (1) Single-family dwelling.
- (2) Multifamily residential cluster of townhouses.
- (3) Public purpose uses:
 - (a) School.
 - (b) Child-care center.
 - (c) Governmental or public utility facility.
- (4) Community residence, community shelter.

C. Accessory uses. Accessory uses within the MF Multifamily Residential Zone shall be as follows:

- (1) All accessory uses permitted in the R-1 Zone.
- (2) Farm building for livestock, equipment, storage of supplies or harvested crops, or for preparation of crops for market for a farm.
- (3) Commercial production greenhouse for a farm.
- (4) Roadside stand, 300 square feet maximum, for a single-family dwelling or a farm.

D. Conditional uses in the MF Multifamily Residential Zone shall be as follows:

- (1) Church, congregation.
- (2) Recreational facility.

E. Prohibited uses. Prohibited uses in the MF Multifamily Residential Zone shall be as follows:

- (1) Piggery.
- (2) Animal or poultry processing (slaughtering).

F. Multifamily residential cluster in the MF Zone. A residential cluster of townhouses may be permitted in the MF Zone on a contiguous area that is to be developed as a single entity according to a plan in accordance with the requirements below. The Planning

Board may approve a residential cluster of townhouses where it determines that the intent and purpose of the City Master Plan is better served by the cluster design and that the development meets the requisite standards and criteria for the residential cluster option.

(1) The maximum permitted number of townhouse dwelling units in the residential cluster shall not exceed the number of single-family dwelling units permitted for a fully conforming subdivision of residential lots in the zone, unless modified by Subsection **F(2)** here in below. For purposes of determining the maximum number of dwellings permitted, the applicant shall submit a yield map of a conforming conventional subdivision layout. The conforming lot yield map shall be in sufficient detail to permit the Planning Board to make an informed decision that the subdivision would satisfy the ordinance requirements in every respect and would be approvable as a conventional subdivision without the need for any variances, waivers or design exceptions from the City development regulations.

(2) If the townhouse development provides affordable housing on site, then the maximum density of the development shall be in accordance with the densities as indicated below:

(a) For development within Planning Area 1 of the State Development and Redevelopment Plan, or substantially similar land use designation, the maximum density shall be eight dwellings to the gross acre.

(b) For development within Planning Area 2 of the State Development and Redevelopment Plan, or substantially similar land use designation, the maximum density shall be six dwellings to the gross acre.

(3) The affordable housing units may be constructed as townhouse units or as dwelling units located one over another.

(4) The first floor of all townhouse dwelling units and of all other multistory dwellings shall comply with the Barrier Free Sub code, N.J.A.C. 5:23-7, and the following requirements:

(a) An adaptable toilet and bathing facility on the first floor;

(b) An adaptable kitchen on the first floor;

(c) An accessible route of travel; however, an interior accessible route of travel shall not be required between stories;

(d) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

(e) An accessible entranceway.

(5) The Planning Board may reduce the minimum common or public open space requirement of the cluster to 25% of the gross land area of the cluster in order to accommodate an increased number of dwellings to provide affordable housing.

(6) If the zoning on a site has changed subsequent to December 17, 2007, the number of units permitted for the purpose of calculating the additional number of units shall be the higher of the current number of units permitted or the number of units permitted on December 17, 2007.

(7) Minimum total land area required. The minimum total land area required for development of a multifamily residential cluster of townhouses is five developable acres.

(8) Sewer and water. The dwelling units of a residential cluster shall be served by public sewer and water.

(9) Open space design requirements. The cluster design for open space should be arranged to preserve land as public or common open space in accordance with the following criteria:

(a) A minimum of 40% of the gross land area of the cluster shall be preserved as common open space.

(b) All areas to be preserved as common open space shall be clearly identified and reserved on the plans submitted for approval. The existing and planned use of the open space shall be indicated on the plans.

(c) The minimum land area required to be preserved as common open space shall be land that is not already preserved as open space or preserved as farmland.

(d) The area proposed as public or private open space shall be suitable for enjoyment and use as open space. The Planning Board may withhold approval of any area that it deems unsuitable as open space.

(e) At least 65% of the minimum land area required to be preserved as common open space shall be land unencumbered by any of the following:

[1] Wetlands or wetlands transition areas;

[2] Areas of special flood hazard;

[3] Existing easement areas for utilities or drainage;

[4] Rights-of-way; and

[5] Surface waters.

(f) Storm water management basins are structures and do not qualify as open space for the purpose of meeting the common open space requirements.

(g) Any common open space area shall be at least two acres in area and have a minimum width of 200 feet and a minimum depth of 200 feet. The Planning Board may approve a smaller area where it determines that such action would be beneficial to the open space design of the cluster.

(h) An open space lot shall have a minimum road frontage of at least 100 feet.

(10) Common open space ownership. The developer shall provide a plan for the use, ownership and maintenance of any common open space in a residential cluster. The plan is subject to Planning Board review and approval. The ownership plan shall be submitted with the preliminary application for development and shall identify the existing and proposed ownership of all proposed open space areas. The City, at its option and in its sole discretion, or other governmental agency approved by the City, at any time and from time to time, may accept the dedication of land or any interest therein for public use and maintenance, but the City shall not require as a condition of the approval of a residential cluster that land proposed to be set aside for common open space be dedicated or made available to public use. The developer shall provide for an organization for the ownership and maintenance of any open space for the benefit of owners or residents of a residential cluster if the open space is not dedicated to the municipality or other governmental agency. The type of ownership of land dedicated for common open space purposes shall be selected by the applicant, subject to the approval of the Planning Board. Type of ownership may include, but is not necessarily limited to, the following:

(a) The City of Vineland, subject to acceptance by the City Council.

(b) Homeowners', condominium or cooperative associations or organizations.

(c) Shared, undivided interest by all property owners in the subdivision.

(11) Homeowners' association. If the common open space is owned and maintained by a homeowners' or condominium association, the developer shall file homeowners' organization or condominium documents, to be submitted with the application for final approval. The provisions shall include, but are not necessarily limited to, the following:

(a) The homeowners' association shall be established before the release for building permits.

(b) Membership shall be mandatory for each buyer and any successive buyer.

(c) The open space restrictions shall be permanent.

(d) The association shall be responsible for liability insurance, local taxes, and the maintenance and replacement of recreational and other facilities.

(e) Homeowners shall pay their pro rata share of the cost; the assessment levied by the association may become a lien on the property.

(f) The association shall be able to adjust the assessment to meet changed needs.

(12) Maintenance of open space areas. In the event that a non-municipal organization with the responsibility for the common open space fails to maintain it in reasonable order and condition, then the City Council, in accordance with N.J.S.A. 40:55D-43, may correct such deficiencies and assess the cost of maintenance against the properties within the development.

(13) Use and improvement of common open space for active recreation. The Planning Board may require the installation of recreational facilities suitable to the development, such as playgrounds, play fields, parks or similar outdoor recreation facilities, on the common open space. Such facilities shall be conveniently located and accessible to all dwelling units and should adhere to the following guidelines:

(a) One active recreation area should be provided for the first 125 dwelling units. Such areas should not be less than four acres.

(b) For developments of more than 125 dwellings, active recreation or park space should be provided at the rate of one acre per each 12 dwelling units or fraction thereof.

(c) Undeveloped common open space. Undeveloped common open space should be left in its natural state. A developer may, however, make limited improvements for the installation of utilities, necessary grading, and the provision of paths and trails. In addition, the Planning Board may require a developer to make other improvements, such as removal of dead or diseased trees; thinning of trees or other vegetation to encourage more desirable growth; reforestation of disturbed areas; and grading and seeding, subject to approval by all regulatory agencies.

(14) Deed restrictions. Any lands dedicated for common open space purposes shall contain covenants and deed restrictions approved by the Board Attorney that ensure that:

(a) The open space area will not be further subdivided in the future.

(b) The use of the open space will continue in perpetuity for the purpose specified.

(c) Appropriate provisions are made for the maintenance of the open space.

(d) The open space shall not be utilized for any commercial purpose. The Planning Board may, however, approve the use of open space as farmland or pastureland as part of the residential cluster design.

(15) Prior to the approval of the residential cluster, the Planning Board shall make a finding of facts and conclusions as required by N.J.S.A. 40:55D-45.