

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING
CHAPTER 203 ENTITLED “ZONING”, SECTIONS 203-42 A THROUGH C
(R-3 ZONING DISTRICT) OF THE CODE OF THE TOWNSHIP OF
WOOLWICH
2018-07**

WHEREAS, N.J.S.A. 40A:55D, The Municipal Land Use Law, allows municipal Planning Boards the power to recommend changes to Township Land Use and Zoning Ordinances; and

WHEREAS, to this end, the Woolwich Township Joint Land Use Board has made a recommendation that the Governing Body consider and adopt amendments to Chapter 203 of the Woolwich Township Code, specifically Section 203-42 A through C (R-3 Zoning District) to incorporate changes to provide for a Planned Unit Development (PUD) Transfer Option; and

WHEREAS, by amending the provisions of Section 203-42 A through C the Township will be implementing Section I A 8 of the Fourth Supplemental Developer’s Agreement dated October 2, 2017 and amending and supplementing the Supplemental Developer’s Agreement of December 15, 2005 between the Township of Woolwich and Summit Ventures L.L.C. that calls for the density transfer provisions created through this Ordinance;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION 1. Amendments

That the following amendments shall hereby be made to the following sections of Chapter 203-42:

203-42 A (1)

The text of the first paragraph of this section shall be revised to read as follows:

- (1) The intent of the R-3 Residential District is to provide appropriate regulations for the preservation of agriculture, natural resources, scenic vistas and the rural landscape of Woolwich Township, along with the development of moderate-density single-family detached dwellings and other permitted uses in portions of the Township which are located within the existing public sewer service area, as of 2004, but which are not part of any planned unit development. Where public sewer is unavailable, the regulations of the R-2 Residential District shall apply. The Township is offering three development options in the R-3 District. Option 1 is encouraged as the means to best maintain the rural character while preserving

open space and natural resources in the R-3 District. In conformance with the MLUL, the purposes of Options 1, 2 and 3 are as follows:

203-42 A (2)

The text of this section shall be amended by the addition of the following paragraph (c):

- (c) Option 3: The underlying density of the parcel would be eliminated and the parcel would serve as a receiving area for a density transfer from the PUD Planned Unit Development District.

203-42 C. Bulk and Area Regulations

The Table of Options shall be amended by adding a third column entitled “Option 3: Density Transfer Option” with the following provisions:

| | Option 3 Density Transfer Option |
|---|--|
| Density | Not applicable due to density transfer |
| Lot size minimum with minimum lot width | 6,500 SF 60 feet |
| Open space | No required common open space |
| Yards: | |
| Front | 25 feet |
| Side | 5 feet minimum on one side and a minimum of 15 feet aggregate. |
| Rear | 20 feet |
| Maximum building coverage | 35% |
| Maximum impervious coverage | Same as the contiguous sections of the PUD District. |
| Maximum building height | 35 feet. |

203-42 C (3) added item as follows:

- (3) Option 3: PUD Density Transfer Option. Any parcel with a minimum acreage of 25 acres bounded on three sides by portions of the Weatherby PUD Planned Unit Development District and not within the Weatherby General Development Plan

shall be eligible for the density transfer option (Eligible Parcel). Under this option, single family detached dwellings shall be the permitted use subject to the bulk and area regulations of Section 203-45 c.

- (a) The density transfer required to enable this development option shall be achieved by shifting a portion of the units permitted by the Weatherby PUD to an Eligible Parcel outside the boundaries of the PUD.
- (b) The combined development of the parcel receiving the density transfer and the Weatherby PUD shall not exceed the 4,500 residential units authorized by the existing Weatherby General Development Plan approval.
- (c) The development impacts for the Eligible Parcels shall be managed through the mechanisms otherwise applied to the Weatherby development although the Eligible Parcels shall not be included within or subject to the General Development Plan approval.
- (d) The zoning requirements and conditions of the R-3 district applicable to properties developed under Options 1 and 2 shall not be applicable to parcels developed under Option 3.

SECTION 2. Repealer

All Ordinances or parts of Ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistency.

SECTION 3. Severability

Each Section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

SECTION 4. Effective Date

This Ordinance shall be effective upon final adoption and publication pursuant to law.

TOWNSHIP OF WOOLWICH

Jordan Schlump, Mayor

ATTEST: _____
Jane DiBella, Clerk

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 7th day of May, 2018 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 21st day of May, 2018 at 7:00 pm, at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Township Clerk

NOTICE OF ADOPTION

The foregoing ordinance was passed upon second reading subject to a public hearing conducted on the 21st day of May, 2018, and therefore becomes effective according to Law.

Jane DiBella, Township Clerk