

PLEASE TAKE NOTICE that the following Ordinance was introduced on first reading by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey at a meeting held on the 5th day of January, 2012. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on February 2, 2012 at a meeting beginning at 7:00 PM at the Municipal Building located on the corner of County Road 519 and Oak Grove Road, Kingwood Township, New Jersey, at which time all interested persons will be heard. .

ORDINANCE NO. 17 – 01 - 2012

AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP OF KINGWOOD, SPECIFICALLY “ZONING, CHAPTER 132, ARTICLE III, DISTRICT REGULATIONS” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF KINGWOOD TO PERMIT “MUNICIPALLY SPONSORED OR AUTHORIZED ATTACHED AFFORDABLE HOUSING” AS A PRINCIPAL PERMITTED USE IN ALL ZONING DISTRICTS IN KINGWOOD TOWNSHIP

WHEREAS, the Township Committee of Kingwood Township, Hunterdon County, New Jersey is desirous of providing reasonable opportunities for the provision and development of affordable housing in the Township to respond to the municipality’s affordable housing obligation; and

WHEREAS, the Township’s Housing Plan Element and Fair Share Plan sets forth a variety of types of affordable housing and strategies for development of affordable housing including attached housing, which is not currently a permitted use in the Township’s zoning districts; and

WHEREAS, the Township Committee seeks to accommodate flexibility in the design and development of affordable housing and it is recognized that opportunities for the provision of attached affordable housing may exist in all of the zoning districts in Kingwood Township; and

WHEREAS, the Township Committee has entered into an agreement with an affordable housing developer that proposes to develop attached affordable housing in a zone that does not currently permit attached housing, and that developer seeks to advance construction of affordable housing in a zoning district within which attached housing is not permitted.

NOW, THEREFORE, be it ordained by the Mayor and Township Committee of the Township of Kingwood as follows:

SECTION I - CHAPTER 132 – ZONING, of the Ordinances of Kingwood Township, ARTICLE III, District Regulations, are hereby amended and supplemented as follows:

1. §132-30. “AR-2 Agricultural and Single-Family Residential District”, subsection B. “Principal permitted uses” is hereby amended by adding the following new principal permitted use:

(8) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for single-family dwelling units located within the AR-2 District districts.

2. §132-31. “VR-1 Village Residential District”, subsection B. “Principal permitted uses” is hereby amended by adding the following new principal permitted use:

(6) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for single-family dwelling units located within the VR-1 District.

3. §132-33. “VC-1 and VC-2 Village Commercial Districts”, subsection B.(1) & (2) “Principal permitted uses” are hereby amended by adding the following new principal permitted uses:

§132-33.B.(1)(g) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for principal buildings within the VR-1 District.

§132-33.B.(2)(f) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for principal buildings within the VR-1 District.

4. §132-35. “BP Business Park District”, subsection B. “Principal permitted uses” is hereby amended by adding the following new principal permitted use:

(10) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for Principal Buildings located within the district, except that the minimum lot frontage, lot width and lot depth may be reduced by up to 50% of the requirement for Principal Buildings in the BP District.

5. §132-36. “PO/R Professional Office / Residential District”, subsection B. “Principal permitted uses” is hereby amended by adding the following new principal permitted use:

(7) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for single-family dwelling units located within the PO/R District.

6. §132-38. “BC Byram Colony Zone”, subsection B. “Principal permitted uses” is hereby amended by adding the following new principal permitted use:

(6) Municipally sponsored or authorized attached affordable housing, the requirements therefor shall be the same as for single-family dwelling units located within the BC Zone.

SECTION II - All other provisions of Chapter 132 – Zoning, of the Ordinances of Kingwood Township not modified herein shall remain unchanged and in full force and effect.

SECTION III- If the provisions of any article, section, subsection, paragraph, subdivision, clause or application of the Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, subdivision, clause or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

SECTION IV - This ordinance may be renumbered for codification purposes.

SECTION V - This Ordinance shall take effect immediately upon final passage, publication according to law, and filing with the Hunterdon County Planning Board.