

Ordinance No. 2021-

Township of Bedminster, Somerset County

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF BEDMINSTER AMENDING ARTICLE 13 ENTITLED “THE LAND DEVELOPMENT ORDINANCE SECTION 13-4-01” TO ADD A NEW ZONE DISTRICT TO BE KNOWN AS “OFFICE RESEARCH VILLAGE MIXED USE DISTRICT”

PURPOSE STATEMENT: The purpose of this ordinance is to amend Article 13 entitled “The Land Development Ordinance” to add a new zone district to the district regulations in Section 13-401 for a new district and its related standards for an Office Research Village Mixed Use zone district which will allow and encourage mixed use buildings with a component of multi-family apartment units of which at least fifteen percent (15%) with a minimum of 23 units shall be affordable rental multi-family or apartment units on Block 71 Lot 7.

NOW THEREFORE BE IT ORDAINED by the Mayor and Committee of the Township of Bedminster, Somerset County, New Jersey, that the Township hereby amends Chapter 13 entitled “The Land Development Ordinance” of the code of the Township of Bedminster to add new Sections to Section 13-301 and 401 to establish a new zone district to be known as the Office Research Village Mixed Use District (“ORVMU”) which shall state as follows:

1. Section 1. Section 13-301 entitled “Zoning Districts” is amended to add a new zone district to the list of Mixed Residential/Commercial District to be known as the “Office Research Village Mixed Use District (“ORVMU”).
2. Section 2. Section 13-302 entitled “Zoning Map” is amended to update the Zoning Map to the date of this ordinance and to add the new ORVMU district to the Zoning Map.
3. Section 3. Section 13-401 is amended to add a new Section 13-406C as follows:

“Section 3. 13-406C Office Research Village Mixed Use District (“ORVMU”).

13-406C.1 Principal Permitted Uses on the Land in Buildings:

- a. Multifamily housing units or apartments in mixed use buildings including offices and retail including outdoor dining and gathering spaces.
- b. All uses permitted in the VN Zone District.
- c. Public playgrounds, conservation areas, parks and public purposes uses.

- d. Public utility uses as conditional use under N.J.S.A. 40:55D-67 (See Section 13-601 for additional standards).
- e. Banks and banks with drive up access in a mixed use building or shown on and substantially consistent with Attachment A1.
- f. Office buildings.
- g. Research and engineering, activities involving scientific investigation, engineering study, product development and similar activities not involving the manufacturer, sale, processing, warehousing, distribution or fabrication of materials, products or goods except as incidental to the principal permitted uses.

Section 13-406C.2 Accessory Uses Permitted:

- a. Off-street parking, including parking decks
- b. Fences and walls not exceeding six (6') feet in height
- c. Signs.
- d. Garages, storage buildings and toolsheds including parking decks.
- e. Temporary construction trailers as permitted during the time of actual construction activities on the site. The trailer shall be located on the site where construction is taking place and shall be at least 25 feet from any property or street line. The period of construction shall be deemed to commence no sooner than the issuance of the building permit and shall end no later than the issuance of the temporary certificate of occupancy. In the event actual construction activities on the site should cease for any reason (including without limitation bankruptcy or abandonment of the project (for a period in excess of forty-five (45) days) any trailer shall be removed. No signs advertising the on-site project or contractors or subcontractors involved in the project shall be permitted to be attached to or painted on the side of any construction trailers.
- f. Employee services as part of the principal building or as the entire use of the accessory building, provided the services are limited to in service for the employees of the principal uses designated on the site plan as approved by the reviewing board.
- g. Satellite dish antennas (See Section 13-520 for standards).
- h. Roof mounted solar voltaic energy system subject to Section 13-527.

- i. Parking lot canopy mounted solar voltaic energy systems for residential or non-residential use subject to Section 13-527.
- j. Ground mounted accessory solar voltaic energy systems subject to 13-527.
- k. Electric vehicle charging stations and equipment.

Section 13-406C.3. Maximum Building Height.

The maximum height of any building shall not exceed 55 feet.

Section 13-406C.4. Architectural Design Standards.

A. Architectural Design Standards

- 1. Buildings shall be designed to blend harmoniously with the Pluckemin Village Area without mimicking existing building designs. The proposed development shall be substantially consistent with the conceptual plans, attached as Attachments A, A1 and A2 and the front yard area concept plan attached as Attachment B, and any substantial deviations shall be subject to Planning Board approval.
- 2. Buildings should have architectural features and patterns that provide variety and visual interest. Buildings should include substantial variation through the use of the three main elements of base, field and entablature. A conceptual elevation is attached as Attachment C and any substantial deviation shall be subject to Planning Board approval.
- 3. Primary building facades shall be articulated by façade offsets and the use of vertical and horizontal elements to provide shadow lines, breaks and banding.
- 4. Doorways, windows and other openings in the façade of buildings should be proportioned to reflect pedestrian scale and movement and encourage interest at the ground level.
- 5. New construction shall employ such features as gabled roofs and brick or limestone, fieldstone, bluestone, riverstone and low maintenance synthetic clapboard and trim, metal panel or other stone or masonry exterior finish materials. Extensive glass, uninterrupted by other materials, shall be avoided.

-406C.5. Area and Yard Requirements to the “ORVMU” District.

Requirements for Mixed-Use Development

Principal Building Minimum

Minimum Lot Area	6 acres
Lot Frontage	400’
Lot Width	400’
Lot Depth	400’
Side Yard Each	15’
Front Yard minimum	100’(1)
Rear Yard	30’ (2)
Distance to another building	50’

Accessory Building Minimum

Distance to Front Line	15 feet (1)
Distance to Side Line	75 feet
Distance to Rear Line	75 (2)
Distance to other building	50 feet

Maximum

Lot Coverage	75%
Number of Residential units	160 units

Minimum

Percentage and number of affordable family rental units: 15% rental and 23 rental units, whichever is greater. Therefore, if the total number of units is 160, the minimum number of affordable rental units shall be 24 units.

NOTES:

- (1) Except that one retail pavilion related to the mixed use building shall be permitted to be in front of the mixed use buildings no closer than 5 feet from the right of way.
- (2) None if adjacent to the right-of-way of Interstate 78 or 287.

Requirements for Office Development

Principal Building Minimum

Minimum Lot Area	12 acres
Lot Frontage	400’

Lot Width	400'
Lot Depth	400'
Side Yard Each	90'
Front Yard minimum	100'
Rear Yard	30' (1)
Distance to another building	50'

Accessory Building Minimum

Distance to Side Line	75 feet
Distance to Rear Line	75 (1)
Distance to other building	50 feet

Maximum

Lot Coverage	60%
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NOTES:

- (1) None if adjacent to the right-of-way of Interstate 78 or 287.

Section 13-406C.6. General Requirements.

a. There shall be no parking in a 100 foot front yard setback from Route 202/206. Other parking lots shall be setback at least 5 feet from the ring road and all property lines. The area shall be planted and maintained in lawn area ground cover or landscape with evergreen shrubbery. Parking, outdoor patios, dining and one retail pavilion related to the mixed use building shall be permitted in the front yard in front of the mixed use buildings or multifamily/apartment buildings fronting on Burnt Mills Road. Parking lots and parking decks shall be located at least five (5) feet from the ring road. Parking lots shall be phased in accordance with the increasing number sequence shown on concept plan of the entire zone as Attachment D.

b. The outside storage and/or display of this merchandise equipment, waste or similar materials or objects shall be prohibited except as approved in a site plan approval and except accessory garbage recycling containers properly shielded in rear yard only and containers for flowers and landscaping.

c. Mixed use and multifamily apartment buildings shall comply with the following architectural standards: (a) pitched roofs; (b) architectural facades and designs that include gables, residential appearance materials and residential façade materials and windows and doors.

d. The applicant shall improve the ring road between Burnt Mills Road and Route 206 and provide an easement to Bedminster Township to allow public use. The ring road shall not create a front yard setback requirement for structures and buildings.

e. The applicant shall, at its own cost and expense, improve the traffic lights and intersection of Burnt Mills Road and Route 206 in accordance with designs and plans approved by Bedminster Township, the County of Somerset and New Jersey Department of Transportation (NJDOT), which plans shall be substantially consistent with the intersection improvements shown on Attachment E.

f. Term of Affordable Units: In accordance with N.J.A.C. 5:80-26.1 et seq., and in accordance with the voluntary agreement of the owner of the ORVMU zone property which, in part, induced the Township to rezone that property to an inclusionary rental low and moderate income housing site, the period within which the Affordable Units shall be restricted to low and moderate income households shall be an initial 30-year term beginning on the date of issuance of a certificate of occupancy for each set-aside unit (the "initial 30-year term"), followed by a second 30-year term (the "second 30-year term") which, however, the Township shall have the option of canceling. In the event that the Township does not provide written notice of cancelation of the second 30-year term prior to the conclusion of the initial 30 year term, the second 30-year term shall begin running automatically at the conclusion of the initial 30-year term. The Township shall be entitled to credits for the Affordable Units under the initial 30-year term for the Third Round of Mount Laurel compliance. The Township shall be entitled to credits for the Affordable Units under the second 30-year term for the round of Mount Laurel compliance in which the units expire as may be allowed by then-applicable law but those credits shall be subject to forfeiture in the event that the Township cancels the second 30-year term. After the end of the second 30-year term the Township will retain any rights it has under N.J.A.C. 5:80-26.1 et seq. continue to maintain affordability controls on the ORVMU zone site.

g. Any residential development shall provide a minimum of four (4) very low income affordable family rental units and shall otherwise comply with COAH regulations and the Township's affordable housing ordinances. The minimum percentage of affordable rental units shall be 15% and the minimum number of affordable rental units shall be 23 units. Therefore, if the total number of units is 160, the minimum number of affordable rental units shall be 24 units.

Section 13-406C.7 Minimum Off-Street Parking.

Each individual nonresidential use shall provide parking of one space per 225 square feet. No parking area or driveway shall be located within fifteen (15') feet of any property line. See Section 13-508 for additional standards. (Ord. #98-10, §6). Residential units shall provide parking in accordance with the RSIS.

Section 13-406C.8 Minimum Off-Street Loading.

a. Each activity shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area at the side or rear of the building. Each

space shall be at least fifteen by forty (15' x 30') feet and a minimum of one (1) space shall be provided for each building, except for the proposed retail pavilion. Additional spaces may be necessary and required dependent upon the specific activity. There shall be no loading or unloading from the street.

b. There shall be at least one (1) trash and garbage pick-up location provided by each building, except for the proposed retail pavilion, which shall be separated from the parking spaces by either a location within the building or in a pick-up location outside the building which shall be a durable totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three (3). If located within the building, the doorway may serve both the loading and trash/garbage functions and if located outside the building, it may be located adjacent to or within the general loading area(s) provided the container in no way interferes with or restricts loading and unloading functions. Moreover, if located outside the building, the container shall be situated on the same horizontal plane as the driveway providing access to the container. (Ord. #98-10, §6)

Section 13-407.9 Permitted Signs.

a. On site directional parking and warning signs are permitted and are not considered in calculating the sign area of other permitted signs. No such signs shall exceed two (2) square feet in area and shall not exceed four (4') feet in height. Sign permits are required.

b. *Office Buildings, Research and Engineering Activities.* One (1) sign not larger than the equivalent of five (5%) percent of the area of the front wall of the building or seventy-five (75) square feet, whichever is smaller. If attached the sign shall be attached flat against the building and shall not be higher than the roof line; if free-standing, the sign shall not exceed ten (10) feet in height and shall be set back at least thirty (30') feet from all property and street right-of-way lines.

c. *Public Playgrounds, Conservation Areas, Parks and Public Purpose Uses.* One (1) free-standing sign not exceeding eight (8) square feet in area and not exceeding eight (8') feet in height.

d. *Public Utilities.* One (1) free-standing sign not exceeding six (6) square feet in area and not exceeding eight (8') feet in height.

e. *Apartment and Mixed Use Signs.* Apartment buildings and mixed use buildings including apartments shall be permitted one (1) monument sign not larger than seventy five (75) square feet, which may include retail and mixed use tenant/occupant names. The apartment building may also have one façade sign of up to fifty (50) square feet, which shall be attached flat against the building and shall not be higher than the roof line. The apartment/mixed use free-standing monument sign shall not exceed ten (10) feet in height and shall be set back at least ten (10') feet from all property and street right-of-way lines.

Each mixed use retail or office use or occupant may have one façade sign on its façade sign on its façade of up to five (5%) percent of the façade with a maximum size of 24 square feet.

- f. See Section 13-512 for additional standards.
(Ord. #98-10, §6)

SECTION 4. The zoning map is amended to add the new ORVMU Zone District as set forth on the attached zoning map.

SECTION 5. Severability. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 6. Repealer. All ordinances or rules or regulations of the Township of Bedminster, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 7. Effective Date. This ordinance shall take effect upon passage and publication according to law.

Introduced by:
Passed:
Published:
Adopted:

ATTEST:

**BEDMINSTER TOWNSHIP
COMMITTEE**

By: _____
Judith A. Sullivan, Township Clerk

By: _____
Lawrence F. Jacobs, Mayor

Introduced	Seconded	Township Committee	Vote for Adoption	Nay	Abstain	Absent
		Lawrence F. Jacobs, Mayor				
		Gina Lisa-Fernandez				
		R. Collin Hickey				
		Renee Mareski				
		Douglas Stevinson				

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Bedminster Township Committee held at the Municipal Building, One Miller Lane, Bedminster, New Jersey on _____ 2021 and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Committee of the Township of Bedminster to be held at the Municipal Building, One Miller Lane, Bedminster, New Jersey, on _____, 2021 at 7:30 p.m., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BEDMINSTER.

Judith A. Sullivan, Township Clerk

PLEASE TAKE FURTHER NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Bedminster Township Committee held at the Municipal Building at One Miller Lane, Bedminster, New Jersey, on _____, 2021. The same came up for final adoption at a meeting of the Township Committee of the Township of Bedminster held on _____, 2021 and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BEDMINSTER.

Judith A. Sullivan, Township Clerk

Attachment A1

Mixed Use Area Concept Plan

Proposed Ground Floor Plan - Drive Thru Study



Major

Attachement A2
Mixed Use Area Roof Concept Plan

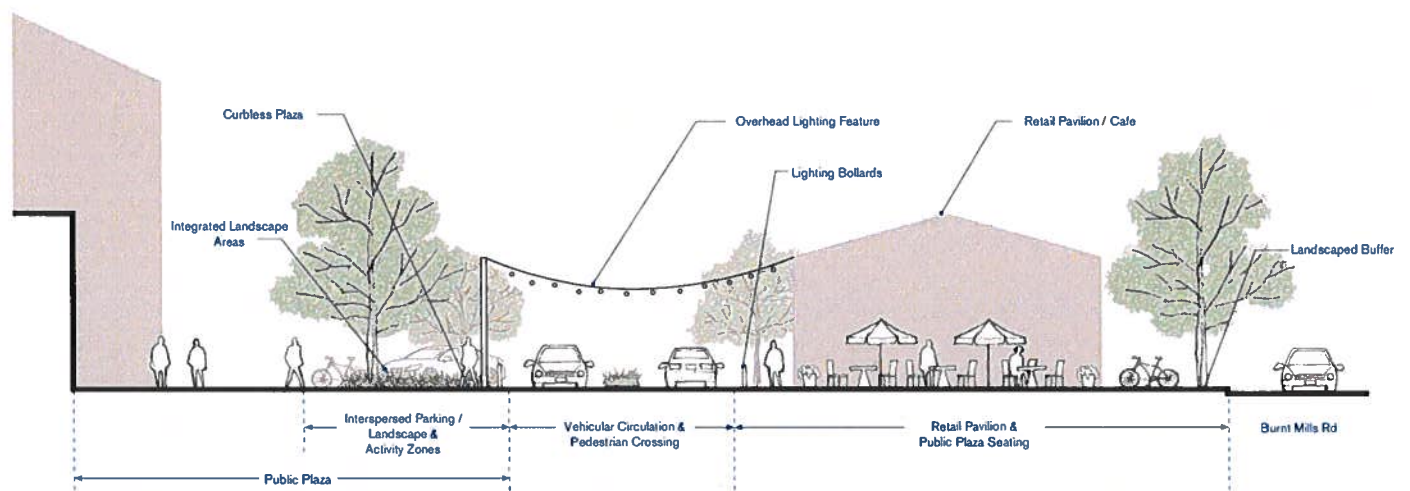
Preliminary Design Concept
Proposed Roof Plan



Attachment B

Mixed Use Area Front Yard Concept Plan

Preliminary Design Concept
Proposed Site Section at Burnt Mills Road Plaza

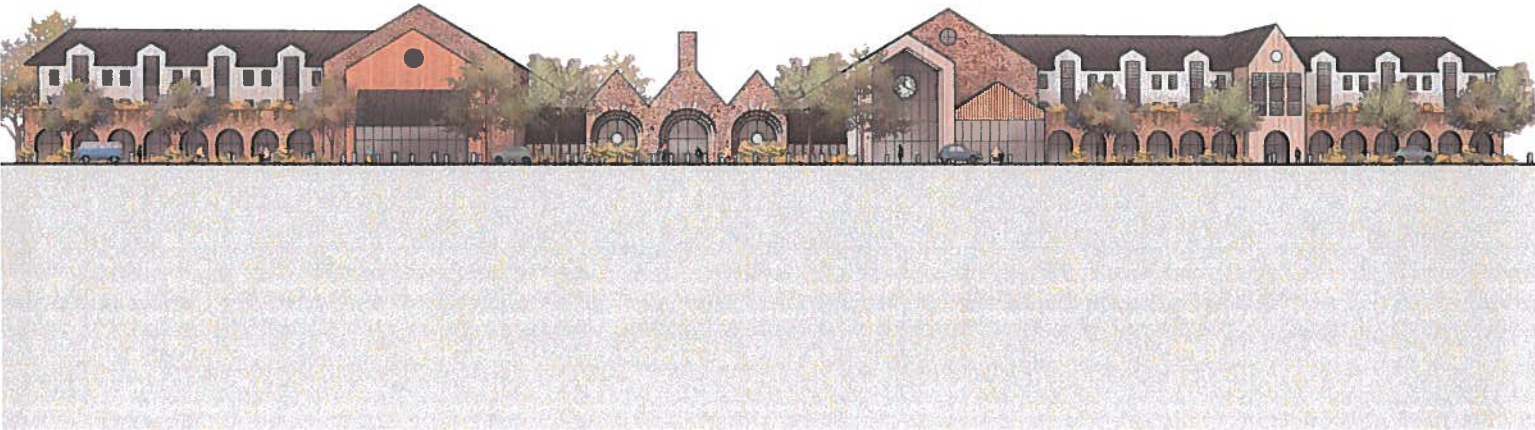


Major

Attachment C

Mixed Use Area Elevation Concept Plan

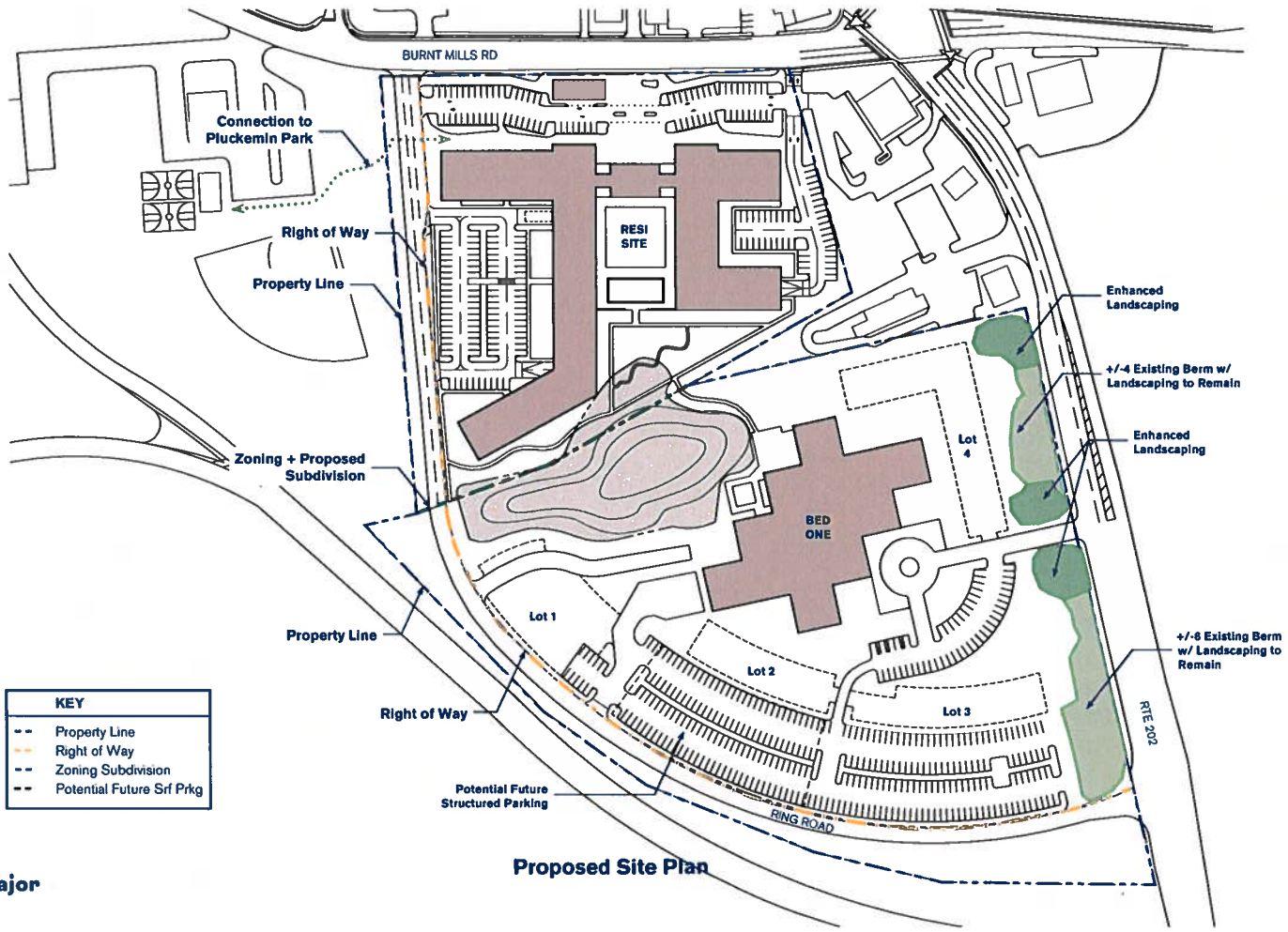
Preliminary Design Concept
Proposed Elevation Material Study



Major

Attachment D

Overall Site Concept Plan and Parking Lot Phasing Plan



Major

Proposed Site Plan

Attachment E

Stonefield Engineering Intersection Improvement Plans