

**NOTICE OF PENDING ORDINANCE**  
**NOTICE IS HEREBY GIVEN**

that at a virtual meeting of the Council of the Borough of North Plainfield held on July 21, 2020 there was introduced and read for the first time, and passed on such first reading, an ordinance, a true copy whereof is printed below and that said Council did then and there fix the regular meeting of said Council to be held on August 25, 2020 at 4:00 p.m. or as soon thereafter as the matter may be heard, and the Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place when and where said ordinance will be further considered for final passage, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

The said ordinance as introduced and passed on first reading as aforesaid is in the following words and figures:

**ORDINANCE NO. 20-06**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT  
CHAPTER 22 OF THE BOROUGH CODE, ENTITLED “LAND  
DEVELOPMENT” MOST NOTABLY SECTION 22-113,  
ENTITLED “AHO AFFORDABLE HOUSING OVERLAY ZONE”  
AND SECTION 22-133 ENTITLED “INCLUSIONARY HOUSING  
REQUIREMENTS FOR REZONING AND VARIANCES”**

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield be amended, revised and supplemented as to Chapter 22, entitled “Land Development”, most notably Section 22-113, entitled “AHO Affordable Housing Overlay Zone” and Section 22-133, “Inclusionary Housing Requirement for Rezoning and Variances” as follows:

**“22-113B AHO AFFORDABLE HOUSING OVERLAY ZONE (“OLD MILL”  
SITE) (Block 43, Lot 6)**

**22-113B.1 Uses.**

In the AHO, Affordable Housing Overlay Zone (Block 43, Lot 6), in addition to any use permitted in the underlying zone district, multifamily residential

development is permitted with development incentives for the provision of affordable housing.

**22-113B.2 Required Conditions.**

- a. Height. No building shall exceed a height of five (5) stories or sixty (60) feet, whichever is lower.
- b. Minimum Lot Acre. There shall be a minimum lot area of forty thousand (40,000) square feet.
- c. Front Yard. There shall be a front yard of not less than ten (10) feet along any street.
- d. Rear Yard. There shall be a rear yard of not less than twenty-five (25) feet.
- e. Side Yards. The minimum yard width shall be fifteen (15) feet.
- f. Maximum Building Coverage. The total ground floor area of all buildings shall not exceed forty (40%) percent of the total lot area.
- g. Maximum Impervious Coverage. The total area of all impervious surfaces shall not exceed eighty-five (85%) percent of the total lot area.
- h. Maximum Gross Residential Density. The maximum gross residential density shall be [22] thirty-five (35) dwelling units/acre [which may be increased per Subsection 22-113B3, which shall be considered a “compensatory benefit” in exchange for the required provision of low- and moderate-income dwelling units as required by Subsection 22-113B.3 of the Borough Code below.
- i. Off-Street Parking and Loading Requirements. Off-street parking and loading shall be provided in accordance with Section 22-117 of the Borough Code, except the minimum off-street parking requirements shall be as follows:

<b>Bedrooms</b>	<b>Spaces (Parking)</b>
0	1.00
1	1.50
2	1.75
3 or more	2.00

- j. Landscaping. All portions of the property surrounding the principal building not used for off-street parking or loading shall be landscaped with

ornamental trees, shrubs and grass lawn area, subject to approval by the Approving Authority.

- k. Lighting. All on-site lighting connection with off-street parking, pedestrian walkways and/or building lighting shall be so arranged and shielded as to reflect the light downward and away from adjoining streets or properties.
- l. Signs. Signs shall comply with the requirements of Section 22-119 of the Borough Code.

**§22-113B.3 Affordable Housing Requirements.**

[The maximum gross residential density shall be increased to 28 dwelling units per acre when low and moderate income dwelling units are provided in accordance with this subsection.] Multifamily residential development shall be required to provide low and moderate income dwelling units in accordance with the subsection. The maximum affordable housing set-aside shall be twenty (20%) percent of the dwelling units in the development, except that the minimum set-aside shall be fifteen (15%) percent where affordable rental units are provided. Of these, at least [half] fifty (50%) percent must be reserved for, and affordable to, low income households. A minimum of thirteen (13%) percent of the affordable units in each bedroom distribution shall be affordable to households earning thirty (30%) percent or less of the area median income for the Council on Affordable Housing (COAH) region. Low and moderate income housing units shall be governed by the standards set forth in the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:89-26.1 et. seq. and shall comply with the applicable rules of the Council on Affordable Housing (COAH) and any other relevant State regulations.”

**“22-133 INCLUSIONARY HOUSING REQUIREMENTS FOR REZONING AND VARIANCES**

Any residential development consisting of [10] six (6) or more dwelling units, at a density above six (6) units per acre, that is permitted pursuant to a variance or rezoning, shall produce low- and moderate-income housing on-site or elsewhere in the Borough. [or pay a fee in lieu of providing affordable units.] The number of affordable units to be provided [or in lieu payment] shall be equal to

twenty (20%) percent of the for-sale residential units in the development or fifteen (15%) percent for affordable rental units. [The amount of the payment in lieu of providing housing shall be as determined by the applicable rules of the New Jersey Council on Affordable Housing and any other relevant State regulations.]

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Borough Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

Copies of the full Ordinance are on file with the Borough Clerk of the Borough of North Plainfield in the Municipal Building, 263 Somerset Street, North Plainfield, New Jersey. Copies may be obtained upon request and a copy is posted on the Bulletin Board in the Municipal Building reserved for such purpose.

Richard K. Phoenix, RMC  
Borough Clerk