

**TOWNSHIP OF FRANKLIN**

**ORDINANCE O-18-08**

**AN ORDINANCE AMENDING CHAPTER 253 OF  
THE CODE OF THE TOWNSHIP OF FRANKLIN,  
PROVIDING FOR THE CREATION OF A BUSINESS (B) DISTRICT**

**WHEREAS**, the Township Committee is desirous of amending the Land Development Ordinance of the Township of Franklin to better regulate the development of land throughout the Township; and

**WHEREAS**, the Franklin Township Planning Board has reviewed the proposed amendment to create a Business District and recommends the following be adopted by the Township Committee; and

**WHEREAS**, this Ordinance and the Land Development Ordinance of the Township of Franklin has been reviewed by the Planning Board and this Ordinance has been deemed consistent with the Master Plan with regard to the Business District: and

**WHEREAS**, after due deliberation and consultation with the Planning Board, Land Use Committee, and Solicitor, the Township Committee has determined that the following revisions and amendments to the Franklin Township Land Use Ordinance are necessary and appropriate; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey that Article XIV as written below which shall be adopted by the Township of Franklin and shall be incorporated into the Franklin Township Land Development Ordinance for the Township of Franklin, County of Gloucester:

**Article XIV. B Business District**

**§253-113. Purpose**

The purpose of the B Business district is to recognize the area west of Fries Mill Road, both north and south of Grant Avenue as a unique opportunity to create a new business flex zone, and to provide for a variety of new uses including office, commercial, light industrial, residential, and recreation. It is the purpose of this District to protect and provide opportunities for the existing development south of Grant Avenue to expand. At the same time the district will encourage planned business and/or residential village development, primarily on the land currently used for agricultural purposes north of Grant Avenue.

**§253-114. Permitted uses.**

I. Uses permitted on tracts with an area of 25 acres or less existing at the time of the effective date of this section. Land may be used and buildings or structures may be erected, altered or used for any of the following purposes and no other:

- A. Food and associated industries.
- B. Fabrication and assembly of paper and wood products.
- C. Biological, chemical, electronic and pharmaceutical laboratories and scientific laboratories devoted to research, design and experimental operation of equipment.
- D. Fabrication and assembly of computers and related peripheral equipment.
- E. Manufacturing and assembly of electronic products.
- F. Fabrication and assembly of metal products, excluding the processing of metals from raw materials.

- G. Limited manufacture of light machinery.
  - H. Printing and publishing.
  - I. Instruments and related products including laboratory instruments, medical instruments, photographic equipment, measuring instruments, etc.
  - J. Hydroponics and greenhouses as part of a commercial operation for wholesale purposes.
  - K. Special Trade Contractors.
  - L. Municipal facilities deemed necessary and appropriate by the governing body of The Township of Franklin.
  - M. Administrative and business offices.
  - N. Warehousing and Distribution Facilities.
  - O. Self storage facilities.
  - P. Outdoor storage of building supplies, contractor's equipment or crated and baled material in conjunction with a wholesale establishment not to exceed 10% of the developed portion of the site. . Excluded are junk, scrap metals and materials, automobiles and other machinery or vehicles intended for dismantlement or demolition. All areas used for the storage of material to be paved as per standards enumerated in Section 253-50A (1). Area to be screened with a 6' opaque fence and landscaped.
  - Q. Agricultural uses existing at the time of the effective date of this ordinance.
- II. Uses permitted on tracts of more than 25 acres existing at the time of the effective date of this section. Land may be used and buildings or structures may be erected, altered or used for any of the following purposes and no other:
- A. Planned unit development in accordance with the following guidelines, provided that community based (package) water and sewer system is provided and a minimum of 50% of the land is preserved as open space or agriculture:
    1. Planned Office and "flex-use" campus provided that principal structures are provided on individual lots with an area of not less than three (3) acres or more. The following uses may be permitted and no other:
      - a. Business, administrative, professional and governmental offices
      - b. Research and development laboratories
      - c. Warehousing and distribution facilities provided that they occur in buildings in which a minimum of 10% of the building in which the warehouse and distribution occurs is devoted to office use
      - d. Private recreational uses including, and of the same general character as: golf courses, driving ranges, tennis and racquet clubs, swim clubs, batting practice ranges. Outdoor tracks for motorized vehicles and amusement parks are specifically prohibited.
    2. The following uses may be provided in conjunction with a planned unit development on lots with an area of not less that two (2) acres or more:
      - a. Banks and other financial institutions
      - b. Adult or Child Care Centers planned to provide care for a minimum of twenty-five (25) individuals in accordance with all applicable local and state regulations.
    3. A mixed-use hamlet, on not less than fifty (50) acres, may contain the following uses:

- a. Residential uses including single family detached, semi-attached, town homes, and multifamily dwellings, subject to the following regulations:
  - (1) The average residential density shall not exceed six (6) units per acre.
  - (2) Residential densities may be increased to eight (8) units per acre if sewer and water service is extended along a collector or arterial street and connections are made to existing and future uses within 0.25 miles of the boundaries of the planned unit development.
  - (3) A maximum of 40% of the residential units may be restricted to households in which at least one member is age 55 or older and no member is less than age 18.
  - (4) A minimum of twenty percent (20%) of all residential units shall be made affordable to very low and moderate income households in accordance with the rules of the Council on Affordable Housing. There will be no development fee on COAH units.
- b. A commercial section containing all nonresidential uses permitted in the Franklinville Village District, and in accordance with the area, bulk and design requirements of that district. Permitted uses include retail stores and services, offices and restaurants. The commercial section shall occupy not more than 15% of the area of the mixed use hamlet, exclusive of lands preserved for open space and agriculture. It shall be located in general proximity to a collector or arterial street.

B. Agricultural uses existing at the time of the effective date of this ordinance.

**§253-114.1. Accessory uses.**

The following uses shall be permitted as accessory uses:

- A. Off-street parking as required by §253-92.
- B. Signs as regulated by §253-176.
- C. Enclosed facilities for storage of trash and recyclable materials.
- D. Fences as regulated by §253-190.9.
- E. Retail sales of goods and/or materials manufactured or warehoused on site, provided that the retail sales area occupies no more than 10% of the building area.
- F. Home occupations in residential sections of a Planned Unit Development as regulated by §253-190.10.

**§253-115. Area restrictions and regulations.**

In the B Business District the following area restrictions and regulations shall apply unless otherwise indicated in this chapter:

- I. Uses permitted on tracts with an area of 25 acres or less existing at the time of the effective date of this section:
  - A. Lot area and coverage.
    - (1) A lot area of not less than two acres (87,120 square feet) shall be provided for every building hereafter erected and used as an industrial facility. Each lot shall have a frontage of at least 250 feet on an improved street or road.
  - B. Lot coverage.

- (1) Buildings and structures: 30% maximum.
- (2) Total impermeable coverage: 50%, except that coverage may be increased to 65% provided that the applicant demonstrates to the satisfaction of the approving authority that there will be no net increase over pre-construction conditions on the volume and rate of storm water runoff.

C. Setbacks.

- (1) There shall be a front yard on each street on which a lot abuts, which shall not be less than 50 feet, provided that off-street automobile parking shall be permitted in the front yard not less than 35 feet from the property line.
- (2) There shall be two side yards on each lot, neither of which shall be less than 40 feet.
- (3) There shall be a rear yard on each lot, which shall not be less than 50 feet.

D. Open Space. At least 20% of the total lot or tract shall be reserved for open space. Such areas shall be subject to review by the Planning Board. Natural features, such as trees, streams, soil conditions, water table and scenic areas, shall be considered in designing a project, providing open space and buffer strips.

II. Uses permitted on tracts of more than 25 acres existing at the time of the effective date of this section.

A. Minimum tract areas and open space or agricultural preservation areas shall be specified as above for Planned Unit Developments.

B. Frontage. Each Planned Unit development shall have a frontage of at least four hundred (400) feet on an improved arterial or collector street. No frontage shall be required on a public street for residential lots.

C. Coverage.

- (1) A maximum of 20% of the area of the Planned Unit Development may be covered by buildings and structures, exclusive of areas preserved for open space or agriculture.
- (2) A maximum of 50% of the area of the Planned Unit development may be covered by impermeable surfaces, exclusive of areas preserved for open space or agriculture.
- (3) Coverage requirements shall be computed on the basis of the unreserved areas of the entire Planned Unit Development, as determined by a general development plan. There shall be no minimum coverage requirements for individual lots.

D. Setbacks.

(1) Nonresidential lots not within a mixed use hamlet:

- (a) Each lot shall have a front yard of not less than 50 feet, provided that off-street automobile parking shall be permitted in the front yard not less than 35 feet from the property line.
- (b) There shall be two side yards on each lot, neither of which shall be less than 40 feet.
- (c) There shall be a rear yard on each lot, which shall not be less than 50 feet.
- (d) Buffer strips shall be provided when required in accordance with the provisions of Article XII of this chapter, provided that no buffer strip shall be less than 75 feet and provided that this may be increased to 100 feet by the Planning Board when deemed necessary in the public interest.

(2) Nonresidential and mixed use lots within a mixed-use hamlet:

- (a) Such lots or buildings may have a 15 foot setback from the street line, provided that required off-street parking is provided to the rear of the building.
- (b) No side yard shall be required but there shall be a minimum 15 foot setback between all buildings and groups of attached buildings.
- (c) There shall be a minimum rear yard of not less than twenty-five feet.

(3) Attached, semidetached, and detached residential lots within a mixed use hamlet:

- (a) All lots or buildings shall have a minimum front yard setback of fifteen feet, provided that required off-street parking is provided to the rear of the dwellings with access via an alley. If garage or driveway access to the street is provided in the front yard, a minimum front yard setback of twenty-five feet shall be required.
- (b) A 10 foot side yard shall be required where two or more dwellings are attached but there shall be a minimum 10 foot setback between all dwellings and groups of attached dwellings.
- (c) There shall be a minimum rear yard of not less than twenty-five feet.

E. Design and Buffer Standards within a Mixed-use Hamlet.

- (1) Required preservation areas may be utilized in lieu of the buffer strips required in accordance with the provisions of Article XII of this chapter provided however, that a buffer strip of not less than seventy-five feet shall be provided along all arterial or collector streets.
- (2) No individual building or group of attached buildings shall have a façade length in any direction exceeding three hundred fifty feet in the case of non-residential structures, mixed use, and or multifamily buildings.
- (3) Attached dwellings shall have a minimum unit width of twenty-four feet and not more than six such units shall be provided in a building or group of buildings.
- (4) Traditional village development forms shall be utilized, including a grid street pattern, public plazas, the use of rear alleys, and sidewalks on both sides of all streets throughout the mixed-use hamlet.

**§253-116. Height Restrictions.**

A. No non-residential or mixed-use building shall exceed 50 feet in height.

B. No residential building shall exceed thirty-five feet in height.

BE IT FURTHER ORDAINED, Any Ordinance or parts of ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon passage and publication in accordance with the laws of the State of New Jersey.

ATTEST:

TOWNSHIP OF FRANKLIN

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CAROLYN K. TOY, CLERK

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FRANK SCAVELLI, MAYOR

**Introduced: April 22, 2008**

	Pfrommer	Mattei	Merckx	Petsch	Scavelli
<b>YES</b>					
<b>NO</b>					
<b>ABSTAIN</b>					
<b>ABSENT</b>					

**Public Hearing Held: , 2008**

**Adopted: , 2008**

	Pfrommer	Mattei	Merckx	Petsch	Scavelli
<b>YES</b>					
<b>NO</b>					
<b>NO</b>					
<b>ABSTAIN</b>					

**CERTIFICATION**

I, CAROLYN TOY, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing ordinance was introduced at a regular meeting of the Township of Franklin held on Tuesday, April 22, 2008, and thereafter duly advertised in the legal newspaper of the Township at least 10 days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Tuesday, May 20, 2008, at which time any person interested therein will be given an opportunity to be heard.

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CAROLYN TOY, Clerk