

ORDINANCE 18 - 2005

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE MADISON BOROUGH CODE ENTITLED "LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON" REGARDING PROVISIONS FOR APARTMENTS ABOVE COMMERCIAL USES IN THE CC ZONE

WHEREAS, the CC Community Commercial Zone currently permits apartments above retail and offices but that certain incentives are desirable to encourage this type of development within the CC Zone on sites considered well-suited to such mixed-use development; and

WHEREAS, the Borough Council has determined to make such an amendment.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, that Chapter 195, "The Land Development Ordinance of the Borough of Madison," of the Revised General Code of the Borough of Madison is hereby amended and supplemented as follows:

SECTION 1. The CC Community Commercial Zone regulations in Section 195-32.5.B. concerning principle permitted uses shall be amended as follows:

(6) Apartments over retail and/or office uses. (Subject to Section 195-32.5.F.)

SECTION 2. A new subsection F. containing dimensional standards for apartments over retail and/or office uses shall be added to Section 195-32.5 as follows:

F. Supplemental dimensional requirements for apartments over retail and/or offices uses. The floor areas of apartments above the first floor of buildings in the CC Zone which satisfy the

following dimensional requirements shall be exempt from the calculation of the maximum permitted floor area ratio and shall be subject to all of the following supplemental dimensional provisions:

- (1) Lot frontage shall be on Main Street and be at least 125 feet.
- (2) The lot size shall be at least 2.0 times the minimum required lot size.
- (3) No more than 8 dwelling units shall be on the property.
- (4) Residential floors above the first floor shall be designed as an extension of the front façade and in no case shall the residential space extend beyond the limits of the first floor building footprint.

SECTION 3. A footnote "o" shall be added to Schedule I, Height, Area, and Bulk Requirements concerning the maximum FAR in the CC Community Commercial Zone as follows:

Zone	Other Requirements
CC Community Commercial	Maximum FAR 0.25 ^o

Notes:

- o. Except for the provisions in Section 195-32.5.F. concerning apartments over retail and/or office uses.

SECTION 4. All ordinances or parts thereof which are inconsistent or in conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION 5. This ordinance shall take effect as provided by law.

ADOPTED AND APPROVED

ELLWOOD R. KERKESLAGER, Mayor

Attest:

MARILYN SCHAEFER, Borough Clerk

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