

ORDINANCE 20-2008

**ORDINANCE OF THE BOROUGH OF MADISON  
AMENDING CHAPTER 195, LAND DEVELOPMENT, OF  
THE MADISON BOROUGH CODE TO REZONE CERTAIN  
PROPERTIES AT THE EAST END OF MAIN STREET TO  
“GATEWAY ZONE : GATEWAY I AND II” FROM “CC  
COMMUNITY COMMERCIAL ZONE”**

**WHEREAS**, the eastern-most area of Main Street occupies a prominent and strategic position as the entrance or gateway into the Borough of Madison, and

**WHEREAS**, this area is characterized by a wide mix of land uses that have developed over time, and

**WHEREAS**, there are non-conforming uses and non-conforming yards, areas and setbacks in this area, and

**WHEREAS**, there is an opportunity to redevelop certain properties that are presently underutilized, are inappropriate to a gateway area and/or can be reasonably reused through creative development and zoning techniques, good civic design and arrangement, and

**WHEREAS**, rezoning this area will implement the Borough Master Plan (1992) and Master Plan and Reexaminations (1999 and 2004), that identify a housing need for mature and senior citizen households at appropriate densities in locations accessible to major roadways, commercial services, and public facilities, and

**WHEREAS**, mature and senior citizen multi-family housing at these gateway locations will be compatible with adjacent uses and enhance proximate commercial uses, and

**WHEREAS**, rezoning will promote the purposes of the Municipal Land Use Law, specifically to guide the approximate use and development of land in the Borough of Madison that will promote the public health, safety, morals, and general welfare; promote the establishment of appropriate population densities and concentrations; provide sufficient space in\_ appropriate locations for a variety of residential uses; promote a desirable visual environment through creative development techniques and good civic design and arrangements.

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council adopts the following zoning amendments to the Land Development Ordinance:

**Section 1. Section 195-7 Definitions** is amended to include:

- I. AGE RESTRICTED– Housing restricted to occupancy by a head-of-household age 55 or older. No person 18 years or younger shall permanently reside in the housing unit.
- J. SENIOR CITIZEN – Housing restricted to occupancy by a head-of-household age 62 or older. No person 18 years or younger shall permanently reside in the housing unit.

**Section 2. Section 195-32.13 Gateway Zone** is added to the Land Development Ordinance as follows:

- A. Purpose. The purpose of this zone is to provide reasonable age restricted and senior citizen multi-family housing and office uses and development standards for properties strategically located at the eastern gateway entrance to the Borough of Madison. The uses permitted are those that complement and are supportive of existing commercial uses in the remaining CC Community Commercial zone and

are compatible with abutting residential uses. The standards of this zone are intended to encourage superior building aesthetics and streetscape enhancement at a scale appropriate to this unique area and the Borough. To achieve these objectives, zoning standards are introduced to encourage property agglomeration and redevelopment that will promote implementation of the purposes of this zone and, the Borough Master Plan and Master Plan Reexamination.

B. Principal permitted uses:

- (1) Age-restricted multi-family dwellings.
- (2) Senior citizen multi-family dwellings.
- (3) Business, medical, professional, executive or administrative offices, and
- (4) Institutional and public uses.

C. Accessory uses:

- (1) Uses that are customarily incidental and accessory to the principal use.

D. Gateway 1: Area, Height and Bulk Requirements:

- (1) Area minimum: 50,000 sq. ft.
- (2) Maximum height:
  - a. 2-1/2 stories or 35 feet for lots under 80,000 sq. ft.
  - b. 3 stories or 38 feet for lots greater than 80,000 sq. ft.
- (3) Setbacks:
  - a. For buildings 2-1/2 stories or less or under 35 ft. in height:
    - Front yard: 40 feet.
    - Side yard: 15 feet.
    - Rear yard: 25 feet.

- b. For buildings in excess of 2-1/2 stories or 35 feet in height.
  - Front yard: 40 feet
  - Rear and side yard: 25 feet
- (4) Maximum impervious coverage for age-restricted and senior citizen multi-family dwellings: 65%
- (5) Minimum number of buildings per tract or lot:
  - a. For lots greater than 80,000 sq. ft.: 2
  - b. For lots greater than 110,000 sq. ft.: 3
- (6) Maximum impervious cover for age-restricted and senior citizen multi-family dwellings: 65%
- (7) Maximum dwelling units per acre for age-restricted and senior multi-family dwellings:
  - a. For lots under 80,000 sq. ft.: 16 units per acre
  - b. For lots greater than 80,000 sq. ft.: 20 units per acre
  - c. For lots greater than 90,000 sq. ft.: 22 units per acre
- (8) Age-restricted and senior citizen multi-family off-street parking. As set forth in RSIS. Not less than half of required parking shall be underground parking. Underground parking two (2) feet above grade shall be a story.
- (9) Façade length to frontage ratio: the aggregate length of all building facades fronting a street shall not exceed 0.55 of the frontage width at the street right-of-way.

E. Gateway II: Area, Height and Bulk Requirements

- (1) Area minimum: 120,000 sq. ft.

(2) Maximum height:

- 2-1/2 stories or 35 feet for lots under 130,000 sq. ft.
- 3 stories or 38 ft. for lots greater than 130,000 sq. ft.

(3) Setbacks:

a. For buildings 2-1/2 stories or less or under 35 ft. in height:

-Front yard: 40 feet

-Side yard: 25 feet

-Rear yard: 25 feet

b. For buildings in excess of 2-1/2 stories or 35 feet.

- Front yard: 40 feet

-Rear and side yard: 25 ft.

(4) Maximum impervious coverage for age-restricted and senior citizen multi-family dwellings: 65%

(5) Minimum number of buildings per tract or lot:

a. For lots under 130,000 sq. ft.: 3

b. For lots greater than 130,000 sq. ft.: 4

(6) Maximum impervious cover for age-restricted and senior citizen multi-family dwellings: 65%

(7) Maximum dwelling units per acre for age-restricted and senior citizen multi-family dwellings:

a. For lots under 130,000 sq. ft.: 18 units per acre

b. For lots greater than 130,000 sq. ft.: 22 units per acre

(8) Age-restricted and senior citizen multifamily off-street parking. As set forth in RSIS.

Not less than half of required parking shall be underground parking. Underground parking two (2) feet above grade lot shall be a story.

(9) Façade length to frontage ratio: The aggregate length of building facades fronting a street shall not exceed 0.55 of the frontage width at the street right-of-way.

F. Business, medical, professional, executive or administrative offices, institutional and public uses are governed by the following regulations and requirements:

(1) Minimum area: 30,000 sq. ft.

(2) Maximum height: 2-1/2 stories, 35 ft.

(3) Setbacks:

a. Front yard: 30 ft.

b. Side yard: 25 ft.

c. Rear yard: 25 ft.

(4) Maximum impervious coverage: 70%

(5) Maximum FAR: 0.35

G. The [Zoning Map](#) is amended to remove the following block and lots from the CC Community Commercial Zone and place them in the Gateway I and Gateway II Zones as follows:

(1) Gateway I: Block 5202, Lots 1, 5, 6, 7, 7.01, 8 and 19.

(2) Gateway II: Block 2302, Lots 1,2, 3, 22, 23

## H. Supplemental requirements; design standards for gateway uses:

### (1) Parking

- a. No parking shall be permitted in the required front yard, nor between any parts of the building façade and the street right-of-way line.
- b. Parking areas shall be screened from view of adjacent residential zones, existing residential uses and public roads by landscaping, fencing or a combination of these to create a buffer at least four feet in height. Landscaping shall contain a mix of deciduous and evergreen plantings sufficient to screen the view of vehicles in all seasons.
- c. Parking areas located beneath a building shall be fully screened from public view by a mix of deciduous and evergreen plantings and be physically enclosed from view by extension of the front façade of the building to shield all such parking.
- d. Parking areas should provide safe access to and from the vehicle for the driver and passengers
- e. Access to parking beneath a building shall be by an elevator.

### (2) Landscaping

- a. A minimum five-foot landscaped buffer shall be required along each side yard and a seven-foot landscaped buffer shall be required along the rear property line. All pervious areas in the required front yard and/or between the front building façade and the street right-of-way shall be fully planted and maintained in lawn area or ground cover or landscaped with a mix of deciduous and

evergreen shrubbery and trees. The landscape plan shall be prepared by a licensed landscape architect.

(3) Vehicular Access

Vehicular access to Main Street is limited to one ingress-egress point.

(4) Building arrangement and design:

- a. When development consists of multiple structures, buildings should be oriented around open space, courtyard or similar landscape amenity.
- b. The selection of building design elements, such as materials, fenestration, color and texture, should be compatible with that in the Borough and neighborhood.
- c. Streetscape design should include landscaping, street trees, pedestrian scale street lights, and similar features appropriate to a gateway location.
- d. Site lighting should be harmonious with the building style and design.
- e. The top third story, if any, shall be set back at least six feet, at all facades facing a property line., a distance from the second floor roof eave equal to its height above the second floor roof surface.
- f. All building facades shall be treated as front facades.

(5) Development shall implement section 195-24 General Design Standards and 195-25 Specific Design Standards of the Borough Land Development Ordinance.

(6) Applicants for development in the Gateway Zones are encouraged to pursue creative design, LEED certifications and visual and aesthetic excellence.

- (7) Applicants for development in the Gateway Zones shall submit a concept plan for planning board review prior to an application.

**Section 3.** All Ordinances or parts of Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

**Section 4.** The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional or invalid by any Court, the remaining parts of this Ordinance will remain in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance shall become effective after final passage, adoption and publication according to law.

[Map](#)

ADOPTED AND APPROVED

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MARY-ANNA HOLDEN, Mayor

Attest:

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MARILYN SCHAEFER, Borough Clerk