

ORDINANCE O.2198-2023

AN ORDINANCE AMENDING CHAPTER 37, "ZONING," BY CREATING A NEW §37-13A CREATING A NEW G-C/R-B ZONE

WHEREAS, the Township of Edison (hereinafter referred to as the "Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Chapter 37, "Zoning" of the Township of Code of General Ordinances (hereinafter referred to as the "Code") provides definitions, rules, regulations, and standards to conserve the value of property and encourage the most appropriate use of the land in the Township; and

WHEREAS, there is pending litigation brought by the owner of Block 557, Lot 16.22, challenging the Council's reversal of a use variance granted by the Zoning Board of Adjustment to permit a multi-family duplex residential development; and

WHEREAS, the aforesaid litigation also includes a challenge to the validity of the existing G-C Zoning for Block 557, Lot 16.22, including a claim that the current G-C Zoning has zoned the property into inutility; and

WHEREAS, in furtherance of the settlement of the aforesaid litigation, the Township proposes to create a new G-C/R-B Zone covering Block 557, Lot 16.22, and to establish standards governing residential development within that zone; and

WHEREAS, prior to the Municipal Council hearing on the adoption of this Ordinance, it shall be referred to the Township Planning Board as required under the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey amend Chapter 37, "Zoning" of the Code as follows:

SECTION I

§ 37-13A.1. Permitted Uses. No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses:

- a.** Single-Family detached house;

- b. Golf Course as defined within and subject to the standards as set forth in Section 37-46 when utilized for that purpose.

§ 37-13A.2. Accessory Uses. Accessory uses shall be the same as in the R-AA District.

§ 37-13A.3. Area, Yard and Building Requirements.

- a. Minimum Lot Area - 7,500 square feet
- b. Minimum Lot Width - Minimum lot width shall be 75 feet, except where a lot fronts on the turnaround of a cul-de-sac, or on a curved street or a curved portion of a street, in which case the minimum required lot width shall be a minimum of 65 feet.
- c. Minimum Lot Depth - 79 feet
- d. Minimum Front Yard Setback - 20 feet. Where a lot has more than one street frontage, the front yard shall be measured from the lot line that the front of the residence faces; the other yards fronting on a street shall be deemed to be rear and side yards, based on the location of the rear and sides of the residence.
- e. Minimum Rear Yard Setback - The minimum rear yard setback shall be 25 feet, except where the lot abuts the Metuchen Country Club service road, in which case the minimum rear yard setback shall be 13 feet
- f. Minimum Side Yard Setback - 6 feet
- g. Minimum Side Yard Setback Combined - 18 feet
- h. Minimum Gross Floor Area - 1,200 square feet
- i. Maximum Floor Area Ratio - 0.55
- j. Maximum Building Coverage - 28%
- k. Maximum Impervious Coverage - 40%
- l. Maximum Building Height (feet) 32 feet

m. Maximum Building Height (stories) - - 2.5 stories

§ 37-13A.4. Sign Regulations. Signs shall be permitted in conformance with §37-62.

§ 37-13A.5. Design Standards. The provisions of Section 36-11.2(d), regarding side lot lines, shall not be applicable.

SECTION II

REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION III

EFFECTIVE DATE. This ordinance shall take effect immediately upon this passage and publication in accordance with the law.