

ORDINANCE NO, 1154-2021

AN ORDINANCE OF THE TOWNSHIP OF CLINTON AMENDING CHAPTER 165 OF THE “CODE OF THE TOWNSHIP OF CLINTON” BY CREATING THE AH-9 AFFORDABLE HOUSING ZONING DISTRICT TO FACILITATE A MIXED-INCOME AFFORDABLE HOUSING DEVELOPMENT AT ROUTE 31N (BLOCK 70, LOTS 6 AND 6.01), AND AMENDING THE CLINTON TOWNSHIP ZONING MAP AND SCHEDULE OF ZONING REQUIREMENTS ACCORDINGLY

STATEMENT OF PURPOSE

The purpose of this ordinance is to amend Part 7, Zoning Regulations, of Chapter 165, Land Use Regulations of the “Code of the Township of Clinton” to create a new zoning district to be known as the AH-9 Affordable Housing District, in order to enable the development of a municipally-sponsored mixed-income affordable housing project on an 11.7-acre site identified as Block 70, Lots 6 and 6.01 on the Township tax maps and located on the northbound side of New Jersey State Highway 31.

PREAMBLE

WHEREAS, in accordance with the New Jersey Supreme Court’s “*Mount Laurel I*” decision (*South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975)), the Township has a constitutional obligation to provide for its fair share of the region’s affordable housing needs; and

WHEREAS, the Township entered into a settlement agreement with Fair Share Housing Center, Inc. (“Fair Share Housing Center” or “FSHC”) on December 13, 2017 and an amended settlement agreement with FSHC on February 7, 2018 (collectively, the “settlement agreement”), setting forth the Township’s third round affordable housing obligation covering the period 1999 to 2025, including the various plan mechanisms to satisfy its obligation in full; and

WHEREAS, on May 7, 2021, the Township and Fair Share Housing Center entered into a further amendment to the settlement agreement, which amendment among other things includes the above-referenced proposed mixed-income affordable housing project on Block 70, Lots 6 and 6.01 (see letter dated May 2, 2021 from Adam Gordon, Esq. to Jonathan Drill, Esq., approved May 6, 2021 by the adoption of Resolution No. 69-2021 and counter-signed by the Township on May 7, 2021);

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Clinton in Hunterdon County, New Jersey as follows:

Section 1. Part 7 “Zoning Regulations” in Chapter 165, “Land Use Regulations” of the Code of the Township of Clinton (“Township Code”) is hereby amended by adding thereto new article XXIIF entitled “AH-9 Affordable Housing District,” which shall read as follows:

Article XXIIF AH-9 Affordable Housing District

§ 165-155.60 Purpose.

The purpose of this article is to establish regulations and standards controlling the development of mixed-income multi-family housing on land designated as Block 70, Lots 6 and 6.01 on the Township’s tax maps in accordance with the provisions set forth below, as well as with the New Jersey Fair Housing Act, *N.J.S.A. 52:27D-301 et seq.*, and the “second round” regulations of the Council on Affordable Housing (“COAH”) set forth at *N.J.A.C. 5:93*.

§ 165-155.61 Permitted principal uses.

Permitted principal uses are as follows:

- A. Multifamily dwellings as permitted and regulated in the Schedule of Zoning Requirements below, where fifty-five percent of the residential units (up to a maximum of eighty units) shall be limited to occupancy by very low-, low- and moderate-income households in accordance with the rules and regulations of Section 42 of the Internal Revenue Code, 26 CFR §§ 1.42-1 *et seq.*, and the New Jersey Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26.1 et seq.* (collectively, the “Affordability Laws”), as may be applicable.

§ 165-155.62 Permitted accessory uses.

Permitted accessory uses are as follows:

- A. Private garages and off-street surface parking areas.
- B. Buildings for storage and maintenance equipment and trash/recycling enclosures.
- C. Signs in accordance with the requirements of section 165-109.
- D. Private recreation buildings and facilities, including ancillary indoor and outdoor private recreational amenities including playgrounds and tot lots, primarily intended for use by residents of the development.

- E. Club houses, community centers/rooms serving the residents of the development.
- F. Gazebos, pergolas, fences, walls and similar outdoor landscape structures.
- G. Uses which are customarily incidental to the principal permitted uses in the zone, including, but not limited to, leasing, management and maintenance offices and model units.
- H. Employee-/superintendent-occupied dwelling unit.
- I. Green infrastructure and stormwater infrastructure.

§ 165-155.63 Schedule of zoning requirements.

The following bulk standards shall apply to development in the AH-9 Affordable Housing District.

- A. The development of the property situated in the AH-9 Affordable Housing District shall be substantially similar to the conceptual site plan prepared for the site by Haley Donovan dated February 16, 2021.
- B. Minimum tract area: eleven acres
- C. Maximum density: 146 dwelling units, which may include one designated employee/superintendent-occupied unit at the developer's option. Fifty-five percent of the dwelling units shall be limited to occupancy by very low-, low- and moderate-income households, up to a maximum of eighty units.
- D. Maximum number of units per building: Twenty-five.
- E. Minimum front yard setback (principal buildings): Fifty feet.
- F. Minimum side yard setback (principal buildings): Twenty feet.
- G. Minimum rear yard setback (principal buildings): Fifty feet.
- H. Minimum distance between buildings: thirty feet, or as otherwise may be required by Building/Fire Code, whichever is greater. If a building includes an attached structure such as a deck or porch, the minimum distance shall be calculated from the nearest edge of such structure.
- I. Maximum building coverage: Fifteen percent of the gross tract area.
- J. Maximum impervious coverage: Fifty-five percent of the gross tract area.
- K. Maximum floor area ratio: Forty percent.
- L. Maximum building height. No building shall exceed a height of three habitable stories or forty-six feet, measured from the first floor slab to the highest roof ridge.

§ 165-155.64 Highlands applicability determination.

- A. Any application for development in the AH-9 District shall comply with the standards of Article VI “Application Procedure for Developments in the Highlands”; however, the developer shall be permitted to address the requirements of said article as part of a final site plan application following a separate preliminary site plan application.

§ 165-155.65 Unit distribution.

- A. The AH-9 Affordable Housing District is intended to accommodate the development of a municipality-sponsored mixed-income affordable housing project with a fifty-five percent affordable housing set-aside, consisting of a maximum of eighty affordable units and 146 total units, including an employee/superintendent-occupied unit at the developer’s option. The distribution of affordable units shall include a minimum of fifty percent low-income units, of which at least thirteen percent shall be very-low-income units; and a maximum of fifty percent moderate-income units. The affordable unit bedroom mix shall consist of a minimum of twenty-five percent three-bedroom units, a minimum of thirty-percent two-bedroom units, and a maximum of twenty percent one-bedroom units. Affordable housing requirements shall be implemented in accordance with the rules and regulations of Section 42 of the Internal Revenue Code, 26 CFR §§ 1.42-1 *et seq.*, and the New Jersey Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26.1 et seq.* (collectively, the “Affordability Laws”), as may be applicable. In the event of a conflict between the minimum bedroom mix and income distribution requirements of this subsection and those set forth in the Affordability Laws, the higher (more restrictive) standard shall apply.

§ 165-155.66 Parking and circulation.

- A. Site access. All vehicular access to the site shall be via a single entrance on Route 31. This requirement shall not preclude the creation of a secondary emergency access point to the extent required for the health, safety and welfare of the general public and the development’s residents.
- B. Off-street parking. Off-street parking requirements shall be calculated in accordance with the standards and requirements set forth in the New Jersey Residential Site Improvement Standards (“RSIS”), *N.J.A.C. 5:21*. In the

event of a conflict between the requirements set forth in RSIS and the requirements set forth elsewhere in this chapter, RSIS shall control.

- C. Minimum roadway setbacks. All internal driveways or roadways shall be set back at least ten feet from any property line, except where such roadways intersect with an existing street.
- D. Minimum parking setbacks. All surface parking areas shall be set back a minimum of fifty feet from the front property line, five feet from the side and rear property lines, and ten feet from any exterior building wall.
- E. Parking area screening. Surface parking areas located between any public right-of-way and a principal building and/or visible from the public right-of-way shall be screened with landscape plants at least three feet in height at time of planting.
- F. Sidewalks. Sidewalks shall be installed by the developer along the tract's Route 31 frontage with a walkway connecting to the tract's internal pedestrian circulation.

165-155.67 Setback and height limitations for accessory buildings and structures.

- A. Club house/community room. A maximum of one detached club house, community room and/or leasing office building may be located in the property's front yard as defined in section 165-4, provided it is set back at least fifty feet from the front property line and twenty feet from the side and rear property lines, and is no higher than twenty-five feet.
- B. Gazebos and pump houses. Gazebos and pump houses shall be permitted in the front yard with required minimum front yard setbacks of fifty feet from the front property line and ten feet from the side and rear lot lines.
- C. Trash enclosures. Trash enclosures shall be prohibited in the front yard, except in association with a clubhouse, community room or leasing office, but shall not be located between such building and a public roadway. Trash enclosures shall otherwise have minimum side and rear setbacks of ten feet and maximum height of six feet. Trash enclosures shall be composed of materials consistent with and reflecting the façade materials of the principal buildings.
- D. Fences and walls. Fences and walls shall be permitted in any required yard in accordance with section 165-117.1. Individual or combined fence and/or wall heights in excess of six feet shall be tiered with a minimum setback of six feet between tiers.

- E. Lighting. Lighting fixtures shall be permitted in required yards and shall otherwise comply with section 165-74.
- F. Decks, patios, porches, and other accessory building/structures. Unenclosed decks, patios, porches and similar design elements attached to a principal building or club house/community room shall have minimum setbacks of ten feet from all property lines. All other accessory structures, including, but not limited to, basins, (except as otherwise regulated herein) shall be prohibited in the front yard and shall maintain minimum setbacks of ten feet from side and rear lot lines and maximum permitted height of sixteen feet.

§ 165-155.68 Building design.

- A. The following criteria shall apply to the design of the buildings in the development. These criteria are intended to serve as guidelines, and deviations therefrom shall not require variance relief.
 - (1) The overall form, mass, architectural features and design elements of the development shall reflect the Township's agricultural history.
 - (2) All buildings should relate harmoniously with other on-site features and buildings in a unified design theme.
 - (3) Architectural features shall be used to create interest and variety and shall include staggered unit setbacks, changing rooflines and roof designs, and alterations in building height. No flat-roof structures are permitted.
 - (4) Large horizontal buildings shall be broken into segments having vertical orientation with alternating front and rear facade setbacks to generate the appearance of smaller individual buildings/units. No more than thirty feet of front or rear building wall is permitted without providing a break in the facade of an acceptable method of articulation.
 - (5) Buildings with expansive blank walls are discouraged.
 - (6) Buildings should be encouraged to incorporate elements that provide a visually attractive environment through the use of varied decorative and architectural features at entrances, cornices, windows and rooflines.
 - (7) Building construction shall utilize green building or sustainable building methods to the extent practicable and as the development budget allows. While this is consistent with the Township's longstanding tradition of environmental stewardship, it is

recognized such strategies may also be utilized to reduce the operating and maintenance costs of low- and moderate-income households.

§ 165-155.69 Landscaping, buffers and screening.

- A. The following landscaping, buffering and screening design requirements shall apply to the development of the site. Deviations from these criteria shall require a site plan exception, not a variance.
- (1) Landscaping shall be provided to promote a desirable visual environment, accentuate building design, define entranceways, screen parking, building walls and equipment, mitigate adverse visual impacts, provide windbreaks for winter winds and shade for summer cooling.
 - (2) Plants and other landscape materials shall be selected in terms of both aesthetic and functional considerations consistent with the rural character of the district and its surroundings.
 - (3) The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color.
 - (4) The selection of plants should be selected based on resistance to disease, insect, deer and other pest damage, wind and ice damage, habitat, soil conditions, growth rate, longevity, root pattern, maintenance requirements, and other pertinent factors.
 - (5) Site entrances and unique site areas should be accentuated with special landscaping treatments.
 - (6) The landscape plan shall include a variety of trees, shrubs, groundcover, grasses, annual and/or perennial beds and/or any other plant material, as determined to be appropriate in generating seasonal interest.
 - (7) Existing mature trees shall be preserved to the extent possible.
 - (8) Surface parking areas and ground mounted equipment shall be sufficiently screened year-round with landscape plantings.
 - (9) Screening shall provide a year-round visual buffer in order to minimize adverse impacts from the site on adjacent properties and public rights-of-way. Existing vegetation may provide sufficient screening where it is demonstrated by the developer, and/or supplemented where necessary.

- (10) The main entrance road to the tract should include street trees on each side of the roadway, and such trees shall be of a different variety from those planted in the parking area.
- (11) Rows of parking longer than 20 spaces shall have landscape islands at least 6 feet in width to break up the expanse of pavement.
- (12) Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- (13) Tree spacing along roadways and parking areas should be a maximum of 40 feet, unless other vertical elements such as decorative lighting fixtures are installed between the trees, then a maximum spacing of 60 feet should be permitted.
- (14) Trees along the parking areas and main entrance driveway should be planted in a formal arrangement, while informal planting may be provided along the tract boundaries, open spaces and other landscaped areas.
- (15) Trees shall be installed with a minimum caliper of 2.5 inches.
- (16) Areas not improved with buildings, structures, and other man-made improvements should be landscaped with a combination of plant material, street furniture or other design amenities as determined to be appropriate, with exception of undisturbed open space and natural features.
- (17) Accessory structures and outdoor equipment, including trash enclosures and air-conditioning units, shall be appropriately screened with permanent fencing and/or landscape plants.

§ 165-155.70 Recreational Facilities Requirements.

Suitable active and passive recreational amenities shall be provided, including a playground, club house and passive open space.

Section 2. Section 165-85, “Establishment of Districts” of the Township Code is hereby amended and supplemented to add thereto the AH-9 Affordable Housing District, and shall read as follows (additions are underlined thus; deletions are strikethroughs ~~thus~~):

§ 165-85. Establishment of Districts.

For the purpose of this chapter, the Township of Clinton is hereby subdivided into ~~22~~ 23 zone districts, known as:

RC	Rural Conservation District
RR-4	Rural Residential 4 District
RR-4S	Rural Residential District 4S
SR	Suburban Residential District
VR	Village Residential District
AH-1	Affordable Housing District
AH-2	Affordable Housing District
AH-3	Affordable Housing District
AH-4	Affordable Housing District
AH-5	Affordable Housing District
AH-6	Affordable Housing District
AH-7	Affordable Housing District
AH-8	Affordable Housing District
<u>AH-9</u>	<u>Affordable Housing District</u>
C-1	Commercial District
C-ROM	Commercial – Research, Office and Manufacturing District
OB-1	Office Building District
OB-2	Office Building District
ROM-1	Research, Office and Manufacturing District
ROM-2	Research, Office and Manufacturing District
ROM-3	Research, Office and Manufacturing District
	Planned Unit Development Overlay
	Planned Development Overlay

Section 3. The map entitled “Zoning Map, Clinton Township, Hunterdon County, NJ,” last updated October 14, 2020, is hereby revised by adding thereto a new AH-9 Affordable Housing District, which shall comprise the parcels designated as Block 70, Lots 6 and 6.01 on the Clinton Township tax maps, and by modifying the boundary of the C-1 District by removing therefrom the parcel designated as Block 70, Lots 6 and 6.01 on the Clinton Township tax maps, all as shown on the map attached hereto as Exhibit “A.”

Section 4. The Schedule of Zoning Requirements referenced in section 165-86 of the Township Code and provided as Attachment 3 to Chapter 165 of said Code is hereby amended by adding thereto the applicable requirements for the AH-9 Affordable Housing District created by this ordinance, as shown on the schedule attached hereto as Exhibit “B.”

Section 5. Section 165-86 of the Township Code, “Zoning Map and Schedule of Zoning Requirements,” is hereby amended to read as follows (additions are underlined thus; deletions are strikethroughs ~~thus~~):

§ 165-86. Zoning Map and Schedule of Zoning Requirements.

The map entitled, “Zoning Map, Clinton Township, Hunterdon County, N.J.,” dated ~~October 14, 2020~~, May 12, 2021 and the Schedule of Zoning Requirements, revised through ~~October 14, 2020~~, May 12, 2021 (Chapter 165, Attachment 3), which accompany and are referenced in this Part 7 are hereby declared to be part hereof.

Section 6. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed as to such inconsistencies only.

Section 7. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

Section 8. Planning Board Referral. Following introduction and prior to adoption, the Township Clerk shall cause a copy of this ordinance to be referred to the Clinton Township Planning Board pursuant to *N.J.S.A. 40:55D-26*.

Section 9. Effective Date. This ordinance shall take effect no earlier than twenty days from its date of passage, filing with the Hunterdon County Planning Board, and approval by the Superior Court of New Jersey, Law Division, and as otherwise provided for by law.

ATTEST:

Carla Conner, Township Clerk

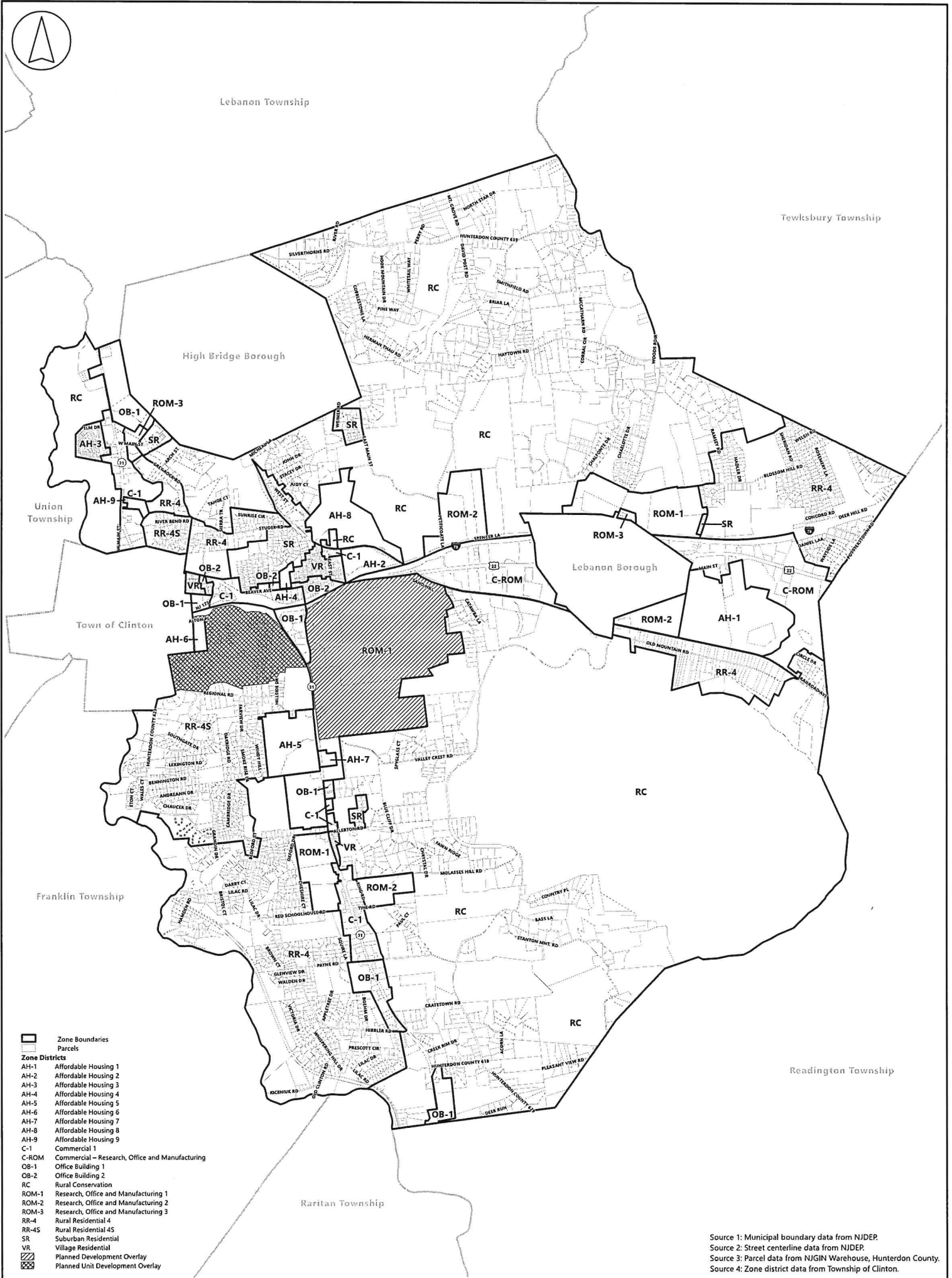
Brian Mullay, Mayor

Date of introduction: May 12, 2021

Date of adoption:

[EXHIBIT A: ZONING MAP]

EXHIBIT A



- Zone Boundaries
- Parcels
- Zone Districts**
- AH-1 Affordable Housing 1
- AH-2 Affordable Housing 2
- AH-3 Affordable Housing 3
- AH-4 Affordable Housing 4
- AH-5 Affordable Housing 5
- AH-6 Affordable Housing 6
- AH-7 Affordable Housing 7
- AH-8 Affordable Housing 8
- AH-9 Affordable Housing 9
- C-1 Commercial 1
- C-ROM Commercial – Research, Office and Manufacturing
- OB-1 Office Building 1
- OB-2 Office Building 2
- RC Rural Conservation
- ROM-1 Research, Office and Manufacturing 1
- ROM-2 Research, Office and Manufacturing 2
- ROM-3 Research, Office and Manufacturing 3
- RR-4 Rural Residential 4
- RR-4S Rural Residential 4S
- SR Suburban Residential
- VR Village Residential
- Planned Development Overlay
- Planned Unit Development Overlay

Source 1: Municipal boundary data from NJDEP.
 Source 2: Street centerline data from NJDEP.
 Source 3: Parcel data from NIGIN Warehouse, Hunterdon County.
 Source 4: Zone district data from Township of Clinton.

ZONING MAP

TOWNSHIP OF CLINTON, HUNTERDON COUNTY, NEW JERSEY

Drawn By	Dwg. Date
TB	05/12/2021

Dwg. Scale
0 1,800 3,600 7,200 Feet



BURGIS ASSOCIATES, INC.
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
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[EXHIBIT B: SCHEDULE OF ZONING REGULATIONS]

EXHIBIT B

LAND USE REGULATIONS Chapter 165 Attachment 3

Township of Clinton

SCHEDULE OF ZONING REQUIREMENTS (Revised through May 12, 2021)

[Amended 5-11-1987 by Ord. No. 334-87; 11-23-1987 by Ord. No. 350-87; 8-27-1990 by Ord. No. 435-90; 9-10-1990 by Ord. No. 436-90; 4-10-2002 by Ord. No. 772-02; 4-9-2003 by Ord. No. 812-03; 4-4-2004 by Ord. No. 846-04; 6-14-2006 and 9-13-2006 by Ord. No. 908-06; 10-12-2016 by Ord. No. 1092-16; 1-25-2017 by Ord. No. 1095-17; 9-12-2018 by Ord. No. 1120-18; 9-12-2018 by Ord. No. 1122-18; 11-7-2018 by Ord. No. 1121-18; INSERT DATE by Ord. No. _____]

Zone	Primary Principal Use	Minimum Lot Area (square feet) ^(a)	Maximum Depth of Measurement (feet)	Minimum Lot Width				Minimum Yards			Maximum Stories	Height (feet)	Maximum Building Coverage (percent)	Maximum Density	Floor Area Ratio (percent) ^(b)	Maximum Impervious Coverage (percent)
				At Street (feet)	At Building (feet)	Front (feet)	Rear (feet)	Side (feet)								
RC	One-family dwellings Conventional lot Clustered lot or lot average lot	392,040	1200	250	400	180	250	100	2 1/2	35	5%	0.11 units/acre ^(b)				
		100,000	500	90	135	75	75	50	2 1/2	35	15%	0.11 units/acre ^(b)				
RR-4	One-family dwellings Conventional lot Clustered lot or lot average lot	174,240	800	150	250	125	250	50	2 1/2	35	10%	0.25 units/acre ^(b)				
		65,000	500	100	150	50	75	35	2 1/2	35	15%	0.25 units/acre ^(b)				
RR-4S	One-family dwellings Conventional lot Clustered lot with sewer Clustered lot or lot average lot with septic system	174,240	800	150	250	125	250	50	2 1/2	35	10%	0.25 units/acre ^(b)				
		30,000	240	75	110	50	50	25	2 1/2	35	15%	1.0 unit/acre ^(b)				
		65,000	500	100	150	50	75	35	2 1/2	35	15%	0.25 units/acre ^(b)				
SR	One-family dwellings Conventional lot Clustered lot	65,000	500	100	150	50	75	35	2 1/2	35	15%					
		15,000	150	60	90	35	40	10	2 1/2	35	20%					
VR	One-family dwellings Two-family dwellings Townhouses Apartments	9,000	150	36	54	35	40	10	2 1/2	35	20%					
		11,250	150	45	68	35	40	10	2 1/2	35	20%					
AH-1	One-family dwellings															
AH-2	One-family dwellings															
AH-3	One-family dwellings															
AH-4	Three- and four-family dwellings															
AH-5	Multifamily dwellings															
AH-6	Townhouses															
AH-7	Multifamily dwellings															
AH-8	One-family dwellings															
AH-9	Multifamily dwellings															
C-1	Commercial	75,000	300	250	250	40	75	50		35				15%	40 ^(b)	
C-ROM	Commercial uses ROM and all other uses	217,800	600	350	350	40	100	75		35				15%	40 ^(b)	
		217,800	600	350	350	100	100	75		35				15%	40 ^(b)	
OB-1	Office buildings	150,000	500	300	300	40	100	50		35				15%	40 ^(b)	
		20,000	200	100	100	35	60	20	2 1/2	35					60 ^(b)	
OB-2	Offices, shops, etc. One-family dwellings	9,000	150	35	54	35	40	10	2 1/2	35	20					
		11,250	150	45	68	35	40	10	2 1/2	35	20					

See Article XX

See Article XXI

See Article XXII

See Article XXIIA

See Article XXIIB

See Article XXIIC

See Article XXIID

See Article XXIII

See Article XXIIIF

		1,742 -400	2,000			200 ^(a)	200 ^(a)	200 ^(a)	100 ^{(c),(d)}	100 ^{(c),(d)}	45 ^(a)	45 ^(a)	15%	33 ^(b)
ROM-1	Research, office, and manufacturing		2,000			200 ^(a)	200 ^(a)	100 ^{(c),(d)}			45 ^(a)		15%	33 ^(b)
ROM-2	Research, office, and manufacturing	871,200	1,500			150 ^(a)	150 ^(a)	75 ^{(c),(d)}			45 ^(a)		15%	33 ^(b)
ROM-3	Research, office, and manufacturing	217,800	600	350	350	100	100	75			35		15%	40 ^(b)
PUD	One-family dwellings, townhouses, apartments Commercial uses Public and private educational facilities Recreational facilities													
PDO	Research, office and manufacturing													

See Article XXXII

See Article XXXIII

NOTES:

- (a) For lots served by individual on-site septic systems, required minimum lot areas shall include at least one contiguous acre of noncritical lands. Noncritical lands are lands free of wetlands, floodplains, water bodies, stream corridors, easements and topographic slope of 15% or greater.
- (b) This standard shall apply to the area of the lot after first reducing the total area by portions of land subject to certain constraints as provided in the following schedule.

Constraint	Percentage of Area of Constraint by which Lot Area is to be Reduced*
Bodies of water	100
100-year floodplain (1)	100
Wetlands and wetland transition areas (2)	100
Slopes 15% to 24.99% (3)	50
Slopes 25% and greater (3)	100
Stream corridor (4)	100
Easements (5)	100

*If more than one constraint applies to a given area, the constraint with the greater reduction shall apply.

- (1) Federal Emergency Management Administration (FEMA), DEP or other equally reliable source.
- (2) Verification by the NJDEP.
- (3) Calculated within two-foot contour intervals from aerial topography or survey by a New Jersey licensed land surveyor.
- (4) In accordance with the definition in Section 165-4.
- (5) Including existing drainage and conservation easements.
- (c) Additional yard requirements: Notwithstanding minimum yard requirements, the yard depth shall be increased by one foot for every 200 square feet or part thereof of building wall surface area in excess of 20,000 square feet, provided that the yard depth need not exceed 400 feet.
 - (1) For buildings that are not parallel to a street or property line as described above, the additional setback shall be measured at the midpoint of the length of the building wall.
 - (2) For buildings having staggered walls facing on a street property line as described above, the additional setback shall apply individually to each building wall, the area of said wall being the area of a plan extending through the entire building at that point.
- (d) Minimum rear yard requirement applies to the side yard if the side yard adjoins a residence district.
- (e) If off-street parking is provided under a building, the maximum permitted height of that portion of the building under which parking is located may be increased to 60 feet.
- (f) Side yards shall be increased to 100 feet where lot line abuts a residential zone.
- (g) For hotels the height limit will be 55 feet.
- (h) If application is made pursuant to a master development plan pursuant to Section 40-88 of the Clinton Township Code, the maximum impervious surface coverage shall be calculated on the basis of the effective land area of the entire tract prior to the subdivision or dedication. Any resulting lot shall not have more than 80% impervious surface coverage.
- (i) Fifteen feet exclusive of open porches, 20 feet to any garage door.