

§ 290-17.4. Multifamily Residential Affordable Housing Overlay Zone. [Added 12-5-2017 by Ord. No. 1548-17]

The following regulations apply to this overlay zone:

- A. Purpose. The purpose of this overlay zone is to encourage the revitalization of the areas surrounding the Central Business District and to provide for the construction of affordable housing units for low- and moderate-income persons in order to address a portion of the fair share obligation of the Borough of Emerson under the New Jersey Fair Housing Act,¹ the COAH regulations, and the Mount Laurel Doctrine.
- B. Principal permitted uses. Mixed-use buildings with any permitted use in the underlying district and multifamily residential or office on the upper floors, multifamily senior housing and age-restricted housing.
- C. Minimum lot area. One and one-half acres of land is required for the construction of a use permitted only by virtue of these overlay districts.
- D. Density.
 - (1) The maximum gross density shall be as follows:
 - (a) MFRAH North: 64 dwelling units per acre.
 - (b) MFRAH South: 43 dwelling units per acre.
 - (2) In computing the number of units permitted per acre, any portion of a unit less than 0.5 unit shall not be considered a dwelling unit.
- E. Affordable housing set-aside. A minimum of 15% of the multifamily housing constructed for rental purposes and a minimum of 20% of the multifamily housing constructed for sale purposes shall be set a side for affordable housing deed-restricted units. All affordable units created under this section will be affordable to low- and moderate-income households in accordance with the rules at N.J.A.C. 5:93-1 et seq. ("COAH's Second Round rules"), the Borough's Affordable Housing Ordinance at Chapter 290, Article XII, of the Borough of Emerson Code, and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- F. Maximum building height. The maximum permitted building height shall be as follows:
 - (1) MFRAH North: four stories and:
 - (a) Along public streets: 42 feet.*
 - (b) Along the railroad right-of-way: 50 feet.*

1. Editor's Note: See N.J.S.A. 52:27D-301 et seq.

NOTES:

- * Additional height is permitted in accordance with § 290-70A(3) and shall only be permitted on development parcels which are two acres or greater.

(2) MFRAH South: three stories and 40 feet.

- G. Area and bulk regulations. All area and bulk regulations that are set forth in § 290-69 shall apply to development proposed under this overlay district, except building height and density.
- H. Design standards. All development proposed under this overlay district shall comply with all the design standards set forth in § 290-70 of the Borough of Emerson Code.
- I. Parking requirements. The required number of parking spaces shall comply with § 290-71 of the Borough of Emerson Code.