

**AN ORDINANCE AMENDING CHAPTER 205 “LAND USE”
TO MAKE CHANGES TO THE OFFICIAL ZONING MAP OF THE
TOWNSHIP OF NORTH BRUNSWICK, REGULATE ACCESSORY APARTMENTS,
AND CREATE A NEW R-8 SINGLE-FAMILY RESIDENTIAL ZONE**

WHEREAS, the Planning Board periodically reviews, discusses, and develops proposed amendments to Chapter 205, “Land Use”; and

WHEREAS, On April 21, 2021, the Planning Board reviewed proposed amendments to Chapter 205 to clarify that accessory apartments are not permitted and to strengthen enforcement; to create a new R-8 Single-Family Residential zone; and to amend the township zoning maps by rezoning certain areas within the township; and

WHEREAS, On March 7, 2023, the Planning Board reviewed proposed amendments to Chapter 205 to further amend the township zoning map to rezone certain additional areas within the Township; and

WHEREAS, the Planning Board has recommended these proposed amendments to Chapter 205 to the governing body for consideration and formal action, along with two (2) documents, “Statements Supporting the Rezoning of Areas Not Consistent with the Master Plan,” and recommended language regulating accessory apartments and creating a new R-8 Single-Family Residential zone;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that Chapter 205, Land Use, be amended as follows:

Chapter 205-4, Zoning Map, be amended to include the map changes shown on attached maps A through U, herein made a part of this ordinance.

BE IT FURTHER ORDAINED, that the attached maps ‘A’ through ‘U’ reflect changes as follows:

Map ‘A’, Route 1 from Aaron Road to Thomas Avenue, from G-O General Office to C-2 General Commercial: Block 74 Lots 20, 21.02, 22.01, 22.03, 22.04,25-30, 31.01.

Map ‘B’, Route 1 from Edwin Street to Thalia Street, from R-4 Single-Family Residential to G-O General Office: Block 150, Lots 1-3; Block 151 Lots 1-2.

Map ‘C’, Adjacent to Sabella Park, from R-2 Single-Family Residential to ERR Education-Recreation-Research: Block 17 Lots 35, 156.01; Block 17.02 Lot 160.34.

Map ‘D’, Adjacent to Brunswick Knolls Park, from R-2 Single-Family Residential to ERR Education-Recreation-Research: Block 18.03, Lots 8, 12.

Map 'E', Adjacent to Frisch Park, from R-3 Single-Family Residential to ERR Education-Recreation-Research: Block 91 Lots 58.01, 59, 60

Map 'F', Weber Road, McAuliffe Drive, Park Place, Marvin Place, Hayes Court and Parkway, from R-3 Single-Family Residential to R-8 Single-Family Residential: Block 91 Lots 19-36, 37.01, 37.02, 38.01, 39-51; Block 92 Lot 1; Block 93 Lots 1-26; Block 94 Lot 1; Block 95 Lots 1-23; Block 96 Lots 1, 3-8;

Map 'G', North Brunswick Public Library, from R-3 Single-Family Residential to ERR Education-Recreation-Research: Block 173 Lot 3.

Map 'H', Route 1, from R-5 Garden Apartment Residential to C-2 General Commercial: Block 143.05 Lots 18.06, 19.01, 21.01.

Map 'I', Route 130 and Wood Avenue, from R-2 Single-Family Residential to C-1 Neighborhood Commercial: Block 229 Lots 21.01, 22.01.

Map 'J', Route 130 and Wood Avenue, G-O General Office to C-1 Neighborhood Commercial: Block 221 Lots 19, 32.02.

Map 'K', Adams Lane, Third Street and Fourth Street, from I-2 Industrial to R-3 residential: Block 148 Lots 67, 68.01, 68.02, 69; Block 161 Lots 1-4, 5.01, 5.02, 6;

Map 'L', Old Georges Road, from R-1 Single-Family Residential to ERR Education-Recreation-Research: Block 227 Lots 18, 41.01, 41.02.

Map 'M', Route 130 and Old Georges Road, from G-0 General Office to R-2 Single-Family Residential: Block 225 Lots 11-16; Block 226 Lots 16-18.

Map 'N', Route 130 and Old Georges Road, from General Office to C-1 Neighborhood Commercial: Block 225 Lots 1-4, 6.02, 9.01, 10, 13, 14, 17; Block 225.01 Lots 1-5; Block 225.02 Lots 1-4; Block 225.03 Lots 1-5; Block 226 Lots 2-4, 14, 15.

Map 'O', Edwards Place and Tall Oaks Drive, R-1 Single-Family Residential to ERR Education-Recreation-Research: Block 227 Lots 71-72; Block 227.03 Lot 27.

Map 'P', Renaissance Park, Renaissance Boulevard and Lindsey Drive, from PUD-II Planned Unit Development to ERR Education-Recreation-Research: Block 148.06 Lots 105-106.

Map 'Q', Elkins Lane, from O-R Office Research to ERR Education-Recreation-Research: Block 252 Lot 8.

Map 'R', North Main Street and Elkins Lane, from O-R Office Research to R-2 Single-Family Residential: Block 253.01 Lot 1.

Map 'S', from I-2 Industrial to R-5 Garden Apartment Residential: A portion of Block 143 Lot 18.11 as depicted; Block 143 Lots 18.4701-4712, 18.4801-4809, 18.4901-18.4912.

Map 'T', Route 1, rail line, from ERR portion is being rezoned to I-2: A portion of Block 252 Lot 2.01 as depicted.

Map 'U', Route 1, rail line, from ERR Education-Recreation-Research to O-R Office Research: A portion of Block 252 Lot 2.01 as depicted.

BE IT FURTHER ORDAINED, that Chapter 205, Land Use, be further amended and supplemented as follows:

Article III Word Usage; Definitions

§ 205-7 Definitions shall be amended to include the following revised or new definitions:

DWELLING UNIT

A building or portion of thereof that contains private means of ingress and egress, sanitary facility, sleeping area, and no more than two (2) kitchens or cooking facilities which are designed, arranged, or used for living quarters for one or more persons living as a single-housekeeping unit.

DWELLING UNIT, ACCESSORY

A room or suite of rooms within a residential building that are connected to the remainder of a residence by a door or similar means of access that comprises an independent and self-contained unit occupied, or suitable for occupation, as a residence for eating, living, and sleeping purposes entirely separated from the remainder of the residence.

DWELLING UNIT, EFFICIENCY shall be deleted in its entirety.

KITCHEN/COOKING FACILITY

A room, all or any part of which is designed, built, equipped, used or intended to be used for the preparation and cooking of foods, and includes a permanently installed sink with a kitchen range, stove, oven and/or cooktop, optional refrigerator and/or freezer, and/or any other customarily used appliance or fixture for the preparation of food.

BE IT FURTHER ORDAINED, that Chapter 205, Land Use, be further amended and supplemented as follows:

§ 205-40 Uses prohibited in all zones

P. Dwelling Units, Accessory.

BE IT FURTHER ORDAINED, that Chapter 205, Land Use, be further amended and supplemented as follows:

§ 205-3 Establishment of zones.

R-8 Single-Family Residential

BE IT FURTHER ORDAINED, that Chapter 205, Land Use, be further amended and supplemented to include a new Article XIIA as follows:

Article XIIA R-8 Residential District

§ 205-64.1 Establishment of zones.

A. General. Permitted uses, required accessory uses, permitted accessory uses, conditional uses, and development standards shall be exactly the same as those required for the R-4 Single-Family Residential District, with the following modifications:

- (1) Lot Area for interior lots shall be 5,000 square feet and for corner lots shall be 6,000 square feet.
- (2) Lot Width for interior lots shall be 50 feet and for corner lots shall be 60 feet.
- (3) Front yard setback shall be 25 feet.
- (4) Side yard setback for principal buildings shall be six (6) feet, with a combined side yard setback of 12 feet.

BE IT FURTHER ORDAINED, If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the “Ordinance Amending Chapter 205 Land Use”, to Make Changes to the Official Zoning Map of the Township of North Brunswick, Regulate Accessory Apartments, and Create a New R-8 Single-Family Residential District”

Michael C. Hritz
Director of Community Development

Justine Progebin
Business Administrator

Ronald Gordon, Township Attorney
(Approved legal form)

RECORDED VOTE FIRST READING: _____

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

RECORDED VOTE SECOND READING: _____

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on May 15, 2023.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date signed: _____, 2023