

**TOWNSHIP OF MOUNT LAUREL**

**ORDINANCE 2026-11**

**AN ORDINANCE TO AMEND CHAPTER 154 (ZONING) OF THE CODE OF THE TOWNSHIP OF MOUNT LAUREL TO ADDRESS COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS BY ESTABLISHING THE 2060 BRIGGS ROAD OVERLAY ZONE**

**WHEREAS**, the Township of Mount Laurel (the "Township" or "Mount Laurel") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the "Fair Housing Act") on January 31, 2025; and

**WHEREAS**, the Township having received an objection from the New Jersey Builder's Association to the Township's binding resolutions challenging the DCA's calculation of its fair share obligations on February 26, 2025; and

**WHEREAS**, the Court having held settlement conferences in March of 2025, so the parties could negotiate a Fourth Round affordable housing obligations Mediation Agreement; and

**WHEREAS**, the Township and New Jersey Builder's Association having entered into said Mediation Agreement, which was thereafter filed with the Program and the Court on April 7, 2025; and

**WHEREAS**, the Court having entered an order on April 17, 2025 setting the Township's Fourth Round fair share obligations as a Present Need of 46 units and a Prospective Need of 380 units, and ordering the Township to file a Fourth Round Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

**WHEREAS**, the Township of Mount Laurel Planning Board adopted the Fourth Round HEFSP, dated June 25, 2025, on June 25, 2025, pursuant to the Municipal Land use Law at N.J.S.A. 40:550-1, et seq.; and

**WHEREAS**, the Fourth Round HEFSP has been endorsed by the Township Council by Resolution Number 25-R-129 on June 27, 2025; and

**WHEREAS**, the Township having filed its Fourth Round HEFSP on June 26, 2025 ("Adopted HEFSP"); and

**WHEREAS**, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township's Fourth Round HEFSP on August 28, 2025; and

**WHEREAS**, South Church Street Development Associates LLC, having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township's HEFSP on August 29, 2025 which challenge it later formally withdrew; and

**WHEREAS**, the Township and FSHC having agreed to amicably resolve the issues set forth in the challenges through a Mediation Agreement dated February 9, 2026 ("2026 Mediation Agreement"), which further clarifies the compliance mechanisms of the Township's Fourth Round HEFSP; and

**WHEREAS**, in order to effectuate the compliance mechanisms of the Township's Fourth Round HEFSP and as specified in the 2026 Mediation Agreement, the Township has agreed to adopt overlay zoning for the property located at 2060 Briggs Road (Block 304, Lot 8) to provide a realistic opportunity for affordable housing development on the said site; and

**WHEREAS**, this Ordinance implements and incorporates the proposed overlay zoning at 2060 Briggs Road (Block 304, Lot 8) as specified in the 2026 Mediation Agreement, which shall permit the construction of inclusionary housing on the site based on a maximum permitted density of 9.5 du/ac with a required minimum affordable housing set-aside of 20%; and

**WHEREAS**, the Township intends to amend Section 154-123 (Specific sites rezoned) of Article XVI (Affordable Housing Zones) of Chapter 154 (Zoning) of the Code of the Township of Mount Laurel to permit the development of affordable housing within a new overlay zone known as "2060 Briggs Road Overlay Zone", which shall include the following property: 2060 Briggs Road, identified as Block 304, Lot 8 on the Township tax map;

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mount Laurel, in the County of Burlington, New Jersey, that Section 154-123 (Specific sites rezoned) of Article XVI (Affordable Housing Zones) of Chapter 154 (Zoning) of the Code of the Township of Mount Laurel be amended and enacted as follows:

**Section 1.** Section 154-123 entitled "Specific sites rezoned" of Article XVI entitled "Affordable Housing Zones" of Chapter 154 entitled "Zoning" is hereby amended to add Section 154-123.J., which shall read as follows:

J. 2060 Briggs Road Overlay Zone

(1) Purpose and Intent.

The property located at 2060 Briggs Road, identified as Block 304, Lot 8 on the Township tax map, is included and established within a new affordable housing overlay zone, "2060 Briggs Road Overlay Zone", as part of Mount Laurel Township's compliance with its Fourth Round affordable housing obligations per the Township's Fourth Round Housing Element and Fair Share Plan ("HEFSP") and as further outlined in the 2026 Mediation Agreement entered by the Court \_\_\_\_\_, 2026:

(2) Permitted Principal Uses.

- a. Existing permitted uses, permitted by the underlying zone, are not modified or affected by the establishment of this overlay zone.
- b. Multifamily inclusionary residential, which may include, but are not limited to, townhouses, stacked townhouse and garden apartments. Multifamily residential uses shall be provided at a maximum residential density of 9.5 du/ac, inclusive of a minimum 20% affordable housing set-aside.

(3) Permitted Accessory Uses:

- a. Existing permitted accessory uses for existing principal accessory uses of the underlying zone are not modified or affected by the establishment of this overlay zone.
- b. Accessory uses for residential development may include:
  - i. Attached private garages.
  - ii. Private passive or active recreational facilities, including, but not limited to, a clubhouse and swimming pool.
  - iii. Stormwater management facilities.
  - iv. Private trash/recycling enclosures.
  - v. Other accessory uses and structures normally considered incidental to multifamily buildings.

(4) Affordable housing requirements.

- a. Affordable housing regulations. Twenty percent (20%) of all residential units shall be set aside as affordable housing units. All affordable housing units shall comply with the Township of Mt. Laurel's Fourth Round Housing Element and Fair Share Plan, as amended, Mt. Laurel Township's Mediation Agreement with the Fair Share Housing Center, any order or directive issued by The Program or Superior Court on the Township's Affordable Housing Obligation, the Township's Affordable Housing Ordinance, Mandatory Set Aside Ordinance, Development Fee Ordinance, and the Uniform Housing Affordability Controls (UHAC) Rules, as amended.
- b. All affordable housing units shall be family, non-age-restricted affordable housing units.

- c. Design and location of affordable housing. The affordable housing units shall be generally dispersed throughout the development in various buildings and on various floors.
- d. Controls on affordability shall be consistent with the requirements of the amended Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and UHAC (N.J.A.C. 5:80-26.1 et seq.).

(5) Schedule of Lot, Area, and Bulk Requirements:

Standard	Requirement: Underlying Industrial Zone	Requirement: Residential Development in 2060 Briggs Road Overlay Zone
Minimum Lot Area	40,000 SF	40,000 SF
Minimum Width at Main Building	100 FT	100 FT
Minimum Lot Frontage	150 FT	150 FT
Minimum Front Yard Setback	50 FT	50 FT
Minimum Side Yard Setback (when adjacent to a street)	70 FT	50 FT
Minimum Side Yard Setback (when not adjacent to a street)	20 FT	50 FT
Minimum Combined Side Yard Setback	50 FT	100 FT
Minimum Rear Yard Setback	50 FT	50 FT
Maximum Building Coverage	50%	50%
Minimum Main Building 1 <sup>st</sup> Floor	1,100 SF	720 SF
Maximum Building Height	60 FT	50 FT or 3 Stories
Maximum Impervious Coverage	N/S	50%
Maximum Density and Minimum Affordable Housing Set-Aside	N/S	Max. 9.5 units per acre and Min. 20% Affordable Housing Set-Aside
Minimum Open Space	N/S	40%
Minimum Distance between buildings	N/S	20 FT

(6) Standards for townhomes. (Lot requirements apply only where lots are provided.)

- a. Minimum lot size: 1,800 square feet.
- b. Minimum lot frontage: 20 feet.
- c. Front yard: 15 feet.
- d. Minimum distance from back of sidewalk to face of garage: 20 feet.
- e. Side setback: a minimum distance of 25 feet from the side of one building to any other building.
- f. Rear setback: a minimum distance of 25 feet from the rear of one building to any other building.
- g. Decks: Raised decks may be provided but may not encroach to within 2.5 feet of any yard line, nor may two decks be closer than five feet from one another.
- h. Height: 45 feet, three stories.

(7) Buffer Requirements:

- a. A buffer strip shall consist of a strip of land 30 feet wide along the entire edge of a residential area which may be reduced to 20 feet to include drive aisles, parking or stormwater management facilities when a berm or fence is proposed.
- b. There shall be a 20-foot-wide buffer between the top of the bank around any constructed stormwater basin, pond, lake, or watercourse and the nearest wall of any residential structure.

(8) Parking Requirements:

- a. All parking spaces shall be 9 feet by 18 feet, and parking lot aisles shall be 25 feet wide.
- b. Parking space quantity shall be per Residential Site Improvement Standards.
- c. Clubhouse parking, when proposed, shall be provided at 1 space per 300 SF of building area
- d. No parking lot shall contain more than twenty (20) spaces in a row without interruptions by a landscaped divider at least eight (8) feet wide.

(9) Open Space Requirements:

- a. 40% of the gross tract area.
- b. Open space shall specifically include all landscaped areas, stormwater management structures and environmentally restricted areas on the property.

(10) Minimum distance between buildings:

- a. Minimum distance between multifamily residential buildings, not including porches or patios: 25 FT
- b. Minimum distance between multifamily residential buildings and accessory: 25 FT
- c. Minimum distance between accessory buildings: 15 FT

(11) Curbs and Sidewalks:

- a. Curbs and sidewalks shall be provided along a single side of the entire length of major internal street frontages.
- b. Sidewalks shall be provided to reasonably connect the residential units to the parking and recreation areas.

(12) General Requirements:

- a. A maximum of thirty six (36) apartment units in each multifamily building.
- b. No more than eight (8) units may be provided in a single Townhome building, or no more than sixteen (16) units in a building with stacked flats.
- c. The maximum building height for principal buildings shall be three (3) stories and fifty (50) feet.

(13) Landscaping. A landscape plan shall be submitted to the municipal agency that contains the following standards:

- a. All landscaping plans shall be prepared by a New Jersey licensed landscape architect, or other individual deemed suitably qualified by the Board. The plan shall include detailed construction drawings for all site landscaping, buffer areas, common areas, recreation areas and all street frontage improvements including but not limited to street trees, ornamental lighting and walkways.
- b. The plan shall include suitable street trees along all streets to be constructed on site spaced not less than 40 feet apart. The plan shall specify the location of planting material, their minimum sizes, quantity, variety and species. All plant material shall consist of native landscape plantings.
- c. Trees shall meet planting requirements as specified in sections of this chapter related to planting of trees.
- d. No parking lot shall contain more than 30 spaces in a row without interruptions by a landscaped divider at least eight feet wide.

- e. Foundation plantings shall be on all sides of residential buildings.
  - f. Yard areas and open spaces between residential buildings shall contain the equivalent of at least four shrubs and at least two shade or ornamental trees of two- to 2.5-inch caliper or greater for each 1,500 square feet of yard area, not including areas devoted to parking.
- (14) Infrastructure Improvements.
- a. All new electric, telephone, television, cable, gas, and other utility service lines servicing the buildings shall be installed underground, to the extent such underground service is commercially reasonable, available and permitted by the applicable utility companies, and in all events, shall be installed in accordance with the prevailing standards and practices of the respective utility or other companies providing such services.
  - b. The Township has not prepared utility, roadway or traffic studies on the existing conditions, capacity, or reports on upgrades required to support the proposed development. As directed by the Township Engineer and/or Board Engineer, the Developer shall provide utility, roadway and traffic studies evaluating the existing conditions, capacity and details of any necessary upgrades required to support the proposed development. The Developer shall be responsible for contributing towards any infrastructure upgrades in accordance with the Municipal Land Use Law (MLUL).
- (15) Green Building Standards
- a. All development shall incorporate green building design practices consistent with the New Jersey Green Building Manual or equivalent national standards.
  - b. Site and building design shall promote energy efficiency, water conservation, indoor environmental quality, and sustainable material use through:
    - i. Energy-efficient lighting and HVAC systems;
    - ii. Use of renewable energy sources, including solar photovoltaic or solar thermal systems;
    - iii. Low-impact development strategies such as pervious paving and rain gardens;
    - iv. Water-efficient landscaping utilizing native and drought-tolerant species; and
    - v. Recycling and reuse of construction materials when able.
  - c. Green roofs or rooftop vegetation are encouraged for stormwater management.
  - d. Developers shall include Green Building plans outlining compliance measures as part of the site plan application.
- (16) Climate Resiliency
- a. Development shall incorporate climate adaptation and resiliency strategies consistent with N.J.A.C. 7:8 (Stormwater Management).
  - b. Projects shall evaluate vulnerabilities to flooding, extreme heat, and severe weather events and incorporate mitigation measures such as:
    - i. Risen floor elevations above FEMA base flood elevations where applicable;
    - ii. On-site stormwater detention and infiltration features;
    - iii. Use of flood-tolerant landscaping and tree canopy for cooling and shade;
    - iv. Backup power and grid-ready infrastructure to maintain systems during outages.
  - c. All development applications shall include a brief Climate Resiliency Assessment demonstrating how the proposed development addressed projected climate impacts and enhances resilience.

**Section 2.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**Section 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Mount Laurel, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Mount Laurel are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**Section 4.** The Township Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Burlington County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

**Section 5.** After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Mount Laurel for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Introduction Date: February 2, 2026

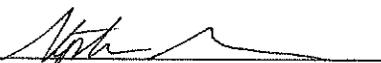
	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Catalan-Culnan		✓				Adv Planning
Green		✓				
Janjua	2	✓				
Moustakas	1	✓				
Steglik		✓				

Publication Date: February 10, 2026

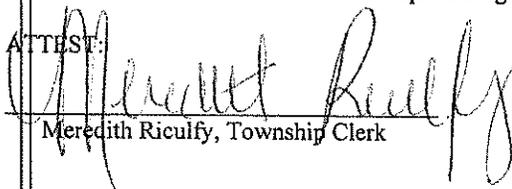
Public Hearing Date: March 2, 2026

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Catalan-Culnan		✓				
Green	1	✓				
Janjua		✓				
Moustakas	2	✓				
Steglik		✓				

TOWNSHIP OF MOUNT LAUREL

BY:   
Stephen Steglik, Mayor

ATTEST:

  
Meredith Riculfy, Township Clerk