TOWNSHIP OF KINGWOOD

HUNTERDON COUNTY, NEW JERSEY

ORDINANCE 05-2026

AN ORDINANCE AMENDING THE INCLUSIONARY AFFORDABLE HOUSING ZONES IN THE EASTERN GATEWAY VILLAGE OVERLAY ZONE IN THE MIXED USE CORE SUBDISTRICT AND THE COMMERCIAL AND ARTISAN SUBDISTRICT BY AMENDING CHAPTER CXXXII, ZONING, ARTICLE II ESTABLISHMENT OF DISTRICTS; MAPS; BOUNDARIES AND ARTICLE III DISTRICT REGULATIONS TO ADDRESS KINGWOOD TOWNSHIP'S THIRD AND FOURTH ROUND AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, in order to establish zoning provisions that provide a realistic opportunity for development of affordable housing in response to Kingwood Township's Fourth Round affordable housing obligations and consistent with Kingwood Township's Fourth Round June 2025 Housing Element and Fair Share Plan; and

WHEREAS, Kingwood Township has identified several parcels of land determined to be appropriate for development of high-density inclusionary residential development in the Township located on New Jersey State Route 12 within the Eastern Gateway Village Center Overlay Zone, specifically Block 15, Lot 8.02 within the Commercial/Artisan Subdistrict and Block 17, Lots 11 and 15 within the Professional Office/Residential Subdistrict, which together possess sufficient land area to accommodate inclusionary zoning at accepted inclusionary zoning densities to fully address Kingwood Township's Third Round affordable housing obligation of 103 affordable units and Kingwood Township's Fourth Round affordable housing obligation of 50 affordable units   ;

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Kingwood, County of Hunterdon as follows (**note to codifier**: new text is underlined, thus; deleted text is strikethrough ~~thus~~; and plain text remains unchanged):

Section 1.   Chapter 132, "Zoning", Article II, § 132-20 "Establishment of Districts; Maps; Boundaries" is hereby amended to read, as follows:

For the purpose of this chapter, the Township of Kingwood is divided into 12 ~~10~~ zoning districts and three affordable housing subdistricts, which shall be known and designated as:

AR-2	Agricultural and Single-Family Residential
VR-1	Village Residential
VR-2	Village Residential
VC-1	Village Commercial
VC-2	Village Commercial
BP	Business Park
HC	Highway Commercial
PO/R	Professional Office/Residential
FP	Floodplain
BC	Byram Colony
EGVCO	Eastern Gateway Village Center Overlay
SCO	Scenic Corridor Overlay

Eastern Gateway Village Center Affordable Housing (EGVCO-AH)Zones:

Mixed-Use Core EGVCO-AH ~~Overlay~~

Commercial and Artisan EGVCO-AH ~~Overlay~~

Professional Office/Residential EGVCO-AH

Section 2.   Chapter 132, "Zoning" § 132-21, "Zoning Map" is amended to include the following Eastern Gateway Village Center Overlay – Affordable Housing zoning designations (as depicted on Exhibit 1):

Block 15, Lot 8 – Commercial Artisan EGVCO-AH
Block 15, Lot 8.02 – Commercial Artisan EGVCO-AH
Block 21, Lot 1 – Mixed Use Core EGVCO-AH
Block 17, Lots 11 & 15 – Professional Office/Residential EGVCO-AH

Section 3.   Chapter 132, "Zoning", Article III, "District Regulations" of the Code of the Township of Kingwood, §132-40 Eastern Gateway Village Center Overlay (EGVCO) Zone Regulations are hereby amended and supplemented, as follows:

A.   Amend and supplement §132-40 A. "Purpose" to read in its entirety, as follows:

Purpose. The purpose of the Eastern Gateway Village Center Overlay District is to establish a framework for planned development with a diversity of uses that enables a transition from conventional strip highway commercial zoning along the Route 12 corridor to a "center-based" zoning approach, including mandatory inclusionary zoning as required in response to Kingwood Township's Round 3 and Round 4 affordable housing obligations, and pursuant to the May 5, 2025, Order of Final Judgment of Compliance and Repose in the matter of Kingwood Township, Docket No. HNT-L-317-15, issued by William G. Mennen, J.S.C., and IMO the Application of the Township of Kingwood Docket No. HNT-L-68-25, now pending before the Court. This zoning district includes an inclusionary affordable housing development requirement on Block 15, Lot 8, Block 15, Lot 8.02, within the Mixed Use Core Subdistrict, and Block 21, Lot 1, within the Artisan and Commercial Subdistrict, and Block 17, Lot 11 and Block 17, Lot 15 within the Professional Office Residential Subdistrict-at fixed densities and affordable housing set-asides that may be stand-alone residential development or mixed-use development. However, all mixed-use and nonresidential development on Block 15, Lot 8, Block 15, Lot 8.02,and Block 21, Lot 1, Block 17, Lot 11 and Block 17, Lot 15 is permitted only in conjunction with inclusionary affordable housing development at the minimum density and affordable housing set-asides prescribed below.

B.   Amend and supplement §132-40 C. (1), (2) and (3), "Permitted uses.", to read in their entirety, as follows.

(1) Mixed Use Core Subdistrict.

(a)   Block 21 15, Lot 1 8– Mixed Use Core EGVCO-AH:

[1]   Inclusionary residential development affordable housing in the form of townhouses or multi-family housing, such as garden apartments, in accordance with the density and set-aside standards identified at 132-40.E.1.

[2]   All other permitted uses in the Mixed Use Core Subdistrict below (§132-40 C. (1) (b) – (e)), only when developed with inclusionary residential development with affordable housing at the density and set-aside standards identified at 132-40.E.1.

(b)   All uses permitted in the Village Commercial (VC-1) Zone, except that supermarkets are also permitted.

(c)   Multifamily units aboveground-level retail (mixed-use).

(d)   Townhomes, with or without co-housing units.

(e)   Multifamily residential buildings, with or without co-housing units, on sites served by a centralized wastewater collection system.

(f)   Planned unit development, inclusive of all uses permitted in Subsection C(1)(a) through (e) above, on tracts of 10 acres or greater served by a centralized wastewater collection system.

(2) Commercial and Artisan Subdistrict.

(a) Block 15 ~~21~~, Lots 8 & 8.02 ~~1~~, Commercial and Artisan EGVCO-AH.

[1] Inclusionary residential development affordable housing in the form of townhouses or multifamily housing, such as garden apartments, in accordance with the density and set-aside standards identified at § 132-40E.1.

[2] All other permitted uses in the Commercial and Artisan Subdistrict below [§ 132-4C(2)(b) through (e)], only when developed with inclusionary residential development with affordable housing at the density and set-aside standards identified at § 132-40E.1.

(b) All uses permitted in Business Park (BP) except for warehousing, manufacturing and lumber yards.

(c) Live-work dwelling units.

(d) Artisan loft buildings.

(e) Planned unit development, inclusive of all uses permitted in Subsection C(2)(a) through (d) above, on tracts of 10 acres or greater served by a centralized wastewater collection system.

(3) Professional Office/Residential Subdistrict.

(a) Block 17, Lots 11 and 15 – Professional Office/Residential EGVCO-AH:

[1] Inclusionary residential development affordable housing in the form of townhouses or multi-family housing, such as garden apartments, in accordance with the density and set-aside standards identified at 132-40.E.1.

[2] All other permitted uses in the Professional Office/Residential Subdistrict, the Commercial and Artisan Subdistrict and the Mixed Use Core Subdistrict below (§132-40 C.(3) (b) – (e)), only when developed with inclusionary residential development with affordable housing at the density and set-aside standards identified at 132-40.E.1.

(b) All uses permitted in Professional Office/Residential (PO/R) zone.

(c) Townhomes on sites served by a centralized wastewater collection system.

(d) Multifamily residential buildings on sites served by a centralized wastewater collection system.

(e) Planned unit development, inclusive of all uses permitted in Subsection **C(3)(a)** through **(c)** above, on tracts of 10 acres or greater served by a centralized wastewater collection system.

C.   Amend and supplement §132-40 E.1. to read as follows.

E.1. Supplemental development standards for Block 15, Lot 8 and 8.02 – Commercial Artisan ~~Mixed Use Core~~ EGVCO-AH; and Block 21, Lot 1 Mixed Use Core ~~Artisan and~~

~~Commercial~~ EGVCO-AH, <u>and Block 17, Lots 11 and 15 Professional Office/Residential</u> <u>EGVCO-AH.</u>

 (1) The required minimum residential densities and affordable housing set asides within Block 15, Lot 8 <u>and 8.02</u>– Commercial <u>Artisan</u> Mixed Use Core AH Overlay; and Block 21, Lot 1 Artisan and Commercial AH Overlay, <u>and Block 17,</u> <u>Lots 11 and 15 Professional Office/Residential AH Overlay</u> shall be as follows:

  (a) Townhouse development: 12 dwelling units per acre with a 20% affordable housing set-aside; and/or.

  (b) Multi-family housing, such as garden apartments: ~~16~~ <u>15</u> dwelling units per acre with a ~~15~~<u>20</u>% affordable housing set-aside.

  (c) Townhouse and multi-family at the prescribed densities and set-asides identified above may be mixed on single parcel of land.

 (2) Minimum lot size: 10-acres.

 (3) Public water and sewer service: The developer shall provide public water and sewer service (or alternative wastewater treatment facilities <u>and/or a</u> <u>community water supply system</u>).

 (4) No non-residential development shall be permitted on Block 15, Lot<u>s 8 &</u> <u>8.02</u> – Commercial / Artisan ~~Mixed Use Core~~ EGVCO-AH; ~~and~~ Block 21, Lot 1 <u>Mixed Use Core</u> ~~Artisan and Commercial~~ EGVCO-AH; <u>and Block 17, Lots 11 &</u> <u>15 Professional Office/Residential EGVCO-AH</u> unless developed with residential development at the prescribed densities and affordable housing set-asides identified in §132-40 E.1. (1) (a), (b) and (c) above.

 (5) All development within Block 15, Lot 8 – Commercial/Artisan ~~Mixed Use~~ ~~Core~~ EGVCO-AH; ~~and~~ Block 21, Lot 1 <u>Mixed Use Core</u> ~~Artisan and Commercial~~ EGVCO-AH; <u>and Block 17, Lots 11 & 15 Professional Office/Residential</u> <u>EGVCO-AH</u> shall conform to the provisions and development standards set forth in §132-40 A. – G.

Section 4. Appeals. Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

Section 5. Renumbering This ordinance may be renumbered for codification purposes.

Section 6. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 7. Severability

 If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

 This Ordinance shall take effect upon passage and publication as provided by law.

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Kingwood Township Committee at a meeting held on March 5, 2026.
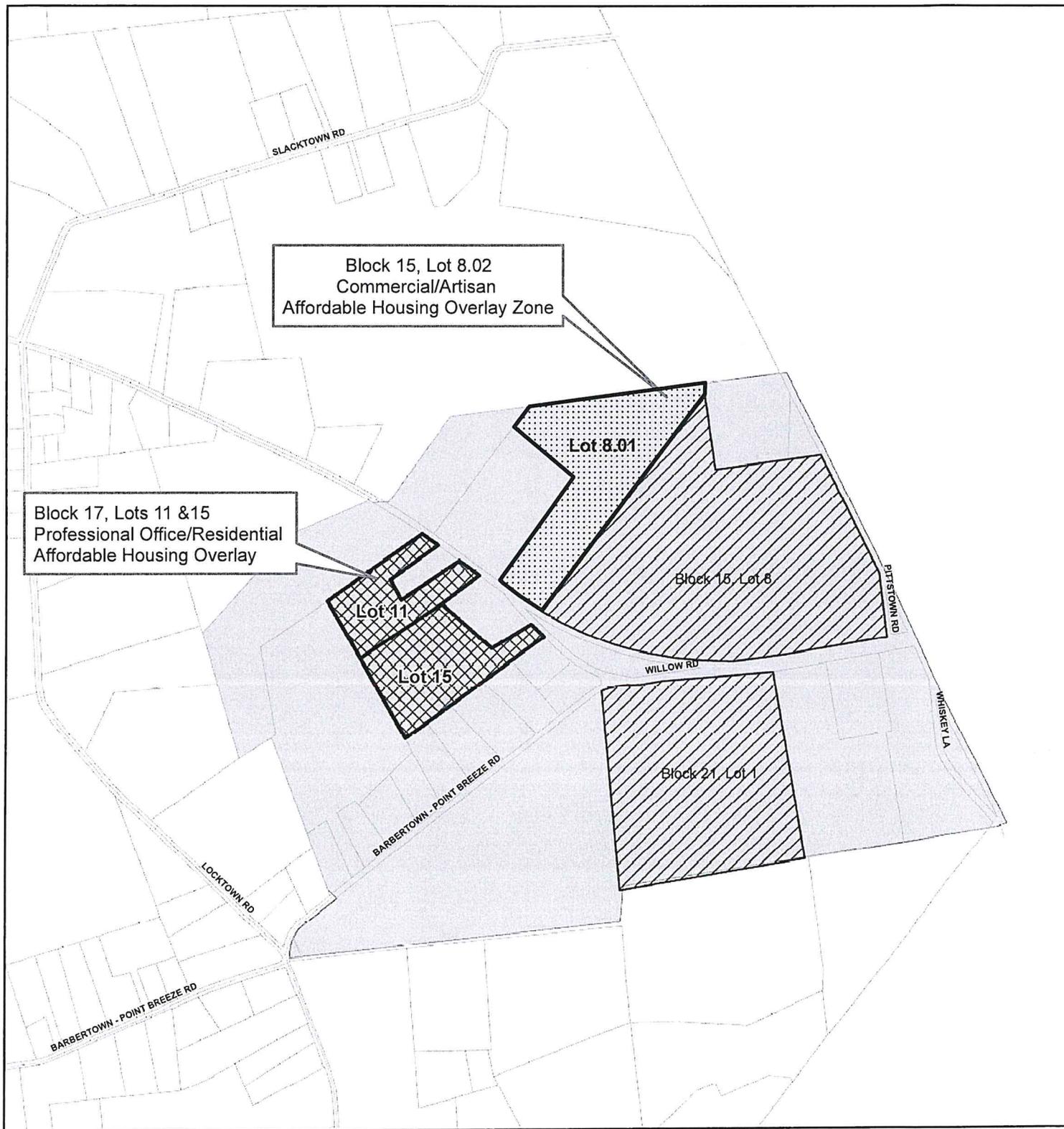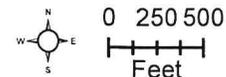

Jeffrey J. Jotz, RMC
Township Clerk
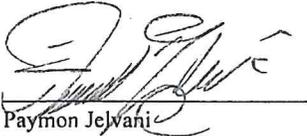
Paymon Jelvani
Mayor

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent
Committeemember Floyd	x		x			
Committeemember Taylor		x	x			
Mayor Jelvani			x			
		Total Votes	3			

Introduced: Feb. 5, 2026
Advertised: Feb. 12, 2026
Public Hearing: Mar. 5, 2026
Adoption: Mar. 5, 2026
Publication of Adoption: Mar. 6, 2026

Exhibit 1
Ordinance 05-26
EGVCO Affordable Housing Overlay Zones
Kingwood Township
March 2026

Block 15, Lot 8.02
Commercial/Artisan
Affordable Housing Overlay Zone

Block 17, Lots 11 &15
Professional Office/Residential
Affordable Housing Overlay

Legend

▦ Commercial Artisan AH

▧ Mixed Use Core AH

▨ Existing Affordable Housing (AH) Overlays

▢ Eastern Gateway Village Center Overlay Zone

Data Sources:
NJGIN Parcels 2024

BANISCH
ASSOCIATES, INC.
Planning and Design

PLANNING BOARD
TOWNSHIP OF KINGWOOD

RESOLUTION #2026-08 FINDING THAT ORDINANCE NO. 05-2026 AMENDING THE TOWNSHIP'S ZONING ORDINANCE WITH THE CREATION OF AN ADJUSTED EASTERN GATEWAY VILLAGE OVERLAY ZONE IS NOT INCONSISTENT WITH THE MASTER PLAN

WHEREAS, on February 5, 2026, at a duly noticed and constituted public meeting, the Township Committee of the Township of Kingwood (the "Township Committee") introduced, on first reading, proposed Ordinance No. 05-2026 (the "Proposed Ordinance"), which would create an amended zoning map with an adjustment to the Eastern Gateway Village Overlay Zone as part of the zoning mechanisms to address the Township's constitutional obligation to provide reasonable opportunities for the construction of affordable housing; and

WHEREAS, after introduction, the Township Committee referred the Proposed Ordinance to the Planning Board of the Township of Kingwood (the "Board") for Master Plan consistency review, pursuant to N.J.S.A. 40:55D-26; and

WHEREAS, on February 12, 2026, at a duly noticed and constituted public meeting, the Board considered the testimony of the Board Planner and determined that the Proposed Ordinance is not inconsistent with the Township's Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1.   The foregoing recitals are incorporated herein as if set forth in full;

Section 2.   The Board hereby finds and determines that Ordinance No. 05-2026, which is attached hereto as **Exhibit A**, is not inconsistent with the Township's Master Plan;

Section 3.   The Recording Secretary of the Board shall forward a copy of this Resolution with the attached Ordinance to the Township Committee. This Resolution shall serve as the report to the governing body in accordance with N.J.S.A. 40:55D-26; and

Section 4.   This Resolution shall take effect immediately.

ROLL CALL VOTE:
Motion: L. Voronin   Second: P. Jelvani

Those in Favor: P. Jelvani, L. Voronin, F. Floyd, D. Haywood, S. Harris, F. Conlon

Those Opposed: None

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Township of Kingwood at its meeting on February 12, 2026 and **re-adopted March 3, 2026.**

_____ *Jovonna Zubko* _____
Jovonna Zubko, Board Secretary