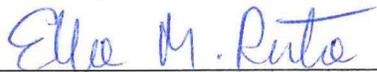


**NOTICE**

Please Take Notice that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 3<sup>rd</sup> day of February 2026. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 18<sup>th</sup> day of February 2026, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.



\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

**ORDINANCE: 2026-1**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 30  
OF THE CODE OF THE TOWNSHIP OF UNION TO CREATE THE  
MIXED USE INCLUSIONARY HOUSING OVERLAY ZONE DISTRICT**

**WHEREAS**, in June 2025, the Township of Union (the “Township”) adopted a Round 4 Housing Element and Fair Share Plan (“HEFSP”) that addressed the Round 4 affordable housing obligation; and

**WHEREAS**, the Round 4 HEFSP requires the creation of a mixed-use inclusionary housing overlay zone district.

**SECTION 1.** Chapter 30, Land Use, Section 3, Establishment of Districts, of the Code of the Township of Union is hereby amended and supplemented as follows (deletions are indicated ~~thus~~; additions are indicated thus):

...

§30-3.2 Classes of Districts

...

q. MIO District            Mixed Use Inclusionary Housing Overlay.

...

§30-3.3 Zoning Districts Map.

...

b. Zoning Map Amendments.

1. Ord. No. 2026- : The zoning districts map entitled “Land Use Plan – Union Township, Hunterdon County, New Jersey,” dated , is hereby amended by adding them to the MIO District, in accordance with Section 1 of this ordinance.

...

§30-3.5 Statement of Purpose and Intent of the Districts.

...

- p. Mixed Use – Inclusionary Housing Overlay (MIO): To address its fourth round affordable housing durational adjustment in accordance with the requirements of the Fair Housing Act, the Township shall implement a Mixed Use Inclusionary Housing Overlay Zone Ordinance that creates opportunity for family and senior housing that is affordable to low- and moderate-income households on Block 22, Lot 18, which was designated as “developable” in the April 22, 2025 Order and Decision on [Union Township’s] Fair Share Obligation. The intent of the district is to create a mix of residential and commercial uses in a town center design that is walkable and inviting, in proximity to an economic and public transportation hub, creating an opportunity for homes, jobs, services and transportation in proximity to one another. This Ordinance establishes the Mixed Use Inclusionary Housing Overlay Zone – the MIO District – and permits family and senior residential development and commercial uses on the properties identified above provided that such housing complies with a required 20% inclusionary set-aside.

**SECTION 2.** Chapter 30, Land Use, Section 4, District Regulations, Subsection 19, MIO Mixed Use Inclusionary Housing Overlay Zone, of the Code of the Township of Union is hereby created as follows:

§30-4.19 MIO Mixed Use Inclusionary Housing Overlay Zone.

- a. Purpose and area of application.

Mixed Use – Inclusionary Housing Overlay (MIO): To address its fourth round affordable housing durational adjustment in accordance with the requirements of the Fair Housing Act, the Township shall implement a Mixed Use Inclusionary Housing Overlay Zone Ordinance that creates opportunity for family and senior

housing that is affordable to low- and moderate-income households on Block 22, Lot 18, which was designated as “developable” in the April 22, 2025 Order and Decision on [Union Township’s] Fair Share Obligation. The intent of the district is to create a mix of residential and commercial uses in a town center design that is walkable and inviting, in proximity to an economic and public transportation hub, creating an opportunity for homes, jobs, services and transportation in proximity to one another. This Ordinance establishes the Mixed Use Inclusionary Housing Overlay Zone – the MIO District – and permits family and senior residential development and commercial uses on the properties identified above provided that such housing complies with a required 20% inclusionary set-aside.

b. Permitted Uses.

1. Single-family detached dwellings
2. Duplexes
3. Townhouses, including stacked townhouses
4. Multi-family dwellings
5. Nonresidential uses permitted in the Village Commercial District, excluding places of worship and repair shops.
6. Any combination of permitted uses, including within a building.
7. Municipal buildings and uses.

c. Accessory Uses.

1. Accessory uses and structures customarily incidental to permitted uses.
2. Sewerage and sewage treatment, water, fire protection, stormwater management and other utility facilities.
3. Parking and loading in accordance with the requirements of Section 30-7 and as set forth in the requirements of this District.
4. Signs in accordance with the requirements of Section 30-8 and as set forth in the requirements of this District.
5. Community facilities and recreational open space areas such as but not limited to a clubhouse, parks, recreation areas or facilities, tennis courts,

bikeways, playgrounds and swimming facilities, along with structures and necessary features appurtenant thereto.

d. Conditional Uses.

1. None.

e. Prohibited Uses.

1. Any use other than those uses listed above are prohibited.

f. Tract Requirements.

1. Senior housing (housing designed for, and occupied by, at least one person 55 years of age or older per dwelling unit)

(a) Thirty percent (30%) of all affordable units shall be senior housing.

(b) A minimum of 30% of market-rate shall be senior housing.

2. Minimum tract area: 200 acres

3. Minimum lot width: 1,000 feet

4. Minimum lot depth: 1,000 feet

5. Maximum Residential Density: 265 dwellings, including an affordable housing set-aside of not less than 20%.

6. Minimum tract buffer: 50 feet, subject to the following:

(a) The minimum buffer along Pittstown Road Frontage Road and Interstate 78: 30 feet.

(b) The minimum buffer shall be increased to 100 feet along the portion of the property line shared with an off-tract residential use.

g. Area & Dimensional Requirements

1. Nonresidential principal uses shall meet the requirements of the Village Commercial District, with the following exceptions:

(a) The maximum gross density shall not apply.

2. Single family detached dwellings:

- (a) Minimum lot area: 0.5 acre
- (b) Minimum lot width: 75
- (c) Minimum lot depth: 150 feet
- (d) Maximum building height: 35 feet or 2.5 stories
- (e) Minimum front yard setback: 40 feet
- (f) Minimum side yard setback: 15 feet
- (g) Minimum rear yard setback: 40 feet
- (h) Maximum impervious cover: 30%

3. Duplexes:

- (a) Minimum lot area: 2,500 s.f.
- (b) Minimum lot width: 25 ft
- (c) Minimum lot depth: 80 feet
- (d) Maximum building height: 35 feet or 2.5 stories
- (e) Minimum front yard setback: 20 feet
- (f) Minimum side yard setback: 0 feet where there is a common wall; otherwise 10 feet
- (g) Minimum rear yard setback: 20 feet
- (h) Maximum impervious cover: 80%

4. Townhouses, including stacked townhouses:

- (a) Minimum lot area: 2,000 s.f.
- (b) Minimum lot width: 22 ft
- (c) Minimum lot depth: 80 feet

- (d) Maximum building height: 35 feet or 2.5 stories
- (e) Minimum front yard setback: 20 feet
- (f) Minimum side yard setback: 0 feet where there is a common wall; otherwise 10 feet
- (g) Minimum rear yard setback: 20 feet
- (h) Maximum dwellings in one building: 8
- (i) Maximum impervious cover: 80%

5. Multi-family dwellings:

- (a) Minimum lot area: 1.0 acre
- (b) Minimum lot width: 150 feet
- (c) Minimum lot depth: 200 feet
- (d) Maximum building height: 42 feet or 3 stories
- (e) Minimum front yard setback: 50 feet
- (f) Minimum side yard setback: 30 feet
- (g) Minimum rear yard setback: 50 feet
- (h) Maximum dwellings in one building: 75
- (i) Maximum impervious cover: 70%

6. Buildings with residential and nonresidential uses shall meet the requirements of multi-family buildings in this district.

7. Minimum distance between residential buildings, excluding single-family detached dwellings:

- (a) Front to any building: 60 feet
- (b) Rear to any building: 60 feet
- (c) Side to any building: 20 feet

h. Affordable Housing

1. Not less than 20% of the residential dwellings shall be restricted for low and moderate income housing.
2. Affordable dwellings shall be distributed across all housing types developed on the tract, with the exception that affordable single-family detached dwellings are not required. The percent of affordable dwellings per housing type shall be between 60% and 140% of the percentage of total market rate dwellings of the same housing type.
3. Affordable dwellings shall be integrated with market rate dwellings. Not more than 50% of the dwellings in any building may be affordable.
4. The development shall meet all applicable requirements of the Fair Housing Act (N.J.S.A. 52-27D-301 et seq.), and the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.).

i. Overall Site Design:

1. Development shall be concentrated on lands which are developed at the time of the site plan application.
2. The tract shall be designed with nonresidential uses located proximate to Pittstown and/or Freedom Road with less intense land uses to east.
3. The tract is intended to have a high-quality pedestrian environment, including provision of significant landscape and architectural elements. This should include street furnishings that evoke a town center, including benches, street trees, and pedestrian scale lighting.

j. Building Design:

1. An overall theme of design and architectural mode shall be utilized within the development for the purpose of presenting an aesthetically desirable effect and shall be such that they provide varied building elevations, design and structural appearance within the context of the overall theme.
2. Building entrances shall be oriented toward the street and shall be accentuated using architectural features such as awnings, architectural treatments, recesses, projections, etc.

3. The front façade of a building shall not continue on the same plane for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the facade planes.
4. Architectural features on the sides and rear facades shall be complementary to those on the front façade.
5. Blank walls are prohibited. Windows and varying architectural materials are required on all facades.
6. Mechanical equipment shall be screened from view of public streets and residentially zoned lots. Screening shall consist of plantings, fencing or other material found acceptable by the approving authority.
7. Buildings with flat roofs are prohibited. Buildings roofs shall be pitched and may include hipped roofs and gable roofs.

k. Circulation & Parking.

1. Loading areas shall be screened from residential uses, excluding upper story dwellings in the same building, with a buffer of not less than 10 feet in width that includes a solid fence.
2. Parking setback.
  - (a) Public or private road: 30 feet.
  - (b) All other property lines: 15 feet
3. Minimum setback of an off-street parking space to a building: 10 feet; this excludes parking within a residential driveway.
4. Where a driveway providing parking for a residential use (such as but not limited to a townhouse) is located between the residence and a street, not less than 20 feet shall be provided between the building and the right-of-way or sidewalk, whichever is closer to the building, such that a vehicle may be fully contained within the driveway.
5. Maximum distance between off-street parking space and the dwelling served: 200 feet

6. Sidewalks shall be provided along both sides of public and private streets and interior drives such that all buildings and recreational areas are connected by sidewalks.

1. Landscape Design.

1. Stormwater management areas shall have a naturalized planting design that includes a variety of ground cover, shrubs and trees appropriate for their location.
2. Street trees shall be provided along all public and private roads.
3. All buildings shall be provided with an aesthetically pleasing and functional landscape component. Building foundation plantings, planting clusters located in strategic areas, shade trees along roadways and sidewalks shall be incorporated into an overall landscape plan.

m. Signs.

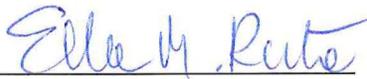
1. Signs regulations for the Village Commercial District shall apply to nonresidential uses and mixed-use buildings.
2. Sign regulations for residential, community facilities and recreational uses.
  - (a) Monument signs are permitted for concentrations of contiguous permitted uses, such as a concentration of multi-family units, concentration of townhouses or concentration of recreation facilities.
  - (b) One sign per entrance to each concentration shall be permitted.
  - (c) Signs shall only bear the name of the development or the recreation facility, as applicable.
  - (d) The maximum sign area of each sign shall be 12 square feet.
  - (e) The maximum height shall be 4 feet.
  - (f) The minimum setback to all rights-of-way and lot lines shall be 5 feet.

**SECTION 3.** All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION 5.** This ordinance shall take effect upon its passage and publication, in accordance with law.

Attest:

  
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Ella M. Ruta, RMC, Clerk

  
\_\_\_\_\_  
David DeGiralamo, Mayor

First Reading: February 3, 2026  
Publication: February 8, 2026  
Public Hearing: February 18, 2026  
Adoption/Published: February 25, 2026