

ORDINANCE NO. 2026-03

**ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN
AMENDING AND SUPPLEMENTING CERTAIN SECTIONS OF CHAPTER 123,
ENTITLED "ZONING," OF THE TOWNSHIP'S CODE TO ESTABLISH THE
R-AH RESIDENTIAL AFFORDABLE HOUSING DISTRICT**

WHEREAS the Township of Washington Land Use Board adopted a Fourth Round Housing Element and Fair Share Plan ("HEFSP") on June 4, 2025 pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq), and the Township Mayor and Committee endorsed the HEFSP on June 18, 2025 via Resolution #2025-143; and

WHEREAS the Fourth Round HEFSP accounts for a number of proposed affordable housing mechanisms to provide for the creation of very-low, low-, and moderate-income units in accordance with applicable regulations to address its Fourth Round Prospective Need obligation of 152 units;

WHEREAS one such proposed mechanism included in the Township's Fourth Round HEFSP is an inclusionary project referred to as Woodmont Properties, located on the parcels known on the official tax maps of the Township of Washington as Block 22, Lots 3 and 3.17;

WHEREAS the Township must adopt an implementing ordinance rezoning the aforementioned property for affordable housing in accordance with the timelines set forth in the FHA as most recently amended;

WHEREAS the Township Mayor and Committee agree to establish a new zoning district referred to as the R-AH Residential Affordable Housing District; and

WHEREAS this Ordinance shall apply except where inconsistent with applicable law.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Washington, Warren County, New Jersey, that Chapter 123, entitled "Zoning," be amended to read as follows:

SECTION 1: Chapter 123-2, entitled "Definitions and word usage," is hereby amended as follows (additions noted in bold italic *thus* and deletions notes in strikethrough ~~thus~~):

Townhouse – A *one-family dwelling unit in an attached row of at least four but no more than seven connected dwelling units* ~~of at least four but no more than six connected dwelling units~~, where each dwelling unit is compatibly designed in relation to all other units, but is distinct by such design features as width, setback, roof design, color, exterior materials and other features, singularly or in combination. Each dwelling unit ~~may be a maximum of 2 1/2 stories above grade as limited by the definition of "building height"~~ ~~above~~ *shall: be subject to the building*

height restrictions set forth in Article III, entitled “Zoning Districts and Zoning Map”; have its own front and rear access to the outside; and be separated from any other unit by one or more vertical common fire-resistant walls., ~~but nothing~~ Nothing in the definition shall be construed to allow one dwelling unit over another.

Townhouse, Stacked – a dwelling unit in which two one-family dwellings are arranged in vertical stacks within an attached row of no more than four stacked townhouse units, where each dwelling units is compatibly designed in relation to all other units, but is distinct by such design features as width, setback, roof design, color, exterior materials and other features, singularly or in combination. Each dwelling unit shall: be subject to the building height restrictions set forth in Article III, entitled “Zoning Districts and Zoning Map”; have its own separate entrance at grade; and be separated from any other unit by one or more vertical/horizontal common fire-resistant walls.

Common Use Parking Area – a designated parking area on site to be privately owned and maintained for additional on-site parking.

SECTION 2: Chapter 123-6, entitled “Zoning Districts,” is hereby amended to add as follows:

R-AH: Residential Affordable Housing District

SECTION 3: Chapter 123-12.1, entitled “R-AH Residential Affordable Housing Zone” is hereby created as follows:

A. Purpose

- (1) The purpose of this chapter is to establish the R-AH Residential Affordable Housing Zone to allow a residential development with a mix of market rate units and units for very-low, low-, and moderate-income affordable housing units as outlined in the Township’s Fourth Round Housing Element/Fair Share Plan and in accordance with the applicable regulations at N.J.A.C. 5:93-1 et seq., N.J.A.C. 5:99 et seq., N.J.A.C. 5:80-26.1 et seq., and the New Jersey Fair Housing Act of 1985, as amended and supplemented.
- (2) This chapter shall apply to the parcels known on the official tax maps of the Township of Washington as Block 22, Lots 3 and 3.17.
- (3) The property shall be developed in general conformance with the concept plan dated February 4, 2026, attached hereto as Article A.

B. Permitted Principal Uses

Principal permitted uses on the land and in buildings:

- (1) Detached Dwellings
- (2) Townhouses

(3) Stacked Townhouses

C. Permitted Accessory Uses

Accessory buildings, structures, and uses to the foregoing permitted principal uses are permitted, including:

- (1) Private residential shed on detached dwelling lots only and not to exceed 10 feet in height
- (2) Off-street parking and private garages
- (3) Common use parking area
- (4) Signs
- (5) Fences, subject to §123-17
- (6) Green infrastructure best management practices

D. Bulk Standards

Deviations from this section shall require variance relief.

- (1) Minimum tract area: 51 acres
- (2) Maximum number of residential dwelling units: 144 units
- (3) Number of affordable residential dwelling units: 30 units
- (4) Minimum Perimeter Building Setbacks: Where an individual lot is adjacent to a public right-of-way considered external to the inclusionary development project, a minimum setback of 35 feet shall be maintained for all structures. Where a lot is adjacent to any other property line external to the inclusionary development project, a minimum setback of 20 feet shall be maintained for all structures.
- (5) Detached Dwellings Bulk Standards
 - a. Minimum Lot Area: 7,200 sf
 - b. Minimum Lot Width: 60 ft
 - c. Minimum Lot Depth: 120 ft
 - d. Minimum Front Yard Setback: 22 ft (excluding building walls, porches, stoops, landings, stairs, and decks).
 - e. Minimum Rear Yard Setback: 30 ft (excluding building walls, porches, stoops, landings, stairs, and decks).
 - f. Minimum Side Yard Setback: 10 ft
 - g. Maximum Coverage of Principal Building: 25%
 - h. Maximum Coverage of Accessory Structures: 8%
 - i. Maximum Building Height: 2 stories / 32 feet
 - j. Maximum Impervious Coverage: 40%
- (6) Townhouse Bulk Standards
 - a. Minimum Lot Area: 1,600 sf interior lot / 2,000 sf end lot
 - b. Minimum Lot Width: 20 ft interior lot / 25 ft end lot
 - c. Minimum Lot Depth: 80 ft
 - d. Front Yard Setback: 22 ft

- e. Minimum Rear Yard Setback: 10 ft (excluding building walls, porches, stoops, landings, stairs, and decks)
- f. Minimum Side Yard Setback: 0 ft interior lot / 5 ft end lot (one side)
- g. Maximum Coverage of Principal Building: 50% interior lot / 40% end lot
- h. Maximum Coverage of Accessory Structures: 5%
- i. Maximum Building Height: 3 stories / 36 feet
- j. Maximum Impervious Coverage: 60%

(7) Stacked Townhouse Bulk Standards

- a. Minimum Lot Area: 2,600 sf interior lot / 3,100 sf end lot
- b. Minimum Lot Width: 26 ft interior lot / 31 ft end lot
- c. Minimum Lot Depth: 100 ft
- d. Front Yard Setback: 22 ft
- e. Minimum Back Yard Setback: Minimum Rear Yard Setback: 10 ft (excluding building walls, porches, stoops, landings, stairs, and decks)
- f. Minimum Side Yard Setback: 0 ft interior lot / 5 ft end lot (one side)
- g. Maximum Coverage of Primary Building: 60% interior lot / 50% end lot
- h. Maximum Building Height: 3 stories / 36 feet
- i. Maximum Impervious Coverage: 80%

E. Site development standards

(1) Off Street Parking

- a. Off-street parking shall be provided in accordance with the R.S.I.S.
- b. Off-street parking areas shall be curbed and paved with an appropriate all-weather asphalt, bituminous or cement paving, and shall be adequately illuminated at night, with exterior lighting arranged to protect adjoining residences from direct glare or hazardous interference.
- c. All off-street parking areas for more than ten (10) spaces shall be screened with evergreen shrubbery or trees not less than five (5) feet in height when planted, or other suitable landscaping approved by the Land Use Board, along all streets and adjacent property lines.
- d. All parking areas and walkways thereto and appurtenant passageways and driveways serving residential uses having common off-street parking shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare lights focused downward. The light intensity provided at ground level shall be indicated in footcandles on the submitted site plans and shall average at least 0.5 footcandle at intersections.

(2) Required Buffers

- a. A minimum of a 25-foot-wide landscaped buffer with berms shall be provided along all external public street frontages.

- b. No structure, activity, storage of materials, or parking of vehicles shall be permitted within a buffer area.
- c. Wetlands and Riparian Buffers shall be provided in accordance with NJDEP and Highlands Council regulations.

F. Design Standards

Deviations from this section shall require design waiver relief.

(1) Landscaping and Buffers

- a. General buffer and screen composition and planting standards.
 - i. Buffers for screening purposes may be comprised of existing vegetation and natural features, proposed new or transplanted vegetation, fences, walls and/or berms. When berms are included in a buffer, a curvilinear or naturalistic arrangement is encouraged.
 - ii. Native plant material shall be utilized to the greatest extent feasible.
 - iii. There shall be no more than 35 feet between shade trees.
 - iv. Buffer and screen plantings shall be broken at points of vehicular and pedestrian access, outside of clear sight triangles.
 - v. The remainder of the buffer area shall be planted with ground covers, including lawn grasses or meadow plantings, as appropriate to the character of the site and adjacent lands.
- b. Street Trees
 - i. Street trees shall be required along all existing or proposed public or private streets when they abut or lie within the proposed subdivision or site plan, and are in addition to other required plantings.
 - ii. Street trees shall be placed in a planting strip located between the proposed sidewalk and curb, within the right-of-way line. Street trees shall not be planted within clear sight triangles.
 - iii. A minimum of 50% of the proposed street trees shall be native to the region.
- c. Plantings shall not block, impede or interfere with the installation, safe use, operation or maintenance of roadways, sidewalks, sight easements, utilities, and lighting.
- d. Plantings shall not be of an invasive nature, weedy or brittle character, easily susceptible to pest infestations and/or diseases, or possess hazardous characteristics (bee-attracting, poisonous, thorny) when used in areas designated for sitting or play.
- e. Existing wooded areas shall be retained to the extent feasible.

(2) Signage

- a. Permitted Signage:
 - i. Monument Signage, limited to one (1) per development entrance, not to exceed a maximum of two (2) signs. Each sign shall not

exceed 40 square feet in area per side and shall be no taller than five (5) feet in height. Monument signs shall be set back a minimum of 10 feet from external roadways and lot lines and shall not interfere with any sight triangles.

- ii. Directional Signage shall be limited to those that provide information pertaining to direction, identification of parking area, identification of pedestrian and motorist exits, warnings about clearance, and oncoming traffic. Directional signage shall be easily readable and shall not interfere with any sight triangles.
- iii. Street Signage. Street signage shall be easily readable and shall not interfere with any sight triangles.
- b. All signage shall be coordinated, original, and aesthetically compatible. Signs shall be legible and dimensionally proportional.
- c. Street signage and street lighting should be aesthetically unified or complementary.
- d. Low-lying landscaping shall be provided at the base of freestanding signs and shall not conflict with sign messaging or sight triangles.
- e. Signage shall be further subject to the regulations at §123-24 of the Township Code. Where any inconsistencies exist, this chapter shall take precedence.

(3) Pedestrian Connectivity, Sidewalks and Curbing

- a. Sidewalks, a minimum of five (5) feet in width shall be provided along all roadway frontages throughout the site providing pedestrian connectivity throughout the development.
- b. Curbing shall have a minimum exposed face of six (6) inches wide along all streets.
- c. Intersections shall contain handicapped accessible ramps.
- d. Intersections shall contain crosswalks, which will serve as an extension of the sidewalk.

(4) Street Lighting

- a. Street light fixtures shall be mounted at a maximum height of 10 feet; the supporting light pole shall not exceed 12 feet in height.
- b. Street lights shall be coordinated with other street furniture and street trees.
- c. Street lights shall be mounted on fixtures which arc towards the ground plane.
- d. Street lights shall be architectural in nature and shall be cohesively designed throughout the development.

(5) Common Space and Natural Features

- a. Existing natural features such as trees, streams, hilltops, and scenic areas shall be preserved in designing a project to the extent feasible. Otherwise, areas not utilized for buildings, parking, driveways, or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding, or similar plantings and shall be maintained in good condition.
- b. All common yard areas, open space, basins, wooded areas, buffer areas, and similarly situated areas shall be maintained by the Homeowners Association or management entity.

(6) Utilities

- a. No application for a permit shall be considered unless such building or project can be served by the sewer and water system. The installation of public water, sewerage, and drainage facilities shall be in accordance with the specifications of the appropriate governmental authorities. Such improvements shall be made at the sole expense of the developer. All detached dwelling units, townhouse units, and stacked townhouse units shall each have individual water and sewer service lines and shall have individual meters.
- b. All electricity, gas, telecommunications, cable, internet, etc. shall be installed underground and serve all units individually.
- c. The exterior placement of satellite dishes shall be prohibited.

(7) Mechanical Equipment

- a. Building and mechanical equipment, including but not limited to HVAC, meters, etc., should be located so as to be visually shielded or screened from the public street to the extent allowed by utility companies.
- b. An individual HVAC system providing heat and air conditioning shall be provided for each unit.

(8) Building Construction and Facilities

- a. Provision for the disposal and storage of refuse shall be provided for each dwelling unit.
- b. Each dwelling unit shall be designed and constructed with a soundproofing barrier between adjoining units, both horizontally and vertically.
- c. An individual washer and dryer shall be installed in each dwelling unit.
- d. A minimum of 300 cubic feet of storage space for such items as bicycles, tires, lawn care equipment and items of dead storage shall be provided for each dwelling unit.

(9) Architectural Standards

- a. All buildings shall be compatibly designed, whether constructed all at one time or in stages over a period of time. All building walls facing any street

or residential district line shall be suitably finished for aesthetic purposes.

- b. To encourage an attractive building arrangement, desirable variations in such things as the facade, construction and rooflines of detached dwellings, townhouses, and stacked townhouses shall be encouraged. Individuality in buildings may be achieved also by use of varying external materials, colors, landscape elements and other design details.
- c. The exterior walls of all buildings shall be of vinyl siding or brick or stone facing, or other suitable maintenance-free material approved by the Land Use Board, except that decorative trim may be used for not more than 20% of the exterior surface of any facade. Exterior walls shall not be of exposed cinder block or EIFS.
- d. All structures shall be situated with proper consideration of their relationship to other buildings in terms of light, air, usable open space, access to public and private rights-of-way, off-street parking, height, bulk, and street alignment.
- e. Building designs shall incorporate modulation and articulation, including changes in textures, materials, colors, as well as massing reveals in order to create visual intrigue and pedestrian-scaled façades.
- f. Window placement shall be utilized to help articulate the building's aesthetics and designed to create depth and offsets of the walls.
- g. The pitch of hipped or gabled roofs, over structures other than stoops, porches or balconies must be at a minimum slope of 8:12.

(10) Green Building, Sustainability, and Resilience Standards

- a. Planning practices that advance green building, sustainability, and resiliency should be incorporated into new development to the extent feasible. New development is encouraged, but not required, to consider contemporary best practices advanced by certification programs such as LEED, Energy Star, Passive House, SITES Initiative, and others.
- b. Where feasible, off-street parking areas should be constructed with impervious materials to mitigate stormwater runoff and maintain the integrity and quality of existing natural features on and surrounding the property.

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

Section 4. Severability. 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.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Washington held February 18, 2026 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on March 9, 2026 at 5:30 pm or as soon thereafter as the matter may be heard at the Municipal Building, 211 Route 31 North, Washington, NJ 07882 at which time all persons interested will be given an opportunity to be heard concerning such Ordinance.



Ann Kilduff, RMC
Township Clerk

Article A. Concept Plan

Ownership of Design:
All concept plans are the intellectual sole property of K. Hovnanian Homes LLC and its affiliates. They may not be used by any other parties, for any purpose without the specific written consent of K. Hovnanian Homes LLC and/or its affiliates.

Note:
1. This forecast is NOT a survey and is to be utilized for illustrative purposes only.
2. Boundary information shown herein is based on a Tax Map. Accuracy not confirmed.
3. This Conceptual Plan DOES NOT meet the specific standards of the current zoning.



30 SF Lots 40' x 130'
60 THGS 33' x 40'
24 STHGS 33' x 48'
30 Affordable Homes
144 TOTAL HOMES



CONCEPT PLAN
Pleasant Valley Road
Washington Township
Warren County, NJ



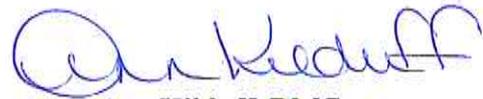
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**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
NOTICE OF FINAL ADOPTION**

Notice is hereby given that the following Ordinance was introduced and passed on first reading by the Township Committee of the Township of Washington, County of Warren at a meeting held on February 18, 2026 and a summary was published in the Daily Record. After a public hearing and second reading, the Ordinance was finally adopted on Monday, March 9, 2026 at a meeting of the Township Committee held at the Municipal Building located at 211 Route 31 North, Washington, NJ 07882.

ORDINANCE 2026-03

**ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN
AMENDING AND SUPPLEMENTING CERTAIN SECTIONS OF CHAPER 123
ENTITLED "ZONING" OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO
ESTABLISH THE R-AH RESIDENTIAL AFFORDABLE HOUSING DISTRICT**



Ann Kilduff, RMC
Township Clerk

