

AN ORDINANCE OF THE TOWNSHIP OF READINGTON ADOPTING THE MFAHO-1 MULTIFAMILY AFFORDABLE HOUSING OVERLAY-1 DISTRICT PROVIDING FOR A RESIDENTIAL DEVELOPMENT ON BLOCK 9, LOTS 19, 20, AND 21, PERMITTING A TOTAL OF 125 DWELLING UNITS IN ACCORDANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS UNDER THE FAIR HOUSING ACT, N.J.S.A. 52:27D-301, ET SEQ.

Ordinance# 05-2026

WHEREAS, the Township of Readington ("Township") filed a Complaint for Declaratory Judgment on January 30, 2025, under Docket No. HNT-L-75-25 titled "In the Matter of the Township of Readington ("Complaint") New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. (FHA) and voluntarily entered the Affordable Housing Dispute Resolution Program ("Program"); and

WHEREAS, on April 22, 2025, the Hon. William G. Mennen, J.S.C., entered an order establishing the Township Fourth Round present need at 50 and prospective need at 50; and

WHEREAS, the Township timely adopted and filed its proposed Fourth Round Housing Element ("HEFSP") on June 27, later amended on August 26, 2025; and

WHEREAS, the Township received a Program recommendation from the Hon. Thomas C. Miller, A.J.S.C. (ret) dated February 2, 2026; and

WHEREAS, the FHA requires that all implementing ordinances for the Township's affordable housing compliance be adopted by March 15, 2026; and

WHEREAS, the Township seeks to comply with its obligations under the FHA to retain immunity from exclusionary zoning and builder's remedy litigation;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that a new Section 148-27.25 is hereby created as follows:

SECTION I

A new Section 148-27.25 is hereby created as follows:

MFAHO-1 Multifamily Affordable Housing Overlay- 1 District

- A. Applicability.** The use, bulk, design and performance standards of the MFAHO-1 Multifamily Affordable Housing Overlay-1 ("MFAHO-1") constitute an overlay zoning district, such that the underlying ROM-1 Research Office, Manufacturing-1 and WMGO Whitehouse Mechanicsville Gateway Overlay district regulations remain in effect. Development within the MFAHO-1 District shall comply with all subdivision and site plan standards contained in Chapter 148, Readington Township Land Development Ordinance ("LDO"), unless modified herein.
- B. Purpose.** The MFAHO-1 District is intended to provide for the development of a

residential community consisting of multifamily apartments, along with recreational improvements and ancillary facilities. The MFAHO-1 zoning is enacted to provide for the creation of an inclusionary residential development within the meaning of the Mount Laurel doctrine. The MFAHO-1 District is located on Block 9, lots 19, 20, and 21, comprising approximately 17.7 acres. The zoning map of the Township shall be revised upon adoption of this ordinance in accordance with Exhibit "A" annexed hereto.

C. Affordable Housing Required

- (1) A minimum of 25 dwelling units shall be restricted to occupancy by very-low-, low- and moderate-income households (affordable units). Very low-income is defined by the Fair Housing Act (households earning 30% or less of the region's median income).
- (2) Minimum percentage of affordable dwelling units: A minimum of 20% of the total number of dwelling units shall be affordable units.
- (3) Development of affordable dwellings shall comply with the Amended New Jersey Fair Housing Act (FHA) N.J.S.A. 52:27D-301 et seq. 2024 amendment: P.L. 2024 c.2, Housing Affordability Controls rules at N.J.A.C. 5:80-26 (UHAC) and the Readington Township Affordable Housing Ordinance. This includes but is not limited to income and bedroom distribution, phasing and affirmative marketing. As it relates to very low-income units, at least 13% of all affordable units shall be very low-income.

D. Permitted principal uses.

- (1) Multifamily residential dwellings, including apartment dwellings and stacked townhouses.

E. Permitted accessory uses.

- (1) Home occupations and home professional offices, as defined and regulated by the provisions of Chapter 148.
- (2) Parking areas and electrical vehicle charging stations consistent with New Jersey Residential Site Improvement Standards ("RSIS," N.J.A.C. 5:21-1 et seq.).
- (3) Active and passive common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to, pools, tennis courts, pickleball, tot lots, walking paths, fitness trails and bikeways.
- (4) Patios, balconies, decks, porches, and privacy walls intended to serve the residents.
- (5) Private and public utility structures.
- (6) Stormwater basins and related facilities.
- (7) Trash and recycling enclosures, as required.
- (8) Fences and walls.
- (9) Certain authorized improvements on common area property (including recreation facilities) District.
- (10) Temporary construction trailers, sales trailers and model homes.

- (11) Accessory uses customarily incidental to a permitted principal use.
- (12) Signage as regulated in Section 148-27.25.K.(3) of the MFAHO-1 District. No permanent signs shall be located within three feet of the tract boundary.
- (13) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
- (14) Private garages and off-street parking
- (15) Site furnishings (seating, trash and recycling enclosures, etc.).
- (16) Conservation, open space and public purpose uses.

F. Tract requirements. Net Lot Area, as defined in the Section 148-9, shall not apply to any tract/lot area calculation.

- (1) Maximum number of dwelling units permitted: 125.
- (2) Building Coverage. The maximum total coverage by buildings shall not exceed 20% of the total (gross) area of the tract.
- (3) Impervious Coverage. The maximum total impervious surface shall not exceed 40% of the total (gross) area of the tract.
- (4) Three-story buildings shall be set back no less than 200 feet from Mill Road.
- (5) Minimum tract boundary setbacks and buffers:
 - (a) 50 feet to nonresidential uses or zones.
 - (b) 100 feet to Mill Road.

G. Internal Subdivision of Within the MFAHO-1 District. Subdivision of the tract for the purposes of separating ownership or defining common areas shall be permitted and is not subject to minimum bulk standards.

- (1) Minimum building setback from parking aisles, or internal circulation roadways: 10 feet

H. Area and yard requirements.

- (1) Stacked townhouses.
 - (a) Maximum dwelling units per building: 12
 - (b) Minimum principal building setback from internal (subdivision) lot line: 20 feet
 - (c) Minimum distances between buildings:
 - i. Side-to-side: 20 feet
 - ii. Side-to-back: 35 feet
 - iii. Back-to-back: 40 feet
- (2) Multifamily apartments.
 - (a) Maximum dwelling units per building: 30

- (b) Minimum distances: 10 feet from street right-of-way, driveway or parking area.
 - (c) Minimum distances between buildings: 25 feet
- (3) Permitted building encroachments for residential buildings.
- (a) Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to four feet in a front, rear or side setback.
 - (b) Building overhangs, bay windows and chimneys, roof trim and soffits projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
- (4) Building height: Building height shall be measured as the vertical distance from the average finished ground level adjoining the building at all exterior walls to the average height of the highest roof surface.
- (a) Stacked townhouse: 47 feet and three stories.
 - (b) Multifamily apartments building: 35 feet and two stories.
 - (c) Clubhouse/common building: 25 feet.
 - (d) Building height exclusions: The following roof-related elements such as chimney flues, stair or elevator penthouses, HVAC equipment, and other similar building elements are permitted above the maximum permitted building height, provided that such elements do not exceed a height of seven feet above a roof and are no closer than 15 feet from the edge of a roof.

I. Parking and circulation.

- (1) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the RSIS.
- (2) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.

J. Open space.

- (1) Minimum: 30% of the tract area. Open space may include privately-owned common areas and dedicated public open space.
- (2) Permitted open space uses:
 - (a) Conservation.
 - (b) Passive recreation.
 - (c) Active recreation.
- (3) The stormwater management and other utility systems may be located in open space, and the land area of any detention or retention basin shall be counted toward the minimum

open space area requirements.

- (4) Should any lands be dedicated to the Township, physical access shall be provided to said open space. If such access is via a private improvement, the access shall be maintained by the owner of the access improvement. Any lands dedicated to the Township or other governmental entity shall not reduce the amount of land used in the calculation of building coverage, or impervious coverage.

K. Design standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.

(1) Building design.

- (a) Buildings shall have a gable or hipped roof.
- (b) Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
- (c) Primary roofs shall have a minimum pitch of 5/12.
- (d) Secondary roofs may have a pitch below 4/12.
- (e) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
- (f) Townhouse unit facades facing streets shall be offset from each other by at least two feet (projection or recess) every 60 feet.
- (g) Apartment storage. For each apartment, there shall be provided a minimum of 100 cubic feet of storage.
- (h) No more than six identical structures shall be visible from one road. Alterations on different buildings to achieve a non-identical appearance may include different color siding or different siding patterns (for example, horizontal vs. board & batten vs. shake siding).

(2) Lighting.

- (a) General. All outdoor lighting should be coordinated as to style, material and color. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the tract boundary lines, minimize "sky glow" and prevent glare at any location on or off the tract boundary. LED fixtures are required for energy efficiency and uniform illumination and shall not exceed a color temperature of 2,700k.
- (b) Parking lots shall be illuminated with an average of no less than 0.2 horizontal footcandles. The ratio between maximum foot-candles and average foot-candles shall be no greater than 4:1.
- (c) Illumination at tract boundary lines shall not exceed 0.1 footcandle, excluding

streets, driveways and intersections.

- (d) Light fixture mounting height shall not exceed 16 feet in parking lots and 12 feet for pedestrian walkways and residential use areas outside of parking lots.
- (e) Fixtures for illumination shall be full cutoff luminaires.

(3) Signs.

- (a) Community identification. A maximum of one permanent freestanding community identification sign located at each entrance to the overall community from any adjoining public roadway. These signs shall be illuminated externally. Community identification signs shall be set back at least three feet from any lot line, shall not exceed 32 square feet in sign area, and shall not exceed six feet in height. Community identification signs may be mounted on brick or masonry walls or buildings.
- (b) Community/recreation/clubhouse building. The community/recreation/clubhouse building may have one wall or ground identification sign not exceeding 20 square feet in sign area and six feet in height.
- (c) Residential building identification: Each building may have up to two attached building identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (d) Temporary sales signage shall be permitted to assist the general public in accessing the subject property, and to promote safe travel to the sales and model area. In addition to permanent signs above in (a) thru (d), temporary sales signage shall include "Coming Soon" signs (maximum 32 s.f.), sales area directional and ID signage (maximum 20 s.f.), model ID signs (maximum 3 s.f.), and other directional and wayfinding signage (maximum 4 s.f.) to provide guidance for members of the public. These signs shall be permitted to be double-sided to guide traffic movements to and from the sales and model area.

(4) Open space.

- (a) Plans shall be provided for all common open space and recreation areas, clearly depicting all improvements and structures, for approval as part of the site plan application process.

L. Other Regulations. Development in the MFAHO-1 District shall be subject to the following regulations, requirements, and standards:

- (1) All new utility piping, conduits and structures shall be installed underground to the extent feasible. Certain structures, including but not limited to transformers, hot boxes, and utility boxes, shall be permitted to be installed above grade as required by the utility companies which shall also control placement of meters.
- (2) Natural gas home generators shall be permitted for single-family homes, subject to any

Township permitting requirements generally applicable throughout the Township.

- (3) All dwelling units shall be served by public water and sanitary sewer systems.
- (4) Garbage refuse storage and recyclable collection areas suitable for containerized collection shall be provided for the multifamily rental portion of the development. Curb-side collection of garbage and recycling will be provided for the single-family homes and stacked townhomes.
- (5) RSIS shall govern all design requirements for the MFAHO-1 District, including but not limited to parking, roadways, sidewalks, pavement, and shall take precedence over anything to the contrary contained in the Township's LDO. De minimis exceptions to RSIS shall be permitted.
 - (a) In accordance with RSIS regulations, parking stalls shall be 9' x 18' and parking aisles shall be at least 24' wide. Accessible spaces shall be eight feet wide, with a five-foot-wide aisle, or eight feet wide with an eight-foot -wide aisle for van accessible spaces.
- (6) All detention basins and stormwater management facilities located within the MFAHO-1 District shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58: 16A-50 et seq., and the New Jersey Stormwater Management Act, N.J.S.A. 7:8 et seq. If any wetlands areas are utilized for stormwater management, the regulations of the New Jersey Department of Environmental Protection shall apply, and any inconsistent provisions of the applicable Readington Township ordinance shall not apply. Trees, shrubs, and other vegetation may be planted on the slopes or banks and the floor of detention basins or facilities, provided the plantings are maintained appropriately. All detention and retention basins with permanent dry-weather pools of water shall have a water depth to minimize propagation of mosquitoes and be provided with mechanical aeration for water quality. Stormwater management facilities may be located within the front yard of the tract boundary, so long as they are outside of NJDEP regulated areas and no closer than 30 feet to the tract boundary line.
- (7) Tree replacement requirements specified in section 148-79.12 of the Township Land Use Ordinance shall apply with the following amendments: (a) replacement deciduous trees shall be a minimum of 2-2.5" caliper; (b) replacement evergreen trees shall be a minimum of 6 feet in height; and (c) if the required replacement trees cannot be fulfilled on-site, the developer will make a payment to the Township's tree fund based on Table "A" in Section 148-79.12.A, but in an amount not to exceed Fifty Thousand Dollars (\$50,000.00). No other provisions of Chapter 148 Article VIIB (Tree Removal and Replacement) shall be applicable to the MFAHO-1 District including, without limitation, any requirement to obtain tree removal permits.
- (8) Development within the MFAHO-1 District shall not be restricted by the presence of steep slopes, provided that all soil erosion control measures are complied with during construction activities and all stormwater management requirements are met.
- (9) Stream delineation, water body identification, stream corridors, and any surface features that exist onsite are subject to New Jersey Department of Environmental Protection regulations. The Township may require conservation easements based on delineation of critical areas pursuant to NJDEP regulations, and approved by NJDEP,

but in no case shall land area be restricted from development by the Township in addition to land area restricted by virtue of NJDEP regulations/determinations.

- (10) The provisions of LDO Section 148-59 (Open Space Requirements) shall not be applicable to development of the MFAHO-1 District to the extent that they would impose restrictions greater than those imposed by NJDEP regulations.
- (11) All road moratoriums and any other street opening limitations within a Municipal Road adjacent to the MFAHO-1 District that may restrict utility access or road access for the development of the zone shall not be applicable. The developer(s) shall bear full responsibility for the restoration of any existing road that is disturbed to its original condition, or better, immediately after disturbance in accordance with Township or NJRSIS standards.
- (12) Development of the MFAHO-1 District shall not be subject to the Landform Protection ordinance (Section 148-60.1). Retaining walls may be utilized in the construction of stormwater management facilities, but in no case shall be located closer than 30 feet to the tract boundary line.
- (13) Unless modified by the provisions herein, development within the MRAH District shall comply with the regulations, standards and procedures of articles V, VI, VII, VIIIA, VIIIB, X, XI, XII, XIII and XIV of Chapter 148.

SECTION II

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

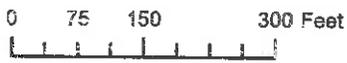
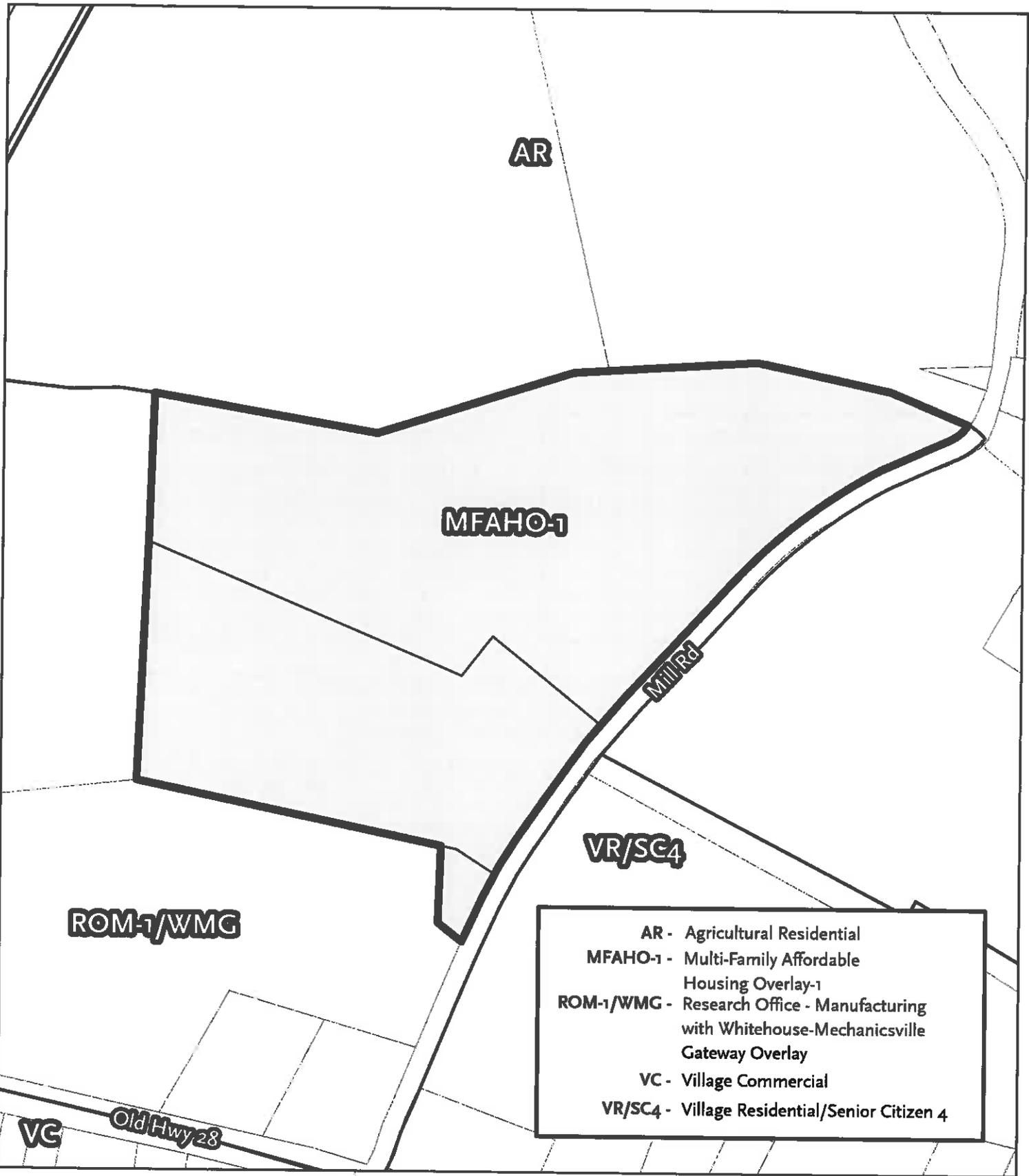
SECTION IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

A TRUE COPY OF WHICH ORDINANCE IS PRINTED ABOVE WAS INTRODUCED AT THE MEETING OF THE TOWNSHIP COMMITTEE ON ***FRBRUARY 17, 2026*** AND THAT IT IS THE INTENTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON TO CONSIDER PASSAGE OF SAID ORDINANCE AT THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE TO BE HELD AT THE MUNICIPAL BUILDING, 509 ROUTE 523, WHITEHOUSE STATION, NEW JERSEY, ON ***MARCH 2, 2026 AT 6:30 P.M.*** AT WHICH TIME AND PLACE, OR AT ANY TIME OR PLACE TO WHICH THE MEETING SHALL BE FROM TIME TO TIME ADJOURNED AN OPPORTUNITY WILL BE GIVEN TO ALL PERSONS WHO MAY BE INTERESTED THEREIN TO BE HEARD CONCERNING SAID ORDINANCE.

ANN MARIE LEHBERGER, *RMC*
MUNICIPAL CLERK

EXHIBIT A
Zoning Map Amendment



Clarke Caton Hintz
 Architecture
 Planning
 Landscape Architecture



ZONING MAP AMENDMENT

§148-27.22 MFAHO-1 Mixed Residential Affordable Housing-1

Block 9, Lots 19, 20, and 21

LOCATION:

Readington Township, Hunterdon County, NJ

DATE:

February 2026