

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2026-05

ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AMENDING CHAPTER 130 THE “LAND DEVELOPMENT” CODE OF THE TOWNSHIP OF CHESTERFIELD, ARTICLE IX “PLANNED VILLAGE DEVELOPMENT (PVD) DISTRICT” TO CREATE A NEW PVD-4 ZONING DISTRICT WITHIN THE TDR RECEIVING AREA CONSISTENT WITH THE TOWNSHIP’S FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Chesterfield strives to adopt and implement land use regulations that advance the goals and objectives of the Township as set forth in its Master Plan and Housing Element and Fair Share Plan; which include the provision of opportunities for a variety of housing types to meet the needs of households with a range of incomes and characteristics in a manner consistent with the Township’s long standing growth management and farmland preservation and agricultural retention goals; and

WHEREAS Article IX “Planned Village Development (PVD) District” was initially adopted in 1998(year) as part of the Township’s voluntary Transfer of Development Rights (TDR) program and to set the stage for the creation of a planned village development within the TDR receiving area where public water and sewer are available and where development would reflect the character of a traditional American village; and

WHEREAS the intent of the PVD is set forth in Township Code section 130-39 and includes the creation of a mixed-use village center that integrates pedestrian circulation, civic facilities, and open space together with other permitted residential and commercial land uses to engender a sense of community neighborhood identity. And to reduce dependence of the automobile; and

WHEREAS it is also the intent of the PVD to provide for the Township's fair share of the regional need for low- and moderate-income housing and to encourage the provision of a diversity of housing types and lot sizes; and

WHEREAS the build-out of the receiving area is nearing completion and in order to satisfy the Township’s Third Round and Fourth Round affordable housing obligations the Township needs to increase the affordable housing yield above what the current PVD zoning would enable; and

WHEREAS, zoning to enable affordable multi-family rental housing to partially satisfy the Township’s obligations under the amended Fair Housing Act, on land purchased by the Township for that purpose will support the provision of a realistic opportunity for such housing; and

WHEREAS, the Township aims to provide opportunities for the construction of affordable housing units in an area where residential development can be accommodated in terms of transportation and utility infrastructure, site design, and compatibility with surrounding land uses; and

WHEREAS, the proposed PVD-4 zoning district standards applied to lot 17.01 in block 206 will provide an opportunity for an affordable multi-family residential rental development, on a 6 acre property at the southwestern edge of the TDR receiving area that is within the designated sewer service area and within the public water franchise area, that can be integrated into the Old York Village receiving area framework and that can be developed without diminishing the Township's agricultural land base; in support of the Township's Third Round and Fourth Round Housing Element and Fair Share Plan; and

WHEREAS this Ordinance creates a new PVD-4 zoning district and changes the zoning of lot 17.01 in block 206 from PVD-2 to PVD-4; and

WHEREAS the amended Fair Housing Act requires that this ordinance be adopted by March 15, 2026.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Code of the Township of Chesterfield is hereby amended, modified and supplemented as follows:

SECTION I. Chapter 130 Article III entitled "Zoning Provisions", Section 130-6 "Zoning Map" is hereby amended to change the zoning of Lot 17.01 in Block 206 from PVD-2 to PVD-4.

SECTION II. Chapter 130 Article IX entitled "Planned Village Development (PVD) District" is hereby amended as follows:

Article IX Planned Village Development (PVD) District

130-38 Remains as written

130-39 Remains as written

130-40 Use Regulations shall be amended to add A(1)(i) as follows.

A(1)(i) Multi-family Affordable Apartment Residences in the PVD-4 District only

130-41 Area, Bulk and Dimensional Regulations shall be amended as follows.

130-41A Revise the chart referenced as "Exhibit B Area and Bulk Regulations for PVD District" to add a row for "Multi-family Affordable Apartment Residences" as follows:

	Lot Area	Lot Width	Min Lot Depth	Build-To Line	Front Yard	Min Side Yard	Min Rear Yard	Max Building Height	Max Building coverage	Max Lot Coverage	Accessory
Multi-family Affordable Apartments	5 acre	Min 200 ft	Min 200 ft	15 feet to curb	Min 12 feet to curb Max 20 feet to curb	25 feet	25 feet	2.5 stories or 35 feet	25%	65%	See

Add 130-41A(1) as follows:

(1) The PVD-4 District shall comply with the following additional requirements

- a. All development within the PVD-4 shall be restricted as very-low-income, low-income, and moderate-income affordable units and shall comply with the requirements of Article X “Affordable Housing Requirements” and the Uniform Housing Affordability Controls (“UHAC” regulations at N.J.A.C. 5:80-26.1 et seq). This includes but is not limited to bedroom distribution for affordable housing units and income breakdown for the affordable housing units.
- b. A 40-year affordability deed restriction (with the option to extend an additional 15 years) with covenants restricting rentals, conveyance and improvements, and requiring notice of foreclosure and bankruptcy shall be provided for review by the Township as a condition of major subdivision or major site plan approval. All affordability controls and deed restrictions shall be recorded prior to the issuance of a Certificate of Occupancy for each affordable housing unit. The deed restrictions shall be recorded with the County Clerk, and a copy of the recorded deed shall be forwarded to the Borough Municipal Housing Liaison and Administrative Agent.
- c. The maximum permitted density is eleven (11) units per gross acre
- d. Buildings shall be separated by a minimum of 25 feet.
- e. Off street parking shall be set back a minimum of 25 feet from perimeter property lines.
- f. Permitted Accessory Uses include:
 - i. Common indoor and outdoor recreation facilities for the use and enjoyment of residents and their guests, including but not limited to tot lots, playgrounds, dog parks, passive recreation areas with shade structures, pavilions, gazebos, outdoor seating, etc.
 - ii. Community building, clubhouse, leasing office, maintenance building to serve the residents of the development.
 - iii. Stormwater management structures and facilities including green infrastructure, all in accordance with Section 130-75 of the Township Code.
 - iv. On and Off-Street Parking in accordance with section 130-83 and as set forth below.
 - v. Fences and walls in accordance with the requirements of the PVD
 - vi. Electric Vehicle Charging and Service Equipment
 - vii. Temporary sales and contractor signs, set back a minimum of 10 feet from the right-of-way when approved by the Planning Board, and removed at the time of the last certificate of occupancy for the development.

- viii. Temporary construction, sales, and leasing trailers not to exceed 1,440 square feet each, set back a minimum of 50 feet from perimeter property lines and shown on an approved site plan; and temporary parking and fencing for the temporary construction trailer, sales, leasing trailers.
 - ix. Trash and recycling enclosures as set forth below.
 - x. Mailbox clusters and package drop off locker/locations.
 - xi. Fire suppression equipment and sheds
- g. Community buildings shall meet the setback requirements for principal buildings.
- h. Sidewalks within the site shall connect with adjacent development within the PVD to facilitate pedestrian connectivity.
- i. Parking and Driveways.
 - i. Parking shall comply with the New Jersey Residential Site Improvement Standards (RSIS) pursuant to N.J.A.C. 5:21-1.1 et seq.
 - ii. There is no additional parking requirement for recreational and common facilities associated with the residential development and available only for the residents of the development.
 - iii. All driveways within the development shall be in conformance with New Jersey Residential Site Improvement Standards.
 - iv. A temporary loading space shall be provided for each building or cluster of buildings to facilitate parking for moving trucks and delivery vehicles.
 - v. The street or driveway connecting with Bordentown-Chesterfield Road shall be lined with street trees and evergreen buffering, or fencing along the shared property lines with existing single family residential lots to the east and west.
 - vi. Development in the PVD-4 shall provide pedestrian connections to adjacent sidewalks in the PVD-2 zoning district. The development may also provide a roadway connection to development in the PVD-2 district to the north.
 - vii. A bicycle parking rack shall be provided for use by the residents and visitors.
- j. Enclosures for trash and recyclables
 - i. Trash enclosures or central trash compaction and recycling areas are required and must comply with the requirements of chapter ____ of the Township Code except as modified below.
 - ii. Trash enclosures or compactors must be sufficiently sized to contain both trash and recyclable materials. Dumpsters or other trash containers are not permitted to sit in the open anywhere on the site.
 - iii. Trash enclosures or central trash compaction/recycling areas shall be masonry structures or fenced enclosures, with an exterior facade to complement the principal building. Chain link gates must be black vinyl coated.

- iv. Trash enclosures shall be set back a minimum of 50 feet from side and rear property lines and may not be located within the front yard setback area.
- v. Trash enclosures shall be a minimum of six feet in height, or higher as needed to shield the dumpster or compactor.
- vi. Trash enclosures for multi-family residential units must include a door or opening for pedestrian access in addition to truck access.
- vii. The area around trash enclosures shall be landscaped with evergreen and flowering shrubs.

Add 130-41C(2) as follows:

- (2) Notwithstanding the foregoing, within the PVD-4 District buildings shall be set back a minimum of 50 feet from tract (receiving area) boundaries and the setback shall include a 25 foot wide landscaped buffer area with a minimum of two rows of staggered evergreen trees, 20 feet on center, two-and-one-half inch minimum caliper size. The minimum building setback from property lines shared with other properties in the PVD is 25 feet and the landscaped buffer shall be provided within the setback area. Street and sidewalk crossings are permitted within the setback and buffer areas to connect to adjacent neighborhoods.

130-42 “Density and intensity of use” opening paragraph shall be amended to read as follows.

The intensity of use within the PVD-1, PVD-2 and PVD-3 Districts shall be limited according to a standard of development credits per acre rather than by the conventional standards of dwelling units per acre or floor area ratio. The intensity of use within the PVD-4 district is a conventional density standard as set forth in section 130-41A(1). The credits available on a given tract are the sum of the underlying credits assigned to the parcel being developed plus the credits purchased and transferred to be utilized on lot(s) in accordance with the provisions of this chapter. Development credits may be utilized only for uses permitted in the respective PVD Districts according to this chapter.

130-43 Remains as Written

130-44 Affordable Housing Requirements shall be revised to read as follows.

All residential development within the PVD Districts shall participate in the Township's Fair Share Housing Plan. For developments approved prior to the adoption of Ordinance 2026-04 the required affordable housing set aside shall be a minimum of 6% of the total number of units in the development. For developments approved subsequent to the adoption of Ordinance 2026-04 the required affordable housing set aside shall be a minimum of 10% of the total number of units in the development. Developments that would yield two or fewer affordable housing units may provide the affordable housing units on-site or may make a payment in lieu of constructing the affordable housing units on-site. Payments in lieu of on-site construction shall be established and set forth in a developer's agreement with the Township and shall be based upon the cost to subsidize an affordable housing unit. Payments in lieu will be deposited into the Township's Affordable Housing Trust Fund and used to support the production or

maintenance of affordable housing in the Township. Residential development within the PVD-4 district shall be 100% affordable. All nonresidential development within the PVD Districts shall be subject to the terms of the fee requirements of § 130-122, including nonresidential development associated with inclusionary residential development. All affordable housing units constructed or created in the Township shall be subject to the requirements of sections 130-45 and 130-46.

SECTION III. Chapter 130 Article XII, section 130-82 entitled “Area and bulk regulations” is hereby amended as follows:

130-82A. Area, yard and bulk requirements for principal permitted uses in the PVD District are set forth in Exhibit B which is attached to this chapter and made a part hereof by reference. Additional standards for the PVD-4 district are set forth in section 130-41A(1).

130-82E. Required parking for perimeter village houses and village houses shall be either in side or rear entry attached garages located at the rear wall of the principal dwelling unit or in front, side or rear entry detached garages located in the rear yard. Required parking for triplex dwellings and for apartments on lots smaller than 20,000 square feet shall be accessed from the rear of the lot. Required parking for multi-family development in the PVD-4 district shall be as set forth in 130-41A(1)(i). Required parking for all nonresidential building types shall be accessed from the rear of the lot.

SECTION IV. REPEALER; SEVERABILITY; EFFECTIVE DATE

- A. Ordinances or provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Burlington County Planning Board in accordance with N.J.S.A. 40:55D-16

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: February 26, 2026

Adopted: March 12, 2026

Effective Date: March 13, 2026

RECORD OF VOTE 2026-05													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S. Batra	X				X		S. Batra	X					
R. Hughes	X						R. Hughes	X					
D. Koetas-Dale	X						D. Koetas-Dale	X					X
J. Liedtka				X			J. Liedtka				X		
L. Panfili	X					X	L. Panfili	X				X	
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Chesterfield Township Committee held on February 26, 2026 and scheduled for public hearing and adoption at a meeting of the Chesterfield Township Committee to be held on March 12, 2026.

Caryn M. Hoyer, RMC
Township Clerk