

**TOWNSHIP OF HAINESPORT
ORDINANCE NO. 2025-15**

**ORDINANCE OF THE TOWNSHIP OF HAINESPORT
AMENDING CHAPTER 104, THE LAND USE CODE OF THE TOWNSHIP OF
HAINESPORT, ARTICLE VII ZONING DISTRICTS, TO CREATE A NEW
ZONING DISTRICT TO BE KNOWN AS THE AH-2 ZONING DISTRICT AT
SECTION 104-48.2 AS SET FORTH HEREIN, AND TO REZONE LOTS 1, 1.01,
1.02, 3, 3.01, 4.03, 4.05, and 4.06 in BLOCK 108 IN ACCORDANCE WITH THE
NEW AH-2 ZONE**

WHEREAS, the Township of Hainesport strives to adopt and implement land use regulations that advance the goals and objectives of the Township as set forth in the Township's 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; 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 owned by the Township and that can feasibly be acquired by the Township 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 areas 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 AH-2 zoning district standards will provide an opportunity for an affordable multi-family residential rental development on a redevelopment site and adjacent infill parcels in support of the Township's Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the rezoning of lots 1, 1.01, 1.02, 3, 3.01, 4.03, 4.05, and 4.06 in block 108 will provide an opportunity for needed high quality, affordable rental housing and will contribute to the vitality of the area; and

WHEREAS, the site is in close proximity to transportation opportunities, retail and service uses, large employers, and community services, and the site is well-situated to accommodate the multi-family residential use that will be permitted in the AH-2 zoning district; and

WHEREAS, the previous zoning classifications and permitted uses under the September 2015 "Redevelopment Plan Amendment: The Former HITCO property" codified at Chapter 104-44.1 for some of these lots have proven not to be attainable or even

viable, thereby giving rise to the need to reevaluate the uses to which the properties can best be put.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Hainesport, County of Burlington, State of New Jersey as follows:

SECTION I. Chapter 104-44.1 Repealed.

Chapter 104-44.1 entitled “HITCO Redevelopment Area in Highway Commercial District”, and the Redevelopment Plan Amendment adopted September 8, 2015 are hereby repealed.

SECTION II. 104-48.2 Affordable Housing-2 Zoning District Established.

104-48.2 AH-2 Affordable Housing-2 Zoning District

A. Purpose.

The purpose of the AH-2 zoning district is to provide an opportunity for the aggregation of lots to enable the production of needed housing and to facilitate the development of a one hundred percent affordable family rental community consistent with the intent of the Township’s Master Plan and Housing Element and Fair Share Plan. If all of the lots within the zoning district are not developed concurrently, opportunities for vehicular and pedestrian connection will be maintained.

B. Affordable Housing Requirements.

1. All of the housing units must be affordable to low- and moderate-income households and shall be subject to affordability controls consistent with the Uniform Housing Affordability Controls (“UHAC” regulations at N.J.A.C. 5:80-26.1 et seq).
2. The development shall be subject to the requirements of the Fair Housing Act and Township’s affordable housing ordinance (Chapter 44) including, but not limited to, requirements for phasing, bedroom mix, low/moderate income split, very-low-income requirements, adaptability requirements, affirmative marketing, controls on affordability, and rent increases.
3. 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 and shall be filed prior to the issuance of the first Certificate of Occupancy.
4. Bedroom distribution of the affordable housing units will be consistent with UHAC requirements (N.J.A.C. 5:80-26.4(e)) as follows:

- a. At a minimum, the number of bedrooms within the restricted units shall equal twice the total number of restricted units;
 - b. At least 30 percent of all restricted units, rounded up or down to the nearest whole number in either direction, shall be two-bedroom units;
 - c. At least 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, shall be three-bedroom units;
 - d. No more than 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are efficiency or one-bedroom units;
5. Income breakdown for the affordable housing units will be consistent with UHAC requirements (N.J.A.C. 5:80- 26.4(g)).
- a. At least 13% of restricted units are very-low income units
 - b. At least 50 percent of all restricted units are low-income or very-low-income units
 - c. At least 50 percent of all restricted one-bedroom units, rounded up or down to the nearest whole number in either direction, are low-income units or very-low-income units
 - d. At least 50 percent of all restricted two-bedroom units, rounded up or down to the nearest whole number in either direction, are low-income units or very-low-income units;
 - e. At least 50 percent of all restricted three-bedroom units are low-income units or very-low-income units
 - f. Any very-low-income units are distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.

C. Permitted Principal Uses.

1. Multi-family affordable apartment residences

D. Permitted Accessory Uses.

1. Common indoor and outdoor recreation facilities for the use and enjoyment of residents and their guests, including but not limited to tot lots, playgrounds, passive dog parks, open space recreation areas with shade structures, pavilions, gazebos, outdoor seating, etc.
2. Community building, clubhouse, leasing office, maintenance building to serve the residents of the development.
3. Stormwater management structures and facilities including green infrastructure, all in accordance with Chapter 161 of the Township Code.
4. Public water and public sewer utility infrastructure.
5. Home offices with no outside employees and in accordance with the requirements of section 104-54J
6. On and Off-Street Parking in accordance with section 104-115 except that the overall parking ratio required is 1.7 parking spaces per residential unit.

7. Fences and walls in accordance with the requirements of section 104-53
8. Permanent Signs (including development identification signage, monument signage, Wayfinding signage) in accordance with the requirements of section 104-123 and below.
9. Electric Vehicle Charging and Service Equipment
10. 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.
11. 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. Temporary parking and fencing for the temporary construction trailer, sales, leasing trailers.
12. Trash and recycling enclosures as set forth below.
13. Mailbox clusters and package drop off locker/locations.
14. Fire suppression equipment and sheds

E. Dimensional Regulations. Within the AH-2 zoning district, the following bulk, area, and dimensional requirements shall apply.

1. Maximum density for multi-family residential apartments: 20 dwelling units per gross acre
2. Minimum lot (tract) size: 1 acre
3. Minimum lot width: 150 feet
4. Minimum lot frontage: 150 feet each street
5. Minimum Front yard setback: 30 feet
6. Minimum Side yard setback: 25 feet to adjacent lots not in the AH-2 zone
15 feet to adjacent lots in the AH-2 zone
7. Minimum Rear yard setback: 25 feet to adjacent lots not in the AH-2 zone
15 feet to adjacent lots in the AH-2 zone
8. Minimum Accessory structure setback: 10 feet from side and rear, not permitted in front yard
9. Minimum Front Yard Parking Setback: 30 feet to Route 38 right-of-way
15 feet to Creek Road right-of-way
10. Maximum Impervious coverage: 85%
11. Maximum building height: 45 feet (maximum of three stories)
12. Minimum distance between buildings: 25 feet side to side,
25 feet side to rear
50 feet front to front
13. Minimum building setback from internal driveways and parking: 10 feet
14. Maximum building length: 200 feet on a single plane

E. Design Requirements. Where any of the following standards conflict with standards elsewhere in Chapter 104, the standards below apply within the AH-2 zoning district.

1. Indoor and outdoor amenities must be provided for the benefit of the residents of the development and must be available to all tenants of residential units. Outdoor amenities may include passive and/or active recreation.
2. Community buildings shall meet the setback requirements for principal buildings.
3. Parking and Driveways.
 - a. The required parking ratio is 1.7 parking spaces per residential unit.
 - b. There is no additional parking requirement for recreational and common facilities associated with the residential development and available only for the use by residents of the development.
 - c. All driveways within the development shall be in conformance with New Jersey Residential Site Improvement Standards.
 - d. If the entire AH-2 zoning district is not developed concurrently, an opportunity for driveway and sidewalk connections between tracts within the AH-2 zoning district shall be provided.
4. Sidewalks are required along all roadway frontages
5. Shade trees shall be provided at 40 to 50-foot intervals along the property frontage where existing vegetation is not maintained.
6. Buffers separating uses.
 - a. Where the multi-family use adjoins single-family residential lots not in the AH-2 zone, a 20-foot wide landscaped buffer within the setback area is required on the property being developed.
 - b. Where the multi-family use adjoins a commercially zoned lot a 15-foot wide landscaped buffer within the setback area is required on the property being developed.
7. Building Design and Architectural Standards
 - a. Architectural elevations showing all sides of each building must be submitted along with a site plan application.
 - b. Architectural design features shall be employed to create visual interest at the pedestrian or street level, with prominent entryways and first floor windows.
 - c. Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including windows, projections, and recesses shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple long wall.
 - d. All sides of a building visible to the public must be designed with treatment similar to the primary front facade.
 - e. Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and roof-mounted mechanical equipment.

- f. Utilities entering/exiting buildings, including gas and electric meters must be located on the short end of buildings, and must be adequately shielded with evergreen landscaping or a green screen wall.
8. Enclosures for trash and recyclables.
- a. 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.
 - b. 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.
 - c. Trash enclosures or central trash compaction/recycling areas shall be masonry structures or fenced enclosures, with an exterior facade to complement the principal building.
 - d. Trash enclosures shall be set back a minimum of 15 feet from side and rear property lines and may not be located within the front yard setback area.
 - e. Trash enclosures shall be a minimum of six feet in height, or higher as needed to shield the dumpster or compactor.
 - f. Trash enclosures for multi-family residential units must include a door or opening for pedestrian access in addition to truck access.
9. Sign Requirements
- a. One freestanding monument style sign is permitted along each street frontage.
 - b. Maximum sign height: 10 feet
 - c. Maximum sign area: 60 square feet per side
 - d. Minimum setback: 5 feet from right-of-way and 10 feet from driveway
 - e. The sign base shall be designed to complement the site design and building architecture.
 - f. The area around the base of the sign shall be landscaped with a variety of native evergreen shrubs and perennials.

SECTION III. The Hainesport Township Zoning Map is hereby amended to rezone the following property:

- 1. LOTS 1, 1.01, 1.02, 3, 3.01, 4.03, 4.05, and 4.06 in BLOCK 108 from HC to AH-2 Affordable Housing

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.

NOTICE OF PUBLIC HEARING

**HAINESPORT TOWNSHIP
ORDINANCE NO. 2025-15**

The Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of Hainesport held on November 13, 2025. It will be further considered for passage after a public hearing at the regular meeting to be held on December 9, 2025 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 6:30 PM at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

Dated: November 13, 2025



Paula L. Kosko, RMC, Township Clerk
Township Administrator

| Committee member | Motion | Second | Yes | No | Abstain | Absent |
|-------------------------|---------------|---------------|------------|-----------|----------------|---------------|
| Evans | | X | X | | | |
| Montgomery | X | | X | | | |
| Dick | | | X | | | |
| Tordy | | | X | | | |
| Gilmore | | | X | | | |


NOTICE OF FINAL PASSAGE

**HAINESPORT TOWNSHIP
ORDINANCE NO. 2025-15**

Notice is hereby given that Ordinance No. 2025-15 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on December 9, 2025. Said Ordinance shall take effect in accordance with the law.

ATTEST:

Dated: December 9, 2025



Paula L. Kosko, RMC, Township Clerk
Township Administrator

ACKNOWLEDGMENT OF

APPROVAL BY:

Dated: December 9, 2025



LEILA GILMORE
Mayor of Hainesport Township

| Committee member | Motion | Second | Yes | No | Abstain | Absent |
|------------------|--------|--------|-----|----|---------|--------|
| Evans | X | | X | | | |
| Montgomery | | X | X | | | |
| Dick | | | X | | | |
| Tordy | | | X | | | |
| Gilmore | | | X | | | |

Introduced: November 13, 2025
First Publication: November 21, 2025
Adoption: December 9, 2025
Final Publication: December 14, 2025

**TOWNSHIP
OF
HAINESPORT**

**Newspaper Ad
Proof of Publication**

I, Paula L. Kosko, RMC, Municipal Clerk of the Township of Hainesport being duly sworn or affirmed according to law, certifies that the foregoing Burlington County Times Newspaper Ad was published in such paper on

November 21, 2025

appears hereto, exactly as published in said newspaper.

Paula L Kosko

Paula L. Kosko RMC
Municipal Clerk

Sworn and subscribed to before me this 21 st day of November 2025

Paula L Tiver

Paula Tiver
Notary Public

PAULA L. TIVER
Notary Public, State of New Jersey
My Commission Expires 7/9/2029

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Dated: November 13, 2025

Paula L. Kosko, RMC, Township Clerk
Township Administrator

11.21.25