

TOWNSHIP OF WESTAMPTON

ORDINANCE NO. 5-2026

**ORDINANCE OF THE TOWNSHIP OF WESTAMPTON, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY AMENDING WESTMAPTON TOWNSHIP CODE CHAPTER
250 TO CREATE INCLUSIONARY AFFORDABLE HOUSING ZONING FOR CERTAIN
PROPERTIES IDENTIFIED AS BLOCK 804, LOT 7, CONSISTENT WITH THE
FOURTH ROUND HOUSING ELEMENT & FAIR SHARE PLAN**

WHEREAS, The Township of Westampton has a statutory requirement under the Fair Housing Act to provide a realistic opportunity for the creation of its regional fair share of the need for low and moderate income housing; and

WHEREAS, on January 14, 2025, the Westampton Township Committee adopted Resolution 34-25, which established the Township's Fourth Round Present and Prospective Need pursuant to the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., per P.L. 2024, c.2; and

WHEREAS, on January 15, 2025, the Township submitted a Declaratory Judgment Action to the New Jersey Superior Court captioned In the Matter of Westampton Township, BUR-L-000113-25; and

WHEREAS, on April 8, 2025, the Superior Court of New Jersey entered an Order on Fair Share Obligations, fixing the Township's Fourth Round Present Need at zero (0) affordable units, and the Township's Fourth Round Prospective Need at one-hundred-sixty-five (165) affordable units; and

WHEREAS, on June 4, 2025, the Land Development Board of the Township of Westampton will held a public hearing and vote on adoption of the Township's 2025 Fourth Round Housing Element and Fair Share Plan (the "Plan"), addressing the Township's Prior Round obligation, Third Round obligation, Fourth Round obligation, and Fourth Round Present Need/Rehabilitation Share as established; and

WHEREAS, the Plan includes as a mechanism to satisfy a portion of the Township's Fourth Round obligation, the rezoning of the parcel of land identified as Block 804 Lot 7 on the official Tax Map of the Township of Westampton; and

WHEREAS, under authorization of the Fair Housing Act, the Township is implementing a program to provide affordable housing units to very-low, low- and moderate-income households desiring to live within the Township; and

NOW, THEREFORE BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WESTAMPTON as follows:

Section 1. Chapter 250 “Zoning,” Article V “Establishment of Zones; Map” §250-8 “Zones established” shall be amended as follows:

§250-8 Zones established

....

VMUD Village Mixed Use Inclusionary Housing District

....

Section 2. Chapter 250 “Zoning,” Article VI “Use Regulations” shall be amended to add a new section §250-21.3 to read as follows:

§250-21.3 Village Mixed Use Inclusionary Housing District

The following properties shall be included in the Village Mixed Use Inclusionary Housing District and the Township’s zoning map shall be amended to identify these parcels as being within the Village Mixed Use Inclusionary Housing District:

Block	Lot
804	7

- A. Purpose. The purpose of the Village Mixed Use Inclusionary Housing District is to create the opportunity for the construction of new age-restricted and non-age restricted inclusionary housing in furtherance of the Township’s affordable housing obligations. The intent of the district is to provide for a mix of residential uses along with neighborhood serving commercial development in a traditional neighborhood development. Any development in this district is envisioned as a pedestrian scaled walkable community organized around a central plaza or greenspace that promotes community interaction, with appropriate infrastructure and amenities to encourage residents to walk within the community.
- B. Principal Permitted uses.
- 1) Residential uses
 - (a) Detached single-family dwellings
 - (b) Attached single-family dwellings (townhouses)
 - (c) Stacked flats or stacked townhouses
 - (d) Multi-family dwellings
 - (e) Residential uses may be age-restricted (senior) or non-age restricted (family) units

- 2) Non-residential uses
 - (a) General offices and medical offices
 - (b) Retail sales establishments
 - (c) Personal service business uses
 - (d) Restaurants, cafes, bars or taverns;

C. Permitted Accessory uses and structures

- 1) Recreational facilities for the use of residents and guests
- 2) Off-street parking
- 3) Storage sheds
- 4) Fences and walls
- 5) Stormwater management systems
- 6) Porches, decks, gazebos, and similar structures
- 7) Utility infrastructure necessary to serve the development
- 8) Accessory solar or wind energy systems
- 9) Any use or structure that is customarily incidental and subordinate to the principal use

D. Performance standards and regulations

- 1) Minimum Tract area
 - (a) 50 acres
- 2) Minimum overall Tract setbacks and buffers:
 - (a) Front Yard (Burlington – Mt Holly Road): 50 feet
 - (b) Front Yard (Woodlane Road): 50 feet
 - (c) Side Yards: 50 feet
 - (d) Minimum landscape buffer width to adjacent tracts: 50 feet. A minimum of 25 feet of said landscape buffer width shall consist of dense plantings to provide a visual screen. Permitted encroachments into the buffer may include stormwater management basins, private decks attached to dwellings, roof overhangs or patios. Such features shall not encroach beyond 10 feet into the buffer area.
- 3) Minimum lot area
 - (a) Detached single family dwellings: 4,000 square feet
 - (b) Attached single-family dwellings with front-loaded garage: 2,000 square feet

- (c) Attached single-family dwellings with rear-loaded garage or no garage: 1,100 square feet
 - (d) Stacked flat/townhouses or multi-family dwellings: no minimum lot area
 - (e) Non-residential uses: 20,000 square feet
- 4) Minimum lot frontage and width
 - (a) Detached single family dwellings: 35 feet
 - (b) Attached single-family dwellings: 20 feet
 - (c) Stacked flat/townhouses or multi-family dwellings: no minimum lot frontage or width
 - (d) Non-residential uses: 150 feet
- 5) Minimum lot depth
 - (a) Detached single family dwellings: 100 feet
 - (b) Attached single-family dwellings with front-loaded garage: 90 feet
 - (c) Attached single-family dwellings with rear-loaded garage or no garage: 55 feet
 - (d) Stacked flat/townhouses or multi-family dwellings: no minimum lot depth
 - (e) Non-residential uses: 150 feet
- 6) Minimum Front Yard
 - (a) Detached single-family dwellings: 20 feet if a garage and/or driveway is located in front of the house; 10 feet if no garage or driveway is located in front of the house.
 - (b) Attached single-family dwellings with front-loaded garage: 20 feet
 - (c) Attached single-family dwellings with rear-loaded garage or no garage: 10 feet
 - (d) Stacked flat/townhouse or multi-family dwellings: 10 feet
Where lots are not held in fee simple, setbacks shall be measured to the curb line.
 - (e) Non-residential uses: 50 feet
- 7) Minimum Side Yard
 - (a) Detached single-family dwellings: 5 feet
 - (b) Attached single-family dwellings: 0 feet between internal units; 12.5 feet for end units

(c) Stacked flat/townhouse or multi-family dwellings: 12.5 feet

(d) Non-residential uses: 30 feet

8) Minimum Rear Yard

(a) Detached single-family dwellings: 15 feet. Rear decks and roof overhangs may encroach into the rear yard set back up to 10 feet from the principal structure.

(b) Attached single-family dwellings with front-loaded garage: 15 feet

(c) Attached single-family dwellings with rear-loaded garage or no garage: 35 feet to any other building

(d) Stacked flat/townhouse or multi-family dwellings: 35 feet to any other building

(e) Non-residential uses: 60 feet

9) Maximum Impervious Coverage

(a) Overall Tract: 50%

(b) Non-residential uses or lots: 65%

10) Maximum Building Height

(a) Detached single-family dwellings: 2.5 stories 35 feet;

(b) Attached single-family dwellings: 40 feet

(c) Stacked flat/townhouse or multi-family dwellings: 45 feet

(d) Non-residential uses: 2 stories / 30 feet

11) Accessory Structure Requirements

(a) No accessory structures shall be permitted within a front yard area on any individual lot.

(b) No more than two accessory structures shall be permitted on any residential lot.

(c) Accessory structures shall be setback a minimum of 5 feet from any side or rear lot line.

(d) Accessory structures shall have a maximum height of 12 feet.

12) Maximum permitted residential density

The maximum permitted density of residential units shall be 650 total dwellings within the entire Village Mixed Use Inclusionary Housing District.

Of the maximum 650 total units permitted throughout the district, a minimum of 58% of the dwelling units must be age-restricted senior units, and the remainder may be non-age restricted family units. It is anticipated

that development of this tract will provide affordable housing with a minimum of 50 age restricted senior affordable units and 58 family (non-age-restricted) affordable units.

13) Circulation Requirements

- (a) The development shall be served by one primary ingress and egress driveway onto Burlington-Mt. Holly Road, and no more than two ingress and egress driveways onto Woodlane Road. The primary entrance from Burlington-Mt. Holly Road shall incorporate a landscaped boulevard median for at least the first 60 feet from the Right of Way.
- (b) Additional ingress or egress driveways shall be permitted for emergency purposes if necessary.
- (c) All internal streets shall incorporate sidewalks or pedestrian pathways on each side of the street with a minimum width of 4 feet.

14) Recreation Requirements

- (a) The development shall include a central green, plaza, or square, as a focal feature and social gathering space, with a minimum area of 20,000 square feet. The central space shall be generally rectangular, square, or oval in shape and not fragmented by streets or parking lots.
- (b) Active recreation spaces for use of residents shall be provided at a minimum ratio of 100 square feet per dwelling unit. Such recreation can be in the form of any combination of a swimming pool, recreation center, tennis or pickleball courts, tot-lot playgrounds, dog runs, or similar facilities. The active recreation may be separated into multiple facilities spread throughout the development.
- (c) In addition to required sidewalks, pedestrian paths shall be provided for passive recreation.

15) Affordable Housing Obligations

- (a) All affordable housing units provided within the district shall conform to the requirements of the Uniform Housing Affordability Controls found at N.J.A.C. 5:80-26.1, or as amended, and with Chapter 6 of the Township Code "Affordable Housing Administration".
- (b) A minimum of 16%, or 108 of the housing units must be set aside for low- and moderate-income households.

E. Design Standards

The overall design of the development shall incorporate a traditional neighborhood village concept, and shall include elements outlined in the

Township's Vision Plan in the architectural design of individual structures and in the design of public or common spaces. To effectuate that vision and the purpose of the district, the following design standards shall be included in any development project:

1) Central green, plaza, or square space

- (a) The central green, plaza, or square shall be a primary organizing feature of the neighborhood design, and shall be designed for passive recreation and community gathering.
- (b) The space shall be framed by streets or sidewalks, with the buildings immediately around the space oriented so that they face the green, plaza, or square. The space shall not directly abut any side or rear yards of other lots or buildings within the development.
- (c) The space shall include pedestrian walkways and seating areas, and decorative landscaping and lighting.
- (d) The space may include features such as a gazebo, pavilion, fountain, or public art.

2) Architectural Design

- (a) Residential structures shall be designed to incorporate exterior entry-way spaces such as porches, stoops, or porticos into the primary front façade of the building.
- (b) Residential structures of more than one dwelling unit shall incorporate articulation of the primary façade through changes in the building setback. This may be achieved by staggering the front setback of adjacent units, or through the incorporation of features such as balconies, bay windows, oriels, or other architectural elements.
- (c) Residential buildings shall be designed so that garages are not the most prominent feature of the primary building façade. To the extent feasible, garages shall be rear loaded rather than front loaded.
- (d) Primary exterior materials for all building facades that will face a street shall be composed of brick, stone, wood, fiber cement siding, or similar high quality materials on the ground level. Materials such as vinyl siding or EIFS may be permitted on upper levels or side or rear facades of the building.
- (e) Residential buildings shall have pitched roofs.
- (f) All structures in the development shall have primary colors consisting of a palette of warm colors and earth tones.

3) Landscaping and Lighting Standards

- (a) Deciduous shade trees shall be planted along all street frontages at a minimum average spacing of 50 feet on center. Retention of existing trees along Woodlane Road shall be permitted to satisfy any shade tree planting requirements along the Woodlane Road frontage.
- (b) Additional decorative and ornamental plantings shall be provided to supplement required shade trees.
- (c) No fences shall be permitted within a front yard.
- (d) Fences shall have a maximum height of six feet in a side or rear yard.
- (e) Fences shall be made of durable and attractive materials, and shall be wood or natural in color, and shall
- (f) All site and street lighting shall be 'dark sky' compliant fixtures designed to minimize any glare, spillage, or light pollution, and have a maximum color temperature of 3200 Kelvins.
- (g) The maximum mounting height of any site or street lighting shall be 16 feet.

F. It shall be the responsibility of the developer to establish a Home Owners Association (HOA) that shall assume the responsibility for maintenance of all common areas and stormwater management systems within the development.

Section 3. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency

Section 4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision and the remainder of this ordinance shall be deemed valid and effective.

Section 5. This Ordinance shall take effect upon final adoption and publication in accordance with the law.

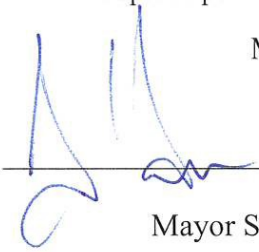
BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Roll Call Vote - Upon Introduction						
Committee Member	Introduced	Seconded	Yes	No	Abstain	Absent
Dr. Caldwell			8			
Mickelton Carter		8	8			
Carr	8		8			
Mungo			8			
Mayor Henley			8			

Roll Call Vote - Upon Adoption 3-3-26						
Committee Member	Introduced	Seconded	Yes	No	Abstain	Absent
Dr. Caldwell			8			
Mickelton Carter		8	8			
Carr	8		8			
Mungo			8			
Mayor Henley			8			

Adopted upon final reading on

March 3, 2026


Mayor Sandy Henley

Attest



Kim-Marie White, Township Clerk