

ORDINANCE NO. 5901
TOWNSHIP MTG.: March 10, 2026

PUBLIC NOTICE is hereby given that the ordinance set forth below was introduced at a meeting of the Township Committee of the Township of Union in the County of Union, held on February 24, 2026, referred to the Planning Board on February 26, 2026 and that said ordinance will be further considered for final passage at a meeting of the Township Committee at the Municipal Building, 1976 Morris Avenue, Union, New Jersey on March 10, 2026 at 7:30 P.M., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning this ordinance. During the week prior to and up to the time for final passage, copies of said ordinance will be available in the Municipal Clerk's office, at no cost, in said Municipal Building, to the members of the general public who shall request a copy of same. This ordinance will also be posted outside the Municipal Clerk's office, as required by law.

EILEEN BIRCH
Township Clerk

AN ORDINANCE CREATING A NEW SECTION 170-1103 IN CHAPTER 170 "LAND DEVELOPMENT" OF THE TOWNSHIP OF UNION TO ESTABLISH A NEW STUYVESANT AVENUE OVERLAY (SAO) DISTRICT TO PERMIT THE CREATION OF MIXED USES AND MULTI-FAMILY HOUSING WITHIN CERTAIN AREAS

Stuyvesant Avenue Overlay (SAO) District

170-1103 Purpose

To address its affordable housing unmet need obligation, the Township shall implement an overlay ordinance that creates a meaningful opportunity for housing in the Township that is affordable to low- and moderate-income households. This Ordinance establishes the Stuyvesant Avenue Overlay District, and permits the creation of mixed uses and multi-family housing within certain areas provided that such housing complies with a required inclusionary set-aside requirement and with the requirements of this ordinance.

170- Location; Requirements.

- A. Location. The SAO consists of the parcels as depicted on the attached map.
- B. Permitted uses. The following uses shall be permitted in the Stuyvesant Avenue Overlay District:
 - 1. Mixed Uses with inclusionary multi-family use provided:
 - a. Commercial uses permitted in the underlying district are permitted on the first floor.
 - 2. Multi-Family use.
 - 3. All permitted uses shall comply with the following:
 - a. The minimum percentage of very low, low and moderate income housing shall twenty percent (20%) of the total number of dwelling units for affordable units.
 - b. All affordable units produced in the overlay district must comply with the Township's Affordable Housing Ordinance
- C. Accessory Uses Permitted. The following accessory uses and structures shall be permitted in the SAO District provided they are located on the same premises as the principal use or structure to which they are accessory:

1. Accessory uses on the same lot with and customarily incidental to, any of the above permitted uses.
2. Surface parking area, garages and parking structures.
3. Swimming pools.
4. Temporary construction trailers, leasing and/or sales offices.
5. Utilities and related facilities.
6. Flag poles, clock towers and statuary.
7. Free standing signs in conformance with Article XVII.

170 Attachment 3 Area Bulk and Dimensional Regulations

The bulk standards of the underlying zones shall be superseded by the following standards for any new multi-family development, provided that it conforms to the inclusionary set-aside standards of this ordinance, as follows:

A. Minimum Lot Size	10,000 square feet
B. Principal Building Setbacks	
1. Minimum Front Yard	0 Feet
2. Minimum Side Yard	0 Feet
3. Minimum Rear Yard	20 Feet
C. Accessory Building Setbacks	
1. Side Yard	10 Feet
2. Rear Yard	10 Feet
D. Maximum Principal Building Height	3 Stories / 35 Feet
E. Maximum Accessory Building Height	20 feet
F. Maximum Residential Density:	35 units per acre
G. Maximum Building Coverage:	45%
H. Maximum Impervious Surfaces:	75%
I. Transition Buffer:	20 feet

D. Design Standards

1. Architectural Design

- a. Buildings shall be required to incorporate high-quality architectural features that are characteristic of exemplary buildings reflecting the traditional architecture of other mixed use and multi-family dwelling units in the Township.
- b. All HVAC and mechanical equipment shall be adequately screened from view.

2. Recreational/Social Amenities. Developments shall be required to include both interior and exterior common areas devoted to recreational, social and similar functions for residents and their guests, as set forth below:

- a. At least 40 square feet per dwelling unit shall be devoted to interior common areas, such as but not limited to meeting rooms, community centers, fitness centers, indoor recreational areas, lounges, libraries, etc. Areas such as hallways, stairs, elevators, entrance lobbies, storage, mail areas, mechanical space or office space and similar areas shall not count towards meeting this requirement.
- b. At least 40 square feet per dwelling unit shall be devoted to exterior common areas, such as but not limited to recreational areas, gardens, courtyards, plazas, decks, patios, etc. Such areas may be located at grade level, on building terraces or on the roof of the building. Lawn and landscaped areas shall not count towards meeting this requirement unless such areas are specifically designed to be part of the aforementioned features.

3. Parking

- a. Parking shall be located in the side or rear yards only.
- b. Parking setbacks shall conform to the underlying district.

E. Performance Standards

1. There must exist approved public water and public sewer systems which shall be available to each unit prior to the issuance of the building permit for that unit.
2. All other applicable regulations of this Chapter 170 shall be followed as required.
3. For developments to be constructed over a period of years, a phasing plan shall be submitted as part of the preliminary plan for the entire concept.

F. Affordable Housing.

All residential development shall be required to include affordable housing as a component. The following requirements shall apply:

1. The minimum percentage of very low, low and moderate income housing shall be twenty percent (20%) of the total number of dwelling units for affordable units.
2. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for the split between very low, low and moderate income housing provided a minimum of 13% of the affordable units are very low income units at 30% of the median income and 37% of the affordable units are low income units with the 50% balance of units allowed at moderate income, bedroom distribution, range of affordability, pricing and rent of units, affirmative marketing, minimum affordability controls and construction phasing with the market rate units developed on the tract.
3. The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Union, as follows:

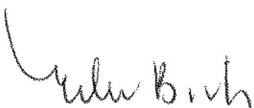
1. All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
2. If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.
3. This ordinance shall take effect upon its passage and publication, as required by law.

PASSED AND APPROVED:

March 10, 2026

ATTEST:

TOWNSHIP OF UNION IN THE
COUNTY OF UNION



Eileen Birch
Township Clerk

By: 

Patricia Guerra-Frazier, Chairwoman
of the Township Committee

APPROVED AS TO FORM BY:
Daniel Antonelli, Township Attorney

