

ORDINANCE NO. RO-05-2026
TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY
AN ORDINANCE AMENDING CHAPTER 217 SECTION 24.1, THE “MUSCONETCONG
AGE-RESTRICTED HOUSING OVERLAY ZONE,” AND SECTION 55.1 THE “RCH-SC
REDUCED-COST HOUSING - SENIOR CITIZEN ZONE” OF THE CODE OF THE
TOWNSHIP OF WASHINGTON TO ESTABLISH UPDATED DESIGN AND
AFFORDABLE HOUSING STANDARDS.

WHEREAS, the New Jersey Supreme Court, through its decisions in Southern Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975)(“*Mt. Laurel I*”), and Southern Burlington County NAACP v. Mount Laurel, 92 N.J. 158 (1983)(“*Mt. Laurel II*”), has determined that municipalities have a constitutional obligation to affirmatively provide, through their local land use regulations, a realistic opportunity for the construction of good and decent affordable housing for low-and moderate-income families; and

WHEREAS, in *Mt. Laurel I* the New Jersey Supreme Court held that a municipality can satisfy its constitutional obligation by adopting or amending its local zoning ordinances to affirmatively provide a realistic opportunity for an appropriate variety and choice of housing, including for the construction of the municipality’s fair share of the present and future regional need for low-and moderate-cost housing; and

WHEREAS, in *Mt. Laurel II* the New Jersey Supreme Court reaffirmed this constitutional obligation, and explained that whether an opportunity is realistic “depend[s] on whether there is in fact a likelihood—to the extent economic conditions allow—that the lower income housing will actually be constructed [;]” and

WHEREAS, in *Mt. Laurel II*, the New Jersey Supreme Court further held that municipalities, at the very least, must remove all municipally created barriers to the construction of their fair share of lower income housing that are not necessary to protect the public health and safety to the extent necessary to meet the municipality’s prospective fair share of affordable housing; and

WHEREAS, the above and several additional subsequent decisions of the New Jersey Supreme Court have since come to be known as the *Mount Laurel* doctrine; and

WHEREAS, in response to *Mt. Laurel I* and *Mt. Laurel II*, New Jersey Legislature adopted the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (the “FHA”), which has since been amended in March 2024 by P.L. 2024, c.2; and

WHEREAS, the *Mount Laurel* doctrine, the New Jersey Constitution and the FHA require municipalities adopt land use regulations that affirmatively afford a reasonable opportunity for a variety of housing, including low-and moderate-cost housing, to meet the needs of the region; and

WHEREAS, the *Mount Laurel* doctrine relies on private developers to build affordable housing, and therefore in order to satisfy the constitutional obligation, municipalities must adopt zoning regulations that affirmatively induce private developers to make the opportunity for the construction of low-and moderate-income housing real; and

WHEREAS, municipalities that comply with the FHA are deemed in compliance with the *Mount Laurel* doctrine; and

WHEREAS, in amending the FHA in March 2024, the New Jersey Legislature found that New Jersey’s population of persons aged 65 years and older in the State have grown from approximately 13 percent in 1990, to 17 percent in 2021, and that such growth, in conjunction with expected future growth, made it appropriate to allow for municipalities to allow up to 30 percent of the affordable units to be created in a municipality towards the municipality’s “prospective affordable housing obligation to be satisfied through the creation of age-restricted housing; and

WHEREAS, N.J.S.A. 52:27D-304.1f(2)(a) of the FHA, as amended in 2024, requires each municipality to include and assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing, and if the prior round obligation remains unfulfilled, the municipality may be required to propose changes to the prior zoning of a site planned for affordable housing to meet the municipality’s prior round in order to make the construction/development of affordable housing more likely; and

WHEREAS, as part of the Township of Washington’s Third Round litigation entitled, In re Township of Washington, Docket No. MRS-L-1639-15, in 2016 the Township adopted the “Musconetcong Age-Restricted Housing Overlay Zone” for the purpose of facilitating the construction of an inclusionary age-restricted development at Block 19, Lots 5 thru 7 in the Township in order to facilitate the construction of 29 affordable age-restricted units on this property to be credited towards the Township’s Third Round Prospective Need Obligation; and

WHEREAS, the “Musconetcong Age-Restricted Housing Overlay Zone,” as adopted in 2016 allows for Heath Village to expand its existing retirement community to allow for 144 independent living dwellings and an updated health care center with a 20% affordable housing set aside, which equates to 29 affordable age-restricted units; and

WHEREAS, since that time, certain site and environmental conditions beyond Heath Village’s control have caused the original proposed inclusionary development to become unrealistic, and therefore a need exists for the Township to amend its local zoning standards to allow for a re-design of the the future development of the property in order for this inclusionary project to be realistic in accordance with the *Mount Laurel* doctrine and the FHA; and

WHEREAS, the Township Committee finds that adoption of amendments to the “Musconetcong Age-restricted Housing Overlay Zone” and Reduced-Cost Housing-Senior Citizen Zone is consistent with the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and is intended to establish clear, objective standards for development on the tract; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

SECTION 1. Section 217-24.1 “Musconetcong Age-Restricted Housing Overlay Zone” within Chapter 217 of the Township of Washington Zoning Code is hereby amended as follows [Strikethrough text indicates deletions and underlined text indicates new additions/amendments]:

§ 217-24.1. Musconetcong Age-Restricted Housing Overlay Zone.

- A. Purpose. The purpose of this overlay zone is to provide an optional alternative to the underlying OR/I Zoning to permit the development of housing and services for the growing population of senior citizens in Washington Township and the surrounding region. The intent is to restrict the housing to the senior citizen population and to permit related health care, recreational and social services, which are required by the population.
- B. Principal permitted uses.
 - (1) Age-restricted attached and detached dwelling units.
 - (2) Age-restricted Multifamily market-rate and very-low, low-and moderate-income dwelling units~~restricted to low- and moderate-income senior citizen households.~~
 - (3) Supportive and special needs housing for low- and moderate-income persons and households.
 - (4) Senior health care uses and facilities, health care support facilities and skilled rehabilitation nursing facilities such as:
 - (a) Assisted living residences.
 - (b) Long-term care and subacute care skilled nursing facility.
 - (c) Inpatient and outpatient rehabilitation facility.
 - (d) Health and wellness center.
 - (e) Medical offices.
 - (f) Personal service uses.
 - (g) Restaurant (for residents, staff and visitors of Heath Village and affiliated communities and facilities, including assisted living residence, skilled nursing facility, inpatient and outpatient rehabilitation facility, health and wellness center).
 - (5) Adult day-care facility/intergenerational child-care facility.
- C. Permitted accessory uses.

- (1) Off-street parking.
 - (2) Recreational, social, cultural, culinary and communal facilities, including active recreation and equestrian uses and passive recreation trails ~~providing access throughout the tract and along the Musconetcong River.~~
 - (3) Agricultural use, where "agricultural use" is defined as land devoted to the production for sale of plants and animals useful to man, including but not limited to forages and sod crops; grains and feed crops; dairy and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, including the breeding, boarding, raising, rehabilitating, training or grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products or when devoted to and meeting the requirements and qualifications for a farmland assessment under New Jersey's Farmland Assessment Act of 1964.
 - (4) Appurtenant woodland, where "appurtenant woodland" is defined as a wooded piece of property which is contiguous to, part of, or beneficial to a tract of land, which tract of land has a minimum area of at least five acres devoted to agricultural or horticultural uses other than the production for sale of trees and forest products, exclusive of Christmas trees, to which tract of land the woodland is supportive and subordinate.
 - (5) Necessary accessory buildings and uses, including facilities for maintenance, administration, streets and off-street parking facilities.
- D. All development in the Musconetcong Age-Restricted Housing Overlay Zone shall comply with the standards of § 217-55.1.
- E. Development in the Musconetcong Age-Restricted Housing Overlay Zone shall comply with the following design standards in lieu of the requirements in § 159-22, 37, 39, 41, 42 and 44:
- (1) Parking stalls shall not be less than 9 feet in width.
 - (2) Parking aisles shall not be less than 24 feet in width.
 - (3) Sidewalks shall not be required along aisle driveways.
 - (4) Wetland transition areas shall not be required to be placed within municipal conservation easements, except as may otherwise be required by applicable Federal and State environmental laws and regulations.
 - (5) Low or mushroom-type lighting shall not be required for sidewalks.
 - (6) The minimum setback required for signs with an area of 25 to 75 square feet shall be 15 feet.
 - (7) Open water buffer areas shall not be required to be included in municipal conservation easements, except as may otherwise be required by applicable Federal and State environmental laws and regulations.
 - (8) The minimum distance required between driveway entrances and exits and the intersection point of tangency with the existing or proposed curb radii where a site occupies a corner of two intersecting streets shall be 65 feet.

SECTION 2. Section 217-55.1 "RCH-SC Reduced-Cost Housing – Senior Citizen Zone" within Chapter 217 of the Township of Washington Zoning Code is hereby amended as follows [~~Strikethrough~~ text indicates deletions and underlined text indicates new additions/amendments]:

§ 217-55.1. RCH-SC Reduced-Cost Housing - Senior Citizen Zone.

- A. The following are the minimum lot sizes for the principal uses of the zone:
- (1) Age-restricted housing development: 25 acres under the ownership or control of a single entity and the subject of a development application, except as expressly provided for affordable multifamily dwelling units under §217-55.1.I. herein.
 - (2) Senior health care uses: 150,000 square feet.
 - (3) Adult day-care facility/intergenerational child-care facility: 80,000 square feet.
 - (4) ~~Multifamily dwelling units restricted to low and moderate income senior citizen~~

~~persons and households: 20,000 square feet per building.~~

- B. The following are the maximum lot areas which can be devoted to certain principal uses in the zone:
- (1) Senior healthcare uses and facilities, healthcare support facilities and skilled rehabilitation nursing facilities such as, but not limited to, assisted living residences, long-term care and subacute care skilled nursing facilities, inpatient and outpatient rehabilitation facilities, health and wellness centers, and medical offices: 10 acres.
 - (2) Adult day-care/intergenerational child-care facility: five acres.
- C. The following are the overlay zone design standards:
- (1) ~~There shall be no access to Newburgh Road. External and Internal~~ vehicular and pedestrian circulation shall provide safe and efficient traffic and pedestrian movement acceptable to the Planning Board.
 - (2) The development shall include a comprehensive internal pedestrian and bicycle circulation plan, which shall be included as part of any development application. ~~which includes access to adjacent commercial areas on both sides of Route 24 and existing Heath Village. Crosswalk pedestrian access shall be provided across Schooley's Mountain Road. A pedestrian trail and public access easement shall be provided along the northern edge of the tract from Schooley's Mountain Road to the Musconetcong River. The easement area shall be a maximum of 15 feet wide. The tread width of the trail shall be a maximum of five feet and improved only as necessary for safe pedestrian access and environmental conditions. No off street parking spaces shall be required for the public. Public access limited to pedestrians shall be preserved by an easement in a form acceptable to the Township Attorney. The Planning Board may require the owner of record of any property, and any successor-in-title or interest, to perform periodic mowing of existing farm access lanes in order to maintain pedestrian access to the Musconetcong River and open areas of the campus, subject to consistency with NJDEP regulations. The owner/operator of the residential community shall provide community residents with safe access between campuses separated by a County Road and/or public road. Such safe access between campuses separated by a County or other public road shall be provided, in part, by means of private transportation that is owned, operated, or contracted for by the owner/operator of the residential community.~~
 - (3) All ~~natural and~~ regulated areas not proposed for development, recreational or agricultural use shall be preserved by a conservation easement in a manner acceptable to the Planning Board and in a form acceptable to the Township Attorney.
 - (4) If phasing is proposed, a A phasing plan shall be submitted which includes the proposed schedule of development, including the installation of improvements. Such plan shall be subject to the review and approval of the Planning Board.
 - (5) ~~Each age-restricted housing or a~~ Assisted living development(s) shall engage in a contract with a private ambulance/medical transport service for their residents and ~~in addition,~~ private transportation service(s) shall be provided by the owner/operator of the development for residents' access to shopping, medical appointments and to meet residents' everyday transportation needs.
 - (6) At least 35% of the tract shall be set aside as open space and shall be subject to an open space deed restriction. Open space areas may include agricultural uses as defined herein, ~~and shall include the pedestrian access easement in accordance with § 217-55.1C(2) above.~~
 - (a) Approximately six to seven acres, more or less, of the southeast corner of Block 19, Lot 7, shall be included within the required open space set aside, the configuration of which shall be determined by the Planning Board at the time of site plan approval. This open space set aside shall maintain the existing open field condition of the Schooley's Mountain Road and Newburgh Road corner ~~and~~ to maximize retention of the distant views across the Musconetcong River Valley as viewed from the two roads across the open field. Agricultural use and appurtenant structures, the existing HMUA well pump house, fencing, ~~and~~ landscaping, the main access driveway, equipment and passive recreation are permitted within this open space area. One family and two family a Detached and A-attached one- and one-and-one-half-story residential dwelling units may be located adjacent to this open space area, provided that all units, required yards, roads and buffering are

located within 360 feet from the common property tract boundary with Block 19, Lot 7.01. ~~Limited grading immediately adjacent to permitted residential development may be approved by the Board within the required open space area.~~ The Board may approve grading and fill within this area subject to determination by the Board that visual access of distant views across the area are satisfactorily maintained. The Board's determination shall be based on a review of virtual renderings of the visual impact of any such grading and fill provided by the applicant, as viewed from the height above street level that is roughly equal to the height above street level of the driver's eye in a typical automobile.

- (b) Open space management plan. An open space management plan shall be submitted for Board review and approval, which shall identify all proposed open space and management areas, which may include meadow, forest, agriculture, nature interpretation areas, improved or unimproved walking and hiking paths and other passive recreation uses. Agriculture-related structures, such as but not limited to pastures, corrals, riding rings, barns, run-ins or other agricultural use structures, may be included in the open space management plan, subject to the Board's environmental consultant's comments and Planning Board approval.
- (c) Open space deed restriction. An open space deed restriction shall be granted to the Township for the required 35% tract area open space and the open space management plan, which shall identify approved open space uses and improvements as permitted in Subsection C(6)(b) above. Nothing herein shall preclude future changes to the open space deed restriction or open space management plan, subject to the provisions of Subsection C(6)(b) above, approval by the Planning Board and acceptance by the Township Committee.
- (7) All development in the overlay zone shall be served by municipal sewers and municipal water.
- (8) All roads and parking facilities in the development shall be privately owned and maintained. At the time site plan application is submitted, the developer shall demonstrate that adequate provisions for road maintenance and removal of snow shall be established and maintained at all times.

D. Age-restricted dwelling units area, yard and building requirements.

- (1) Minimum tract area. Except as expressly provided herein under §217-55.1.I for affordable multifamily dwelling units, the ~~The~~ minimum tract area for the development of age-restricted dwelling units in this zone shall be 25 acres, under the ownership or control of a single entity and the subject of a development application, provided that an area of less than 25 acres may be added to an existing age-restricted housing development if contiguous thereto and in compliance with the provisions of this chapter.
- (2) Density. Except as expressly provided herein under §217-55.1.I for affordable multifamily dwelling units, the ~~The~~ maximum residential density permitted shall be not more than six dwelling units per acre, which excludes the acreage devoted to senior healthcare uses and facilities, healthcare support facilities and skilled rehabilitation nursing facilities and day-care.
- (3) Tract frontage and width. The minimum tract frontage and width shall be 200 feet.
- (4) Setback from rights-of-way. The minimum building setback from existing public rights-of-way shall be ~~150~~ 75 feet.
- (5) Setback from property boundaries. The minimum building setbacks shall be:
 - (a) From Schooley's Mountain Road ~~and Newburgh Road~~ rights-of-way: 150 feet.
 - (i) In limited circumstances, the Board may approve a reduced setback of 75' where environmental or physical limitations exist, where design objectives and limitations of the community warrant such relief, and where landscape screening is provided to the satisfaction of the Board.
 - (b) From preserved farmland: 100 feet.
 - (c) From all other tract boundaries: 75 feet.
 - (i) In limited circumstances, the Board may approve a reduced setback of 60' where environmental or physical limitations exist, where the design objectives and limitations

of the community warrant such relief, and where landscape screening is provided to the satisfaction of the Board.

(ii.) A 35' side yard setback shall be permitted for one duplex dwelling where it adjoins an off-site multi-family affordable housing development.

(6) Setback from internal roadways.

- (a) The minimum building setback from internal roadways shall be 25 feet from the right-of-way.
- (b) Where there is no right-of-way, the minimum building setback shall be 25 feet from the edge of pavement.
- (c) There shall be a four-foot setback of the sidewalk from any curb, and the sidewalk shall be a minimum of four feet wide.

(7) Setback from sidewalk.

- (a) There shall be a minimum twenty-four-foot building (garage) setback from the edge of the sidewalk.

(8) Dwelling configuration.

- (a) Market-rate dwellings shall be provided as detached, ~~or attached~~ or multifamily units.
- (b) Low- and moderate-income housing may be provided in multifamily buildings of no more than 25 units, subject to the requirements set forth under §217-55.1.I herein.
- ~~(c) Attached units may not be provided in groups of more than four dwelling units per building, except that low/moderate/special needs attached units may be provided in buildings of no more than 20 units, subject to the density limitations set forth in Subsection D(2) above.~~

(9) Distance between residential buildings. The minimum distance between residential buildings shall be as follows:

- (a) Front to front: 75 feet.
- (b) Rear to rear: 50 feet.
- (c) Rear to side: 35 feet.
- (d) Side to side: 20 feet.

(10) Building coverage. The maximum building coverage shall be not more than 20% of the tract area.

(11) Improved lot coverage. The maximum improved lot coverage shall be not more than 30% of the tract area.

(12) Building height. The maximum building height shall be no greater than 35 feet for detached and attached dwelling units. Except as provided under §217-55.1.I herein for affordable multifamily dwelling units, the maximum building height for multifamily dwelling units shall be no greater than 55 feet.

(13) Buffer. There shall be a landscaped or naturally vegetated buffer area of at least ~~50~~ 35 feet in width located around the perimeter of the tract and adjacent to preserved farmland. ~~Where the tract abuts Block 19, Lot 7.01, the buffer width shall be 25 feet.~~ The Planning Board may modify buffer planting requirements where, in the opinion of the Planning Board, the objective of preserving open views and scenic vistas may be better achieved.

(14) Parking. The number of parking spaces for the age-restricted dwelling units shall be ~~pursuant to the requirements of the New Jersey Residential Site Improvement Standards and shall be not less than 1.5 spaces per dwelling unit~~ 2 spaces per attached dwelling unit and 1.31 spaces per multifamily dwelling unit. Parking spaces within garages apply to this requirement and driveway parking spaces shall be at least 22 feet long, exclusive of any sidewalk area. Parking shall be provided in proximity to the community building and recreational facilities at a ratio of ~~four~~ 1.25 parking spaces per 1,000 square feet of gross floor area. Where possible, shared parking with other uses in the zone shall be employed in order to minimize the number of spaces provided. Should the developer be able to demonstrate that fewer parking spaces are needed, the area proposed for the construction of the excess spaces may be reserved for their future construction.

- (15) Design standards. Where not specifically modified herein, all other design standards shall be pursuant to the New Jersey Residential Site Improvement Standards.
- (16) Community center and recreation amenity. The age-restricted housing development shall include a centrally located community building and appropriate recreational amenities to serve the residents of the development, which may include a performing arts center. The community building shall be a minimum of 4,000 square feet.
- (17) Affordable housing.
- (a) Each age-restricted housing development shall include an affordable housing set-aside of 20% of the total number of units built within the development. The developer may seek a waiver of this requirement from the County Mount Laurel Judge in accordance with applicable law.
 - (b) Affordable housing provided on site within the development may be provided as rental units in two-story multifamily buildings.
 - (c) Up to ~~ten~~ 100% of the required affordable housing units may be provided off site.
 - (d) Affordable units may be provided off site on Block 20, Lot 72, which shall conform to the use, bulk and density zoning requirements for the zone in which the affordable units may be located.
 - (e) Beds in a state-licensed assisted living residence reserved for Medicaid-eligible persons, in accordance with P.L. 2001, c. 234 (N.J.S.A. 26:2H-12.16 through 21), may be provided off site to satisfy a portion of the affordable housing set-aside requirement.
 - (f) Expiring affordability controls on existing affordable housing units off site in the Township may be extended to satisfy the affordable housing set-aside requirement, in accordance with applicable rules adopted by the New Jersey Council on Affordable Housing and codified at N.J.A.C. 5:97-6.14, as modified by the Supreme Court, subject to approval as to form by the Township Attorney.
 - (g) If affordable units are provided off site to satisfy the set-aside requirement, the developer shall have an obligation to provide affordable housing units calculated as follows: total residential units approved in the site plan multiplied by 0.2.
 - (h) If affordable units are provided off site, the affordable units must be completed and provided in accordance with the standard schedule relating the minimum percentage of low- and moderate-income units completed to the maximum percentage of market-rate units that may be completed, found at § 217-80B.
 - (i) A fee-in-lieu of constructing some or all of the affordable housing units on site may be negotiated between the Township of Washington and the developer in accordance with N.J.A.C. 5:93-8.10(c).
 - (j) The affordable units shall comply with the applicable version of the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., in effect at the time of submission of a complete site plan application, unless a waiver is secured from the County Mount Laurel Judge.
- (18) Architectural review. The purpose of this subsection is to provide the Planning Board with building elevations for approval of the appearance of all buildings proposed in the age-restricted development. Such review shall be guided by the following design objectives:
- (a) Style. Generally, building facades should incorporate vernacular architectural style and elements which reflect historic development styles of the Long Valley and Hackettstown area, including the rhythm and spacing of windows, roof pitches, use of exterior finish materials, staggered setbacks within individual buildings and similar features.
 - (b) Building facade. All facades visible from internal roads within the age-restricted housing development and public rights-of-way shall receive similar treatments, which shall vary from building-to-building, and shall be architecturally compatible within a unified architectural theme. No more than 30% of building facades may be duplicated within the development and at least three different models (floor plans) will be offered. ~~Not more than two facades may be alike in any group of five homes located across the street from one another (i.e., diagonally adjacent to one another).~~

- (c) Roof shape. Roof shapes shall respect the vernacular style and shall not include the appearance of flat or mansard roofs. Roof shape shall incorporate gable-end, opposing-gable and hip-roof styles with dormers to the extent practicable.

(19) Emergency access interconnection. Where reasonably feasible and practical, the applicant shall provide for emergency access interconnection(s) among development parcels.

E. Area, yard and building requirements for senior healthcare facilities, healthcare support facilities and skilled rehabilitation nursing facilities.

- (1) Minimum lot area. The minimum lot area devoted to senior healthcare is 150,000 square feet. A facility must be part of a tract area of at least 50 acres under the ownership and control of a single entity and the subject of a development application.
- (2) Density. The maximum density permitted shall be 16 beds per acre.
- (3) Setback and bulk requirements. The setback and bulk requirements for the OR/1 Zone shall apply, except that the minimum side and rear yard setback shall be 30 feet.
- (4) Parking.
 - (a) Off-street parking shall be provided at the rate of 0.5 parking spaces per bed.
 - (b) An additional one parking space shall be provided per employee normally present on any single weekday shift.
 - (c) An additional one parking space shall be provided for each non-full-time health care professional providing specialized care.
 - (d) An additional one parking space shall be provided per outpatient.

F. Intergenerational child and adult day-care parking requirements.

- (1) Child day-care parking. At least one on-site parking space shall be provided for each on-duty staff person and one visitor space per each five children.
- (2) Adult day-care parking. At least one on-site parking space shall be provided for each on-duty staff person and two visitors' spaces for each 10 people of maximum enrollment at the center.

G. Schedule.

Item	All Senior Health Care Uses and Facilities	Adult Day-Care and Intergenerational Child Care
Minimum lot size (square feet)	150,000	80,000
Lot frontage (feet)	75	75
Lot width (feet)	200	200
Front yard-principal building (feet)	100	100
Side yard-principal building (feet)	30	30
Rear yard-principal building (feet)	30	30
Side yard-accessory building (feet)	30	30
Rear yard-accessory building (feet)	30	30
Combined width of both side yards-principal building (feet)	60	60
Maximum percentage of improved lot coverage	60%	60%
Maximum floor area of (FAR)	N/A	20,000 square feet
Maximum height		

Stories	2.5	2.5
Feet	35	35
Maximum density beds per acre	16	N/A

- H. Age restrictions for dwelling unit occupancy. Approval of an age-restricted housing development pursuant to this section shall require the placement of restrictive covenants, in a manner satisfactory to the Planning Board Attorney, on the deeds to all portions of a tract to insure that occupancy will be limited to at least one member of the household 55 years of age or older with no children under 19 years of age in permanent residence, pursuant to the Federal Fair Housing Act.
- I. Age-restricted affordable multifamily dwelling units area, yard and building requirements.
- (1) Minimum lot area: 20,000 square feet per building.
 - (2) Density: 15 units per acre.
 - (3) Setback and bulk requirements:
 - (a) Minimum lot frontage: 120 feet.
 - (b) Minimum lot width (at building setback line): 120 feet.
 - (c) Minimum front yard from internal roadways: 25 feet.
 - (d) Minimum front yard from ~~Schooley's Mountain Road~~ Newburgh Road: 100 feet.
 - (i) The minimum front yard setback from Newburgh Road may be reduced to 75' when on-site parking is provided in the rear yard.
 - (e) Minimum lot depth: 100 feet.
 - (f) Minimum side yard: 15 feet.
 - (g) Minimum rear yard: 25 feet.
 - (h) Maximum impervious coverage of lot (structures and paving): 60%.
 - (i) Maximum height: 35 feet and 2 1/2 stories.
 - (j) Minimum building setback from streets (curb or cartway): 30 feet.
 - (k) Minimum building setback from parking areas: ~~20~~ 8 feet.
 - (i) Sidewalks to buildings shall be no less than 4', nor more than 5' in width with a landscaped strip separating the edge of the sidewalk from the building.
 - (l) Minimum spacing between buildings: 30 feet.
 - (4) Site improvement and parking requirements: as required by Residential Site Improvement Standards, N.J.A.C. 5:21, except as superseded herein.

SECTION 3. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. Severability. If any section, subsection, clause or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. Effective date. This Ordinance shall take effect upon final passage and publication as required by law.

NOTICE OF INTRODUCTION

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of Washington Township held on May 18, 2026, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Washington Township Committee to be held on **July 15, 2026 at 7:00 p.m.** or as soon thereafter as the Township Committee may hear this Ordinance at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, NJ 07853, at which time all persons interested may appear for or against the passage of said Ordinance.

Adopted: May 18, 2026

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Denean Probasco, Township Clerk

By: _____
Michael A. Marino, Mayor

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on May 18, 2026.

Denean Probasco, RMC, Township Clerk