2990-26

TOWNSHIP OF WEST ORANGE, NEW JERSEY

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST ORANGE, CHAPTER 25, "LAND USE REGULATIONS", TO ESTABLISH THE AFFORDABLE HOUSING (AH-1) DISTRICT AT BLOCK 113, LOTS 262, 264, AND 308 TO ESTABLISH STANDARDS AND REGULATIONS FOR THE AH-1 ZONE

BE IT ORDAINED by the Township Council of the Township of West Orange, County of Essex, State of New Jersey, that Chapter 25 of the Code of the Township of West Orange, titled "The Land Use Regulations of the Township of West Orange," be amended as follows (additions noted in bold italic ***thus*** and deletions notes in strikethrough ~~thus~~):

SECTION 1. ZONE DISTRICTS AND MAP

§25-3.1, titled "Zone Districts" be and hereby is amended as follows:

For the purposes of this chapter the Township is divided into ~~24~~ ***25*** districts as follows:

R-1 District	One-family dwellings on 80,000 square foot lots
R-2 District	One-family dwellings on 40,000 square foot lots
R-3 District	One-family dwellings on 20,000 square foot lots
R-3AH District	One-family dwellings (See §25-31 for size of lots)
R-4 District	One-family dwellings on 15,000 square foot lots
R-5 District	One-family dwellings on 10,000 square foot lots
R-6 District	One-family dwellings on 6,000 square foot lots
R-T District	Two-family dwellings on 7,500 square foot lots
R-G District	Garden apartments
R-M District	Multi-family residences
OB-1 District	Office building
OB-2 District	Office building
B-1 District	Retail business
B-2 District	General business
P-C District	Planned Commercial
O-R District	Office Research
I District	Industry
PURD District	Planned Unit Residential Development
RC District	Residential Cluster Development
C District	Conservation (Over Lay Zone)
CBD District	Central Business District (Over Lay Zone)
AH-1 District	***Affordable Housing District***
West Orange Downtown Redevelopment Area	
Fourth amendment to the West Orange Downtown Redevelopment Plan [Added by Ord. No. 2656-21]	
Organon Redevelopment Area	
Valley Road Area (Harvard Press) Redevelopment Area	
300 Executive Redevelopment Plan	
Essex Green – Executive Drive Redevelopment Area [Added by Ord. No. 2573-19]	
West Orange Library Redevelopment Area [Added by Ord. No. 2580-19]	
Executive Drive – Rooney Circle Redevelopment Plan [Added by Ord. No. 2632-21]	

§25-3.2a.3, titled “Zone Map and Table of District Regulations” be and hereby is amended as follows:

The Zoning District Map of the Township of West Orange is amended as follows:

a. Block 152.02, Lot 186: rezone from O-R to R-1.
b. Block 169, Lots 19 and 19.01 and abutting right-of-way of Cedar Avenue: rezone from R-3 to R-1.
c. Block 106, Lot 20.02: rezone from OB-2 to R-1.
d. Block 89, Lots 1.01, 3, 4, 5, 6, 10, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 41.01: rezone from OB-1 to B-1.
e. Block 171.03, Lot 17: rezone from R-4 to B-2.
f. Block 155, Lot 40.04: rezone from P-C to B-2.
g. Block 113, Lots 262, 264, and 308: rezone from B-2 to AH-1.

§ 25-7.1, titled “Zoning District Regulations” be and hereby amended as follows:

Attachment 2 of Chapter 25, entitled "TABLE OF DISTRICT REGULATIONS, PART A: PERMITTED USES TABLE OF DISTRICT REGULATIONS,” by adding the following row to the table:

ZONE	PERMITTED PRINCIPAL USES	PERMITTED ACCESSORY USES
Affordable Housing AH-1	• Multi-family dwellings	• Parking • Uses customarily incidental and subordinate to the principal use

Attachment 3 of Chapter 25, entitled "TABLE OF DISTRICT REGULATIONS, PART B: BULK STANDARDS,” by adding the AH-1 District dimensional requirements. See §25-9.14 “Affordable Housing (AH-1) District Development Standards and Requirements” for more details.

SECTION 3. AH-1 DISTRICT STANDARDS AND REQUIREMENTS

§25-9, titled “SUPPLEMENTAL PROVISIONS FOR RESIDENTIAL DISTRICTS,” be and hereby is amended by adding the following new section:

§25-9.14 Affordable Housing (AH-1) District Development Standards and Requirements

a. Purpose

The purpose of the AH-1 Affordable Housing Zone, which applies to Block 113 Lots 262, 264, and 308, is to provide inclusionary family affordable housing opportunities.

b. Bulk Standards

1. ***Minimum Tract Size: 11,500 square feet (0.3 acres)***
2. ***Maximum Residential Density: The tract may be developed with no more than 12 residential units.***
3. ***Income Distribution: A 20% affordable unit set aside is required for the tract. If the calculation results in a fractional obligation greater than or equal to 0.5 of an affordable unit, the obligation shall be rounded up to the next whole Affordable Unit. If the calculation of the 20% set aside results in a fractional obligation of less than 0.5 of an affordable unit, the obligation shall be***

rounded down, and a payment in lieu of construction to the Township's affordable housing trust fund is required to meet the obligation. The required subsidy for the payment in lieu option is $180,000 per unit. The payment in lieu shall be payable as a condition of, and no later than, issuance of the first residential certificate of occupancy.

   i. *At twelve (12) total residential units, this equates to 2.4 affordable units. Accordingly, the Project shall include two (2) on site Affordable Units, and the remaining 0.4 fraction amounts to a payment in lieu of $72,000.*

4. *Bedroom Distribution: The affordable units shall be constructed in accordance with the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., as outlined below:*
   i. *No more than 20 percent of all affordable units are one-bedroom units;*
   ii. *At least 30 percent of all affordable units are two-bedroom units; and*
   iii. *At least 20 percent of all affordable units are three-bedroom units.*
5. *Impervious Coverage:*
   i. *Maximum Impervious Lot Coverage: 85%*
6. *Building Coverage:*
   i. *Maximum Building Coverage: 75%*
7. *Maximum Building Height: 3 stories and 35 feet*
8. *Minimum Setbacks and Buffers:*
   i. *Front Yard Setback (i.e., Main Street): 5 feet*
   ii. *Side Front Yard Setback (i.e., Park Drive North): 5 feet*
   iii. *Side Yard Setback: 5 feet*
   iv. *Rear Yard Setback: 8 feet*
9. *Location of Residential Lobby*
   i. *The residential lobby shall be located at and accessed from the corner of the building near the intersection of Main Street and Park Drive North.*

c. *Minimum Parking:*
   1. *On-site requirement: 19 spaces*
   2. *Off-site requirement: 5 spaces*

d. *Access and Circulation*
   1. *All access driveways to and from the property must be located along Park Drive North. Pedestrian warning devices for vehicles exiting the parking garage must be installed.*

e. *Lighting Standards:*
   1. *All proposed lighting in the AH-1 District shall comply with §25-14 "Lighting" of the Township's Ordinance.*

f. *Landscaping, Walls, and Fences*

1. *Development within the AH-1 zone shall comply with all landscaping requirements for parking areas outlined in §25-12.1 of the Township Ordinance, as applicable.*
    a. *Notwithstanding the foregoing, a 21.75 ft. wide drive aisle is permitted in the AH-1 District.*
2. *The maximum height for retaining walls in all yards shall be 6 feet. Compliance with the standards outlined in §25-8.4 "Walls and Fences" of the Township's Ordinance is required other than permission of a retaining wall in the front yard.*
3. *All areas not occupied by buildings, roadways, parking areas, patios, walkways, and/or any other impervious surface shall be adequately landscaped.*
4. *No landscaping at any location shall interfere with sight triangles.*

g. *Tree Replacement*
    1. *All proposals within the AH-1 District must comply with Chapter 28, Article I, "Tree Protection, Removal and Replacement," of the Township's Ordinance.*

h. *Steep Slopes*
    1. *The AH-1 District is not subject to Compliance with §25-28 of the Township Ordinance.*

i. *Stormwater Management*
    1. *Stormwater management shall comply with all applicable NJDEP and municipal code regulations.*

j. *Signage*
    1. *All proposals within the AH-1 District must comply with the signage requirements outlined in §25-15 "Signs," of the Township Ordinance.*

k. *Building Architectural Standards*
    1. *Massing*
        i. *Building massing shall be broken up through the use of one or more of the following: ornamental treatments, alternating materials, and architectural articulation.*
    2. *Materials, Color, and Details*
        i. *The building façade along Main Street shall include brick elements.*
        ii. *All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other.*
    3. *Continuity of Roof and Façade Treatment*
        i. *The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, colors and details of the building.*
        ii. *The architectural treatment of a façade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed so as to be consistent with style, materials, colors and details.*
    4. *Windows*

i. *Uniform window treatments are required for all buildings within the AH-1 zone above the ground level.*

5. *Pedestrian Entrances*
   i. *The pedestrian entrance shall be located near corner of the building, in proximity to the intersection of Main Street and Park Drive North. This entrance shall be defined and articulated by elements such as lintels, pediments, pilasters, columns, or other such elements, where appropriate. Increased transparency in this section of the building is encouraged.*
6. *Ground level transparency*
   i. *To the maximum extent practicable, the ground floor will have transparent elements. Explicit attention shall be paid to the residential lobby area.*
   ii. *The pedestrian entrance shall be located near corner of the building, in proximity to the intersection of Main Street and Park Drive North.*
   iii. *For enclosed parking garages, no lighting shall produce glare outside the structure.*

l. *Dwelling Unit Private Open Space*
   1. *Majority of the units in a building shall have a Juliet balcony. Juliet balconies shall be explicitly excluded from coverage and setback requirements.*

m. *Mechanical Systems*
   1. *Location*
      i. *Mechanical equipment is permitted to be located internally within the building(s) or on a rooftop.*
   2. *Screening*
      i. *Any rooftop mechanical equipment should be screened, and comply with §25-11.8, "Roof equipment" of the Township Ordinance.*
      ii. *All air conditioning units, HVAC systems, exhaust pipes or stacks and elevator housing shall be shielded from view. All shielding devices shall be designed to be architecturally compatible with the style, materials, colors and details of such building.*
   3. *Noise*
      i. *Compliance with the Township Noise Ordinance (§4-4 "Noise") is required.*
      ii. *No garage door system installed shall consist of a chain drive or ball bearing system, nor exceed 50 db at the property lines at any time in compliance with NJDEP regulations.*

n. *Sustainability*
   1. *All site plan applications in the AH-1 District shall comply with the standards outlined in §25-51.16, "Sustainable Building and Design Standards" of the Township Ordinance.*
   2. *Green roofs are permitted in the zone, and shall comply with §25-8.11, "Green roofs."*

Susan McCartney, Mayor

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan Scarpa, Council President

Introduced: September 29, 2026

Adopted: October 13, 2026