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Notice Content

Mine Hill Township Part One ORDINANCE NO. 03-2026 ORDINANCE CREATING RESIDENTIAL AFFORDABLE HOUSING ZONES (RAH-3 & RAH-4) TO PROVIDE AFFORDABLE HOUSING AND EXPANDING THE RAH-2 ZONE CONSISTENT WITH THE HOUSING ELEMENT AND FAIR SHARE PLAN PUBLIC NOTICE is hereby given that the following Ordinance was submitted in writing, introduced, read by title and passed on first reading at a meeting of the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, held on Thursday, February 19, 2026, and will be further considered for final passage on Thursday, March 12, 2026 at 6:00 P.M. at a Special Township Council Meeting at the Municipal Building in said Township, or at any time and place to which said meeting may be adjourned, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning said Ordinance. Copies of said Ordinance are available on the Township's website at <https://minehill.com/public-notices/> and in the office of the Township Clerk during regular office hours. DATED: February 20, 2026 BY ORDER OF THE TOWNSHIP COUNCIL Marcia H. Istvan, Township Clerk BE IT ORDAINED, by the Township Council of Mine Hill Township, in the County of Morris, and State of New Jersey, as follows (strikeouts indicate deletions and double underline indicates additions of text): Section 1. Chapter 310-4 "Definitions" is amended as follows \c 310-4 Definitions TOWNHOUSE, STACKED - A dwelling unit designed in a townhouse form and arranged in a row of buildings containing three or more vertically stacked dwelling units, in which individual dwelling units may be located wholly or partially above or below another dwelling unit, each unit has direct access to the exterior of the building either at grade or by a common or individual entrance, and each unit is separated from adjacent units by common fire-resistant walls and/or floor-ceiling assemblies. Section 2. Chapter 310-117 "Designation of zones" is amended as follows: Chapter 310-117 Designation of zones For the purpose of this Part 6, Mine Hill Township is divided into zones, differentiated according to use, and designated as follows: SF Residential, Single-Family TH Residential Townhouse TH-1 Residential Townhouse RAH Residential Affordable Housing District O/I Office Industrial C Commercial MLO Mine Land Overlay ED Economic Development PMARC Planned Multifamily Age-Restricted Community AOZ Agricultural Overlay MFIC-1 Multi-Family Inclusionary Community Overlay Zone 1 MFIC-2 Multi-Family Inclusionary Community Overlay Zone 2 RAH-2 Residential Affordable Housing Zone 2 RAH-3 Residential Affordable Housing Zone 3 RAH-4 Residential Affordable Housing Zone 4 Section 3. Chapter 310-118 \D Zoning Map is amended as follows:\c 310-118 Zoning Map. A. The boundaries of the zoning districts are as shown on the map entitled "Zoning Map, Township of Mine Hill, Morris County," dated September 4, 2015, and revised through February 21, 2019, which is included in Appendix I.\ Copies of the map are on file in

the office of the Clerk and are available for review. B. The Zoning Map is hereby amended to remove Lot 1 in Block 2004 from the Planned Age-Restricted Communities Zone and place Lot 1 in Block 2004 in the Multi-Family Inclusionary Community (MFIC-1) Overlay Zone District. C. The Zoning Map is hereby amended to place Lots 2-6 in Block 1303 in the Multi-Family Inclusionary Community (MFIC-2) Overlay Zone District. D. The Zoning Map is hereby amended to remove Lot 9 and Lot 4 in Block 808 from the SF Single Family Zone and place Lot 9 and Lot 4 in Block 808 in the new Residential Affordable Housing (RAH-2) Zone District. E. The Zoning Map is hereby amended to remove Lots 1, 7, 11, 12, and 13 in Block 1201 from the SF Single Family Zone and place Lots 1, 7, 11, 12, and 13 in Block 1201 in the new Residential Affordable Housing (RAH-3) Zone District. F. The Zoning Map is hereby amended to remove Lot 5 in Block 906 from the C Commercial Zone and place Lot 5 in Block 906 in the new Residential Affordable Housing (RAH-4) Zone District. Section 4. Chapter 310 \D Land Use is amended as follows to add a new Code Section 310-169.2 \c 310-169.2 Residential Affordable Housing 3 Zone (RAH-3). A. Principal Permitted Uses 1) Townhouses 2) Stacked townhouses B. Accessory Uses 3) Bicycle racks and bicycle maintenance equipment. 4) Community mailboxes. 5) Electric Vehicle supply/service equipment 6) Fences, walls, and retaining walls. 7) Leasing offices, management offices, and other facilities necessary for the maintenance and operations of the property. 8) Off-street surface parking and attached or detached garages. 9) Open space, public parks, and passive recreation areas, including walking paths, recreational furniture, exercise facilities, clubhouses, tot lots, and other recreational facilities typically associated with a townhouse development. 10) Roof mounted photovoltaic panels and associated battery storage infrastructure. 11) Sanitary sewer and/or water pump stations. 12) Signs 13) Site utilities and structures, pump stations, maintenance garage, backup generators, etc. 14) Site utilities. 15) Stormwater management facilities. 16) Streets, roadways, and driveways. 17) Temporary construction office and/or trailer and/or sales trailer for the duration of the construction of the project. 18) Trash enclosures. 19) Other accessory uses which are determined by the Planning Board to be customary and incidental to the permitted principal uses. C. Maximum density: The RAH-3 District shall permit a maximum of 305 dwelling units. D. Affordable housing requirements: 20) A minimum of 20 percent of the total number of dwelling units approved for development or constructed within the RAH-3 District, regardless of whether the maximum permitted number of dwelling units is developed, shall be deed restricted for very-low, low-, and moderate-income households. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up to the nearest whole number. For the avoidance of doubt, if the number of dwelling units approved for development or constructed within the RAH-3 District is less than the maximum density herein, the lesser of the two shall be applied when calculating the number of required affordable housing units. 21) All affordable units shall comply with Chapter 125 of the Township Code (Affordable Housing), the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations including but not limited to phasing and bedroom distribution requirements, any applicable order of the Court, and other applicable laws. 22) The applicant shall be responsible for managing the affordable housing units to assure compliance with all applicable laws and regulations. The applicant shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance (\c 125-20), applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction. 23) Affordable units shall be distributed throughout the development in a manner satisfactory to the Planning Board. Affordable housing units may be provided within stacked townhouse buildings and are not required to be proportionally distributed among single townhouse units, provided that all affordable units otherwise comply with applicable state and local affordable housing requirements. 24) All affordable units shall be available to families (not age-restricted) and may be for sale or rentals. 25) All affordable units shall be subject to deed restrictions on income limits for a period not less than 30 years in accordance with UHAC requirements. 26) The applicant shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to very-low-, low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years. In addition to such description, actual samples of language to be included in the nature of covenants shall be submitted. The submitted description shall indicate the entity or entities responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations. E. Area, yard, bulk and architectural requirements. The following are the area, yard, bulk and architectural requirements: 27) Area, lot, and yard requirements: a. Maximum building height: fifty-five (55) feet. b. Maximum number of stories: four (4) stories. c. Minimum lot width for fee simple townhouse lots: Twenty (20) feet. d. Minimum lot area for fee simple townhouse lots: 1,900 square feet. 28) Residential building requirements and setbacks. For purposes of this subsection, the term "building" shall mean a principal residential building or building cluster containing townhouses or stacked townhouses, and shall not be construed to refer to individual attached townhouse units within such building or cluster: e. Minimum distance to the tract boundary for any building: fifty (50) feet. f. Minimum distance between buildings: thirty (30) feet. g. Minimum distance from a building to a parking area (excluding driveways): seven (7) feet. h. Spacing and building length requirements. Any principal residential building or building cluster containing townhouses shall contain no fewer than three (3) and no more than twelve (12) attached townhouse units per building or building cluster. Stacked townhouse buildings may be developed as separate principal residential buildings and shall be limited to a maximum of twenty (20) dwelling units per stacked townhouse building. 29) Accessory structure requirements: i. Accessory structures shall comply with the height requirements outlined in \c 310-132 of the Land Use Ordinance. j. Signs, utilities, access roads, driveways, sidewalks, walking trails, and other similar accessory uses or structures may be located in all yard areas subject to Planning Board approval. k. All trash enclosures shall be screened by a solid or board on board fence on three sides and a heavy-duty gate on the fourth side. l. All trash enclosures shall be surrounded on three sides by a mixture of deciduous and evergreen plant species. 30) Parking and circulation requirements: m. Parking spaces for the townhouse and stacked townhouse units shall be provided in accordance with the maximum requirements in the Residential Site Improvement Standards (N.J.A.C. 5:21-4.14 et seq.). n. No off-street parking lots shall contain more than 20 contiguous spaces without providing a landscaped area to separate parking sections. o. Off-street surface parking areas are permitted in all yards, but when facing external property lines shall be screened with landscape materials to prevent headlight glare from projecting off-site. p. Roadways and sidewalks shall be designed in accordance with RSIS standards. q. No townhouse or stacked townhouse shall have direct access onto a public right-of-way. 31) Sign requirements: r. Developments in the zone are

permitted one (1) permanent, monument style sign identifying the development at each entry point to the community, set back a minimum of 10 feet from any street line and 30 feet from any side property line. The sign shall be a maximum of seventy-five (75) square feet (not including the base of the sign) and not more than eight (8) feet in height. The sign may be illuminated from shielded ground-mounted lights or backlit channel letters. s. Temporary signs marketing the sale of homes, directing customers to sales areas and model units, and advertising the new community shall be permitted to be displayed from the commencement of construction until the sale of the last unit in the development. The number and size of such signs shall be subject to review and approval by the Planning Board or Board of Adjustment.

32) Tree Removal: t. Only the removal of trees necessary to accommodate the development of the site is permitted to exceed the provision of \c 310-273.G, with the exception of areas regulated by the New Jersey Department of Environmental Protection shall be restricted by applicable regulations. u. Existing trees within the proposed buffer areas that are healthy shall be retained to the greatest extent practicable.

33) Landscaping requirements: v. Except as provided in this Section, Development in the RAH-3 Zone shall be exempt from the requirements pertaining to retaining walls, however, retaining walls shall be subject to Planning Board review for appropriate size, design and engineering necessity and safety. w. The application shall provide professionally designed and executed landscaping for the project. Areas not utilized for parking, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved. x. Retaining walls shall be landscaped and code-compliant fall protection fencing and/or railings shall be provided for any retaining walls in excess of 4 feet in height, and such protection fencing and/or railings shall be exempt from calculation of total retaining wall height. The applicant is encouraged to use a series of smaller terraced retaining walls, rather than large walls, where feasible. y. Landscaping shall include shade trees, ornamental trees, flowering trees and shrubs, evergreens, decorative grasses, annual and perennial flowering plants, ground covers and lawns. z. Shade trees shall be provided along external streets and internal roadways and parking areas. a. Appropriate shade tree species shall be planted at a maximum spacing of 50 feet. b. Tree spacings may be modified to accommodate utilities, lighting, drainage facilities, rock outcroppings and other similar features. c. Areas not utilized for parking areas, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved in its natural vegetative state.

34) Buffer requirements: d. The need for any buffers between buildings and site improvements and the external property lines shall be determined during site plan review. The minimum average width of any front yard buffer determined to be required by the Planning Board shall have an average of 25 feet and shall at no point be less than 15 feet from front property lines and buffers shall be 25 feet from all other property lines. e. Proposed buffer plantings, if required, shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows. Buffer plantings may include deciduous and evergreen trees and shrubs, flowering plants, lawns and groundcovers. f. The Planning Board may require, however, that the buffer area be maintained in its natural state if a site inventory of existing vegetation reveals that the existing vegetation is suitable as a landscaping screen.

35) Lighting requirements: g. The location, spacing and quantity of site lighting provided shall be that which is necessary to meet the lighting area standards described herein. h. All outdoor lighting fixtures shall be dark sky compliant and shall not exceed a color temperature of 3,000 Kelvin. i. All parking areas and walkways thereto and appurtenant passageways and driveways shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare lights. The light intensity provided at ground level should be indicated in footcandles on the submitted site plans and should be maintained at a minimum level of at least five-tenths (0.5) footcandles at intersections, and three-tenths (0.3) footcandles elsewhere in and around walkways, passageways and driveways to be illuminated. Lighting shall be provided by fixtures with a mounting height not more than twenty feet (20') or the height of the building, whichever is less, measured from the ground level to the centerline of the light source. j. All outdoor lighting shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties and traffic safety. The objective of these specifications is to minimize undesirable off-premises effects. No light shall shine into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, light shielding, and similar characteristics shall be subject to site plan approval.

36) Building Design and Placement Requirements: k. This subsection shall supersede \c 310-124 (Appearance of Buildings) in its entirety. l. Building facades for front and street facing walls shall consist of wood shingle, brick, stone, cast stone, stucco, hardy plank, cementitious boards, cultured stone, or other materials satisfactory to the Planning Board. The use of EIFS as a building façade shall be prohibited. Aluminum and/or vinyl siding may be used for side and rear building walls. m. Aluminum and vinyl products may be used as a building façade material for accent treatments. n. Buildings shall include wall offsets, including projections such as balconies, canopies and recesses. These elements shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. o. Where any residential building has a length along any plane longer than 100 feet, there must be at least two setback changes along the façade equal to or exceeding 1.5 feet, three setback changes along any plane longer than 150 feet, and four setback changes along any plane greater than 200 feet. p. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned. q. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc. r. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank walls shall be prohibited. s. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties. t. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof. u. Building construction and site development should incorporate green development practices and strategies such as those suggested by the USGBC through the Leadership in Environmental Education (LEED) Program or the use of energy star rated materials and/or appliances. These practices and strategies may include reuse of existing building materials, responsible disposal or recycling of existing building materials and use of energy efficient HVAC units. LEED or other outside agency approval is however not required as part of this strategy. v. All accessory structures shall be

architecturally compatible with the principal buildings. 37) Phasing Requirements w. Development of the principal structures may occur in phases, subject to the following: 1. A phasing plan shall be submitted to the Planning Board for review and approval. 2. Each phase shall comply with the requisite minimum inclusionary set-aside requirement for low- and moderate-income units. 3. Each phase shall comply with the requisite minimum off-street parking requirements. 38) Infrastructure maintenance requirements: x. No infrastructure constructed on in the RAH-3 District shall be owned by or be the responsibility of Mine Hill Township. y. A plan for the maintenance of all improvements and infrastructure must be submitted to the Planning Board as part of an application for site plan review. Section 5. Chapter 310 \D Land Use is amended as follows to add a new Code Section 310-169.3 \c 310-169.3 Residential Affordable Housing 4 Zone (RAH-4). A. Principal Permitted Uses 1) Townhouses 2) Stacked townhouses B. Accessory Uses 3) Bicycle racks and bicycle maintenance equipment. 4) Community mailboxes. 5) Electric Vehicle supply/service equipment 6) Fences, walls, and retaining walls. 7) Leasing offices, management offices, and other facilities necessary for the maintenance and operations of the property. 8) Off-street surface parking and attached or detached garages. 9) Open space, public parks, and passive recreation areas, including walking paths, recreational furniture, exercise facilities, tot lots, and other recreational facilities typically associated with a townhouse development. 10) Roof mounted photovoltaic panels and associated battery storage infrastructure. 11) Sanitary sewer pump stations. 12) Signs 13) Site utilities and structures, pump stations, maintenance garage, backup generators, etc. 14) Site utilities. 15) Stormwater management facilities. 16) Streets, roadways, and driveways. 17) Temporary construction office and/or trailer for the duration of the construction of the project. 18) Trash enclosures. 19) Other accessory uses which are determined by the Planning Board to be customary and incidental to the permitted principal uses. C. Maximum density: The RAH-4 District shall permit a maximum of 106 dwelling units. D. Affordable housing requirements: 20) A minimum of 20 percent of the total number of dwelling units approved for development or constructed within the RAH-4 District, regardless of whether the maximum permitted number of dwelling units is developed, shall be deed restricted for very-low, low-, and moderate-income households. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up to the nearest whole number. 21) All affordable units shall comply with Chapter 125 of the Township Code (Affordable Housing), the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations including but not limited to phasing and bedroom distribution requirements, any applicable order of the Court, and other applicable laws. 22) The applicant shall be responsible for managing the affordable housing units to assure compliance with all applicable laws and regulations. The applicant shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance (\c 125-20), applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction. 23) Affordable units shall be distributed throughout the development in a manner satisfactory to the Planning Board. Affordable housing units may be provided within stacked townhouse buildings and are not required to be proportionally distributed among single townhouse units, provided that all affordable units otherwise comply with applicable state and local affordable housing requirements. 24) All affordable units shall be available to families (not age-restricted) and may be for sale or rentals. 25) All affordable units shall be subject to deed restrictions on income limits for a period not less than 30 years in accordance with UHAC requirements. 26) The applicant shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to very-low-, low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years. In addition to such description, actual samples of language to be included in the nature of covenants shall be submitted. The submitted description shall indicate the entity or entities responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations. E. Area, yard, bulk and architectural requirements. The following are the area, yard, bulk and architectural requirements: 27) Area, lot, and yard requirements: a. Maximum building height: fifty-five (55) feet. b. Maximum number of stories: four (4) stories. c. Minimum lot width for fee simple townhouse lots: Twenty (20) feet. d. Minimum lot area for fee simple townhouse lots: 1,900 square feet. 28) Residential building requirements and setbacks. For purposes of this subsection, the term "building" shall mean a principal residential building or building cluster containing townhouses or stacked townhouses, and shall not be construed to refer to individual attached townhouse units within such building or cluster: e. Minimum distance to the tract boundary for any building: fifty (50) feet. f. Minimum distance between buildings: thirty (30) feet. g. Minimum distance from a building to a parking area (excluding driveways): seven (7) feet. h. Spacing and building length requirements. Any principal residential building or building cluster containing townhouses shall contain no fewer than three (3) and no more than twelve (12) attached townhouse units per building or building cluster. Stacked townhouse buildings may be developed as separate principal residential buildings and shall be limited to a maximum of twenty (20) dwelling units per stacked townhouse building. P.F.\$688.50 02/26/T1

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Mine Hill Township Part Two ORDINANCE NO. 03-2026 29) Accessory structure requirements: i. Accessory structures shall comply with the height requirements outlined in \c 310-132 of the Land Use Ordinance. j. Signs, utilities, access roads, driveways, sidewalks, walking trails, and other similar accessory uses or structures may be located in all yard areas subject to Planning Board approval. k. All trash enclosures shall be screened by a solid or board on board fence on three sides and a heavy-duty gate on the fourth side. l. All trash enclosures shall be surrounded on three sides by a mixture of deciduous and evergreen plant species. 30) Parking and circulation requirements: m. Parking spaces for the townhouse and stacked townhouse units shall be provided in accordance with the maximum requirements in the Residential Site Improvement Standards (N.J.A.C. 5:21-4.14 et seq.). n. No off-street parking lots shall contain more than 20 contiguous spaces without providing a landscaped area to separate parking sections. o. Off-street surface parking areas facing external property lines shall be screened with landscape materials to prevent headlight glare from projecting off-site. p. Roadways and sidewalks shall be designed in accordance with RSIS standards. Sidewalks shall be constructed along US Route 46 and Scrub Oaks Road, with crosswalks in appropriate locations subject to Planning Board approval. q. No townhouse or stacked townhouse shall have direct access onto a public right-of-way. 31) Sign requirements: r. Developments in the zone are permitted one (1) permanent, monument style sign identifying the development at each entry point to the community, set back a minimum of 10 feet from any street line and 30 feet from any side property line. The sign shall be a maximum of seventy-five (75) square feet (not including the base of the sign) and not more than eight (8) feet in height. The sign may be illuminated from shielded ground-mounted lights or backlit channel letters. s. Temporary signs marketing the sale of homes, directing customers to sales areas and model units, and advertising the new community shall be permitted to be displayed from the commencement of construction until the sale of the last unit in the development. The number and size of such signs shall be subject to review and approval by the Planning Board or Board of Adjustment. 32) Tree Removal: t. Only the removal of trees necessary to accommodate the redevelopment of the site is permitted to exceed the provision of \c 310-273.G, with the exception of areas regulated by the New Jersey Department of Environmental Protection shall be restricted by applicable regulations. u. Existing trees within the proposed buffer areas that are healthy shall be retained to the greatest extent practicable. 33) Landscaping requirements: v. The application shall provide professionally designed and executed landscaping for the project. Areas not utilized for parking, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved. w. Retaining walls shall be

landscaped and code-compliant fall protection fencing and/or railings shall be provided for any retaining walls in excess of 4 feet in height. The applicant is encouraged to use a series of smaller terraced retaining walls, rather than large walls, where feasible. x. Landscaping shall include shade trees, ornamental trees, flowering trees and shrubs, evergreens, decorative grasses, annual and perennial flowering plants, ground covers and lawns. y. Shade trees shall be provided along external streets and internal roadways and parking areas. z. Appropriate shade tree species shall be planted at a maximum spacing of 50 feet. a. Tree spacings may be modified to accommodate utilities, lighting, drainage facilities, rock outcroppings and other similar features. b. Areas not utilized for parking areas, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved in its natural vegetative state. 34) Buffer requirements: c. The need for any buffers between buildings and site improvements and the external property lines shall be determined during site plan review. The minimum width of any buffer determined to be required by the Planning Board shall be 25 feet. d. Proposed buffer plantings, if required, shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows. Buffer plantings may include deciduous and evergreen trees and shrubs, flowering plants, lawns and groundcovers. e. The Planning Board may require, however, that the buffer area be maintained in its natural state if a site inventory of existing vegetation reveals that the existing vegetation is suitable as a landscaping screen. 35) Lighting requirements: f. The location, spacing and quantity of site lighting provided shall be that which is necessary to meet the lighting area standards described herein. g. All outdoor lighting fixtures shall be dark sky compliant and shall not exceed a color temperature of 3,000 Kelvin. h. All parking areas and walkways thereto and appurtenant passageways and driveways shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare lights. The light intensity provided at ground level should be indicated in footcandles on the submitted site plans and should be maintained at a minimum level of at least five-tenths (0.5) footcandles at intersections, and three-tenths (0.3) footcandles elsewhere to be illuminated. Lighting shall be provided by fixtures with a mounting height not more than twenty feet (20') or the height of the building, whichever is less, measured from the ground level to the centerline of the light source. i. All outdoor lighting shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties and traffic safety. The objective of these specifications is to minimize undesirable off-premises effects. No light shall shine into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, light shielding, and similar characteristics shall be subject to site plan approval. 36) Building Design and Placement Requirements: j. This subsection shall supersede \c 310-124 (Appearance of Buildings) in its entirety. k. Building facades may consist of wood shingle, brick, stone, cast stone, stucco, hardy plank, cementitious boards, cultured stone, or other materials satisfactory to the Planning Board. The use of EIFS as a building façade shall be prohibited. l. Aluminum and vinyl siding shall only be used as a building façade material for accent treatments. m. Buildings shall include wall offsets, including projections such as balconies, canopies and recesses. These elements shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. n. Where any residential building has a length along any plane longer than 100 feet, there must be at least two setback changes along the façade equal to or exceeding 1.5 feet, three setback changes along any plane longer than 150 feet, and four setback changes along any plane greater than 200 feet. o. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned. p. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc. q. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank walls shall be prohibited. r. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties. s. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof. t. Building construction and site development should incorporate green development practices and strategies such as those suggested by the USGBC through the Leadership in Environmental Education (LEED) Program or the use of energy star rated materials and/or appliances. These practices and strategies may include reuse of existing building materials, responsible disposal or recycling of existing building materials and use of energy efficient HVAC units. LEED or other outside agency approval is however not required as part of this strategy. u. All accessory structures shall be architecturally compatible with the principal buildings. 37) Phasing Requirements v. Development of the principal structures may occur in phases, subject to the following: 1. A phasing plan shall be submitted to the Planning Board for review and approval. 2. Each phase shall comply with the requisite minimum inclusionary set-aside requirement for low- and moderate-income units. 3. Each phase shall comply with the requisite minimum off-street parking requirements. 38) Infrastructure maintenance requirements: w. No infrastructure constructed on in the RAH-4 District shall be owned by or be the responsibility of Mine Hill Township. x. A plan for the maintenance of all improvements and infrastructure must be submitted to the Planning Board as part of an application for site plan review. Section 6. All Ordinances of Mine Hill Township which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Section 7. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance. Section 8. This Ordinance shall take effect upon final publication and in accordance with law. P.F.\$164.22 02/26/T1

To: West Morris Reporter (Publish)

Via E-mail: 02/20/2026

Please publish the following once in the February 26, 2026 issue of the West Morris Reporter. **NO AFFIDAVIT IS REQUIRED.**

Thank you.

**MINE HILL TOWNSHIP
ORDINANCE NO. 03-2026**

PUBLIC NOTICE is hereby given that the following Ordinance was submitted in writing, introduced, read by title and passed on first reading at a meeting of the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, held on Thursday, February 19, 2026, and will be further considered for final passage on Thursday, March 12, 2026 at 6:00 P.M. at a Special Township Council Meeting at the Municipal Building in said Township, or at any time and place to which said meeting may be adjourned, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning said Ordinance. Copies of said Ordinance are available on the Township’s website at <https://minehill.com/public-notices/> and in the office of the Township Clerk during regular office hours.

DATED: February 20, 2026

BY ORDER OF THE TOWNSHIP COUNCIL
Marcia H. Istvan, Township Clerk

BE IT ORDAINED, by the Township Council of Mine Hill Township, in the County of Morris, and State of New Jersey, as follows (~~strikeouts~~ indicate deletions and double underline indicates additions of text):

Section 1. Chapter 310-4 “Definitions” is amended as follows

§ 310-4 Definitions

TOWNHOUSE, STACKED - A dwelling unit designed in a townhouse form and arranged in a row of buildings containing three or more vertically stacked dwelling units, in which individual dwelling units may be located wholly or partially above or below another dwelling unit, each unit has direct access to the exterior of the building either at grade or by a common or individual entrance, and each unit is separated from adjacent units by common fire-resistant walls and/or floor-ceiling assemblies.

Section 2. Chapter 310-117 “Designation of zones” is amended as follows:

Chapter 310-117 Designation of zones

For the purpose of this Part 6, Mine Hill Township is divided into zones, differentiated according to use, and designated as follows:

SF	Residential, Single-Family
TH	Residential Townhouse
TH-1	Residential Townhouse
RAH	Residential Affordable Housing District
O/I	Office Industrial
C	Commercial
MLO	Mine Land Overlay
ED	Economic Development
PMARC	Planned Multifamily Age-Restricted Community
AOZ	Agricultural Overlay
MFIC-1	Multi-Family Inclusionary Community Overlay Zone 1
MFIC-2	Multi-Family Inclusionary Community Overlay Zone 2
RAH-2	Residential Affordable Housing Zone 2
<u>RAH-3</u>	<u>Residential Affordable Housing Zone 3</u>
<u>RAH-4</u>	<u>Residential Affordable Housing Zone 4</u>

Section 3. Chapter 310-118 – Zoning Map is amended as follows:

§ 310-118 Zoning Map.

- A. The boundaries of the zoning districts are as shown on the map entitled "Zoning Map, Township of Mine Hill, Morris County," dated September 4, 2015, and revised through February 21, 2019, which is included in Appendix I.[1] Copies of the map are on file in the office of the Clerk and are available for inspection.
- B. The Zoning Map is hereby amended to remove Lot 1 in Block 2004 from the Planned Age-Restricted Communities Zone and place Lot 1 in Block 2004 in the Multi-Family Inclusionary Community (MFIC-1) Overlay Zone District.
- C. The Zoning Map is hereby amended to place Lots 2-6 in Block 1303 in the Multi-Family Inclusionary Community (MFIC-2) Overlay Zone District.
- D. The Zoning Map is hereby amended to remove Lot 9 and Lot 4 in Block 808 from the SF Single Family Zone and place Lot 9 and Lot 4 in Block 808 in the new Residential Affordable Housing (RAH-2) Zone District.
- E. The Zoning Map is hereby amended to remove Lots 1, 7, 11, 12, and 13 in Block 1201 from the SF Single Family Zone and place Lots 1, 7, 11, 12, and 13 in Block 1201 in the new Residential Affordable Housing (RAH-3) Zone District.
- F. The Zoning Map is hereby amended to remove Lot 5 in Block 906 from the C Commercial Zone and place Lot 5 in Block 906 in the new Residential Affordable Housing (RAH-4) Zone District.

Section 4. Chapter 310 – Land Use is amended as follows to add a new Code Section 310-169.2 § 310-169.2 Residential Affordable Housing 3 Zone (RAH-3).

A. Principal Permitted Uses

- 1) Townhouses
- 2) Stacked townhouses

B. Accessory Uses

- 1) Bicycle racks and bicycle maintenance equipment.
- 2) Community mailboxes.
- 3) Electric Vehicle supply/service equipment
- 4) Fences, walls, and retaining walls.
- 5) Leasing offices, management offices, and other facilities necessary for the maintenance and operations of the property.
- 6) Off-street surface parking and attached or detached garages.
- 7) Open space, public parks, and passive recreation areas, including walking paths, recreational furniture, exercise facilities, clubhouses, tot lots, and other recreational facilities typically associated with a townhouse development.
- 8) Roof mounted photovoltaic panels and associated battery storage infrastructure.
- 9) Sanitary sewer and/or water pump stations.
- 10) Signs
- 11) Site utilities and structures, pump stations, maintenance garage, backup generators, etc.
- 12) Site utilities.

- 13) Stormwater management facilities.
- 14) Streets, roadways, and driveways.
- 15) Temporary construction office and/or trailer and/or sales trailer for the duration of the construction of the project.
- 16) Trash enclosures.
- 17) Other accessory uses which are determined by the Planning Board to be customary and incidental to the permitted principal uses.

C. Maximum density: The RAH-3 District shall permit a maximum of 305 dwelling units.

D. Affordable housing requirements:

- 1) A minimum of 20 percent of the total number of dwelling units approved for development or constructed within the RAH-3 District, regardless of whether the maximum permitted number of dwelling units is developed, shall be deed restricted for very-low, low-, and moderate-income households. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up to the nearest whole number. For the avoidance of doubt, if the number of dwelling units approved for development or constructed within the RAH-3 District is less than the maximum density herein, the lesser of the two shall be applied when calculating the number of required affordable housing units.
- 2) All affordable units shall comply with Chapter 125 of the Township Code (Affordable Housing), the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations including but not limited to phasing and bedroom distribution requirements, any applicable order of the Court, and other applicable laws.
- 3) The applicant shall be responsible for managing the affordable housing units to assure compliance with all applicable laws and regulations. The applicant shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance (§ 125-20), applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction.
- 4) Affordable units shall be distributed throughout the development in a manner satisfactory to the Planning Board. Affordable housing units may be provided within stacked townhouse buildings and are not required to be proportionally distributed among single townhouse units, provided that all affordable units otherwise comply with applicable state and local affordable housing requirements.
- 5) All affordable units shall be available to families (not age-restricted) and may be for sale or rentals.
- 6) All affordable units shall be subject to deed restrictions on income limits for a period not less than 30 years in accordance with UHAC requirements.
- 7) The applicant shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to very-low-, low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years. In addition to such description, actual samples of language to be included in the nature of covenants shall be submitted. The submitted description shall indicate the entity or entities

responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations.

E. Area, yard, bulk and architectural requirements. The following are the area, yard, bulk and architectural requirements:

1) Area, lot, and yard requirements:

- a. Maximum building height: fifty-five (55) feet.
- b. Maximum number of stories: four (4) stories.
- c. Minimum lot width for fee simple townhouse lots: Twenty (20) feet.
- d. Minimum lot area for fee simple townhouse lots: 1,900 square feet.

2) Residential building requirements and setbacks. For purposes of this subsection, the term “building” shall mean a principal residential building or building cluster containing townhouses or stacked townhouses, and shall not be construed to refer to individual attached townhouse units within such building or cluster:

- a. Minimum distance to the tract boundary for any building: fifty (50) feet.
- b. Minimum distance between buildings: thirty (30) feet.
- c. Minimum distance from a building to a parking area (excluding driveways): seven (7) feet.
- d. Spacing and building length requirements. Any principal residential building or building cluster containing townhouses shall contain no fewer than three (3) and no more than twelve (12) attached townhouse units per building or building cluster. Stacked townhouse buildings may be developed as separate principal residential buildings and shall be limited to a maximum of twenty (20) dwelling units per stacked townhouse building.

3) Accessory structure requirements:

- a. Accessory structures shall comply with the height requirements outlined in § 310-132 of the Land Use Ordinance.
- b. Signs, utilities, access roads, driveways, sidewalks, walking trails, and other similar accessory uses or structures may be located in all yard areas subject to Planning Board approval.
- c. All trash enclosures shall be screened by a solid or board on board fence on three sides and a heavy-duty gate on the fourth side.
- d. All trash enclosures shall be surrounded on three sides by a mixture of deciduous and evergreen plant species.

4) Parking and circulation requirements:

- a. Parking spaces for the townhouse and stacked townhouse units shall be provided in accordance with the maximum requirements in the Residential Site Improvement Standards (N.J.A.C. 5:21-4.14 et seq.).

- b. No off-street parking lots shall contain more than 20 contiguous spaces without providing a landscaped area to separate parking sections.
- c. Off-street surface parking areas are permitted in all yards, but when facing external property lines shall be screened with landscape materials to prevent headlight glare from projecting off-site.
- d. Roadways and sidewalks shall be designed in accordance with RSIS standards.
- e. No townhouse or stacked townhouse shall have direct access onto a public right-of-way.

5) Sign requirements:

- a. Developments in the zone are permitted one (1) permanent, monument style sign identifying the development at each entry point to the community, set back a minimum of 10 feet from any street line and 30 feet from any side property line. The sign shall be a maximum of seventy-five (75) square feet (not including the base of the sign) and not more than eight (8) feet in height. The sign may be illuminated from shielded ground-mounted lights or backlit channel letters.
- b. Temporary signs marketing the sale of homes, directing customers to sales areas and model units, and advertising the new community shall be permitted to be displayed from the commencement of construction until the sale of the last unit in the development. The number and size of such signs shall be subject to review and approval by the Planning Board or Board of Adjustment.

6) Tree Removal:

- a. Only the removal of trees necessary to accommodate the development of the site is permitted to exceed the provision of § 310-273.G, with the exception of areas regulated by the New Jersey Department of Environmental Protection shall be restricted by applicable regulations.
- b. Existing trees within the proposed buffer areas that are healthy shall be retained to the greatest extent practicable.

7) Landscaping requirements:

- a. Except as provided in this Section, Development in the RAH-3 Zone shall be exempt from the requirements pertaining to retaining walls, however, retaining walls shall be subject to Planning Board review for appropriate size, design and engineering necessity and safety.
- b. The application shall provide professionally designed and executed landscaping for the project. Areas not utilized for parking, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved.
- c. Retaining walls shall be landscaped and code-compliant fall protection fencing and/or railings shall be provided for any retaining walls in excess of 4 feet in height, and such protection fencing and/or railings shall be exempt from calculation of total retaining wall height. The applicant is encouraged to use a series of smaller terraced retaining walls, rather than large walls, where feasible.

- d. Landscaping shall include shade trees, ornamental trees, flowering trees and shrubs, evergreens, decorative grasses, annual and perennial flowering plants, ground covers and lawns.
- e. Shade trees shall be provided along external streets and internal roadways and parking areas.
- f. Appropriate shade tree species shall be planted at a maximum spacing of 50 feet.
- g. Tree spacings may be modified to accommodate utilities, lighting, drainage facilities, rock outcroppings and other similar features.
- h. Areas not utilized for parking areas, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved in its natural vegetative state.

8) Buffer requirements:

- a. The need for any buffers between buildings and site improvements and the external property lines shall be determined during site plan review. The minimum average width of any front yard buffer determined to be required by the Planning Board shall have an average of 25 feet and shall at no point be less than 15 feet from front property lines and buffers shall be 25 feet from all other property lines.
- b. Proposed buffer plantings, if required, shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows. Buffer plantings may include deciduous and evergreen trees and shrubs, flowering plants, lawns and groundcovers.
- c. The Planning Board may require, however, that the buffer area be maintained in its natural state if a site inventory of existing vegetation reveals that the existing vegetation is suitable as a landscaping screen.

9) Lighting requirements:

- a. The location, spacing and quantity of site lighting provided shall be that which is necessary to meet the lighting area standards described herein.
- b. All outdoor lighting fixtures shall be dark sky compliant and shall not exceed a color temperature of 3,000 Kelvin.
- c. All parking areas and walkways thereto and appurtenant passageways and driveways shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare lights. The light intensity provided at ground level should be indicated in footcandles on the submitted site plans and should be maintained at a minimum level of at least five-tenths (0.5) footcandles at intersections, and three-tenths (0.3) footcandles elsewhere in and around walkways, passageways and driveways to be illuminated. Lighting shall be provided by fixtures with a mounting height not more than twenty feet (20') or the height of the building, whichever is less, measured from the ground level to the centerline of the light source.
- d. All outdoor lighting shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties and traffic safety. The objective

of these specifications is to minimize undesirable off-premises effects. No light shall shine into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, light shielding, and similar characteristics shall be subject to site plan approval.

10) Building Design and Placement Requirements:

- a. This subsection shall supersede § 310-124 (Appearance of Buildings) in its entirety.
- b. Building facades for front and street facing walls shall consist of wood shingle, brick, stone, cast stone, stucco, hardy plank, cementitious boards, cultured stone, or other materials satisfactory to the Planning Board. The use of EIFS as a building façade shall be prohibited. Aluminum and/or vinyl siding may be used for side and rear building walls.
- c. Aluminum and vinyl products may be used as a building façade material for accent treatments.
- d. Buildings shall include wall offsets, including projections such as balconies, canopies and recesses. These elements shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
- e. Where any residential building has a length along any plane longer than 100 feet, there must be at least two setback changes along the façade equal to or exceeding 1.5 feet, three setback changes along any plane longer than 150 feet, and four setback changes along any plane greater than 200 feet.
- f. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
- g. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- h. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank walls shall be prohibited.
- i. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
- j. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.
- k. Building construction and site development should incorporate green development practices and strategies such as those suggested by the USGBC through the Leadership in Environmental Education (LEED) Program or the use of energy star rated materials and/or appliances. These practices and strategies may include reuse

of existing building materials, responsible disposal or recycling of existing building materials and use of energy efficient HVAC units. LEED or other outside agency approval is however not required as part of this strategy.

1. All accessory structures shall be architecturally compatible with the principal buildings.

11) Phasing Requirements

- a. Development of the principal structures may occur in phases, subject to the following:
 1. A phasing plan shall be submitted to the Planning Board for review and approval.
 2. Each phase shall comply with the requisite minimum inclusionary set-aside requirement for low- and moderate-income units.
 3. Each phase shall comply with the requisite minimum off-street parking requirements.

12) Infrastructure maintenance requirements:

- a. No infrastructure constructed on in the RAH-3 District shall be owned by or be the responsibility of Mine Hill Township.
- b. A plan for the maintenance of all improvements and infrastructure must be submitted to the Planning Board as part of an application for site plan review.

Section 5. Chapter 310 – Land Use is amended as follows to add a new Code Section 310-169.3

§ 310-169.3 Residential Affordable Housing 4 Zone (RAH-4).

A. Principal Permitted Uses

- 1) Townhouses
- 2) Stacked townhouses

B. Accessory Uses

- 1) Bicycle racks and bicycle maintenance equipment.
- 2) Community mailboxes.
- 3) Electric Vehicle supply/service equipment
- 4) Fences, walls, and retaining walls.
- 5) Leasing offices, management offices, and other facilities necessary for the maintenance and operations of the property.
- 6) Off-street surface parking and attached or detached garages.
- 7) Open space, public parks, and passive recreation areas, including walking paths, recreational furniture, exercise facilities, tot lots, and other recreational facilities typically associated with a townhouse development.
- 8) Roof mounted photovoltaic panels and associated battery storage infrastructure.
- 9) Sanitary sewer pump stations.

- 10) Signs
- 11) Site utilities and structures, pump stations, maintenance garage, backup generators, etc.
- 12) Site utilities.
- 13) Stormwater management facilities.
- 14) Streets, roadways, and driveways.
- 15) Temporary construction office and/or trailer for the duration of the construction of the project.
- 16) Trash enclosures.
- 17) Other accessory uses which are determined by the Planning Board to be customary and incidental to the permitted principal uses.

C. Maximum density: The RAH-4 District shall permit a maximum of 106 dwelling units.

D. Affordable housing requirements:

- 1) A minimum of 20 percent of the total number of dwelling units approved for development or constructed within the RAH-4 District, regardless of whether the maximum permitted number of dwelling units is developed, shall be deed restricted for very-low, low-, and moderate-income households. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up to the nearest whole number.
- 2) All affordable units shall comply with Chapter 125 of the Township Code (Affordable Housing), the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations including but not limited to phasing and bedroom distribution requirements, any applicable order of the Court, and other applicable laws.
- 3) The applicant shall be responsible for managing the affordable housing units to assure compliance with all applicable laws and regulations. The applicant shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance (§ 125-20), applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction.
- 4) Affordable units shall be distributed throughout the development in a manner satisfactory to the Planning Board. Affordable housing units may be provided within stacked townhouse buildings and are not required to be proportionally distributed among single townhouse units, provided that all affordable units otherwise comply with applicable state and local affordable housing requirements.
- 5) All affordable units shall be available to families (not age-restricted) and may be for sale or rentals.
- 6) All affordable units shall be subject to deed restrictions on income limits for a period not less than 30 years in accordance with UHAC requirements.
- 7) The applicant shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to very-low-, low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years. In addition to such description, actual samples of language to be included in the nature of

covenants shall be submitted. The submitted description shall indicate the entity or entities responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations.

E. Area, yard, bulk and architectural requirements. The following are the area, yard, bulk and architectural requirements:

1) Area, lot, and yard requirements:

- a. Maximum building height: fifty-five (55) feet.
- b. Maximum number of stories: four (4) stories.
- c. Minimum lot width for fee simple townhouse lots: Twenty (20) feet.
- d. Minimum lot area for fee simple townhouse lots: 1,900 square feet.

2) Residential building requirements and setbacks. For purposes of this subsection, the term "building" shall mean a principal residential building or building cluster containing townhouses or stacked townhouses, and shall not be construed to refer to individual attached townhouse units within such building or cluster:

- a. Minimum distance to the tract boundary for any building: fifty (50) feet.
- b. Minimum distance between buildings: thirty (30) feet.
- c. Minimum distance from a building to a parking area (excluding driveways): seven (7) feet.
- d. Spacing and building length requirements. Any principal residential building or building cluster containing townhouses shall contain no fewer than three (3) and no more than twelve (12) attached townhouse units per building or building cluster. Stacked townhouse buildings may be developed as separate principal residential buildings and shall be limited to a maximum of twenty (20) dwelling units per stacked townhouse building.

3) Accessory structure requirements:

- a. Accessory structures shall comply with the height requirements outlined in § 310-132 of the Land Use Ordinance.
- b. Signs, utilities, access roads, driveways, sidewalks, walking trails, and other similar accessory uses or structures may be located in all yard areas subject to Planning Board approval.
- c. All trash enclosures shall be screened by a solid or board on board fence on three sides and a heavy-duty gate on the fourth side.
- d. All trash enclosures shall be surrounded on three sides by a mixture of deciduous and evergreen plant species.

4) Parking and circulation requirements:

- a. Parking spaces for the townhouse and stacked townhouse units shall be provided in accordance with the maximum requirements in the Residential Site Improvement Standards (N.J.A.C. 5:21-4.14 et seq.).

- b. No off-street parking lots shall contain more than 20 contiguous spaces without providing a landscaped area to separate parking sections.
- c. Off-street surface parking areas facing external property lines shall be screened with landscape materials to prevent headlight glare from projecting off-site.
- d. Roadways and sidewalks shall be designed in accordance with RSIS standards. Sidewalks shall be constructed along US Route 46 and Scrub Oaks Road, with crosswalks in appropriate locations subject to Planning Board approval.
- e. No townhouse or stacked townhouse shall have direct access onto a public right-of-way.

5) Sign requirements:

- a. Developments in the zone are permitted one (1) permanent, monument style sign identifying the development at each entry point to the community, set back a minimum of 10 feet from any street line and 30 feet from any side property line. The sign shall be a maximum of seventy-five (75) square feet (not including the base of the sign) and not more than eight (8) feet in height. The sign may be illuminated from shielded ground-mounted lights or backlit channel letters.
- b. Temporary signs marketing the sale of homes, directing customers to sales areas and model units, and advertising the new community shall be permitted to be displayed from the commencement of construction until the sale of the last unit in the development. The number and size of such signs shall be subject to review and approval by the Planning Board or Board of Adjustment.

6) Tree Removal:

- a. Only the removal of trees necessary to accommodate the redevelopment of the site is permitted to exceed the provision of § 310-273.G, with the exception of areas regulated by the New Jersey Department of Environmental Protection shall be restricted by applicable regulations.
- b. Existing trees within the proposed buffer areas that are healthy shall be retained to the greatest extent practicable.

7) Landscaping requirements:

- a. The application shall provide professionally designed and executed landscaping for the project. Areas not utilized for parking, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved.
- b. Retaining walls shall be landscaped and code-compliant fall protection fencing and/or railings shall be provided for any retaining walls in excess of 4 feet in height. The applicant is encouraged to use a series of smaller terraced retaining walls, rather than large walls, where feasible.
- c. Landscaping shall include shade trees, ornamental trees, flowering trees and shrubs, evergreens, decorative grasses, annual and perennial flowering plants, ground covers and lawns.

- d. Shade trees shall be provided along external streets and internal roadways and parking areas.
- e. Appropriate shade tree species shall be planted at a maximum spacing of 50 feet.
- f. Tree spacings may be modified to accommodate utilities, lighting, drainage facilities, rock outcroppings and other similar features.
- g. Areas not utilized for parking areas, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable ground cover, trees and shrubs, or left undisturbed and preserved in its natural vegetative state.

8) Buffer requirements:

- a. The need for any buffers between buildings and site improvements and the external property lines shall be determined during site plan review. The minimum width of any buffer determined to be required by the Planning Board shall be 25 feet.
- b. Proposed buffer plantings, if required, shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows. Buffer plantings may include deciduous and evergreen trees and shrubs, flowering plants, lawns and groundcovers.
- c. The Planning Board may require, however, that the buffer area be maintained in its natural state if a site inventory of existing vegetation reveals that the existing vegetation is suitable as a landscaping screen.

9) Lighting requirements:

- a. The location, spacing and quantity of site lighting provided shall be that which is necessary to meet the lighting area standards described herein.
- b. All outdoor lighting fixtures shall be dark sky compliant and shall not exceed a color temperature of 3,000 Kelvin.
- c. All parking areas and walkways thereto and appurtenant passageways and driveways shall be adequately illuminated for security and safety purposes. The lighting plan in and around the parking areas shall provide for nonglare lights. The light intensity provided at ground level should be indicated in footcandles on the submitted site plans and should be maintained at a minimum level of at least five-tenths (0.5) footcandles at intersections, and three-tenths (0.3) footcandles elsewhere to be illuminated. Lighting shall be provided by fixtures with a mounting height not more than twenty feet (20') or the height of the building, whichever is less, measured from the ground level to the centerline of the light source.
- d. All outdoor lighting shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties and traffic safety. The objective of these specifications is to minimize undesirable off-premises effects. No light shall shine into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, light shielding, and similar characteristics shall be subject to site plan approval.

10) Building Design and Placement Requirements:

- a. This subsection shall supersede § 310-124 (Appearance of Buildings) in its entirety.
- b. Building facades may consist of wood shingle, brick, stone, cast stone, stucco, hardy plank, cementitious boards, cultured stone, or other materials satisfactory to the Planning Board. The use of EIFS as a building façade shall be prohibited.
- c. Aluminum and vinyl siding shall only be used as a building façade material for accent treatments.
- d. Buildings shall include wall offsets, including projections such as balconies, canopies and recesses. These elements shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, dormers or gables shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
- e. Where any residential building has a length along any plane longer than 100 feet, there must be at least two setback changes along the façade equal to or exceeding 1.5 feet, three setback changes along any plane longer than 150 feet, and four setback changes along any plane greater than 200 feet.
- f. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
- g. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- h. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank walls shall be prohibited.
- i. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
- j. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.
- k. Building construction and site development should incorporate green development practices and strategies such as those suggested by the USGBC through the Leadership in Environmental Education (LEED) Program or the use of energy star rated materials and/or appliances. These practices and strategies may include reuse of existing building materials, responsible disposal or recycling of existing building materials and use of energy efficient HVAC units. LEED or other outside agency approval is however not required as part of this strategy.
- l. All accessory structures shall be architecturally compatible with the principal buildings.

11) Phasing Requirements

- a. Development of the principal structures may occur in phases, subject to the following:

1. A phasing plan shall be submitted to the Planning Board for review and approval.
2. Each phase shall comply with the requisite minimum inclusionary set-aside requirement for low- and moderate-income units.
3. Each phase shall comply with the requisite minimum off-street parking requirements.

12) Infrastructure maintenance requirements:

- a. No infrastructure constructed on in the RAH-4 District shall be owned by or be the responsibility of Mine Hill Township.
- b. A plan for the maintenance of all improvements and infrastructure must be submitted to the Planning Board as part of an application for site plan review.

Section 6. All Ordinances of Mine Hill Township which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 8. This Ordinance shall take effect upon final publication and in accordance with law.