

**ORDINANCE #1480**

**AN ORDINANCE OF THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 142, ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF HADDON BY REZONING SITES AND CREATING THE CUTHBERT BOULEVARD INCLUSIONARY AFFORDABLE HOUSING OVERLAY DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT**

**WHEREAS**, in accordance with the New Jersey Fair Housing Act (“FHA”), N.J.S.A. 52:27D-310, as amended by P.L. 2024 c.2, the Administrative Directive #14-24, the new DCA rules contained at N.J.A.C. 5:99 et seq., the 2025 updated Uniform Housing Affordability Controls (“UHAC”) contained at N.J.A.C. 5:80-26.1 et seq., and the court-upheld rules of the New Jersey Council on Affordable Housing (“COAH”) contained at N.J.A.C. 5:93 et seq., a 2025 Fourth Round Housing Element and Fair Share Plan (“HEFSP” or the “Plan”) was prepared for the Township of Haddon (“Township”), by the Township’s Affordable Housing Professional Planning consultants, Mary Beth Lonergan, PP, AICP, and Tristan Harrison, PP, AICP, of Clarke Caton Hintz, PC; and

**WHEREAS**, the Haddon Township Planning Board adopted the Fourth Round HEFSP on June 4, 2025, the Haddon Township Board of Commissioners endorsed the Fourth Round HEFSP on June 17, 2025, and the Township filed the 2025 HEFSP with the Affordable Housing Dispute Resolution Program (“Program”) and the Superior Court per the amended FHA; and

**WHEREAS**, Fair Share Housing Center (“FSHC”) filed a challenge to the 2025 HEFSP on August 25, 2025, as permitted under the amended Fair Housing Act, requesting additional documentation and additional compliance mechanisms to address the Township’s Fourth Round Unmet Need; and

**WHEREAS**, a Fourth Round Consent Order with FSHC was filed on December 17, 2025, and granted by the Court on January 15, 2026, in which the Township agreed to adopt overlay zoning for inclusionary development on Block 13.03, Lot 1 (“Westmont Plaza”) and Block 11.01, Lots 1, 1.01, 2 and 3 (“Haddon Commons”); and

**WHEREAS**, the Haddon Township Planning Board will consider for adoption a Fourth Round HEFSP Amendment;

**WHEREAS**, the Township hereby declares that pursuant to the purposes of the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., this Ordinance promotes the public health, safety, morals and general welfare, implements the 2026 Fourth Round HEFSP Amendment, and advances the Township’s efforts to meet its constitutional obligation to provide its fair share of very low-, low-, and moderate-income housing; and

**WHEREAS**, the Haddon Township Board of Commissioners formally referred this Ordinance to the Planning Board for review, discussion, and recommendation in accordance with N.J.S.A. 40:55D-26, and the Planning Board determined the Ordinance to be consistent with the Haddon Township Master Plan; and

**WHEREAS**, the adoption of this Ordinance was properly noticed pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-62.1.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Township of Haddon, Camden County, New Jersey, as follows:

**Section 1.** §142-34, Zoning Districts, shall be revised by adding the following overlay districts to the enumerated districts of the Township of Haddon:

- AHO-4 (Affordable Housing Overlay 4)
- AHO-5 (Affordable Housing Overlay 5)

**Section 2.** §142-35, Zoning Map, shall be modified to apply the following affordable housing overlay districts to the following blocks and lots on the tax assessment maps of the Township of Haddon, as shown in Exhibit A of this Ordinance:

<u>Block</u>	<u>Lot(s)</u>	<u>Symbol and District</u>
11.01	1, 1.01, 2, 3	AHO-4, Affordable Housing Overlay 4

**Section 3.** There is hereby created an overlay zoning district entitled AHO-4, Affordable Housing Overlay 4, as § 142-37.P. of the Land Use and Development Ordinance, as follows:

- P. AHO-4, Affordable Housing Overlay 4. This overlay zone is primarily created to provide for apartment dwellings over commercial uses, along with parking, on certain blocks and lots in the Township as enumerated in Section P.(3) of this Ordinance. It is also designed to require a twenty percent (20%) affordable housing set-aside whether the apartments created are rental or for-sale units.
- (1) Additional permitted use: Apartments above first-floor commercial uses.
  - (2) No commercial uses are permitted above the ground floor, and all commercial uses shall front on Cuthbert Boulevard.
  - (3) Required uses: Any new residential development in the AHO-4 District shall include at least twenty percent (20%) of the total number of dwelling units as affordable units, as the term “affordable” is defined in § 142-10 of the Land Use and Development Code of the Township of Haddon and per the November 2025 updated Uniform Housing Affordability Controls (“UHAC”) at NJAC 5:80-26.1, as modified by P.L. 2024, c.2.
  - (4) Development standards within the AHO-4 district shall be as permitted by the regulations of the underlying C-2, Shopping Center District, with the following modifications:
    - (a) Minimum tract size: 1 acre
    - (b) Minimum tract frontage (Cuthbert Blvd): 200 feet
    - (c) Maximum residential density: 15 dwellings per acre
    - (d) Maximum building height: 4 stories and 50 feet
    - (e) Front setback (from Cuthbert Blvd): 30 feet
    - (f) Rear setback: 30 feet
    - (g) Side setback: 30 feet
  - (5) Building design:
    - (a) No building façade shall exceed a length of 40 feet without a horizontal break in the facade. The horizontal break shall be a minimum depth of three feet for a minimum length of 20 feet.
    - (b) The minimum requirement for fenestration on residential façades shall be twenty percent (20%) of the total façade area, except that the side façade of end dwelling units that do not contain an entrance may be reduced to a minimum of ten percent (10%) of that façade.
    - (c) Façades shall contain repeating patterns of contrasting materials, material colors, and material textures that visually breakup the horizontal and vertical expanse of the façade.
    - (d) All sides of a building visible to the public shall be designed with the same materials as the front façade.
    - (e) Roofs shall have a pitched appearance from the street. All exterior HVAC and roof-mounted equipment shall be screened from street-level view.
    - (f) Laundry facilities shall be included with each residential unit.
  - (6) Parking.
    - (a) Parking for residential uses shall be provided on-site and shall not be shared on Cuthbert Boulevard and local streets. Parking for residential uses shall be in accordance with the Residential Site Improvement Standards.

Shared parking for commercial uses shall conform to Section 142-39.A.(5) of the ordinance.

- (b) All common parking lots or structures shall be accessible only from existing curb cuts, and shall be screened from public view to the greatest extent possible.
- (c) A minimum number of bicycle racks shall be incorporated into the plan pursuant to the appropriate guidelines promulgated in the Association of Pedestrian and Bicycle Professionals' Bicycle Parking Guidelines, and shall be installed in safe and convenient locations.

(7) Enclosures for Trash and Recyclables.

- (a) Trash enclosures or central trash compaction and recycling areas are required and shall comply with the requirements of Chapter 134 of the Township Code.
- (b) Trash enclosures or compactors shall be sufficiently sized to contain both trash and recyclable materials, such that no dumpsters shall sit in the open.
- (c) Trash enclosures or central trash compaction/recycling areas shall be masonry structures or opaque fencing, with an exterior color scheme to complement the principal buildings.
- (d) Trash enclosure gates shall be decorative fencing materials with a steel frame and self-locking gate.
- (e) Trash enclosures shall be a minimum of six (6) feet in height, or higher to shield the enclosure. Landscaping may also be used in combination with structures to shield the trash and recycling area.
- (f) Trash enclosures that serve residential units shall be located in a common area and include a door or opening for pedestrian access in addition to the truck access gates.

**Section 4.** There is hereby created an overlay zoning district entitled AHO-5, Affordable Housing Overlay 5, as § 142-37.Q. of the Land Use and Development Ordinance, as follows:

Q. AHO-5, Affordable Housing Overlay 5. This overlay zone is primarily created to provide for apartment dwellings over commercial uses, along with parking, on certain blocks and lots in the Township as enumerated in Section Q.(3) of this Ordinance. It is also designed to require a twenty percent (20%) affordable housing set-aside whether the apartments created are rental or for-sale units.

- (1) Additional permitted use: Apartments above first-floor commercial uses.
- (2) No commercial uses are permitted above the ground floor, and all commercial uses shall front on Cuthbert Boulevard.
- (3) Required uses: Any new residential development in the AHO-5 District shall include at least twenty percent (20%) of the total number of dwelling units as affordable units, as the term "affordable" is defined in § 142-10 of the Land Use and Development Code of the Township of Haddon and per the 2025 updated Uniform Housing Affordability Controls ("UHAC") at NJAC 5:80-26.1, as modified by P.L. 2024, c.2.
- (4) Development standards within the AHO-5 district shall be as permitted by the regulations of the underlying C-2, Shopping Center District, with the following modifications:
  - (a) Minimum tract size: 1 acre
  - (b) Minimum tract frontage (Cuthbert Blvd): 200 feet
  - (c) Maximum residential density: 20 dwellings per acre

- (d) Maximum building height: 4 stories and 50 feet
- (e) Front setback (from Cuthbert Blvd): 30 feet
- (f) Rear setback: 30 feet
- (g) Side setback: 30 feet

(5) Building design:

- (a) No building façade shall exceed a length of 40 feet without a horizontal break in the facade. The horizontal break shall be a minimum depth of three feet for a minimum length of 20 feet.
- (b) The minimum requirement for fenestration on residential façades shall be twenty percent (20%) of the total façade area, except that the side façade of end dwelling units that do not contain an entrance may be reduced to a minimum of ten percent (10%) of that façade.
- (c) Façades shall contain repeating patterns of contrasting materials, material colors, and material textures that visually breakup the horizontal and vertical expanse of the façade.
- (d) All sides of a building visible to the public shall be designed with the same materials as the front façade.
- (e) Roofs shall have a pitched appearance from the street. All exterior HVAC and roof-mounted equipment shall be screened from street-level view.
- (f) Laundry facilities shall be included with each residential unit.

(6) Parking.

- (a) Parking for residential uses shall be provided on-site and shall not be shared on Cuthbert Boulevard and local streets. Parking for residential uses shall be in accordance with the Residential Site Improvement Standards. Shared parking for commercial uses shall conform to Section 142-39.A.(5) of the ordinance.
- (b) All common parking lots or structures shall be accessible only from existing curb cuts, and shall be screened from public view to the greatest extent possible.
- (c) A minimum number of bicycle racks shall be incorporated into the plan pursuant to the appropriate guidelines promulgated in the Association of Pedestrian and Bicycle Professionals' Bicycle Parking Guidelines, and shall be installed in safe and convenient locations.

(7) Enclosures for Trash and Recyclables.

- (a) Trash enclosures or central trash compaction and recycling areas are required and shall comply with the requirements of Chapter 134 of the Township Code.
- (b) Trash enclosures or compactors shall be sufficiently sized to contain both trash and recyclable materials, such that no dumpsters shall sit in the open.
- (c) Trash enclosures or central trash compaction/recycling areas shall be masonry structures or opaque fencing, with an exterior color scheme to complement the principal buildings.
- (d) Trash enclosure gates shall be decorative fencing materials with a steel frame and self-locking gate.
- (e) Trash enclosures shall be a minimum of six (6) feet in height, or higher to shield the enclosure. Landscaping may also be used in combination with structures to shield the trash and recycling area.
- (f) Trash enclosures that serve residential units shall be located in a common area and include a door or opening for pedestrian access in addition to the truck access gates.

**Section 5:** Except as set forth in Sections 1, 2, 3, and 4 above, the balance of the Code of the Township of Haddon shall not be affected by this Ordinance.

**Section 6:** All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**Section 7:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**Section 8:** This Ordinance shall take effect upon passage and publication according to law.

Date of Introduction: February 24, 2026

Date of Adoption

BOARD OF COMMISSIONERS

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Dawn M. Pennock, Municipal Clerk

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Randall W. Teague, Mayor

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James Mulroy, Commissioner

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Ryan Linhart, Commissioner

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Board of Commissioners of the Township of Haddon, in the County of Camden, State of New Jersey, held on February 24, 2026. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held in the meeting room of 135 Haddon Avenue, in the Township of Haddon on March 12, 2026, at 4 p.m., and during the week prior and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

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Dawn M. Pennock, RMC, CMR, Clerk

EXHIBIT A