TOWNSHIP OF GREENWICH
COUNTY OF WARREN
STATE OF NEW JERSEY

ORDINANCE #114-2026

AN ORDINANCE OF THE TOWNSHIP OF GREENWICH AMENDING CHAPTER 16 OF THE CODE OF THE TOWNSHIP OF GREENWICH, TITLED "ZONING" BY AMENDING §16-19G TITLED "INCLUSIONARY RESIDENTIAL HOUSING-1 (IRH-1)" BY RESCINDING AND REPLACING ORDINANCE #103-2026, ORDINANCE #104-2026 ORDINANCE #105-2025, AS APPLICABLE, TO INCLUDE A NEW §16-19G TITLED "INCLUSIONARY RESIDENTIAL HOUSING-1 (IRH-1) DISTRICT"

BE IT ORDAINED by the Township Committee of the Township of Greenwich, County of Warren and State of New Jersey as follows:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Chapter 16 of the Code of Greenwich Township pursuant to the recommendations of the Township Planner and in furtherance of the Township's Fourth Round 2025-2035 Housing Element and Fair Share Plan by rescinding and replacing Ordinances #103-2026, #104-2026 and #105-2026, as applicable, to include a new §16-19G entitled "Inclusionary Residential Housing-1 (IRH-1) District" on Block 36, and all or portions of Lots 1, 1.01, 1.02 and 2, as applicable.

SECTION 2. AMENDMENT TO §16-2.1 "Districts." §16-2.1 of the Code of the Township of Greenwich entitled "Districts" is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

n. IRH-1 Inclusionary Residential Housing -1 District.

SECTION 3. AMENDMENT TO CHAPTER 16 OF THE CODE OF THE TOWNSHIP OF GREENWICH ENTITLED "ZONING" BY AMENDING §16-19G TITLED "INCLUSIONARY RESIDENTIAL HOUSING-1 (IRH-1)" BY RESCINDING AND REPLACING ORDINANCE #103-2026, ORDINANCE #104-2026 AND ORDINANCE #105-2026, AS APPLICABLE, TO INCLUDE A NEW §16-19G TITLED "INCLUSIONARY RESIDENTIAL HOUSING-1 (IRH-1) DISTRICT."

Chapter, 16, §16-19G is hereby amended by rescinding and replacing Ordinance #103-2026, Ordinance #104-2026 and Ordinance #105-2026, as applicable, to include the following new §16-19G titled "Inclusionary Residential Housing-1 (IRH-1) District" as follows:

§ 16-19G Inclusionary Residential Housing -1 (IRH-1) District.

a. Applicability.

The use, bulk, design and performance standards of the IRH-1 District herein shall replace the existing IRH-1 zoning provisions of the Township of Greenwich General Ordinances and the Zoning Ordinance (Chapter 16). However, where regulations and standards of the

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IRH-1 District are not addressed herein, they shall be governed by the standards and regulations of the General Ordinances of the Township of Greenwich and Chapter 16 Zoning. However, development within the IRH-1 district shall be specifically exempt from sign regulations pursuant to Chapter 16-11 and minimum floor area requirements for individual units pursuant to Chapter 16-4.13.

b. Purpose.

The IRH-1 District provides land use regulations for the development of the site where specific site elements are incorporated that limit the impact to the surrounding parcels through the requirement of adequate development setbacks and sufficient buffering. The IRH-1 District is intended to provide for the development of multi-family, stacked townhouses, townhouses and supportive housing in an inclusionary mixed-use development with low- and moderate-income housing as depicted on the Concept Plan as defined herein.

c. Definitions.

1. Stacked Townhome. A multifamily residential building with attached dwelling units consolidated into a single structure. Each dwelling unit shares at least one common wall. Dwelling units are mixed vertically; however, no more than one unit is permitted above another unit.

2. Retail. Establishment engaged in selling goods, services or merchandise to the general public for personal or household consumption. Retail does not include gas stations.

3. Restaurant. Establishment where food and drink is prepared, served, and consumed within an enclosed building.

4. Outdoor Dining. Retail or restaurant establishments selling food and drink for consumption on or off premises wherein a part of the dining area is located outdoors, or where customers or patrons purchase or receive food outdoors.

5. Personal Services. Establishments primarily engaged in providing services involving the personal care of a person, his or her personal goods or apparel. Personal services does not include gas stations.

6. Childcare Center. An institution or place licensed by the New Jersey State Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq., and which, for compensation or otherwise, receives for temporary custody six or more children under the age of six years, apart from their parents or legal guardians, during part of all of the day but for not less than three hours each day.

d. Permitted Uses. Permitted principal uses and structures. The following principal uses and structures shall be permitted in the IRH-1 District.

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1. Multi-Family dwellings.
2. Stacked Townhomes.
3. Townhomes.
4. Supportive Housing.

e. Conditional Uses. The following uses are permitted only if additional sewer capacity is secured above the 75,000 gallons per day of sewage treatment capacity presently allocated in accordance with that certain Assignment of Sewer Allocation Agreement Between the Township of Greenwich and Dowel Associates dated December 10, 1998 (the "Assignment of Sewer Allocation Agreement") and shall be used for the residential units.

1. Retail (which is permitted until 10:00pm).
2. Restaurant
3. Outdoor Dining provided the following occurs:
   a. The area used for outdoor dining shall be set back at least four (4) feet from any street, driveway or parking area.
   b. The area must not inhibit pedestrian traffic on sidewalks. A minimum space of at least four (4) feet of unrestricted pathway shall be maintained.
   c. Ingress and egress to all storefronts must be kept clear.
   d. Planters or other removable enclosures are encouraged as a means of defining the outdoor dining area.
   e. Outdoor food service is subject to Chapter 12 of the New Jersey Sanitary Code.
   f. Outdoor dining is permitted between 8:00am and 9:00pm.
4. Personal Services
5. Childcare Center

f. Accessory Uses Permitted. The following accessory uses and structures shall be permitted in the IRH-1 District:

1. Private community spaces, including a clubhouse or community center and amenities (e.g., multipurpose room, mail rooms, fitness studios, non-commercial pet grooming, etc.) for the sole use and enjoyment of residents and their guests;
2. Refuse and recycling areas;
3. Onsite surface and covered parking including electric vehicle supply/service equipment as required pursuant to NJSA 40:55d-1 et seq;
4. Outdoor pool in association with the community clubhouse;
5. Outdoor community recreation areas that serve the overall community (e.g., tot lots and playground, gazebos, picnic areas);
6. Signage;
7. Temporary construction trailers, the location to be shown on the approved site plan, which shall be removed within 30 days after the final Certificate of Occupancy is issued for each phase of the development unless an extension is granted by the zoning official;
8. Utility installations;
9. Maintenance facilities within an enclosed structure;
10. Storage facilities within an enclosed structure;

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11. Onsite professional management and leasing office, provided that it is not located within a dwelling unit;
12. Electric vehicle charging stations and make-ready infrastructure; and
13. Such other uses and structures that are customary and incidental to the principal use as permitted by the Planning Board and shown on the approved site plan.

g. Community Design and Access. Any plan for the development of the IRH-1 zoning district shall be generally in conformance with the illustrative concept plan dated October 7, 2026, which is incorporated by reference herein (the "Concept Plan"). A copy of the Concept Plan shall be on file in the Office of the Municipal Clerk.

h. Maximum Units. Maximum units shall not exceed the number of units that can be serviced by the 75,000 gallons per day sewer allocation as provided in the Assignment of Sewer Allocation Agreement estimated to service a maximum of 325 units which may be increased a measure of 5% (or a maximum of 341 units) upwards, and provided 20% of the overall units are deed restricted for very-low, low- and moderate-income housing in compliance with UHAC, as defined herein, and the Township's affordable housing ordinance. In addition, there shall be a minimum of 15% of townhomes and 20% stacked townhomes of the total number of units in the IRH-1 district or for each phase of the development.

i. Maximum Building Height.

1. Maximum building height for multi-family dwellings shall not exceed 52 feet in height and 4 stories.
2. Maximum building height for stacked townhomes and townhomes shall not exceed 40 feet in height and 3 stories.
3. Maximum building height for non-residential uses shall not exceed 30 feet and one story.

j. Area and Yard Requirements.

1. Zone Limitations
   a. Maximum building coverage: 30%
   b. Maximum impervious coverage: 60%
   c. Minimum setback to Route 173: 50 feet
   d. Minimum setback to Route 78: 50 feet
   e. Minimum buffer to Route 78 and Beatty's Road shall be 50 feet. The first 25 feet of the buffer area closest to Beatty's Road shall be planted in accordance with the buffer planting standards of Chapter 16 and shall not include stormwater management facilities.
   f. Parking spaces shall be provided for all residential dwellings according to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).
   g. Minimum parking for commercial uses: 3 spaces/1,000 sf

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2. Multi-family buildings
   a. Minimum distance between multi-family buildings 50 feet
   b. Maximum multi-family building length 300 feet

3. Townhomes and Stacked Townhomes
   a. Maximum units per townhome building: 8
   b. Maximum units per stacked townhome building: 16
   c. Maximum building length 250 feet
   d. Dwellings shall be rear garage entry only
   e. Minimum separation between building and front roadway: 15 feet
   f. Minimum separation between building and rear alley: 20 feet

4. Non-Residential Uses (Retail, Restaurant, Outdoor Dining, Childcare Center, Personal Services)
   a. Maximum building coverage: 40%
   b. Maximum impervious coverage: 80%
   c. Minimum setback to Route 173: 50 feet
   d. Minimum parking setback to Route 173 (edge of pavement): 25 feet
   e. Minimum distance between buildings: 20 feet
   f. Minimum setback from retail building to internal roads: 20 feet
   g. Minimum setback from retail building to parking: 15 feet
   h. Maximum total floor area: 20,000 sf
   i. Minimum number of individual buildings: 2
   j. Maximum number of individual buildings: 3
   k. Maximum individual commercial spaces per building: 5

k. Technical Subdivision**.** The Township recognizes that a technical subdivision for this project may be required for marketing or financing purposes.

1. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval.
2. An application for technical subdivision approval may be submitted with an application for approval of a site plan for the residential and/or mixed use development providing for low- and/or moderate-income housing units as part of the Township's affordable housing plan, or subsequent to the issuance of such approval.
3. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required, subject to the following conditions:
   a. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
   b. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.

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c. A technical subdivision must not reduce, limit or modify parking or access to parking.
d. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, drainage and/or utilities where necessary.

l. General Zoning Standards.

1. Building Design. The design of all buildings shall be in a similar character as depicted in the Illustrative Architectural Exhibit dated 10/7/2026, which is incorporated by reference herein (the "Illustrative Architectural Exhibit"). A copy of the Illustrative Architectural Exhibit shall be on file in the Office of the Municipal Clerk. In addition, the following design standards shall be employed with the design of all buildings in the zone:

   a. Materials. All building facades adjacent to any street shall be composed of quality wood, masonry, glass, or metal materials, except that fiber cement siding, such as HardiPank® or the equivalent is acceptable.

   b. Articulation:
      i. The building façade shall have a clearly defined base, body, and cap.
      ii. The building façade shall create a defining wall along Route 173 and all internal roads and public gathering spaces.
      iii. Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior.
      iv. Wall offsets, including projections and recesses, such as balconies, bays, canopies, awnings, and other architectural details, are encouraged on all buildings.
   c. Roofs:
      i. The shape, pitch, and color of a roof should be architecturally compatible with the style, materials, and colors of such building.
      ii. If the building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment.

   d. Rooftop heating, ventilating, and air conditioning (HVAC) systems, exhaust pipes and stacks, satellite dishes, and other telecommunications receiving devices shall be screened or otherwise specially treated to be inconspicuous as viewed from the primary to secondary street and adjacent properties.

   e. Entrances: All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, overhangs, or canopies. These elements shall be compatible with the style and materials of the building.

2. Circulation and Parking

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a. Pedestrian Circulation. Pedestrian walkways connecting streets and parking areas to the dwellings shall be provided.
b. Streets and parking areas and associated street lighting and parking area lighting shall be owned and maintained by a private entity, and/or homeowners association/condominium association and shall not be dedicated to the Township.
c. Streets and parking areas shall be designed to provide clear access and permit necessary circulation for the most restrictive Township fire apparatus.
d. Streets and parking areas shall be subject to Title 39 jurisdiction.
e. All curbs shall be 6" in height and constructed of Belgian block, unless mountable Belgian block curbs are proposed.
f. Except as shown on the Concept Plan, parking shall not be permitted between a public road and a residential use.

3. Lighting

a. General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. The use of light emitting diode (LED) fixtures is required for energy efficiency and uniform illumination.

b. Parking areas shall be illuminated with a minimum of two tenths (0.2) foot-candle. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.

c. Illumination at property lines shall not exceed one-tenth (0.1) foot-candle, excluding public street rights-of-way.

d. Lighting shall be provided by fixtures in parking areas with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures not to exceed twelve (12) feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.

e. Pedestrian level lighting shall be used along any pedestrian walkways not illuminated by parking areas lighting. The minimum illumination of pedestrian areas shall be two tenths (0.2) foot-candle over the walkway surface. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.

f. Fixtures for illumination shall be full cutoff luminaires.

4. Plantings

a. Parking Lot

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i. Screen planting, berm, fence, wall or combination thereof, no less than three feet in height, shall be provided between the off-street parking areas (including drive-thru lanes and interior drives running parallel to other roads) and any lot line or street line except where a building intervenes. Shrubs used for screening shall be planted in a staggered double row.

ii. All loading areas shall be landscaped and screened sufficiently to obscure the view of parked vehicles, loading platforms and loading activities from any residential lot line or street line throughout the year. Such screening shall be an extension of the building, fence, berm, wall, planting or combination thereof and shall not be less than six feet in height.

iii. In parking lots at least 5% of the total square footage of interior parking area, including accessways, shall be landscaped with shrub plantings no higher than three feet. Such landscaped areas shall be distributed throughout the parking area. The landscaping should be located in protected areas such as along walkways, in center islands, or at the end of bays.

iv. One shade tree measuring a minimum of 2.5" caliper at dbh shall be provided for every four (4) parking spaces in the vicinity of the parking lot. This provision excludes trees required for landscape buffers or street tree planting.

v. Curbed planting islands of nine (9) feet in width shall be placed at the end of each row of parking spaces along an internal traffic aisle.

vi. A maximum of 20 parking spaces shall be permitted in a row without a curbed planting island of nine feet in width.

vii. Parking areas shall be screened from interior drives using evergreen, deciduous and flowering trees and shrubs to create a continuous landscape strip. Pedestrian walkways shall be integrated within these planting strips.

b. Buffer. Shall be planted with dense masses and groupings of evergreen trees, shade trees, ornamental trees and shrubs. No less than 75% of the buffer area shall include evergreen trees installed at a minimum height of six (6) feet.

c. Street. Street trees shall be provided along all public and private roads at a planting distance of 50 feet on center at a minimum measurement of 2.5" caliper dbh.

d. General

i. All plantings shall be installed according to accepted horticultural standards.

ii. All buildings shall be provided with an aesthetically pleasing and functional landscape design utilizing native plants. Building foundation plantings, planting clusters located in strategic areas, and shade trees in public gathering spaces shall be provided.

5. Open Space Standards.

a. Open space and recreation space in the minimum amount of 2.0 acres which does not include the trail system, shall be provided in general conformance with the Concept Plan dated 10/7/2026. A copy of the Concept Plan shall be on file in the Office of the Municipal Clerk in accordance with the Concept Plan.

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b. A detailed plan for all open spaces shall be submitted for review and approval as part of preliminary subdivision or site plan application.

c. Stormwater facilities are permitted with the open space areas but shall not impede the function of the open space.

d. All open space or common areas shall be owned and maintained by a private entity/ homeowners, condo association, except that the recreation field and parking identified in the Municipal Government (MG) zoning district on the Concept Plan shall be dedicated to the Township as part of any subdivision or site plan approval application filed in connection with any development proposal in this district. The dedication to the Township shall occur upon the issuance of the first temporary certificate of occupancy or certificate of occupancy, whichever is the first to occur, for the development within the IRH-1 zoning district.

6. Signs

a. One double sided Retail Pylon Sign shall be permitted on site with a maximum height of 12 feet and a maximum size of 30 sf per side. Signage shall be back lit and face lit.

b. Each housing type shall be allowed 2 monument signs. Each sign shall be a maximum height of 6 feet and a maximum size of 24 sf. Signage shall be back lit and face lit.

c. One wall sign is permitted for each non-resident tenancy and shall not exceed 24 square feet.

d. The Township will provide the names of all roadway, alleys and streets within the development.

7. Mechanical Equipment.

a. General. Such areas, due to their visual and noise impacts onto adjacent properties and visitors to the site shall be screened, recessed and enclosed.

b. Outdoor storage, utility meters, HVAC equipment, and other such service functions shall be incorporated into the overall design of the buildings and site layout. Walls, screens and enclosures for such uses shall be of a similar construction and material as the primary buildings to which they are associated. Such accessory structures and uses shall be adequately landscaped to the point where the visual and acoustic impacts of these functions in conjunction with walls, screens and/or enclosures are fully contained and out of the view from general passersby.

m. Affordable Housing.

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1. Affordable Housing Set-Aside: There shall be a 20% set-aside of the units for very-low, low- and moderate income households and each product type (i.e. multi-family apartments, townhomes, stacked townhomes) shall include 20% of the units for affordable housing.

2. Affordable units in said projects must be affordable to very low, low- and moderate-income households in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA"), Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC"), and New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq.

3. Income Distribution of Affordable Units: The income distribution for the affordable units in each project shall be as follows: no more than fifty percent (50%) within each bedroom distribution may be moderate income units, at least thirty-seven percent (37%) within each bedroom distribution shall be low income units and at least thirteen percent (13%) within each bedroom distribution shall be very low income units. Very low income unit requirements for the project may be satisfied solely with rental units. Very low income for-sale units are permitted but not required.

4. Affirmative Marketing of Affordable Units: The affordable units must be affirmatively marketed to the housing region in accordance with the Township's Affirmative Marketing Plan.

5. Affordable Housing Ordinance Requirements: The provisions of the Township's Affordable Housing Ordinance, shall apply to a multi-family affordable housing developments including, but not limited to, the UHAC required bedroom mix: At least twenty percent (20%) of the affordable units in each project shall be three bedroom units; at least, but not more than, twenty percent (20%) of the affordable units in each project shall be efficiency and one bedroom units; at least thirty percent (30%) of the affordable units in each project shall be two bedroom units; the balance may be two or three-bedroom units, at the discretion of the developer.

6. Deed Restriction of Affordable Units: The developer shall have an obligation to deed restrict the affordable units in any project as very low, low or moderate income affordable units for a period of at least thirty (30) years for for-sale units and forty (40) years for rental units, until such time and under such conditions as the Township takes action to release the deed restriction, so that the Township may count the affordable units against its affordable housing obligation.

SECTION 4. AMENDMENT TO §16-2.2 "Zoning Map." §16-2.2, "Zoning Map," of the Code of the Township of Greenwich is hereby amended to reflect the zoning changes to Block 36, and all or portions of Lots 1, 1.01, 1.02 and 2, as applicable.

SECTION 5. INCONSISTENT ORDINANCES.
All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

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SECTION 6. COPIES OF ORDINANCE
A copy of said full ordinance is on file in the Office of the Municipal Clerk for public examination and acquisition. Copies of said ordinance are available to any member of the general public who requests a copy of the ordinance, free of charge, at the Municipal Clerk's Office located in the Township Municipal Building, Monday through Thursday, 9 a.m. to 6 p.m.

SECTION 7. **NOTICE**
The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15 and N.J.S.A. 40:55D-62.1. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

SECTION 8. **SEVERABILITY**
Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

SECTION 9. **EFFECTIVE DATE**
This Ordinance shall take effect immediately upon final passage and publication according to law.

SECTION 10. This Ordinance may be renumbered for codification purposes.

_____
Robert Barsony, Mayor

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Lisa A. Burd, RMC, CMC, CTC, CMR
Township Clerk/Administrator

Introduction:
Publication:
Second Reading:
Adoption:
Publication:

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