BOROUGH OF CHATHAM
MORRIS COUNTY

ORDINANCE #26-04
AN ORDINANCE OF THE BOROUGH OF CHATHAM TO AMEND CHAPTER 165 "LAND DEVELOPMENT," TO ADD THE AFD-6 AFFORDABLE HOUSING DISTRICT

WHEREAS, in consultation with the Borough's legal and planning professionals, the Borough Council has determined that it is necessary and appropriate to amend Chapter 165 of the Code of the Borough of Chatham, "Land Development Regulations," to add a new zoning district to be known as the Affordable Housing 6 (AFD-6) Zoning District; and,

WHEREAS, unless otherwise indicated, the regulations and standards contained in this Ordinance shall be the only standards that shall apply within the Affordable Housing 6 (AFD-6) Zone.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Chatham, in the County of Morris and State of New Jersey, that Chapter 165 of the Code of the Borough of Chatham is hereby amended and supplemented as follows:

Section 1:
A new Section 165-35.4, entitled "Affordable Housing District 6 (AFD-6)," shall be added to Chapter 165 of the Code of the Borough of Chatham, "Land Development Regulations," and shall read as follows:

§ 165-35.4 **Affordable Housing 6 (AFD-6) Zoning District.**

A. The purpose of this Ordinance is to establish regulations and standards for Block 85, Lot 9 on the tax map of the Borough of Chatham (311 Main Street). Unless otherwise indicated, these regulations and standards are the only standards that shall apply in the Affordable Housing 6 (AFD-6) District. Any other sections of the Borough's Land Development Regulations which are in conflict with the standards and requirements set forth herein shall not apply and are superseded by the standards and requirements set forth herein. The development layout shall be substantially consistent with the attached concept plans.

B. Principal permitted uses. The following principal uses shall be permitted in the Affordable Housing 6 (AFD-6) District:

1. Multi-family housing.
2. Townhouses.
3. Stacked townhouses.

C. Accessory uses permitted. The following accessory uses and structures shall be permitted in the Affordable Housing 6 (AFD-6) District:

1. Garages and off-street parking facilities.
2. Common parking areas below a building.
3. Home offices.
4. Storage and maintenance buildings.
5. Private recreation/amenity areas, including rooftop decks.
6. Customary accessory structures approved as part of the site plan, including fences, walls, lampposts, trellises and the like.

D. The maximum number of units permitted within the Affordable Housing 6 (AFD-6) District is as follows: Up to nine (9) residential units, with a requirement that a minimum of fifteen percent (15%) of the units

within any development shall be affordable. Based on the foregoing, the developer shall provide one (1) affordable housing unit to meet this obligation. In addition, a payment of $63,000 will be made to the Borough's affordable housing trust fund for the remaining fractional unit in accordance with Chapter 69 of the Borough Code (35% of $180,000.00).

E. Bulk requirements in the Affordable Housing 6 (AFD-6) District are as follows:

1. Building Coverage: 50%.
2. Impervious Coverage: 90%.
3. Principal Building Setbacks:
   (a) Front Yard (Main Street, Railroad Avenue):10 feet. Porches and stoops attached to the principal structure shall be set back a minimum of three (3) feet.
   (b) Side Yard – 15 feet/
4. Accessory uses and building setbacks are to be the same as those for principal buildings. Internal sidewalks are exempt from setback requirements.
5. Parking Setbacks:
   (a) Front Yard: 15 feet.
   (b) Side Yard: Five (5) feet.
6. Building height - Three (3) stories or 42 feet maximum. This excludes basement areas which are more than 50 percent below the surface grade adjacent to them.

F. Building design standards for the Affordable Housing 6 (AFD-6) District are as follows:

1. Rooftop appurtenances including architectural features such as spires, cupolas, domes, and belfries, are permitted to exceed the listed maximum height, as long as they are uninhabited, their highest points are no more than 15 feet above the maximum overall height of the building, and as long as the total area enclosed by the outer edges of the appurtenances, measured at the maximum overall height of the building, does not exceed 15% of the total horizontal roof area of the building.
2. Stairs and elevator penthouses that project above the maximum overall height of the building shall count toward the 15% allowance. Equipment screens which project above the maximum overall height of the building shall also count toward the above 15% allowance.
3. Mechanical equipment shall be set back from all building facades by at least five (5) feet and screened.
4. Parapet walls are permitted up to five (5) feet in height, as measured from the maximum height limit, or finished level of roof. A guardrail with a surface of at least 70% open or with opacity of not more than 30% (as viewed in elevation) shall be permitted above a parapet wall or within two (2) feet of a parapet wall, provided that such guardrail is not more than four (4) feet in height. Such restriction on guardrail height shall not apply when located beyond two (2) feet from a parapet wall, in which case the guardrail shall be exempt from parapet height requirements

G. Parking requirements for the Affordable Housing 6 (AFD-6) District shall be as provided in the Residential Site Improvement Standards.

H. Electric vehicle supply equipment is to be provided in accordance with N.J.S.A. 40:55D-1, et seq.

Section 2:
All other provisions of Chapter 165 of the Code of the Borough of Chatham shall remain unchanged.

Section 3:
Pursuant to the New Jersey Municipal Land Use Law, N.J.S.A. 40A:55-1 et seq., after introduction of this Ordinance, it shall be referred to the Chatham Borough Planning Board for the review required by law prior to the hearing on adoption of this Ordinance.

Section 4:
Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5:
Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6:
Codification. This Ordinance shall be a part of the Code of the Borough of Chatham as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Chatham in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 7:
This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Name	Motion	Second	Yes	No	Abstain	Absent
Hargrove	X		X			
Gilmore			X			
Hay			X			
Koronkiewicz		X	X			
Mathiasen			X			
Strickland			X			

Introduced: February 23, 2026
Passed and Approved: March 9, 2026

Attest:

Vanessa L. Nienhouse, RMC, CMC
Borough Clerk

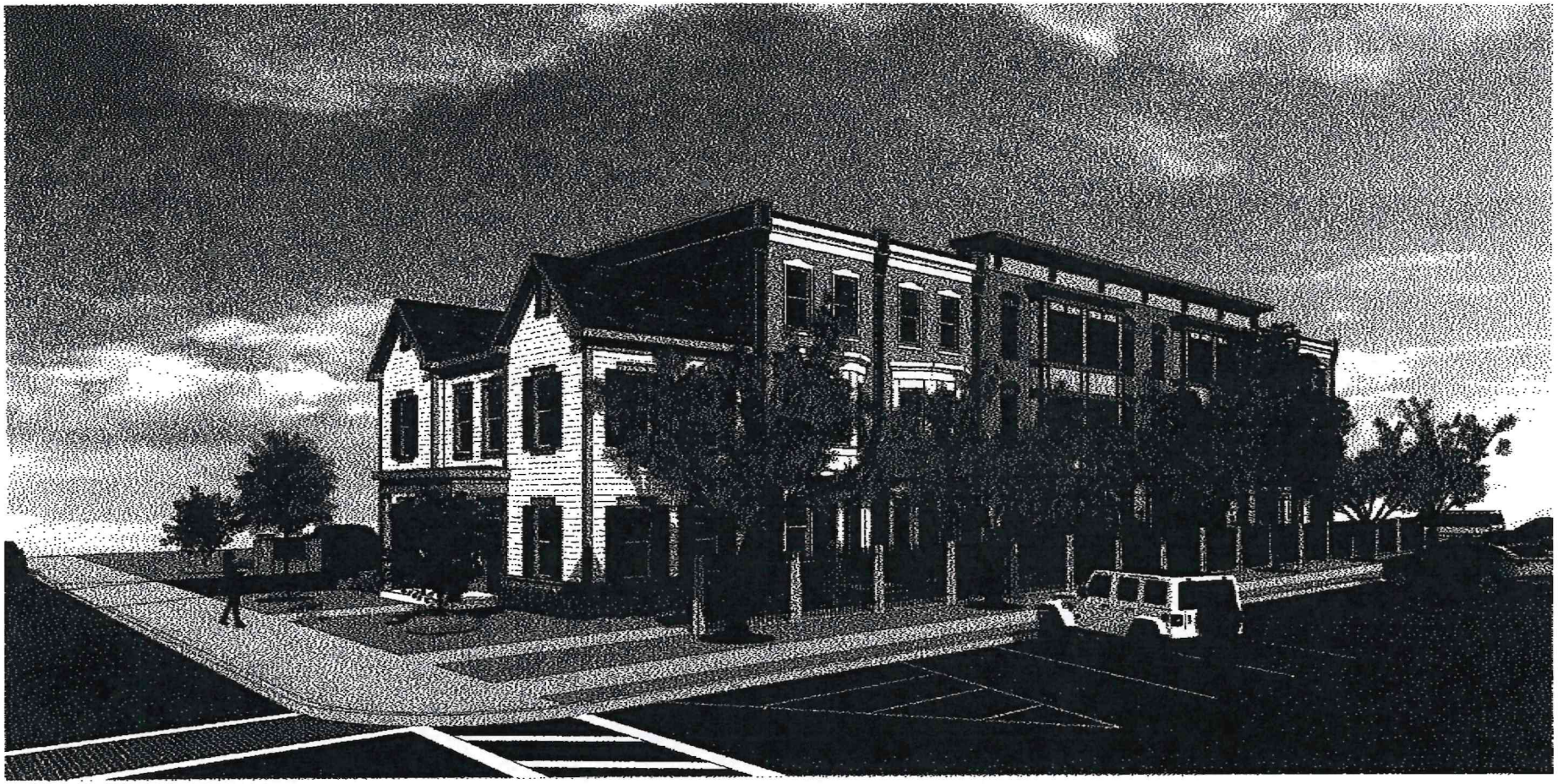
BOROUGH OF CHATHAM

Carolyn Dempsey
Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of an Ordinance that was read on second reading by the Borough Council at its Regular Meeting held on March 9, 2026.

Vanessa L. Nienhouse, Borough Clerk



PERSPECTIVE
Scale: NTS

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S1

311 Main Street
Block 95, Lot 9
Chatham, NJ
Project Number: 24026
Client: Weichert Development Company
Date: 2024.09.20

9 du
(Townhome)

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PERSPECTIVE
Scale: NTS
(Existing Trees & Fence removed for clarity)

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S2

311 Main Street
Block 65, Lot 8
Chatham, NJ
Project Number: 24028
Client: Weichert Development Company
Date: 2024.09.20

9 du
(Townhome)

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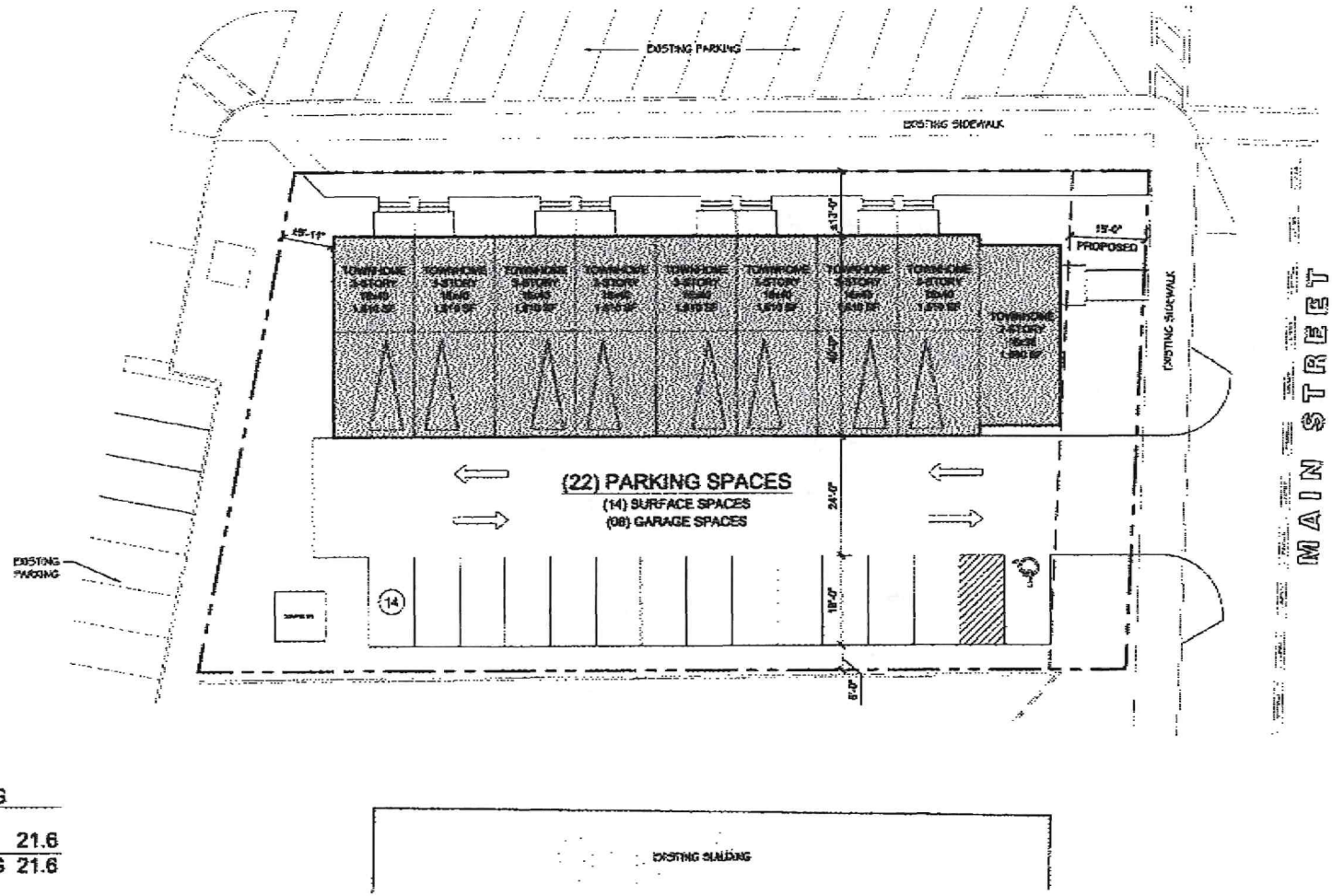

REQUIRED PARKING
(PER RSIS STANDARD)
(09) 3-BED X 2.4 = 21.6
TOTALING 21.6

SITE | GROUND FLOOR PLAN
Scale: 1" = 10'-0"

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S3

311 Main Street
Block 86, Lot 9
Chatham, NJ
Project Number: 24028
Client: Weichert Development Company
Date: 2024.09.20

9 du
(Townhome)

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PERSPECTIVE
Scale: NTS
(Double sidewalk removed)

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S4

311 Main Street
Block 66, Lot 9
Chatham, NJ
Project Number: 24026
Client: Weichert Development Company
Date: 2024.09.23

9 du
(Townhome)

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