

**ORDINANCE NO 07-2026**

**ORDINANCE OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN  
AMENDING TITLE 17 ZONING TO INCLUDE A NEW CHAPTER 17.22 “R-5  
INCLUSIONARY SINGLE FAMILY ATTACHED OVERLAY AS SET FORTH  
HEREIN**

**WHEREAS**, the Borough of Stratford strives to adopt and implement land use and affordable housing regulations that advance the goals and objectives of the Borough as set forth in its Master Plan and Housing Element and Fair Share Plan and that are consistent with the NJHMFA’s Uniform Housing Affordability Controls (“UHAC”) at N.J.A.C. 5:80-26 and the Amended Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-301 et seq., as well as related regulations promulgated by the Department of Community Affairs; and

**WHEREAS**, on June 25, 2025 the Stratford Borough Joint Land Use Board adopted a Fourth Round Housing Element and Fair Share Plan (HEFS Plan) that included a plan to satisfy the Borough’s prior round, third round, and fourth round affordable housing obligations; and

**WHEREAS**, the HEFS Plan adopted in 2025 did not include the “Bowling Alley site” (Block 58 Lots 28-32, 34, 35, 37) as a compliance mechanism and the Plan provided the Borough’s rationale for not including it; and

**WHEREAS** the Borough’s Fourth Round compliance plan and the HEFS Plan was endorsed by Borough Council on June 27, 2025; and

**WHEREAS**, challenges to the Borough’s Fourth Round Housing Element and Fair Share Plan were filed by Kokes Properties on August 26, 2025 and by Fair Share Housing Center on August 28, 2025; and

**WHEREAS**, settlement conferences were conducted on December 1, 2025 and December 31, 2025, the Program decision recommendation was filed on February 27, 2026, and a Fair Share Mediation Agreement between Stratford and Fair Share Housing Center is pending; and

**WHEREAS**, the Mediation Agreement stipulates that the Borough shall adopt overlay zoning for the “Bowling Alley Site” (Block 58 Lots 28, 29, 30, 32, 34, 35, and 37) to permit townhouse development at a density of up to 8 dwelling units per acre with a 20% affordable housing set aside within 90 days of the Program’s compliance recommendation; and

**WHEREAS**, on April 23, 2026 the Stratford Joint Land Use Board adopted the Amended Fourth Round Housing Element and Fair Share Plan which includes Block 58 Lots 28, 29, 30, 32, 34, 35, and 37, the “Bowling Alley Site”, as a component of the Borough’s compliance plan to address a portion of the “unmet need”; and

**WHEREAS**, the amended Fourth Round HEFS Plan will be endorsed by Borough Council on May 14, 2026; and

**WHEREAS**, the R-5 Inclusionary Single Family Attached Overlay enables the property to be utilized consistent with the existing C Commercial base zoning, and as an alternative provides the option for inclusionary residential (townhouse) redevelopment utilizing the overlay.

**NOW THEREFORE BE IT ORDAINED** by the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey, that the Code of the Borough of Stratford is hereby amended, modified, and supplemented as follows:

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**SECTION I.** Amend the Stratford Borough Zoning Map to add the R-5 Inclusionary Single Family Attached Overlay (R-5 Overlay) and apply it to Block 58 Lots 28, 29, 30, 31, 32, 34, 35, 37.

**SECTION II.** Add Section 17.22, entitled “R-5 Inclusionary Single Family Attached Overlay” to Title 17 of the Borough Code, as follows:

### **17.22 R-5 Inclusionary Single Family Attached Overlay (R-5 Overlay)**

#### **17.22.010 Purpose.**

The purpose of the R-5 Overlay is to encourage the aggregation of existing lots and to provide an opportunity for inclusionary residential redevelopment of the designated area, while the underlying base zoning remains in effect. The underlying zoning continues to apply for the uses permitted in the base zone and unless modified by the overlay.

#### **17.22.020 Permitted Principal Uses**

- A. Single family attached dwelling units (townhouse units)

#### **17.22.030 Permitted Accessory Uses**

- A. Common indoor and outdoor recreation facilities for the use and enjoyment of residents and their guests. Permitted recreation facilities include but are not limited to: tot lots and playgrounds, bocce courts, pickleball courts, tennis courts, bicycle paths and trails, dog parks, and shade structures, pavilions, gazebos and outdoor furniture within open space areas.
- B. Stormwater management structures and facilities including green infrastructure, all in accordance with Chapter 16.30 of the Borough Code.
- C. Public water and public sewer utility infrastructure.
- D. Home occupations in accordance with the requirements of section 17.04 and 17.12.020B(5).
- E. Off street parking
- F. On street parallel and perpendicular parking where roadway and right-of-way width is sufficient
- G. Fences and walls in accordance with the requirements of section 15.16.
- H. Decks and patios
- I. Permanent Signs in accordance with the requirements of section 17.60.
- J. Electric Vehicle Charging and Service Equipment
- K. Utility structures and facilities necessary to serve the development, not exceeding 15 feet in height. Accessory utility structures may include water storage facilities, pump stations, transformers, generators, air conditioning units.
- L. Mailbox clusters and package drop off/locker locations.
- M. Trash and recycling enclosures as set forth below.
- N. Fire suppression equipment and sheds to shield and contain such equipment.
- O. Temporary sales and contractor signs, set back a minimum of 10 feet from the right-of-way when approved by the Joint Land Use Board, and removed at the time of the last certificate of occupancy for the development.

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- P. Temporary construction, sales, and leasing trailers not to exceed 1,440 square feet each, set back a minimum of 50 feet from perimeter property lines and shown on an approved site plan. These facilities may also include temporary parking and fencing.
- Q. Model homes and temporary parking areas associated with model homes, for sales and leasing purposes.

### 17.22.040 Site and Tract Requirements

- A. The minimum contiguous overall tract area for the R-5 Overlay is 8 acres.
- B. All residential development shall be inclusionary with a minimum of 20% of the total number of housing units reserved as deed restricted affordable housing as set forth in section 17.22.070 below and section 17.05.10.
- C. The maximum permitted gross density is 8 dwelling units per acre.
- D. A minimum of 15% of the overall tract area shall be common open space. At least one central open space area shall be a minimum of 20,000 square feet in contiguous area.
- E. No individual house lot shall contain restricted lands such as wetlands, wetland buffers, stormwater basins, landscape buffer easements, or conservation easements.
- F. No residential unit may have direct access from the White Horse Pike.
- G. The minimum building setback from all perimeter tract boundaries is 35 feet.
- H. The minimum tract perimeter buffer is 25 feet. The perimeter buffer shall not be located on any house lot and shall be landscaped as set forth in section 17.22.060D below. Decorative fencing, permitted signage, and sidewalks may be located within the buffer when approved by the JLUB.
- I. All development within the R-5 overlay area, including development occurring at different times, in multiple phases, or by different developers, shall be planned and constructed with interconnected vehicular access and pedestrian sidewalks to provide coordinated vehicle and pedestrian circulation within the block and to minimize the number of needed intersections with the White Horse Pike and other frontages.
- J. Subdivision of lots for permitted uses and permitted community accessory uses (such as open space and recreation, pump station and other utilities, stormwater facilities, etc.) is permitted. Though the accessory uses or structures will become the primary uses on the subdivided lot, they will remain accessory to the development overall when owned by the Homeowners Association or by Stratford Borough. The minimum lot size for an accessory use or structure serving the community shall be as needed to accommodate the use, but a minimum of 1,600 square feet with access necessary to service the facility.

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17.22.050 Bulk and Area Requirements for Attached Single Family (Townhouse) Units

<b>Requirement</b>	<b>Single Family Attached Townhouses</b>
Minimum lot area	1,800 sq ft
Minimum lot frontage	20 feet
Minimum lot width at building line	20 feet inside lot 30 feet end lot
Minimum lot depth	90 feet
Minimum front yard porch setback*	16 feet
Minimum front yard garage setback*	20 feet
Minimum side yard setback	0 feet inside lot 10 feet end lot
Minimum rear yard setback	20 feet
Maximum building coverage per lot	65%
Maximum impervious coverage per lot	80%
Maximum number of units in a building	8
Maximum building length	230 feet
Minimum distance between buildings	20 feet
Maximum Building Height	3 stories 42 feet
Attached accessory structure setback (deck and patio)	10 feet to rear 0 feet to side for inside lot 10 feet to side for end lot
Detached accessory structure setbacks	5 feet from side and rear
Max Accessory Structure Height	15 feet

\*Front yard setbacks are measured from the right-of-way line. If roads are private, the front yard setback is measured from the inside edge of the sidewalk.

17.22.060 General Requirements

A. Pedestrian Circulation.

1. Pedestrian pathways and sidewalks shall be provided to enable continuous circulation throughout the development and open space areas and along the perimeter road frontages.
2. Sidewalks a minimum of 4 feet wide are required along both sides of all internal streets and roadways.
3. Sidewalks shall be separated from the cartway by a planting strip a minimum of three feet in width. Where street trees are proposed within the planting strip, the planting strip shall be a minimum of five feet in width.
4. Pedestrian crosswalks (white painted ladder style) shall be provided at intersections with primary roadways.

B. Recreation and Open Space.

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1. Recreation facilities shall be provided to benefit the residents of the community.
2. On-site recreational facilities shall be owned and maintained by a Homeowners Association or the property owner.
3. Outdoor recreation facilities such as walking paths, bicycle paths, dog parks, playgrounds, informal playing fields, shade structures, and outdoor seating shall be shown on the site plan and approved by the JLUB.
4. A central open space area shall be provided as a focal point of the community and shall be a minimum of 20,000 square feet in area and shall have a minimum of 100 feet of frontage on an improved roadway within the development.
5. Dog park areas shall be a minimum of 4,000 square feet in area and shall be surrounded by a minimum 5 foot high decorative, transparent fence. And set back a minimum of 30 feet from the nearest residential structure.

### C. Roadway and Parking Requirements

1. The internal roadway system shall provide a minimum 50-foot-wide right-of-way with a minimum 28-foot-wide curbed roadway. If roads are private, equivalent standards shall be met with easements as necessary.
2. Parking for residential uses shall generally comply with the New Jersey Residential Site Improvement Standards (RSIS) pursuant to N.J.A.C. 5:21-1.1 et seq.
3. Off-street parking areas shall be provided in scattered areas as needed to ensure adequate parking to meet the needs of the development.
4. A de minimus exception from RSIS standards to permit driveways to be eighteen (18) feet wide where twenty (20) feet is required for two parking spaces, will be supported by Borough to minimize impervious surface for townhouses and to improve the streetscape.
5. Electric Vehicle Charging spaces shall be provided within the site as required by P.L. 2021, c. 171.
6. A bicycle parking rack shall be provided at the central common open space area.
7. Adequate electrical service shall be installed or enabled in each attached single-family home to enable the installation of EV chargers within garages either at the time of construction or in the future.

### D. Landscape and Buffer Requirements

1. A landscape plan shall be provided in accordance with the requirements of section 16.36 and this section.
2. Shade trees shall be provided along existing and proposed roadways at intervals of 40 to 50 feet. A minimum of two species of street trees shall be provided.
3. Existing trees and understory vegetation should be preserved around the perimeter of the site where feasible, and the location of tree protection fencing shall be shown on the tree protection plan.

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4. The perimeter buffer shall be designed with a combination of planting, berming, fencing or walls to provide a filtered visual screen.
5. Perimeter buffer areas shall be irrigated.
6. Along the eastern, northern, and southern tract boundaries where the development area abuts existing residential areas, the buffer should include evergreen screening together with deciduous trees to enhance and supplement existing vegetative buffer.
7. For each one hundred linear feet of perimeter buffer area, the following shall be provided:
  - a. Two shade trees (minimum 2.5' caliper), ten evergreen trees (minimum 6' height), and 20 shrubs.
  - b. Buffer plantings may be grouped together in a landscape design and do not need to be evenly spaced.
8. Filtered screening buffers a minimum of 10 feet wide shall be provided around parking areas (not townhouse driveways), active recreation facilities, and 5 feet wide around trash enclosures. The buffer shall include a minimum of 20 evergreen trees and shrubs for every 100 linear feet. A minimum of 50% of buffer planting shall be native evergreen trees and shrubs, the remaining shrubs may be dense deciduous shrubs or may include other perennials. Evergreens shall be 6' high and shrubs shall be a minimum of 24" high at the time of planting.
9. Screening buffers around parking areas may be interrupted by sidewalks, lighting, and other permitted accessory uses and structures.
10. For every 20 parking spaces in a parking lot, a minimum of one shade tree shall be provided.
11. Stormwater Management Areas. Stormwater management areas designed consistent with chapter 16.30 of the Borough Code and N.J.A.C. 7:8 shall incorporate native plant species into the design to the greatest extent possible. Adaptive species may supplement native plant species

### E. Storage of Trash and Recyclable Materials

1. If individual recycling and trash containers are proposed for each residential unit, the garage must be sufficiently sized to store the containers in addition to residential parking and storage of typical equipment. An 18 square foot area (6 feet wide by 3 feet deep) shall be provided for the storage of trash and recycling carts. The shall be shown on building floor plans.
2. Where central trash collection is proposed the site must comply with the requirements of section 16.040 and below.
  - a. If outside of the building footprint, trash and recyclables enclosure areas must be masonry structures with an exterior façade to complement the nearby buildings.
  - b. Trash enclosures must be a minimum of six feet in height and a maximum of eight feet, as needed to shield the trash containers.
  - c. Trash enclosure gates shall be constructed with a steel frame. Chain link gates must be black vinyl coated.

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- d. Trash enclosures shall be set back a minimum of 100 feet from White Horse Pike and a minimum of 25 feet from other frontages and property lines.
- e. The area around trash enclosures shall be landscaped with evergreen and flowering shrubs to the extent feasible.

### F. Architectural Requirements

1. Representative architectural elevations showing all four sides of proposed buildings and typical floor plans shall be provided with a subdivision/site plan application.
  - a. Elevations shall include exterior dimensions, materials, and color palette options.
  - b. Floor plans shall include the number of bedrooms and garage dimensions (to illustrate space for vehicle and required incidental storage).
  - c. Community and accessory buildings shall be designed to complement the architectural style of the residential community.
  - d. Architectural elevations and floor plans shall be prepared by a New Jersey licensed architect.
2. For single family attached (townhouses), the front façades of individual units shall be off set a minimum of two feet from the adjacent unit (at least every other unit).
3. Adjacent attached units shall be differentiated from one another so that adjacent units are not substantially similar, using the following or other appropriate variations:
  - a. Height, pitch, design, and color of the roof
  - b. Dormers
  - c. Bay windows
  - d. Front porches
  - e. Window placement
  - f. Façade materials
4. Single family attached houses shall have a front porch, portico or overhang above the primary entrance to the unit.
  - a. The porch or portico shall be a minimum of four feet wide and shall project a minimum of three feet six inches (3' 6") over the front door.
  - b. It is recommended that some units have a covered porch that extends over the garage to provide a horizontal break.
  - c. When a covered porch is provided for at least two units in a building, the remaining units may have a smaller portico a minimum of three feet wide and projecting a minimum of two feet.
5. Façade materials may include masonry (such as brick or stone), wood siding, fiber cement and/or vinyl siding.
  - a. Horizontal, vertical, and shake siding are permitted.
  - b. Where there is a change in material on the front elevation, the material shall be used consistently on the side elevation.
  - c. Where two different colors are provided on the same elevation, the darker color shall be on the bottom.

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- d. Up to two roof colors may be used on a single building to differentiate units and coordinate color schemes.
6. Buildings shall be designed to have an attractive, finished appearance from all public spaces and public streets. The high visibility side and rear walls facing public streets and spaces should employ similar modulation, character, materials, and colors as the front façade elevations.
7. Exterior living areas shall be shown on the floor plans. Attached units may have a privacy fence extending into the rear yard.
8. Roof styles may include gable, hip, pent, and shed (mansard and gambrel roofs are prohibited).
9. Roof materials may be dimensional asphalt, fiberglass shingle, slate, or standing seam metal. It is recommended that two different roof colors be utilized within each neighborhood to provide variation.
10. Pitched roofs shall have a minimum average roof slope of 5:12.
11. All windows and doors shall be surrounded by a minimum of 4" trim. Where shutters are proposed, they must be proportionate to the window openings.
12. Accessory structures shall be compatible with the architecture of the primary building. Where permitted, sheds shall not exceed 120 square feet in area.
13. Each lot must contain landscaping along the building frontages. A typical lot landscape plan showing walkways and porches shall be provided with the overall landscape plan.
14. Driveways for attached single family dwellings must be set back a minimum of 5 feet from one side and may be setback 0 feet from one side.

### 17.22.070 Affordable Housing Requirements

- A. All residential development in the R-5 Overlay shall be inclusionary. At least 20% of the total number of dwellings created shall be affordable to very low-, low-, and moderate-income households.
- B. All affordable housing units shall be deed restricted as very low-income, low-income, and moderate-income affordable units consistent with Uniform Housing Affordability Controls ("UHAC" regulations at N.J.A.C. 5:80-26.1 et seq) and the Borough's Affordable Housing Ordinance (Section 17.05.10). Such controls shall remain in effect for a period of at least forty (40) years for rental units and at least thirty (30) years for sale units, until such time and under conditions as the Borough elects to release deed restrictions. Such controls shall commence from the date of issuance of the initial certificate of occupancy for each affordable unit. Each affordable unit shall be specifically identified by unit number in the recorded deed restriction. Draft affordability controls and deed restrictions shall be submitted to the Borough for review as a condition of subdivision or site plan approval for any residential or mixed-use development. All affordability controls and deed restrictions shall be recorded prior to the issuance of a Certificate of Occupancy for each affordable housing unit. The deed restrictions shall be recorded with the County Clerk, and a copy of the recorded deed shall be forwarded to the Borough Municipal Housing Liaison and Administrative Agent. Any sale of the property or units shall not affect the length or terms of the deed restriction.

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- C. Phasing of the affordable housing units shall be consistent with UHAC requirements (N.J.A.C. 5:80-26.5) as follows:
1. No more than 25 percent of the market-rate units plus one, may be completed prior to the completion of 10 percent of the restricted units;
  2. No more than 50 percent of the market-rate units may be completed prior to the completion of 50 percent of the restricted units;
  3. No more than 75 percent of the market-rate units may be completed prior to the completion of 75 percent of the restricted units; and
  4. No more than 90 percent of the market-rate units may be completed prior to the completion of all of the restricted units.
- D. Bedroom distribution of the affordable housing units shall be consistent with UHAC requirements (N.J.A.C. 5:80-26.4(e)) as follows.
1. At a minimum, the number of bedrooms within the restricted units shall equal twice the total number of restricted units;
  2. At least 30 percent of all restricted units, rounded up or down to the nearest whole number in either direction, shall be two-bedroom units;
  3. At least 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, shall be three-bedroom units;
  4. No more than 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, shall be efficiency or one-bedroom units;
  5. Two-bedroom and/or three-bedroom units shall compose at least 50 percent of all restricted units;
- E. Income breakdown for the affordable housing units shall be consistent with UHAC requirements (N.J.A.C. 5:80- 26.4(g)).
1. At least 13% of restricted units shall be very-low income units
  2. At least 50 percent of all restricted units shall be low-income or very-low-income units
  3. At least 50 percent of all restricted one-bedroom units, rounded up or down to the nearest whole number in either direction, shall be low-income units or very-low-income units
  4. At least 50 percent of all restricted two-bedroom units, rounded up or down to the nearest whole number in either direction, shall be low-income units or very-low-income units;
  5. At least 50 percent of all restricted three-bedroom units shall be low-income units or very-low-income units
  6. Very-low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
- F. The developer shall contract with a qualified and experienced third-party administrative agent, which may be the Borough's administrative agent (the "Administrative Agent") for the administration of the affordable units and shall have the obligation to pay all costs associated with deed restricting the affordable units in accordance with this redevelopment plan. The redeveloper and its Administrative Agent shall work with the Borough and the

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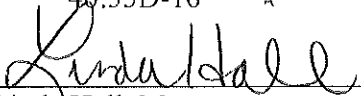
Borough's Administrative Agent, regarding any affordable housing monitoring requirements required by the Amended Fair Housing Act. The redeveloper shall provide, within thirty (30) days after written notice, detailed information reasonably requested by the Borough or the Borough's administrative agent, concerning the redeveloper's compliance with UHAC, the Borough's Affordable Housing Ordinance, all applicable Court orders, and other applicable laws.

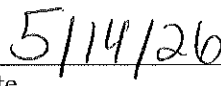
- G. If 20% of the total number of affordable housing units results in a fraction of a unit, the fraction shall be rounded up if it is .5 or greater. If the fraction is less than .5 the applicant shall make a contribution to the Borough's Affordable Housing Trust Fund for the fractional portion of the obligation. The contribution shall be negotiated with the Borough based on the cost to subsidize a deed restricted affordable unit in the housing region.

**SECTION III. REPEALER; SEVERABILITY; EFFECTIVE DATE**

- A. Ordinances or provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Camden County Planning Board in accordance with N.J.S.A.

40:55D-16

  
Linda Hall, Mayor

  
Date

ATTEST:

  
Michelle Hack, RMC

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Record of Council Vote on Introduction	Aye	Nay	Abstain	Absent
Councilman Gilligan	✓			
Councilman Bove	✓			
Councilwoman Farrell	✓			
Councilman Gandy	✓			
Councilwoman Martin	✓			
Councilman Tolomeo				✓

Record of Council Vote on Introduction	Aye	Nay	Abstain	Absent
Councilman Gilligan				
Councilman Bove				
Councilwoman Farrell				
Councilman Gandy				
Councilwoman Martin				
Councilman Tolomeo				

**CERTIFICATION**

The ordinance published herewith was introduced and passed upon first reading at the Regular Meeting of the Governing Body of the Borough of Stratford, in the County of Camden, State of New Jersey, held on the 14<sup>th</sup> day of May, 2026 at 6:30 PM. It shall be further considered for final passage after public hearing thereon, at the meeting of the Governing Body to be held in the Public Safety Building, in the Borough of Stratford on the 11<sup>h</sup> day of June, 2026.

  
 MICHELLE HACK, RMC  
 MUNICIPAL CLERK

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### Explanatory Statement

This Ordinance amends Title 17 of the Borough Code to establish a new R-5 Inclusionary Single Family Attached Overlay Zone and apply it to Block 58, Lots 28, 29, 30, 31, 32, 34, 35, and 37. The overlay is required under the Borough's Fourth Round Housing Element and Fair Share Plan and the pending Fair Share Mediation Agreement, which direct Stratford to permit townhouse development with a 20% affordable housing set-aside on the "Bowling Alley Site." As stated in the ordinance, the Mediation Agreement requires the Borough to adopt overlay zoning "to permit townhouse development at a density of up to 8 dwelling units per acre with a 20% affordable housing set aside" within the required timeframe.

The R-5 Overlay maintains the underlying C Commercial zoning while providing an optional inclusionary residential redevelopment path. It establishes permitted uses, bulk standards, design requirements, open space and buffer standards, and affordable housing controls consistent with UHAC and the Borough's adopted housing plans. The ordinance implements Stratford's compliance obligations and supports coordinated redevelopment of the tract as part of the Borough's affordable housing strategy.