

## ORDINANCE O-3-2026

AN ORDINANCE AMENDING THE AMENDED AURA III REDEVELOPMENT PLAN TO INCLUDE BLOCK 34, LOTS 9, 8, 7, & 6 BLOCK 31, LOT 2.01 & BLOCK 58, LOT 2 WITH STANDARDS FOR AFFORDABLE HOUSING INCLUSIONARY TOWNHOUSE DEVELOPMENT TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

BE IT ORDAINED by the Mayor and Committee of the Township of Elk, Gloucester County, New Jersey, that the Amended Aura III Redevelopment Plan of the Township of Elk is hereby amended to include provisions addressing Elk's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units. This Ordinance shall apply except where inconsistent with applicable law.

WHEREAS, BLOCK 34, LOTS 9, 8, 7, & 6 BLOCK 31, LOT 2.01 & BLOCK 58, LOT 2 within the Township of Elk were designated by Township Committee as a Non-Condemnation Area in Need of Redevelopment in accordance with Resolution 2016-13 on May 18, 2016; and

WHEREAS, the Aura III Redevelopment Plan within the Township of Elk Recommended to Township by the Joint Land Use Board after a public hearing on May 20, 2020 with Resolution 2020-08 and adopted by Township Committee in accordance with Ordinance O-2-2020 on June 4, 2020; and

WHEREAS, the Amended Aura III Redevelopment Plan within the Township of Elk was recommended to Township Committee by the Joint Land Use Board after a public hearing on March 20, 2024 with Resolution 2024-08 and Adopted by Township Committee in accordance with Ordinance O-1-2024 on April 4, 2024; and

WHEREAS, on June 18, 2025, the Township Planning Board adopted the Housing Element and Fair Share Plan pursuant to Resolution No. 2025-08; and

WHEREAS, on March 2, 2026, the Township Planning Board adopted the Amended Housing Element and Fair Share Plan pursuant to Resolution No. 2026-08 and

WHEREAS, pursuant to the February 2026 Housing Element and Fair Share Plan amended per mediation with the Fair Share Housing Center in January 2026, the Township has identified two locations which are projected to be suitable for redevelopment; and

WHEREAS, four (4) parcels (Block 34, Lots 9, 8, 7, & 6) containing 4.6 acres of property which is projected to be suitable for redevelopment; and

WHEREAS, Block 34, Lots 9, 8, 7, & 6 are located adjacent to and in close proximity to proposed higher density residential development, as well as recreation and school facilities; and

WHEREAS, two (2) parcels (Block 31, Lot 2.01 & Block 58, Lot 2) containing 10 acres of property which is projected to be suitable for redevelopment; and

WHEREAS, Block 31, Lot 2.01 & Block 58, Lot 2 are located adjacent to and in close proximity to proposed higher density residential development, as well as recreation and school facilities; and

WHEREAS, the Township has agreed to amend the Amended Aura III Redevelopment Plan to include Block 31, Lot 2.01 & Block 58, Lot 2 and Block 34, Lots 9, 8, 7, & 6 to provide a realistic development potential for these parcels to provide inclusionary housing opportunities; and

WHEREAS, this Affordable Housing Inclusionary Family Townhouse Overlay Zone shall permit 8 du/acre inclusionary family townhouses with a required 20% set-aside on both parcels (Block 31, Lot 2.01 & Block 58, Lot 2 and Block 34, Lots 9, 8, 7, & 6); and

WHEREAS, the Mayor and Township Committee of the Township of Elk has determined that in light of the foregoing it is in the best interest of the Township to adopt and implement this Ordinance that is in keeping with goals of the Master Plan and is in best interest of the Township and health, safety and welfare of its residents and visitors;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Elk , County of Gloucester and State of New Jersey that:

Section 1. Amend the Amended Aura III Redevelopment Plan to create the Affordable Housing Inclusionary Family Townhouse Overlay Zone within which shall include all properties located within Block 31, Lot 2.01 & Block 58, Lot 2 and Block 34, Lots 9, 8, 7, & 6 of the Township.

Section 2. Affordable Housing Inclusionary Family Townhouse Overlay Zone for Block 31, Lot 2.01 & Block 58, Lot 2 and Block 34, Lots 9, 8, 7, & 6

**A. Permitted Uses**

(1) Permitted Residential Uses

- (a) Townhomes at 8 du/acre with a mandatory affordable housing set-aside of 20%

(2) Permitted Non-Residential

- (a) New Home Sales Center. Bulk standards shall be consistent with residential building type standards as in Section A- Bulk Standards.
- (b) Common recreational and cultural uses for the use of the residents of the community and their guests (i.e. clubhouse or community building, swimming pools, Sport uses such as shuffleboard courts, bocce courts, tennis courts, pickle ball courts, basketball courts, putting greens and horseshoe pits, no minimum lot area required.

(3) Permitted Accessory Uses: Residential Uses

- (a) Civic uses and temporary uses to benefit the community (i.e. farmers market, outdoor movies)
- (b) Off Street parking and loading for clubhouse and recreation areas require one (1) space per 400 square feet of non-residential area.
- (c) Parking for all residential units shall be in accordance with N.J.S.A. 5:21 (Residential Site Improvement Standards).
- (d) Cluster Mailboxes.
- (e) Retaining walls.
- (f) Fences.
- (g) Decks and patios.
- (h) Signs in accordance with Section 96-60 of the Township Code.

- (i) Storm water management structures and facilities.
- (j) Trash enclosures as approved in conjunction with subdivision or site plan approval.
- (k) Gazebos, shelters, benches and other outdoor furniture as approved in conjunction with subdivision or site plan approval.
- (l) Necessary facilities for maintenance and administration of the development including streets, off-street parking facilities and utilities.
- (m) Parking structures as approved in conjunction with site plan approval
- (n) Hot boxes, transformers and other required utilities and their accessories as required by outside agencies.

## B. Design Standards

A. Water and Sewer Infrastructure.

B. Open Space. Land is to be set aside as open space.

C. Bulk Requirements. Development in the Affordable Housing Inclusionary Family Townhouse Overlay Zone shall conform to the bulk standards provided in Schedule A below. Where a standard in Schedule A differs from a standard in the Elk Township Land Development Code, the standard in Schedule A shall supersede.

### Schedule A-Bulk Standards

| Land Use Category | Building Type | Min. Lot Size | Lot Width @ Building Setback | Lot Depth | Setbacks                                             | Acc. Setback   | Height       | Impervious cover |
|-------------------|---------------|---------------|------------------------------|-----------|------------------------------------------------------|----------------|--------------|------------------|
|                   |               |               |                              |           | Front/Side/Rear                                      | rear/side/pool | Floors/ Feet | max.             |
|                   | Townhome      | 1,700 sf      | 20' min                      | 85'       | 18' min-20' min with garage / 20' end unit / 15' min | Not Permitted  | 3 / 45' max  | 85%              |

Section 3. It is hereby found and determined that the Ordinance conforms to the Master Plan of the Township of Elk.

Section 4. It is hereby found and determined that the Ordinance gives due consideration to the provision of appropriate allowable uses within the areas within the Township with special consideration for the health, safety and welfare of the residents of the areas and the Township of Elk.

Section 5. In order to facilitate the implementation Ordinance, it is hereby found and determined that this action must be taken by Mayor and Township Committee to amend the Amended Aura III Redevelopment Plan and take appropriate action upon proposals and measures designed to effectuate the same.

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

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with law.

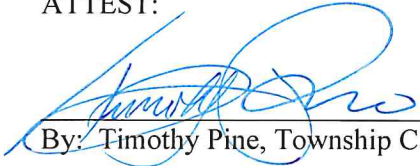
Section 8. Effective Date. This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Gloucester County Planning Board in accordance with N.J.S.A. 40:55D-16

Adopted on second and final reading on March 5<sup>th</sup>, 2026.

Township of Elk

  
By: James Rambo, Mayor

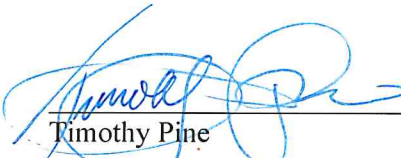
ATTEST:

  
By: Timothy Pine, Township Clerk

| INTRODUCTION ROLL CALL VOTE |     |     |         |        |
|-----------------------------|-----|-----|---------|--------|
| COMMITTEE                   | AYE | NAY | ABSTAIN | ABSENT |
| Cammarata                   | ✓   |     |         |        |
| Cowan                       | ✓   |     |         |        |
| Lucas                       | ✓   |     |         |        |
| Sammons                     | ✓   |     |         |        |
| Rambo                       | ✓   |     |         |        |

### NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the Regular Business Meeting of the Governing Body of the Township of Elk held in the Municipal Building on the 17th day of February 2026, and the same shall come up for public hearing at the Regular Business Meeting of the Governing Body to be held on the 5th day of March 2026, at 7 P.M., at which times any persons interested shall be given the opportunity to be heard concerning said Ordinance. Following the public hearing, said Ordinance shall be considered for final adoption.

  
Timothy Pine  
Municipal Clerk

| FINAL ADOPTION ROLL CALL VOTE |     |     |         |        |
|-------------------------------|-----|-----|---------|--------|
| COMMITTEE                     | AYE | NAY | ABSTAIN | ABSENT |
| Cammarata                     |     |     |         | ✓      |
| Cowan                         | ✓   |     |         |        |
| Lucas                         | ✓   |     |         |        |
| Sammons                       | ✓   |     |         |        |
| Rambo                         | ✓   |     |         |        |