

BOROUGH OF MANASQUAN
ORDINANCE NO. 2286-19

ZONING ORDINANCE FOR THE BROAD STREET PROJECT

Affordable Housing AR-1 Zone

The purpose of the Affordable Housing AR-1 Zone (“AR-1 Zone”) is to provide for the development of a multi-family inclusionary development designed to assist the Borough in satisfying its combined Prior Round and Round 3 (1999-2025) Realistic Development Potential (“RDP”) affordable housing obligation through construction of affordable units set aside for low and moderate income households. The AR-1 Zone shall comprise the following tax lots: Lots 25.01, 25.02, 26 & 27, Block 64. This Ordinance is adopted in furtherance of the Settlement Agreement entered into between the Borough and Fair Share Housing Center (“FSHC”) on July 2, 2018 (hereinafter the “FSHC Settlement Agreement”), the Settlement Agreement entered into between the Borough and Broad Street 44, LLC and Union Avenue 33, LLC (hereinafter the “Sepe Settlement Agreement”), and in connection with the Borough’s Mount Laurel litigation captioned at MON-L-2508-15.

- (1) Permitted principal uses. Residential within a single multi-family building. A maximum of twenty-two (22) units are permitted, and all units shall be market rate. The affordable housing obligation generated by this development shall be provided off-site pursuant to the terms of the Sepe Settlement Agreement, which provides that COs shall not be issued for units in this zone until overall affordable unit/market unit phasing requirements are complied with for the Broad Street site and the Union Avenue site.
- (2) Permitted accessory uses.
 - (a) Off-street parking facilities.
 - (b) Other uses that are customarily incidental to a permitted principal use. No sheds are permitted on the property.
 - (c) Common facilities and amenities serving the residents of the multi-family developments including swimming pools and other on-site recreational areas and facilities, common walkways, sitting areas and gardens, and other similar uses.
 - (d) Fences and walls erected, maintained or planted no greater than six (6) feet above ground level within a side or rear yard, and no greater than four (4) feet within a front yard, and otherwise in accordance with the standards of Section 35-7.5.
 - (e) Bike racks.
 - (f) Solid waste and recycling area, setback at least five (5) feet from any rear yard or side yard. No setback from the parking area is required. The area shall be screened from view from a public right-of-way by a combination of block and chain link fence, and shall have gated access.
 - (g) Site lighting. The arrangement of exterior lighting shall adequately illuminate parking areas, and prevent glare to adjoining residential areas.
- (3) Prohibited uses.

- (a) Parking or storage of boats, boat trailers, motor homes, taxi cabs, limousines, construction equipment, commercial vehicles and recreational vehicles.

(4) Bulk, area and building requirements.

(a) Minimum lot size		36,000 square feet
(b) Minimum lot frontage	190 feet	
(c) Minimum lot depth		180 feet
(d) Minimum front yard setback		5 feet
(e) Minimum one side yard setback		6 feet
(f) Minimum both side yard setback		20 feet
(g) Minimum rear yard setback		50 feet
(h) Maximum building height		40 feet / 3.5 stories ¹
(i) Maximum building coverage		50%
(j) Maximum floor area ratio		1.5
(k) Maximum lot coverage		80%
(l) Maximum Building Width		160 feet
(m) Minimum parking setback from side lot line		5 feet
(n) Minimum parking setback rear from lot line		15 feet
(o) Minimum drive aisle setback from a side lot line		4 feet

(5) Site access, off-street parking, and loading requirements.

- (a) One site access driveway shall be provided with a minimum width of 22 ft.
- (b) Number of spaces, and parking space dimensions, as required by New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21-1.1 et seq. shall apply, notwithstanding any standards to the contrary in the zoning ordinance.
- (c) Parking shall be in the rear yard, and may also be provided beneath the principal building, without setback from a principal or accessory building.
- (d) No Loading space is required.

(6) Landscape Buffer. Adjacent to a residential zone a fifteen (15) foot buffer, a 5 foot portion of which must be planted, landscaped and provides irrigation. Landscaping along the public right-of-way is not required.

(7) Identification Sign. One (1) wall mounted, non-illuminated address sign is permitted with a maximum sign area of five (5) square feet

(8) Design Standards. A multi-family building should have a unified theme, displayed through the application of common building materials consistent with the rendering attached to the Sepe Settlement Agreement as Exhibit A, and materials list as Exhibit E, or as may be modified as permitted by the Settlement Agreement. If the rendering conflicts with design standards or regulations within the zoning ordinance the rendering shall control.

(9) Miscellaneous. The standards of Section 35-7.9 b and e shall not apply.

¹ Chimneys and cupolas are not counted towards building height.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Manasquan, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Manasquan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Manasquan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

Upon final adoption, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

This ordinance shall become effective following its final passage and publication according to law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2286-19 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of April 2019, and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 6th day of May 2019. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.



BARBARA ILARIA, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 South
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: April 15, 2019
Approved on Second Reading and Final Hearing: May 6, 2019

Edward Donovan
Mayor

EXHIBIT E

MATERIALS LIST

The Developer or its successor may utilize any combination of the materials listed.

Cladding:

- Wood-like synthetic material
- Fiber-cement
- Stucco
- Vinyl

Roofing:

- Asphalt shingle
- Slate and synthetic slate
- Metal

Base of building:

- Stone and cultured stone
- Brick and brick veneer

Trim:

- Cellular PVC, solid urethane, fiber-cement board, and vinyl.

Windows:

- Vinyl, fiberglass, aluminum clad.

Soffits:

- Solid urethane, wood composite, vinyl.

Gutters and Downspouts:

- Metal or aluminum.

Exterior Columns:

- Wood composite, fiberglass.

Railings:

- Wood composite, metal, and aluminum.

Cupolas:

- Cellular PVC, solid urethane, fiber-cement board, vinyl, asphalt shingle, slate, synthetic slate, and metal.

Chimneys:

- Brick, brick veneer, cultured stone, or cladding material.

REVISIONS	DATE	MICHAEL JAMES MONROE ARCHITECT 113840 FRENCH ROAD, SUITE 100, GREENSBORO, NC 27409	NO.
	BY		1
	SCALE		
	TITLE		
DATE: 08-11-11			



