

**BOROUGH OF MANASQUAN  
ORDINANCE NO. 2287-19**

**ZONING ORDINANCE FOR THE UNION AVENUE PROJECT**

**Affordable Housing AR-2 Zone**

The purpose of the Affordable Housing AR-2 Zone (“AR-2 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-2 Zone shall comprise the following tax lots: Lot 31.01, Block 66.02. 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 “FSHC Settlement Agreement”), the Settlement Agreement entered into between the Borough and Broad Street 33, 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. Market rate and affordable residential housing within a multi-family building. A maximum of twenty-three (23) units are permitted, with an on-site affordable housing set-aside provided. The required affordable housing set-aside shall be twenty percent (20%) of the total number of units developed at this site (Lot 31.01, Block 66.02), and the site known as Lots 25.01, 25.02, 26 & 27, Block 64 (the “Broad Street Site”). For example, it is anticipated that a total of 45 residential units will be developed at both sites, which will require a twenty percent (20%) affordable housing set-aside of nine (9) total affordable family rental housing units to be developed on the Union Avenue site. In addition, the affordable housing phasing requirement in the Sepe Settlement Agreement will apply to both 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.
  - (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) ft. from any rear 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 either an enclosed 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	24,000 square feet
(b) Minimum lot frontage	130 feet
(c) Minimum lot depth	240 feet
(d) Minimum front yard setback	10 feet
(e) Minimum one side yard setback	4 feet
(f) Minimum both side yard setback	9feet
(g) Minimum rear yard setback	20 feet
(h) Maximum building height	40 feet/ 3.5 stories <sup>1</sup>
(i) Maximum building coverage	60%
(j) Maximum lot coverage	60%
(k) Maximum Building Width	100 feet
(l) Maximum Building Length	200 feet
(m) Minimum parking setback from side lot line	5 feet
(n) Minimum parking setback rear from lot line	20 feet

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

- (a) One site access driveway shall be provided with a minimum width of 24 ft.
- (b) Number of parking spaces = .6/ unit<sup>2</sup>
- (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) Identification Sign. One (1) wall mounted, non-illuminated address sign is permitted with a maximum sign area of five (5) square feet.

(7) 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 B, and the material 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.

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

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<sup>1</sup> Chimneys and cupolas are not counted towards building height.

<sup>2</sup> The off-street parking requirement can be met through use of available on-street parking. Shared parking arrangements with properties within ½ mile of the site shall also be permitted.

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. 2287-19 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15<sup>th</sup> 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 6<sup>th</sup> 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.



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**BARBARA ILARIA, RMC, CMC**  
**Municipal Clerk**

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

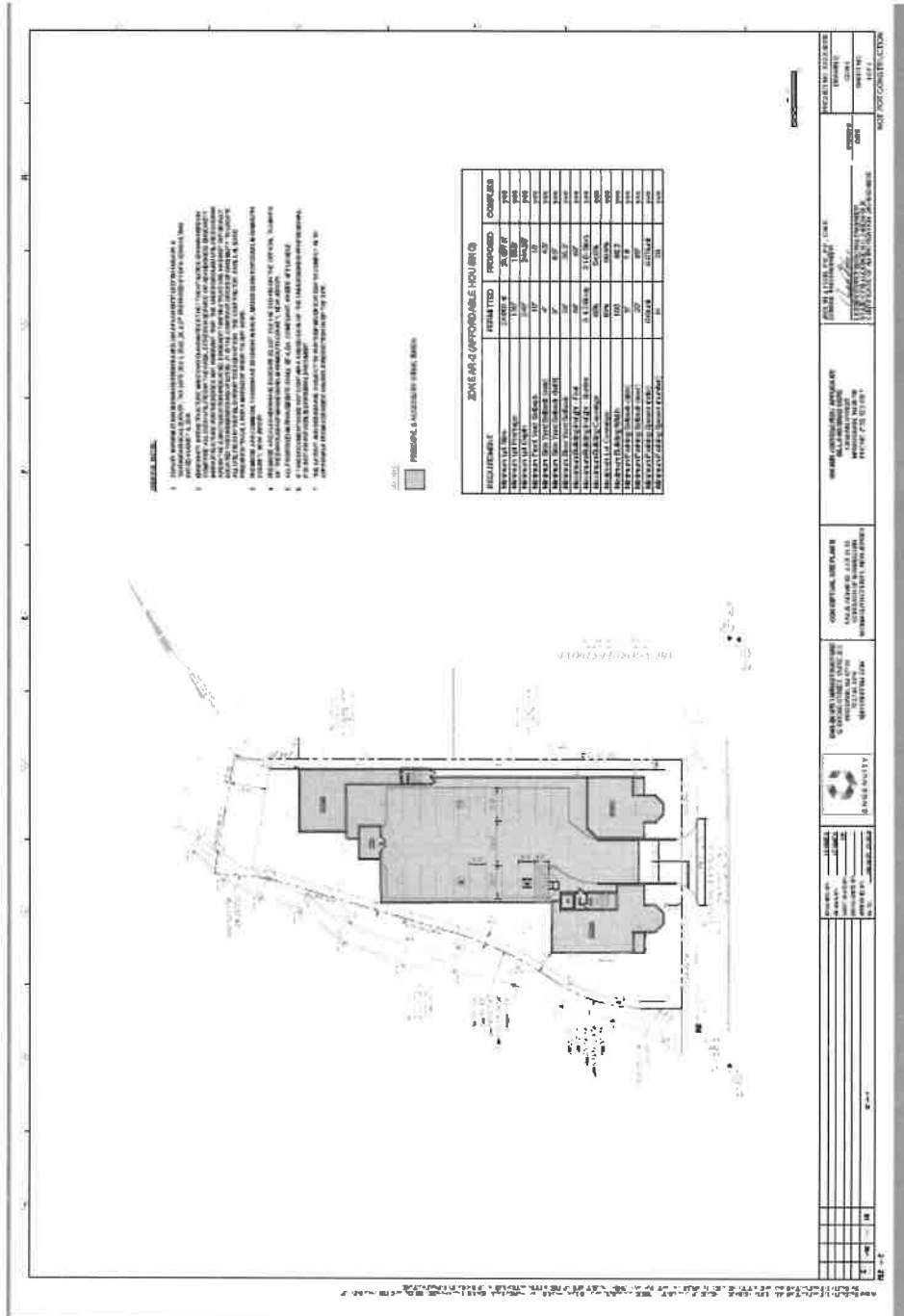
Passed on First Reading and Introduction: April 15, 2019  
Approved on Second Reading and Final Hearing: May 6, 2019

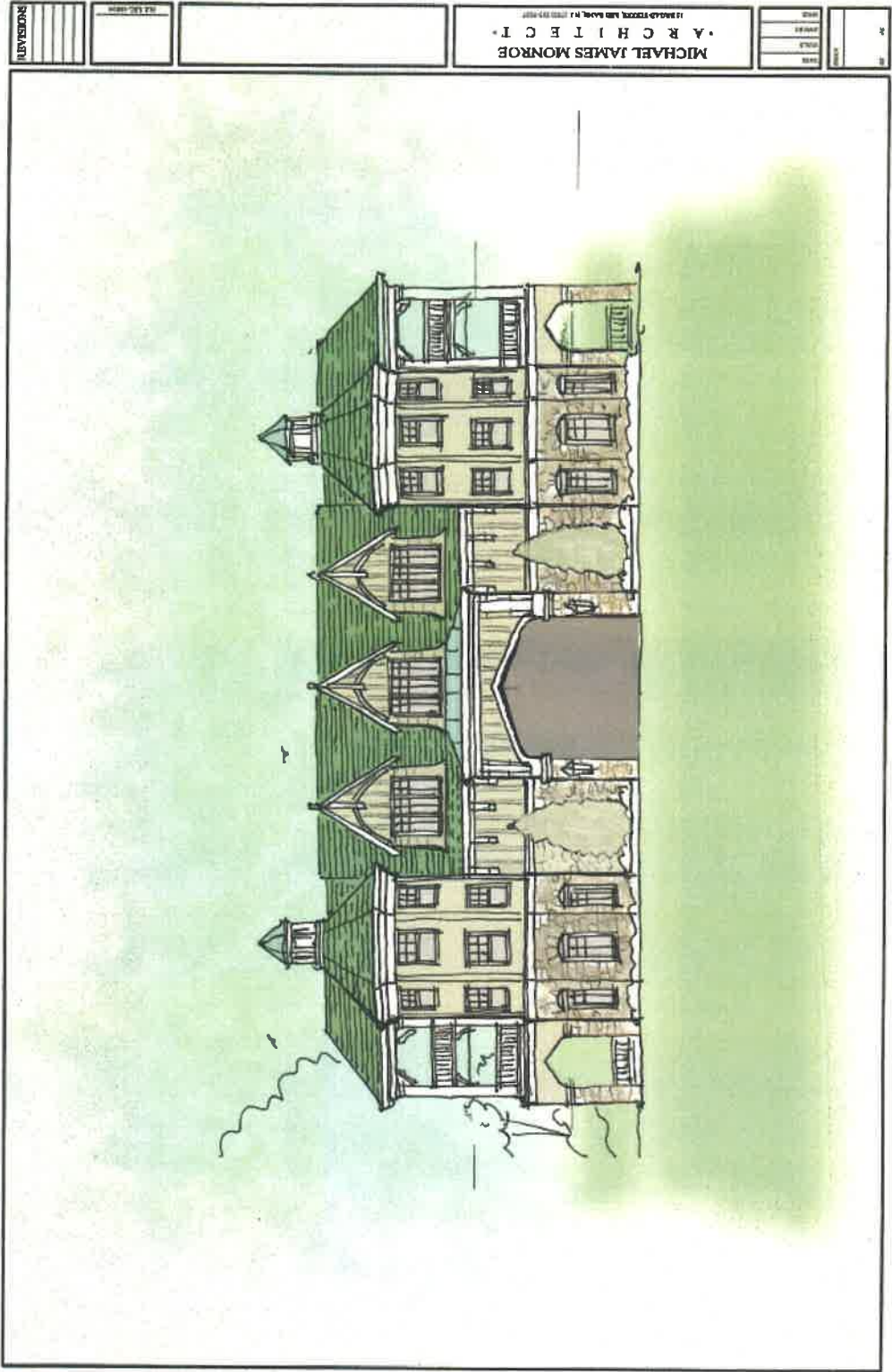
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Edward Donovan  
Mayor

# EXHIBIT B

## CONCEPT SITE PLAN AND RENDERING FOR THE UNION AVENUE PROJECT





MICHAEL JAMES MONROE  
ARCHITECT

DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_  
SHEET: \_\_\_\_\_

## 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.