

**BOROUGH OF MANAQUAN  
ORDINANCE 2281-19**

**Ordinance Replacing Chapter 35 (Zoning), Section 35-5.17  
Entitled "Affordable Housing Overlay Zone" with a section  
entitled "PR Affordable Housing Overlay Zone"**

**BE IT ORDAINED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, as follows:

**Section 1.** Chapter 35 entitled "Inclusionary Zoning Provisions" of the Revised General Ordinances of the Borough of Manasquan, Section 35-5.17 is hereby replaced in its entirety as follows:

**35-5.17 PR Affordable Housing Overlay Zone.**

a. *Purpose.* The purpose of the PR Affordable Housing Overlay Zone is to provide an opportunity to develop affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing, in conformance with the Fair Housing Act (N.J.S.A. 52-27D-301), New Jersey Council on Affordable Housing ("COAH") Prior Round regulations, and the Housing Element and Fair Share Plan prepared by the Borough to address its Third Round affordable housing obligations. Permitted and conditional uses within this zone shall include all permitted and conditional uses in the RM zoning district, and affordable housing development in accordance with the provisions of this section.

b. *Affordable Housing Overlay Zone:* The following parcels or tracts are designated as part of the Affordable Housing Overlay Zone:

Block 82, Lot 56.01	C0001	35A Euclid Avenue
	C0002	35B Euclid Avenue
	C0003	35C Euclid Avenue
Block 73, Lots	78	142 Morris Avenue
	81	140 Morris Avenue
	83	138 Morris Avenue
	85	136 Morris Avenue
	87	134 Morris Avenue
	89	132 Morris Avenue
	91	130 Morris Avenue
	93	128 Morris Avenue

c. *Principal Permitted Uses.*

1. All uses permitted within the zoning district in which the overlay one is located.
2. Affordable housing development for sale or rental housing in accordance with the R-M Residential Multi-Family Zone including the following:
  - i. Townhouses.
  - ii. Multiple family residential buildings for three (3) or more families.

d. *Accessory Uses.*

1. Off-street parking facilities including garages which do not exceed fifteen (15) feet in height and meet setback regulations of subsection 35-9.4.
2. Signs in accordance with the standards of Section 35-25.
3. Fences and walls in accordance with the standards of subsection 35-7.5.
4. Radio, television and satellite dish antennas in accordance with the standards of Section 35-34.
5. Common facilities and amenities serving the residents of multifamily developments including swimming pools and other on-site recreational facilities, common walkways, sitting areas and gardens, and other similar uses.

- e. *Area, Yard and Building Requirements.* The requirements for affordable housing development shall be the same as provided for in the R-M Residential Multi-Family Zone provided, however, that the minimum lot size shall be a minimum of twenty thousand (20,000) square feet and the maximum permitted density for the overlay zone is 10 units/acre.
- f. *Affordable Housing Requirements.* All affordable housing developments shall provide a minimum of twenty (20%) percent affordable housing units for low and moderate income families in accordance with affordable housing requirements of this chapter.

**Section 2.** 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.

**Section 3.** 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.

**Section 4.** 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.

**Section 5.** 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.

**Section 6.** This ordinance shall become effective following its final passage and publication according to law.

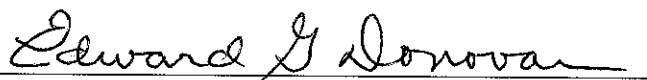
**NOTICE**

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance No. 2281-19 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 4<sup>th</sup> day of March 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 18<sup>th</sup> day of March 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: March 4, 2019  
Approved on Second Reading and Final Hearing: March 18, 2019

  
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Edward Donovan  
Mayor