

55-11. R-20 RESIDENTIAL ZONE. [Amended 10-5-98 by Ord. No. 1998-22 § 3]

The following regulations apply in the R-20 Zone. A. *Permitted Uses*.

- (1) Detached single-family dwelling for residential purposes, together with accessory structures.
- (2) Municipal offices and fire rescue stations.
- (3) Public schools and colleges.
- (4) Parks and preserves.
- (5) Places of worship, including parish and educational buildings.
- (6) The erection, construction, alteration or maintenance by a public utility or municipal agency of underground distribution or collection systems necessary for the furnishing of adequate service by such utility or agency to the use on the

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same lot and/or surrounding neighborhood or for the public health, safety or general welfare.

- (7) Crop and tree farming and horticulture, including greenhouses, nurseries and accessory sheds.
- (8) Library and museums.

B. Accessory and Temporary Uses.

- (1) Same as those permitted in the PW Zone.

C. Conditional Uses. The following uses shall be permitted in the R-20 Zone, subject to the issuance of a conditional use permit in conformance with the provisions of this chapter.

- (1) [Deleted 8-5-96 by Ord. No. 1996-28 § 2]
- (2) [Deleted 8-5-96 by Ord. No. 1996-28 § 2]
- (3) Public utility uses, such as water towers, electric substations, radio towers and transmission lines, which must be provided above ground.
- (4) Raising and keeping of a farm animal for domestic use on a lot having no less than one (1) acre. Additional farm animals shall not exceed one (1) per every one (1) additional acre. There shall be no storage of manure within one hundred (100) feet of any adjoining property line.
- (5) Assisted living facilities, nursing and convalescent homes and long-term care facilities may be permitted in those zoning districts specified, subject to the issuance of a conditional use permit and adherence to the minimum requirements of the particular zone and the following standards:
 - (a) A statement shall be submitted with the application setting forth the full particulars regarding the use, activities and buildings.

- (b) The site shall have frontage on and have primary direct access to and from a county road or a New Jersey State Highway or a Barnegat Township improved road.
- (c) Minimum requirements shall be as follows:
 - [1] Minimum area, yard and building requirements.
 - [a] Lot requirements.
 - [I] Lot area: five (5) acres.
 - [II] Lot width: two hundred (200) feet.
 - [III] Lot frontage: two hundred (200) feet.
 - [IV] Lot depth: two hundred (200) feet.
 - [b] Principal building requirements.
 - [I] Front yard setback: one hundred (100) feet.
 - [II] Rear yard setback: fifty (50) feet.
 - [III] Side yard setback, each side: fifty (50) feet.
 - [c] Accessory building requirements. Accessory building requirements shall be the same as those established for the particular zoning district within which the facility is located.
 - [d] Maximum building coverage (combined coverage of all principal and accessory buildings) shall be twenty percent (20%).

- [2] Maximum principal building height: thirty-five (35) feet, provided, however, that the height of a structure, or portion thereof, may exceed the maximum as otherwise permitted in § 55-169, provided that the front, rear and side yard requirements set forth above shall be increased by one (1) foot for each foot by which the height of the structure, or part thereof, exceeds the permitted maximum height; and further provided that in no case shall any proposed structure, or part thereof, exceed three (3) usable floors (stories) and fifty (50) feet in height.
- [3] Maximum accessory building height: thirty-five (35) feet.
- (d) All support facilities, functions and services shall be intended for the use and benefit of the resident users of the facility and their guests.
- (e) Support services, functions and facilities within a facility or development may include the following or similar personal services.
 - [1] Indoor and outdoor recreational facilities.
 - [2] Physical therapy facilities.
 - [3] Entertainment facilities.
 - [4] Libraries.
 - [5] Food preparation facilities.
 - [6] Dining facilities.
 - [7] Linen service facilities
 - [8] Nursing services.

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- [9] Housekeeping services.
 - [10] Health care facilities and services, including nursing beds, security facilities, administrative offices, storage facilities, chapels, facilities for the temporary lodging of guests and limited service facilities.
 - [11] Medical day care/social day care (adult day services).
 - [12] Personal care centers (hairstyling, shampooing, personal grooming, etc.).
- (f) Parking facilities for the residents, employees and visitors of the assisted care facility shall be provided based on a total of the following:
- [1] One (1) space per State licensed assisted living dwelling unit. Provided however, that the applicant shall be allowed to provide, at the time of initial construction, one (1) parking space for every three (3) dwelling units, but reserve an adequate area for future construction of the additional required parking spaces should the actual operating experience demonstrate that the amount of parking initially provided is insufficient.
 - [2] One (1) space per day-shift employee.
 - [3] One (1) space per ten (10) independent living units for visitor parking.
 - [4] Where fractional spaces result in the calculation of the requirements, the required number shall be construed to be the nearest whole number.

- (h) Any health care facility shall be licensed by and/or meet all applicable standards of Federal, State and county regulatory agencies.
- (i) Minimum residential floor area. The requirements contained in this section are designed to promote and protect the public health, to prevent overcrowded living conditions, to guard against the development of substandard neighborhoods, to conserve established property values and to contribute to the general welfare:
 - [1] Assisted living housing apartments (Required total floor area includes bathrooms, kitchenettes, closets, vestibules, etc.):
 - [a] Studio apartments: three hundred fifty (350) square feet.
 - [b] One (1) bedroom apartments: five hundred (500) square feet.
 - [c] Two (2) bedroom apartments: seven hundred (700) square feet.
 - [2] An additional fifty (50) square feet per unit is required for common dining and recreational space.
- (6) [Added 2-4-02 by Ord. No. 2002-03] Age restricted rental garden apartments may be permitted subject to the issuance of a conditional use permit and adherence to the minimum requirements of this zone and the following standards:
 - (a) The age restricted rental garden apartments shall be limited to occupancy by residents who are at least fifty-five (55) years of age or over; provided, however, no child nineteen

(19) years of age or under may reside with an occupant. The appropriate approving agency shall have the right to deviate from this Section provided that the deviation shall be in conformance with the United States Fair Housing Act of 1988, P.L 100-430 U.S.C. 3601 et seq.

(b) The site shall have frontage on and have primary direct access to and from a county road or a New Jersey State Highway.

(c) Garden apartment general standards.

[1] Maximum building height. No building shall exceed thirty-five (35) feet in height or two and five-tenths (2.5) stories.

[2] Area and yard requirements.

[a] The maximum tract size shall be five (5) acres, including the areas of existing street and water areas within the tract boundary lines, provided that they total no more than two percent (2%) of the tract area. All plans shall delineate the boundaries of the portion(s) of the tract devoted to each use.

[b] The minimum tract building setbacks shall be as follows:

[I] Front: seventy-five (75) feet.

[II] Side: thirty (30) feet.

[III] Rear: fifty (50) feet.

[c] Minimum building yard areas shall be measured horizontally in feet and shall be measured away from the front, side and rear of

each building. The total minimum distance between buildings shall be the sum of the two (2) abutting yard areas. The minimum yards shall be forty (40) feet for front yards, twenty-five (25) feet for side yards and fifty (50) feet for rear yards. No building as measured radially from any corner shall be closer to any other building corner than the combined distances of the side yard requirements for each building. The combined distance of two (2) side yards shall exclude any driveway or vehicular access, such driveway or vehicular access width being in addition to the combined side yard width.

- [d] No structure shall be more than four (4) dwelling units in any unbroken building line. A setback of not less than four (4) feet shall be deemed a satisfactory break in the building line.
- [e] All residential buildings shall be designated and constructed with a soundproofing barrier between adjoining units with a sound transmission Class 50 as tested by the American Society for Testing and Materials, E90. Floor plans of a typical unit shall be required. Any room other than kitchen, closet or combined living-dining room shall be counted as a bedroom for purposes hereof.

- [f] Land area equal to at least two hundred fifty (250) square feet for each dwelling unit shall be specified on the site plan and improved by the developer as active recreation areas for use by the residents of the development. Such areas shall be an integral part of the development, and each shall be at least ten thousand (10,000) square feet in size, at least seventy-five (75) feet wide and have a grade less than five percent (5%).
- [g] All portions of the tract not utilized by buildings or paved surfaces shall be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours, existing foliage and the planting of conifers and/or deciduous trees native to the area in order to either maintain or reestablish the tone of the vegetation in the area and lessen the visual impact of the structures and paved areas. The established grades on any side shall be planned for both aesthetic and drainage purposes. The grading plan, drainage facilities and landscaping shall be coordinated to prevent erosion and silting as well as assuring that the capacity of any natural or manmade drainage system is sufficient to handle the water

generated and anticipated both from the site and contributing upstreet areas.

[3] Gross floor area minimums. [a]

Garden apartments.

- [I] Efficiency unit: five hundred (500) square feet.
- [II] One (1) bedroom unit: seven hundred (700) square feet.
- [III] Two (2) bedroom unit: nine hundred (900) square feet.

[4] Density.

- [a] Garden apartments shall not exceed a density of four (4) units per acre.

[5] Plan review shall be required by the appropriate approving agency for all garden apartments. All submissions, review procedures, development review fees, site plan regulations, permits and approvals, design and performance standards, zoning district regulations and compliance shall conform to the provisions as set forth in this chapter.

[6] Within the R-20 Zone allowing apartments, no dwelling containing apartments shall take place unless the following minimum standards are met in addition to the other requirements of this chapter.

- [a] Each dwelling unit and combined complex of dwelling units shall have a compatible architectural

theme with variations in design to provide attractiveness to the development, and which shall include consideration of landscaping techniques, building orientation to the site and to other structures, topography, natural features and individual dwelling unit design, such as varying unit width, staggering unit setbacks, providing different exterior materials, changing rooflines and roof designs, altering building heights and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singularly or in combination for each dwelling unit. The number of dwelling units in one (1) building shall not exceed twelve (12).

- [b] All dwelling units shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of a certificate of occupancy.
- [c] All parking facilities shall be on the same site as the building and located within one hundred fifty (150) feet of the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas designed specifically for parking, and there shall be no parking along interior

streets. The total area devoted to parking shall not exceed twenty percent (20%) of the tract, and the total aggregate area devoted to both parking and interior streets shall not exceed thirty percent (30%) of the tract.

- [d] Apartment buildings may consist of any configuration that meets the prescribed area and yard requirements and does not exceed the following overall or component building lengths. Building coverage shall not exceed twenty percent (20%) of the tract area.



a = 200 feet on one plane

b = 340 feet on any angle

c = 500 feet along the center line

Buildings measured along the center line shall provide one (1) opening at ground level at least every two hundred fifty (250) feet. This opening shall be a minimum of fifteen (15) feet in clear width and height and shall be at an elevation enabling emergency-vehicle access through the opening.

- [e] No portion of any dwelling unit shall be a basement.
- [f] Each dwelling unit shall have two (2) separate means of egress to the ground,

except that any windowsill which is twelve (12) feet or less above the ground level below it shall be considered a separate means of egress.

- [g] In addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit two hundred (200) cubic feet of storage area in a convenient, centrally located area in the basement or ground floor of the dwelling structure, where personal belongings and effects may be stored without constituting a fire hazard and where said belongings and effects may be kept locked and separated from the belongings of other occupants.
- [h] No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner. Sufficient area and equipment shall be made available within each dwelling unit for the laundering and artificial drying of laundry of occupants of each dwelling unit.
- [i] Each apartment building shall contain a single master television antenna system which shall serve all dwelling units within the building, and there shall be no additional exterior television or radio equipment permitted.
- [j] All streets, both internal and external (including grading and paving), driveways, parking areas, sidewalks, curbs, gutters, street lighting, shade trees, water mains, water systems, culverts, storm sewers, sanitary sewers, pumping stations, drainage structures and such other improvements as may be found to be necessary for the health,

safety and welfare of the public ,and in the public interest, including recreational facilities, shall be installed at the expense of the developer and shall be completed to the satisfaction of the Township Engineer before a certificate of occupancy may be issued. In lieu of total completion of landscaping improvements only, an adequate performance bond properly guaranteeing the completion may be accepted. Such bond value will be set at the time of posting and will be held by the Clerk of Barnegat Township, after approval by the Township Attorney as to form and surety, for a period of no more than one (1) year, during which time said landscaping improvements shall be completed. This subsection shall not be construed as relieving the developer of the performance bond requirements in accordance with this chapter.