

ORDINANCE 2012-07

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING CHAPTER 55, LAND USE,
OF THE CODE OF THE TOWNSHIP OF BARNEGAT**

WHEREAS, the Township Committee has determined that it is necessary to amend the bulk and yard requirements to make changes to reflect the TC-CPHD, TC-CN, TC-CV and CC-CPHD Overlay Zones in accordance with the 2011 Master Plan, as endorsed by the New Jersey State Planning Commission on December 7, 2011.

BE IT ORDAINED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

PURPOSE: The purpose of this Ordinance is to amend Chapter 55, Land Use, of the Code of the Township of Barnegat to incorporate new zoning requirements for the TC-CPHD, TC-CN, TC-CV and CC-CPHD Overlay Zones created in accordance with the 2011 Barnegat Township Master Plan and the December 7, 2011 endorsement of the Township's Master Plan by the New Jersey State Planning Commission. This ordinance amends Section 55-31, Schedule of Area, Yard and Building Requirements and Schedule A to include the bulk, yard and other requirements for the TC-CPHD, TC-CN, TC-CV and CC-CPHD Overlay Zones.

SCHEDULE A

**SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS
East of the Parkway- Township of Barnegat – Chapter 55**

Zone	Area (sq ft)	Lot Width (feet)	Lot Depth (feet)	Front Yard (feet)	Principal Buildings		Rear Yard (feet)	Side Yard (feet)	Rear Yard (feet)	By Bldg	Maximum % of lot Coverage
					One Side	Both Sides					
PW	139392	200	200	50	25	50	50	10	10	20	
R-40	40000	175	175	50	20	50	50	5	10	20	
R-20	20000	100	150	30	10	30	35	5	10	20	
R-15	15000	100	100	40	10	25	35	5	10	20	
R-10	10000	75	120	30	10	20	30	5	5	30	
R-7.5	7500	75	90	25	8	20	25	5	5	30	
RC-7.5	7500	75	90	25	8	20	25	5	5	30	
R-6	6000	60	90	25	5	12	25	5	5	30	
R-MF	Reference Article II, Section 55-17										
TC-CV	10000	60	80	10 to 15 ³	5	10	20	5	5	60	
C-V Com	10000	100	100	25	5	10	20	5	5	50	
C-V Res	10000	100	100	30	10	20	30	5	5	30	
C-M	10000	80	100	25	8	20	25	5	5	30	
TC-CPHD	20000	80	100	20 to 30 or DTS ¹	5	10	20 ⁴	5	5	60	
CC-CPHD	20000	80	100	20 to 30 or DTS ¹	5	10	20 ⁴	5	5	60	
CPHD	30000	125	150	50	10	20	40	5	10	50	
TC-CN	12000	80	80	20 to 30 ²	5	10	20 ⁴	5	5	60	
C-N Com	15000	100	100	50	10	25	20	5	5	50	
C-N Res	15000	100	100	40	10	25	20	5	10	20	
ML-1	9000	75	120	30	8	20	30	5	5	30	
ML-2	9000	75	120	30	8	20	30	5	5	30	
ML-3	7500	75	90	25	8	20	25	5	5	30	
ML-4	Reference Article II, Section 55-26										
ML-5	Reference Article II, Section 55-27 (Added 6-7-04 by Ord. No. 2004-27; 8-2-04 by Ord. No. 2004-40)										

Notes:

1. The front yard setback shall be a minimum of 20 feet from the street right-of-way or a minimum of 0 feet from the Desirable Typical (DTS) limit of the roadway, whichever distance from the street right-of-way is greater. The front yard setback shall be a maximum of 30 feet from the street right-of-way.
2. The front yard setback shall be a minimum of 20 feet and a maximum of 30 feet from the street right-of-way.
3. The front yard setback shall be a minimum of 10 feet and a maximum of 15 feet from the street right-of-way.
4. Any commercial development adjoining a residential property or zone to the rear shall have a minimum fifty (50) foot rear yard setback.
5. The minimum permitted height of a principal structure within the TC-CV Zone shall be 18 feet and the maximum shall be 35 feet.
6. Additional area, yard and building requirements are specified for some zones and uses within Article II of Chapter 55.
7. Adult community housing shall be permitted subject to the provisions of this chapter.

8. The minimum gross floor area for all detached single-family dwellings shall be as follows except in ML Zones where the Inclusionary Development Regulations set forth minimum floor requirements: One (1) bedroom unit, nine hundred (900) square feet; two (2) bedroom one thousand fifty (1050) square feet; three (3) bedroom unit, one thousand three hundred (1300) square feet. Each additional bedroom hundred (100) square feet.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on March 5, 2012. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on May 7, 2012, at 6:30 p.m., or as soon thereafter as the matter may be reached and considered, at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

Sharon L. Auer
Acting Municipal Clerk