

ORDINANCE NO. 2014-12

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, ESTABLISHING THE MULTI-FAMILY AGE
RESTRICTED ZONE IN BARNEGAT TOWNSHIP, NEW JERSEY**

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”), as follows:

SECTION 1. The Township recognizes its continued obligation to meet the constitutional right of certain citizens in Barnegat Township and the State of New Jersey concerning housing obligations.

SECTION 2. While Round 3 of the Affordable Housing requirements has not yet been formally established by the Council on Affordable Housing (“COAH”), the Township recognizes its continued obligation in this regard, and believes it appropriate to establish a new Zone entitled, “Multi-Family, Age-Restricted Zone” to meet the continued obligations of the Township with regard to its expected Round 3 Affordable Housing obligation.

SECTION 3. The Township hereby designates Block 195.03, Lot 12 as property within the newly designated “Multi-Family, Age-Restricted Zone” (hereinafter referred to as the “Zone”).

SECTION 4. Section 55-6 of the Township Code entitled, “Designation of Zoning Districts” is hereby amended to reflect the establishment of this new Zone.

SECTION 5. Section 55-7 of the Township code entitled, “Zoning Map”, in particular Subsection (A) is hereby amended to reflect the designation of the aforementioned property as the new Zone.

SECTION 6. The following regulations apply to the Zone:

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

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- (a) Permitted Use.
 - (1.) Minimum age of all occupants – fifty-five (55) years of age and up.
 - (2.) All occupants must meet the income restrictions imposed and as amended from time to time by the New Jersey Council on Affordable Housing.
- (b) Maximum height of buildings.
 - (1.) fifty feet.
- (c) Maximum number of stories.
 - (1.) three (3)
- (d) Set backs.
 - (1.) fifty feet – front setback.
 - (2.) fifty feet – rear setback.
 - (3.) fifty feet – each sideline setback.
- (e) Buffers. An adequate buffer of at least twenty-five feet in width outside of the setback area referenced hereinabove must be provided on at least two (2) sides of the property.
- (f) Development Program.
 - (1.) No more than seventy senior age affordable housing units are permitted in one building.
 - (2.) All units must be either one bedroom or two bedroom. No three bedroom units or more will be allowed.
- (g) Parking.

(1.) 1.5 spaces per unit on site.

(h) Density.

(1.) No more than fourteen (14) units per acre is permitted.

(i) Accessory Buildings.

(1.) An appropriately screened trash enclosure and small maintenance garage which will not violate the setback requirements hereinabove imposed shall be permitted.

SECTION 7. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 8. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

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 **April 7, 2014 at 7:00 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **June 2, at 7:00 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is

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invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

SHARON L. AUER, Acting Township Clerk

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**
Forked River, New Jersey 08731

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