

ORDINANCE NO. 2020-5

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 55 OF THE TOWNSHIP CODE ENTITLED "LAND USE" AND SUBSECTION 57 THEREOF ENTITLED "C-N – NEIGHBORHOOD COMMERCIAL ZONE".

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

SECTION 1. Chapter 55 of the Township Code entitled "Land Use" and Subsection 57 thereof entitled "C-N - Neighborhood Commercial Zone" is hereby amended and supplemented in Sections set forth below to read as follows:

- (d) All units shall be age-restricted and limited to one-and two-bedroom units. One-bedroom units shall be no less than 800 square feet. Two-bedroom units shall be no less than 950 square feet with a minimum of 70% of the two-bedroom units having no less than 1,100 square feet.

- (e) The maximum permitted density for age-restricted occupied condominium units shall be fifteen (15) units per acre. A maximum of 20% affordable housing set-aside may be provided as set forth in the Fair Housing Act, N.J.S.A. 52:27D-329.9. Not more than 10 of the affordable units may be low-income and the remaining shall be moderate income. Pinelands Development Credits shall be purchased and redeemed for twenty-five percent (25%) of all units in the condominium development. Redemption of Pinelands Development Credits shall not be required for affordable housing units provided to meet the requirements of the Fair Housing Act, N.J.S.A. 52:27D-329.9, provided such affordable units do not exceed 20% of the total number of proposed units. All affordable units shall comply with the New Jersey Uniform Housing Affordability Controls and shall be managed by the Township's Administrative Agent for Affordable Housing. The Developer shall be required to enter into a Developer's Agreement with the Township to effectuate same.

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- (f) The condominium development shall include a clubhouse and other outdoor recreation amenities to be approved by the Planning Board, which may include amenities such as picnic pavilions, tables benches, grills, bocce, horseshoe pits, fire pits, and the like, for sole use by the residents of the development and their guests. A clubhouse shall be provided for all projects having 50 or more units and shall provide 17 SF of indoor area per unit, but shall not be less than 1,000 SF in area.

- (g) The proposed condominium development shall comply with the minimum parking requirements set forth in Section 55-173 of the Barnegat Township Land Use Code. No additional parking above what is required for the condominium units shall be required for the clubhouse and outdoor recreation area.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 3rd day of March, 2020, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 7th day of April, 2020, at 10:00 AM/PM. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

MICHELE RIVERS, RMC, Clerk
Township of Barnegat

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