

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY,
STATE OF NEW JERSEY TO ESTABLISH THE RMW ZONE DISTRICT**

- 1. Section 390-5, entitled “Designation of Zones” of Article III entitled, “Establishment of Zones” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add an amend the following:**

For the purpose of this chapter, the Borough of Oceanport is hereby divided into the following classes of zones:

- R-1 Residential Single-Family
- R-2 Residential Single-Family
- R-3 Residential Single-Family
- R-4 Residential Single-Family
- R-5 Residential Single-Family and Two-Family
- R-7.5 Residential Single-Family
- R-M Residential Multifamily
- RMO Residential Multiple-Family Development (fee-simple owner)

RMW Residential Multiple-Family Waterfront

- B-1 Professional and Office
- B-2 General and Recreational Commercial
- V-C Village Center (retail commercial)
- I Industrial

- 2. Section 390-6, entitled “Zoning Map” of Article III entitled, “Establishment of Zones” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add and amend the following:**

The location and boundaries of said district shall include Block 121, Lots 1.02 and 2, and are hereby established on the Zoning Map of the Borough of Oceanport dated September 11, 1996, and revised ~~December 15, 1996~~ January 20, 2016, which is attached hereto and is hereby made a part of this chapter. Said Map or Maps and all notations, references and designations shown thereon shall be, as such, a part of this chapter as if the same were all fully described and set forth herein.

- 3. Section 390-14, entitled “Yard Exceptions” of Article V entitled, “Supplementary Lot Regulations” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add an amend the following:**

- D. Waterfront properties. In residence districts no principal building shall be nearer to the natural waterline than the average alignment of the existing principal buildings within 200 feet of each side of the lot within the same block. **This shall not apply in the RMW district.**

4. **Section 390-15, entitled “Number of Buildings Restricted” of Article V entitled, “Supplementary Lot Regulations” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add an amend the following:**

There shall be not more than one principal dwelling on each residential zone lot in any R District except in the R-M District, RMO District, RMW District and the R-5 District (two-family dwellings).

5. **Section 390-31.2, entitled “RMW Development Criteria” of Article VI entitled, “Supplementary Use Regulations” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add the following:**

A. **Area of tract. The minimum tract area shall be the entirety of the RMW zone; no subdivision shall be permitted. This shall not preclude dedication of land or easements for public right-of-way, public access or other public purpose.**

B. **Maximum density. The maximum gross density for the tract shall be 11 dwelling units per acre. Notwithstanding, the maximum number of dwelling units on a tract shall be twenty (20) dwelling units.**

C. **Bulk building requirements.**

(1) **Building Setbacks.**

(a) **Front yard setback: two-story building: 25 feet; three-story building: 35 feet**

(b) **Side yard setback: 10 feet**

(c) **Rear yard setback: 25 feet**

(d) **Mean high water line setback: 150 feet**

(2) **Building height.**

(a) **Where Off-street parking is located beneath the building: the maximum building height shall be three stories or 45 feet (parking level constitutes a story).**

(b) **Where Off-street parking is not located beneath the building: the maximum building height shall be two stories or 35 feet**

(3) **Building Coverage. Not more than twenty-five (25) percent of the tract area may be occupied by buildings.**

(4) **Impervious Coverage. Not more than seventy-five (75) percent of the tract may consist of impervious cover.**

D. **The front of residential buildings shall be oriented toward public or private streets or open water.**

E. **Architectural styles must be compatible with the "Turn of the Century Racetrack/Seaside Village" theme. Architectural styles must not be mixed in the same building. The use of detailing, such as window shutters on upper floors, is recommended and encouraged where appropriate to the architectural style. Blank walls will not be allowed.**

(1) **Vinyl siding shall be prohibited.**

F. **Circulation.**

(1) **Vehicle access to residential buildings shall take place at the rear of the buildings.**

- (2) Sidewalks shall be provided on both sides of each private or public street or drive.
 - (a) Sidewalks shall have a minimum width of four (4) feet.
- (3) A public walkway shall be provided along the waterfront of the Oceanport Creek.
 - (a) A public easement of 20 feet in width shall be provided for the walkway.
 - (b) The public walkway shall have a minimum width of ten (10) feet.

G. Planting and Buffer Requirements.

- (1) A ten (10) foot planted buffer shall be provided along the side and rear yards.
- (2) Planted buffers shall consist of a mix of evergreen trees, deciduous trees and ornamental trees and shrubs.
- (3) All parking shall be screened from adjacent residential properties and public/private streets and drives. Screening shall consist of an evergreen hedge or shrubs at a minimum planting height of four (4) feet. A fence may be used in lieu of plantings.
- (4) Shade trees shall be provided in all uncovered off-street parking areas at ratio of one (1) tree per three (3) parking spaces.

H. Lighting.

- (1) Adequate lighting to ensure safe pedestrian and vehicle travel shall be provided.
- (2) All light fixtures shall be shielded with a 90% cut-off.
- (3) Site lighting shall meet the standards in the IESNA Lighting Handbook, 9th edition or as may be amended, for Maintained Illuminance Values for Parking Lots – basic (figure 61) and Average Maintained Illuminance Level for Pedestrian Ways (figure 63).
- (4) The maximum height of light fixtures shall be sixteen (16) feet.

I. Parking.

- (1) Surface parking and individual residential garages shall not be visible from public streets.
- (2) Parking may be provided beneath or as the first story of any structure.
- (3) Parking setback.
 - (a) Side or rear yard abutting a nonresidential or mixed use: 10 feet
 - (b) Side or rear yard abutting open water: 30 feet.
 - (c) Front yard where Off-street parking is located beneath the building: not less than the setback of the front facade for the principal building
 - (d) Front yard where Off-street parking is not located beneath the building: 50 feet
- (4) Residential parking shall be provided pursuant to the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).

J. Affordable Housing Contribution.

- (1) Twenty percent (20%) of the dwelling units developed shall be affordable dwelling units.
- (2) The affordable dwelling units shall meet all applicable regulations of the Council on Affordable Housing and the Uniform Housing Affordability Control rules (N.J.A.C. 5:80-26

et al.), including but not limited to bedroom distribution, income distribution and affordability controls.

6. Section 390a, entitled “Schedule 1 Permitted Land Use Controls” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add the following:

District	Permitted Principal Uses	Permitted Accessory Uses	Special Exception Uses
<u>MFW Multi-family</u>	<u>Multi-family dwelling units</u>	<u>Other accessory uses and structures customarily appurtenant to a permitted principal use</u>	<u>None</u>

7. Section 390b, entitled “Schedule 1 Bulk and Coverage Controls” of the Borough of Oceanport Zoning Ordinance, as heretofore supplemented and amended, is hereby supplemented and amended to add the following:

	<u>RMW Multiple Family Development Waterfront</u>
Minimum lot area (square feet)	<u>For bulk and coverage controls, see Section 390-31.2</u>
Minimum lot width (square feet)	
Minimum lot depth (square feet)	
Maximum height (stories / feet)	
Flat roof	
All other roof types	
Maximum lot coverage (percent)	
Principle building	
Accessory building	
Maximum dwellings per acre	
Minimum yards (feet)	
Principle building	
Front	
Side (one/both)	
Rear	
Accessory building	
Side	
rear	

8. **Inconsistency.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
9. **Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, section, paragraph, sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
10. **Effective Date.** This ordinance shall take effect immediately upon final passage and publication thereof according to law.

Introduced: January 21, 2016

Approved: January 21, 2016

Adopted: February 18, 2016

ATTEST:

JEANNE SMITH
BOROUGH CLERK

JOHN F. COFFEY
MAYOR