

## ORDINANCE 2017-7

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING AFFORDABLE HOUSING OVERLAY ZONES IN THE BOROUGH IN COMPLIANCE WITH BRADLEY BEACH'S CONSTITUTIONAL OBLIGATION TO PROVIDE AFFORDABLE HOUSING, ADDING CHAPTER FOUR HUNDRED FIFTY ONE, "AFFORDABLE HOUSING OVERLAY ZONES"

### ARTICLE XI OVERLAY ZONES

#### **451-16. Purpose**

This Affordable Housing Overlay Zone Article is hereby enacted for the purpose of creating additional realistic opportunities for the construction of low- and moderate-income housing in the Borough of Bradley Beach.

#### **451-17. Geographic Parameters**

The AH-1 Overlay Zone shall encompass and overlay the O-P Office-Professional Zone west of Main and the AH-2 Zone shall encompass and overlay the portions of the B-O-R Business, Office and Research Zone west of Main Street.

#### **451-18. Affordable Housing Requirements**

The Planning Board, Zoning Board of Adjustment, or governing body shall, after the effective date of this section, approve an application for development or redevelopment plan for any residential or mixed-use development in the AH-1 and AH-2 Zones with five or more dwelling units only when the following requirements are complied with:

- A. The development must comply with all aspects of the Borough of Bradley Beach's Affordable Housing Ordinance.
- B. Fifteen (15) fifteen percent of rental units and twenty (20) twenty percent of for sale units shall be affordable to low- and moderate-income households. Any computation resulting in a fraction of a required affordable housing unit shall be rounded up.
- C. Required low- and moderate-income housing units shall be constructed on site.
- D. Residential development shall adhere to the area and bulk requirements of the zone in which the units are proposed with the following exceptions:
  1. Residential development which complies with all other aspects of this section shall have a maximum permitted density of (14) fourteen dwelling units per acre.
  2. Pursuant to the regulations of this ordinance, maximum permitted building and impervious

coverages shall be in accordance with the following table:

| <b>Zone</b> | <b>Max. Building Coverage</b> | <b>Max. Impervious Coverage</b> |
|-------------|-------------------------------|---------------------------------|
| AH-1        | 90%                           | 100%                            |
| AH-2        | 55%                           | 85%                             |

3. Maximum permitted building height shall be (48) forty-eight feet, (12) twelve feet greater than the maximum permitted building height of 36 feet in the underlying zone district wherein the development is located. At no time shall the height exceed (48) forty-eight feet.
  4. Parking requirements shall comply with Residential Site Improvement Standards (RSIS) N.J.A.C. 5:21.
- E. Affordable dwelling units shall comply with all applicable regulations of the State of New Jersey in addition to all building codes, including but not limited to Council on Affordable Housing (COAH) and Uniform Housing Affordability Controls (UHAC).
- F. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the affordable dwelling unit(s) is located, pursuant to COAH and UHAC regulations.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Bradley Beach, in the County of Monmouth, that Chapter Four Hundred Fifty One of the Revised General Ordinances of the Borough of Bradley Beach, shall be added to reflect said change.

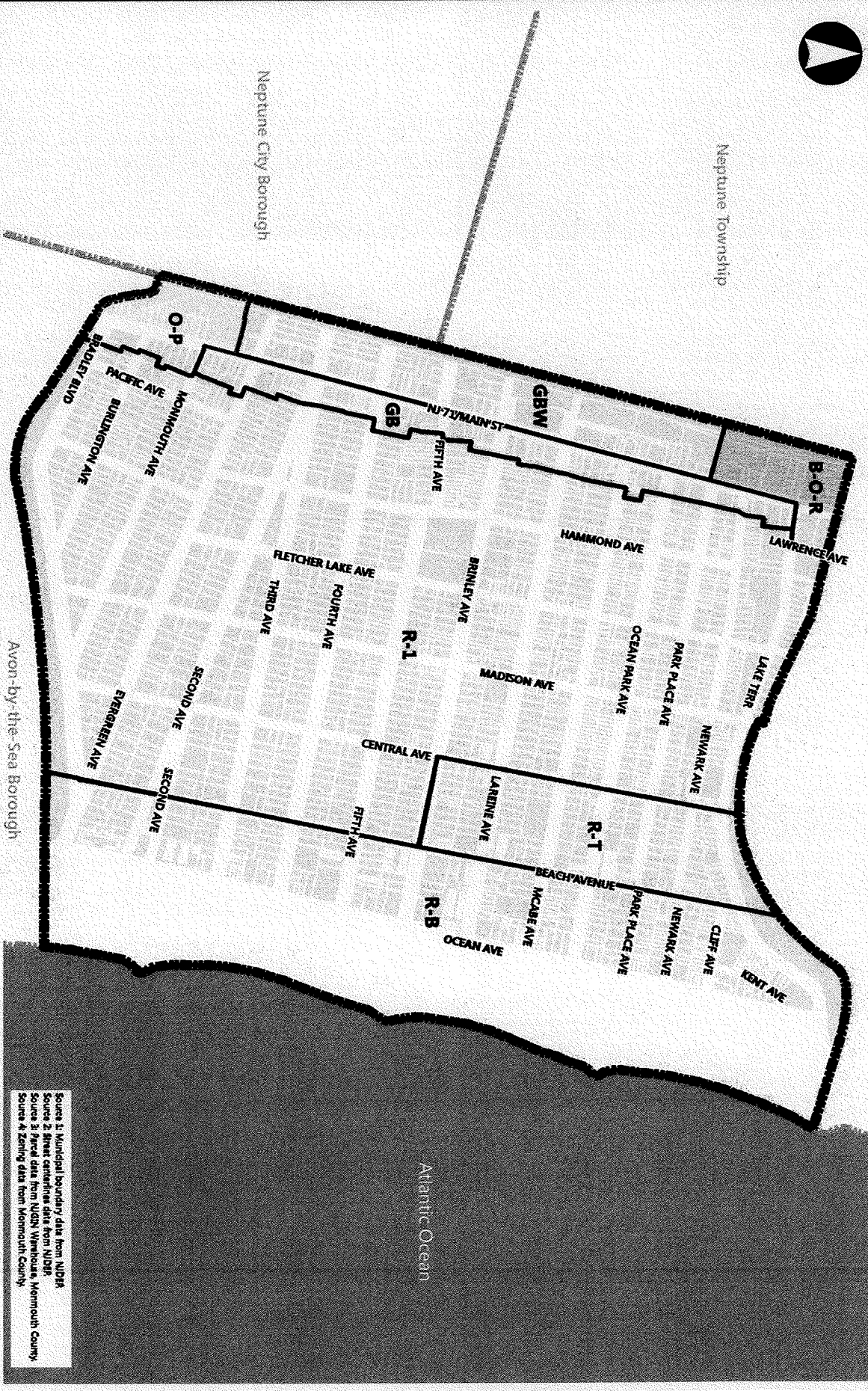
THIS ORDINANCE shall become effective upon final passage and publication according to law.

\_\_\_\_\_  
KELLY BARRETT  
Municipal Clerk

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GARY ENGELSTAD  
Mayor

Introduction: May 9, 2017

Adoption:



Sources:  
 Source 1: Municipal boundary data from NIDB  
 Source 2: Street centerline data from NIDB  
 Source 3: Parcel data from NIDB Warehouse, Monmouth County  
 Source 4: Zoning data from Monmouth County

### Affordable Housing Overlay Zones

|  |   |  |   |  |                            |  |                          |  |                         |  |
|--|---|--|---|--|----------------------------|--|--------------------------|--|-------------------------|--|
|  | <b>BURGIS ASSOCIATES, INC.</b><br>Consultant/Planner/Land Development and Design/Landscape Architecture<br>25 Westwood Avenue<br>Westwood, New Jersey 07073 |  | Project Title:<br><b>Housing Element &amp; Fair Share Plan</b><br><small>CONSULTANT OF BRADLEY BEACH, MONMOUTH COUNTY, NEW JERSEY</small> |  | Scale:<br><b>1" = 800'</b> |  | Date:<br><b>04/17/17</b> |  | Drawn By:<br><b>AHO</b> |  |
|  | Project No.:<br><b>3141.00</b>  |  | Date:<br><b>04/17/17</b>  |  | Scale:<br><b>1" = 800'</b> |  | Date:<br><b>TB</b>       |  | Drawn By:<br><b>AHO</b> |  |

#### Legend

- Bradley Beach
- Municipal Boundaries
- Zone Boundaries
- AH-2 Overlay Zone
- AH-1 Overlay Zone
- Parcels