

**AN ORDINANCE OF THE BOROUGH OF SPRING LAKE AMENDING AND
SUPPLEMENTING SECTION 225-8 ENTITLED "ZONING DISTRICTS"
AND CREATING SECTION 225**

WHEREAS, the Borough of Spring Lake is seeking to settle potential affordable housing litigation and obtain additional monies in its affordable housing trust fund so that it can continue to meet its constitutional obligation to provide for its fair share of affordable housing; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Spring Lake County of Monmouth and State of New Jersey that Section 225-8 of the Borough Code of the Borough of Spring Lake is hereby amended and supplemented to create a new zone, the MUAHCZ- Mixed Use Affordable Housing Contribution Zone.

BE IT FURTHER ORDAINED that Section 225-14.2 entitled Mixed Use Affordable Housing Contribution Zone is hereby created and it shall read as follows:

A. Purpose. The purpose of the Mixed Use Affordable Housing Contribution Zone is to settle potential affordable housing litigation and involves the payment of an affordable housing fee in the amount of \$150,000 in lieu of construction of an affordable unit so as to assist the Borough in meeting its constitutional obligation to provide for its fair share of affordable housing.

B. As used in this section "mixed use building" shall mean a building of a maximum of three (3) stories with the ground floor consisting exclusively of non-residential uses permitted in the RC, Retail Commercial District pursuant to §225-13.A., with a second floor with two residential units and third floor with one residential unit. All development in the Mixed Use Affordable Housing Contribution Zone shall be in accordance with the provisions of a developer's agreement between Borough and the applicant.

C. Principal permitted uses.
(1) One (1) mixed use building.

D. Accessory Uses. All permitted accessory and conditional uses authorized in the RC, Retail Commercial Zone pursuant to §225-13.B.

E. Maximum Building Height: Three (3) stories and 35 feet.

F. Area, yard and building requirements: All bulk requirements RC Retail Commercial Zone pursuant to §225-13.D. except as follows:

- (1) Lot Coverage: 84%
- (2) Lot Area: 7000 square feet
- (3) Lot Width: 50 feet
- (4) Side Yard Setback: 5 feet
- (3) Rear Yard Setback: 27 feet
- (4) Building Coverage: 82%

G. Location of Outdoor Heating Ventilation and Air Conditioning Equipment: Outdoor heating, ventilation and air conditioning equipment shall be located in compliance with § 225-23 except there shall be a minimum setback of 6 feet from the property line.

H. Stormwater Control: The requirements and standards set forth in §321

shall apply except that the recharge system may be located under the parking lot subject to the approval of the Planning Board Engineer.

I. Off-Street Parking: The requirements and standards set forth in Section 225-21 shall apply except that four parking spaces shall be require in this zoning district

J. The provisions of §225-13.F. and §225-13.H. shall apply to development in the Mixed Use Affordable Housing Contribution District.


BE IT FURTHER ORDAINED that Block 74, Lot 17 is hereby rezoned for inclusion in the Mixed Use Affordable Housing Contribution (MUAHC) District,

BE IT FURTHER ordained that all other Ordinances or provisions of the Code of the Borough of Spring Lake or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.

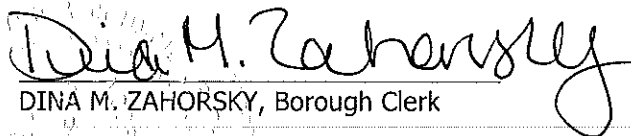
This Ordinance shall take effect upon its passage and publication as required by law.

INTRODUCED: JANUARY 26, 2016

ADOPTED: FEBRUARY 23, 2016

APPROVED: 
JENNIFER NAUGHTON, Mayor

Attest:


DINA M. ZAHORSKY, Borough Clerk

