

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
ORDINANCE NO. O-14-33**

**AN ORDINANCE AMENDING § 21-86 OF THE BOROUGH CODE EXEMPTING
EXISTING BUNGALOW COLONIES FROM CERTAIN BULK AND AREA
REQUIREMENTS**

WHEREAS, N.J.S.A. 40:55D-1, et seq. authorizes local governmental units to adopt ordinances to regulate land use to promote the public health, safety, morals and general welfare; and

WHEREAS, the Borough regulates land use and zoning by and through Chapter 21 of the Borough Code; and

WHEREAS, the Borough Engineer has recommended that the Borough Code be amended to exempt existing bungalow colonies from certain bulk and area requirements; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-86 to provide for the within changes; and

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

NOTE: All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics***. Sections of Chapter 21 that will remain unchanged are shown in normal type.

Section 1. Chapter 21, Section 86, Subsection A(4), “Single Family Residence”, of the Borough Code shall be amended to provide as follows

4. Bulk and Area Requirements.
 - a. Single-family dwellings shall meet the requirements shown in Schedule I.*
 - b. Existing bungalow colonies shall meet the following requirements:
 - (1) Density shall not exceed the number of units existing at the time of the adoption of this ordinance, as shown on existing Borough Tax Maps and/or other tax records.
 - (2) Any Application for expansion of an individual dwelling unit, either vertically or horizontally, ~~shall require an application for a site plan for the entire property~~ shall meet the following standards:
 - (a) Every unit shall have associated with it a minimum yard requirement around the perimeter of the unit and attached accessory structures of three (3) feet. Structures shall be located no closer together than the sum of the yard requirements, that is,

six (6) feet. Detached accessory structures are prohibited in the minimum required yard area.

- (b) Each unit shall have associated with it a minimum of one (1) parking space, located on site, either adjacent to the individual unit or in a common parking area.
- (c) Total building coverage shall not exceed thirty-five (35%) of the total lot area and total lot coverage shall not exceed seventy-five (75%) **except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.**
- (d) Building height shall not exceed twenty (20) feet.
- (e) **Shall require an application for a site plan for the entire property except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.**

(3) Bungalow colonies shall not be subject to the provisions of Section 21-98F below.

Section 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

Section 3. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE		x	x			
REDMOND			x			
RYAN			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES		x	NO

DATE: February 18, 2015

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Ordinance O-14-33 adopted by the Governing Body of the Borough of Highlands on February 18, 2015.

 Borough Clerk/Deputy Clerk