

**Borough of Highlands
Public Notice**

Please take notice that the following ordinance was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on May 6, 2015. Notice is hereby given that the following ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Highlands Elementary School, 360 Navesink Avenue, Highlands, NJ 07732, on Wednesday, June 3, 2015 at 8:00 PM. At that time, the public is invited to participate in the discussion of the Ordinance. Copies of the Ordinance are available in the Municipal Clerk's Office located at 42 Shore Drive, Highlands, NJ and are posted on the Display Board at the Municipal Building. Copies are available at no charge to the general public.

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

ORDINANCE #15- 20

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21-89 OF
THE REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS
ENTITLED "ZONING" MODIFYING THE REQUIREMENTS OF THE MH
MOBILE HOME RESIDENCE DISTRICT AND ALLOWING MULTI-FAMILY
DEVELOPMENTS IN THE MH ZONE AS A CONDITIONAL USE AND
ESTABLISHING REGULATIONS PERTAINING THERETO**

WHEREAS, the Borough currently has one MH Mobile Home Residence zone;

WHEREAS, the Borough has determined that it is in its best interest to amend its zoning code to permit, as a conditional use, certain multi-family development in the MH Mobile Home Residence zone; and

WHEREAS, permitting residential multi-family development under the conditions described herein is consistent with the master plan and the surrounding zones, specifically, the adjacent multi family zone.

NOW, THEREFORE, BE IT ORDAINED that Section 21 of the revised general ordinances of the Borough of Highlands be and hereby is amended in following part only:

SECTION ONE: § 21-89, "MH Mobile Home Residence," is hereby amended and supplemented as follows: (Additions noted by underscore. Deletions noted by strikethrough)

A. Section 21-89(A)(2), "Permitted Accessory Uses," shall be supplemented by the addition of the following: "Other accessory uses and structures incidental to the

permitted principal uses, including but not limited to structured parking for multi-family residences only.”

B. Section 21-89(A)(3), “Conditional Uses,” shall be supplemented by the addition of the following: “Multi-family dwellings, and structured parking accessory or appurtenant thereto subject to the requirements of §21-97(M). For purposes of this conditional use only, multi-family developments shall be defined as any residential building of greater than four (4) stories and no greater than ten (10) stories.”

SECTION TWO: §21-97, “Conditional Uses,” is hereby supplemented by the addition of a new Paragraph “M,” which provides:

M. Multi-Family Developments in the MH Zone. Multi-family developments in the MH Zone are subject to RSIS standards, and shall not be required to meet the requirements of Schedule I where said requirements are inconsistent with either RSIS or the follow requirements.

1. Density shall not exceed 30 dwelling units per acre
2. Minimum lot size: 10 acres.
3. Minimum front yard setback: 100 feet to a principal building or structured parking facility
4. Minimum side yard setback: 60 feet to a principal building or structured parking facility
5. Minimum rear yard setback: 60 feet to a principal building or structured parking facility
6. Minimum Buffer area along any property line: 25 feet. Driveways and sidewalks shall be permitted to cross buffer areas to provide access to streets and adjacent properties. Pedestrian paths shall be permitted within buffer areas. Development identification signs and gatehouses shall be permitted in buffer areas within 75 feet of driveway entrances providing access to a public street
7. Maximum building coverage: 25 percent
8. Maximum lot coverage: 50 percent
9. Maximum FAR: 1.50. The floor area of structured parking facilities underneath and adjacent to residential buildings shall not be considered as floor area for purposes of the Floor Area Ratio (FAR).
10. Maximum Height:
 - a. Residential buildings: 120 feet, but not greater than ten (10) stories . The height of residential buildings shall be measured from the floor of the building lobby or the first level that contains dwellings whichever is lower. Elevator shaft may exceed this limitation by no more than 15 feet.
 - b. Structured parking: 45 feet. Parking structures may be located underneath and/or adjacent to residential buildings.
 - c. Recreational facilities and other accessory structure: 25 feet.
11. Accessory Structures:

- a. Recreational facilities. Recreational facilities shall be provided for the use of residents of the multi-family development. Such facilities shall be setback a minimum of 50 feet from any property line.
- b. Signs. Development identification signs shall be permitted adjacent to the main entrance of a multi-family development. Such signs shall either consist of a monument sign or be mounted on a freestanding wall. The maximum number of signs shall be two faces on a monument sign or two wall-mounted signs. The maximum area per sign face shall not exceed 100 square feet. A development identification sign shall be setback a minimum of 5 feet from any property line.
- c. A gatehouse or similar structure shall be permitted within 75 feet of driveway entrances providing access to a public street.
12. Steep Slopes and Setback from Slopes. Developments in the MH Zone District shall comply with the minimum foundation (face of footing) clearances from the top of a steep slope, at the tract perimeter, of the International Building Code (IBC), 2009 or later, New Jersey edition, as illustrated in Figure 1808.7.1 of the 2009 IBC, NJ edition and with the Steep Slope and Slump Block Ordinance, § 21-84B of this Code. The minimum clearance of the face of the footing and setback shall apply only to the top of a steep slope at the tract perimeter and shall be the least of the smaller of the height of the slope divided by three (3) or forty (40) feet, in accordance with the IBC, 2009 above and illustrated in Figure 1808.7.1 of the 2009 IBC. Notwithstanding the foregoing, the minimum setback from the top of a steep slope at the tract perimeter shall not be less than forty (40) feet. This requirement shall be considered as a bulk requirement of the conditional use. Relief for the steep slope and slope setback requirement, above shall be addressed under 40:55D-970.c.

SECTION THREE: 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 FOUR: REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Carolyn Cummins
Borough Clerk

