

**CITY OF ABSECON**

**ORDINANCE 11-2014**

**AN ORDINANCE AMENDING CHAPTER 224, ABSECON DEVELOPMENTAL  
ORDINANCE AND THE ZONING MAP CREATING THE  
SPECIAL NEEDS HOUSING DEVELOPMENT DISTRICT (SNHD)**

**(ARTICLE XXXVII)**

**WHEREAS**, the Absecon City Planning Board adopted a Housing Element and Fair Share Plan on July 23, 2013; and

**WHEREAS**, the Housing Element and Fair Share Plan recommended creating a Special Needs Housing Development District (SNHD).

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body for the City of Absecon City, County of Atlantic and State of New Jersey, that Chapter 224, Absecon Developmental Ordinance and the Absecon City Zoning Map is hereby amended as follows:

**Article XXXVII – Special Needs Housing Development District (SNHD)**

**§ 224-343. SHORT**

This Ordinance shall be known and may be cited as: Special Needs Housing Development District (SNHD)

**§ 224-344. PURPOSE**

A. The purpose of the Special Needs Housing Development District (SNHD) is to assure that low-income units ("affordable units") are created with controls on affordability over time and that low- income households with special needs shall occupy these units.

**§ 224-345 – PERMITTED USES AND DENSITY**

A. To ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing, inclusionary zoning permits minimum densities and affordable housing set-asides as follows:

- (1). Special Needs Housing Development (SNHD) zoning permits a presumptive density of 24 one-bedroom units per acre with 100% affordable rental special needs housing units in development;
- (2). The following Inclusionary Development sites are designated as SNHD Districts:

Site Location: Property situated on of New Road (State Highway Route 9), Lots 18, 18.01, 18.02 and 18.03, in Block 237, and property located at the intersection of Mill Road (Atlantic County Route 651), Portion of Lots 1 and 2 in Block 200 as shown on the Municipal Tax Maps, Absecon City, Atlantic County, New Jersey.

**B. Permitted Accessory Structures / Uses:**

- (1) One Tool Shed (max. size 8' x 10')
- (2) One Open Gazebo (max. size 16' x 16')
- (3) One Storage / Maintenance Building (max. size 12' x 16')

(4) Accessory structures shall conform building setbacks set forth in § 224-346 below. Storage / Maintenance Building and Tool Shed shall not be placed in area between the building face of the principal building and the public street.

**§ 224-346 – RESIDENTIAL BULK AND AREA REQUIREMENTS**

**A. Residential Bulk and Area Requirements**

Bulk, Area and Buffer Requirements:

- |                                                     |                     |
|-----------------------------------------------------|---------------------|
| (1) Minimum Lot Area:                               | 1 Acre              |
| (2) Minimum Lot Frontage:                           | 100 Feet            |
| (3) Minimum Lot Depth;                              | 100 Feet            |
| (4) Min. Front Yard Setback:                        | 40 Feet             |
| (5) Min. Rear Yard Setback                          | 30 Feet             |
| (6) Min. Side Yard Setback                          | 30 Feet             |
| (7) Maximum site coverage                           | 70%                 |
| (8) Maximum Building Height                         | 35 Feet (3 Stories) |
| (9) Distance between building/parking space         | 10 Feet Min.        |
| (10) Min. Vegetative Buffer between dissimilar Uses | 15' Feet            |

**§ 224-347 – RESIDENTIAL DESIGN STANDARDS**

**A. Design Standards**

- (1) Refer to the New Jersey Residential Site Improvement Standards (RSIS) for requirements.
- (2) Refer to Article XXII Design and Improvement Standards for requirements not addressed in the RSIS.

**§ 224-348 – ARCHITECTURAL DESIGN REQUIREMENTS**

**A. Architectural Design Requirements:**

- (1) Vinyl siding, brick, stone or similar or compatible building materials shall be utilized. Horizontal vinyl siding boards should be seamless in application, to the extent feasible, and be narrow four to 6 inches in exposed face dimension. Siding may be either smooth faced in texture and finish or be stamped wood grain.

(2) Traditional early 20<sup>th</sup> century architectural exterior design is encouraged for all new construction. Example prototypes to consider include: American Four Square; American Craftsman; Cape Cod; English Cottage; Colonial Revival; or similar.

(3) Many pre-molded synthetic architectural ornaments, columns, railings and trim details are readily available. Use of such products is encouraged.

(4) All future additions, alterations, and/or renovations to structures shall be compatible to the architectural design of the existing structures on-site and on surrounding property.

(5) No unpainted pressure treated lumber shall be used unless it is covered with vinyl.

(6) All porch and stoop railings shall be open spindle and shall match other spindles of open porches and / or open stoops on the individual building.

#### **§ 224-349 – SITE PLAN REVIEW REQUIREMENTS**

##### **A. Site Plan Review**

(1) Refer to Article XX for site plan review requirements.

#### **§ 224-350 – STORMWATER CONTROL REQUIREMENTS**

##### **A. Stormwater Control**

(1) Refer to Article XXXV for stormwater control design requirements.

#### **§ 224-351 – PARKING REQUIREMENTS**

##### **A. Off Street Parking Requirements**

- (1) 0.5 parking space per bed or unit (whichever greater) for tenants.
- (2) 0.5 parking space per staff member at peak shift.
- (3) 0.2 parking space per bed or unit (whichever greater) for quests.

The RSIS allow a municipal approving authority to grant a de minimis exception that is reasonable and within the general purpose and intent of the standards. The City will support an applicant's request for a waiver from a provision of the RSIS from the Site Improvement Advisory Board by showing that adherence to a particular provision presents a danger to public health and safety.

##### **B. Parking Design**

(1) Refer to § 224-128 C through E for parking design requirements.

**§ 224-352 – LANDSCAPING DESIGN REQUIREMENTS**

**A. Landscaping Design**

- (1) Refer to § 224-129 and § 224-159 for landscaping requirements.

**§ 224-353 – LIGHTING DESIGN REQUIREMENTS**

**A. Lighting Design**

- (1) Refer to § 224-130 for landscaping requirements.

**§ 224-354 – SIGNAGE REQUIREMENTS**

**A. Signage Design**

- (1) Refer to Article XXIII for sign requirements.

**§ 224-355 – PERFORMANCE GUARANTIES**

**A. Performance Guaranties And Improvements Costs**

- (1) Refer to Article XXIV for performance guaranties and improvements costs requirements.

**§ 224-356 – FENCES AND WALL REQUIREMENTS**

**A. Fences And Wall Design**

- (1) All perimeter fences or walls shall be placed within the property lines. Fences may be erected from the front property line, provided that they are visually transparent so as to not obstruct view for the first ten (10) feet from the property line. "Visually transparent" shall mean post & rail, chain link (without slats), and picket with the spacing between pickets at a minimum separation of 1 and 1/2 inches.
- (2) No portion of any open fence (such as picket, chain link, or post and rail) shall be more than 4 feet above natural grade in the front yard, or primary and secondary front yard in the case of a lot fronting on more than one street.
- (3) A solid privacy fence (such as stockade or board on board) or wall (such as stone or brick) shall be permitted to a height of 6 feet above natural grade, provided it is limited to the rear and side yards and do not extend beyond the front building line of the principal structure.
- (4) A corner lot may be permitted to have a 4 foot high picket fence, chain link, or post and rail fence into the secondary front yard to the front property line as an extension of the established rear yard.
- (5) A corner lot may be permitted to have a 5 foot high solid privacy fence (such as stockade or board on board) or wall (such as stone or brick) into the secondary front yard with a 10 foot setback from the secondary front property line as an extension of the established rear yard.

- (6) The reviewing board having jurisdiction over a site plan, residential subdivision and / or multi-unit residential development may alter and /or add conditions relating to fences and / or walls relative to location, size, texture and design to ensure fences and walls are consistent with development motif and the architectural style of the development and advance security and public safety.
- (7) All fences in the front yard shall be constructed with the structural elements and posts facing the property or site on which they are located. Decorative fences that have structural elements which are part of the decorative design and visible from both sides of the fence are an exception to this requirement.
- (8) An exception to the fence height - Decorative caps on structural posts as part of the fence design are permitted to be 6" above the fence.
- (9) Spacing between pickets shall have minimum separation of 1 and 1/2 inches.

**§ 224-357 - AFFORDABLE HOUSING REQUIREMENTS**

**A. Affordable Housing**

- (1) Refer to the City's amended Housing Element and Fair Share Plan for Affordable Housing Requirements.
- (2)

**BE IT FURTHER ORDAINED that:**

Any ordinance or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such inconsistency.

This ordinance shall take effect upon final adoption and publication as required by law.

**Dated:**

**SIGNED:** \_\_\_\_\_  
**John R. Armstrong, Mayor**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

Passed on first reading at a regular meeting of the Municipal Council held on July 3, 2014. Laid over and advertised for public hearing and final adoption on August 7, 2014.