

CITY OF ABSECON

ORDINANCE 09-2024

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 224, ZONING,
OF THE CODE OF THE CITY OF ABSECON AND REPEALING ALL
ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF
WHICH ARE INCONSISTENT THEREWITH**

WHEREAS, the City of Absecon ("City") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Atlantic County; and

WHEREAS, the Mayor and City Council have determined it to be in the best interest of the public health, safety and welfare to amend Chapter 224 to specify and clarify certain zoning requirements related to uses in its zoning districts.

BE IT ORDAINED, by the Mayor and City Council of the City of Absecon, County of Atlantic and State of New Jersey as follows:

SECTION 2: Chapter 224 Zoning, Article XVIII Supplemental Regulations Applicable to All Zoning Districts, section §224-110.1 is hereby amended as follows:

**BOARDING HOUSE, COOPERATIVE SOBER LIVING RESIDENCE,
NON-OXFORD HOUSE MODEL RECOVERY HOME, OXFORD HOUSE
MODEL RECOVERY HOME, RECOVERY HOME AND ROOMING
HOUSE.**

1. A rooming house or boarding house operating as a non-Oxford house model recovery home is a conditional use permitted in all residential zones identified in § 224, as a reasonable accommodation for persons with disabilities, only if it meets the following specified conditions and is a cooperative sober living residence (CSLR).

- i. The owner obtains a Class F license to operate a cooperative sober living residence from the New Jersey Department of Community Affairs pursuant to N.J.A.C. §5:27-1.1 et seq;
- ii. Requires a minimum separation distance of 1,200 feet from any other existing or proposed CSLR facility; and
- iii. Requires a minimum separation of 1,000 feet from any school, in accordance with the most recent Drug Free School Zone Map.
- iv. Requires anyone intending to establish a sober living home in the City of Absecon to provide 60 days' written notice to the Absecon Construction Office of their intention to do so. This notice shall include the specific location of the proposed sober

living home in order to allow the City's Construction official to confirm that the specified location is consistent with and permitted under all existing Absecon ordinances.

2. All other rooming houses and boarding houses which are not operating as non-Oxford model recovery homes or Oxford House model recovery homes are prohibited in all residential zones found in § 224.

3. A residential single-family detached dwelling unit which includes an Oxford House model recovery home is a permitted use in all residential zones found in § 224.

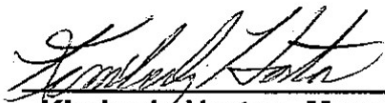
SECTION 3: All ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: This Ordinance shall take effect upon passage and publication as provided by law.

DATED: May 2nd, 2024

SIGNED:


Kimberly Horton, Mayor

ATTEST:


Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on March 21st, 2024. Laid over and advertised for public hearing and final adoption after Planning Board Review. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held on May 2nd, 2024.