

ORDINANCE #2026-06 – Final Reading

**ORDINANCE #2026-06
AN ORDINANCE AMENDING THE BOROUGH CODE OF
THE BOROUGH OF ALLENHURST, CHAPTER 26,
SECTION 4.10 ENTITLED “MAIN STREET
COMMERCIAL DISTRICT INCLUSIONARY OVERLAY ZONE”**

Offered By: Mayor Adjmi Seconded By: Comm. Dweck

WHEREAS, the Governing Body of the Borough of Allenhurst seeks to create a realistic opportunity for the development of affordable housing in Allenhurst; and

WHEREAS, in furtherance of this goal, the Borough proposes to amend the Main Street Commercial District Inclusionary Overlay Zone to encourage inclusionary multi-family residential and mixed-use development.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst that:

SECTION I. Chapter 26 Section 4.10, “Main Street Commercial District Inclusionary Overlay Zone” shall be amended to read as follows:

§26-4.10 Main Street Commercial District Inclusionary Overlay Zone.

a. Purpose.

The purpose of this section is to establish a Main Street Commercial District Inclusionary Overlay Zone (MS CD) that places an overlay zone over specific areas of the Borough. Given the built out nature of the Borough, an effective inclusionary housing overlay zone will produce affordable units when suitable opportunities become available through redevelopment or other planning mechanisms. This overlay zone would provide for inclusionary residential housing to be developed either over first floor commercial development along Main Street or completely as inclusionary residential development not fronting Main Street on tax lots included in the overlay zone. The specific areas included are the portions of the Borough that can realistically accommodate inclusionary housing development, which are in proximity to public transit and the Borough's main mixed use commercial thoroughfares.

The inclusionary overlay zone will regulate said developments through bulk and design standards. However, the Borough's underlying zoning will still be in effect. This will allow inclusionary affordable housing to be approved under local ordinance and regulations without detriment to the existing Borough zoning plan and ordinance. This creates a realistic opportunity to provide for the development of affordable housing in conformance with the requirements of the Court, the Fair Housing Act (N.J.S.A. 52:27D-301), the New Jersey Council on Affordable Housing (“COAH”) prior round regulations, the Housing Element and Fair Share Plan of the Borough of Allenhurst prepared by the Borough to address its Prior Round, Third Round, and Fourth Round affordable housing obligation and the court-approved Settlement Agreement between the Borough and FSHC. Permitted and conditional uses within the MS-CD Inclusionary Overlay Zone shall include all permitted and conditional uses in the underlying zoning district in which the Overlay Zone is located and allow for inclusionary housing development within the provisions of this section.

(b) through (c) [No Changes]

d. Bulk regulations: For purposes of this Overlay District, for lots that abut Main Street and

also abut any other intersecting street, Main Street shall be considered the front yard and any intersecting street shall be considered the side yard.

No.	Description	Measurement in Feet (unless noted otherwise)
1.	Minimum Lot Frontage (Feet)	50
2.	Minimum Lot Depth (Feet)	75
3.	Minimum Front Yard Setback (Feet)	0 feet, unless not facing Main Street, in which case setback shall be as per underlying zone requirements
4.	Minimum Side Yard Setback (Feet, total both)	6 (only when building not attached to adjacent building)
5.	Minimum Rear Yard Setback (Feet)	15 feet or 20% of lot depth, whichever is greater.
6.	Maximum Height (Stories/Feet)	3 stories/45 feet
7.	Maximum Building Coverage (Percent)	45%
8.	Maximum Improved Lot Coverage (Percent)	85%
9.	Maximum Residential Density	20 units/acre

(e) through (i) [No Changes]

SECTION II. REPEALER. That except as herein above provided, the remainder of Chapter 26, Section 4.10 entitled “Main Street Commercial District Inclusionary Overlay Zone” shall remain unaltered and in full force and effect.

SECTION III. INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION IV. SEVERABILITY. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION V. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. Santoro-AYE; Comm. Dweck-AYE; Mayor Adjmi-AYE

APPROVED: February 3, 2026

ADOPTED: February 24, 2026

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of an Ordinance adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on February 24, 2026.

Donna M. Campagna, RMC
Borough Clerk/Administrator