

#24-40

**AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN,
STATE OF NEW JERSEY AMENDING VARIOUS SECTIONS OF CHAPTER 245 OF
THE CODE OF THE TOWNSHIP OF MANCHESTER**

WHEREAS, the Manchester Township Council approved Ordinance #16-036 which implemented the Township's Land Use Codes with the results and recommendations of the Master Plan Re-examination Report Addendum, as adopted by the Planning Board on February 25, 2016; and

WHEREAS, the Township was informed by the New Jersey Pinelands Commission that changes within the Pinelands Area included in Ordinance #16-036 would have to be approved by the Commission before the entire Ordinance could take effect; and

WHEREAS, the Township thereafter adopted Ordinance #17-025, which described the modifications to the Pinelands Areas of the Township in accordance with the findings and recommendations of the 2017 Master Plan Reexamination Report adopted by the Manchester Township Planning Board on August 7, 2017; and

WHEREAS, it has recently come to the attention of the Township that inconsistencies exist between the provisions of Ordinance #17-025 and the map adopted therewith; and

WHEREAS, it is the recommendation of the Township Engineer to revise the inconsistent provisions.

BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Purpose Section of Ordinance #17-025 is hereby amended to revise (5) and (7), which shall read as follows:

(5) Revert the zoning of Block 72.01, Lot 17 and Block 72, Lots 8 and 16 along Ridgeway Boulevard to POR-LI from its current designation in the PRC-1 zone.

(7) Permit townhouse developments on tracts of 10 acres or greater in all Pineland Zoning Districts except for the PPA, PFA-S, PFA-R, PR-A, PED-1, PED-9, POR-LI, PR-15, WTRA, PR-40, BVR-40, and WTR-40 districts.

SECTION 2. Section 245-32, entitled "Pinelands Area Development," is hereby amended to revise C(8), which shall read as follows:

§245-32 Pinelands Area Development

- C. Pinelands development credits. In accordance with N.J.A.C. 7:50-5.41 to 7:50-5.47, Pinelands development credits Program shall be applicable in the Pinelands Area of the Township as follows:

- (8) Required use of Pinelands credits. Pinelands development credits shall be used in the following manner only within the Pinelands Area Regional Growth Area of Manchester Township located in the Ridgeway area of the Township northwest of the Southern Branch CONRAIL railroad and northeast of Naval Air Engineering Center - Lakehurst (currently known as Joint Base-McGuire-Dix-Lakehurst and the Borough of Lakehurst:
- (a) To permit development of parcels of land in the PR-40, PR-A, PRC, PRC-1, PR-15, PB-1, ~~POR-LI~~, PAF-1 and PED-1 Zones according to the density and lot area requirements set forth in § 245-33E, F, G, I, V, and W as well as 245-68 and 245-74 of this chapter;
- (b) When a variance of density or minimum lot area requirements for the PR-A, PR-40, PRC, PRC-1, PMP, PR-15, PB-1, ~~POR-LI~~, PAF-1 and PED-1 zones within the Pinelands Regional Growth Area is granted by the Township, Pinelands development credits shall be used for all housing units or lots in excess of that otherwise permitted without the variance;
- (c) (No change)
- (d) When a variance or other approval for a residential use in the PB-1 zone ~~or POR-LI zone~~ is granted by the Township, with the exception of those approvals in accordance with Section 245-68 and 245-74 of this chapter, Pinelands development credits shall be used for 50% of the authorized units for parcels under 10 acres in size; for 75% of the authorized units for parcels between 10 and 20 acres in size; and for 100% of the authorized units for parcels over 20 acres in size;
- (e) - (g) (No change)

SECTION 3. Section 245-74 of the Township Code, entitled “Townhouse developments” is hereby amended as follows:

§245-74. Townhouse Developments

- A. Permitted. Townhouses may be permitted in all CAFRA Zoning Districts except for R-40, R-20, R-15, R-14, R-10, R-10A, B-1 Districts. Townhouses may be permitted in all Pinelands Zoning Districts except for PPA, POR-LI, PFA-S, PFA-R, PR-A, PED-1, PED-

9, PR-15, WTRA, PR-40, BVR-40, and WTR-40 districts. Townhouses shall be subject to the conditions specified below:

- J. Pinelands Development Credits. In the PB-1, ~~POR-1~~ and PRC-1 zoning districts, Pinelands Development Credits shall be purchased and redeemed for 30% of all units, excluding up to 20% of the total project units that are made affordable for low and moderate-income households in accordance with applicable state law. Units made affordable for low and moderate-income households that account for more than 20% of the total project units shall purchase and redeem Pinelands Development Credits for 30% of all such units.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of 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 hereof.

SECTION 6. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 and the New Jersey Pinelands Commission.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 28th day of October 2024 at 6:00 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 25th day of November, 2024 at 6:00 p.m. or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

Roxy Conniff
Council President

Teri Giercyk, RMC/CMC
Municipal Clerk