

POINT PLEASANT BOROUGH

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 19 OF THE BOROUGH CODE OF THE BOROUGH OF POINT PLEASANT, ENTITLED “LAND USE” TO ADD OVERLAY ZONE REGULATIONS

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Borough Code of the Borough of Point Pleasant is hereby amended and supplemented so as to amend Chapter 19, entitled “Land Use,” so as to add § 19-15.D which shall be entitled “Affordable Housing-2 Overlay Zone” and which shall read as follows:

19-15D Affordable Housing-2 Overlay Zone

- a. Purpose. The Affordable Housing-2 Overlay Zone is intended to promote development that accommodates mixed use and multi-family housing in a location that can address the housing needs and preferences of market rate and affordable households, and which also supports the underlying district.
- b. Location. The Affordable Housing-2 Overlay Zone is a mixed-use and multi-family overlay option in the Borough’s GC (General Commercial) zoning district on the following lots:
 - Block 87, Lots 4, 5 & 6
 - Block 93, Lot 1
 - Block 94, Lot 2
 - Block 95, Lots 1 & 2
 - Block 96, Lot 1
 - Block 97, Lot 36 & 39.01
 - Block 211, Lot 1, 2 & 3
 - Block 213, Lot 1
 - Block 349, Lots 3.03 & 5
- c. Within the overlay zone district, the development of a new mixed-use and multi-family development, with a required on-site affordable housing component, is permitted as an option to the uses otherwise permitted in the GC zoning district.
- d. Density. The maximum density permitted for the AH-1 overlay district is 12 dwelling units per acre.

- e. Permitted uses, area, yard and building requirements shall comply with the AH overlay district regulations.
- f. Parking: On-site parking must be provided for all uses on site in accordance with RSIS standards.
- g. Affordable Housing Set-Aside: The on-site affordable housing set-aside of 20% is required. Affordable units in said projects must be affordable to very low, low- and moderate-income households in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. (“FHA”), Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. (“UHAC”), and New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq. If there are multiple dwelling units within each building, then the affordable units shall be evenly dispersed with market-rate units in each building. Affordable units shall have equal access to all amenities and recreational areas available to market-rate units.
- h. Income Distribution of Affordable Units: The income distribution for the affordable units in each project shall be as follows: no more than fifty percent (50%) within each bedroom distribution may be moderate income units, at least thirty-seven percent (37%) within each bedroom distribution shall be low income units and at least thirteen percent (13%) within each bedroom distribution shall be very low income units.
- i. Affirmative Marketing of Affordable Units: The affordable units must be affirmatively marketed to the housing region in accordance with the Borough’s Affirmative Marketing Plan.
- j. Affordable Housing Ordinance Requirements: The provisions of the Borough’s Affordable Housing Ordinance, shall apply to mixed-use and multi-family affordable housing developments, including, but not limited to, the UHAC required bedroom mix: At least twenty percent (20%) of the affordable units in each project shall be three bedroom units; at least, but not more than, twenty percent (20%) of the affordable units in each project shall be efficiency and one bedroom units; at least thirty percent (30%) of the affordable units in each project shall be two bedroom units; the balance may be two or three-bedroom units, at the discretion of the developer.
- k. Deed Restriction of Affordable Units: The developer shall have an obligation to deed restrict the affordable units in any project as very low, low or moderate income affordable units for a period of at least thirty (30) years for for-sale units and forty (40) years for rental units, until such time and under such conditions as the Borough takes action to release the deed restriction, so that the Borough may count the affordable units against its affordable housing obligation.

SECTION 2. The Borough Code of the Borough of Point Pleasant is hereby amended and supplemented so as to amend Chapter 19, entitled “Land Use,” so as to add § 19-15.E which shall be entitled “MFIZ-2 Multi-Family Inclusionary Zone” and which shall read as follows:

§ 19-15E. MFIZ-2 MULTI FAMILY INCLUSIONARY ZONE.

The purpose of the Multi Family Inclusionary Zone is to create a realistic opportunity for the production of affordable housing in the zone, which is incorporated into the Borough's Housing Element and Fair Share Plan. The MFIZ-2 District provides for the development of affordable housing for low- and moderate-income housing in a suitable location.

§ 19-15E.1. Applicability.

The Multi Family Inclusionary Zone-2 District shall be applied to Block 128, Lot 46, as shown on the Official Tax Map of the Borough. The Official Zoning Map of the Borough of Point Pleasant is hereby amended in accordance with the foregoing and is incorporated by reference. The Multi Family Inclusionary Zone-2 District shall be permitted to be developed with an inclusionary residential development with a mandatory minimum affordable set-aside of twenty (20%) percent. Any development shall include one (1) low-income and one (1) moderate- income affordable unit. For the purpose of permitting the development of an inclusionary development the provisions and requirements of the Multi Family Inclusionary Zone District shall supersede the provisions and restrictions of the underlying General Commercial (G-C) Zone District. In the event of a conflict between the provisions of this section and other sections of the Borough development regulations with respect to the development of affordable housing, the provisions of the MFIZ-2 District shall govern.

§ 19-15E.2. Principal Permitted Uses.

The permitted uses in the Multi Family Inclusionary Zone District shall be as follows:

- a. Inclusionary residential development. Such inclusionary residential development shall be limited to townhome dwellings.

§ 19-15E.3. Accessory Uses.

The following shall be permitted:

- a. Open space area(s);
- b. Off-street parking facilities including driveways;
- c. Fences in accordance with the applicable Borough standards;
- d. Signs in accordance with the standards in Chapter IX of the Borough Code;
- e. Sidewalks in accordance with the standards in Chapter XII of the Borough Code; and
- f. Other uses which are customarily incidental and accessory to the principal use.

§ 19-15E.4. Maximum Density.

- a. The number of dwelling units shall not exceed ten (10) dwellings inclusive of affordable units.

§ 19-15E.5. Bulk, Area, and Building Requirements.

The following requirements shall apply for all permitted uses:

Bulk Standards	Permitted
Minimum Lot Area	45,000 sq. ft.
Minimum Lot Width	275 feet
Minimum Front Yard Setback	12 feet
Minimum One Side Yard Setback	5 feet
Minimum Both Side Yard Setback	10 feet
Minimum Rear Yard Setback	9 feet
Maximum Impervious Coverage	65%
Maximum Building Coverage	33%
Maximum Building Height	3 stories/35 feet

§ 19-15E.6. Site Improvement Standards.

- a. The proposed development(s) shall be served by public water and sewer. The phasing of utility improvements, if necessary, shall be subject to the review and approval of the Planning Board.
- b. The proposed development(s) shall be planned and designed to meet the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.).
1. All roadways, parking areas, and landscaped islands shall be private and maintained by a homeowners' association, except that access roads across lands dedicated to and accepted by the Borough for public use may be public roads.
 2. Parking standards shall be conforming with the New Jersey Residential Site Improvement Standards for townhouse dwellings (N.J.A.C. 5:21 et seq.).
 3. As part of final approval, the development shall provide a municipal services agreement with the Borough for the contribution by the Borough for maintenance, snow plowing, refuse removal and lighting in accordance with the municipal policies in effect at the time of approval.
 4. Each townhouse dwelling shall be constructed with and shall maintain a one-car driveway with a width of at least twelve (12') feet and a length of at least eighteen (18')

feet between the face of the structure and the right-of-way.

- c. The development(s) shall provide for stormwater management in accordance with all applicable regulations. Stormwater management basins shall be owned and maintained by a homeowners' association to be established by the developer. Stormwater management facilities provided as part of a one hundred (100%) percent affordable development shall be maintained by a property management entity. The phasing of stormwater management improvements, if necessary, shall be subject to the review and approval of the Planning Board and shall be completed in a manner that services the development areas as construction progresses.
- d. Affordable Housing Requirements. Residential development projects developed under the provisions of the MFIZ-2 shall provide for the development of affordable housing as outlined herein. Such affordable housing shall be provided through an affordable housing set-aside of one (1) low-income rental units and one (1) moderate-income rental unit interspersed throughout the development.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Point Pleasant held on the **23rd** day of **March, 2026**, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the **20th** day of **April, 2026** at 7:00 p.m., at the Council Chambers of Borough Hall located at 2233 Bridge avenue, Point Pleasant, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

NOTICE OF ADOPTION OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith has been finally adopted by the Borough of Point Pleasant, in the County of Ocean, New Jersey on April 20, 2026, and this ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

ATTESTED TO BY:

APPROVED:

**_____
ANTOINETTE JONES, RMC, CMR,
CLERK**

**_____
ROBERT A. SABOSIK,
MAYOR**