

23-004 D

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS, AMENDING THE REQUIREMENTS FOR THE MIXED-USE AND MULTI-FAMILY OVERLAY OPTION IN THE GB, NB AND POB ZONE DISTRICTS IN THE BOROUGH OF RUMSON

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth, that it does hereby supplement and amend Chapter XXII of the Code of the Borough of Rumson as follows:

PURPOSE

The purpose of this Ordinance is to replace regulations and standards governing the development of mixed-use and multi-family housing developments, which will include a required on-site affordable housing component, in the Borough's GB, NB and POB Zones. The ordinance is designed to regulate said mixed-use and multi-family housing developments in a manner consistent with Borough's Affordable Housing Ordinance, the Borough's Housing Element and Fair Share Plan, any applicable Order of the Court (including a Judgment of Compliance and Repose Order), 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 applicable New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the Land Development Ordinance is made, the standards of the Development Regulations shall apply:

SECTION 1

That Chapter XXII, Development Regulations, Section 22-5 (Zoning District Regulations) Subsection 22-5.15 Mixed-Use Overlay Zone of the code of the Borough of Rumson shall be amended as follows:

22-5.15 Mixed-Use and Multi-Family Overlay Zone

- a. No Change.
- b. Location. The Mixed-Use Overlay Zone is a mixed-use overlay option in the Borough's GB (General Business) except for Block 25, Lot 4, NB (Neighborhood Business), POB (Professional Office Business) Zones and in the R-5 zone Block 3 Lots 1.01, 3, 4, 5, 6, 7 and Block 4 Lots 1, 2, 3, 4.01, 4.02, 6, 7, 8.01, 9.01. Within the overlay zone district, the development of a new mixed-use development, with a required on-site affordable housing component, or the conversion of an existing non-residential use to a mixed-use development, with a required on-site affordable housing component, is permitted as an option to the uses otherwise permitted in the GB, NB, POB Zones or specified lots in the R-5 Zone.
- c. through g. No Change.

SECTION 2

All Ordinances or parts of Ordinances inconsistent with this Ordinance if held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

SECTION 3

The Borough Clerk is hereby directed, upon adopt of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall

also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.40:49-2.1.

SECTION 4

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: September 19, 2023

Passed and Approved: October 10, 2023

I hereby approve of the
passing of this ordinance.

Joseph K. Hemphill
Mayor

Attest:

Thomas S. Rogers
Borough Clerk/Administrator

CERTIFICATION

I hereby certify that the foregoing is a true copy of an Ordinance adopted by the Borough Council of the Borough of Rumson at a regular meeting held on October 10, 2023.

Thomas S. Rogers
Municipal Clerk/Administrator