

**BOROUGH OF SEASIDE PARK
ORDINANCE 2026-08**

**AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING CHAPTER 200, ENTITLED
“DEVELOPMENT REGULATIONS” TO CREATE A RESIDENTIAL
INCLUSIONARY OVERLAY ZONE**

PURPOSE

The purpose of this Ordinance is to create regulations and standards governing the development of multi-family housing developments, which will include a required on-site affordable housing component, in a new overlay zoning district along North Ocean Avenue in Block 91 between Farragut and Porter Avenue as depicted on the attached map. The ordinance is designed to regulate said 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 Chapter 200 of the Municipal Code Development Regulations shall apply:

200-69 Residential Inclusionary Overlay Zone (RIO)

- a. Purpose. The Residential Inclusionary Overlay Zone is intended to promote development that accommodates 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 Residential Inclusionary Overlay Zone is a multi-family overlay option in the Borough’s R (Residential) zoning district on the following lots, Block 91, Lots 24-27, Lots 34-54 and as depicted on the attached map. Within the overlay zone district, the development of a new multi-family development, with a required on-site affordable housing component, is permitted as an option to the uses otherwise permitted in the R zoning district.
- c. Permitted uses. The following uses shall be permitted in the Residential Inclusionary Overlay District:
 1. Inclusionary multi-family dwellings (townhouses, apartments) provided:
 - i. The minimum affordable housing set-aside is met;

- ii. All affordable housing units produced comply with the Borough's Affordable Housing Ordinance.
- d. General Requirements and Conditions. Multi-family residential units shall be permitted in the Residential Inclusionary Overlay Zone, provided that the use and building shall adhere to the following minimum standards and conditions:
 1. All standards and requirements in the underlying R Zone shall be met, except as otherwise modified by this section.
 2. Height: Multi-family buildings shall not exceed 3-stories or 35 feet.
 3. Density: The maximum density for a multi-family development shall not exceed twenty (20) dwelling units per acre.
 4. Parking: On-site parking must be provided for all uses on site in accordance with RSIS standards which are the minimum standards for the Borough.
 5. 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.
 6. 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.
 7. 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.
 8. Affordable Housing Ordinance Requirements: The provisions of the Borough's Affordable Housing Ordinance, shall apply to 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.

9. 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.

10. Bulk Requirements:

- i. Minimum Front Yard Setback: 15 feet
- ii. Minimum Side Yard Setback: 15 feet
- iii. Minimum Rear Yard Setback: 15 feet
- iv. Minimum Setback and Buffer to existing residential uses and/or zone: 25 feet
- v. Maximum Lot Coverage: 70%
- vi. Maximum Building Coverage: 35%
- vii. Townhouse minimum lot size: 2,000 square feet
- viii. A maximum of six (6) townhouses is permitted per building.

11. Design Standards:

- i. Townhouse units shall be rear-loaded. Townhouses shall provide on-site parking by an enclosed garage located in the back yard with access from a lane. Parking may occur within the driveway leading to the garage, in which case said garage shall be set back no less than 18 feet and no more than 22 feet from the right-of-way of the rear lane to accommodate a car without projecting into the right-of-way.;
- ii. Parking shall not be visible from the public right-of-way associated with a front or side yard;
- iii. Buildings shall be oriented, with one or more building entrances, toward the public street to which the build-to-line is measured.
- iv. Reverse frontage lots are prohibited.
- v. Stormwater detention areas shall not be located between a building and a publicly accessible area.
- vi. Trash and recycling disposal and pick-up facilities shall not be visible from a publicly accessible area.

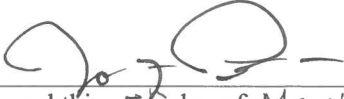
12. Building Design Standards:

- i. As a general rule, buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtly graduating changes; by maintaining front yard setbacks at the build-to-line; by maintaining base courses; by use of front porches on residential buildings; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by echoing architectural styles and details, design themes, building materials, and colors historically used in Brielle Borough.

- ii. Facades shall be expressed as building modules that do not exceed 30 feet in width.
- iii. Building facades facing a publicly accessible area shall be articulated into three distinct vertical components — a “base”, a “middle”, and a “top.”
 - 1. The base should consist of the first story. The base design shall be emphasized to create visual interest and support pedestrian activity.
 - 2. The middle should consist of all or a portion of the upper stories. The middle shall be differentiated from the base and the top by a horizontal transition line. The transition line’s specific location shall be determined primarily by the overall height of the building and that of any adjacent buildings. The transition line shall relate to adjacent building if the adjacent buildings are lower than the proposed building. A change of material and/or color from the base is an acceptable way to distinguish the middle portion of the building.
 - 3. The top may consist of the top story or may consist of a horizontal or projecting element articulating the top of the building.
 - 4. Rooftop decks are prohibited.

e. Administrative Entity.

- 1. The Borough has designated an Administrative Agent appointed by the Mayor and Council to administer the affordable units created in accordance with the Borough’s Residential Inclusionary Overlay Zone. The administrative responsibilities of the Borough’s Administrative Agent include, but are not limited to, advertising, income qualifying prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the accessory unit program. The Developer is responsible for all costs of the Borough’s Administrative Agent regarding the developer’s particular project.
- 2. The Borough retains jurisdiction on all other approvals required by this Chapter, including, but not limited to, development permits and variances, subdivision or site plan approvals.


Approved this 27 day of March, 2026
Honorable Mayor John A. Peterson, Jr.

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 Seaside Park held on the 19th day of February, 2026, and will be considered for second and final passage at a meeting of the Borough Council to be held on the 5th day of March, 2026, at 7:00 pm at the Council Chambers located at Sixth & Central Avenues, Seaside Park, 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.

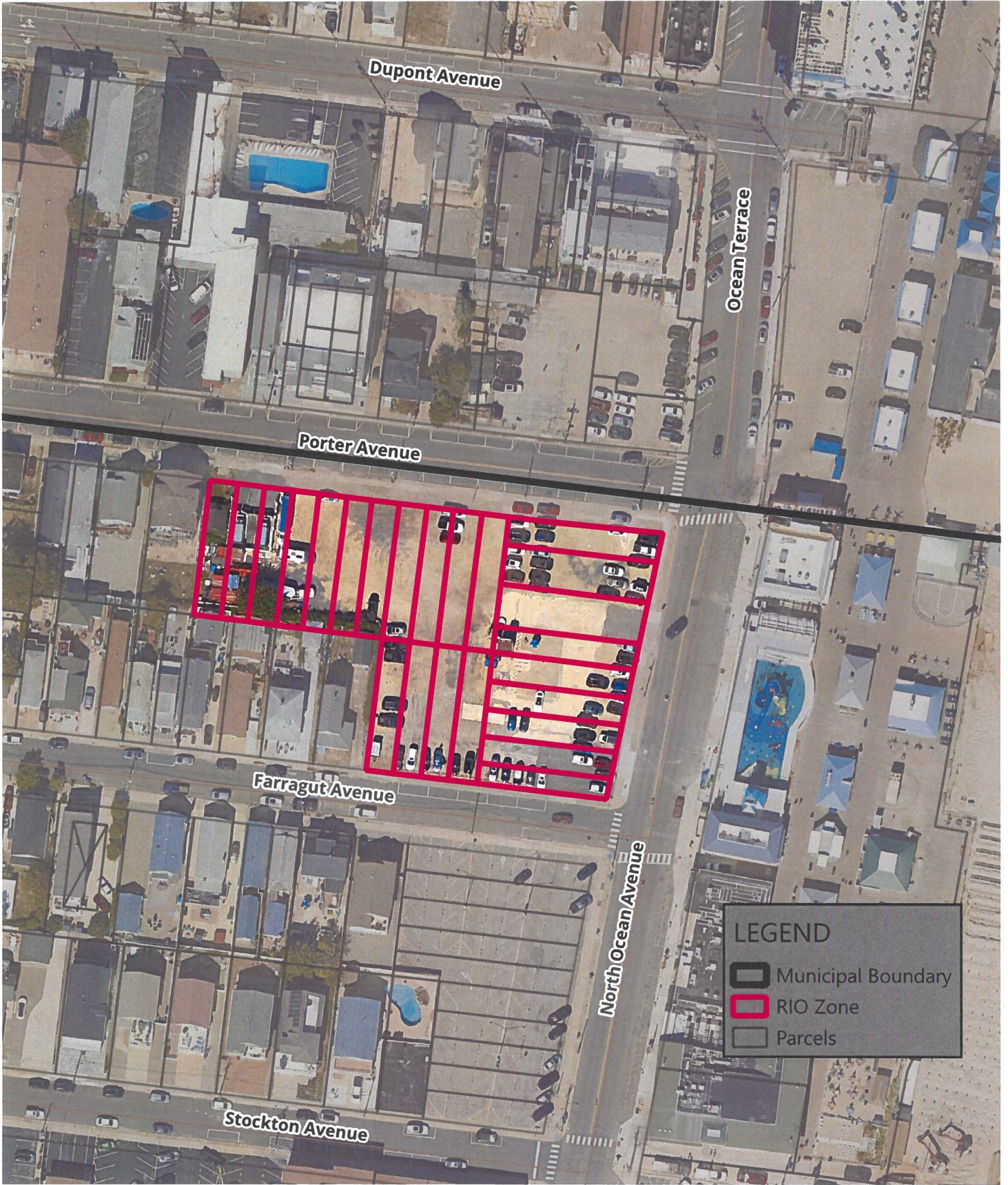

JENNA JANKOWSKI, RMC, CMR
Municipal Clerk, Borough of Seaside Park



SPECIAL FLOOD HAZARD AREA
BOROUGH OF SEASIDE PARK | OCEAN COUNTY
DATA SOURCES: Basemap, 2025, Google Earth;
Flood Hazard Areas, 2025, FEMA; All Other GIS
Data, 2025, NJ DEP



0 1,500 3,000 ft



**RESIDENTIAL INCLUSIONARY
OVERLAY (RIO) ZONE**
BLOCK 91, LOTS 24-27, 34-54
BOROUGH OF SEASIDE PARK | OCEAN COUNTY
DATA SOURCES: Basemap, 2025, Google Earth;
GIS Data, 2025, NJ DEP

