ORDINANCE NO. 2026-04

AN ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO AMEND CHAPTER 25 "LAND USE REGULATIONS" TO ESTABLISH A NEW INCLUSIONARY DEVELOPMENT DISTRICT KNOWN AS AHO-1 OF THE BOROUGH ZONING CODE

WHEREAS, as per the Amended Fair Housing Act, the Borough has an affordable housing obligation to meet its fair share of the regional need for low- and moderate-income households; and

WHEREAS, the Borough's Planning Board has adopted a Housing Plan Element and Fair Share Plan intended to describe the mechanisms through which the Borough will satisfy its fair share housing obligation; and

WHEREAS, pursuant to the Borough's participation in the Affordable Housing Dispute Resolution Program, the Borough reached a Mediation Agreement with Fair Share Housing Center that provided for a modified compliance structure by requiring the creation of a new inclusionary development district that will provide the opportunity for the creation of low- and moderate-income housing through mixed use development; and

WHEREAS, the Borough wishes to enact the new inclusionary development district known as "AHO-1" of the Borough Zoning Code; and

Section 1.

A new section §25-1-10B An inclusionary development district known as "AHO-1 District" shall be created.

§25-1-10B **AFFORDABLE HOUSING OVERLAY 1 DISTRICT (AHO-1) REGULATIONS.**

1. Intent and Purpose. The intent and purpose of the AHO-1 District is to facilitate the creation of inclusionary development that will diversify housing opportunities and address the fair share housing obligation of the Borough of Keyport under the New Jersey Fair Housing Act and the settlement agreement entered into between the Borough and Fair Share Housing Center on December 16, 2025, and the Borough's Housing Element and Fair Share Plan. The AHO-1 District encourages the development of low- and moderate-income housing by allowing for multifamily residential and mixed-use development; however developers shall also have the option of developing in accordance with the underlying HC - Highway Commercial standards.
2. The AHO-1 District includes the following properties:
    a. Block 110, Lots 1, 2, 3, 4, 8, 9, 10, 11, 12, 24, 27.01, 27.02, 27.03
    b. Block 111, Lots 1, 2.01, 2.02, 3.01, 4
    c. Block 112, Lots 1.01, 1.02

§25-1-10B.1 **Definitions**

As used in this section, the following terms shall have the meanings indicated:

MIXED-USE BUILDING

A multi-story building containing both residential and non-residential uses with non-residential uses located on the first floor and multifamily residential uses above it.

§25-1-10B.2 **Permitted Principal Uses.**

a. Mixed-Use Buildings.
b. Multifamily Residential Dwellings.

§25-1-10B.3 **Permitted Accessory Uses.**

a. Signs subject to §25-1-17.
b. Parking garages, off-street parking and loading areas.

c. Accessory storage and/or maintenance facilities.
d. Recreational amenities, which may include swimming pools, playgrounds, parks, sports courts, and like and similar uses and/or structures.
e. Accessory uses and structures customarily incidental to the permitted principal use.

§25-1-10B.4 **Development Standards.**

Area and bulk requirements for the uses permitted in the AHO-1 District are as set forth in §25-1-10.4a. for Multifamily Residential Dwellings and §25-1-10.4b. for Mixed-Use Buildings, except where modified herein. In the event of any discrepancy between this §25-1-10B and other provisions of the Township ordinances this subsection shall control.

a. Maximum Tract Density: 25 dwelling units/acre
b. Maximum Building Height: 4 stories
c. Maximum Building Coverage: 70%
d. Maximum Impervious Coverage: 70%
e. No improvements shall be located within the NJDOT Desirable Typical Setback (DTS).

§25-1-10B.5 **Off-Street Parking and Loading Requirements.**

a. Parking shall comply with §25-1-18 for non-residential uses.
b. Residential uses shall provide a minimum of:
    1. One and a half (1.5) spaces per market rate unit.
    2. One (1) space per affordable unit.
    3. Each residential unit shall have a minimum of one reserved parking space.
c. Parking garages shall not exceed the height of the principal structure.

§25-1-10B.6 **Affordable Housing**

a. All residential development of five (5) units or more shall comply with the Affordable Housing Provisions described in §25-1-15.22.

Section 2.

The Borough's Zoning Map shall be amended so that the properties at §25-1-10B2. be placed within the AHO-1 District, as established by this ordinance.

Introduced: March 3, 2026
Public Hearing: March 14, 2026
Adopted: March 14, 2026

Michele Clark, RMC
Borough Clerk

Mayor Rose. P. Araneo
Borough of Keyport