

ORD 1789-26

AN ORDINANCE OF THE TOWNSHIP OF HAZLET IN THE COUNTY OF MONMOUTH
AMENDING THE AH-2 AFFORDABLE HOUSING ZONING DISTRICT PURSUANT
TO THE PROVISIONS OF THE TOWNSHIP OF HAZLET'S ROUND FOUR HOUSING
ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Hazlet ("Township") entered into a settlement agreement with Highview Homes, LLC on or about November 29, 2018 that included a terms sheet providing for the rezoning of Block 65 Lot 1 to provide for the development of an inclusionary residential development in association with the Township's efforts to address its Third Round obligation to provide affordable housing to low- and moderate-income households; and

WHEREAS, the Honorable James S. Perri, J.S.C., entered an order on January 11, 2019 approving the settlement agreement; and

WHEREAS, the Township rezoned Block 65 Lot 1 to the AH-2 Affordable Housing 2 Zone on April 16, 2019 via Ordinance 1644-9, which rezoned the site for an inclusionary development consisting of 312 residential units with a 20% set-aside for affordable units, in accordance with the settlement agreement; and

WHEREAS, on January 28, 2025, the Township adopted a binding resolution in accordance with the amended Fair Housing Act ("FHA") (P.L. 2024, c.2), committing to its affordable housing obligation for the Fourth Round; and

WHEREAS, on February 27, 2025, the Builder's Association challenged the affordable housing obligation number as adopted by the Township; and

WHEREAS, in accordance with the process established by the FHA, the Township and the Builder's Association appeared before the Affordable Housing Dispute Resolution Program and negotiated a Prospective Need obligation agreeable to all parties; and

WHEREAS, in May 2025, the Township and the Builder's Association executed a Mediation Agreement establishing the Township's Fourth Round Prospective Need obligation of 132 units; and

WHEREAS, on June 25, 2025, the Township's Land Use Board adopted a Fourth Round Housing Element and Fair Share Plan establishing the mechanisms in which the Township would meet its 132-unit Prospective Need obligation; and

WHEREAS, in an effort to address the Township's Fourth Round obligation to

provide its fair share of affordable housing to low- and moderate-income households and in accordance with the adopted Fourth Round Housing Element and Fair Share Plan, the Township wishes to amend the zoning of Block 65 Lot 1 to increase the permitted density to allow for the creation of 69 affordable housing units within an inclusionary development.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Hazlet, in the County of Monmouth and State of New Jersey, that Chapter 181, the Development Review Ordinance, of the Ordinances of the Township of Hazlet is hereby amended to establish the AH-2 Zone as section 181-403.13 of the Township Ordinance, and revise the AH-2 (Affordable Housing) Zoning District as follows:

§181-403.13 AH-2 Zone

- A. Purpose. The purpose of the AH-2 Zone is to provide' for the construction of an inclusionary residential development consistent with the provisions of the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq., as amended. Should there be any discrepancies between the following standards and the UHAC, the standards of UHAC shall govern.
- B. Zoning Map Revisions. The zoning map of the Township of Hazlet shall be revised to include Block 65 Lot 1 in the AH-2 Zone (the "tract").
- C. Maximum Residential Density. The tract may be developed with no more than 337 residential units. There shall be a 20% affordable housing set-aside. By way of example, full development of 337 units will result in 68 affordable family units. Thirteen (13%) percent of the affordable units shall be for very-low-income households. By way of example if the full complement of 68 affordable units is constructed, 8 units shall be for very low income households. The market rate units shall be age-restricted
- D. Bedroom Distribution.
 - 1. A maximum of 20% of all affordable units shall be one-bedroom units.
 - 2. At least 30% of all affordable units shall be two-bedroom units.
 - 3. At least 20% of all affordable units shall be three-bedroom units.
- E. Income Distribution. The affordable units shall be creditworthy against the Township's Required affordable housing obligations and thus shall comply with COAH's Round 2 Regulations (N.J.A.C. 5:93) or subsequent regulations, Uniform Housing Affordability Controls, NJ.A.C. 5:80-26.1 et seq. ("UHAC") as amended, the Fair Housing Act as amended, including the 13% Very Low Income Requirement and all other applicable laws. This obligation includes, but is not limited to, the obligation to the Developer's obligation to comply with the bedroom distribution requirements; very low/ (at least 13%) / low (37%) moderate (no more than 50%) income split requirements; pricing requirements, affirmative marketing requirements; candidate

qualification and screening requirements; and deed restriction requirements.

F. Design Standards. Any development shall be subject to the design standards set forth in the Township's Land Development Ordinance, Chapter 181, Article IV.

G. Permitted Principal Uses.

1. Inclusionary, multi-family housing in apartment or townhome buildings

H. Permitted Accessory Uses.

1. Club house
2. Garages and off-street parking
3. Uses customary and incidental to the principal use

I. Schedule of Use and Bulk Requirements

Township of Hazlet – AH-2 Zone	
Maximum Unit Yield and Affordable Standards	AH-2 Zone Requirement
Total Unit Yield (Maximum)	337 units
Affordable Unit Yield (Minimum)	68 units
Lot Standards	
Minimum Lot Area (Acres)	20
Minimum Lot Width (Feet)	400
Minimum Lot Frontage (Feet)	400
Minimum Lot Depth (Feet)	400
Maximum Building Coverage	35%
Maximum Impervious Coverage	60%
Principal Building Standards	
Minimum Front Yard Setback (Feet) (1)	30
Minimum Rear Yard Setback (Feet) (1)	50
Minimum Side Yard Setback (Feet) (1)	30
Maximum Building Height (Feet) (2) (3)	42
Maximum Building Height (Stories) (2) (3)	Townhome: 3 Apartment-style: 4
Maximum Building Length (Feet) (4)	360
(1) Setbacks shall be measured to the face of the building. Open balconies, open porches, and decks may encroach 5 feet into any such setback.	
(2) If any portion of a building is within 100 feet of a single-family zone or use, then that building height shall be limited to 2 stories or 35 feet.	

(3) Apartment-style buildings are permitted to be a maximum of 3 livable stories over 1 story of parking. Should ground floor parking not be provided, the buildings are permitted at 3 stories. Height calculations shall not include any rooftop mechanical equipment, elevator bulkheads, stair tower, or similar.	
(4) Along any wall or roofline.	
Minimum Building Distance Standards	
Side Wall to Side Wall at Midpoint (Feet)	55
Side Wall to Front or Rear Wall at Midpoint (Feet)	35
Front Wall to Front Wall at Midpoint (Feet)	70
Distance Between Principal Building and Access Driveway or Internal Driveway Curblin (Feet)	15
Distance Between Principal Building and Parking Area Curblin (Feet)	15
Minimum Perimeter Landscaped Buffer	
Minimum Perimeter Landscaped Buffer Around Entire Lot (Feet)	20
Minimum Accessory Structure Standards	
Front, Rear and Side Yard Parking Area Setback (Feet)	15
Maximum Fence Height Within the Buffer	6
Site Entry Drives Allowed Within Buffer	Yes
Monument Sign Allowed Within Buffer	Yes
Minimum Parking Requirements	
All affordable units shall be Per RSIS and the Age Restricted Units as follows	-
Studio and 1 Bedroom Age restricted units	1.3 spaces per unit
2 Bedroom Age restricted units	1.8 spaces per unit
3 Bedroom Age restricted units	2.0 spaces per unit
Minimum Parking Space Size (Feet)	9 ft. x 18 ft.
Minimum Drive Aisle Width (Feet)	24 ft.
Monument Sign Requirements	
Maximum Number of Signs	3
Maximum Sign Height (Feet)	6
Maximum Sign Size (Sq. Ft.)	24
Minimum Distance to Street Right of Way (Feet)	10
Minimum Distance to a Property Line (Feet)	10

J. Supplemental Regulations

1. Buildings fronting on Poole Avenue shall not have individual driveways onto

- Poole Avenue but shall instead be accessed from the rear/internal to the site.
2. The development shall be subject to the design standards set forth in the Township's Land Development ordinance. Should there be discrepancies, this section shall govern.

Repealer

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Effective Date

This ordinance shall take effect upon its passage and publication, as required by law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Township Committee of Hazlet Township held on the 10th day of March 2026 the above-entitled ordinance was adopted on final passage and becomes effective with the publication of this notice.

ATTEST: Mary L. Lynch
 Municipal Clerk