

ZONING

17 Attachment 1

**SCHEDULE OF LIMITATIONS  
Borough of Sea Girt  
(Section 17-4)**

[Ord. #579, A IV, § 1; Ord. #621, §§ 2,3; Ord. #749, § 4; Ord. #755, § 14; Ord. #759, § 2; Ord. #825, § 5; Ord. #855, § 3; Ord. No. 09-2008; Ord. No. 15-2014 § 1; Ord. No. 02-2016; Ord. No. 06-2017 § 3; Ord. No. 17-2018; Ord. No. 19-2018 § 3; Ord. No. 20-2018 § 2; 8-11-2021 by Ord. No. 15-2021]

	<b>DISTRICT 1 EAST, 1 WEST SINGLE FAMILY</b>	<b>DISTRICT 2 EAST and 2 WEST CONVENIENCE COMMERCIAL</b>	<b>DISTRICT 3 BEACH</b>	<b>DISTRICT 4 RECREATIONAL OPEN SPACE</b>	<b>AFFORDABLE HOUSING ZONE</b>
<b>PURPOSE</b>	To maintain this substantial portion of the Borough for single family residential uses together with the necessary public and quasi-public uses required for the normal functioning of the Borough such as fire house, town hall, library, parks and other uses customarily found within the Borough.	To preserve the existing primary area of commercial concentration in the Borough and permit such uses that meet the daily and other convenience needs of the Borough within the zoning district area designated in order to be compatible with the overall low density residential character of the Borough. It is intended that major shopping and commercial needs such as those relying on major highway access or serving a regional market be met in locations other than the Borough where more intensive business activities are already established or where major tracts of land are available to develop modern shopping center facilities.	The purpose of this district is to preserve the existing natural beach area and dunes which are present in the Borough. In addition, the uses permitted are selective in recognition of the periodic flooding or high tides which occur throughout the year and hence are designed to prohibit structures which would house or require personnel to be in the structures at the time of a hurricane, heavy storm or threat of flooding.	To provide for and preserve passive and active recreational uses, adequate light, air and open space to preserve the environment, open space, environmentally sensitive areas and valuable natural resources.	The purpose of the Affordable Housing Zone is to provide a realistic opportunity for very-low-, low- and moderate- income housing within an inclusionary development. The creation of the Affordable Housing Zone is in furtherance of the Borough's Settlement Agreement in the matter captioned 501 Washington Blvd, LLC, 503 Washington Blvd., LLC, Sea Girt Fifth Avenue LLC, Sitco Sea Girt, LLC v. Borough of Sea Girt, Borough Council of Sea Girt, and Sea Girt Planning Board, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-000102-20. The zone appears on the zoning map impacting Block 76, Lots 1 and 2; and Block 77, Lots 16 and 17. Pursuant to the settlement agreement, the Affordable Housing Zone permits: 10 apartment units on Block 77, Lots 16 and 17; and nine apartment units, of which 3 will be available to low-, very-low- and moderate-income households, and one retail use on Block 76, Lots 1 and 2. The settlement agreement includes a concept plan that is the basis of this ordinance.
<b>PRINCIPALLY PERMITTED USE ON AND/OR IN BUILDING</b>	<ol style="list-style-type: none"> <li>1. Single family dwelling.</li> <li>2. Municipal buildings and facilities.</li> <li>3. Municipal parks and playgrounds.</li> <li>4. Public libraries.</li> <li>5. See subsections 17-5.9 and 17-5.15.</li> </ol>	<ol style="list-style-type: none"> <li>1. Restaurants, tea rooms, luncheonettes and grills, but not including fast food restaurants. Fast food restaurants are prohibited.</li> <li>2. Stores and shops for the retail sale of groceries, meats, fruits, vegetables, alcoholic beverages, stationery, newspapers, appliances, wearing apparel, antiques, gifts and other similar retail uses.</li> <li>3. Service uses such as beauty salons, barber shops, tailors, banks, professional offices, post office and other similar service uses.</li> <li>4. Apartments above businesses not to exceed two (2) per lot.</li> <li>5. Service stations. See subsection 17-5.20.</li> <li>6. See subsections 17-5.9 and 17-5.15.</li> </ol>	The permitted uses in District 3 shall be the boardwalk, not more than one (1) Municipal pavilion, which may serve refreshments, open beach area, and Ocean Avenue with its designated curbside parking spaces.	Beach Zone, Active Recreational Uses; Passive Recreational Uses; Environmentally Sensitive Areas and Buffers; Government Use	<ol style="list-style-type: none"> <li>1. Apartment units on all floors</li> <li>2. Mixed-use buildings that include commercial or office space on the first floor and housing on the second and third floors. A mixed-use building may also include housing on the first floor.</li> </ol>

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<b>CONDITIONALLY PERMITTED USE ON AND/OR IN BUILDING</b>	<ol style="list-style-type: none"> <li>Houses of Worship</li> <li>Schools for the purpose of general academic instruction and accredited by the New Jersey Department of Education</li> <li>Home Office</li> </ol>	<ol style="list-style-type: none"> <li>Houses of Worship</li> <li>Schools for the purpose of general academic instruction and accredited by the New Jersey Department of Education</li> </ol>			
<b>PERMITTED ACCESSORY USES</b>	<ol style="list-style-type: none"> <li>Fences and walls (See subsection 17-5.11).</li> <li>Garages providing space for a maximum of three (3) automobiles. In no case shall the garage be higher than the dwelling house.</li> <li>See Section 17-5.</li> <li>Private residential pools in accordance with subsection 17-5.22.</li> </ol>	<ol style="list-style-type: none"> <li>Garages</li> <li>Off-street parking</li> </ol>	Not applicable.	Municipal Facilities; Museums; Wireless Telecommunications Facilities; Parking	Uses that are customary and incidental to multifamily housing, including, but not limited to: <ol style="list-style-type: none"> <li>Parking</li> <li>Garages</li> <li>Club rooms</li> <li>Fitness facility</li> <li>Satellite dish</li> <li>Signs</li> <li>Fences</li> <li>Trash enclosure</li> <li>Temporary construction trailers</li> <li>Utility pump stations, transformers, switches and meter facilities to support the development</li> <li>Management and/or leasing office</li> <li>HVAC units</li> <li>Generators</li> </ol>
<b>HEIGHT LIMITS</b>	<ol style="list-style-type: none"> <li>All buildings, other than Accessory Buildings, libraries, Municipal Buildings and other Municipal facilities, shall be at least twenty-two (22) feet in height, but shall not exceed thirty-five (35) feet in height nor have more than two and one-half (2 1/2) stories. Height shall be measured from the crown of the road to the maximum elevation of the building, covered or uncovered.</li> </ol>	<ol style="list-style-type: none"> <li>No building shall exceed thirty-five (35) feet in height nor have more than two and one-half (2 1/2) stories.</li> <li>No building shall be less than fourteen (14) feet in height.</li> </ol>	Pavilions shall not exceed fourteen (14) feet above the level of the boardwalk.		Maximum height (stories/feet) 3/45; for accessory structures, 1/15

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<p><b>AREA AND YARD REQUIREMENT</b></p>	<p>1. No lot for a single family dwelling shall be less than fifty (50) feet in width, one hundred fifty (150) feet in depth, and seven thousand five hundred (7,500) square feet in area. See subsection 17-6.1.</p> <p>2. Each single family dwelling shall contain a minimum principal building coverage of nine hundred thirty seven point five (937.5) square feet and a maximum principal building coverage equal to twenty (20%) percent of the lot size.</p> <p>3. Single family dwellings, libraries, municipal buildings and other municipal facilities in both districts shall have a minimum setback of forty (40) feet from the front lot line and thirty (30) feet from the rear lot line except along Sea Girt Avenue, where the minimum setback shall be twenty-five (25) feet on one side. For all lots, the total side yard setbacks shall be thirty (30%) per cent of the lot width; on lots up to fifty (50') in width are required to have side yard setbacks of at least fifteen (15') feet with a minimum of ten (10') feet on one side. On lots greater than fifty (50') feet in width, the total side yard setbacks shall be thirty (30%) percent of the lot width with a minimum of ten (10%) percent on any one side. There shall be no minimum requirements for any future municipal facilities that may be constructed in The Plaza area between the railroad and Sixth Avenue from Washington Boulevard to Boston Boulevard and except further as allowed in subsection 17-6.2. For corner lots, there shall be a side yard of not less than fifteen (15) feet on that side of the lot nearest the street. Other front, side and rear yard provisions shall apply. In the case of a corner lot, the smaller of the two (2) lot lines co-existent with the street line shall be considered the front lot line.</p>	<p>1. No lot shall be less than fifty (50) feet in width, one hundred fifty (150) feet in depth, or seven thousand five hundred (7,500) square feet in area. See subsection 17-6.1.</p> <p>2. There shall be no more than one (1) building per lot.</p> <p>3. All buildings shall have a minimum setback of fifteen (15) feet from the street line, thirty (30) feet from the rear lot line and six (6) feet from each side lot line. For corner lots there shall be a side yard of not less than fifteen (15) feet on that side of the lot nearest the street; other front, side and rear yard provisions shall apply. In the case of a corner lot, the smaller of the two lot lines co-existent with the street line shall be considered the front lot line.</p> <p>4. Building Coverage in the District 2 East and 2 West Convenience Commercial District will be restricted to the amount of property remaining after the above described setbacks have been met, inclusive of compliance with parking, drainage and accessibility requirements, except for residential lots where building coverage is limited to twenty (20) percent of the lot area.</p>	<p>Not applicable</p>		<p>Washington Boulevard is the front yard and Fifth Avenue is a side yard.</p> <p>1. Minimum lot frontage along front yard (feet): 95</p> <p>2. Minimum lot frontage along side yard (feet): 145</p> <p>3. Minimum front yard setback (feet): 10</p> <p>4. Minimum side yard setback from Fifth Avenue (feet): 10</p> <p>5. Minimum side yard from other property line (feet): 0 on north side of Washington Avenue and 10 feet on the south side of Washington Avenue</p> <p>6. Minimum rear yard setback (feet): 40</p> <p>7. Maximum height (stories/feet): 3/45</p> <p>8. Maximum building coverage (%): 40</p> <p>9. Maximum improved lot coverage (%): 85</p> <p>Projections from buildings, such as, but not limited to, balconies, patios, chimneys and windows may extend into the building setback, provided they shall be set back a minimum of 5 feet from the front yard property line and 5 feet on the side yard property line.</p> <p>For accessory structures/ uses (including parking)</p> <p>1. Minimum side yard setback from Fifth Avenue (feet): 5</p> <p>2. Minimum side yard from western property line (feet): 2</p> <p>3. Minimum rear yard setback (feet): 3</p> <p>4. Minimum distance between accessory and principal structures (feet): 0</p> <p>5. Maximum height (stories/feet) 1/15</p> <p>Notwithstanding the setback requirements for other accessory uses, fencing is permitted along the rear yard or the western side yard property line. Such fencing may be up to six feet in height and be of solid construction. Fencing may be provided in lieu of landscaping.</p>

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<b>SIGNS</b>	See subsection 17-5.21.	<ol style="list-style-type: none"> <li>Each nonresidential use shall be permitted one (1) sign, lighted or unlighted, the area of one (1) side not to exceed twenty-five (25) square feet, and with no more than two (2) sides exposed.</li> <li>Signs shall not extend outward from the building facade or any other wall more than six (6) feet.</li> <li>Animated, illusionary or flashing signs are prohibited.</li> <li>See subsection 17-5.21.</li> </ol>	The only signs permitted in this District shall be those installed by the Borough.		<p>Signage.</p> <ol style="list-style-type: none"> <li>One monument sign with a maximum area of 30 square feet may be provided along Washington Boulevard if set back five feet from the property line.</li> <li>Numbers indicating the addresses of the multi-family residential buildings are permitted to be mounted on the building facade, not to exceed 8 square feet and not to protrude more than 6 inches from the building's surface.</li> </ol>
<b>OFF-STREET PARKING</b>	Single family dwellings shall have not less than two (2) spaces, one of which shall be in a garage.	<ol style="list-style-type: none"> <li>One (1) space for each six hundred (600) square feet of gross floor area.</li> <li>Each apartment permitted over a business shall provide two (2) spaces separate from any spaces provided for customers.</li> <li>See subsection 17-5.13.</li> </ol>	Not applicable		<p>Parking</p> <ol style="list-style-type: none"> <li>Commercial uses - 0 spaces</li> <li>Residential uses - 1.7 spaces</li> </ol>
<b>MISCELLANEOUS</b>					<p>Deviations from Concept Plan. Development in the Affordable Housing Zone shall generally conform to the Concept Plan, dated December 4, 2020, prepared by Dynamic Engineering. However, it is the intent that the applicant can make reasonable refinements to the Concept Plan and that the Board shall approve those refinements even if such refinement requires a "c" variance.</p> <p>Affordable Housing – Fifteen percent of all the housing units shall be affordable to very-low-, low- and moderate-income households. The affordable units within the inclusionary development shall be constructed pursuant to the phasing schedule at N.J.A.C. 5:93-5.6(d).</p> <p>a. The development of all affordable units shall comply with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., or any successor legislation. Similarly, the monitoring, advertisement, tenant eligibility requirements, and deed restrictions shall comply with the UHAC regulations.</p>

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MISCELLANEOUS (cont'd)					<p>b. A minimum of 50% of all affordable units shall be affordable to very-low- and low-income households. All other affordable units shall be affordable to moderate-income households.</p> <p>c. A minimum of 13% of all affordable units will be affordable to very-low-income households, defined as households earning no more than 30% of median income.</p> <p>Conflicting Standards and Exemptions – The standards set forth in the AH-1 Zone shall supersede any conflicting standards elsewhere in the Land Development Ordinance. It is recognized that the subject properties are relatively flat; and therefore any Borough land regulation related to slope shall not apply to the Affordable Housing Zone. No municipal standard regulating tree removal or tree replacement shall apply in the Affordable Housing Zone.</p>

\*\* See Conditional Use Standards for Houses of Worship and School Facilities.