

ORDINANCE NO. 26-04
INTRODUCTION DATE: 02-04-26
ADOPTION DATE:

AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 5 (ZONING DISTRICT REGULATIONS), SECTION 5-10 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO ESTABLISH ZONING STANDARDS FOR MUNICIPALLY SPONSORED AFFORDABLE HOUSING

WHEREAS, the Township adopted a binding resolution in accordance with the amended Fair Housing Act (“FHA”) (N.J.S.A. 52:27D-301 et. seq.), committing to its affordable housing obligation for the Fourth Round and filed the resolution and a declaratory judgement action pursuant to N.J.A.C. 52:27D-301 et. seq. (the FHA) with the Affordable Housing Dispute Resolution Program (“Program”) on January 16, 2025; and

WHEREAS, on April 1, 2025, the Honorable Judge Linda Grasso Jones, J.S.C., entered an Order fixing the Township’s obligation as 7 Present Need units and 98 Prospective Need units; and

WHEREAS, on June 24, 2025, the Millstone Township Planning Board adopted a Round Four Housing Element and Fair Share Plan (“HEFSP”) identifying proposed mechanisms to meet its Fourth Round fair share obligation to provide for affordable housing opportunities within the Township; and

WHEREAS, the Township wishes to amend its Land Development Regulations to provide zoning standards that will allow for the development of affordable housing on the sites identified in the Township’s Fourth Round HEFSP.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey as follows:

SECTION 1. Chapter 35 (Land Use and Development Regulations), Article 5 (Zoning District Regulations), Section 10 (NC, Neighborhood Commercial Zone), Subsection 10.6 is hereby established as follows: (additions are **bold underlined**, and deletions are in **~~bold strikeouts~~**):

35-5-10.6 Municipally Sponsored Affordable Housing

- A. Pursuant to Article 4, § 35-4-1.6, municipally sponsored affordable housing construction is a permitted use in all zoning districts in the Township.**
- B. The following Schedule of Area, Yard and Building Requirements shall apply to the development of municipally sponsored affordable construction in the NC Neighborhood Commercial Zone.**

<u>Regulation</u>	<u>Requirement (NC)</u>
<u>Single-family detached development</u>	
<u>Minimum Lot Area</u>	<u>6,000 sf</u>
<u>Minimum Lot Width/Frontage</u>	<u>50 ft</u>
<u>Principal Building Setbacks</u>	
<u>Front</u>	<u>35 ft</u>
<u>Rear</u>	<u>20 ft</u>
<u>Each Side</u>	<u>10 feet</u>
<u>Total Sides</u>	<u>20 ft</u>
<u>Accessory Building Setbacks</u>	
<u>Side</u>	<u>5 ft</u>
<u>Rear</u>	<u>5 ft</u>
<u>Maximum Lot Coverage</u>	<u>50%</u>
<u>Maximum Building Coverage</u>	<u>25%</u>
<u>Maximum Height</u>	
<u>Feet</u>	<u>30 feet</u>
<u>Stories</u>	<u>2</u>
<u>Multifamily development</u>	
<u>Minimum Lot Area</u>	<u>30,000 sf</u>
<u>Minimum Lot Width/Frontage</u>	<u>75 ft</u>
<u>Principal Building Setbacks</u>	
<u>Front</u>	<u>50 ft</u>
<u>Rear</u>	<u>20 ft</u>
<u>Each Side</u>	<u>10 ft</u>

<u>Total Sides</u>	<u>20 ft</u>
<u>Accessory Building Setbacks</u>	
<u>Side</u>	<u>5 ft</u>
<u>Rear</u>	<u>5 ft</u>
<u>Maximum Lot Coverage</u>	<u>70%</u>
<u>Maximum Building Coverage</u>	<u>30%</u>
<u>Maximum Height</u>	
<u>Feet</u>	<u>30 ft</u>
<u>Stories</u>	<u>2 stories</u>

- C. The real property at Block 51 Lot 1 (located at 453 Stagecoach Road), which is included as a proposed municipally sponsored 100% affordable development in the Township’s Round Four Housing Element and Fair Share Plan, is the subject of County right-of-way project that will involve the taking of a portion of the lot’s frontage for a new roundabout at the intersection of Stagecoach Road, Valley Road, and Spring Road. Because of the unique geography this will create for the property, the following standards apply specifically to Block 51 Lot 1.
- a. The lot shall have two side lot lines and one front lot line.
 - b. Driveway entrance to the site shall be provided from Spring Road.
 - c. Stormwater management areas and wastewater treatment may be provided in the front yard area.
 - d. Garbage enclosures may be located in the front yard, only when enclosed by a solid fence with a gate. The fence shall be of sufficient height and design to fully screen dumpsters from view from the public right-of-way and adjacent properties and shall be aesthetically compatible with the site. The reviewing Board may require landscaping to further screen the enclosure and enhance its appearance. If, during the development process, an alternative location outside the front yard is feasible, that location shall be used.

EXPLANATORY STATEMENT: This Ordinance amends Chapter 35 (Land Use and Development Regulations) Section 5 (Zoning District Regulations) to establish zoning standards for municipally sponsored affordable housing and implement the provisions of the Round Four Housing Element and Fair Share Plan.