

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the November 18, 2024 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 7:00 p.m. on December 16, 2024 in the Municipal Building, located at 555 Brighton Avenue, Spring Lake Heights, at which time and place any person desiring to comment on this ordinance will be given the opportunity to be heard. A copy of the ordinance is available in the clerk's office.

Janine Gillis, Borough Clerk

**ORDINANCE No. 2024-23  
BOROUGH OF SPRING LAKE HEIGHTS  
COUNTY OF MONMOUTH**

**AN ORDINANCE AMENDING CHAPTER 22, SCHEDULE OF PERMITTED USES, BULK, AREA, AND SETBACK REQUIREMENTS FOR ALL ZONES**

**BE IT HEREBY ORDAINED** by the Mayor and Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey, that the Borough's Land Development Ordinance at Chapter 22, Attachment 5, Schedule of Permitted Uses, Bulk, Area, and Setback Requirements of the Revised General Ordinances of the Borough of Spring Lake Heights is hereby amended as follows:

**NOTE:** Sections of Chapter 22, Attachment 5, Schedule of Permitted Uses, Bulk, Area, and Setback Requirements that are to be amended are set forth below. All additions are shown in **bold italics with underlines**. All deletions are shown in ~~***bold italics with strikeouts***~~. All sections that are unchanged remain in regular typeface.

Schedule of Permitted Uses, Bulk, Area and Setback Requirements Borough of Spring Lake Heights													
Zone	Use	Minimum Lot Area	<b><u>Minimum Lot Depth (Feet)</u></b>	Minimum Lot Width (Feet)	<b><u>Minimum Lot Frontage (Feet)</u></b>	Minimum Front Yard (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Height (P) (Feet)	Maximum Height (A) (Feet)	Maximum Building Coverage %	Maximum Lot Coverage % (1)	Maximum Dwelling Units per Acre
R- 1	Single family detached dwelling units	40,000 square feet	<b><u>200</u></b>	150	<b><u>150</u></b>	50	25	30	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	25	50	1.0 G
R- 1	Residential Cluster (from tract boundary)	10,000 square feet	<b><u>100/50</u></b>	80	<b><u>80</u></b>	35/50	10/50	20	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	25	50	1.0 G
R- 2	Single family detached dwelling units	7,500 square feet	<b><u>100</u></b>	75	<b><u>75</u></b>	30 (3)	10	10	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	20 (4)	50	5.8

**Schedule of Permitted Uses, Bulk, Area and Setback Requirements Borough of Spring Lake Heights**

Zone	Use	Minimum Lot Area	Minimum Lot Depth (Feet)	Minimum Lot Width (Feet)	Minimum Lot Frontage (Feet)	Minimum Front Yard (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Height (P) (Feet)	Maximum Height (A) (Feet)	Maximum Building Coverage %	Maximum Lot Coverage % (1)	Maximum Dwelling Units per Acre
R- 3	Single family detached dwelling units	9,000 square feet	<b>120</b>	75	<b>75</b>	30 (3)	10	10	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	20 (4)	50	4.8
R- 4	Single family detached dwelling units	6,000 square feet	<b>100</b>	60	<b>60</b>	30 (3) (8)	5	10	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	25	50	7.2
R- 5	Single family detached dwelling units	7,500 square feet	<b>150</b>	50	<b>50</b>	30 (3) (5)	10 (5)	10 (5)	32 See subsection 22-606.1	15/10 See Subsection 22-502.1	25	50	5.8
R- 5 Residential Townhouse Block 46.02 Lots 1-63 Ord No 2009-13 (6)	Residential townhouse	4.5 Acres	-----	100	<b>200</b>	40	30	50 (7)	35	10	25	50	13.7 G (62 units)
<del>R-ML</del>	<del>Mount Laurel Overlay Banks, business and professional offices</del>	<del>1.0 acre</del>	<del>-----</del>	<del>60</del>	<del>-----</del>	<del>30</del>	<del>40</del>	<del>30</del>	<del>40</del>	<del>-----</del>	<del>-----</del>	<del>50</del>	<del>7.0</del>
<del>B-1</del>	<del>business and professional offices</del>	<del>10,000 square feet</del>	<del>125</del>	<del>100</del>	<del>100</del>	<del>30</del>	<del>10 (2)</del>	<del>20</del>	<del>35</del>	<del>20</del>	<del>40</del>	<del>75</del>	<del>-0-</del>
B- 2	Retail and service stores	18,000 square feet	<b>125</b>	100	<b>100</b>	30	10 (2)	20	35	15/10 See Subsection 22-502.1	50	75	-0-
	Business and professional offices	15,000 square feet	<b>125</b>	100	<b>100</b>	30	10 (2)	20	35	15/10 See Subsection 22-502.1	40	75	-0-
	Motels	40,000 square feet	<b>150</b>	200	<b>200</b>	50	30	40	30	15/10 See Subsection 22-502.1	30	75	20 units
<del>B-3</del>	<del>See subsection 22-606.5(Ord No. 2017-022)</del>	<del>15,000 square feet</del>	<del>125</del>	<del>100</del>	<del>100</del>	<del>20</del>	<del>10 (2)</del>	<del>30</del>	<del>35</del>	<del>15/10 See Subsection 22-502.1</del>	<del>50</del>	<del>75</del>	<del>-0-</del>
MU-AH1	Mixed Use Affordable Housing See Ord 2022-16	10,000 square feet	<b>175</b>	95	<b>95</b>	24	8 (2)	15	35	15/10 See Subsection 22-502.1	30	75	5.0
MU-AH2	Mixed Use Affordable Housing See Ord 2023-08	50,000 square feet	<b>200</b>	150	<b>150</b>	20 (9)	10/20	20	38/ 3.5 stories (10)	NA	40	75	10
<b>AH-3 Overall Tract</b>	<b>Mixed Use Affordable</b>	<b>80,000 sq. ft.</b>	<b>140</b>	<b>275</b>	<b>275</b>				<b>40 ft (10)/ 3.5 stories</b>	15/10 See Subsection 22-502.1	<b>50</b>	<b>75</b>	

**Schedule of Permitted Uses, Bulk, Area and Setback Requirements Borough of Spring Lake Heights**

Zone	Use	Minimum Lot Area	<u>Minimum Lot Depth (Feet)</u>	Minimum Lot Width (Feet)	<u>Minimum Lot Frontage (Feet)</u>	Minimum Front Yard (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Height (P) (Feet)	Maximum Height (A) (Feet)	Maximum Building Coverage %	Maximum Lot Coverage % (1)	Maximum Dwelling Units per Acre
	<u>Housing See Ord 2024-11</u>												
<u>AH-3 Parcel A</u>	<u>Mixed Use Affordable Housing See Ord 2024-11</u>	<u>50,000 sq. ft.</u>	<u>350</u>	<u>140</u>	<u>150</u>	<u>20</u>	<u>10/20</u>	<u>50</u>	<u>40 ft (10)/ 3.5 stories (12)</u>	15/10 See Subsection 22-502.1	<u>50</u>	<u>75</u>	
<u>AH-3 Parcel B</u>	<u>Mixed Use Affordable Housing See Ord 2024-11</u>	<u>14,000 sq. ft.</u>	<u>125</u>	<u>100</u>	<u>100</u>	<u>15 (11)</u>	<u>5 (11)</u>	<u>4 (11)</u>	<u>40 ft (10)/ 3.5 stories</u>	15/10 See Subsection 22-502.1	<u>50</u>	<u>75</u>	
<u>AH-4 (15)</u>	<u>Mixed Use Affordable Housing See Ord 2024-15</u>	<u>38,000 sq. ft.</u>	<u>150</u>	<u>50</u>	<u>50</u>	<u>30 (13) 15 (14)</u>	<u>5</u>	<u>5</u>	<u>40 (10)/ 3 stories</u>	15/10 See Subsection 22-502.1	<u>30</u>	<u>80</u>	<u>18</u>
<u>MU-1</u>	<u>All principally permitted uses</u>	<u>10,000 square feet</u>	<u>125</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>10</u>	<u>30</u>	<u>40 / 3.5 stories</u>	<u>15</u>	<u>40</u>	<u>75</u>	<u>20 units</u>
<u>MU-2</u>	<u>All principally permitted uses</u>	<u>10,000 square feet</u>	<u>125</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>10</u>	<u>30</u>	<u>40 / 3.5 stories</u>	<u>15</u>	<u>40</u>	<u>75</u>	<u>20 units</u>

Abbreviations:

P: Primary Building

A: Accessory Building

G: Gross residential density (includes required open space and streets)

Footnotes:

1. Lot coverage: Lot coverage shall include but not be limited to: building coverage; accessory buildings; gazebos; decks; patios; driveways; sidewalks; pavement; pavers; concrete; stone and gravel. See Section 22-302 Lot Coverage.
2. When adjacent to a residential zone district, a twenty (20) foot side yard setback shall be required.
3. For certain front porch setbacks in R-2, R-3, R-4 and R-5 residential zone districts see Subsection 22-606.1,a,7.

4. The maximum building coverage in residential zone districts R-2 and R-3 permit an additional five (5) % building coverage exclusively for a detached garage. The maximum principal building coverage in these zones shall remain twenty (20) %. The requirements for accessory buildings as set forth in Section 22-502 shall remain in effect.
5. For R-5-corner lots with a width of fifty (50) feet or less, the secondary front yard setback shall be a minimum of twenty (20) feet and the opposite side yard setback shall be a minimum of five (5) feet.
6. For the R-5 Residential Townhouse Overlay the following are permitted as per Subsection 22-606.1,a,6.; all requirements, with the exception of building height, pertain to the overall townhouse tract.
7. From Pitney Drive Frontage.
8. For lots in the R-4 residential zone with a minimum lot depth of one hundred five (105.0') feet or less, the minimum front yard shall be twenty five (25') feet measured from the front lot line.
9. For the MU-AH2 Zone the minimum front yard setback is calculated before any dedication that may be required for road widening.
10. For the MU-AH2, **AH-3, and AH-4** Zones the building height shall mean the vertical distance from the average finished grade measured at the structure's foundation to the midpoint for pitched roofs and to the top of the flat surface for flat roofs. Parapets, chimneys, antennas, cupolas, elevator equipment, weathervanes and mechanical and utility equipment may exceed the permitted building height by five (5) feet.

**11. Existing building or extension thereto shall be consistent with Parcel A standards**

**12. For the AH-3 Zone Parcel A to qualify as a “half story,” the occupied area cannot exceed seventy five percent (75%) of the area of the floorplate below. For a sloped roof, the half story may not alter the slope of the roof and may only intrude to a maximum of thirty three percent (33%) of the linear length of a building side with dormers or skylights. For a flat roof, the half story must set back from the lower story at least five (5) feet, creating a stepped or “wedding cake” effect.**

**13. For the AH-4 Zone, the minimum front yard setback from Church Street.**

**14. For the AH-4 Zone, the minimum front yard setback from Pitney Drive.**

**15. For the AH-4 Zone, the minimum separation between buildings is ten (10) feet.**