

ORDINANCE NO. 2019 – 09

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 15 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “LAND USE AND DEVELOPMENT”

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §4.28 (PV Pinelands Village Zone) so as to delete the section in its entirety and replace as follows:

A. Permitted uses shall be as follows:

- 1) Residential dwellings, if served by an on-site septic wastewater system.
- 2) All uses permitted in the Forest Area Zone, subject to the standards and requirements contained therein, provided that:
 - a) A public service infrastructure necessary to support the use is available or can be provided without any development in the Preservation Area Zone, Forest Area, or Forest Area Cluster Zone.
 - b) The character and magnitude of the use is compatible with existing structures and uses in the village.
- 3) Signs.
- 4) Accessory uses.
- 5) Family day-care homes.
- 6) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, and community residences for persons with head injuries, as defined in N.J.S.A. 40:55D-66.2. The requirements for such residences shall be the same as for single-family dwelling units within this zone.

B. Area, yard and building requirements. Development of residential dwellings and all other uses served by an on-site wastewater system shall be as follows:

- 1) The minimum lot area shall be a 3.2 acre lot, if served by a conventional on-site septic waste water system or a 1.0 acre (43,560 square feet) lot, if served by a septic system in accordance with Subsection 15-4.30.
- 2) The minimum lot width shall be 150 feet.

- 3) The minimum front yard setback shall be 50 feet.
- 4) The minimum side yard setback shall be 20 feet.
- 5) The minimum rear yard setback shall be 40 feet.
- 6) The maximum building height shall be 35 feet.
- 7) The minimum accessory use setback shall be 20 feet.

C. Permitted conditional uses. (Reserved)

D. Existing lots of record. Any existing lots of record in the PV Zone rendered nonconforming due to amendments to this chapter resulting from the adoption of this ordinance (#2019-09) shall be exempt only from lot width requirements of the zone; provided, however, that such exemption shall not apply to any subdivision of properties that become nonconforming due to amendments to this chapter, and such subdivisions shall be subject to the area, yard and building requirements of the respective zone.

E. Permitted Modifications. An existing detached single-family dwelling, as of the date of adoption of this ordinance (#2019-09), which is a nonconforming structure, based on existing front, side or rear yard setback, may be enlarged, provided that such enlargement conforms with all minimum yard standards of the PV zone district and does not further increase any nonconforming setback.

F. When a variance of the density or lot area requirements set forth in Paragraphs A. or B. above for a residential or principal nonresidential use in the PV Zone is granted by the Township, Pinelands Development Credits shall be used for all dwelling units or lots in excess of that permitted without the variance.

SECTION 2. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, so as to renumber existing §15-17.6 entitled “Certification of improvements, maintenance guarantee” so that it shall be renumbered as §15-17.8.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.


SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 28th day of March, **2019**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 11th day of April, **2019**, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor