



**Asbury Park, New Jersey  
ORDINANCE NO. 2020-16**

**AN ORDINANCE OF THE CITY OF ASBURY PARK RE-ZONING CERTAIN  
PROPERTIES AND ADOPTING AN UPDATED ZONING MAP**

**WHEREAS**, the City of Asbury Park (the “City”) has previously adopted an official Zoning Map which identifies the location and boundaries of all real properties and all zoning districts that are located within the City, pursuant to Section 30-66.2 of the “Code of the City of Asbury Park, New Jersey”; and

**WHEREAS**, the Asbury Park Planning Board (the “Planning Board”) adopted a Master Plan and Master Plan Reexamination Report in December of 2017 which includes housing objectives and recommendations; and

**WHEREAS**, the Master Plan and Master Plan Reexamination Report recommended identification of inclusionary zoning opportunities, ensuring affordable housing units and projects consistent with State standards, and adoption of a Housing Element and Fair Share Plan; and

**WHEREAS**, the Planning Board adopted a Third Round Housing Element and Fair Share Plan in February of 2019 that recommended amendments to the City’s existing Land Development Regulations, along with amendments to various existing Redevelopment Plans, intended to promote and incentivize the creation of affordable housing units within the City; and

**WHEREAS**, in furtherance of the above, the Mayor and Council wish to re-zone certain properties that were previously located in the “B2 - Main Street Retail Sales and Service” district and the “NC - Neighborhood Commercial” district such that they will now be located in a new zoning district which is being established simultaneously herewith to be known as the “B - Business District”; and

**WHEREAS**, a listing of all of the properties which are subject to the said re-zoning are shown on Exhibit “A” attached hereto; and

**WHEREAS**, the Mayor and Council also wish to create an overlay district to be known as the “Deal Lake Drive Inclusionary Housing Overlay District,” which overlay will affect certain properties that are located within the existing “R3 - Medium Density Multifamily Residential Zone”; and

**WHEREAS**, a listing of all of the properties which will be subject to the “Deal Lake Drive Inclusionary Housing Overlay District” are set forth on the attached Exhibit “B”; and

**WHEREAS**, the City's Department of Planning and Redevelopment has prepared an updated Zoning Map relating to the Zoning Districts and Redevelopment Areas located within the City, which reflects and incorporates the new zoning classifications as referenced above; and

**WHEREAS**, a copy of the updated and amended Zoning Map, dated March 2020, is attached hereto as Exhibit "C" and made a part hereof; and

**WHEREAS**, it is the desire of the Mayor and Council to re-zone and reclassify all of the properties set forth on the attached Exhibit "A" accordingly; and

**WHEREAS**, it is also the desire of the Mayor and Council to create the "Deal Lake Drive Inclusionary Housing Overlay District," and to make said overlay applicable to the properties set forth in Exhibit "B"; and

**WHEREAS**, it is also the desire of the Mayor and Council to adopt the attached updated and amended Zoning Map so that it shall now represent the Official Zoning Map of the City pursuant to Section 30-66.2 of the Code of the City of Asbury Park and N.J.S.A. 40:55D-32.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED**, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the City hereby re-zones and reclassifies all of the properties identified on the attached Exhibit "A," which were previously included in either the "B2 - Main Street Retail Sales and Service" Zoning District or the "NC - Neighborhood Commercial" Zoning District to the newly established "B - Business District", which new District is being established simultaneously herewith.

Section 2. That the City hereby also creates the "Deal Lake Drive Inclusionary Housing Overlay District," and hereby makes said overlay applicable to the properties set forth in Exhibit "B".

Section 3. That, in accordance with N.J.S.A. 40:55D-32 and Section 30-66.2 of the Code of the City of Asbury Park, the City hereby approves and adopts the amended and updated Zoning Map which is attached hereto as Exhibit "C," as prepared by the Department of Planning and Redevelopment and dated March 2020, to represent the Official Zoning Map of the City of Asbury Park.

Section 4. That the updated Zoning Map attached hereto as Exhibit "C" shall supersede any prior Zoning Maps heretofore adopted by the City.

Section 5. That the "B2 - Main Street Retail Sales and Service" and the "NC - Neighborhood Commercial" Zoning Districts are hereby eliminated and repealed in their entirety.

Section 6. That, following the adoption of this Ordinance, a copy of this Ordinance

and the attached updated Zoning Map shall be filed with the Monmouth County Planning Board and the Monmouth County Clerk's office in accordance with N.J.S.A. 40:55D-16.

Section 7. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 8. That by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 9. That this Ordinance shall become effective upon final passage and publication in accordance with the law, but not until a copy of this Ordinance and the attached updated Zoning Map have been filed with the Monmouth County Planning Board and the Monmouth County Clerk's office, pursuant to N.J.S.A. 40:55D-16.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-16 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020



MELODY HARTSGROVE  
CITY CLERK

✓ Vote Record - Ordinance 2020-16						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Eileen Chapman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Yvonne Clayton	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Jesse Kendle	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Amy Quinn	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	John Moor	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Introduced						