

Posted April 9, 2026

NOTICE OF PENDING ORDINANCE

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING AN OVERLAY ZONING DISTRICT FOR INCLUSIONARY HOUSING

WHEREAS, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., requires municipalities to provide a realistic opportunity for the creation of affordable housing to meet their fair share obligations; and

WHEREAS, the Borough of Barnegat Light (the "Borough") has adopted a Housing Element and Fair Share Plan and seeks to ensure compliance with its affordable housing obligations; and

WHEREAS, the Borough Council proposes that, in furtherance of its constitutional duty to provide realistic opportunities for the development of low- and moderate-income households, that incentivizes redevelopment in the central business district of the Borough in a manner to encourage the development of multi-family, inclusionary housing along with ground-floor retail, commercial, and other uses;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, a majority of the full authorized membership thereof affirmatively concurring, that:

SECTION 1. Chapter 215, sect. 6 of the Borough Code of the Borough of Barnegat Light, is hereby amended to add the following new zoning district:

AHO Affordable Housing Overlay in General Business District

SECTION 2. Chapter 215, sect. 9 is hereby amended in the Borough Code of the Borough of Barnegat Light to add the following:

I. Affordable Housing Overlay in General Business District.

(a) Purpose. The Affordable Housing Overlay is proposed to create a realistic opportunity for the development of affordable housing by incentivizing redevelopment options in the business district.

(b) Included Parcels.

1. The following parcels are included in the Affordable Housing Overlay: Block 6, Lots 32-34; Block 8, Lots 28-32; Block 8.01, Lots 1, 3, 4, and 5; Block 10, Lots 16, 18, 20, 21, 22, and 23; Block 10.01, Lots 1-5; Block 11.01, Lots 1 and 2; Block 12, Lots 1-6, 8, 10, and 12; Block 12.01, Lots 8, 10, 11, 12 and 13; Block 13, Lots 1, 2, 3, 4.01, and 5.01; Block 14, Lots 1-6, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 27; Block 15, Lots 1-5; Block 16, Lots 1.01, 2.01, 3, 4, 5, 7, and 9; Block 17, Lots 1, 3, 4, and 5; Block 18, Lot 1-6; Block 27, Lots 3-5; Block 28, Lots 3-5; Block 29, Lots 1-5; Block 30, Lots 1.01, 2.01, 3, 4, and 5; Block 31, Lots 1.01, 2.01, 3, and 4; Block 32, Lots 1-5; Block 33, Lots 1-5; Block 34, Lots 1-5; Block 36, Lots 1-5. A map of the proposed overlay zone is annexed hereto as Exhibit A.

(c) Principal Permitted Uses. Within the Overlay, the following principal permitted uses are permitted:

1. Multi-Family Residential, at a density no more than 18 dwelling units/acre.
2. All uses permitted within the Business Zone are permitted as part of a mixed-use building on the ground floor, with multi-family residential on the upper floors at a density no more than 18 dwelling units/acre.

(d) Accessory Uses.

1. Off-street parking facilities in conformance with the Residential Site Improvement Standards, N.J.A.C 5:21.
2. Signs.

3. Fences, walls, pools, recreational facilities, common walkways, sitting areas, gardens, and stormwater management facilities.
 4. Other uses customarily incidental and accessory to a proposed mixed-use or multi-family development.
- (e) Design and Bulk Standards.
1. Minimum Lot Area: 10,000 sf
 2. Minimum Lot Width: 100 ft
 3. Minimum Front Yard Setback: 25 ft
 4. Minimum Side Yard Setback: 20 ft (each side)
 5. Minimum Rear Yard Setback: 20 ft
 6. Maximum Building Coverage: 33.3%
 7. Maximum Building Height: 30 feet
- (f) Affordable Housing Requirements. All inclusionary developments shall conform to the standards of the Borough's affordable housing standards, including compliance with all standards and requirements of the Fair Housing Act and the Uniform Housing Affordability Controls.

SECTION 3. Inconsistent Ordinances.

To the extent any existing provisions of the Borough Code are inconsistent with the foregoing, same are hereby repealed based upon such inconsistency, and the provisions of this Ordinance shall remain in full effect.

SECTION 4. Severability

If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, such invalidity shall not affect the remaining portions of this ordinance.

SECTION 5. Effective Date

This ordinance shall take effect upon final passage and publication according to law

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing summary of Ordinance No. 2026-06 was introduced and passed on first reading at a special meeting of the Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, on the 8th day of April, 2026 and will be considered for final passage at a regular meeting of said governing body to be held at the Municipal Building, 10 East 7th Street, Barnegat Light, New Jersey, on the 13th day of May, 2026 at 4:30p.m., at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.