

ORDINANCE 09-2008

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

**ORDINANCE AMENDING, ZONING REGULATIONS OF THE BOROUGH OF
SEA GIRT IN THE COUNTY OF MONMOUTH, NEW JERSEY
CHANGING THE CLASSIFICATION OF
DISTRICT 4 FROM RESIDENTIAL TO RECREATIONAL OPEN SPACE.**

WHEREAS, the Planning Board of the Borough of Sea Girt, at its meeting of May 21, 2008 adopted the Master Plan Re-Examination Report, Borough of Sea Girt, Monmouth County, New Jersey, May 2008, prepared by Peter R. Avakian, P.E., Planning Board Engineer; and

WHEREAS, the Borough Council has reviewed the May 2008 Master Plan Re-Examination Report and Master Plan Re-Examination Report of 2001 referenced therein and has determined that the proposed zone classification change of District 4 from Residential to Recreational Open Space will provide for passive and active recreational uses and preserve environmentally sensitive areas; and

WHEREAS, such zone change will provide for adequate light, air and open space, and will promote the establishment of appropriate population densities and preserve the environment, open space and valuable natural resources.

NOW, THEREFORE, BE IT ORDAINED BY the Borough Council of the Borough of Sea Girt in the County of Monmouth, State of New Jersey, that Article XVII of the Borough of Land Use Ordinance entitled "Borough of Sea Girt Zoning Regulations" is hereby amended and supplemented as follows:

SECTION 1. Section 17-3.1, "Zoning Districts", is amended and supplemented as follows:

SYMBOL	DISTRICT	ZONE
4	4	Recreational Open Space

SECTION 2. Section 17-3.4 "Zoning Map" is hereby amended to delete "District 4 SINGLE FAMILY" and to insert in its place "DISTRICT 4 RECREATIONAL OPEN SPACE".

SECTION 3. The Schedule of Limitations established by Section 17-4.1 is hereby amended and supplemented as follows:

DISTRICT 4 RECREATION OPEN SPACE
PURPOSE

To provide for and preserve passive and active recreational uses, adequate light, air and open space to promote the establishment of appropriate population densities and to preserve the environment, open space, environmentally sensitive areas and valuable natural resources.

PERMITTED USE ON AND/OR IN BUILDING

Beach Zone; Active Recreational Use;
Passive Recreational Use;
Environmentally Sensitive Areas and
Buffers; Government Use.

PERMITTED ACCESSORY USE:
Municipal Facilities; Museums(s)
Wireless Telecommunication Facilities
Parking

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be deemed invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 5 Any Ordinances or portions thereof which are inconsistent with or in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This Ordinance shall take effect upon final passage and publication in accordance with Law.

MASTER PLAN REEXAMINATION REPORT BOROUGH OF SEA GIRT MONMOUTH COUNTY, NEW JERSEY

MAY 2008

INTRODUCTION

This reexamination report is prepared consistent with regulations contained in N.J.S.A. 40:55D-89, of the Municipal Land Use Law of the State of New Jersey, and constitutes the Borough of Sea Girt's periodic reexamination of its master plan and development regulations.

The Municipal Land Use Law requires that at least every six years the governing body provide for the general reexamination of its master plan and development regulations by the Planning Board, which shall prepare and adopt, by resolution, a report on the findings of such reexamination. A copy of this report and resolution shall be sent to the County Planning Board and to the Municipal Clerk of each adjoining municipality. The Borough of Sea Girt Planning Board prepared and adopted reexamination reports in 1995 and 2001.

STATUTORY CRITERIA

The Statute requires that the reexamination report contain the following:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have been increased subsequent to that date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, stormwater management regulatory compliance and changes in the State, county and municipal policies and objectives.

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies, standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the Planning Board concerning incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, to the local development regulations necessary to effectuate the redevelopment plans of the municipality.

REEXAMINATION REPORT

A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

The Sea Girt Planning Board performed a reexamination of the Master Plan in 2001, and incorporated elements preserving the character and natural resources of the Borough, while developed a range of land use ordinances adopted by Borough Council.

B. The extent to which such problems and objectives have been reduced or increased.

Since the adoption of the last Master Plan Reexamination Report, several concerns raised regarding development have been exacerbated. Development of corner lots has continued, creating two conforming lots on one larger corner parcel. Likewise, teardowns of existing housing have become common, and new construction is sometimes out of scale with the surrounding development.

C. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations.

The Borough Planning Board currently awaits authorization of the next phase of the State Development and Redevelopment Plan process. At such time, the Planning Board will address readoption of the Housing Plan Element/Fair Share Plan Element of the Master Plan.

D. Specific changes recommended for the Master Plan or Development Regulations.

Upon review and consideration by a Planning Board subcommittee, and further review and public hearing by the full Planning Board, a master plan report was prepared, recommending changes to the zoning of the parcel known as District 4 in the Borough's Zoning Ordinance.

The Master Plan Reexamination Report provides for zoning recommendations related to the existing zone designation of District 4, as follows:

ZONING RECOMMENDATIONS

After review, discussion and public input on existing zoning regulations contained in the current Land Use Ordinances of the Borough of Sea Girt. Specific attention was given to the existing zone designation of District 4 entitled 'Residential Single Family.'

The District 4 Zone contains property known as the 'Sea Girt Army Camp,' totaling approximately 168 acres in land area, as indicated on an attached existing site plan and property inventory. Historically, prior Master Plan Reexamination reports assessed the impacts of development of District 4 within the current land use parameters of a single family residential use. In more recent reexamination reports, a new recommended designation was made, as an Open Space and Government Use category.

This proposed designation was reviewed with a subcommittee of the Planning Board, and further discussed at a full Board public hearing. The following recommendations are made, based upon these meetings and discussions, for inclusion in the next reexamination report of the Borough:

District 4 Zone Regulations

Zone Name/Designation: "Recreational Open Space"

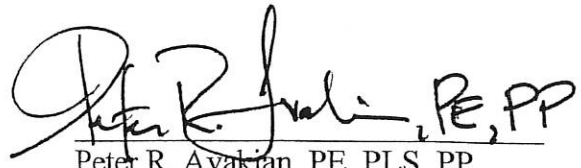
Principal Permitted Uses: Beach Zone; Active Recreational Use; Passive Recreational Use; Environmentally Sensitive Areas and Buffers; Government Use.

Permitted Conditional Uses: Municipal Facilities; Museum(s); Wireless Telecommunication Facilities; Parking.

As was stated in the prior 2001 reexamination report, prepared by Heyer, Gruel & Associates for the Borough of Sea Girt:

"This District would permit all of the existing uses associated with this parcel, including other open space and government uses, including active and passive recreation. Based upon our review, there is no reason that the use will cease any time in the foreseeable future. However, if it is found that the parcel is no longer necessary for its present function, then the most appropriate use would be a State Park or recreation facility. The parcel represents one of the single largest tracts in common ownership along this area of the coast. If the State decides that it should not be used for its present military function, then the site is ideally suited for active and passive recreation as shown on the Master Plan Map."

A copy of the Zone Map for the Borough of Sea Girt is attached, including the recommended zone district change for District 4.

A handwritten signature in black ink, appearing to read "Peter R. Avakian, PE, PLS, PP". The signature is stylized and cursive.

Peter R. Avakian, PE, PLS, PP
Planning Board Engineer
March 19, 2008
Revised May 19, 2008

WALL TOWNSHIP

BOROUGH OF
SPRING LAKE HEIGHTS

BOROUGH OF
SPRING LAKE

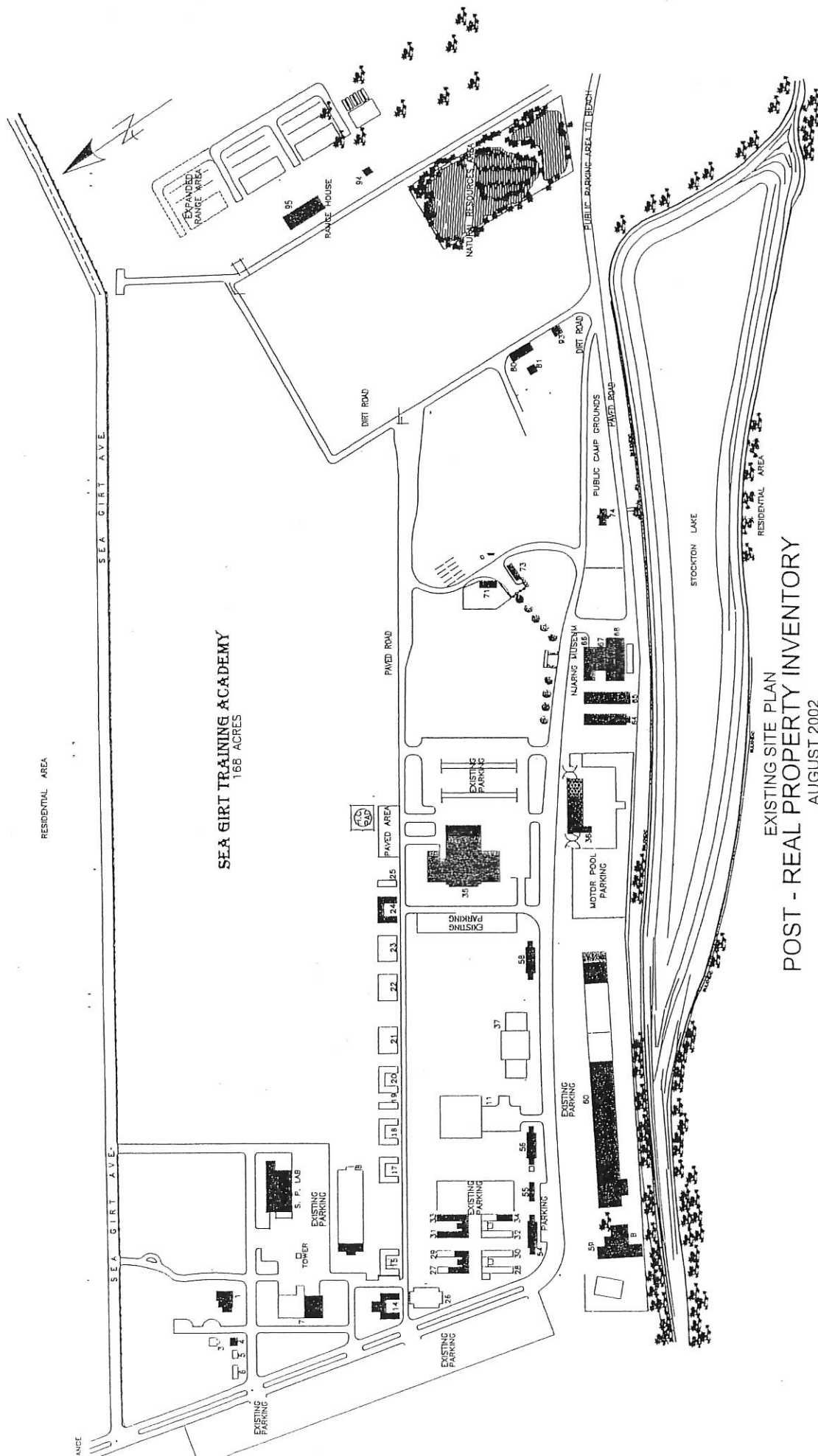
- LEGEND
- 1E DISTRICT 1 EAST SINGLE FAMILY
 - 1W DISTRICT 1 WEST SINGLE FAMILY
 - 2E DISTRICT 2 EAST SINGLE FAMILY
 - 2W DISTRICT 2 WEST SINGLE FAMILY
 - 3 DISTRICT 3 REACH
 - 4 DISTRICT 4 SINGLE FAMILY
 - 20 BLOCK LIGHT

ZONE MAP
OF THE
BOROUGH OF SEA GIRT
MONMOUTH COUNTY, NEW JERSEY

PREPARED BY
LEON S. AVAKIAN, INC.
CONSULTING ENGINEERS
HIGHTSTOWN, N.J.
SEPTEMBER 2004

Leon S. Avakian
LEON S. AVAKIAN, P.E., N.J. LIE. NO. 28102
Borough Engineer





EXISTING SITE PLAN
POST - REAL PROPERTY INVENTORY
AUGUST 2002