

ORDINANCE NO. 2024-3444

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE ESTABLISHING MIXED USE DEVELOPMENT
STANDARDS FOR AFFORDABLE HOUSING**

WHEREAS, the Township of Middletown (the “**Township**”) continues to apply smart planning principles to provide realistic opportunities for the development of affordable housing in areas that are suitable for the development of inclusionary affordable housing by promoting the redevelopment of pre-existing underutilized sites near jobs, transportation and other amenities.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Chapter 540 of the Code of the Township of Middletown be and is hereby amended and supplemented, as follows:

SECTION 1. Mixed use development standards for affordable housing.

- A. Purpose.** The purpose of these regulations is to further the implementation of the Township’s Affordable Housing Program by establishing an overlay zone for the creation of housing units on the same site as an existing or proposed commercial development. At least 15% of the dwelling units constructed as a result of this section shall be affordable.
- B.** The standards established herein shall be applicable to: Block 729, Lot 21.
- C.** All projects proposed utilizing the mixed use development standards shall be subject to site plan review by the appropriate Board.
- D. Minimum regulations.**
- (1) Gross lot area: 3 acres
 - (2) Lot frontage: 200’
 - (3) Building setbacks
 - (a) Front: 75’
 - (b) Front (Rt 36): 37.5’
 - (c) Side: 25’
 - (d) Street Side: 37.5
 - (e) Rear: 50’
 - (4) Landscape Buffer: As set forth in Section 540-606

- (5) Parking setback from street or right of way line: 15'
- (6) Affordable housing set-aside: 15%

E. Maximum regulations.

- (1) Dwelling unit density: 8 dwelling units per acre
- (2) Lot coverage: 60%
- (3) Floor area ratio: N/A
- (4) Building height: 50' and 4 stories

F. Architectural Design. Section 540-604 except for 540-604C(4) and 540-604C(11).

G. Signage. All other provisions set forth in Section 540-635 shall apply with the following exceptions.

- (1) One monument sign is permitted on the site based on the following requirements.
 - (a) Maximum sign area: 65 sf (per side)
 - (b) Maximum sign height: 7'
 - (c) Minimum setback: 5'
- (2) One facade sign is permitted per wall if the side or rear walls of the building are oriented towards street frontages. Said sign shall not exceed an area equal to 10% of the wall area of the building that is affixed to.

H. Other regulations.

- (1) Notwithstanding Township ordinances, already disturbed steep slopes 15% or more are excluded from this calculation.
- (2) All affordable units shall be constructed and maintained in a manner consistent with the rules and regulations of UHAC. Affordable housing units shall be deed restricted to remain affordable for a minimum period of 30 years.

[SECTION 2. Repealer

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full.

SECTION 3. Severability

Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. Effective Date

This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.]