

ORDINANCE 2018-03

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 139-10 ENTITLED "ZONING MAP," OF CHAPTER 139 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY, NEW JERSEY TO REZONE CERTAIN LOTS TO C COMMERCIAL AND TO ADJUST ISOLATED INSTANCES OF SPLIT LOT ZONING

WHEREAS, pursuant to N.J.S.A. 40:55D-89, the Borough of Neptune City Land Use Board undertook a general reexamination of the Borough of Neptune City Master Plan and Development Regulations; and

WHEREAS, on March 6, 2018, the Land Use Board adopted a report entitled "Master Plan Reexamination Report," including certain goals related to evaluating the zoning of lots along the Borough's commercial corridors and the adjustment of zoning district lines that created isolated instances of split lot zoning, in accordance with the findings of such Reexamination; and

WHEREAS, a Resolution memorializing said adoption of the Master Plan Reexamination Report was approved on March 6, 2018;

WHEREAS, in accordance with the Master Plan Reexamination Report, the Mayor and Borough Council are now rezoning certain lots to C Commercial and/or adjusting lots currently subject to split lot zoning as appropriate;

WHEREAS, the Borough Council has passed on first reading of this ordinance on March 12, 2018, at which time the ordinance was sent to the Land Use Board for consideration of consistency with the Borough's Master Plan; and

WHEREAS, a finding of consistency was rendered by the Land Use Board on March 13, 2018, as memorized in a Resolution of the Land Use Board on the same date.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Neptune City, County of Monmouth, State of New Jersey, that the following provisions of the Zoning Code shall be amended and supplemented as follows:

That Subsection 139-10 be amended and supplemented to the effect that the zoning map adopted by said subsection shall be revised so as to change the zoning designations of the properties identified in the following chart. The properties so identified will be deleted from the zone in the "prior zone" column, and added to the zones in the "new zone" column as represented in the following tables:

Zoning Changes - Major Category Change					
Block	Lot	Location	Acres	Prior Zone	New Zone
2	12	803 FOURTH AVE	0.04	R-1	RC
2	13	801 1/2 FOURTH	0.03	R-1	RC
2	13.01	801 FOURTH AVE	0.04	R-1	RC
2	14	21-23 MEMORIAL DR	0.15	R-1	RC
2	26	4 THIRD AVE	0.22	R-1	RC
5	1	800 EVERGREEN AVE	0.29	R-1	C
5	21	7 THIRD AVE	1.04	R-1	C
19	25	54-58 W SYLVANIA AVE	0.29	RC	C
24	1	40 STEINER AVE	0.87	RC	C
24	13	18 W SYLVANIA AVE	0.14	RC	C
24	14	16 W SYLVANIA AVE	0.11	RC	C
25	1	50 W SYLVANIA AVE	0.16	R-1 / RC	C
25	11	43 STEINER AVE	0.61	RC	C
25	15	38 W SYLVANIA AVE	0.25	RC	C
25	16.01	40 W SYLVANIA AVE	0.39	RC	C
25	18.01	44 W SYLVANIA AVE	0.15	RC	C
25	20	48 W SYLVANIA AVE	0.23	R-1 / RC	C
26	1	65 W SYLVANIA AVE	0.19	RC	C
26	2	61 HIGHWAY 35	0.18	RC	C
26	3	48 MYRON AVE	0.22	RC	C
27	1	51 W SYLVANIA AVE	0.45	RC	C
27	7	47 W SYLVANIA AVE	0.17	RC	C
27	9	45 W SYLVANIA AVE	0.22	RC	C
28	1	43 W SYLVANIA AVE	0.12	RC	C
28	3	41 W SYLVANIA AVE	0.16	RC	C
28	5	39 W SYLVANIA AVE	0.16	RC	C
28	7	37 W SYLVANIA AVE	0.16	RC	C
28	9	35 W SYLVANIA AVE	0.42	RC	C
29	1	31 W SYLVANIA AVE	0.15	RC	C
29	1.01	23 W SYLVANIA AVE	0.63	RC	C
30	5.01	43 HIGHWAY 35	0.66	R-1 / RC	C
34	11	13 BOSTON RD	0.20	RC	C
34	12	35 HIGHWAY 35	0.15	RC	C
41	1	36 HWY 35 & FIFTH AVE	1.72	RC	C
47	1.01	100 HIGHWAY 35	0.03	RC	C
47	2	118 HWY 35	0.64	RC	C
47	3	943 FOURTH AVE	0.56	RC	C
47	4	941 FOURTH AVE	0.47	RC	C
47	11	62 THIRD AVE	0.16	RC	C
47	13	64 THIRD AVE	0.01	RC	C
47	14	66 THIRD AVE	0.17	RC	C
49	17	88 EVERGREEN AVE	0.07	R-1	C
49	18	86 EVERGREEN AVE	0.14	RC	C
49	20	89 MORRIS AVE	0.08	RC	C
49	21	91 MORRIS AVE	0.33	R-1 / RC	C
50	1	89 THIRD AVE	1.71	RC	C
52	15	92 HILLSIDE AVE	0.06	RC	C
52	16	79-79 1/2 MORRIS AVE	0.08	RC	C
52	17	81 MORRIS AVE	0.11	RC	C

Zoning Changes - Major Category Change (continued)					
Block	Lot	Location	Acres	Prior Zone	New Zone
52	19	85 MORRIS AVE	0.22	RC	C
53	1	86 MORRIS AVE	1.06	RC	C
55	14	94 SUMMIT AVE	0.22	RC	C
55	16	73 MORRIS AVE	0.08	RC	C
55	18	75 MORRIS AVE	0.08	RC	C
55	19	77 MORRIS AVE	0.10	RC	C
56	1.01	74 MORRIS AVENUE	0.23	RC	C
56	8.01	72 MORRIS AVE	0.17	R-1 / RC	C
56	18	66 MORRIS AVE	0.22	RC	C
56	21	64 MORRIS AVE	0.06	RC	C
56	26.02	52 MORRIS AVE	0.13	RC	C
56	41	80 HIGHWAY 35	0.02	RC	C
56	42	57 RIDGE AVE	0.15	RC	C
58	9.01	96 WOODLAND AVE & HWY 35	0.40	R-1 / RC	C
60	1.01	61 MORRIS AVE	0.28	R-1 / RC	C
60	9	57 MORRIS AVE	0.11	RC	C
60	12	55 MORRIS AVE	0.11	RC	C
60	15	53 MORRIS AVE	0.11	RC	C
60	18	90 W SYLVANIA AVE	0.25	RC	C
61	1	50 MORRIS AVE	0.48	RC	C
61	5	79 HWY 35	0.48	RC	C
63	33	78 HWY 35	0.24	RC	C
63	39	72 W SYLVANIA AVE	0.19	RC	C
64	21	70 W SYLVANIA AVE	0.33	RC	C
64	24	66 W SYLVANIA AVE	0.14	RC	C
64	25	64 W SYLVANIA AVE	0.16	RC	C
64	26	62 W SYLVANIA AVE	0.22	R-1 / RC	C
67	16.01	75 W SYLVANIA AVE	4.03	RC	C

Zoning Changes - Split Lot Adjustment					
Block	Lot	Location	Acres	Prior Zone	New Zone
3	18	916 FOURTH AVE	0.22	R-1 / RC	RC
3	20	25 FIFTH AVE	0.52	R-1 / RC	RC
9	6	23 EVERGREEN AVE	0.21	R-1 / RC	RC
12	35.01	81 STEINER AVE	0.11	R-1 / C	C
12	42.01	77 STEINER AVE	0.17	R-1 / C	C
28	15	29 STEINER AVE	0.22	R-1 / RC	R-1
59	12.01	110 W SYLVANIA AVE	0.15	R-1 / RLC	RLC
88	7	120 W SYLVANIA AVE	0.29	R-1 / RLC	RLC
106	14	2040 SIXTH AVE	0.88	R-2 / HC	HC

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PASSED: March 12, 2018

ADOPTED: March 26, 2018

TAMMY BROWN
MUNICIPAL CLERK

ROBERT BROWN
MAYOR