

BOROUGH OF EDGEWATER

ORDINANCE NO. 1264-2003

AN ORDINANCE TO AMEND CHAPTER 249 OF THE CODE OF THE BOROUGH OF EDGEWATER ENTITLED, "LAND USE AND DEVELOPMENT REGULATIONS".

BE IT ORDAINED by the Mayor and Council of the Borough of Edgewater, County of Bergen and State of New Jersey, as follows:
Section 1.

Chapter 249 of the Code of the Borough of Edgewater, Land Use and Development Regulations, is hereby amended to add the following new section:

"§249-110. Inclusionary development set aside.

A. The following zone districts shall be subject to the inclusionary development setaside provisions of this Section:

- R-3 Multi-Family Residential District
- R-4 Multi-Family Residential District
- R-5 Multi-Family Residential District
- MCRD Mixed-Use Commercial/Residential Development District
- CBD Central Business District

B. A minimum of ten (10%) percent of the total number of dwelling units in a development in the zone districts set forth in paragraph A above shall be set aside for low and moderate income households in accordance with the provisions of this section and subject to the rules of the New Jersey Council On Affordable Housing (COAH). The required setaside shall be satisfied either within the development, or, at the discretion of the developer and subject to the

approval by the Borough, at another site located within the Borough.

Section 2. Repeal of Ordinance No. 1253-2002.

Ordinance No. 1253-2002 be and is hereby repealed in its entirety.

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.



BRYAN CHRISTIANSEN, Mayor

ATTEST:



BARBARA RAE, RMC,
Borough Clerk

Introduced: January 21, 2003
Adopted: March 18, 2003
Approved: March 18, 2003