

ARTICLE IV - DIMENSIONAL REQUIREMENTS

Table II (1,2,9)

The dimensional requirements listed govern the size and placement of buildings and other structures as indicated (--indicates no present requirement)

| | | RAA ⁽³⁾ | RA | RB | RCS | B | BS | BS 1 ^r | POR | TC-H, TC-N, TC-S | G | I | MHP ⁽⁴⁾ Permit | MHP ⁽⁵⁾ Overnight |
|--------------|--|--------------------|-----------------------|-----------------------------|----------------------------|---------------------|--|--------------------------|-------------------------------|-------------------------------|---------------------|--------------------------|------------------------------|---------------------------------|
| 4.1 s (34) | Minimum lot area (sq. ft.) ⁽²⁰⁾ | 43,560 | 15,000 ⁽⁶⁾ | 10,000 ^{(7)k} | 6,000 ⁽⁸⁾ | 10,000 ⁱ | 5,000 ^{(23),f} | 5,000 ⁽²³⁾ | See Article II Section 2.7 | See Article II Section 2.8 | 15,000 ^g | 22,000 ^g | 400,000 | 120,000 |
| 4.1.1 s (34) | Min. lot area per dwelling unit (sq. feet) | 43,560 | 15,000 ⁽⁶⁾ | 5,000 ^{(7) n} | 3,000 ^{(8), j, p} | 10,000 | 2,500 ^{(23) k, p} | 2,500 ⁽²³⁾ | | | 15,000 ^g | -- ^c | 20,000 | 1000 |
| 4.1.2 | Deleted 1990 | | | | | | | | | | | | | |
| 4.2 | Minimum frontage (ft.) ^{(22), e} | 200 | 125 ⁽⁶⁾ | 75 ^{(7), i} | 60 ⁽⁸⁾ | 100 ⁱ | 20 | 20 | | | 125 | 100 ^h | 50 ^{d, (21)} | 25 ^{d, (21)} |
| 4.3 | Minimum lot width (ft.) | 200 | 125 ⁽⁶⁾ | 75 ⁽⁷⁾ | 60 ⁽⁸⁾ | 100 ⁱ | -- | -- | | | 125 ^{g --} | 100 ^h | 50 | 25 |
| 4.4 | Maximum number of stories/feet ⁽²⁷⁾⁽³³⁾ | 3/35 ^f | 3/35 ^f | 3/35 ^f | 3/35 ^f | --/50 ^f | --/50 ^f ^{(27A),(32)t} | 70 ^{(27A),(32)} | | | 3/35 ^{f,g} | --/50 ^h | -- | -- |
| 4.5 | Minimum setbacks (12) (13) ^{(25) (29), o} | | | | | | | | | | | | | |
| 4.5.1 | Front (ft.) | 20 ⁽¹⁵⁾ | 20 ^k | 20 ^k | 10 | 10 ⁱ | 4 ^{b (17)} | 4 ⁽¹⁷⁾ | | | 10 ^g | 30 | 20 ⁽¹⁹⁾ | 20 |
| 4.5.2 | Side (ft.) ⁽²⁸⁾ | 20 ⁽¹⁵⁾ | 15 ^{(26), m} | 10/12 ^{(16),(26)t} | 7/12 ^{(16), m} | 7 ⁱ | 4 | 4 | | | 7 ^g | 10/15 ^{h, (24)} | 10 ⁽¹⁸⁾ | 10 |
| 4.5.3 | Rear (ft.) ⁽²⁸⁾ | 20 ⁽¹⁵⁾ | 10 ^k | 10 ^k | 7 | 7 ⁱ | 4 | 4 | | | 7 ^g | 15 ^{h, (17)} | 10 ⁽¹⁸⁾ | 10 |
| 4.6 | Minimum square footage per dwelling unit ^a | 900 | 900 | 500 | 500 | 400 | 330 ^e | 330 | | | 500 ^g | -- | -- | -- |
| 4.7 | Maximum number of dwelling units per structure | 1 | 1 | 8 ^a | 2 | 8 ^a | -- | -- | | | 8 ^a | 0 | 1 | 1 |

| | | RAA ⁽³⁾ | RA | RB | RCS | B | BS | BS 1^r | POR | TC-H, TC-N, TC-S | G | I | MHP ⁽⁴⁾ Permit | MHP ⁽⁵⁾ Overnight |
|-------------------|---|---------------------------|-----------|-----------|------------|----------|-----------|-------------------------|------------|-----------------------------|----------|----------|--------------------------------------|---|
| 4.8 q (30), (31) | Maximum Percentage of Impervious Coverage per lot | 60% | 60% | 60% | 60% | 75% | 75% | 75% | | (30), (31) | 60% | 60% | -- | -- |
| 4.8a ¹ | Maximum Percentage of Impervious Coverage per residential lot in the Aquifer Protection Zone | 25% | 25% | 25% | 25% | 25% | 25% | -- | | | 25% | 25% | -- | -- |
| 4.8b ¹ | Maximum Percentage of Impervious Coverage per non-residential lot in the Aquifer Protection Zone | 60% | 60% | 60% | 60% | 60% | 60% | -- | | | 60% | 60% | -- | -- |
| 4.9 t | Minimum setback (ft) separating a dwelling structure(s) including attached garages from the Wetlands Conservation District (also see 2.3.7(C)(4)) | 12 | 12 | 12 | 12 | -- | -- | -- | -- | -- | 12 | 12 | -- | -- |

(See "Footnotes")

^a Amended 1976

^b Amended 1981

^c Amended 1982

^d Amended 1983

^e Amended 1985

^f Amended 1986

^g Amended 1987

^h Amended 1989

ⁱ Amended 1990

^j Amended 1992

^k Amended 1994

^l Amended 1997 & 2017

^m Amended 1998

ⁿ Amended 2007

^o Amended 2011

^p Amended 2012

^q Amended 2014 & 2017

^r Amended 2014

^s Amended 2019

^t Amended 2020

SPECIAL NOTE: For footnotes where an effective date pertaining to a minimum dimensional requirement is listed (e.g., 3, 6, 7, 8, 23), a lot on record or approved prior to that date must conform to the particular footnoted requirement in force on the date of record or approval in order to be a buildable lot. (Amended 1991)

FOOTNOTES:

- (1) For the purpose of this section, all steps, porches, decks, piazzas and other similar elements shall be considered a part of the structure. (Amended 1985)
- (2) Corner Lots: - The following area shall remain free from obstruction: As illustrated on the Corner Lot diagram provided herein, the area formed by two straight lines that proceed along the edge of pavement or curbing back from the intersecting point of the two streets for a distance of twenty (20) feet and then connecting both end points to create a triangle. No structure other than a building constructed in accordance with the minimum setback requirements of Section 4.5, or a legal pre-existing building, shall be located on the private property within the triangular area. Additionally, vegetation within the triangular area shall be maintained at a height not to exceed three (3) feet, as measured from the edge of pavement or curbing, so as to afford adequate sight distance at the corner. Walls and fences within the triangular area shall also be subject to the same three (3) foot maximum height requirement as vegetation. (Adopted March 2017)
- (3) Except if on record or having Planning Board approval prior to March 10, 1959.
- (4) See Article IX - Manufactured Home parks and applicable State laws and regulations.
- (5) 10% of total spaces may be utilized for transient facilities. Overnight transient facilities shall be restricted to a maximum stay of fifteen (15) days, lot area not less than 1,000 square feet with a width not less than twenty-five (25) feet.
- (6) Except if on record or having tentative Planning Board approval prior to March 10, 1970.
- (7) Unless lot recorded prior to March 13, 1962.
- (8) Unless on record prior to March 11, 1958.

- (9) In cases where properties are non-conforming by reason of any or all of the provisions of this article, an addition or expansion which otherwise meets the provisions of 4.4 through 4.8 inclusive, shall be permitted without variance. This provision shall not apply to properties deemed to be non-conforming, in whole or in part, by reason of Article III, USE REGULATIONS. (Amended 1996)
- (10) (Deleted 1990)
- (11) Deleted (March 2001).
- (12) Seven (7) feet to any other building on the lot in RA and RB Districts. (Amended 2002)
- (13) For multi-family dwellings refer to Article VIII, subsection 8.2.3.
- (14) (Deleted 2002)
- (15) Fifteen (15) feet to any other building on the same lot in the RAA District.
- (16) For lots in the RCS zone, seven (7) feet from one side lot line and twelve (12) feet from the opposite side lot line. For lots in the RB zone, ten (10) feet from one side lot line (7 feet if Footnote 26 also applies) and twelve (12) feet from the opposite side lot line. The purpose of these differentials is to provide for an adequate driveway on one side or the other of the lot. In situations where the legally required parking is provided in front of the dwelling, underneath the dwelling, or by structural attachment to the dwelling, the shorter of the aforementioned setbacks shall apply to both sides of the lot. Notwithstanding, pre-existing lots of record with less than 50 feet of frontage may have a side lot line setback opposite the driveway side that is reduced to not less than 4 feet to accommodate a dwelling unit and driveway on the lot. (Amended March 2020)
- (17) Where setback requirements are four (4) feet, any part of a structure substantially on the setback line shall be of cement block construction, except that if of wood frame construction the structure

- shall have an approved sprinkler system. One and two-family dwellings are exempted from this requirement. (Amended 1991)
- (18) Twenty (20) feet between manufactured homes, not including patios, unincorporated porches, overnight transient facilities.
- (19) From public street.
- (20) If public sewer is not available, the minimum lot size shall be 40,000 square feet.
- (21) Refers to the frontage of the spaces within the parks. (Amended 1983)
- (22) A lot must be able to contain within the property lines and touching the front lot line, a square whose sides are equal in length to seventy-five percent (75%) of the frontage requirement of the district in which the lot is located. (Amended 1995)
- (23) Unless lot recorded prior to March 11, 1986. (Amended 1986)
- (24) Ten (10) feet from one side lot line and fifteen (15) feet from the opposite side lot line. (Amended 1989)
- (25) In order to correctly determine structure placement for setback requirements. (Amended 1997).
- (26) The side setback shall be 10 feet for any existing lot of record having less than the required frontage as listed in Article 4.2 in the RA zone. The side setback shall be 7 feet for any existing lot of record having less than the required frontage as listed in Article 4.2 in the RB zone. (Amended 2002)
- (27) Building Height shall be measured in accordance with Article I, Section 1.6. (Amended March, 2001)
- A. With the exception that unoccupied architectural appurtenances to which there is no public access and comprising not more than 25% of the structure's footprint in plan view shall be excluded. In no instance shall any appurtenance extend to a point greater than 60 feet in height in the BS zone measured vertically from the established average grade plane or 80 feet in height in the BS1 zone measured vertically from the established average grade plane. (Amended March 2014 & March 2020)
- (28) Any accessory building being 100 square feet or less in size and not greater than 12 feet in height shall meet a minimum setback of four feet on both sides and rear of the property line in all zones, but must maintain the minimum required front property line setback in the zone said accessory building is being located. (Amended March, 2001 & Amended 2002)
- (29) (Deleted March 2014)
- (30) These standards shall apply to new development. (Amended March 2014)
- (31) These standards apply to redevelopment of any property, with the following exceptions: That a lot lawfully existing prior to the adoption of this ordinance update, even with greater than 60% / 75% of impervious coverage, will be considered to be conforming with regard to impervious surface coverage (Article IV 4.8) provided that there is no increase in the impervious surface coverage from the redevelopment and either:
- the proposed project will not constitute a "substantial improvement" (defined as a project/development costing greater than 50% of the assessed value of the property, exclusive of the land value), or
 - the proposed project will constitute a "substantial improvement" and it can be demonstrated that stormwater management controls will be used onsite to capture, store, treat, and/or infiltrate all stormwater runoff generated by the site. (Amended March 2014)
- (32) Structures are prohibited from casting shadows on the sand on the easterly side of Ocean Boulevard prior to 6 pm from May 15th through September 1st. The shadow effects of unoccupied architectural appurtenances and structural screening shall be included in the determination of the shadow effects of the structure. In any permitting process for such structures, a shadow study from a qualified consultant shall be required for new structures exceeding 50 feet in height and for modifications to existing structures that would exceed 50 feet in height. (Amended March 2014, March 2020)
- (33) If the elevation of the structure's lowest floor above base flood elevation results in the exceedance of the maximum height requirements (in feet) provided in Article IV, Section 4.4, then the maximum height requirements (in feet) shall be increased by the elevation amount (in feet) that exceeds the maximum height requirement, up to 3 feet in accordance with Article II, Section 2.4.9(A)(1). (Amended March 2019)
- (34) If the property contains wetlands or areas of poorly and very poorly drained soils or their buffers, refer to Section 2.3.7(C) - Special Provisions regarding minimum lot size and minimum lot size per dwelling unit. (Adopted March 2019)