

ORDINANCE 06-05

AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING
ORDINANCE NO. 40-04, CHAPTER 109 ARTICLE VII (Pinelands Area
Requirements) of the MUNICIPAL LAND USE AND DEVELOPMENT CODE OF
THE TOWNSHIP OF JACKSON
AND ADOPTING AMENDMENTS TO THE ZONING MAP OF THE
TOWNSHIP OF JACKSON

WHEREAS, the Township Committee desires to enact ordinance provisions that will make the zoning requirements in the Township consistent with the recommendations set forth in the Master Plan and Master Plan Re-examinations; and

WHEREAS, the Township Committee and the Planning Board have reviewed the findings set forth in "A Regional Natural Resource Protection Plan for the Toms River Corridor" and have determined that the recommendations for re-zoning environmentally sensitive areas and for requiring cluster provisions to encourage development near to existing infrastructure and to protect critical wildlife habitat as described in the zoning changes that follow are in the best interests of the Township; and

WHEREAS ordinance 40-04 was adopted by the Jackson Township Committee on November 8, 2004 and was sent to the Pinelands Commission for review and approval; and

WHEREAS the Pinelands Commission staff has held a public hearing on the ordinance and has undertaken a detailed review of the Ordinance and Zoning Map, and the Pinelands Commission's chief planner has identified six specific concerns with regard to the new zoning map; and

WHEREAS Jackson Township's planner has reviewed the six concerns and confirmed that four were inadvertent mapping errors, one was an oversight, and one regarding the designation of part of block 40.68, lot 18.01 as PV and part of the lot as FA-2 was purposeful on the part of the Township Committee and shall remain as adopted in order to provide the potential for a future expansion of the existing municipal center on the proposed PV portion of the municipally owned lot.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Jackson, County of Ocean, State of New Jersey as follows:

1. Numbers 1 through 10 shall remain as written in ordinance 40-04.
2. Number 11 shall be revised so that the Zoning Map of Jackson Township, incorporated into Chapter 109 of the Codified Ordinances of the Township of Jackson, as revised by Ragan Design Group under the direction of the Township Committee and revised to January 24, 2004 is hereby adopted as amended pursuant to the provisions of N.J.S.A. 40:55D-32 and incorporates the following changes from the map adopted on November 8, 2004:
 - a. Block 10, Lot 6.01 was inadvertently placed in the FA-1 forest zone and should remain in the PA Preservation Area.
 - b. Block 32.01, Lot 22.01 was placed wholly in the RD-9 rural development zone and should be split for zoning purposes, with the northern portion in the FA-1 forest area zone and the southern portion in the RD-9 rural development zone.
 - c. Block 40.68, Lot 56.02 is owned by the NJDEP and was placed in the FA-2 forest area zone, but was formerly in the FA-1 zone and should remain so.
 - d. Block 40, Lot 41.30 was formerly in the RD-9 rural development zone and was placed in the PV Pinelands Village zone, but it was intended to be placed in the FA-2 forest area zone consistent with properties to the south.
 - e. Block 32.01, Lot 13 was recommended in the Toms River Corridor study for inclusion in the FA-2 forest area zoning district. The parcel was left in the RD-9 rural development district, but will be changed consistent with the Toms River Corridor study recommendations.

3. All other provisions of chapter 109 of the Codified Ordinances of the Township of Jackson shall remain in full force and effect, except to the extent modified herein.

4. This Ordinance shall take effect immediately upon due passage, publication according to law and approval by the Pinelands Commission.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on the 24th of January, 2005, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 14th day of February, 2005 at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

Prior to the second reading, a copy of this Ordinance shall be posted on the Bulletin Board in the Municipal Building and copies shall be made available at the Township Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**