

**ORDINANCE 23-19C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 189, WHICH PERTAINS TO VEHICLES AND TRAFFIC, AND IN CHAPTER 205, WHICH PERTAINS TO ZONING**

**STATEMENT OF PURPOSE**

The purpose of the Ordinance is to correct the minimum size of off-street parking spaces, add a definition to the parking regulations, and amend and clarify the zoning regulations in the general commercial and marine commercial zones.

**SECTION I**

§205-51D(1) is revised to delete "18x11" and replace with "9x18".

**SECTION II**

§189-1 is revised to add the following definition in the appropriate alphabetical order.

**DUSK TO DAWN**

Dusk to dawn means 9:00 p.m. to 6:00 a.m.

**SECTION III**

§205-2 is revised to add the following definition in the appropriate alphabetical order.

**MIXED USE**

A lot containing a combination of commercial and residential uses. The mix of uses may be contained in one or more buildings and/or separated into different buildings on a lot pursuant to the requirements of the Code.

**SECTION IV**

§205-59A(18) is repealed and replaced with the following.

- (18) Mixed uses, provided that the following standards and conditions are followed.
- (a) No residential use shall be permitted on the first floor of any structure, except access for ingress and egress to the second floor shall be permitted.
  - (b) The residential portion of the mixed use shall constitute a smaller percentage of the structure than the other uses at the property.
  - (c) A minimum of 50% of the parking at the property shall be for the non-residential uses located at the property and such parking shall otherwise comply with the minimum space requirements set forth in the Code.

**SECTION V**

§205-61A(1)(o) is repealed and replaced with the following.

- (o) Mixed uses, provided that the following standards and conditions are followed.
  - [1] No residential use shall be permitted on the first floor of any structure, except access for ingress and egress to the second floor shall be permitted.
  - [2] The residential portion of the mixed use shall constitute a smaller percentage of the structure than the other uses at the property.

- [3] A minimum of 50% of the parking at the property shall be for the non-residential uses located at the property and such parking shall otherwise comply with the minimum space requirements set forth in the Code.

#### **SECTION VI**

All Ordinances or parts of Ordinance inconsistent herewith are repealed to the extent of such inconsistency.

#### **SECTION VII**

If any word, phrase, clause, section, or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

#### **SECTION VIII**

This Ordinance shall take effect upon publication thereof after final passage according to law.

#### **Effective date.**

This ordinance shall take effect after final adoption and publication as required by law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Wednesday, July 5, 2023, at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, August 7, 2023, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

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Danielle La Valle, RMC  
Municipal Clerk

First Reading: July 5, 2023  
Publication: July 13, 2023  
Second Reading: August 7, 2023  
Final Publication: August 10, 2023  
Effective: August 10, 2023

**CERTIFICATION**

I, **DANIELLE LAVALLE, RMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 23-19C was duly adopted by the Board of Commissioners at their meeting held on Monday, August 7, 2023, at 4:00 p.m.

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Danielle LaValle, RMC  
Municipal Clerk

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