

ORDINANCE 24-04C

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

WHEREAS, §205-51 of the Township Code sets forth the residential off-street parking requirements in residential zones; and

WHEREAS, §205-51D sets forth "[t]here shall be provided at the time of erection or enlargement of any principal building or structure the following minimum off-street parking spaces with adequate provision for ingress and egress"; and

WHEREAS, "adequate provision for ingress and egress" means and includes a prohibition against stacked off-street parking on residential lots; and

WHEREAS, the Township hereby adopts this ordinance to further clarify and set forth the prohibition on stacked off-street parking.

STATEMENT OF PURPOSE

The purpose of the Ordinance is to clarify the off-street parking requirements in residential zones.

SECTION I

§205-51D is repealed and replaced with the following.

- D. Off-street parking requirements. There shall be provided at the time of erection or enlargement of any principal building or structure, where the enlargement is considered a substantial improvement, the following minimum off-street parking spaces with adequate provision for ingress and egress. All off-street parking spaces shall be proposed on survey as a condition of zoning approval. All off-street parking shall be located outside of the public rights-of-way and easements.
- (1) The minimum off-street parking spaces required is governed by the size of each dwelling unit at the property as set forth below and as calculated for tax assessment purposes, each off-street parking space shall be a minimum of 18'x 9', and a 2-car or larger garage shall count as a maximum of 1 off-street parking space towards the minimum requirement.
 - (a) 0 to 3,000 square feet: 3 off-street parking spaces.
 - (b) 3001 to 4000 square feet: 4 off-street parking spaces.
 - (c) 4001 to 5000 square feet: 5 off-street parking spaces.
 - (d) 5,000 square feet and more: 6 off-street parking spaces.
 - (2) 1 space for each 5 seats provided in churches and other public auditoriums.
 - (3) 1 space for each 5 seats provided in a school auditorium or 1 and 1/2 spaces for each staff and faculty member, whichever requirement is greater.
 - (4) For home occupations, 2 additional spaces over and above the minimum number of spaces required by (1) above.
 - (5) 1 space for each employee, plus an additional 3 spaces for clients or patients for all home professional offices in addition to the spaces required by (1) above.
 - (6) No stacked off-street parking (back-to-back with one direction of ingress and egress) shall count towards the above parking requirements, except where there is a garage stacked parking of 1 vehicle in the driveway for any size garage shall be permitted. No more than 1 vehicle for any size garage shall be counted against the minimum off-street parking requirements.

SECTION II

§172-20B is repealed and replaced with the following.

§172-20 Driveway specifications.

- B. Where curbs do not exist, a property owner shall identify a section of his property frontage for driveways with yellow paint along the edge of a paved roadway according to the regulations described above.

SECTION III

§189-5 is repealed and replaced with the following.

§189-5 Parking always prohibited.

- A. No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule I (§189-23), attached to and made a part of this chapter nor shall any person park a vehicle at any time upon any of the streets or parts thereof described in any resolution duly adopted by the governing body of the Township of Long Beach pursuant to §189-26 of this Chapter.
- B. No parking shall be permitted on a public street in front of any depressed curb cut or driveway.
- C. Parking on residential properties shall be permitted in the designated driveway area and/or parking spots approved pursuant to the Township Code. No parking shall be permitted at any other location on any residential or commercial lot other than the driveway or approved designated parking spots authorized by Chapter 205.

SECTION IV

§64-7B(2) is repealed and replaced with the following and §64-7B(8) is added as follows.

- (2) The Code Enforcement Officer shall receive a certification from the Tax Collector that all taxes and water and sewer charges have been paid and are current on the premises for which a certificate of occupancy is sought, except that payment of taxes shall not be required for a transfer of title Certificate of Occupancy. In lieu of the required certification from the Tax Collector that all taxes and water and sewer charges have been paid and are current, the Code Enforcement Officer may issue a certificate of occupancy for a proposed transfer of title upon receipt of a certification executed by the attorney for the proposed transferee guaranteeing that at the time of the transfer of title he or she shall personally be responsible for seeing to it that a certified check or an attorney's trust account check for all taxes and water and sewer charges through and including the quarter in which the certificate of occupancy is sought will be forwarded to the Tax Collector within 20 days of the date of the certification, and, upon failure to so do, said attorney shall be personally liable for the full amount thereof.
- (8) The applicant shall be compliant with §170-20 and either install the required curbing or designate the driveway area.

SECTION V

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

SECTION V

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 VI

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 24-04C 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 Monday, February 5, 2024, 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, March 4, 2024, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

Danielle La Valle, RMC
Municipal Clerk

First Reading: February 5, 2024
Publication: February 9, 2024
Second Reading: March 4, 2024
Final Publication: March 8, 2024
Effective: March 8, 2024

CERTIFICATION

I, DANIELLE LAVALLE, RMC, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 24-04C was duly adopted by the Board of Commissioners at their meeting held on Monday, March 4, 2024, at 4:00 p.m.

Danielle La Valle, RMC
Municipal Clerk

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