

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
TOWNSHIP OF SPARTA AMENDING CHAPTER XVIII
ENTITLED “COMPREHENSIVE LAND MANAGEMENT
CODE TO UPDATE AND AMEND SUBSECTION 2
“DEFINITIONS”, AND ITEM 3 “PARKING STANDARDS”
OF SUBSECTION “DESIGN STANDARDS” OF SECTION
18-5 “SITE PLAN AND SUBDIVISION STANDARDS”**

Purpose Statement. The purpose of this Ordinance is to update and amend the current definitions for indoor recreational uses listed within the Zoning Code, and to provide additional parking requirements associated with those uses to the Code.

Section 1. Section 18-2.1 entitled “Definitions” is amended to add the following definitions:

INDOOR COMMERCIAL RECREATION

Shall mean privately owned and operated indoor recreational facilities functioning within a building as a business. This use includes facilities accommodating training and the playing of indoor sports that are conducted within an indoor gymnasium, court, rink, a field, or in a pool. The use may include showers or spectator or gathering areas limited to an occupancy for no more than 50 spectators.

HEALTH CLUB

Shall mean an establishment providing a broad range of facilities and services for the promotion, maintenance, and improvement of the health and well-being of people which may be offered as membership or subscription-based, including but not limited to cardiovascular, strength training and other exercise rooms and equipment, individual and group exercise programs, swimming pools, lap pools, therapy pools, whirlpools, locker rooms, private changing rooms, steam rooms, saunas, showers, and individual and group aquatic exercise programs. Rehabilitation and physical therapy businesses shall not be considered health clubs and are excluded from this definition.

FITNESS STUDIO

Shall mean an indoor fitness business with services limited solely to offering instructor or coach led fitness or recreation classes, which may include activities such as karate and martial arts, wrestling, yoga, Zumba, private skill and sports lessons, and similar. This use does not include tournaments, competitions, demonstrations, or events with anticipated spectators.

Section 2. Section 18-5.3.h.1(a), “Parking Standards”, is amended in its entirety as follows:

Type of Use	Specific Uses	Required Spaces
Commercial	Retail	1/200 square feet of gross leasable area
	Office and banks	1/200 square feet of gross leasable area
	Medical	1/200 square feet of gross leasable area
	Hotels, motels	1 per sleeping room
	Funeral Homes	10 plus 1 for every 50 square feet of gross floor area
	Restaurants	1 for each 3 seats or 1 for each 50 square feet of service and eating area (excluding kitchen and storage, whichever is greater)
	Real estate offices for commercial or residential properties	1/200 square feet of gross leasable area
	Indoor Commercial	1 parking space per 750 square feet of gross

	Recreation	floor area for athletic activities, plus 1 parking space per 75 square feet of gross floor area of spectator viewing or gathering areas outside of the athletic space. Regardless of the above, there shall be a minimum of 50 spaces for the use. Where tournament play is anticipated, an additional 1 space for every 3 anticipated spectators shall be in addition to the parking standard for the athletic space
	Health Club	1 parking space for each 100 square feet of gross leasable floor area
	Fitness Studio in the ED, PDRM-1, and PDRM-2 Zones	1 parking space for each 200 square feet of gross leasable floor area, or 1 parking space for each 100 square feet of gross leasable floor area when the use is shared with another use on site.
	Fitness Studio in all other Zones	1 parking space for each 100 square feet of gross leasable floor area
Industrial	Warehousing	1/employee or 1/500 square feet
	Light Manufacturing	1/employee or 1/500 square feet
	Heavy Manufacturing	1/employee or 1/500 square feet (whichever is the greater)
Institutional	Wholesale store, building materials store, appliance and furniture store	1 for each 300 square feet of gross leasable floor area
	Churches, auditoriums, theaters, assembly halls, dance halls, community buildings	1 for each 3 seats
	Hospitals, nursing homes, medical institutions	1 for each 2 beds
	Senior citizen assisted living, residential care and/or independent living units	0.20 parking spaces per bed for assisted living or similar use and 1 space per unit for independent living units or similar use. There shall be at least 1 space per employee and 10% of the total parking shall be added to the total as visitor parking

Section 3. Section 18-5.3.h.1(f) is amended to add the following bolded provision:

(f) All off-street parking areas other than agricultural and residential parking areas shall be paved with bituminous concrete two inches thick after compaction, on a stable base of soil aggregate class 5 Type “A” four inches thick after compaction and approved by the Township Engineer. **The Planning Board may approve an exception to the above, subject to approval by the Township Engineer and Fire Official, to allow for alternatives to traditional pavement which may include: pervious asphalt, pervious concrete, pervious interlocking pavers, and plastic grid pavers.**

Section 4. Section 18-4.28.b.1(f) of the “Town Center Professional Business (TCPB) Zone” is replaced in its entirety as follows:

(f) Indoor Commercial Recreation and Health Clubs

Section 5. Section 18-4.30.c.5 of the “ED-1 Economic Development/Low and Moderate Cost Housing Zone” is replaced in its entirety as follows:

5. Health Clubs and/or Fitness Studios subject to the conditions set forth in Subsection 18-4.7.

Section 6. Section 18-4.7.c.15 of the Condition Uses section is replaced in its entirety as follows:

16. Health Clubs and/or Fitness Studios

- (a) The health club and/or fitness studio shall be intended to serve, at least in part, the other principal permitted uses in the ED-1 Zone.
- (b) The health club or fitness studio shall be located within buildings within the ED-1 Zone used for other principal permitted uses. The portion of the building devoted to the health and/or fitness studio shall be architecturally similar to and integrated with the other principal permitted use structures within the ED-1 Zone. The parking for the health club and fitness studio shall have one parking space for each 100 square feet of floor area for assembly halls, fitness rooms, and pools. Tennis courts and handball courts shall have four parking spaces per court. In addition, there shall be one space for each employee on duty at the center.

Section 7. Section 18-4.29.b.6, of the “ED Economic Development District” is replaced in its entirety as follows:

6. Indoor Commercial Recreation, Health Clubs, and Fitness Studios

Section 8. Section 18-4.35.b.3 of the “PDRM-1 District Zone” is replaced in its entirety as follows:

3. Indoor Commercial Recreation, Health Clubs, and Fitness Studios

Section 9. Section 18-4.36.b.3 of the “PDRM-2 District Zone” is replaced in its entirety as follows:

3. Indoor Commercial Recreation, Health Clubs, and Fitness Studios

Section 10. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 11. Repealer

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 12. Effective Date

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

NOTICE

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on June 11, 2024. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on July 23, 2024, at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on June 11, 2024. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on July 23, 2024 at 7:00 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

ROXANNE LANDY, RMC
MUNICIPAL CLERK