



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-21-29

AN ORDINANCE AMENDING SECTION 21-65.14 OF THE BOROUGH CODE TO ADDRESS OFF-STREET PARKING REQUIREMENTS

WHEREAS, the governing body wishes to amend its off-street parking requirements in recognition of an increase of pedestrian and bicycle use in the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Highlands as follows:

SECTION 1. Borough Code Section 21-65.14 “Off-Street Parking” is hereby amended to read as follows (additions are shown in **bold italics with underlines**, deletions are shown in **~~bold italics with strikethroughs~~**):

§ 21-65.14 Off-Street Parking.

A. In conjunction with any principal building or any use of land, there shall be provided sufficient parking spaces to meet the minimum requirements specified herein. The required parking may either be provided on- or off-site. Any part of the parking requirement located on a private lot other than the one on which the use is located shall be subject to a cross easement or agreements noted on the deed and recorded at the County Clerk's Office. Off-site parking provided in a municipal parking lot may be subject to an off-tract contribution for the construction of such facility.

B. The development plan shall show the total number of off-street parking spaces required for the use or combination of uses indicated in the application. Where shared parking for uses with different peak parking demands results in a documented need for fewer spaces than the sum of the individual requirements, the Board may allow the construction of the lesser number of spaces, provided the site plan shows how the additional space will be provided if necessary.

C. Residential Zones and Uses.

~~***1. For each single family dwelling unit, two (2) off-street parking spaces shall be provided on-site. Parking for multiple unit buildings shall be provided in accordance with the table below; and all spaces shall be within a maximum of two hundred (200) feet of the building entrance.***~~

~~2. Permitted nonresidential uses in a dwelling unit shall provide additional parking as required by the zoning standards for that use.~~

~~3. In residential districts no required parking space shall be located closer to a street line than the right-of-way line, nor within two (2) feet of the property line.~~

1. The number of off-street parking spaces required for residential uses shall be determined pursuant to N.J.A.C. 5:21, as amended, and by reference to the Residential Parking Schedule below. Alternative parking standards to those shown in the Schedule below shall be accepted if the applicant demonstrates these standards better reflect local conditions. Factors affecting minimum number of parking spaces include household characteristics, availability of mass transit, urban versus suburban location, and available off-site parking sources.

<u>Parking Schedule for Residential Uses</u>	
<u>Housing Unit Type/Size</u>	<u>Parking Requirement (per unit)</u>
<u>One-family and two-family^a</u>	
<u>2 Bedroom</u>	<u>1.5</u>
<u>3 Bedroom</u>	<u>2.0</u>
<u>4 Bedroom</u>	<u>2.5^c</u>
<u>5 Bedroom</u>	<u>3.0</u>
<u>Garden apartment^b</u>	
<u>1 Bedroom</u>	<u>1.8</u>
<u>2 Bedroom</u>	<u>2.0^c</u>
<u>3 Bedroom</u>	<u>2.1</u>
<u>Townhouse^{b, d}</u>	
<u>1 Bedroom</u>	<u>1.8</u>
<u>2 Bedroom</u>	<u>2.3^c</u>
<u>3 Bedroom</u>	<u>2.4</u>
<u>Mid-rise^b</u>	
<u>1 Bedroom</u>	<u>1.8</u>
<u>2 Bedroom</u>	<u>2.0^c</u>
<u>3 Bedroom</u>	<u>2.1</u>
<u>High-rise^b</u>	
<u>1 Bedroom</u>	<u>0.8</u>
<u>2 Bedroom</u>	<u>1.3^c</u>
<u>3 Bedroom</u>	<u>1.9</u>
<u>Retirement community</u>	<u>Values shall be commensurate with the most appropriate housing type and size noted above that the retirement community resembles</u>
<u>Senior citizens housing project</u>	<u>1.48</u>
<u>Assisted living</u>	<u>0.5</u>

Notes:

- a. A minimum of one parking space for a single-family detached dwelling shall be provided in a garage.**
- b. Requirements for attached units (apartment/condominium/townhouse) include provisions for guest parking (0.5 spaces per dwelling unit). Guest parking must either be provided for on street or in common parking areas.**
- c. If applicant does not specify the number of bedrooms per unit, this parking requirement shall apply.**
- d. Three-family dwellings shall be subject to the parking requirements for townhouse development.**

2. Garage and driveway combinations shall be counted as follows:

- a. Each garage car space shall be counted as 1.0 off-street parking space regardless of the dimensions of the driveway.**
- b. A one-car garage and driveway combination shall count as 2.0 off-street parking spaces, provided the driveway measures a minimum of 18 feet in length between the face of the garage door and the right-of-way.**
- c. A two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided a minimum parking area width of 20 feet is provided for a minimum length of 18 feet as specified for a one-car garage and driveway combination.**

3. When housing is included in mixed-use development, a shared parking approach to the provision of parking shall be permitted.

4. When, in the judgment of the Land Use Board, on-street parking is available, then only that proportion of the parking requirement which is not available on the street shall be provided in off-street parking facilities. A length of 23 feet per on-street parking space shall be used in calculating the number of available on-street parking spaces.

5. For projects containing dwelling units required by the New Jersey Uniform Construction Code's Barrier Free Subcode (N.J.A.C. 5:23-7), to be accessible, parking spaces for people with disabilities shall be provided in accordance with the requirements of the Barrier Free Subcode and shall be considered part of the total number of required spaces.

D. Nonresidential Zones and Uses.

1. All parking areas shall be paved, or constructed in accordance with CAFRA regulations with gravel or porous pavers, subject to the review and approval of the Borough or Board Engineer; shall be suitably drained and maintained in good condition; and all spaces and directional instructions shall be clearly marked and maintained so as to be clearly visible. Parking spaces shall be delineated by a treated wood guide rail. Such wood rail shall be constructed of treated timbers, a minimum of thirty (30) inches above grade and consist of vertical and horizontal members. The provision of improvements to delineate the parking spaces shall be at the discretion of the **Planning Board Land Use Board**, upon the advice of the Board Engineer. In cases when a stone parking

area is permitted, a suitable paved area and driveway apron, in the opinion of the Borough or Board Engineer, shall be provided to retain stone within the parking area.

2. Parking spaces or access aisles, except entrance or exit drives, shall have a minimum setback of at least one-half (1/2) the required setback for the principal building but in no case shall this distance be less than the required setback adjacent to residential districts or residential uses in a mixed use zone.

3. No change in use within a building shall be allowed unless it can be shown how sufficient parking will be provided for the new use.

4. Handicapped parking shall be required in accordance with the Americans with Disabilities Act.

5. Parking lot pavement shall consist of one (1) of the following, to be measured at a compacted depth:

- a. Four (4) inch bituminous stabilized base with one and one-half (1 1/2) inch FABC. Up to six (6) inches of DGA stone subbase, if required by Board Engineer.
- b. Four (4) inches of clean three-quarter (3/4) inch angular crushed stone.
- c. Other as approved by the approving agency.

6. In general, ninety (90) degree parking spaces shall be nine (9) feet wide by eighteen (18) feet long; and parallel parking spaces shall be eight (8) feet wide by twenty-one (21) feet long. On-site parking stalls shall be accessed from aisles the width of which shall be in accordance with the requirements specified below. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety (90) degrees.

Parking Angle (degrees)	Aisle Width (feet)
35	12 (one way)
45	13 (one way)
60	18 (one way)
90	24

7. **Non-Residential** Off-Street Parking Requirements.

The number of off-street parking spaces required for any non-residential use shall be determined by reference to Parking Schedule below, except for uses which are regulated as follows:

- a. **The following standards shall only apply to permitted nonresidential uses in the Central Business District:**

(1) Restaurant or bar: one space for each four seats or stools

(2) All other permitted nonresidential uses: no off-street parking spaces are required for the first 1,000 square feet of gross floor area of an individual use. One space shall be provided per 300 square feet of gross floor area above the first 1,000 square feet.

<u>Parking Schedule for Nonresidential Uses</u>	
Use	Number of Spaces
<i>Residential</i>	
<i>Single-family</i>	<i>2 per unit</i>
<i>Two-family</i>	<i>2 per unit</i>
<i>Multifamily</i>	<i>2 per unit, plus 0.5 spaces per unit for public parking</i>
Assembly hall, community building, club, lodge, theater, auditorium, churches, other places of assembly, <u>eating and drinking establishments</u>	<i>1 for each 100 square feet of floor area of assembly space of every 6 seats, whichever is larger</i> <u>1 for every 4 seats or 8 per 1,000 square feet of gross floor area, whichever is larger</u>
<i>Auto service</i>	<i>1 per 100 square feet of gross floor area</i>
<u>Business, commercial, personal service establishments, retail stores, auto service, wholesale service, offices</u>	<u>1 per 300 600 square feet of gross floor area</u>
<i>Eating and drinking establishments</i>	<i>1 for every four seats or 8 per 1,000 square feet of gross floor area, whichever is larger</i>
Ferry transportation services	<i>0.7-0.8</i> spaces for every passenger seat on all departing boats during a regular 24 hour period
Hotel, motel, inn, B&B (where not a conditional use)	1 for each guest unit, plus as required for other facilities available
Marina	1 for every boat slip, plus as required for other uses
Boat launches	10' x 40' space for each boat trailer, plus adequate maneuvering space for ramp, with a minimum of 10 such spaces
Boat yard	1 for every 3 boat storage spaces
<i>Offices</i>	<i>1 per 250 square feet of floor area</i>
Public and private beaches, <u>recreational uses</u>	1 for every <i>250</i> <u>25</u> square feet of beach <i>or recreation</i> <u>area</u>

<i>Recreational uses</i>	<i>1 per each person accommodated in maximum play</i>
Schools	1 for every 15 students
<i>Wholesale service establishments</i>	<i>1 for every 3 employees</i>
Health and fitness establishments	1 space per 200 square feet of gross floor area

8. Parking Structures. The location of any parking structures, if allowed, shall not be within four hundred (400) feet of the waterfront, as defined by the bulkhead or mean high water line. The architectural design of the façade of a parking structure, if permitted, shall incorporate features to add visual interest and improve the overall appearance of the structure as viewed from the street. Such features may include articulated parapet walls, ornamental projections, varied planter widths and similar items. The structure should be compatible with the building(s) served and be compatible in appearance, size, and bulk with the surrounding structures.

E. Commercial Parking Deficiency Variance and Parking Deficiency Fee.

1. The developer should provide:

- a. Adequate on-site parking to meet the requirements; or
- b. Adequate on-site parking plus acceptable off-site parking to meet the requirement.

2. If on-site and off-street parking requirements are not met as provided above, the developer must:

- a. Obtain approval of a parking space variance as subject to the provisions of this chapter and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).
- b. As a part of the variance the developer has the option to provide a plan for limiting patron numbers to the equivalent of actual parking spaces provided on site and/or including acceptable off-site spaces. This plan must include a method for validating the patron count, i.e., an official verifiable log with the number of patrons on a daily basis. Verification is also to be done by on-site visits from the Code Enforcement Official and Fire Official. This option primarily applies to ferry companies that are required to keep verifiable Coast Guard Logs. If a business cannot provide an official verifiable patron log, they cannot utilize this option.
- c. If the above plan is not provided or accepted by the ***Planning Board Land Use Board***, the developer must contribute an one-time annual fee to the Borough of Highlands ***Municipal Parking*** Capital Improvement Fund (or as otherwise named by the Chief Financial Officer), in an amount in accordance with the Parking Deficiency fee of: fifty (\$50.00) dollars per space for one (1) to nine (9) deficient spaces and one five hundred (\$100.00-500.00) dollars per space for those deficient ten (10) or more spaces.

~~*d. The funds from the Borough of Highlands Parking Capital Improvement Fund can be utilized solely for the purpose of upgrading and improving parking in the Borough including improving municipal owned lots, conducting professional studies, the preparation of applications for grants and such other uses as the Governing Body determines necessary and proper.*~~

SECTION 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION 4. This Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA			X			
MELNYK			X			
OLSZEWSKI		X	X			
BROULLON	X		X			

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: June 16, 2021

Michelle Hutchinson Acting Municipal Clerk
Borough of Highlands

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN						
MAZZOLA						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: August 18, 2021

Michelle Hutchinson Acting Municipal Clerk
Borough of Highlands

Carolyn Broullon, Mayor