

ORDINANCE NO. 2014-16

AN ORDINANCE AMENDING CHAPTER 450 OF THE CODE OF THE BOROUGH OF BRADLEY BEACH WHICH ESTABLISHES LAND USE ZONES AND REGULATES ZONING IN THE BOROUGH TO REZONE PORTIONS OF THE GB-GENERAL BUSINESS ZONE TO CREATE GBW-GENERAL BUSINESS WEST ZONE AND OTHER AMENDMENTS IN THE GB-GENERAL BUSINESS ZONE

WHEREAS, the Mayor and Council have determined that a portion of the GB-General Business Zone located between Park Place Avenue and Evergreen Avenue on the west side of Main Street be amended to create a new zone to be known as the GBW-General Business West Zone; and

WHEREAS, that portion of the GB-General Business Zone now to be known as the GBW-General Business West Zone is more appropriately suited for development at increased heights with on-site parking and other permitted development; and

WHEREAS, the change of zoning from the GB-General Business Zone to the newly created GBW-General Business West Zone is consistent with the intent and purposes of the Master Plan.

NOW THEREFORE BE IT ORDAINED by the Mayor and Counsel of the Borough of Bradley Beach that *Chapter 450, Zoning*, is amended to rezone portions of the GB Zone between Park Place Avenue and Evergreen Avenue on the west side of Main Street as follows:

Article V, Section 450-29A is hereby supplemented to provide for the GBW General Business West Zone.

450-29A. GBW GENERAL BUSINESS WEST ZONE.

In the General Business West Zone, no premises shall be used and no structure shall be erected, altered, or occupied for any purpose except the following and shall be further limited to those uses which are clearly of a scale and nature designed primarily to serve adjacent residential areas within a three-mile radius and which only incidentally serve other areas.

- A. Permitted principal uses.
 - (1) Retail business establishments, including but not limited to the following:
 - (a) Permitted on the first floor only:
 - (i) Stores selling groceries, meats and poultry, baked goods, and other such items.
 - (ii) Drug and pharmaceutical stores.
 - (iii) Hardware, dry goods, and household supply stores.

- (iv) Liquor stores.
 - (v) Luncheonettes, delicatessens and confectionery stores.
 - (b) Permitted on the first and second floor only:
 - (i) Stationery, tobacco and newspaper stores.
 - (ii) Haberdashery, apparel and shoe stores.
 - (iii) Restaurants, diners and other eating and drinking establishments.
 - (2) Personal service establishments, which shall include, but are not limited to, the following are permitted on the first and second floors only.
 - (a) Barber and beauty shops.
 - (b) Shoe repair shops.
 - (c) Tailor shops, dry-cleaning shops and self-service laundries.
 - (3) Business and professional offices, banks and fiduciary institutions, and post offices, are permitted on the first and second floors only.
 - (4) Office buildings are permitted on the first and second floors only.
 - (5) Public parks and playgrounds are permitted on the ground floor only.
 - (6) Municipal buildings and other public facilities providing services essential to the operation of the Borough, subject to the general review and recommendation by the Planning Board, are permitted on the first and second floors only.
 - (7) Hotels and motels, subject to the requirements and limitations of Chapter 258, Hotels, are permitted on all floors.
 - (8) Child care centers are permitted on the first and second floors only.
 - (9) Residential on the third and fourth floors in combination with permitted retail business or personal service establishments on the first floor.
- B. Permitted accessory uses.
- (1) Storage buildings and garages subject to requirements in the Schedule of Height, Area and Yard Requirements.^[1]
 - [1]: *Editor's Note: The Schedule of Height, Area and Yard Requirements is included at the end of this chapter.*
 - (2) Signs and awnings, subject to the requirements and limitations of Article X, Signs and Awnings.
 - (3) Parking lots and parking garages, limited to grade or first floor only.
 - (4) Trash storage and recycling enclosures.
- C. Conditional uses.
- (1) Churches, lodges and similar quasi-public uses subject to the requirements and limitations in § 450-35.
 - (2) Telecommunications towers and antennas, subject to the requirements and limitations of § 450-37 and Article XI, Telecommunications Towers and Antennas.
 - (3) Townhouses subject to the requirements and limitations of § 450-27D(2).
- D. Area, yard and building requirements. The following standards are established hereafter and are further set forth in the Schedule of Height, Area and Yard Requirements of this chapter:^[2]
- (1) Area, yard and building limitations:

- (a) Minimum lot area: 5,000 square feet.
- (b) Minimum lot width: 50 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Minimum front yard: none.
- (e) Minimum side yards: none.
- (f) Minimum rear yard: 10 feet.
- (g) Maximum building height: 48 feet. (4 stories)
- (h) Maximum building coverage: 90%.
- (i) Maximum impervious coverage: 100%.
- (j) Minimum off-street parking: per § 450-39.
- (k) Minimum side yard (accessory structure): five feet.
- (l) Minimum rear yard (accessory structure): five feet.
- (m) Maximum building area (accessory structure): 120 square feet.
- (n) Maximum building height (accessory structure): 16 feet (one story).

[2]: *Editor's Note: The Schedule of Height, Area and Yard Requirements is included at the end of this chapter.*

E. Supplementary regulations.

- (1) Nothing shall be stored out-of-doors for any purpose except that garbage and trash or any other refuse awaiting disposal may be stored in a rear yard in a completely enclosed container.
- (2) Persons establishing uses in this zone are encouraged to give particular attention to aesthetic considerations, especially in connection with structural design and the use of landscaping to soften building lines.

Article V, Section 450-29. GBE General Business Zone is deleted in its entirety and the following substituted in its place:

450-29. GB GENERAL BUSINESS ZONE.

In the General Business Zone, no premises shall be used and no structure shall be erected, altered, or occupied for any purpose except the following and shall be further limited to those uses which are clearly of a scale and nature designed primarily to serve adjacent residential areas within a three-mile radius and which only incidentally serve other areas.

A. Permitted principal uses.

- (1) Retail business establishments, including but not limited to the following:
 - (a) Stores selling groceries, meats and poultry, baked goods, and other such items.
 - (b) Drug and pharmaceutical stores.
 - (c) Hardware, dry goods, and household supply stores.
 - (d) Liquor stores.
 - (e) Stationery, tobacco and newspaper stores.
 - (f) Luncheonettes, delicatessens and confectionery stores.
 - (g) Haberdashery, apparel and shoe stores.
 - (h) Restaurants, diners and other eating and drinking establishments.

- (2) Personal service establishments, which shall include, but are not limited to, the following:
 - (a) Barber and beauty shops.
 - (b) Shoe repair shops.
 - (c) Tailor shops, dry-cleaning shops and self-service laundries.
 - (3) Business and professional offices, banks and fiduciary institutions, and post offices.
 - (4) Office buildings.
 - (5) Public parks and playgrounds.
 - (6) Municipal buildings and other public facilities providing services essential to the operation of the Borough, subject to the general review and recommendation by the Planning Board.
 - (7) Hotels and motels, subject to the requirements and limitations of Chapter 258, Hotels.
 - (8) Residential on the second and third floors in combination with permitted retail business or personal service establishments on the first floor.
 - (9) Child care centers.
- B. Permitted accessory uses.
 [Amended 4-24-2007 by Ord. No. 2007-6]
- (1) Storage buildings and garages subject to requirements in the Schedule of Height, Area and Yard Requirements.^[1]
 - [1]: *Editor's Note: The Schedule of Height, Area and Yard Requirements is included at the end of this chapter.*
 - (2) Signs and awnings, subject to the requirements and limitations of Article X, Signs and Awnings.
 - (3) Parking lots and parking garages.
 - (4) Trash storage and recycling enclosures.
- C. Conditional uses.
- (1) Churches, lodges and similar quasi-public uses subject to the requirements and limitations in § 450-35.
 - (2) Telecommunications towers and antennas, subject to the requirements and limitations of § 450-37 and Article XI, Telecommunications Towers and Antennas.
 - (3) Townhouses subject to the requirements and limitations of § 450-27D (2).
- D. Area, yard and building requirements. The following standards are established hereafter and are further set forth in the Schedule of Height, Area and Yard Requirements of this chapter.^[2]
- (1) Area, yard and building limitations:
 - (a) Minimum lot area: 5,000 square feet.
 - (b) Minimum lot width: 50 feet.
 - (c) Minimum lot depth: 100 feet.
 - (d) Minimum front yard: none.
 - (e) Minimum side yards: none.
 - (f) Minimum rear yard: 10 feet.
 - (g) Maximum building height: 40 feet. (3 stories)
 - (h) Maximum building coverage: 90%.

- (i) Maximum impervious coverage: 100%.
- (j) Minimum off-street parking: per § 450-39.
- (k) Minimum side yard (accessory structure): five feet.
- (l) Minimum rear yard (accessory structure): five feet.
- (m) Maximum building area (accessory structure): 120 square feet.
- (n) Maximum building height (accessory structure): 16 feet (one story).

[2]: *Editor's Note: The Schedule of Height, Area and Yard Requirements is included at the end of this chapter.*

E. Supplementary regulations.

- (1) Nothing shall be stored out-of-doors for any purpose except that garbage and trash or any other refuse awaiting disposal may be stored in a rear yard in a completely enclosed container.
- (2) Persons establishing uses in this zone are encouraged to give particular attention to aesthetic considerations especially in connection with structural design and the use of landscaping to soften building lines.

BE IT FURTHER ORDAINED by the Mayor and council of the Borough of Bradley Beach that Chapter 450 is hereby amended as follows:

Article V, Section 450-39 Schedule of required off-street parking spaces is supplemented as follows:

450-39 Schedule of required off-street parking spaces.

Off-street parking spaces shall be provided for each use in accordance with the following schedule:

- A. Retail commercial: one parking space for every 200 square feet of floor area, in excess of 1,000 square feet of total area, used for retail commercial purposes.
- B. Professional and general office: one parking space for every 200 square feet of floor area used for office purposes.
- C. Bars and restaurants:
 All zones except General Business Zone and General Business West Zone: one parking space for every three seats for patrons, plus one space for each employee during the maximum shift.
 General Business Zone and General Business West Zone: one parking space for each hundred (100) square feet of floor area, designated for commercial purposes.
- D. Hotels, motels, bed-and-breakfasts: one parking space per sleeping or dwelling unit, plus one space for each employee during the maximum shift.
- E. Residential: as specified in the Residential Site Improvement Standards or as indicated in this chapter, whichever is greater.
- F. Other: as determined and specified by the Planning or Zoning Board.

Article III, Section 450-6 be deleted in its entirety and the following be substituted in its place:

450-6 Zoning Map

The boundaries of all zones are as shown on the map entitled "Zone Map of the Borough of Bradley Beach, Monmouth County, New Jersey prepared by Leon S. Avakian, Inc., Consulting Engineers, Neptune, N.J., July 2014".

Article V, Section 450 Attachment I, be deleted in its entirety and the following be substituted in its place:

450 Attachment I

450 Attachment I is amended to include the GBW - General Business West Zone, revised August, 2014.

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

MARY ANN SOLINSKI
Borough Clerk

GARY ENGELSTAD
Mayor

Introduced: August 12, 2014
Date of Hearing and Adoption: August 26, 2014

Intro Date and Place of Publication: _____

Final Date and Place of Publication: _____