

ORDINANCE #2018-06
**AN ORDINANCE REVISING THE BOROUGH CODE OF THE
BOROUGH OF ALLENHURST, CHAPTER XXVI ENTITLED
“DEVELOPMENT REGULATIONS” REGULATING THE USES
PERMITTED IN THE ZONING DISTRICTS**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the Development Regulations regulating the uses permitted in the zoning districts to address the needs of the community and in compliance with Federal Law;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

I. Chapter XXVI subsection “26-2.1” entitled “Definitions” be and is hereby amended to add the following additional definitions:

“Accessory Use” shall mean a building, or a portion of a building, use or structure, or portion of a structure, customarily incidental and subordinate to the principal use of land or buildings and located on the same lot with the principal use or building, whether the same be attached or detached.

“Houses of Worship” shall mean a building or group of buildings, including customary accessory buildings, designed or intended for public worship on a permanent or continuous basis including, but not limited to, a building or structure where people regularly assemble for worship, chapels, cathedrals, synagogues, temples, church houses, churches, meeting houses and similar designations as well as parish houses, convents and such accessory uses. A “house of worship” is further defined as a place used as the regular site for the traditions services of an organized religious body, which services are presided over by the ordained minister of said religion. A “house of worship” may maintain on its premises such activities affiliated with said house of worship as are reasonably related to traditional house of worship use, such as but not limited to worship services, religious education programs, house of worship social and recreational activities and such similar organizations or functions, all of which are hereby deemed to be accessory uses.

II. Chapter XXVI subsection “26-4.3” entitled “**R-2 Residential District**” be and is hereby amended to add subsection (a) as follows:

a. Conditional Uses permitted in the R-2 zone include Houses of Worship as herein defined. (Ord. 2018-05). Said use is conditioned upon meeting all applicable bulk requirements including, but not limited to, the Off-Street Parking set forth in §26-5.8(b)(4).

III. Chapter XXVI subsection “26-4.5(a)” entitled “**C-1 Commercial District**” be and is hereby amended to add a 54th use as follows:

54. Houses of Worship as herein defined. (Ord. 2018-05).

VI. Chapter XXVI subsection “26-4.8(a)” entitled “**B-1 Business Office District**” be and is hereby amended to add the following additional permitted use:

3. Houses of Worship as herein defined. (Ord. 2018-05).

VI. Chapter XXVI subsection “26-4.9” entitled “**B-2 Business Office District**” subsection “a”

be and is hereby deleted and replaced with the following:

- a. Uses. In the B-2 district no building shall be erected and no building shall be used for other than business offices, a post office or Houses of Worship as herein defined. (Ord. 2018-05).

VII. Chapter XXVI subsection “26-5.8(b)” entitled “**Off-Street Parking, Loading and Driveways**” be and is hereby amended to add the following additional specific requirement:

4. Houses of worship shall provide a minimum of one (1) off-street parking space for every six (6) permanent seats, inclusive of benches, located within the main congregation seating area, or where seats or benches are not provided, one (1) off-street parking space per 75 square feet of gross floor area within the main congregation seating area. (Ord. 2018-05). All parking areas consisting of 5 or more stalls shall include a minimum 5 foot buffer when located adjacent to a residential use. The buffer shall consist of landscaping and a solid fence of at least 4 feet in height.

VII. All ordinances and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency; and, it is further

ORDAINED that except as herein above provided, the remainder of Chapter XXVI entitled “Development Regulations” shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of these ordinances are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of these ordinances shall stand notwithstanding the invalidity of any part; and it is further

ORDAINED that the Borough Clerk be and is hereby directed to give notice at least ten (10) days prior to hearing on the adoption of this Ordinance to the Monmouth County Planning Board and to the Clerks of each adjacent municipality pursuant to N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage hereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.A. 40:55D-16. The Borough Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1; and it is further

ORDAINED that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

VOTE: Comm. Bolan AYE; Mayor McLaughlin AYE

APPROVED: April 24, 2018

ADOPTED: May 8, 2018

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of a Resolution adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on May 8, 2018.

Donna M. Campagna
Borough Clerk/Administrator

