

NOTICE OF PENDING ORDINANCE
NOTICE IS HEREBY GIVEN

that at a virtual meeting of the Council of the Borough of North Plainfield held on November 17, 2020 there was introduced and read for the first time, and passed on such first reading, an ordinance, a true copy whereof is printed below and that said Council did then and there fix the regular meeting of said Council to be held on December 14, 2020 at 7:30 p.m. or as soon thereafter as the matter may be heard, and the Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place when and where said ordinance will be further considered for final passage, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

The said ordinance as introduced and passed on first reading as aforesaid is in the following words and figures:

ORDINANCE NO. 20-14

BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII, TRAFFIC, MOST NOTABLY SECTION 7-3.8 ENTITLED “PARKING OF VEHICLES ON LAWNS”; CHAPTER XIV, STREETS, SIDEWALKS AND SANITATION, MOST NOTABLY SECTION 14-3.1, ENTITLED “SIZE OF DRIVEWAYS PROVIDED” AND SECTION 14-3.2 ENTITLED “EXISTING DRIVEWAYS CONTINUED”; AND CHAPTER XXII, LAND DEVELOPMENT, MOST NOTABLY SECTION 22-117.1 ENTITLED “OFF STREET PARKING; ACCESSORY USE,” SECTION 22-117.2 ENTITLED “OFF STREET PARKING SPACE REQUIREMENTS” AND SECTION 22-117.4, ENTITLED “REQUIREMENTS FOR ONE AND TWO-FAMILY RESIDENCE PARKING.”

WHEREAS, the Borough wishes to amend, revise and supplement the Borough Code of the Borough of North Plainfield as it relates to Chapter VII, TRAFFIC, most notably section 7-3.8 entitled “Parking of Vehicles on Lawns”; Chapter XIV, Streets, Sidewalks and Sanitation, most notably Section 14-3.1, entitled “Size of Driveways Provided” and Section 14-3.2 entitled “Existing Driveways Continued”; and, Chapter XXII, Land Development, most notably Section 22-117.1 entitled “Off Street Parking; Accessory Use,” Section 22-117.2 entitled “Off Street

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Parking Space Requirements” and Section 22-117.4, entitled “Requirements for One and Two-Family Residence Parking.”

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield is hereby amended, revised and supplemented as to Chapter VII, TRAFFIC, most notably section 7-3.8 entitled “Parking of Vehicles on Lawns”; Chapter XIV, Streets, Sidewalks and Sanitation, most notably Section 14-3.1, entitled “Size of Driveways Provided” and Section 14-3.2 entitled “Existing Driveways Continued”; and, Chapter XXII, Land Development, most notably Section 22-117.1 entitled “Off Street Parking; Accessory Use,” Section 22-117.2 entitled “Off Street Parking Space Requirements” and Section 22-117.4, entitled “Requirements for One and Two-Family Residence Parking, as follows:

§ 7-3.8 Parking of Vehicles on Lawns, is hereby amended as follows:

§ 7-3.8 Parking of Vehicles on ~~Lawns~~ Front Yards.

~~Except as provided in other regulations, n~~No owner of any vehicle that is or is required to be registered and/or licensed by the Motor Vehicle Commission or equivalent agency as a vehicle may park that vehicle on ~~the lawn~~ that portion of the front yard which is directly in front of any principal structure, as defined in section 22-3, of a structure any premises located in a residential district except for an attached and front-facing garage. Such vehicles include by way of example, but not by limitation, automobiles, trucks, buses, vans, sport utility vehicles, motorcycles, boats, and trailers. This section shall not be construed to preclude the parking of vehicles on the driveway area of the property as set forth in section 22-117.2 and section 22-117.4. The person/entity responsible for the enforcement of this Section shall be the North Plainfield Police Department and/or ~~a person/entity duly authorized by the Borough~~ the Code Enforcement

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Officer of the Borough of North Plainfield or their designee.

§ 14-3.1 Size of Driveways Provided, is hereby amended as follows:

It shall be unlawful for any owner or lessee of any real property in the Borough to lay out, construct, maintain any driveway to be used for the purpose of entering or leaving the premises owned or leased, which no narrower than eight feet in width; nor wider than eighteen feet (18' 00") or thirty percent (30%) of lot frontage in width, whichever is less, except for driveways fronting a two (2) car or more garage for a length of one (1) car length or twenty (20) feet in front of the garage door. exceeds thirty (30') feet in width measured along the curb line, provided however, that where the property fronts on more than one street the owner or lessee may use and maintain one driveway on each street contiguous to the property for every one hundred (100') lineal feet frontage or fraction thereof along that street, driveways to be separated by at least five (5') lineal feet measured along the curb line and provided further that where the property fronts on only one street, two driveways separated by not less than five (5') lineal feet measured along the curbing, may be maintained for the first two hundred (200') lineal feet of frontage or fraction thereof and one driveway for each additional one hundred (100') lineal feet of frontage or fraction thereof. The person/entity responsible for the enforcement of this Section shall be the Code Enforcement Officer of the Borough of North Plainfield.

§ 14-3.2 Existing Driveways Continued, is hereby amended as follows:

The maintenance of existing driveways, which do not conform to the provisions of subsection 14-3.1 of this Section, may be continued, provided however, that if and when existing buildings or fixtures are altered, rearranged, reconstructed, repaired, or additional buildings added, or other improvements made to the property wherein the cost of any or all of such alterations, rearrangements, reconstruction, additions, and other improvements exceeds 50%

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30% of the assessed value of existing improvements on the property, then the driveways shall be reconstructed so as to conform to subsections 14-3.1 and subsections 22-117.2 and 22-117.4.

§ 22-117.1 Off Street Parking; Accessory Use

Off-street parking shall only be ~~used~~ as an accessory use in conjunction with any allowable primary use. No vehicle shall be parked on the lawn front yard, as defined in section 22-3, of any premises located in a residential district except as provided in this section.

§ 22-117.2 Parking Space Requirements, is hereby amended as follows:

Provision shall be made for at least two off-street parking spaces for each dwelling unit in any residential use plus one off-street parking space for each roomer and boarder. For each dwelling unit in any single-family or two-family residence hereafter erected, at least one of the off-street parking spaces shall be in an enclosed garage. Existing residences not meeting enclosed garage requirements at the time of adoption of this chapter are excepted ~~this requirement~~ from the requirement for enclosed garage parking, but shall follow all front yard parking requirements and driveway parking requirements herein and in § 22-117.4. For all other new buildings and uses there shall be provided the number of parking spaces as set forth in the following schedule:

- a. In the "B" Business Zone, no off-street parking shall be required for buildings with a gross area of all floors of 5,000 square feet or less. For buildings in that zone in excess of 5,000 square feet, one parking space shall be required for each 200 square feet in excess of 5,000 square feet.
- b. All nonresidential uses, except those in the "B" Business Zone, shall provide off-street parking in accordance with the following schedule:

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1. Barber and Beauty Shops - two spaces per chair plus one additional space for each employee.
2. Corporate or Business Office - one space for each 250 square feet of gross floor area.
3. Professional Office, Other than a Health Care Office - one space for each 250 square feet of gross floor area.
4. Retail or Wholesale Store - one space for each 250 square feet of gross floor area.
5. Restaurant - one space for each three seats devoted to services.
6. Theater or Auditorium - one space for each three seats.
7. Nursing Home or Hospital - one space for every two beds.
8. Bowling Alley - five spaces for each alley.
9. Community Center or Assembly Hall (without fixed seats) - three spaces for each 200 square feet of gross floor area.
10. Laundromats - one space for every two washing machines.
11. Motels and Hotels - one space for each rental living unit in addition to one space for each two employees.
12. Health Care Office - one space for each 200 square feet of gross floor area.
13. Warehouse - one space for each 400 square feet of gross floor area.
14. Mixed Use - Each use shall be measured separately with the total parking required to equal the sum of the individual requirements.
15. Unlisted Uses - one space for each 200 square feet of gross floor area unless waived by the Planning Board.

c. All nonresidential uses, except those in the "B" Business Zone, shall provide off-street parking in accordance with the requirements for driveway and parking facilities as set forth in § 22-117.4(d) through § 22-117.4(g).

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d. The person/entity responsible for the enforcement of this Section shall be the Code Enforcement Officer of the Borough of North Plainfield.

§ 22-117.4 Requirements for One and Two-Family Residence Parking, is hereby amended as follows:

- a. Off-street parking facilities shall be located on the same lot with the principal building.
- b. Off-street parking facilities shall be graded, paved, or gravel surfaced, drained, lighted and maintained by the owners, and such facilities shall be arranged for convenient access and safety of pedestrians and vehicles. In the interest of safety, such facilities shall have adequate means of access to and egress from a street.
- c. ~~Driveway~~ Only driveway areas may be used for the required parking spaces.
- d. Driveways shall be ~~at least~~ no narrower than eight feet in width nor wider than eighteen feet (18' 00") or thirty percent (30%) of lot frontage in width, whichever is less, except for driveways fronting a two (2) car or more garage for a length of one (1) car length or twenty (20' 00") feet in front of the garage door.
- e. No more than thirty percent (30%) of a front yard as defined in § 22-3 may be used for parking and/or driveway facilities.
- f. Driveways and/or parking areas shall be located along a property line of the the principal use so as to provide direct access to the garage, side yard or rear yard, but in no case shall be located closer than two (2) feet to an existing property line.
- g. Driveways and/or parking areas must be delineated by pavement or edging of a permanent nature and shall be paved or gravel surfaced, shall be of the same material throughout its length and width, and shall not use any lawn or landscaped area of a front yard in any case.

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- h. Circular driveways, consisting of two (2) entrances/exits along a single property line, are specifically prohibited on any lot or principal use which has less than one hundred feet (100' 00") of frontage on a side or secondary street. Circular driveway entrances/exits shall be limited to side or secondary street frontage only.
- i. When a driveway is installed, relocated or repaved, all sidewalks which are disturbed must be replaced with concrete or bluestone slabs to match adjacent undisturbed sidewalk areas; provided, however, that any gravel sidewalk crossing the driveway must be replaced with a concrete sidewalk.
- j. When a driveway is installed, relocated or repaved, all aprons in good condition may be replaced with concrete or bluestone slabs to match adjacent undisturbed sidewalk areas; provided, however, that any gravel apron must be replaced with a concrete apron.
- k. Existing residences, properties and principal use premises which had approved driveway and/or parking areas not meeting the requirements of § 22-117.2 at the time of adoption of this chapter are excepted from the requirements of subsections (d), (e) and (f) of this section, but shall not use any portion of a front yard or side yard except as previously approved.
- l. The person/entity responsible for the enforcement of this Section shall be the Code Enforcement Officer of the Borough of North Plainfield or their designee. A Zoning and/or Building Permit is required for any installation or alteration of a driveway if the installation or alteration of the driveway is not part of development or construction of other parts of the premises, such as reconstructing a garage or primary structure.

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NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

3. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

Copies of the full Ordinance are on file with the Borough Clerk of the Borough of North Plainfield in the Municipal Building, 263 Somerset Street, North Plainfield, New Jersey. Copies may be obtained upon request and a copy is posted on the Bulletin Board in the Municipal Building reserved for such purpose.

Richard K. Phoenix, RMC
Borough Clerk

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