**BOROUGH OF BEACH HAVEN**

**COUNTY OF OCEAN**

**ORDINANCE #2020-03C**

**AN ORDINANCE AMENDING AND SUPPLEMENTING Chapter 212, “Zoning” of the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey, 2000.**

 **WHEREAS,** the Borough wished to correct inconsistencies within the chapter; and

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN AS FOLLOWS:**

**SECTION I**

 Section 212-9(B) shall be amended as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

# H. All lots adjacent to the beach-dune protective facility as shown on the Master Plan for Beach Haven. Any residential structure built on one of those lots shall have the ~~bottom of the first-floor joists~~ lowest horizontal structural member at a minimum elevation set in compliance with the Flood Insurance Rate Map for Ocean County, New Jersey, as shown on Index and Numbers 0584, 0592, 0603, 0611 whose effective date was September 29, 2006 and any and all amendments or modifications thereto which include the Preliminary Flood Insurance Rate Maps dated January 30, 2015. Where the effective mapping for base flood elevation conflict or overlap with best available flood hazard data, whichever imposes the more stringent requirement shall prevail plus one foot of freeboard.

# SECTION II

Section 212-23 shall be supplemented by the addition of the following subsection D:

[D.](https://ecode360.com/print/8940727#8940727)Parking lots in the Business District (BD) and Marine Commercial District (MC).

 [(1)](https://ecode360.com/print/8940728#8940728)Parking lots shall be a permitted use in the BD and MC Districts as a primary use.

 [(2)](https://ecode360.com/print/8940729#8940729)Parking lots are permitted as an accessory use to meet parking, requirements for a permitted use, and may be on a separate lot, provided that:

 [(a)](https://ecode360.com/print/8940730#8940730)The parking lot is within the same zone district as the primary use; and

 [(b)](https://ecode360.com/print/8940731#8940731)The parking lot is within 200 feet of the primary use.

 [(3)](https://ecode360.com/print/8940732#8940732)Site plan approval is required for all parking lots.

**SECTION III**

Section 212-27E shall be removed in its entirety.

# SECTION IV

 **Repealer.** All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

# SECTION V

 **Severability.** If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

# SECTION VI

 **Effective Date.** This Ordinance shall take effect upon publication thereof after final passage according to law.

**NOTICE**

 Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on February 10, 2020 at 6:00 p.m. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 300 Engleside Avenue, Beach Haven, NJ 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m.

 Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on March 9, 2020 at 6:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

**CERTIFICATION**

 I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on first reading by the Municipal Council of the Borough of Beach Haven at a regular meeting held on the 10th day of February, 2020, a quorum being present and voting in the majority.

 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of February, 2020.

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 Sherry Mason, RMC, CMR, CMC

Municipal Clerk

*First Reading: February 10, 2020*

*First Publication: February 20, 2020*

***Final Reading: March 9, 2020***

*Second Publication: March 19, 2020*

*Effective Date: March 29, 2020*