

CITY COUNCIL

The City of Orange Township, New Jersey

DATE _____

NUMBER 78-2023

TITLE: AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 210 OF THE CITY OF ORANGE TOWNSHIP MUNICIPAL CODE, ENTITLED "DEVELOPMENT REGULATIONS", IN ACCORDANCE WITH THE MUNICIPAL LAND USE LAW, *N.J.S.A. 40:55D-1 ET SEQ.*, TO INCREASE MINIMUM OFF-STREET RESIDENTIAL PARKING REQUIREMENTS IN AREAS OF THE CITY OF ORANGE TOWNSHIP NOT OTHERWISE GOVERNED BY A REDEVELOPMENT AND/OR REHABILITATION PLAN ADOPTED BY THE MUNICIPAL COUNCIL IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

WHEREAS, the Municipal Council ("Municipal Council") of the City of Orange Township ("City") adopted Chapter 210 of the Municipal Code, entitled "Development Regulations", in its current form on November 4, 2020, with amendments thereafter from time-to-time ("Development Regulations"); and,

WHEREAS, the Development Regulations establish minimum off-street residential parking requirements for all new development in areas of the City that are not otherwise governed by a redevelopment and/or rehabilitation plan adopted in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, (collectively, "Residential Parking Requirements"); and,

WHEREAS, after re-examining the Residential Parking Requirements in the context of parking needs created by new development, it was found that they do not accurately reflect those needs, resulting in overflow of new parked vehicles on surrounding streets; and,

WHEREAS, to address this deficiency, the Municipal Council now wishes to amend the Development Regulations in order to increase the Residential Parking Requirements, such that:

1. new single-family, 2-family and townhouse residences shall be required to have a minimum of 2 off-street parking spaces for each unit; and,
2. new multi-family residential buildings shall be required to have a minimum of 1 off-street parking space for each studio, 1- and 2-bedroom unit, and a minimum of 2 off-street parking spaces for each unit with 3+ bedrooms;

(together, "Parking Amendment"); and,

WHEREAS, through adoption of Resolution No. ~~461~~-2023 on December 5, 2023, the Municipal Council referred its proposed Parking Amendment to the City of Orange Township Planning Board ("Planning Board") for consideration in accordance with *N.J.S.A. 40:55D-64*; and,

WHEREAS, the Planning Board reviewed the Parking Amendment at its regular meeting on January , 2024, and authorized the Planning Board Attorney to issue correspondence to the Mayor and Municipal Council advising the Municipal Council of its findings, comments and recommendations regarding same; and,

WHEREAS, having considered the Planning Board's written findings, comments and recommendations, the Municipal Council now wishes to approve and adopt the Parking Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY that Chapter 210 of the (UNDERSCORES ARE ADDITIONS, {BRACED-STRIKEOUTS} ARE DELETIONS)


A. Mizrahi
CITY ATTORNEY

Municipal Code of the City of Orange Township, entitled "Development Regulations", is hereby amended and supplemented as follows:

Section 1 Amendments to Off-Street Parking Requirements.

§ 210-29.1 Off-street parking.

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Off-street Minimum Parking - Residential and Nonresidential Zones	
Land or Building Use	Minimum Required Off-Street Parking Spaces
{House in R-1 and R-2} <u>Single and Two-Family Residence</u>	{1} <u>2</u> for each {1/2} dwelling unit.
{House or dwelling unit in all other zones except TVO} <u>Studio, 1 Bedroom, 2 Bedroom dwelling unit in a multi-family building (i.e., 3+ total units)</u>	1. <u>33</u> for each {2/3} dwelling unit.
<u>3+ Bedroom dwelling unit in a multi-family building (i.e., 3+ total units)</u>	<u>2</u> for each dwelling unit.

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Section 2 Severability of Ordinance Provisions.

Each Section of this Ordinance is an independent Section and any part hereof found unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other parts hereof.

Section 3 Conflicts and Inconsistencies.

All other Ordinances and parts of Ordinances that conflict or are inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

Section 4 Effective Date.

Following final passage, this Ordinance shall take effect upon the expiration of 20 days after publication, unless otherwise provided by the Municipal Council.

PURPOSE: To increase minimum off-street residential parking requirements within areas of the City not governed by a redevelopment and/or rehabilitation plan.

FISCAL IMPACT: None.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Approved:

Dwayne D. Warren, Esq.
Mayor