

**BOROUGH OF SPRING LAKE HEIGHTS
ORDINANCE NO. 2023-03**

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE VI ZONING REGULATIONS, SECTION 603 (PROHIBITED USES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS.

BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey that the Borough's Land Development Ordinance at Chapter 22, Article VI Zoning Regulations, Section 603 (Prohibited Uses) is hereby amended as follows:

NOTE: Sections of Chapter 22, Article VI Zoning Regulations that are to be added are set forth below. All additions are shown in ***bold with italics with underlines***. All deletions are shown in ***~~bold italics with strikeouts~~***. All sections that are unchanged remain in regular typeface.

Chapter 22, Article VI Zoning Regulations shall be revised to amend Section 603 entitled "Prohibited Uses."

CHAPTER 22 MUNICIPAL LAND USE REGULATIONS

ARTICLE VI ZONING REGULATIONS

22-603 PROHIBITED USES

Any use not specifically permitted ***or conditionally permitted*** in a zone shall be considered ***to be*** prohibited. Prohibited uses in all zones include, but are not limited to, the following:

- a. Junk yards.
- b. Manufacturing, fabrication, assembly or other industrial process.
- c. Firearm target ranges, skeet or trap shooting ranges or any use, activity or structure which is for the purpose of, or incorporates incidental facilities, for the discharge of firearms for any purpose.
- d. Campgrounds or any other facility for temporary or transient accommodations other than a bona fide motel as defined by this chapter, or a dwelling unit which would meet all requirements for a permanent dwelling.
- e. The raising or keeping of dogs, cats, livestock or other animals on any basis other than as house pets.
- f. Outdoor storage of goods for sale, including the sale of motor vehicles by other than service stations, automotive garages or automobile dealers, subject to the provisions of paragraph h below; goods stored for distribution; or goods in transit.
- g. ~~Any use which will not conform with the performance standards set forth in this chapter. Reserved~~
- h. Outdoor storage of more than two motor vehicles for sale by a service station, automotive garage or automotive dealer.
- i. The outdoor storage of an unoccupied recreational vehicle, motor homes, travel trailer, camper or **small-boat, not exceeding 16 feet in length** shall be permitted on single family properties provided that:
 1. Such storage shall not be located in any front yard.
 2. Only one such travel trailer, ~~or~~ recreational vehicle, ~~or~~ camper, **motor home or boat not exceeding 16 feet** shall be permitted to be stored outdoors at any single family residence.

3. Any such vehicles stored in accordance with this section shall not be occupied and shall not be provided with utility connections.
- j. Storage of Commercial Vehicles, Buses and Omnibuses.
1. No commercial motor vehicle, motor drawn vehicle, bus or omnibus having a rated maximum gross vehicle weight (GVW) in excess of 10,000 pounds or having more than two axles, shall be parked or stored overnight on any property in any residential zone or district or on any property which is primarily used for residential purposes, except vehicles engaged in construction, parked or stored on an active construction site and which display a construction vehicle parking permit issued by the Zoning Officer. Applications for such permits shall be made for each such vehicle to be parked or stored and upon a finding that construction has commenced or is imminent, the Zoning Officer shall issue such permits for periods not to exceed 30 days. The permits shall be renewable as needed and shall not require the payment of any fee.
 2. No more than (1) motor vehicle or motor drawn vehicle with a commercial, bus or omnibus motor vehicle registration, having a rated maximum gross vehicle weight (GVW) of 10,000 pounds or less and which is owned or used by a resident of the premises shall be parked or stored overnight on any property in any residential zone or district or any property which is primarily used for residential purposes except vehicles engaged in construction and which comply with the permit provisions of paragraph j, #1 above. Any vehicle permitted to be parked or stored pursuant to this paragraph other than vehicles engaged in construction shall, where conditions permit, be parked in a rear or side yard area, which area is relatively unexposed to neighboring properties. Passenger automobiles for use by residents of the premises with commercial motor vehicle registration shall be exempt from the provisions of this paragraph j, 2.
 3. For purposes of this paragraph, a commercial vehicle or motor drawn vehicle includes any vehicle containing advertising matter intending to promote the interest of any business, or any vehicle used in connection with the business, whether or not the vehicle is registered as a commercial vehicle with the New Jersey Motor Vehicle Commission.
- k. Satellite dish antennas.
1. ~~*Drive-through windows associated with retail food establishments. Reserved*~~
- m. Pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Spring Lake Heights, except for the delivery of cannabis items and related supplies by a delivery service.
[Added 6-7-2021 by Ord. No. 2021-06]

SECTION 2

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3

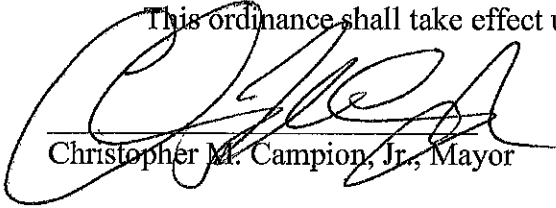
All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 4

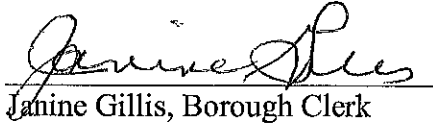
If any section, paragraph, subdivision, clause or provision of this ordinance is adjudged to be invalid, such adjudication shall apply only to section paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 5

This ordinance shall take effect upon its passage and publication and review according to law.


Christopher M. Campion, Jr., Mayor

March 23, 2023
Date


Janine Gillis, Borough Clerk

March 23, 2023
Date