

ORDINANCE NO. 22-2005

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE MADISON BOROUGH CODE ENTITLED "LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MADISON" REGARDING PARKING REQUIREMENTS

WHEREAS, the experience with changing commercial tenants of buildings in commercial zones has demonstrated that in certain instances the demand for on-site parking exceeds the supply and that there is a need to amend the Land Development Ordinance to better assure that sufficient on-site parking is available to accommodate a range of users over time; and

WHEREAS, the Borough Council has determined to make such an amendment.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, that Chapter 195, "The Land Development Ordinance of the Borough of Madison," of the Revised General Code of the Borough of Madison is hereby amended and supplemented as follows:

SECTION 1. Section 195-35.A.(2) concerning off-street parking for combined uses shall be amended to read as follows:

(2) Combined uses. In the case of a combination of uses, the off-street parking requirement shall consist of the sum of the spaces required for each individual use unless it can be demonstrated ***to the satisfaction of the approving authority*** that staggered hours ***of parking usage*** would permit modification ***of the total parking required due to shared parking principles and that adequate restrictions on the nature of the uses are imposed which would assure the continuance of reduced parking demands.***

SECTION 2. The off-street parking standards in Parking Schedule I in Section 195-35.A. shall be amended by expanding the uses considered similar to restaurant uses, by altering the measurement of floor area for retail uses and by altering footnote No. 2 as follows:

Use	Required Parking Spaces
Restaurant <i>(including sit-down and take-out)</i> , catering hall, <i>delicatessen, sandwich shop, coffee shop and similar food service establishments</i>	1 for each 2.5 seats or 1 for each 180 square feet of gross floor area, whichever is greater.

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Use	Required Parking Spaces
Retail uses not separately listed ²	5 per 1,000 square feet of gross floor area.

2 When housing is included in mixed-use development, a shared parking approach to the provision of parking shall be permitted ***provided adequate restrictions on the nature of the uses are imposed which would assure the continuance of reduced parking demands due to shared parking.***

SECTION 3. Footnote No. 1 associated with restaurant, catering hall uses at the end of Parking Schedule I in Section 195-35.A. shall be deleted but the remaining footnotes shall remain as numbered 2 through 4.

SECTION 4. Footnote "c" shall be added and follow footnote "a" in the title of Parking Schedule II in Section 195-35.B. to read as follows:

Parking Schedule II^{a,c}

Parking Requirements for Residential Land Uses

SECTION 5. Footnote "c" following the Parking Schedule II in Section 195-35B which currently reads "If applicant does not specify the number of bedrooms per units, this parking requirement shall apply" shall be deleted and replaced with the following new footnote "c" as follows:

A one-car garage and driveway combination shall count as two off-street parking spaces, provided the driveway measures a minimum of 18 feet in length between the face of the garage door and the right-of-way. A two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided a minimum parking area width of 20 feet is provided for a minimum length of 18 feet as specified for a one-car garage and driveway combination.

SECTION 6. Paragraph F in Section 195-25.15 concerning off-street parking shall be amended to delete the provision permitting compact car parking spaces and as amended shall read as follows:

F. Dimensions of parking spaces. Every such space provided shall measure at least nine feet in width and 18 feet in length, exclusive of access drives and aisles. Hairpin striping shall be provided, where appropriate. End to end parking spaces shall be

measure not less than eight feet in width by 23 feet in length. ~~**Twenty percent of required parking spaces may be compact spaces measuring 8.5 feet in width by 15 feet in depth.**~~

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SECTION 7. All ordinances or parts thereof which are inconsistent or in conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION 8. This ordinance shall take effect as provided by law.

ADOPTED AND APPROVED

ELLWOOD R. KERKESLAGER, Mayor

Attest:

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MARILYN SCHAEFER, Borough Clerk

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