BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH

ORDINANCE 2026-18

ORDINANCE AMENDING ARTICLE II: "TERMINOLOGY" AND ARTICLE VIII: "OFF-STREET PARKING, DRIVEWAY, AND LOADING REQUIREMENTS" OF CHAPTER 450: "ZONING" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO PERMIT LARGER DRIVEWAYS ON CERTAIN CORNER LOTS.

Mayor Gubitosi offered the following Ordinance and moved its introduction:

WHEREAS, the Borough of Bradley Beach (the "Borough") regulates driveway width, curb cuts, and off-street parking for residential properties under Chapter 450: "Zoning" of its Borough Code; and

WHEREAS, the Borough's Master Plan encourages the provision and effective use of off-street parking in order to reduce on-street congestion and enhance public safety; and

WHEREAS, corner lots are subject to unique dimensional constraints due to dual street frontages and applicable front-yard and side-yard setback requirements; and

WHEREAS, the length of driveways entering corner lots is often constrained by required setbacks, limiting maneuvering space for vehicles; and

WHEREAS, limited driveway length can require vehicles to enter off-street parking areas at severe angles, particularly where a two-car garage is provided for off-street parking; and

WHEREAS, increasing the permitted maximum driveway width from ten (10) feet to twelve (12) in the right of way and flaring to sixteen (16) feet at the property line, while maintaining the existing maximum curb-cut width of twelve (12) feet, reduces the severity of turning angles and facilitates safer and more efficient access to off-street parking; and

WHEREAS, permitting increased driveway width only on corner lots of sufficient width and where a two-car garage is constructed ensures that the modification is narrowly tailored; and

WHEREAS, facilitating access to off-street parking advances the goals and objectives of the Borough Master Plan; and

WHEREAS, the Borough finds that permitting a limited increase in driveway width for certain corner lots is reasonable and consistent with the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:

SECTION 1. Section 450-4: "Definitions" of Article IV: "General Regulations Applicable to All Zones" of Chapter 450 entitled "Zoning" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

CHAPTER 450: ZONING

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ARTICLE II: TERMINOLOGY

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§ 450-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

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CURB-CUT WIDTH
The width of the opening in the curb and sidewalk area measured along the curbline where a driveway intersects a public street.

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DRIVEWAY WIDTH
The horizontal width of the paved driveway surface measured within the property lines and beyond the curb line, exclusive of the curb cut.

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QUALIFYING CORNER LOT
A corner lot having a minimum lot width of forty-five (45) feet, where driveway access is provided from a side street generally oriented in a north-south direction, as determined by the Zoning Officer, and where a two-car garage is constructed or proposed to be constructed for off-street parking, which meets the eligibility requirements for increased driveway width pursuant to Section 450-40(D).

SECTION 2. Article VIII: "Off-Street Parking, Driveway, and Loading Requirements" of Chapter 450 entitled "Zoning" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

CHAPTER 450: ZONING

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ARTICLE VIII: OFF-STREET PARKING, DRIVEWAY, AND LOADING REQUIREMENTS

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§ 450-40 Driveway Requirements.

The following specific regulations apply to the installation of driveways accessing surface or structured parking facilities in the Borough of Bradley Beach:

A. Prior to the installation of any driveway, a curb cut permit shall be obtained. A permit survey or diagram accurately depicting the proposed driveway shall be submitted to the Zoning Officer and shall clearly indicate the proposed location, width and length of driveway. Information sufficient to determine the type of materials to be used, as well as any markings or signage, shall also be submitted. The Zoning Officer shall provide the applicant with a design detail for the construction of a concrete apron, as provided by the Borough Engineer, and the applicant shall construct such apron in accordance with the specifications thereon.

B. Except as otherwise specified in this section, no driveway shall enter any public road, street or highway at a point closer than 50 feet from any street intersection, measured from the face of the curb of the intersecting street, to the center line of the proposed driveway.

C. As currently existing, a driveway that provides common access to two adjoining properties shall be considered as a single driveway for the purpose of this section. Common driveways shall not be permitted within the Borough of Bradley Beach.

D. Notwithstanding any other provision of this chapter, on a qualifying corner lot, the paved driveway width beyond the curb line may flare outward from twelve (12) feet to a maximum of sixteen (16) feet at the property line, provided that the curb-cut width at the street shall not exceed twelve (12) feet. This increased driveway width shall be permitted only where a two-car garage is provided for lawful off-street parking. All driveway improvements permitted under this subsection shall comply with the maximum impervious surface coverage requirements of this chapter.

§ 450-41 Residential Parking and Driveway Requirements.

A. One- and two-family uses.

(1) Driveways and parking areas installed for one- and two-family dwellings shall be a minimum of eight feet in width inside the property lines and shall be located a minimum of one foot from a side lot line. Center ribbon access driveways are permitted to a maximum of three feet wide and 50 feet long, to a maximum of 150 square feet, and comprised of irrigated natural grass only.

(2) Curb cuts shall be a maximum of 12 feet in width. Driveway aprons shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curbline. The portion of a sidewalk forming part of a driveway and the driveway apron shall be constructed of concrete, six inches thick, reinforced

with six by six 10/10 WWM. Each lot shall have no more than one driveway and curb cut.

(3) Driveways and parking areas located in the front yard shall not exceed a width of 12 feet. Maximum driveway width of 24 feet is permitted in rear yard, only in front of a two-car garage. Driveways on qualifying corner lots may utilize the increased driveway width permitted pursuant to § 450-40(D), subject to all applicable requirements therein. Driveway coverage area shall consist of impervious pavement to be used for off-street parking while still complying with the maximum impervious surface requirement.

(4) No driveway less than 20 feet in length shall be considered an off-street parking space as measured from the property line to the end of the driveway.

(5) Driveways on corner lots shall be installed on the side of the lot farthest from the intersection. On corner lots less than 50 feet in width, the driveway shall be installed on the side of the lot with the longest street frontage.

(6) Driveways and parking areas shall be improved with a dust-free durable, all-weather material, said material is deemed to include concrete, asphalt, brick or concrete pavers but shall exclude gravel, stone or other similar material. The area between the end of the driveway and the street, inclusive of the sidewalk, shall be concrete with a minimum depth of six inches reinforced with welded wire mesh, designed and constructed in accordance with details and specifications provided by the Borough Engineer. The surface of the apron shall be at the same elevation as the sidewalk sections, which are joined to each side so that the sidewalk continues uninterrupted where it crosses the driveway.

(7) Driveways and parking areas shall be graded and installed to effect positive drainage to the gutter and/or away from the nearest property line and into the lawn area of the front, rear or side yards. No driveway or apron shall obstruct the flow of stormwater in the gutter or otherwise cause water to collect or pond.

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SECTION 3. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 4. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Bradley Beach, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 5. After introduction, the Municipal Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Bradley Beach for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough's Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

SO ORDAINED as aforesaid.

Erica Kostyz
Erica Kostyz
Municipal Clerk

Alan Gubitosi
Alan Gubitosi
Mayor

Introduced: March 3, 2026

Date of Hearing and Adoption: April 7, 2026