

**BOROUGH OF POINT PLEASANT BEACH
OCEAN COUNTY, NEW JERSEY**

Ordinance 2025-35

ORDINANCE AMENDING CHAPTER 19 ENTITLED “DEVELOPMENT”

WHEREAS, the Borough of Point Pleasant Beach wishes to amend provisions governing garages, second-floor habitable areas, the location of pools relative to other structures, site plans and construction documents, adds zoning fees, and to make various other amendments to Chapter 19 of the Borough Code.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant Beach in the County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 19 is hereby amended as follows (underlined text added; ~~stricken~~ text deleted):

[Sections 19-1 through 19-6 remain unaltered.]

§ 19-7. DEFINITIONS AND DESCRIPTIONS.

DWELLING, TWO-FAMILY — A detached building containing not more than two dwelling units which are entirely separated by horizontal floor, or vertical wall, ~~unpierced~~, except for access to the outside or to a common cellar or basement.

GARAGE — A building or part thereof in which a motor vehicle is stored, kept or repaired. Types of garages include private, public, carport and automobile service stations as defined elsewhere in this section.

- a. GARAGE, PRIVATE — A garage as an accessory use for the storage of not more than three motor vehicles, and in which no business or industry is conducted or rendered.
- b. GARAGE, PUBLIC — A garage used as a business, service or industry connected with motor vehicles either housed or unhoused, except automobile sales rooms conducted exclusively for the exhibition of not more than ten vehicles.

A garage used for the storage, care or repair of motor vehicles for profit, including any sale of motor vehicles, fuels or accessories, or where any such vehicles are kept for hire.

- c. MOTOR VEHICLE SERVICE STATIONS — A use where gasoline stored only in underground tanks, kerosene or motor oil and lubricants or grease, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile repairs and rebuilding. When the dispensing, sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

SECOND FLOOR HABITABLE AREA — Second floor habitable area when used to calculate Second Habitable Area to Principal Building Area Limitation shall be defined as the area of the outside dimension of the second habitable floor, not including exterior balconies or decks, which

shall not exceed 85% of the floor below. No part of the interior of the second floor shall be discounted, such as stairs, and areas open to the floor below.

[Sections 19-8 through 19-10.1.4 remain unaltered.]

§ 19-10.1.5. Site Plans and Construction Documents.

a. – d. [NO CHANGES]

e. For any new construction, substantial improvement, or house lifts, the applicant shall be required to place a conspicuous marker upon the structure that delineates the Local Design Flood Elevation as established by a licensed surveyor.

[Sections 19-10.1.6 through 19-10.10 remain unaltered.]

§ 19-11. GENERAL PROVISIONS.

§ 19-11.1. Accessory Buildings.

a. General. Accessory buildings and uses, except as otherwise permitted in this chapter, shall be subject to the definition of § 19-7 and the provisions of the various subsections of the section.

1. The following regulations and § 19-9 shall apply to all proposed garages constructed within the Borough of Point Pleasant Beach

(a) No garage shall exceed 16 feet in height from any curb.

(b) No garage shall exceed 30 feet in width by 25 feet in depth.

(c) No garage shall not be converted into or used as a separate residential or dwelling unit.

~~1.~~ 2. The following regulations and § 19-9 shall apply to all proposed sheds constructed within the Borough of Point Pleasant Beach:

(d) No shed shall exceed 120 square feet in area.

(e) No shed shall exceed ten feet in height.

(f) All sheds shall be located in rear of the property and behind the rear building line.

(g) No one wall length shall exceed 12 feet.

(h) No shed shall encroach within the setbacks as established in § 19-9.

(i) No shed shall be located within five feet of any other structure on the property.

(j) Sheds located within the Borough of Point Pleasant Beach shall be anchored in such a manner to resist toppling from wind and flotation from flood waters.

(k) Sheds shall be limited to one per property.

b.-i. [NO CHANGES]

[Sections 19-11.2 through 19-11.10 remain unaltered.]

§ 19-11.11. Swimming Pools.

- a. No private residential swimming pool shall be constructed or installed on any lot unless the lot contains a residence building. Pools shall be located in rear or side yard areas only and shall meet the setback distances for accessory buildings as specified in § 19-9 for each particular zoning district, except that in no case may a swimming pool be located closer than ten feet to any lot line or five feet to any other structure.

b. – d. [NO CHANGES]

[Sections 19-11.12 through 19-15.6 remains unaltered.]

§ 19-16. FEES, PERFORMANCE GUARANTEE, MAINTENANCE GUARANTEE, INSPECTION.

[Sections 19-16.1(a)-(c) remain unaltered.]

d. Zoning Fees.

<u>Zoning Fees</u>	
<u>Single family/Two family:</u>	
<u>NSFD, additions to principal structure</u>	<u>\$100</u>
<u>Decks, porches, roof modifications, lifts, etc. ONLY</u>	<u>\$75</u>
<u>Accessory:</u>	
<u>Sheds, garages, pools, fences, hot tubs, pavers, AC units etc.</u>	<u>\$50</u>
<u>Commercial:</u>	
	<u>\$150</u>
<u>Other:</u>	
<u>Driveway, curbs, sidewalk</u>	<u>\$25</u>
<u>Updates, revisions</u>	<u>\$50</u>

[Sections 19-16.2 through 19-25.22 remain unaltered.]

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

Approved this ____ day of ____ 2025:

Borough of Point Pleasant Beach
Douglas R. Vitale, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Governing Body of the Borough of Point Pleasant Beach, in the County of Ocean, State of New Jersey, on November 25, 2025. It was further considered for final passage, and was adopted, after second reading and public hearing thereon at a regular meeting of the Governing Body held in the Council Chambers at Borough Hall, 416 New Jersey Avenue, Point Pleasant Beach, NJ, on December 9, 2025, which began at 7:30 p.m., at which time and place any person desiring to be heard was given an opportunity to be so heard. During the week prior to and up to and including the date of such meeting, copies of the full ordinance was available at no cost for the members of the general public in the Municipal Building, 416 New Jersey Avenue, Point Pleasant Beach, NJ 08742 and on the Borough's website: (<https://www.pointpleasantbeach.org/223/New-Ordinances>) or could be obtained by calling the Borough Clerk (732/892-1118, extension 210) during the hours of 9AM to 4PM.

EILEEN A. FARRELL, RMC
Municipal Clerk

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance amends the section on Development under Chapter 19 to amend provisions governing garages, second-floor habitable areas, the location of pools relative to other structures, site plans and construction documents, adds zoning fees, and to make various other amendments to Chapter 19 of the Borough Code.