

ORDINANCE NO. 24-05
INTRODUCTION DATE: 03-20-2024
ADOPTION DATE: 05-15-2024

AN ORDINANCE AMENDING CHAPTER 5 (FEES), DELETING CHAPTER 16 (TRAILERS AND MOBILE HOMES) AND AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE REVISED ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey, as follows (additions are **bold underlined**, deletions are **~~bold strikeouts~~**):

I

CHAPTER 5 (FEES) is hereby amended as follows:

~~SECTION 5-16 (FEES FOR CHAPTER 16: TRAILERS AND MOBILE HOMES)~~ **FEES FOR TRAILERS AND MOBILE HOMES.**

~~SECTION 16-2.3 (Temporary License)~~. The fee for a temporary license shall be \$100. The fee for renewal of a temporary license shall be \$100.

~~SECTION 16.3 (Permitted Uses)~~ **5-16.1 (Permitted Uses).**

a.	Residential Use; Senior Citizens Only. (Expires December 31 annually.)		
	1.	Annual license fee	\$200
	2.	After July 1	\$150
b.	Housing for Transient or Migratory Workers.		
	1.	Annual license fee	\$100
e.	Construction of Permanent Residence. The license fee shall be \$100 for the first six-month period and \$150 for the next two successive renewals. The fee for the third renewal shall be \$400, which fee shall double with each successive renewal thereafter. Renewals in the discretion of the Committee may be periods of less than six months.		
<u>c.d.</u>	Commercial Construction Projects.		
	1.	Use of mobile home or trailer; residency prohibited six-month license	\$100
<u>d.e.</u>	Storage or Repair; Residency Prohibited.		
	1.	Application and permit required	No fee
f.	Disabled Veterans		\$200
g.	Disabled Relatives.		
	<u>1.</u>	<u>Annual license fee</u>	<u>\$200</u>

	2.	Application after July 1	\$100
e.h.	Real Estate Sales Office; Temporary Use.		
	1.	Six-month license	\$600

II

CHAPTER 16 (TRAILERS AND MOBILE HOMES) is deleted in its entirety.

III

CHAPTER 35 (LAND USE DEVELOPMENT REGULATIONS) is hereby amended by adding the following definitions:

SECTION 35-2-2 (SPECIFIC DEFINITIONS)

BOAT OR WATERCRAFT TRAILER

Includes any trailer intended for convenience of any boat (whether motorized or not) or watercraft.

MANUFACTURED/PREFABRICATED HOME

A structure that is transportable in one or more sections, eight feet or more in width and greater than 400 square feet, designed for use with a permanent foundation, attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. A manufactured/prefabricated home is not constructed with a permanent hitch or other device allowing transport of the unit other than for purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.

MOBILE HOME

A movable or portable year-round single-family dwelling on a chassis and used or capable of being used for sleeping, living or business purposes by one or more persons, equipped with or designed to be connected to utilities. Such vehicle shall be the type which is eligible for motor vehicle registration and licensing by the State of New Jersey for being transported on public streets of the State of New Jersey.

MOTOR VEHICLE

A self-propelled device powered by an internal combustion engine or other motor and used for transportation of people or goods over roads.

RECREATIONAL VEHICLE OR CAMPER, VISITING

Any recreational vehicle or camper temporarily located within the Township upon a residential site other than one licensed for a mobile home, the owner or occupant of which is a nonresident of the Township and is visiting within the Township for a period of not more than 14 days in any calendar year. Such visiting mobile home shall be parked on a hard parking surface.

TRAILER

Any structure built on a chassis which does not fall within the definition of mobile home or recreational vehicle as set forth above and which does not have a toilet or a bath and/or shower and is not specifically designed for occupancy by human beings either permanently or temporarily.

TRAILER, OFFICE

A mobile home, travel trailer, truck trailer, or other structure used as an office in conjunction with a construction project. Office trailers are permitted on a temporary basis in conjunction with the length of the construction project and may have bathroom facilities.

VEHICLE, RECREATIONAL

A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is intended as a temporary living accommodation for recreational and vacation uses. Recreational vehicles include but are not limited to campers, camping trailers, travel trailers, and self-propelled mobile homes, all of which do not require a special highway moving permit when transported.

WATERCRAFT

Any nautical vehicle, including boats of any nature (whether motorized or not), and including but not limited to fishing boats, ships, yachts, row boats, jet skis, wave runners, or like vehicles.

IV

SECTION 35-4-6 (OUTDOOR STORAGE) is hereby amended as follows:

SECTION 35-4-6.1 Residential Zones.

- a) In residential zones, and as to each lot upon which there exists a residential use, outdoor storage shall be restricted to boats, trailers, campers, camping vehicles, recreational vehicles, watercraft, operative vehicles and other equipment associated with a residential

use and occupants of the residential use. No required front yard area shall be used for the open storage of ~~boats~~ trailers, campers, camping vehicles, recreational vehicles, watercraft, vehicles or other equipment except for incidental parking of operative motor vehicles on driveways. For standards related to recreational vehicles, watercrafts, and mobile homes, see the Off-Street Parking standards of §35-7-3. Storage, freight, shipping or cargo containers, sea boxes, storage pods, Conex boxes, semi-trailer or similar containers are not permitted for outdoor storage use.

- b) Farming activity performed on farms that qualify as commercial farms in accordance with the Right to Farm Act (N.J.S.A. 4:1C-1 et seq.) is exempt from the outdoor storage requirements when being used for production of the commercial farm.
- c) The temporary outdoor storage/placement of storage pods/structures (e.g. Portable Home Storage “POD” or similar container) is permitted on any residential property upon the issuance of a Zoning Permit. Permits shall be granted for a period of 60 days. At the expiration of the 60-day period, the permittee may seek one extension of the permit for up to an additional 60 days for an additional fee. Temporary outdoor storage pods/structures are required to be placed in the driveway in the front yard and are prohibited to be placed in any right-of-way or public street.

SECTION 35-4-6.2 (BUSINESS OR INDUSTRIAL ZONES) is hereby amended as follows:

The following provisions apply to all Business and Industrial Zones, with the exception of the HC Highway Commercial Zone, which shall be governed by the provisions of Article 5, Section 11:

- a) Within any Business or Industrial Zone, no No products or goods shall be stored within the required front yard area of the lot.
- b) Outdoor sales areas shall be prohibited.
- c) In no event shall the owner or occupier of a commercial or industrial property within the Township permit any outside individual or entity to store any recreational vehicle or watercraft on its property for a fee or otherwise.
- d) Any products and goods stored outside shall be limited to the materials directly related to the principal permitted use of the premises.
- e) The outdoor storage of products shall not abut any residential street, use, or district.
- f) All outdoor storage shall be approved by the Planning Board or Board of Adjustment as part of site plan approval.
- g) No materials or waste shall be stored on any premises in such form or manner that they may be transferred off such premises by natural causes or forces.

- h) Any outdoor storage of materials shall be setback a minimum of 75 feet from any lot line.**
- i) No outdoor storage of materials shall exceed eight feet in height.**
- j) All outdoor storage facilities shall be enclosed by a solid fence or wall adequate to conceal such facilities and the contents thereof from adjacent properties.**
- k) Storage, freight, shipping or cargo containers, sea boxes, storage pods, Conex boxes, semitrailer or similar containers are not permitted for outdoor storage use.**

V

SECTION 35-5 (ZONING DISTRICT REGULATIONS) is hereby amended as follows:

SECTION 35-5-6A. (RU-P RURAL PRESERVATION ZONE), SECTION 35-5-6A.2. (PERMITTED ACCESSORY USES).

a.-f. No change.

- g. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

SECTION 35-5-6B. (RU-C RURAL CONSERVATION ZONE), SECTION 35-5-6B.2. (PERMITTED ACCESSORY USES).

a.-f. No change.

- g. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

SECTION 35-5-7. (R-130 RURAL RESIDENTIAL ZONE), SECTION 35-5-7.2. (PERMITTED ACCESSORY USES).

a.-f. No change.

- g. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

SECTION 35-5-8. (R-80 RURAL RESIDENTIAL ZONE), SECTION 35-5-8.2. (PERMITTED ACCESSORY USES).

- a. The following uses are permitted in conjunction with a permitted principal use: Same as specified for the R-130 Zone. (See §35-5-7.2 of this chapter.)
- b. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

SECTION 35-5-9. (R-20 RESIDENTIAL ZONE), SECTION 35-5-9.2. (PERMITTED ACCESSORY USES).

a.-e. No change.

- f. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

SECTION 35-5-18. (R-MF MULTI-FAMILY ZONE DISTRICT), SECTION 35-5-18. (PERMITTED PRINCIPAL AND ACCESSORY USES).

a.-b. No change.

- c. In association with a primary residential dwelling, the parking of recreational vehicles and watercrafts is a permitted accessory use, pursuant to the standards of §35-7-3 (OFF-STREET PARKING AREAS).**

VI

SECTION 35-7. (OFF-STREET PARKING AND LOADING), SECTION 35-7.3 (OFF-STREET PARKING AREAS) is hereby amended by adding the following new Sections:

SECTION 35-7-3.6 Recreational Vehicle Parking in Residential Zones

- a. The parking of recreational vehicles and watercrafts pursuant to the standards of this section is a permitted accessory use in all residential zones. Farming activity performed on farms that qualify as commercial farms in accordance with the Right to Farm Act (N.J.S.A. 4:1C-1 et seq.) is exempt from the below requirements when being used for production of the commercial farm.**
- b. Recreational vehicles and watercrafts shall not exceed 45 feet in length.**
- c. No more than one (1) recreational vehicle and one (1) watercraft is permitted to be stored on any residential property. For the purposes of this section, two jet skis that are stored on a double-wide trailer are considered one (1) watercraft.**
- d. Recreational vehicles and watercrafts may be parked or stored in either an enclosed garage subject to the bulk standards of this chapter, or within a side or rear yard**

flush with the front wall of the principal building or behind it. In the event an applicant cannot park their vehicle within the side or rear yard due to the size, shape, layout or other unforeseeable site circumstances, front yard parking may be permitted by license. An applicant wishing to utilize the front yard shall apply for a license and include a description of the particular hardships that eliminate the rear or side yard as viable options. The decision to allow for front yard parking is at the discretion of the Zoning Officer with the issuance of a Zoning Permit. In no event shall a recreational vehicle or watercraft block sidewalks, crosswalks, or sight triangles nor shall such vehicles encroach into rights-of-way.

- e. When stored outside, recreational vehicles and watercrafts shall be parked either on a driveway or if parked in a yard area, shall meet the accessory structure setbacks of the respective zone.
- f. Recreational vehicles and watercrafts shall not be stored or parked in a manner that reduces the number of on-site parking spaces as required by this chapter.
- g. No recreational vehicles or watercrafts may be stored or parked on or at any vacant or abandoned property or a property without a principal use.
- h. Recreational vehicles and watercrafts shall not be used for permanent human habitation purposes and shall not have utility connections.
- i. In no event shall the owner or occupier of a residential property within the Township permit any outside individual or entity to store any recreational vehicle or watercraft on its property for a fee or otherwise.
- j. All vehicles shall be licensed and registered to the property owner or tenant.
- k. Any repair work may be done on the premises in the rear yard or off-site at an appropriate establishment but not within a public right-of-way.
- l. All recreational vehicles and watercrafts shall be maintained in a clean and sanitary condition at all times. Vehicles and watercrafts parking outside shall not be in a state of external, visible disrepair, or partial construction.
- m. The parking of any recreational vehicle or watercraft on a public street between dusk and dawn is prohibited.

SECTION 35-7-3.7 (MOBILE HOMES).

a. Temporary Use

1. License Required. No person shall park, locate, use, construct, operate or maintain a mobile home within the Township unless such person shall first obtain a license therefor and pay the fees stated in Section 5-16 of Chapter 5. No

mobile home shall be located or used within the Township except upon a space which has been duly licensed. Any license issued under prior ordinances regulating the subject matter of this chapter shall entitle the holder thereof to continue their use for the term of the previously issued license. Thereafter, they shall comply with all of the requirements of this chapter. Any persons that, as of the adoption of this section, has a current license permitting relatives 55 years of age or older to reside in a mobile home accessory dwelling on site, shall be grandfathered into such use until such time as the resident no longer resides on the subject property. Such resident shall continue to apply for their annual license.

2. Licenses may be granted for periods up to six months to persons on application to the Township Committee, to allow mobile homes to be used on the property of the applicant while the owner's residence is being actively constructed/reconstructed/altered on the same property. Renewals may be granted at the discretion of the Township Committee. Applications for renewal of licenses must be made at least 30 days before any license expires. All temporary mobile homes shall be removed before a Certificate of Occupancy is granted for the house being constructed. Subsequent applications may be granted based upon the Township Committee's evaluation of the progress made as shown in the progress report submitted by the applicant.
 3. Application for licenses and extensions shall be accompanied by the fee stated in Section 5-16 of Chapter 5.
 4. In no event shall there be more permanent principal residences on a property than permitted by the relevant zoning district.
- b. Any persons wishing to construct a mobile home on their property as the primary principal dwelling shall proceed in the same manner as any residential construction and seek the appropriate permits from the Building Department.
 - c. Mobile homes may be used as housing facilities for transient or migratory workers in accordance with the provisions of Chapter 35, Zoning, of this Code and provided that certification is received by the State of New Jersey. The license fee for each mobile home so used shall be as specified in Section 5-16.
 - d. All mobile homes shall be maintained in a clean and sanitary condition at all times. Mobile homes shall not be in a state of external, visible disrepair, or partial construction.
 - e. The provisions of this section comprise the minimum standards with which all mobile homes shall comply. These vehicles shall also comply with the rules and regulations and policies or laws administered by the Township of Millstone or any agency or subdivision of this State having legal jurisdiction, including Chapter 9 of the New Jersey State Sanitary Code, which may be relevant.

- f. Compliance with Laws. Whenever a license shall be issued for a mobile home space or for any other purpose authorized by this chapter, the premises shall at all times comply with all federal and state laws, the Zoning Ordinance, police, health, fire and other applicable regulations imposed by the Township Committee or the Board of Health. The premises shall be subject to examination and inspection by day or night by the Township Committee and/or its representatives.
- g. Violations and Penalties. Any person violating any of the provisions of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, Section 1-5. In the event of such conviction, the license may be revoked and no new licenses for the operation and maintenance of the mobile home or trailer park reissued. Each twenty-four-hour period during which a violation continues shall be deemed to be a separate and distinct offense.

SECTION 35-7-3.8 (PARKING AND STORAGE OF COMMERCIAL VEHICLES IN ALL ZONING DISTRICTS).

- a. Long-term parking/storage of commercial trucks, tractors, trailers or similar vehicles larger than a DL-23 Truck shall be defined as a period of more than twenty-four (24) hours. Such long-term parking/storage is prohibited in all zoning districts in the Township of Millstone.
- b. Office trailers associated with a construction project may be permitted through the acquisition of a license for the duration of such construction project.
 - 1. The office trailer shall be located on the property which is under construction.
 - 2. The office trailer shall be discontinued and shall be removed from the site no later than 30 days after final certificates of occupancy have been issued for the construction project.
 - 3. An office trailer license shall be issued for a six-month period and may be renewed for as many times as is necessary to complete the construction project. The license fee for each six-month period shall be as stated in Section 5-16 of Chapter 5. The fee shall not be prorated for shorter periods of time.

VII

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

VIII

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to

be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IX

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT: This Ordinance amends Chapter 5 (Fees), deletes Chapter 16 (Trailers and Mobile Homes) in its entirety, and amends Chapter 35 by amending standards for RV/Watercraft Storage, Trailer Storage, Outside Storage, and Mobile Home Provisions.