

TOWNSHIP OF SPRINGFIELD

ORDINANCE NO. 2017-07

AMENDING, SUPPLEMENTING, REPEALING AND REPLACING THE MUNICIPAL CODE TO PERMIT TRUCK PARKING IN RESIDENTIAL ZONES WITH CERTAIN RESTRICTIONS

WHEREAS, the Township Council directed the Planning Board to consider the issue of parking commercial trucks in residential zones; and

WHEREAS, if the Planning Board determined that such parking was appropriate and consistent with the Master Plan, it was further directed to develop regulations concerning such parking considering, among other things, lots sizes and truck sizes; and

WHEREAS, the Planning Board, through its counsel, reported back to the Council with recommendations for implementation of an ordinance amendment to create reasonable restrictions; and

WHEREAS, this Ordinance codifies those recommendations for the benefit of the residents of the Township;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Springfield, County of Burlington, State of New Jersey that Chapter 215 of the Township Code at various location be and is hereby amended and supplemented consistent with the purpose of this Ordinances, to read as follows:

Section 1. Amendments to Chapter 215-9, 19, -81, -84A, -136B and -146A

Section 2-15-9.65 is amended to update or add definitions as follows:

GARAGE, PRIVATE - A garage in which no business, service or industry is carried on and which is designed to contain not more than four motor vehicles nor house trucks consistent with pound weight class provisions established in the A-10 and Hamlet zoning districts.

PICKUP TRUCK – a light duty truck having an enclosed cab and an open cargo area with low sides and tailgate. It shall have no more than two axles.

MAJOR REPAIRS – Any repair or maintenance activity other than fluid changes or tire changes or any repair with a commercial value of greater than \$150.00.

Section 215-19(B) (4), (6), and (7) through (9) are amended to read as follows:

“§215-19 Home Occupations.

B. Requirements.

- (4) The residential character of the lot and the building shall not be changed, no occupational sounds shall be audible outside the building and no equipment shall be used which will cause interference with radio or television reception in neighboring residences. No products shall be stored or displayed outside. The outside storage of material and equipment is prohibited.
- (6) The home occupation shall not reduce the parking or yard requirements of the dwelling.
- (7) The home occupation shall not create the need for more than two parking spaces in addition to those required for the passenger vehicles and pick-up trucks owned or used by the residents of the home.
- (8) No more than two commercial vehicles, excluding vehicles designed or used to carry waste products, hazardous or combustible materials, each with a manufactured gross vehicle weight under 14,000 pounds in the AR-10 zoning district and 12,000 pounds in the HMR-3 zoning district, with only one rear axle owned or used in connection with the home occupation may be parked, stored or garaged on the premises. Such vehicles may only be parked in the rear or side yards and may be parked no nearer to side or rear lot lines than the minimum setback for accessory buildings in the zone. These limitations on parking and on the number of commercial vehicles do not apply to pick-up trucks whether or not they are registered as commercial vehicles.
- (9) Minor repairs and routine maintenance, but no major repairs, to the commercial vehicles and equipment owned or used in connection with the home occupation may be made on the premises.”

Section 215-81 of the Township Code is repealed and replaced to read as follows:

“§215-81 Buses, Tractor Trailers, and Truck Parking

A. Buses, tractor trailers, and trucks as defined herein, except those incidental to farming operations, must be parked on the property and not on the street and may only be parked in the Light Industrial zone and in all of the Township’s commercial zones.

B. For purposes of this subsection a “truck” is a commercial vehicle at a manufactured gross vehicle weight of 14,000 pounds or more. A “tractor trailer” is a truck equipped with a coupling device that enables it to tow a trailer; a container on wheels that carries materials, goods, or other objects, is equipped with a coupling device and is designed to be towed by a truck. The restriction on parking set forth in the previous subsection applies to the trailer component of a tractor trailer regardless of whether or not the trailer is attached to a truck.”

§215-136B is repealed in its entirety and replaced with a new section in Article XV numbered §215-84A to read as follows:

“§215-84A. Parking Commercial Vehicles in Residential Zones.

1. AR-10 zone. Two commercial vehicles, excluding vehicles designed or used to carry waste products, hazardous or combustible materials, each with a manufactured gross vehicle weight under 14,000 pounds with only one rear axle owned or used by a resident of the premises may be regularly parked, stored or garaged on lots, but not on streets. Such vehicles must be parked only in rear or side yards and may be parked no nearer to side or rear lot lines than the minimum setback for accessory buildings in the zone. The foregoing limitations on parking and on the number of vehicles do not apply to pick-up trucks whether or not they are registered as commercial vehicles.

2. HMR-3. Hamlet Residential Zone. Not more than one commercial vehicle, excluding vehicles designed or used to carry waste products, hazardous or combustible materials, with a manufactured gross vehicle weight under 12,000 pounds with only one rear axle owned or used by a resident of the premises may be regularly parked, stored or garaged on lots, but not on streets. Such vehicle must be parked only in rear or side yards and may be parked no nearer to side or rear lot lines than the minimum setback for accessory buildings in the zone. The foregoing limitations on parking and on the number of vehicles do not apply to pick-up trucks whether or not they are registered as commercial vehicles.”

Section 215-146A(B), establishing conditions for home occupations in the hamlets is amended to add the following conditions in subparagraphs (4), (6), and (7) through (9) as follows:

“§215-146A.

B. Requirements.

- (4) The residential character of the lot and the building shall not be changed, no occupational sounds shall be audible outside the building and no equipment shall be used which will cause interference with radio or television reception in neighboring residences. No products shall be stored or displayed outside. The outside storage of material and equipment is prohibited.
- (6) The home occupation shall not reduce the parking or yard requirements of the dwelling.
- (7) The home occupation shall not create the need for more than two parking spaces in addition to those required for the passenger vehicles and pick-up trucks owned or used by the residents of the home.
- (8) No more than one commercial vehicle, excluding vehicles designed or used to carry waste products, hazardous or combustible materials, each with a manufactured gross vehicle weight of not more than 12,000 pounds with only one rear axle owned or used in connection with the home occupation may be parked, stored or garaged on the premises. Such vehicle may only be parked in the rear or side yards and may be parked no nearer to side or rear lot lines than the minimum setback for accessory buildings in the zone. These limitations on parking and on the number of commercial vehicles does not apply to pick-up trucks whether or not they are registered as commercial vehicles.
- (9) Minor repairs and routine maintenance, but no major repairs, to the commercial vehicles and equipment owned or used in connection with the home occupation may be made on the premises.”

Section 2. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Springfield Township Council held on October 11, 2017 and adopted after a public hearing at a meeting of the Springfield Township Council held on November 8, 2017.

Patricia Clayton, RMC
Township Clerk