

First Reading:	01-16-2020
Publication:	01-23-2020
Second Reading:	02-06-2020
Publication:	02-13-2020

ORDINANCE NO. 2605

**AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2302
OF THE CODE OF THE BOROUGH OF ROSELLE PARK,
ENTITLED, "PERMITTED USES"**

WHEREAS, the governing body, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning Ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and,

WHEREAS, Section 40-2302 of the Code of the Borough of Roselle Park relates particularly to permitted uses within the B-2 Central Business District Zone of the municipality; and,

WHEREAS, the governing body wishes to amend said section of the Code so as to clarify the uses permitted in the B-2 Central Business District Zone; and,

WHEREAS, the Municipal Land Use Board, at its January 27, 2020 Regular Meeting, confirmed that the proposed amendment is substantially consistent with the Borough's land use plan element, in accordance with the provisions of N.J.S.A. 40:55D-62.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XL of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendment(s) to B-2 Arterial Business District Zoning

Part 3 Zoning

Article XXIII B-2 Central Business District

40-2302 PERMITTED USES.

- A. A building or premises may be used only for the following purposes:
1. Parks and parking areas owned and operated by the Borough or any of its agencies or by Union County.
 2. Signs not to exceed four (4) square feet in area appertaining to the lease, hire or sale of a building or premises.
 3. Accessory buildings and uses customarily incident to the above uses.
 4. Retail trade.
 5. Retail services.
 6. Banks and financial institutions—NASICS Group 5221.
 7. Institutional and public uses—NASICS Groups 71211, ~~8131~~ and 92.
 8. Restaurants, excluding drive-in restaurants—NASICS Group 722110, excluding exotic and/or pornographic entertainment or activities.

9. Motion-picture theaters—NASICS Group 512131.
 10. Insurance agencies and brokerage—NASICS 5242.
 11. Pet grooming services—NASICS Group 812910.
 12. Fitness and Recreational Sports Centers—NASICS Group 713940.
 13. Permanent cosmetics, make up salon
 - Color consulting services (i.e., personal care services)
 - Day spas
 - Depilatory (i.e., hair removal) salons
 - Ear piercing services
 - Electrolysis (i.e., hair removal) salons
 - Hair removal (i.e., depilatory, electrolysis) services
 - Hair replacement services (except by offices of physicians)
 - Hair weaving services
 - Make-up salons, permanent
 - Scalp treating services
 - Sun tanning salons
 - Tanning salons
 14. Family Fun Centers - NASICS Group 713120
- B. A retail store or establishment with street exposure shall be of a character consonant with and appropriate to a distinctive, high quality refined office, hotel and business district.
 - C. *Conditional Uses.* A building or premises shall be used in this zone only if it meets the following conditions:
 1. Hair, nail and skin care services—NASICS Group 81211.
 - a. If the use is 500 linear feet between a similar use; and,
 - b. The building space is 400 square feet or less.

SECTION 2. Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. Captions.


Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.


SECTION 5. Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

Introduction: January 16, 2020

Adoption: February 6, 2020

Attest: 
Andrew J. Casais, RMC
Borough Clerk


Joseph Signorello III
Mayor

Record of Vote – Introduction				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Fahoury	X			
Connelly	X			
Negron	X			
Delorio	X			
Mathieu	X			

Record of Vote – Adoption				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Fahoury	X			
Connelly	X			
Negron	X			
Delorio	X			
Mathieu	X			

Copy To: R. Belluscio (Zoning Officer), Municipal Land Use Board (M. Banks), F. Genova (Construction Official).