

ORDINANCE NO. 2298

**AN ORDINANCE AMENDING CHAPTER XL, ARTICLE VI, DEFINITIONS AND
ARTICLE XXIII, B-2 CENTRAL BUSINESS DISTRICT, OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF ROSELLE PARK**

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter XL, Article VI, Definitions and Article XXIII, B-2 Central Business District of the Revised General Ordinances of the Borough of Roselle Park is hereby amended as follows:

SECTION 1: Article VI, Definitions is amended and supplemented to add the following definitions:

§ 40-601 TERMS DEFINED

Building Line shall mean a line parallel to the street right of way line touching that party of a building closest to the street.

Court shall mean any open space, unobstructed from the ground to the sky that is bounded on two or more sides by the walls of a building that is on the same lot.

Plaza shall mean an open space that may be improved and landscaped; usually surrounded by streets and buildings.

SECTION 2: Article XXIII, B-2 Central Business District is amended and supplemented to add the following:

§ 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 building or premises.
 3. Accessory buildings and uses customarily incident to the above use.
 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. Hair, nail and skin care services – NASICS Group 81211.
 10. Motion-picture theaters – NASICS Group 512131.
 11. Insurance agencies and brokerage – NASICS 5242
- 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.

§ 40-2303 PROHIBITED USES

- C. Storage of materials, stock or inventory shall not be permitted in any window display area ordinarily exposed to public view. All screening of windows shall be maintained in a clean and attractive manner.
- D. Residence uses are prohibited from being located on ground-floor levels but not upper floor levels. (1980 Code § 128-93; Ord. No. 2221 § 1; Ord. No. 2257 § 1)

Such uses stated in Section 40-2103 are prohibited.

(1980 Code § 128-93.1)

§ 40-2304 HEIGHT REGULATIONS

- A. Where a lot or lots or part thereof in the B-2 Central Business District abuts a residence district, the lot or lots or part thereof so abutting shall be governed by the height regulations for the residence district abutting.
- B. No building in the B-2 Central Business District shall exceed three (3) stories or thirty-five (35) feet in height.

(1980 Code § 128-94)

§ 40-2305 AREA REGULATIONS

- A. Front Yard. No front yard shall be required.
- B. Side Yard. No side yard shall be required.
- C. Rear Yards.
1. The minimum rear yard shall not be less than fifteen (15%) percent of the average depth of the lot; provided, however, that such rear yard need not exceed twenty (20) feet.

2. For lots that adjoin a railroad line, the minimum rear yard shall be ten (10) feet.

D. Lot Area. The minimum lot area shall be seven thousand five hundred (7,500) square feet. The minimum frontage upon a public street shall be fifty (50) feet. (1980 Code § 128-95)

E. Maximum Impervious Coverage. The maximum impervious coverage shall be 75 percent (75%) of the lot area. Any landscaped plazas or courts available and accessible to the public may be excluded from the maximum impervious coverage limitation.

F. Parking.

1. No parking shall be permitted between the building line and the street line.
2. Any parking visible from the street shall be screened from view through building placement and landscaping.
3. Access to parking areas on adjoining lots shall be provided, where feasible.

(1980 Code § 128-95)

SECTION 3: All articles, sections, subsections, paragraphs and other provisions of Chapter 40 not specifically affected by the above amendments and modifications shall remain in full force and effect.

SECTION 4: If any section or portion of a section of this Ordinance shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 5: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 6: This amendment to the Revised General Ordinances of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Introduced: April 1, 2010

Adopted:

Mayor

Attest: _____
Borough Clerk