

First Reading:	4-19-2018
Publication:	4-26-2018
Second Reading:	5-17-2018
Publication:	5-24-2018

ORDINANCE NO. 2526

AN ORDINANCE AMENDING CHAPTER XL, ARTICLE XXIV, SECTION 2402 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "B-3 ARTERIAL BUSINESS DISTRICT"

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, Article XXIV, Section 2402 of the Code of the Borough of Roselle Park, entitled "B-3 Arterial Business District" be and hereby is amended to read as follows:

SECTION 1.

40-2402 PERMITTED USES.

A. A building or premises may be used only for the following uses:

1. Any use permitted in the Residence Office Building and Central Business Districts.

2. The following retail business shall be permitted, provided that there is a total connected electric motor load for manufacturing or processing of not more than ten (10) horsepower, and further provided that no steam plant shall carry steam at more than one hundred (100) pounds pressure: bakery, carpenter shop, cleaning and dyeing shop, food processing shop, frozen food lockers, laundry, plumber, printing shop and car wash.

3. Retail trade.

4. Retail services.

5. Banks and financial institutions—NAICS Group 5221.

6. Institutional and public uses—NAICS Groups 71211, 8131 and 92.

7. Restaurants, Caterers and Banquet Halls—NAICS Group 7221, 7222, 72232 and 722320, excluding exotic and/or pornographic entertainment or activities and excluding drive-in restaurants.

~~8. Hair, nail and skin care services—NAICS Group 81211.~~

~~9.8.~~ Funeral Homes—NAICS Group 812210, excluding crematories.

~~10.9.~~ Motion Picture Theaters—NAICS Group 512131.

~~11.10.~~ Mortgage companies and mortgage brokers—NAICS Groups 522292 and 522310.

~~12.11.~~ Fitness and Recreational Sports Centers—NAICS Group 713940.

~~13.12.~~ Pet Grooming Services—NAICS Group 812910

~~14.13.~~ Utility Trailer Merchant Wholesalers—NAICS Group 423110

15-14. Screen Printing Apparel & Textile Products—NAICS Group 323113

B. Any building used for any of the purposes enumerated in subsection A,1 through 10. above may not have more than forty (40%) percent of the first floor devoted to storage purposes incidental to the primary use.

C. Facades of storefronts, including signs, window displays and lighting or any retail store or other type of establishment with street exposure permitted under this Article shall conform to the following requirements:

1. The use of the following types of attention-getting devices shall be prohibited:
 - a. Direct, unshielded, flashing or intermittent lighting in the display windows or on the storefront.
 - b. Sound device or apparatus for commercial advertising purposes, such as radio or phonograph amplifiers.
 - c. Device or scheme using motion, such as pinwheels, motion pictures, live models or live demonstrations in the display windows, any of which of the aforementioned are disturbing to the senses of pedestrians or motorists using the adjacent sidewalk or street and which tend to impair the dignity and character of the district.
 - d. Nothing appearing herein shall be construed to prohibit temporary holiday lighting.

D. Uses permitted under Section 40-2402 shall not be located or established in an existing frame house or in a building or structure or extending from an existing frame building.

E. Retail store or establishment with street exposure shall be of a character consistent with and appropriate to a distinctive, high quality and refined office and business district.

F. Conditional Uses.

A building or premises shall be used in the zone only if it meets the following Conditions:

1. **Hair, nail and skin care services – NAICS 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. Invalidation

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.

SECTION 5. Effective Date.

This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Introduced: April 19, 2018

Adoption: May 17, 2018

Attest: 


Mayor

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

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