

BERNARDSVILLE BOROUGH ORDINANCE #2023-1957

SUPPLEMENTING AND AMENDING ARTICLE 12 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED “ZONING” TO AMEND THE DOWNTOWN ZONE ESTABLISHING A MAXIMUM RESIDENTIAL DENSITY LIMITATION

WHEREAS, the Borough of Bernardsville adopted Ordinance Number 2020-1852 creating a new Downtown District with four (4) subdistricts within the Borough’s Land Development Ordinance; and

WHEREAS, present regulations governing the Downtown District do not provide for a limitation on residential development permitted within the district; and

WHEREAS, the Borough of Bernardsville desires to establish a maximum residential density standard applicable to each subdistrict within the Downtown to limit residential development within both multifamily and mixed-use commercial developments with a residential component;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that the Borough Land Use Ordinance Article 12 entitled “Zoning” is hereby supplemented and amended as follows:

Section 1. Article 12, §12-12.3.e. General Provisions, is hereby amended to add item e. Maximum Permitted Density as follows:


e. Maximum Permitted Residential Density. For any proposed multifamily residential or mixed-use commercial development that incorporates a residential component within any subdistrict of the Downtown District, the proposed residential density shall not exceed thirty-five (35) dwelling units per acre except for property declared as an Area In Need of Redevelopment which shall be governed by a Redevelopment Plan prepared pursuant to N.J.S.A 40A:12A-1 to 22.

Section 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

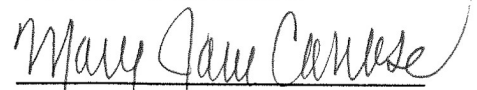
Section 4. This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:



Anthony Suriano, Borough Clerk

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE
COUNTY SOMERSET



Mary Jane Canose, Mayor

Introduction: February 27, 2023

1st Publication: March 2, 2023

Amended: March 13, 2023

Publication after amendment: March 16, 2023

Public Hearing and Adoption: March 27, 2023

Second Publication: March 30, 2023

County & State Notices:

February 28th

March 14th after amendment

March 29th after adoption