

**BOROUGH OF ROSELLE**



**ORDINANCE NUMBER 2743-24**

**ORDINANCE AMENDING CHAPTER 650, "LAND USE" BY AMENDING  
SUBSECTION 650-88, "GENERAL PROVISIONS" AND SUBSECTION 650-102  
"CONDITIONAL USES" OF THE CODE OF THE BOROUGH OF ROSELLE**

**WHEREAS**, the Borough of Roselle is desirous of amending Chapter 650, "Land Use" by amending subsection 650-88, "General Provisions" and Subsection 650-102 "Conditional Uses" upon recommendation of the Borough Planner;

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Roselle that the following Subsections of Chapter 650, "Land Use" of the Borough Code be and are hereby amended as follows:

Deletions are noted by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

**SECTION I**

**Chapter 650 LAND USE**

**Article XII Zoning**

**§650-88 General Provisions.**

(no changes to 650-88 A.B.C.)

**D. Supplementary Zone District Regulations**

(1) General.

(no changes to (a) and (b))

(c) No building or structure shall be erected, reconstructed or structurally altered to exceed in height the limit designated for the district in which such structure is located, **except where superseded by Conditional Use standards and conditions set forth herein.**

(d) No building or structure shall be erected, no existing buildings or structures shall be altered, enlarged or rebuilt nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot, area and building location regulations hereinafter designated for the district in which such building or open space is located **except where superseded by Conditional Use standards and conditions set forth herein.**

(no changes to remainder of subsection 650-88 D. (e) through (v) )

## **SECTION II**

### **§ 650-102. Conditional Uses.**

(no changes to A.)

B. Permitted conditional uses.

(no changes to (1) through (3))

(4) Churches, synagogues, places of worship; Sunday school buildings. Conditions regarding churches, synagogues or places of worship, including parish houses, parochial and Sunday school buildings shall be as follows:

(no changes to (4) (a))

~~(b) All regulations for the zoning district in which the use is to be located shall be complied with, except that~~ **The** minimum lot area shall be not less than 20,000 square feet.

(no changes to (4) (c) through (e))

(5) Car washes. Conditions regarding car washes shall be as follows:

~~(a) All other regulations for the district in which the use is to be located shall be complied with, except that the~~ **The** minimum lot area for a car wash shall be not less than 20,000 square feet.

( no changes to (5) (b) through (d) )

(6) Drive-through pickup and deposit facilities. Conditions regarding drive-through pickup facilities shall be as follows:

~~(a) All other regulations for the district in which the use is to be located shall be complied with.~~

~~(b)~~ **(a)** Ingress and egress shall be so designed as not to interfere with normal traffic flow in the area.

~~(c)~~ **(b)** As a condition of approval, the applicant shall provide a traffic study by a traffic engineer which demonstrates that the proposed drive-through facility will not substantially impact off-site traffic.

~~(d)~~ **(c)** The applicant shall provide appropriate signage indicating direction of ingress and egress.

~~(e)~~ **(d)** The applicant shall provide off-street automobile stacking area, which shall not be less than six spaces per lane. Such stacking system shall in no way hinder or impair normal traffic flow in adjoining property or public right-of-way.

(7) Antique, used furniture and used clothing stores. Conditions regarding antique, used furniture and used clothing stores shall be as follows:

~~(a) All other regulations for the district in which the use is to be located shall be complied with.~~

~~(b)~~ **(a)** Furniture stripping shall be prohibited on the premises unless the use is located in the industrial zone.

~~(e)~~ **(b)** Exterior displays shall not be permitted.

~~(d)~~ **(c)** A minimum of 3,000 square feet of gross floor area shall be required.

(8) Cannabis retailers. Conditions regarding cannabis retailers shall be as follows:

~~(a) All other regulations for the district in which the use is to be located shall be complied with.~~

~~(b)~~ **(a)** Said establishment shall be licensed and shall be located more than 1,000 feet from the property line of any elementary or secondary school property.

~~(e)~~ **(b)** No outdoor consumption areas are permitted.  
( no changes to (8)(a)(b)(c))

(9) Cannabis cultivators. Conditions regarding cannabis cultivators shall be as follows:

~~(a) All other regulations for the district in which the use is to be located shall be complied with.~~

~~(b)~~ **(a)** The design of any building or structure required for such use conforms to the general character of the area in which it is located.

~~(e)~~ **(b)** The cultivation activities of said establishment must be conducted entirely indoors.

~~(d)~~ **(c)** Unusual odors, smells, fragrances, or other olfactory stimulants shall be prohibited beyond the property line. Odor mitigation filtration systems shall be installed and maintained in perfect working order.

### **SECTION III**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid in effect.

**SECTION IV**

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION V**

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

**Recorded Vote on Introduction Ordinance No. 2743-24 – July 24, 2024**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Sousa			X			
Councilman Bernier	X		X			
Councilwoman Johnson					X	
Councilman Fortuna		X	X			
Councilwoman Wilkerson			X			
Council President Thomas			X			
<b>X Adopted</b> <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn						

**Recorded Vote on Final Passage Ordinance No. 2743-24 – August 14, 2024**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Sousa			X			
Councilman Bernier	X		X			
Councilwoman Johnson			X			
Councilman Fortuna			X			
Councilwoman Wilkerson		X	X			
Council President Thomas			X			
<b>X Adopted</b> <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn						

\_\_\_ Approved

\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor      DATE:

NOTICE is hereby given that Ordinance Number 2743-24 was passed and adopted on second and final reading at a Workshop Meeting of the Mayor and Council on August 14, 2024 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

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Lisette Sanchez, Municipal Clerk