**ORDINANCE 5-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending Chapter 92, “ZONING,” article XII, “Schedule of regulations,” section 92-55, “B-1 general business zone,” of the code of the borough of bloomingdale**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1**. Chapter 92, “Zoning,” Article XII, “Schedule of Regulations,” Section 92-55, “B-1 General Business Zone,” of the Code of the Borough of Bloomingdale is hereby amended to read in its entirety as follows:

### § 92-55. B-1 General Business Zone.

The following regulations shall apply in the B-1 Zone:

A. Permitted principal uses. (Amended 7-23-2013 by Ord. No. 22-2013)

 (1) Bakery.

 (2) Banks and other financial institutions.

 (3) Barbershops and beauty parlors.

 (4) Book and stationery stores.

 (5) Business schools.

 (6) Cigar stores.

 (7) Clothing and clothing accessory shops.

 (8) Pharmacies.

 (9) Dry-cleaning provided that no flammable cleaning agents are used.

 (10) Convenience stores.

 (11) Eating and drinking places.

 (12) Electric substations, including transformers, switches and auxiliary apparatus, serving a distribution area.

 (13) Electricians.

 (14) Fire and police stations.

 (15) Florists.

 (16) Food stores.

 (17) Furniture stores.

 (18) Hardware stores.

 (19) Household-appliance stores.

 (20) Interior-decorating shops.

 (21) Printing.

 (22) Laundries, hand or automatic, self-service.

 (23) Leather goods.

 (24) Locksmiths.

 (25) Appliance and electronics.

 (26) Newspapers.

 (27) Business, professional and governmental offices.

 (28) Package liquor stores.

 (29) Paint stores.

 (30) Commercial and public parking lots and garages for automobiles and trucks.

 (31) Pet shops.

 (32) Photographic studios.

 (33) Physical therapy and health services.

 (34) Plumbers.

 (35) Post offices.

 (36) Sporting and athletic goods stores.

 (37) Music and dancing studios.

 (38) Custom tailors and furriers.

 (39) Theaters.

 (40) Undertakers and funeral parlors.

 (41) Upholsterers.

 (42) Variety shops.

 (43) Water- and sewer-pumping stations serving a local area.

 (44) Other similar retail and service uses.

B. Accessory permitted uses. (See §§ 92-16 and 92-17)

 (1) Private parking and loading. (See §§ 92-22A and 92-22B)

 (2) Signs as regulated in § 92-26D and § 92-26.3P.

 (3) Other accessory uses customarily appurtenant to a permitted use.

C. Conditional uses to be acted upon by the Planning Board, subject to § 92-24.

 (1) Automobile service stations, including major repairs. (See § 92-22E)

 (2) Automobile sales.

 (3) Motor vehicle repairs, including paint and body shops.

 (4) Hotels and motels.

 (5) Bowling alleys and pool halls or billiard parlors.

 (6) Social halls, lodges, fraternal organizations and clubs.

 (7) Dwelling units above permitted business uses.

D. Minimum lot size. (See Article IV)

 (1) Minimum lot area: five thousand (5,000) square feet.

 (2) Minimum lot frontage: none.

 (3) Minimum lot depth: none.

E. Yards and lot coverage. Minimum yard dimensions for principal structures shall be as follows. (See Article IV and § 92-14.)

 (1) Front yard: none.

 (2) Side yard: All B-1 Zone uses may be built without side yards, except that where the B-1 Zone adjoins a residence district there shall be a minimum side yard of ten (10) feet.

 (3) Rear yard: ten (10) feet.

F. Maximum improved lot coverage: exempt. (Ord. No 2-2006)

G. Maximum building coverage: exempt. (Ord. No 2-2006)

H. Maximum building height for principal structures. (See Article IV)

 (1) Feet: thirty (30).

 (2) Stories: two (2).

I. Required parking and loading spaces. Also see § 92-22A to D(5). (Amended 7-23-2013 by Ord. No. 22-2013)

**B-1 Zone On-Street/Off-Street Parking and Off-Street Loading**

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| **Use** | **Minimum Parking** |
| Funeral homes and mortuaries | 10 per parlor. |
| Retail stores, store groups, shops, consumer services, take out food only, etc. | 1 for each 300 sf of floor area. Minimum 3 spaces. |
| Eating/drinking establishments | 1 for each 3 seats. Minimum 5 spaces. |
| Medical or dental offices, and other professional offices | 4 for each professional occupant. |
| General business office | 1 for each 300 sf of floor area. |
| Hotels and motels  | 1 per bedroom, plus 0.5 per employee on the highest shift. |
| Dwelling Units | 2 per dwelling unit |
|   |   |
| **Minimum Loading** |
| Offices | 1 per 10,000 sf of floor area. |
| Retail, commercial, wholesale, manufacturing, storage and miscellaneous uses | 1 per 10,000 to 25,000 sf of floor area: 2 for each 25,000 to 40,000 sf of floor area: 3 for 40,000 to 60,000 sf of floor area: 1 for each additional 50,000 sf of floor area or fraction thereof. |
| **Minimum Required Parking Use and Loading Spaces** |
| Undertakers and funeral parlors | 1 for each 5,000 square feet of floor area. 1 for each additional 5,000 square feet of floor area or major fraction thereof. |

J. Enclosure. All uses shall be conducted wholly within a completely enclosed building, except for off-street parking and loading facilities, new and used car lots and service stations.

K. Bakeries. Bakeries first permitted in any B-1 Zone shall be located no closer to a residential district than fifty (50) feet, and goods produced on the premises shall be sold only at retail on the premises.

L. Dwelling Unit Development Regulations

1. Number of Bedrooms. No dwelling unit shall have over two (2) bedrooms.
2. Minimum Habitable Floor Space

 ***Number of Bedrooms Minimum Floor Space - Square Footage***

1. 550 square feet (efficiency)

 1 650 square feet

 2 800 square feet

1. Efficiency units shall not exceed twenty (20) percent of total number of dwelling units.

**SECTION 2.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 3**. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4**. This law shall take effect immediately upon final passage, approval and publication as required by law.

***NOTICE***

NOTICE IS HEREBY GIVEN, that the above Ordinance was ***reintroduced*** with the changes recommended by the Bloomingdale Planning Board outlined above and passed on first reading at the Regular Business Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the 15th day of March, 2016, and the same shall come up for final passage at the Regular Business Meeting of the Governing Body to be held on the 5th day of April 2016, at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance

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Jane McCarthy, Municipal Clerk