

ARTICLE XXIII
B-2 Central Business District⁸

§ 40-2301. APPLICABILITY OF REGULATIONS. [1980 Code § 128-92; amended 10-19-2023 by Ord. No. 2753]

The regulations set forth in this Article or set forth elsewhere in Part 3 of this chapter and referred to in this Article are the district regulations in the B-2 Central Business District (hereafter referred to as the "District").

§ 40-2302. PERMITTED USES. [1980 Code § 128-93; Ord. No. 2221 § 1; Ord. No. 2257 § 1; Ord. No. 2298 ; Ord. No. 2375 ; Ord. No. 2377 ; Ord. No. 2422 ; Ord. No. 2439-2015 ; Ord. No. 2525-2018 ; amended 6-15-2023 by Ord. No. 2729]

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 a building or premises.
3. Accessory buildings and uses customarily incident to the above uses.
4. Retail trade.
5. Retail services.
6. Banks and financial institutions—NAICS Group 5221. [Amended 2-6-2020 by Ord. No. 2605]
7. Institutional and public uses—NAICS Groups 71211 and 92. [Amended 2-6-2020 by Ord. No. 2605]
8. Restaurants, excluding drive-in restaurants—NAICS Group 722110, excluding exotic and/or pornographic entertainment or activities. [Amended 2-6-2020 by Ord. No. 2605]
9. Motion-picture theaters—NAICS Group 512131. [Amended 2-6-2020 by Ord. No. 2605]
10. Insurance agencies and brokerage—NAICS 5242. [Amended 2-6-2020 by Ord. No. 2605]
11. Pet grooming services—NAICS Group 812910. [Amended 2-6-2020 by Ord. No. 2605]
12. Fitness and Recreational Sports Centers—NAICS Group 713940. [Amended 2-6-2020 by Ord. No. 2605]
13. Permanent cosmetics, make up salon.
Color consulting services (i.e., personal care services).
Day spas.

8. Editor's Note: Article XXIII was amended by Ord. No. 1113; Ord. No. 1140; Ord. No. 1348; Ord. No. 1367; Ord. No. 1622; Ord. No. 1976.

Depilatory (i.e., hair removal) salons.

Ear piercing services.

Electrolysis (i.e., hair removal) salons.

Hair removal (i.e., depilatory, electrolysis) services.

Hair replacement services (except by offices of physicians).

Hair weaving services.

Make-up salons, permanent.

Scalp treating services.

Sun tanning salons.

Tanning salons.

14. Family Fun Centers - NAICS Group 713120. [**Ord. No. 2439-2015 ; amended 2-6-2020 by Ord. No. 2605**]

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.

C. Conditional Uses. A building or premises shall be used in this zone only if it meets the following conditions:

1. Hair, nail and skin care services—NAICS Group 81211. [**Amended 2-6-2020 by Ord. No. 2605**]

- a. If the use is 500 linear feet between a similar use; and
- b. The building space is 400 square feet or less.

2. Cannabis Retailer (Class 5). [**Added 6-15-2023 by Ord. No. 2729**]

a. Conditional Use Standards.

- (1) Cannabis Businesses Establishments in the B-2 Central Business Zone District (Cannabis Business Establishments") are limited to persons or entities holding a Class 5 Cannabis Retail license ("licensee") issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey, and/or its successors (the "CRC").
- (2) There shall be no more than a total of one (1) Cannabis Business Establishments within the B-2 Central Business Zone.
- (3) Cannabis Business Establishments shall meet all requirements for licensure and hold an appropriate Class 5 retail license issued by the CRC.
- (4) There shall be no on-site sales of alcohol or tobacco products, and no onsite consumption of food, alcohol, tobacco, or cannabis by patrons.

b. General Standards for Cannabis Businesses.

- (1) No Cannabis Business Establishment will be allowed without approval of a site plan, upon public notice, submitted to the Municipal Land Use Board of the Borough of Roselle Park, who in their review and in the exercise of their discretion shall consider the site, its neighborhood, the health, safety and general welfare of the Borough and the properties adjacent to or affected by the proposed use. Such a site plan shall include no less than:
 - (a) A parking and traffic plan;
 - (b) A Traffic Impact Statement;
 - (c) A lighting plan;
 - (d) Any other detail that the Municipal Land Use Board requires to determine site plan approval.
 - (2) Cannabis Businesses Establishments owned and operated by separate licensees shall be separated by 4,000 feet within the Borough.
 - (3) A Cannabis Business Establishment shall not be located within 1,500 feet of any school and 500 feet of the property line of any existing church, childcare center, or any existing public park.
 - (4) Minimum gross floor area (GFA) shall be 2,500 square feet.
 - (5) Minimum off-street parking requirements shall be one space per 250 square feet of GFA or 35 spaces, whichever is greater.
 - (6) Hours of public operation shall be limited to 9:00 a.m. through 9:30 p.m., Monday through Sunday.
 - (7) The Cannabis Business Establishment shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application.
 - (8) Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.
- c. Design Standards for Cannabis Businesses.
- (1) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights-of-way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system may be subject to periodic inspection by the Borough of Roselle Park Health Department and/or Building Department.
 - (2) All Cannabis Business Establishment operations shall be conducted within a building. No operations shall be conducted outside a secure facility.
 - (3) Each Cannabis Business Establishment shall submit a security plan to the Borough Police Department for their review and approval prior to issuance of a certificate of occupancy and every two (2) years thereafter. Said security plan shall demonstrate

how the facility will maintain effective security and control of operations on a 24-hour basis. The plan should include the following at minimum, but not limited to:

- (a) Type of security systems to be installed.
 - (b) Installation, operation, and maintenance of security cameras covering all interior and exterior parking lots, loading areas, and other such areas of the establishment.
 - (c) A system for record keeping and tracking of all cannabis and cannabis related products and materials.
 - (d) Type of lighting provided in and around the establishment.
 - (e) Details of any on-site security team or personnel or armed guard(s) on the premises.
- (4) No outside storage of any cannabis, cannabis related products, or cannabis related materials shall be permitted.

§ 40-2303. PROHIBITED USES. [1980 Code § 128-93.1; Ord. No. 2298 ; amended 6-15-2023 by Ord. No. 2729]

- A. 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.
- B. Residence uses are prohibited from being located on ground-floor levels but not upper floor levels. Such uses stated in § 2103 are prohibited.
- C. Class 1, Class 2, Class 3, Class 4 and Class 6 Cannabis Businesses as said terms are defined in Section 3 of P.L. 2021, c.16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough. [Added 7-15-2021 by Ord. No. 2660 ; amended 6-15-2023 by Ord. No. 2729]

§ 40-2304. HEIGHT REGULATIONS. [1980 Code § 128-94; Ord. No. 2298]

- 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.

§ 40-2305. AREA REGULATIONS. [1980 Code § 128-95; Ord. No. 2298 ; Ord. No. 2431]

- 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.
- E. Maximum Impervious Coverage. The maximum impervious coverage shall be seventy-five (75%) percent 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. Any parking visible from the street shall be screened from view through landscaping and other buffering measures as deemed appropriate by the Roselle Park Municipal Land Use Board.
 2. Access to parking areas on adjoining lots shall be provided, where feasible.

§ 40-2306. DESIGN STANDARDS. [Added 10-19-2023 by Ord. No. 2753]

The purpose of this section is to provide a clear approach to design and construction of the built environment in order to guide the design of buildings constructed or modified in the District to ensure that, through appropriate use of facades, windows, building orientation and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings in the surrounding area. A goal of these Design Standards is to create buildings that are attractive, and to allow for flexibility and creativity while encouraging high-quality development within the District. Additionally, signage and other streetscape improvements should reinforce the goal of improving the appearance of the District.

A. General.

1. No construction permit shall be issued for signage, exterior construction, and/or exterior alteration or renovation for any building in the District without the review and approval of plans by the Zoning Officer.
2. Nothing contained here shall exempt any property owner, tenant, or applicant from compliance with any requirement of the Building or Zoning Department of the Borough of Roselle Park, the New Jersey State Building Code, and other applicable laws and codes.

B. Facades.

1. Brick and stone are encouraged, as they are highly durable building materials that extend the life of a building and reduce maintenance, which is particularly important for building facades. Where these materials exist as original materials, they should be stripped of applied siding materials and restored. Restoration may include cleaning, pointing, sealing and, where appropriate, painting.
2. Large areas of blank stucco require additional detailing to create three-dimensional quality. This may be accomplished in stucco or wood by recreating reveals, moldings, accent trim, fascias and cornices, as well as variations in color. Accent trim elements include window and storefront frames, roof cornices, shutters, trim, moldings, brick banding and other architectural details.
3. Changes in materials and tones are also encouraged to add variety and break monotonous repetitive rhythm.

4. When facade changes are made, hidden architectural elements and original materials shall be restored or replaced to match the original architecture of the building where practicable and if reasonable. Existing, architecturally significant elements shall not be covered or hidden.
5. The architectural treatment of a building facade shall be completely continued around all principal facades of a building.
6. Buildings with two (2) or more principal facades should be designed specifically to respond to these more prominent locations.
7. Upper and lower facades should be clearly delineated, and shall have a hierarchy defined in some part by the stepping from the principal facades of the building either forward or back.
8. Breaks in the building line may be achieved through offsets, dormers, gables, cupolas, or towers, pillars or posts, windows, decorative corniced, ground-floor colonnades, port-cocheres, porches porticos arcades and terraces.
9. Depth and shadow are encouraged, and may be created by projections and recesses such as awnings, punched openings, protruding bays, terraces, and overhanging eaves.
10. Buildings should be composed of simple volumes and should avoid overly complex massing.
11. Simple and uniform textures and patterns are encouraged to create shadow patterns and enhance visible interest.
12. Buildings should be designed to present a harmonious appearance in terms of style and use of exterior materials, fenestration, and roof type.
13. Exterior walls shall be articulated to reduce the scale and the uniform appearance of buildings and to provide visual interest that will be consistent with the community's identity, character and scale.
14. New facade details and articulation should be compatible with the design of similar nearby buildings within 200 feet.
15. Building openings should generally stack in alignment above other openings and solid areas in the facade and should stack above structural elements.
16. Building facades should be comprised of a series of patterns that create an inherent rhythm, generally by utilizing symmetry, repeated bays with expressed structural elements, and the repetition of windows and doors.
17. Building cornices, sill heights, floor levels, decorative moldings, and windows should be carefully designed to align so that there is a general consistency within a single building.
18. Window spacing should be consistent and balanced on a single facade. The number of windows per building is dependent on the length of the building facade, however windows should be equally distributed across the face of the building.
19. Upper floors generally should employ a larger ratio of solid area versus opening area through the use of smaller, vertically oriented windows in a regular pattern.
20. Upper story windows should align from one level to the next. Unifying patterns should include a common window lintel and sill line, as well as aligned vertical centerlines.

C. Storefronts and Ground Floor Uses.

1. Street level storefronts should utilize large, transparent windows, good lighting and thoughtful window displays which allow views to the interior activity or display areas, are encouraged.
2. Storefront window glazing shall not exceed 70% transparency.
3. Ground floors should be designed with 70% to 80% transparency, excluding doors.
4. Buildings should provide an overall minimum solid to void ratio of 60% to 40%.
5. Multiple storefronts within the same building should be visually compatible in terms of scale, alignment, and general storefront design, and distinguish between various shops using color, signage, and awnings.
6. All entrances to a building should be defined and articulated by utilizing lintels, pediments, pilasters, porticoes, porches, overhangs, railings, balustrades and other details that are appropriate to the architectural character and style of the building.
7. Building entrances must be architecturally emphasized and visible from the street.
8. Buildings should be located and configured such that their primary entrances face the primary street or adjacent public space.
9. At corner conditions, buildings shall be configured to allow for multiple entrances.

D. Colors.

1. New buildings should be predominantly clad in "brown/black brick" and/or stone.
2. Preferred colors for exterior building finishes are earth tones, creams and pastels of earth tones. High-intensity primary colors and metallic colors may be utilized as trim and detail colors but shall not be used as primary wall colors.
3. Building colors should not be chosen to stand out and compete for attention.
4. Accent colors may be used to express corporate identity.
5. The total number of colors for an entire building facade, including the facade, awning or canopy, and accent elements should be limited to four (4) colors.
6. Aluminum gutters, downspouts, parapet capping and metal fire escapes should be painted a soft metallic color to blend in with the facade color.