

ORDINANCE NO. 2018-15

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 225 LAND USE ORDINANCE BY EXEMPTING SMALL COMMERCIAL ESTABLISHMENTS IN THE BOULEVARD DOWNTOWN ZONE FROM THE SITE PLAN APPROVAL PROCESS WITHIN THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

Purpose:

The purpose of this Ordinance is to amend Chapter 225 LAND USE ORDINANCE whereby the Borough Council seeks to promote small businesses by reducing the regulatory burden on them and exempting small commercial establishments from the Site Plan approval process within the Borough.

BE IT HEREBY ORDAINED by the Council of the Borough of Kenilworth, County of Union, State of New Jersey as follows:

NOW THEREFORE, Chapter 225-203: entitled "Zoning Permits" is amended to include the following new section C.1.a:

- (a) A change of use from one permitted commercial use to another permitted commercial use in the B-D Boulevard Downtown Zone shall be exempt from site plan approval, provided that the gross square footage of the proposed establishment is equal to or less than 1,200 SF and that all required parking is provided. Restaurants are not eligible for this exemption.

Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Effective Date

This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

Anthony DeLuca, Jr., Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				KAY CECERI			X			
		X				LAWRENCE CLEMENTI			X			
		X				MARK DAVID			X			
		X				LINDA KARLOVITCH			X			
					X	GERRY LAUDATI		X	X			
X		X				ROBERT SCHIELKE	X		X			
Introduced: August 22, 2018						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: September 12, 2018												
						_____ Laura Reinertsen, Borough Clerk						