

TOWN OF WEST NEW YORK, COUNTY OF HUDSON

ORDINANCE #19/16

AN ORDINANCE AMENDING CHAPTER 414 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “ZONING”

WHEREAS, Chapter 414 of the Code (the “Code”) of the Town of West New York (the “Town”) regulates parking and loading requirements for uses within the C-R Retail and Service Commercial District; and

WHEREAS, the Town seeks to change the parking and loading requirements for certain uses along Bergenline Avenue from 49th Street to 67th Street in light of the fact that there are public parking areas in this vicinity and little off street parking available for new businesses outside of the existing parking lots and on street metered parking; and

WHEREAS, changing the parking requirements will promote new businesses being located in existing buildings along Bergenline Avenue and encourage a vibrant and business friendly area; and

WHEREAS, this zoning ordinance is being forwarded to the West New York Planning Board for review pursuant to N.J.S.A. 40:55D-26, after introduction by the Board of Commissioners and prior to consideration of the ordinance for final adoption; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York that Chapter 414 entitled “Zoning” shall be amended to add the following:

Section One

§ 414-25 Off-street parking and loading requirements

- (1) Notwithstanding the above parking requirements for land uses in the C-R Retail Services Commercial District, the uses, set forth below, which are located on the East and West sides of Bergenline Avenue between 49th Street and 67th Street, which have a maximum occupancy load of 49 persons, shall not be required to provide parking or loading for the use.
 - (a) Retail Sales
 - (b) Restaurants
 - (c) Schools
 - (d) Business and professional offices

All other zoning requirements for these uses remain in full force and effect.

Section Two

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three

Repealer. All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or in effect shall remain in effect unless the they are in conflict or inconsistent with any provision of this Ordinance.

Section Four

When Effective. This ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 414 to eliminate the parking and loading requirements for certain uses on Bergenline Avenue between 49th Street and 67th Street.

Introduced: 9/15/2016

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **September 15, 2016** and ordered published, and will be further considered before final passage at a public hearing on **October 20, 2016 at 6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC
Town Clerk