

**ORDINANCE 1197-2012**

**AN ORDINANCE AMENDING SECTIONS 1005(b), 1008(c)(1), 1009(c)(1), 1010(c)(1) AND 1013 (a) and (d) OF THE LAND USE ORDINANCE OF THE BOROUGH OF MOUNTAINSIDE**

WHEREAS, the Mayor and Council of the Borough of Mountainside, County of Union, and State of New Jersey have determined that there is a need to exercise more control over changes made to existing construction and new construction in the residential zoning districts of the Borough, and to expand the permitted uses in the L-I Limited Industrial zoning district of the Borough.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council as follows:

Section 1005(b) of the Borough Code be and the same is hereby deleted and that there be substituted the following new Section 1005(b):

(b) Alteration, Extension Or Enlargement Of Nonconforming Uses, Structures And Lots. Nonconforming uses, structures and lots in all zoning districts shall conform to the following requirements:

(1) Any structure, lot or use of land which is nonconforming shall not be enlarged or extended in any manner whatsoever.

(2) There shall be no structural alterations or enlargement made to any nonconforming building or structure which enlarges or extends the building or structure.

AND BE IT FURTHER ORDAINED THAT Subsection 1008. (c) (1) of the Borough Code be and the same is hereby deleted and that there be substituted the following new Section 1008(c) (1):

(1) Height. No building shall exceed a maximum of two and one-half (2 1/2) stories or thirty (30) feet in height, whichever is the lesser.

AND BE IT FURTHER ORDAINED THAT Subsection 1009. (c) (1) of the Borough Code be and the same is hereby deleted and that there be substituted the following new Section 1009. (c) (1):

(1) Height. No building shall exceed a maximum of two and one-half (2 1/2) stories or thirty (30) feet in height, whichever is the lesser.

AND BE IT FURTHER ORDAINED THAT Subsection 1010. (c) (1) of the Borough Code be and the same is hereby deleted and that there be substituted the following new Section 1010. (c) (1):

(1) Height. No building shall exceed a maximum of two and one-half (2 1/2) stories or thirty (30) feet in height, whichever is the lesser.

AND BE IT FURTHER ORDAINED THAT Subsection 1013 (a) of the Borough Code be and the same is hereby deleted and that there be substituted the following new Section 1013 (a):

(a) Primary Intended Uses. The uses in this zoning district are business, professionals, executive or administrative office purposes, scientific or research laboratories, warehousing and limited industrial and manufacturing uses, the nature of such industrial and manufacturing uses being dependent upon their compliance to performance standards of Section 1010 (d), commercial uses of a strictly wholesale sales and services nature and private membership, non-profit and/or recreational facilities open to the general public which provide

indoor facilities for swimming, tennis, racketball, handball, baseball, soccer, lacrosse, exercise imposed by the performance standards set forth in Section 1013 (d).

This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.