

BOROUGH OF LEONIA

ORDINANCE NO. 2023-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 290 “ZONING”, ARTICLE II “DEFINITIONS”, SECTION 290-3 “TERMS DEFINED WORD USAGE” AND ARTICLE IV. “A DISTRICTS”, SECTION 290-7 “PERMITTED USES” OF THE CODE OF THE BOROUGH OF LEONIA

WHEREAS, the Mayor and Council of the Borough of Leonia believe it is in the best interests of the Borough to amend the Zoning Ordinance.

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey, as follows:

Section 1.

Chapter 290 “Zoning”, Article II “Definitions”, Section 290-3 “Terms Defined Word Usage” of the Code of the Borough of Leonia is amended and supplemented as follows:

Home Professional Office: A Home Occupation consisting of the office of a practitioner of a recognized profession.

Home Occupation: Any activity carried out for gain by a resident and conducted in the resident’s dwelling unit.

Section 2.

Chapter 290 “Zoning” Article IV “A Districts” Section 290-7 “Permitted Uses” of the Code of the Borough of Leonia is amended and supplemented, as follows:

In Districts A., only the following uses are permitted:

- A. Single-family, detached dwelling, used as a residence by not more than one family and not to exceed one such dwelling unit on each lot. Further, this use shall not be deemed to include any accommodation used, in whole or in part, for transient occupancy.
- B. Public schools of the school district, private schools not operated for profit of elementary and high school grade and public parks and playgrounds, and including their accessory buildings and structures.
- C. (Reserved)
- D. A Home Professional Office of a practitioner of a recognized profession of a resident who resides on Broad Avenue, Grand Avenue or Fort Lee Road, provided that not more than two

persons are employed upon the premises, and that such office shall be part of the dwelling in which the practitioner resides and shall not occupy more than ½ of the area of one floor of said building. A Home Professional Office shall not include the office of any person professionally engaged in the purchase or sale of goods kept or displayed on the premises. A Home Professional Office shall not include a biological or other medical testing laboratory except those that are incidental to and used in conjunction with a resident or physician or dentist.

E. Home Occupations, in any dwelling unit, a resident may conduct a business activity, subject to the following:

1. No person other than members of the family residing on the premises shall be engaged in such occupation;
2. The use of the dwelling unit for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 10% of the floor area of the dwelling unit shall be used in the conduct of the Home Occupation;
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such Home Occupation;
4. No Home Occupation shall be conducted in any accessory building;
5. There shall be no more than one (1) sale or other client visit per hour in connection with such Home Occupation;
6. The Home Occupation shall only be conducted as follows: Weekdays 8:30 a.m. - 8:00 p.m.; Saturdays 9:00 a.m. - 5:00 p.m.; Sundays - not permitted
7. No traffic or parking shall be generated by such Home Occupation in greater volumes than would normally be expected in a residential neighborhood;
8. No equipment or process shall be used in such Home Occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than single-family residence, nor shall any equipment cause electrical or audible interference in any radiom television receivers, telephone, computer or other electronic devises off the premises, or cause fluctuations in the line voltage off the premises; and
9. No nuisance factors shall be permitted.

F. Places of worship subject to the following requirements:

- (1) Such use shall be subject to site plan review and approval in accordance with Chapter 236 of the Code of the Borough of Leonia.
- (2) The minimum lot area shall be one acre.

- (3) The minimum lot frontage shall be 150 feet.
- (4) The minimum lot depth shall be 200 feet.
- (5) The minimum front yard shall be 50 feet.
- (6) The minimum side yard shall be 25 feet.
- (7) The minimum rear yard shall be 50 feet.
- (8) No building shall exceed a height of more than 35 feet.
- (9) No more than 65% of the lot shall be covered with impervious materials.
- (10) The total area of all buildings shall not exceed 25% of the total lot area.
- (11) Adequate screening, as required by the Planning Board, shall be installed and maintained in good condition for a depth of at least 10 feet along the property line of any abutting single-family residential district or use.
- (12) Off-street parking shall be provided in accordance with Article XVIII of this chapter.
- (13) No parking shall be permitted within the required front yard.

Section 3.

Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 4.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5.

This ordinance shall take effect immediately upon publication and final passage according to law.



Judah Zeigler, Mayor

ATTEST:



Trina Lindsey, Borough Clerk

RECORD OF VOTE

| Council | First Reading | | | | | | Second Reading | | | | | | |
|--|----------------|---|---|---|---|----|----------------|---|---|---|---|----|---|
| | March 20, 2023 | | | | | | May 1, 2023 | | | | | | |
| | M | S | Y | N | A | AB | M | S | Y | N | A | AB | |
| Grandelis | | | ✓ | | | | | | | | | | ✓ |
| Davis | | | ✓ | | | | | ✓ | ✓ | | | | |
| Fusco | ✓ | | ✓ | | | | | | ✓ | | | | |
| Hesterbrink | | | ✓ | | | | | | ✓ | | | | |
| Terrell | | ✓ | ✓ | | | | ✓ | | ✓ | | | | |
| Ziegler | | | ✓ | | | | | | ✓ | | | | |
| Mayor Zeigler | | | | | | | | | | | | | |
| M - Motion S - Seconded Y- Yes N - No A - Abstain AB - Absent | | | | | | | | | | | | | |



 Judah Zeigler, Mayor

ATTEST:



 Trina Lindsey, Borough Clerk