

**BERNARDSVILLE BOROUGH
ORDINANCE 10-1532**

**AN ORDINANCE AMENDING THE BOROUGH DEVELOPMENT
REGULATIONS ORDINANCE AMENDING ARTICLE 12
OF THE BOROUGH LAND USE ORDINANCE ENTITLED "ZONING"
PERTAINING TO THE DEFINITION OF OPEN SPACE RESIDENTIAL ZONING**

WHEREAS, the Planning Board has recommended certain changes to the Borough Zoning Ordinance;

WHEREAS, there is an internal conflict in the ordinance between the definition of "open space residential zoning" and the standards and regulations for such use, and

WHEREAS, deleting the definition removes the conflict but maintains the operative standards and regulations.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Bernardsville, in the County of Somerset, New Jersey, that the Borough Land Development Regulations are hereby supplemented and amended as follows:

Section 1. Section 1-3.2 is amended to read as follows:

The following definition is deleted:

Open Space Residential Zoning shall mean open space residential zoning is a permitted reduction in lot size and lot area requirements, up to a maximum reduction of thirty (30%) percent in lot area, in major subdivisions in a residential zone, in which overall density requirements are maintained and where all resulting undeveloped land within said subdivision is set aside, in perpetuity, as OPEN SPACE or COMMON OPEN SPACE as an appurtenance.

Section 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

This ordinance shall become effective immediately upon final passage and publication as required by law.

**COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE
COUNTY OF SOMERSET**

ATTEST:

Sandra G. Jones, Borough Clerk

By: _____
Lee C. Honecker, Mayor

Introduction: _____

1st Publication: _____

Referred to Planning Board: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**P. David Zimmerman, PP/AICP
Borough Planner
January, 2010**