

**TOWNSHIP COUNCIL OF MOUNT HOLLY TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY**

ORDINANCE NO. 2023-3

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF MOUNT HOLLY AMENDING
CHAPTER 149, ARTICLE XIX, ENTITLED “B-1 CENTRAL
BUSINESS DISTRICT,” OF THE TOWNSHIP CODE**

WHEREAS, the Township maintains existing regulations regarding permitted uses in the B-1 Central Business District under Chapter 149, Article XIX of the Township Code;

WHEREAS, under the current Township Code tattoo parlors are a prohibited use in the B-1 Zone; and;

WHEREAS, the Council wishes to amend the Township Code with regarding to the permitted uses and prohibited uses in the B-1 Central Business District.

NOW THEREFORE BE IT ORDAINED by the Council of the Township of Mount Holly, in the County of Burlington and State of New Jersey that:

SECTION 1. Chapter 149, Article XIX, entitled “B-1 Central Business District” shall be amended to read as follows:

Article XIX. “B-1 Central Business District.”

§149-110 Permitted uses.

A. B-1 District goals.

- (1) Reinforce the main purpose of downtown Mount Holly as the shopping and gathering focus of the community.
- (2) Preserve the vitality, scale, character, variety, and consistency of the existing urban fabric.
- (3) Accommodate a mix of uses that maintains the liveliness of the street and supports downtown commercial activity.
- (4) Add to the community's tax ratables.
- (5) Provide diverse residential choices while recognizing the importance of retail use at the ground floor.

B. Description: a multistory building with multiple dwellings or offices in upper stories (second floor and above) and retail use only on the ground floor.

C. "Retail Use" is defined as a business whose sale is made on the premises to the ultimate consumer of the commodities or services or the furnishing thereof for the entire community. Examples include, but are not limited to, restaurants, bar, coffee shops, clothing retail, furniture retail, art galleries, hair and nail salons/barber shops, tattoo parlors, businesses operating as a cannabis retailer licensed under N.J.S.A. 24:6I-31 et seq., and similar type businesses.

D. Any building containing a retail store or service establishment upon the first floor may be constructed so that on the second and third floor there may be not more than one dwelling unit above on each story for each said retail store or service establishment, provided that there shall be a lot area of 2,500 square feet per family unit.

E. Accessory uses customarily incident to the above uses shall be permitted.

F. Tattoo parlors are a permitted use in the B-1 Zone. However, tattoo parlor storefronts and related identification signage shall not be not permitted on Mill Street and/or High Street. Tattoo parlors located on Mill Street and/or High Street shall however be permitted to post signage at the rear exterior of the building identifying the business given such signage is not visible from Mill Street and/or High Street.

§149-111 Prohibited uses.

A. Any use other than those uses permitted by § 149-110 above is prohibited in Mount Holly Township's downtown B-1 Zone; more particularly, but not limited thereto, none of the following uses shall be permitted: pawn shops; gold and coin exchange businesses; bail bonds business; ~~tattoo parlors~~; massage parlors; addiction or mental health treatment centers; used car lots, unless an accessory use; dry-cleaning establishments using flammable cleaning liquids; junkyards; outdoor amusements; warehouses, unless as an accessory building; storage buildings; auction establishments; any industrial use; and public dance halls, unless the dance is sponsored by a charitable organization. For the purposes of this Part 3, laundries, bakeries, printing shops, dry-cleaning establishments and other businesses in which a product is produced shall be deemed to be industries, where they employ more than 10 persons or use machinery of more than 10 horsepower, but it is not intended that a retail store or a service, such as a hotel, department store or a bank, shall be limited in the number of its employees.

(1) Notwithstanding the above prohibited uses, any existing pawn shops and/or gold and coin exchanges located in the B-1 Zone prior to the effective date of this ordinance shall not be deemed to violate this Section and shall be permitted to remain at its current location within the B-1 Zone.

B. Residential use is prohibited on the ground floor of any building located within the B-1 Zone, but may exist on the second floor or above.

C. Use of the ground floor as office space of any building located within the B-1 District is prohibited, but may exist on the second floor or above.

SECTION 2. If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective;

SECTION 3. If any ordinances or parts thereof are in conflict with the provisions of this Ordinance those provisions shall be repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon passage and publication in accordance within applicable law.

First Reading: March 13, 2023

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
T. Astor			X				
L. Brown		X	X				
K. Burkus			X				
J. Jones	X		X				
C. Banks			X				

Second Reading: April 3, 2023

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
T. Astor			X				
L. Brown		X	X				
K. Burkus			X				
J. Jones	X		X				
C. Banks			X				

TOWNSHIP OF MOUNT HOLLY

CHRIS BANKS, Mayor

Attest:

SHERRY L. MARNELL, Township Clerk

PUBLIC NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced and passed at a meeting of the Township Council of the Township of Mount Holly, County of Burlington, State of New Jersey, held on the ___ day of _____, 2023, and will be considered for final passage after a public hearing at a meeting of the Township Council of the Township of Mount Holly to be held on the ___ day of _____, 2023.

SHERRY L. MARNELL, Township Clerk

I HEREBY CERTIFY that the foregoing Ordinance was approved for final adoption by Mayor and Township Council of the Township of Mount Holly, County of Burlington, State of New Jersey, at a regular meeting on the ___ day of _____, 2023.

SHERRY L. MARNELL, Township Clerk