

First Reading:	05-21-2026
Publication:	05-22-2026
Second Reading:	06-18-2026
Publication:	06-19-2026

ORDINANCE NO. 2860

AN ORDINANCE AMENDING CHAPTER 40 THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “LAND USE” SO AS TO EXPLICITLY PROHIBIT DATA CENTERS IN ALL ZONE DISTRICTS

WHEREAS, the governing body of the Borough of Roselle Park is authorized to adopt and amend land use regulations pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., in order to promote the public health, safety, and general welfare; and,

WHEREAS, the Borough has engaged in ongoing planning and zoning efforts to ensure that development within the Borough is consistent with its Master Plan, preserves the character of its residential neighborhoods, and supports appropriate commercial, industrial, and mixed-use growth; and,

WHEREAS, the governing body has reviewed the general nature and is aware of the concerns about the operational characteristics of Data Centers, including their physical scale, infrastructure requirements, and operational intensity, and has considered how such uses may interact with surrounding land uses; and,

WHEREAS, Data Centers typically require substantial supporting infrastructure, including but not limited to high-capacity electrical service, backup power systems, cooling and ventilation systems, and associated utility and mechanical equipment, which may affect the intensity and character of development in a given area; and,

WHEREAS, the governing body has considered potential land use impacts associated with such facilities, including but not limited to building scale, size requirements and occupancy, potential noise pollution, accessory structures, and the presence of mechanical and utility equipment, particularly in areas that are in proximity to residential or community-oriented uses; and,

WHEREAS, the governing body recognizes that certain technological advancements and operational practices *may* mitigate some impacts associated with these types of facilities, but finds that the overall land use characteristics of Data Centers, including their specialized infrastructure demands and limited integration with surrounding uses, may not align with the Borough’s planning and zoning objectives; and,

WHEREAS, the governing body has further considered the long-term planning implications of permitting such uses, including the potential for such facilities to occupy significant land areas while providing limited opportunity for broader community integration or adaptive reuse; and,

WHEREAS, the governing body has determined that it is in the best interest of the Borough and its citizens to expressly prohibit Data Centers in all zone districts in order to affirm consistency with the Borough’s Master Plan and overall land use goals.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Definition of Data Center

§ 40-601 TERMS DEFINED.

The following words, terms or phrases, when used in Chapter 40, Land Use, shall have the meanings ascribed in this section:

[...]

CURB LEVEL

Shall mean the permanently established grade of the street measured from the street to the top of the curb in front of the lot.

DATA CENTER

Any facility used primarily for the storage, management, and processing of digital or electronic data, which houses computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems, systems for monitoring and managing infrastructure performance, internet-related equipment and services, data communications connections, environmental controls, fire protection systems, and security systems and services.

Typical accessory components of a Data Center, as defined herein, may include transformers, electrical substations, environmental controls, fire suppression, generators, redundant power supplies, and security facilities.

The definition of a Data Center, as provided herein, is intended to be construed broadly and shall include all facilities constructed for the primary purpose of housing active large-scale information technology or digital infrastructure, including but not limited to, hyperscale facilities, colocation facilities, cloud computing infrastructure, cryptocurrency mining operations, artificial intelligence processing facilities, and any other high-density digital infrastructure uses, regardless of how such use is labeled or described. Such facilities are generally characterized by large-scale building footprints, substantial supporting infrastructure, continuous or near-continuous energy consumption, reliance on backup power generation systems, and associated mechanical and cooling operations necessary to maintain system functionality.

The foregoing definition of a Data Center shall not include accessory data server facilities such as accessory server rooms, which are dedicated rooms or spaces within a facility that house computer servers and networking equipment that is accessory and subordinate to the primary use within that facility. Example of facilities that typically include server rooms include hospitals, health care providers, schools, municipal government agencies and manufacturing facilities.

DECK

Shall mean a wooden, flat floored roofless area adjoining a house.

[...]

SECTION 2. Prohibition of Data Centers in the R-1, Single-Family Residence District

§ 40-1702 PERMITTED USES.

A building or premises shall be used only for the following purposes:

[...]

P. Prohibited Uses. All uses not specifically referred to in § 40-1702A and § 40-1702O are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 3. Prohibition of Data Centers in the R-2, Two-Family Residence District

§ 40-1802 PERMITTED USES.

A building or premises shall be used only for the following purposes:

[...]

G. Prohibited Uses. All uses not specifically referred to in § 40-1802A and § 40-1802F are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 4. Prohibition of Data Centers in the R-3, Four-Family Residence District

§ 40-1902 PERMITTED USES.

A building or premises shall be used only for the following purposes:

[...]

J. Prohibited Uses. All uses not specifically referred to in § 40-1902A and § 40-1902I are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 5. Prohibition of Data Centers in the R-4, Garden Apartment District

§ 40-2002 PERMITTED USES.

A building or premises shall be used only for the following purposes:

[...]

G. Prohibited Uses. All uses not specifically referred to in § 40-2002A and § 40-2002F are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 6. Prohibition of Data Centers in the ROB, Residence Office Building District

§ 40-2103 PROHIBITED USES.

All uses not specifically referred to in § 40-2102 are prohibited, including but not limited to the following uses:

- A. Automotive service stations except those established prior to the effective date of this chapter.
- B. Open-air parking stations for the sale or exchange of motor vehicles.
- C. Used car lots.
- D. The dismantling or storage of dismantled automobiles or used parts thereof except in conjunction with the use of the premises as an existing auto body shop.
- E. Hospitals, hospital-related businesses, hospital-related housing, surgical centers, clinics, outpatient treatment centers or any other business related thereto.
- F. Auto body repair shop.
- G. Class 1, Class 2, Class 3, Class 4 and Class 6 Cannabis Businesses as said terms are defined in Section 3 of P.L. 2021, c.16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

H. Data Centers.

SECTION 7. Prohibition of Data Centers in the B-1, Neighborhood Business District

§ 40-2202 PRINCIPAL PERMITTED USES.

[...]

C. Prohibited Uses. All uses not specifically referred to in § 40-2202A and § 40-2202B are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 8. Prohibition of Data Centers in the B-2, Central Business District

§ 40-2303 PROHIBITED USES.

All uses not specifically referred to in § 40-2302 are prohibited, including but not limited to the following uses:

- A. Storage of materials, stock or inventory shall not be permitted in any window display area ordinarily exposed to public view. All screening of windows shall be maintained in a clean and attractive manner.
- B. Residence uses are prohibited from being located on ground-floor levels but not upper floor levels.

~~Such uses stated in § 2103 are prohibited.~~

- C. Class 1, Class 2, Class 3, Class 4 and Class 6 Cannabis Businesses as said terms are defined in Section 3 of P.L. 2021, c.16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

D. Such uses stated in § 40-2103.

E. Data Centers.

SECTION 9. Prohibition of Data Centers in the B-3, Arterial Business District

§ 40-2403 PROHIBITED USES.

All uses not specifically referred to in § 40-2402 are prohibited, including but not limited to the following uses:

~~Such uses stated in § 40-2103 are prohibited.~~

- A. Class 6 cannabis delivery services as said term is defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service licensed outside of the Borough.

B. Such uses stated in § 40-2103.

C. Data Centers.

SECTION 10. Prohibition of Data Centers in the I, Industrial District

[...]

C. Prohibited Uses. All uses not specifically referred to in § 40-2502A and § 40-2502B are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 11. Prohibition of Data Centers in the SCH, Senior Citizen Housing District

§ 40-2602 PRINCIPAL PERMITTED USES.

A building or premises shall be used only for the following purposes:

- A. One hundred (100%) percent affordable senior citizen apartment dwellings.
- B. Family day-care centers.
- C. Group homes for the developmentally disabled.
- D. Public parks, playgrounds, buildings, structures and uses owned and operated by the Borough of Roselle Park.

E. Accessory uses that are customarily incidental to a principal permitted use.

F. Prohibited Uses. All uses not specifically referred to in § 40-2602A through § 40-2602E are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 12. Prohibition of Data Centers in the PD, Planned Development District

§ 40-2702 PRINCIPAL PERMITTED USES.

A. Townhouses.

B. Senior citizen housing.

C. Assisted living facilities.

D. Retail trade.

E. Banks and financial institutions—NASICS Group 5221.

F. Professional, businesses and administrative offices—NASICS Groups 541, 6211, 6212 and 6213.

G. Institutional and public uses — NASICS Groups 6111, 71211, 8131 and 92.

H. Accessory uses that are customarily incidental to a principal permitted use.

I. Prohibited Uses. All uses not specifically referred to in § 40-2702A through § 40-2702H are prohibited, including but not limited to the following uses:

1. Data Centers.

SECTION 13. Invalidity.

If any section or portion of a section of this Ordinance shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 14. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 15. Captions and Editing Indications.

Any captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent

and meaning of the text of any section. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from exiting Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 16. Referral to Municipal Land Use Board.

Pursuant to N.J.S.A. 40:55D-26, the foregoing Ordinance, after introduction by the governing body, shall be referred to the Municipal Land Use Board of the Borough of Roselle Park for a Master Plan consistency review. The Municipal Land Use Board shall provide a written report outlining their findings and recommendations with respect to said Ordinance within thirty-five (35) days of its referral.

SECTION 17. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

Introduction: May 21, 2026

Adoption: June 18, 2026

Attest: _____
Andrew J. Casais, RMC
Borough Clerk

Joseph Signorello, Jr.
Mayor

Record of Vote – Introduction				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Johnson	X			
Robaina				X
Lyons	X			
Patel	X			
Casalins	X			

Record of Vote – Adoption				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Johnson				X
Robaina	X			
Lyons	X			
Patel	X			
Casalins				X

Copy To: Kimberly Brown, Zoning Officer. Richard Belluscio, Assistant Zoning Officer. Alexander Mirabella, Business Administrator.