

ORDINANCE NO. 22- 2594

BOROUGH OF BERGENFIELD
COUNTY OF BERGEN
STATE OF NEW JERSEY

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF BERGENFIELD, CHAPTER 186 ENTITLED "ZONING"

BE IT ORDAINED by the Borough Council of the Borough of Bergenfield, County of Bergen, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Borough Bergenfield, Chapter 186 entitled "Land Development Ordinance of the Borough of Bergenfield, New Jersey".

Section 1

- A. The list of zones identified in Article VI Zoning Regulations and Establishment of Zones, Section 186-36, Enumeration of Zones is hereby amended to include:
 - IH Inclusionary Housing Zone.

- B. §186-38 Zoning Map is herein amended and supplemented to depict the Inclusionary Housing Zone on the following property:
 - Block 154 Lot 2

Section 2

The Land Development Ordinance is hereby amended to include the following Article:

ARTICLE VIIB
IH Inclusionary Housing Zone

§186-63.5 Objectives.

- A. Objectives. The provisions of this section are intended to encourage the construction of inclusionary housing consistent with smart growth design principles in a location adjacent to the Washington Avenue commercial corridor.

- B. Permitted uses for Block 154 Lot 2 shall be limited to inclusionary housing. The exact percentage of affordable units shall be determined based on tenure type. Developments offering for-sale units shall reserve no less than 20% of the total number of dwellings as affordable as defined and further regulated by the Borough's affordable housing ordinance. Developments in which units are to be offered for rent shall reserve no less than 15% of the total number of dwellings as affordable as defined and further regulated by the Borough's affordable housing ordinance.

§186-63.6 Design requirements.

All developments constructed in this zone shall comply with the area and bulk requirements pursuant to Schedule B. In addition, all developments shall comply with the following zoning provision:

- A. The maximum number of dwelling units shall not exceed twenty-six (26).
- B. Ground floor use is limited to parking, lobbies, mechanical and trash rooms, stairways and elevator areas.
- C. All developments in this zone shall install new curb, sidewalk and shade trees in the adjacent public right of way, if deemed necessary by the Borough engineer.
- D. Minimum required lot size is 15,000 square feet.
- E. Minimum required lot width is 100 feet. If a corner lot, the required minimum lot width must be complied with on at least one street frontage.
- F. Front yard building setbacks are designed to provide a presence along the street and shall be a minimum of five (5) feet.
- G. Side and rear yard building setbacks shall be a minimum of four (4) feet.
- H. Building height shall not exceed three (3) stories and thirty-eight (38) feet.
- I. Maximum improved lot coverage shall not exceed eighty-five (85) percent. Maximum lot coverage is limited to a maximum of seventy-five (75) percent.
- J. A minimum of 20% of all dwellings developed on this property shall be deed restricted affordable dwellings as defined in N.J.A.C.5:93-1.3. Affordable housing dwellings shall be priced so that 50% of all such units are available to low-income households with 13% of all affordable dwellings in each bedroom configuration are affordable to very-low income households. Affordable units shall not be restricted to senior citizens, although income qualified seniors shall not be excluded from occupancy.

§186-63.7 Miscellaneous Provisions.

- A. Affordable housing units shall be designed, constructed, marketed and maintained in strict compliance with Bergenfield's Affordable Housing Ordinance.
- B. Occupancy of affordable dwellings shall be limited to income qualified households, furthermore

all such dwellings shall be marketed, priced and deed restricted in compliance with all applicable regulations promulgated by the State of New Jersey or in accordance with any requirements established by Court order.

Section 3

Schedule B is and shall be amended by the addition of the following row, in all other respects Schedule B continues unaltered.

Zone District	Min. Required Lot Area	Min. Required Lot Width	Max. Improved Lot Coverage	Max. Lot Coverage	Max. Building Height	Min. Front Yard	Min. Side Yard	Min. Rear Yard
IH	15,000 sq. ft.	100 ft.	85%	75%	38 feet/3 sty.	5 ft.	4 ft	4 ft.

Section 4

All Ordinances of the Borough of Bergenfield which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 6

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 1st day of February, 2022 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Municipal Building in the Borough of Bergenfield, Bergen County, New Jersey, on the 15th day of March, 2022 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.

Marie Quinones

Borough Clerk