

BOROUGH OF SADDLE RIVER
ORDINANCE NO. 21-1025

AN ORDINANCE AMENDING ARTICLE XVII, "AFFORDABLE HOUSING-3 DISTRICT," OF CHAPTER 210, "ZONING," OF THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY, AND AMENDING THE BOROUGH ZONING MAP

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Saddle River, County of Bergen, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Borough of Saddle River, Chapter 210, entitled "Zoning."

SECTION 1. Article XVII, "Affordable Housing-3 District," Section 210-93, "Description," shall be amended to include Block 1601 Lot 9 and the Choctaw Trail Right-of-Way to be vacated, as follows:

A new Article XVII, Affordable Housing-3 District, is hereby established in this Chapter 210 of the Borough of Saddle River Zoning Ordinance. This zone shall encompass Block 1601 Lots 9, 10, 10.01 and 11, and Block 1605 Lot 1 and the Choctaw Trail Right-of-Way on the Borough of Saddle River Tax Maps.

SECTION 2. Article XVII, "Affordable Housing-3 District," Section 210-94, "Purpose and Definitions," Subsection A, shall be amended to include Block 1601 Lot 9 and the Choctaw Trail Right-of-Way, as follows:

- A. The purpose of the Affordable Housing-3 District (AH-3) is to establish zone for a 100% affordable housing development zone encompassing Block 1601 Lots 9, 10, 10.01 and 11, and Block 1605 Lot 1 and the Choctaw Trail Right-of-Way to accommodate very-low-, low-and moderate-income housing units satisfying the Fair Housing act and Uniform Housing Affordability Controls, and in conformance with the applicable procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting such development subject to the following regulations. The purpose of this article is to have the entire area zoned AH-3 to be developed as a single entity within the context of a comprehensive integrated design.

SECTION 3. Article XVII, "Affordable Housing-3 District," Section 210-95, "Permitted Principal Uses," shall be amended to include Block 1601 Lot 9 and the Choctaw Trail Right-of-Way, as follows:

The AH-3 District shall permit 100% affordable housing developments including special needs housing. The special needs housing shall be permitted to be located on Block 1605, Lot 1 and up to three special needs housing units shall be permitted on Block 1601, Lots 9, 10, 10.01 and/or 11 and the Choctaw Trail Right-of-Way.

SECTION 4. Article XVII, "Affordable Housing-3 District," Section 210-99, "Area and Bulk Development Standards," shall be amended as follows:

The following development standards apply to the AH-3 District:

- A. Minimum tract area: ~~4.0 acres, provided that property on the south side of East Allendale Road shall be required to be a minimum 0.75 acre.~~
 - (1) North side of East Allendale Road (Block 1601 Lots 9, 10, 10.01 and 11 and the Choctaw Trail Right-of-Way): 7.0 acres.
 - (2) South side of East Allendale Road (Block 1605 Lot 1): 0.75 acre.
- B. Maximum number of units: The area within the AH-3 District shall contain no more than ~~88~~ 112 dwellings on the north side of East Allendale Road (inclusive of no more than 111 affordable dwelling units and no more than 1 superintendent's unit), and a maximum of 23 16 units on the south side of East Allendale Road.
- C. Maximum stories/height: ~~four stories/55 feet.~~
 - (1) North side of East Allendale Road (Block 1601 Lots 9, 10, 10.01 and 11 and the Choctaw Trail Right-of-Way): three stories/55 feet.
 - (2) South side of East Allendale Road (Block 1605 Lot 1): two stories/30 feet.
- D. Minimum setback to tract lines (principal structures): 20 feet.
- E. Minimum distance between buildings: 20 feet.
- F. Minimum landscape buffer along tract lines: 10 feet.
- G. Maximum building coverage: 40%.
- H. Maximum impervious coverage: 60%.
- I. Parking: See § 210-100J below.

SECTION 5. Article XVII, "Affordable Housing-3 District," Section 210-100, "Design Standards," Subsection A(1), shall be amended as follows:

- (1) For a minimum of every 50 feet of building length along front facades, and for a minimum of every 60 feet of building length along side and rear facades, there

shall be one plane-break along the facade, comprised of at least 24 inches in depth. The offset shall extend from grade to the highest story.

SECTION 6. Article XVII, "Affordable Housing-3 District," Section 210-101, "Affordable Housing Standards Applicable to AH-3 Zone," Subsection A, shall be amended as follows:

A. Pursuant to the Settlement Agreement with Fair Share Housing Center, dated February 4, 2020, as amended, the number of family affordable housing units on-site shall be ~~88~~ 111 for that portion of the AH-3 District that is located to the north of East Allendale Road. There shall be a maximum ~~23~~ 16 units on that portion of the district that is located to the south of East Allendale Road. The bedroom distribution count for the entire design of this integrated development encompassing the entirety of the AH-3 District, exclusive of special needs housing, shall be as set forth in Subsection C herein. This distribution assumes all units, exclusive of special needs housing, shall be family units.

SECTION 7. The Zoning Map of the Borough of Saddle River, as provided for and referenced in Section 210-4 of the Code of the Borough of Saddle River, is hereby amended to include Block 1601 Lot 9 and the Choctaw Trail Right-of-Way in the Affordable Housing -3 District (AH-3) Zone.

SECTION 8. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 9. Severability. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

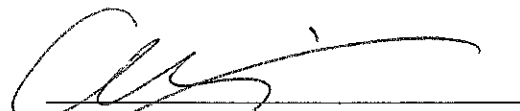
SECTION 10. Effective Date. This ordinance shall take effect twenty days following passage and publication, or as otherwise required by law, and upon filing with the Planning Board of the County of Bergen.

INTRODUCED: 12/6/21

ADOPTED: 12/20/21

ATTEST:


Vanessa Nienhouse, Clerk


Hon. Albert J. Kurpis, Mayor