

**BOROUGH OF GLEN ROCK  
ORDINANCE #\_1834\_\_\_\_\_**

**BOROUGH OF GLEN ROCK  
COUNTY OF BERGEN**

**AN ORDINANCE IMPLEMENTING THE BOROUGH’S THIRD ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN CONSISTENT WITH THE TERMS OF A SETTLEMENT AGREEMENT REACHED BETWEEN THE BOROUGH OF GLEN ROCK AND THE FAIR SHARE HOUSING CENTER IN ACCORDANCE WITH THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS AND POLICIES ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING AND TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF GLEN ROCK, CHAPTER 230 “ZONING”.**

**WHEREAS**, the Borough of Glen Rock (“Borough”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Application of the Borough of Glen Rock, Docket No. BER-L-6276-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

**WHEREAS**, the Borough entered into a Settlement Agreement with Fair Share Housing Center on or about September 25, 2019 establishing the Borough’s Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Borough will meet its constitutional obligation to provide for its fair share of affordable housing; and

**WHEREAS**, the Court entered an order on July 22, 2020 approving the Settlement Agreement by and between the Borough and Fair Share Housing Center finding on a preliminary basis that the Settlement Agreement is fair to very-low, low and moderate-income households; and

**WHEREAS**, the Court Order approving the Settlement Agreement requires the Borough to adopt an affordable housing zoning ordinance amendment to address the Realistic Development Potential portion of the Borough’s affordable housing obligation;

**WHEREAS**, the Borough Council finds it is in the best interest of the Borough to implement the terms and conditions of the Settlement Agreement and the requirements of the Court’s order approving the Settlement Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Glen Rock, County of Bergen, and State of New Jersey that Chapter 230 Zoning of the 1978 Zoning Ordinance of the Borough of Glen Rock is and shall be amended in the following particulars only:

Section 1. Section 230-5 Zone Districts is hereby deleted in its entirety and replaced with the following language:

For the purpose of this chapter, the Borough of Glen Rock is hereby divided into 12 zone districts and 2 overlay zone districts, known as follows:

- |       |  |
|-------|--|
| A-1   | Residence District                               |
| A-2   | Residence District                               |
| A-2T  | Residence District                               |
| A-2MF | Residence District                               |
| S-1   | Senior Housing District                          |
| OT    | Office Transition Zone                           |
| C-1   | Neighborhood Commercial District                 |
| C-2   | Central Business District                        |
| C-3   | Wholesale Commercial District                    |
| OB-1  | Office Building District                         |
| OB-2  | Office Building District                         |
| D     | Industrial District                              |
| AHO-1 | Affordable Housing Unmet Need Overlay District 1 |
| AHO-2 | Affordable Housing Unmet Need Overlay District 2 |

**Section 230-6 Zone Map** is hereby amended to include Block 107 Lot 1, also known as 261 Rock Road in the new A-2MF District.

**Section 230-18** Garages in residential districts shall be and is amended through the addition of the following sentence to the end of the existing paragraph.

These provisions shall be of no force and have no effect nor apply to properties located in the A-2MF districts.

**Section 230-33** Off-street parking in residence districts subsection J. is and shall be amended through the addition of the following:

In the event an applicant seeks to develop according to the provision of either the AHO-1 or AHO- 2 overlay districts, this provision shall be of no force and have no effect on developments in the noted overlay districts. Notwithstanding any provision to the contrary, developments in the A-2MF district shall be permitted a total impervious coverage of 60 percent.

**Section 230-46** Signs in residential districts is and shall be amended by the addition of a new paragraph L which shall be worded as follows:

L. Identification signs in the A-2MF shall be permitted. All said identification signs erected within the A-2MF district shall conform to the requirements established for the S-1 Senior Housing District.

Section 2. A new Article XV-C, A-2MF Residence District is hereby adopted with the following provisions:

ARTICLE XV-C  
A-2MF Residence District

§230-72.5 Principal Permitted uses.

This district has been established to assist the Borough of Glen Rock fulfill its Realistic Development Potential portion of its constitutional obligation to provide affordable housing. The A-2MF district is designed to partially address this obligation and to implement certain obligations detailed in the Court approved Settlement Agreement between the Borough and Fair Share Housing Center. The provisions of this section are intended to promote the health, safety and welfare of the public and Borough of Glen Rock and encourage the construction of affordable housing in locations in close proximity to goods and services.

Permitted principal uses in the A-2MF district include:

This zone district is designed for multi-family developments containing affordable housing units, and also permits:

- A. Municipal buildings, municipal uses and public schools and private schools not operated for pecuniary profit. A private school should not be closer than 30 feet to the nearest adjoining lot line.
- B. Accessory buildings and uses customarily incident to the above uses, provided that they shall not include any activity customarily conducted for gain.
- C. Private garages in accordance with §230-18.

D. Signs in accordance with Article VIII.

§230-72.6 Prohibited uses.

Any use other than those listed in §230-72.5 shall be prohibited.

§230-72.7 Bulk Requirements

- A. Height. No building shall exceed a maximum height of three (3) stories or 35 feet measured as the average of the grade at the four corners of the building's foundation to the highest point of the roof, whichever is lesser. The roof pitch of the major roof must have a minimum of five inches of rise for every 12 inches of run.
- B. A maximum of 11 units shall be permitted.
- C. Yards. Minimum required front yard setback between the principal building and Harding Place is twenty (20) feet and the minimum required front yard setback between the principal building and Rock Road is fifteen (15) feet.

Minimum required side yard setback between a lot developed with a single-family dwelling shall be seventy (70) feet.

Minimum side yard setback between the principal building and an adjacent railroad use or R.O.W. is ten (10) feet.

- D. A minimum landscape buffer between an on-site parking area and a single-family zone district shall be fifteen (15) feet. Required landscaping in this buffer area shall provide a year-round screen between adjacent single-family zone district and the on-site pavement.

A minimum landscape buffer between an on-site parking area and adjacent public right-of-way, shall be fifteen (15). Required landscaping in this buffer area shall provide a year-round screen. This landscape buffer shall comply with all required roadway sight triangle needs.

All lot areas not developed with dwellings, parking, driveway, refuse and recycling pads, walks or mechanical equipment shall be attractively landscaped.

- E. Total impervious coverage in this district shall not exceed sixty (60) percent.
- F. All dwellings constructed in the A-2MF district shall be reserved as affordable housing. All such affordable housing shall be deed restricted for a minimum of thirty years pursuant to NJAC 5:80-26.2. Affordable housing as defined in NJAC 5:80-26.2 shall be supplied in accordance with the

price stratification and bedroom distribution requirements as detailed in the Court approved settlement agreement between the Borough of Glen Rock and Fair Share Housing Center.

- G. All affordable housing units in this district shall be constructed, marketed, occupied and maintained in strict compliance with Glen Rock's Affordable Housing Ordinance and the Court approved settlement agreement between the Borough of Glen Rock and Fair Share Housing Center.
- H. Architectural Design Standards. To comply with Section 230-72.2 K. as applicable.
- I. Off-street Parking. To comply with Section 230-72.2 L. as applicable. Parking space size (non-handicapped accessible) in this zone shall be 9 feet wide by 18 feet deep in accordance with N.J.A.C. 5:21-4.15.

Section 4

All Ordinances of the Borough of Glen Rock 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.

ATTEST:

BOROUGH OF GLEN ROCK  
COUNTY OF BERGEN  
STATE OF NEW JERSEY

\_\_\_\_\_  
Jacqueline Scalia, Borough Clerk

By: \_\_\_\_\_  
Kristine Morieko, Mayor

**BOROUGH OF GLEN ROCK**  
**COUNTY OF BERGEN, STATE OF NEW JERSEY**

**Ordinance Procedure: # 1834**  
**Date of Final Reading: December 9, 2020**  
**Date of Introduction: November 9, 2020**

**Resolution No.: 267-20**  
**Introduced by Council Member Dill**  
**Seconded by Council Member Kreibich**

**AN ORDINANCE IMPLEMENTING THE BOROUGH'S THIRD ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN CONSISTENT WITH THE TERMS OF A SETTLEMENT AGREEMENT REACHED BETWEEN THE BOROUGH OF GLEN ROCK AND THE FAIR SHARE HOUSING CENTER IN ACCORDANCE WITH THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS AND POLICIES ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING AND TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF GLEN ROCK, CHAPTER 230 "ZONING".**

**Be passed upon second and final reading, and that the Borough Clerk be, and is hereby authorized and directed, to advertise the same according to law by publishing the same by title in the Bergen Record.**

**ROLL CALL:**

<b>Council Member Martin - yes</b>	<b>Council Member Kreibich - yes</b>
<b>Council Member Barchetto - absent</b>	<b>Council Member Gilbreath - yes</b>
<b>Council Member Dill - yes</b>	<b>Council Member Unzaga - yes</b>

**I, the Borough Clerk of the Borough of Glen Rock, hereby certify that this is a true copy of a resolution passed by the Council of the Borough of Glen Rock at a meeting held this 9<sup>th</sup> day of December, 2020.**

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**Jacqueline Scalia, Borough Clerk**