

**BOROUGH OF SADDLE RIVER
BERGEN COUNTY, NEW JERSEY
LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the following proposed ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Saddle River, in the County of Bergen, State of New Jersey, held on the 20th day of April 2026, and that said ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held in the Municipal Building, 100 E. Allendale Road, Saddle River, New Jersey, on the 18th day of May 2026, at 7:00 P.M., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Municipal Building of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the office of the Clerk in said Municipal Building in the Borough of Saddle River, New Jersey.

Cindy Kirkpatrick, RMC
Borough Clerk

ORDINANCE 26-1119

BOROUGH OF SADDLE RIVER

**AN ORDINANCE AMENDING CHAPTER 210 ZONING ORDINANCE OF THE CODE
OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY, ESTABLISHING A NEW
ARTICLE XXI ENTITLED AFFORDABLE HOUSING DISTRICT-6, AND AMENDING
THE BOROUGH ZONING MAP**

SECTION 1. . Chapter 210 of the General Ordinances of the Borough of Saddle River entitled "Zoning" is hereby amended to add a new Affordable Housing — 6 (AH-6) zoning district at new Article XXI covering the property identified as Block 1605 Lots 1 and 2 on the Borough of Saddle River Tax Maps, which is to be developed for the purposes of establishing a one hundred percent affordable housing development, satisfying the provisions of the Uniform Housing Affordability Controls (NJAC 5:80-26.1 et seq.) as hereafter set forth.

210-126. Description.

A new Article XXI Affordable Housing District 6 is hereby established in Chapter 210 of the Borough of Saddle River Zoning Ordinance. This zone shall encompass Block 1605 Lots 1 and 2 on the Borough of Saddle River Tax Maps.

210-127. Purpose.

The purpose of the Affordable Housing District 6 (AH-6) is to establish a one hundred percent affordable housing development zone encompassing Block 1605 Lots 1 and 2 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.

200-128. Permitted Principal Uses.

The AH-6 District shall permit a one hundred percent affordable housing development. Special needs housing as well as age-restricted housing shall also be permitted principal uses.

200-129. Permitted Accessory Uses.

Permitted accessory uses shall include accessory uses that are customary and incidental to the permitted principal uses in the AH-6 Zoning District, including but not limited to:

- A. Off-street parking in accordance with Chapter 210, Article IX.**
- B. Decks, balconies and porches.**
- C. Fences and walls, in accordance with Chapter 105.**
- D. Ancillary recreation elements, such as a swimming pool, club houses, tennis courts and other similar uses to only serve the residents of the complex.**
- E. Trash enclosures.**

F. Signs.

G. Outdoor lighting

H. Public and private utilities servicing the units, including aboveground structures

I. Stormwater management basins and structures

J. Sanitary sewer systems and pumps and utilities

K. Any other accessory uses and structures approved as part of site plan review including detention/retention ponds and catch basins or piping to ensure adequate stormwater management controls

L. Other accessory uses and structures that are normally considered customarily incidental to the principal permitted uses, as determined appropriate by the approving authority

200-129. Permitted Conditional Uses.

None.

200-130. Prohibited Uses.

Any use other than those uses specifically permitted above are prohibited, including but not limited to such uses as outdoor storage of materials by any resident or condominium association or management company, storage of materials on decks/patios, detached garages, sheds, and similar.

200-131. Area and Bulk Development Standards.

A. Minimum area: 1.5 acres

B. Minimum Setbacks from External Lot Lines (ft):

(1) Front Yard: 15 feet

(2) Side Yard: 20 feet

(3) Rear Yard: 20 feet

- C. Minimum Setback from Internal Roadways:** 10 feet
- D. Minimum Distance Between Buildings:** 20 feet
- E. Minimum Open Space:** 40%
- F. Minimum Accessory Building Setbacks to:**
- (1) Principal Building:** 10 feet
 - (2) Front Lot Line:** 10 feet
 - (3) Other Lot Lines:** 10 feet
- G. Maximum Density:** 27.5 units per acre
- H. Maximum Building Coverage:** 35%
- I. Maximum Impervious Coverage:** 60%
- J. Minimum Parking Standards:** 1 space per unit. Guest parking shall not be required. The Planning Board shall grant a de minimis exception from the Residential Site Improvement Standards with respect to the number of parking spaces required. Notwithstanding the foregoing the parking provided shall comply with N.J.A.C. 5:10-24.4 with regard to accessible parking spaces..
- K. Maximum Building Height:** 3 stories/55 feet
- L. Maximum Accessory Building Height:** 15 feet
- Minimum landscape buffer along tract lines: 10 feet

210-132 Design Standards

The following design standards shall be utilized in the AH-6 Zoning District:

A. Building requirements.

- (1) Building design. In order to provide attractiveness, identity and individuality to dwelling units, buildings and complexes of buildings within the entire zone and to avoid the monotonous repetition of design elements and its undesirable visual effects, the following design standards shall be utilized:

- (a) Consistency among building materials and colors with the Borough's existing residential, historical and architectural characteristics.
 - (b) No more than 30 feet of front or rear building wall permitted without providing a break in the facade of an acceptable method of articulation.
 - (c) Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
 - (d) Varying architectural embellishments.
 - (e) Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings, provided that such are architecturally compatible with the style, materials, colors and details of the building.
 - (f) Complimentary building colors and materials to be consistent with the general theme of the development.
 - (g) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be visually screened by either architectural façade treatments or landscaping. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
 - (h) Building construction shall utilize green building or sustainable to the extent practicable.
- (2) Multiple buildings on a lot. Irrespective of § 210-28 which limits the number of principal buildings on a lot, in the AH-6 Zone multiple principal buildings shall be permitted.

B. Landscaping standards.

- (1) The applicant shall prepare and submit to the Planning Board, in connection with site plan review, a landscaping plan prepared by a licensed landscape architect, licensed by the New Jersey State Board of Landscape Architects, or other qualified individual.
- (2) Landscaping shall be provided to promote a desirable visual environment, to accentuate

building design, define entranceways, screen parking areas, utilize foundation plantings to enhance the site's visual and aesthetic amenity, mitigate adverse visual impacts, provide windbreaks for winter winds and summer cooling for buildings, and enhance buffer areas. In addition to the buffers, street trees, and typical foundation plantings, an area of landscaping shall be provided between the rear of buildings internal to the development so as to create a sense of privacy for units.

- (3) The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
- (4) All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing such components as fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas from adjoining properties.
- (5) The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants shall consider their susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc.
- (6) Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an seven-foot branching height above grade.
- (7) The use of indigenous/native plant material is encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation. Intent of any irrigation system shall be provided at the time of site plan review.
- (8) Tree removal and preservation will coordinated with the Borough Professionals.

C. Buffer Requirements. Buffers shall comply with the following standards:

- (1) Required buffers may be entirely or partially satisfied with existing growth of evergreen and deciduous trees and shrubbery. Buffers which do not provide a suitable

screen as required above shall be supplemented by additional evergreen plantings to provide the appropriate visual screen in order to minimize adverse impacts from a site on an adjacent property or from adjacent areas, recognizing the intent here is not to completely screen from view on-site development. Buffer plantings may consist of evergreen and deciduous trees and shrubs, beillis, boulders, mounds, or combinations thereof, as approved by the Planning Board. While fencing may be installed to delineate the property line, the use of fencing or walls shall not be relied upon as a primary source of screening.

- (2) Where required, buffers shall be measured from property lines and street rights-of-way. Buffer areas may overlap required setbacks.
- (3) No buildings, structures, accessory structures, parking, or storage of materials shall be permitted within the required buffer, except that active and passive recreation areas, fencing, driveways, retaining walls, lighting, stormwater management facilities and utilities are permitted in the buffer.
- (4) Existing vegetation within the required buffer shall be preserved to the extent feasible. It shall be supplemented with shade-tolerant naturalistic massed plantings where necessary to provide screening of adjoining land uses
- (5) Buffers will supersede any street tree requirements. Street trees will not be required if a buffer is required.

D. Lighting.

- (1) All lighting fixtures and footcandle standards shall be provided for all areas of the site, to property lines, including around buildings, circulation aisles, parking and recreation areas and open space areas, and shall be consistent with the recommendations outlined by the Illuminating Engineering Society of North America (IESNA).
- (2) The Borough light fixture (Hadco Baltimore V651 70 HPS), with a maximum height of 12 feet, shall be utilized as the streetlight fixture only along proposed sidewalk and/or as applicable for streetscape, as approved by the Planning Board Professionals.
- (3) A lighting plan prepared by a qualified individual shall be provided with any site plan application.

- (4) All freestanding outdoor lighting fixtures shall be appropriately shielded and "dark sky" compliant, and no taller than 15 feet in height.
 - (5) The intensity, shielding, direction and reflecting of lighting shall be subject to site plan approval by the approving authority.
 - (6) All parking areas, walkways, building entrances, and driveways shall be adequately illuminated during the hours of operation that occur after sunset. Any adjacent residential zone or use shall be shielded from the glare of illumination from site lighting and automobile headlights.
- E. Sidewalks. Sidewalks shall be required on site as deemed appropriate by the Board.
- F. Curbing. Curbing for interior roadways shall be Belgian block.
- G. Refuse collection. The manner in which refuse material shall be stored and collected shall be depicted on the site plan. If common refuse collection areas are to be provided, their location shall be identified, along with the manner in which the facility(s) shall be screened and landscaped, how garbage truck circulation and pick up shall be accommodated, and the manner in which recyclable material will be stored within the refuse collection area.
- H. Fencing. Decorative fencing may be installed along public roads and along the perimeter of the development, subject to the height limitations of the Borough code.
- I. Signs. A single identification sign shall be permitted, not to exceed 3 x 4 feet in dimension, placed upon a decorative stone wall, or provided as a monument sign. The top of the sign shall not be more than 4.5 feet from the grade as measured around the sign. The sign shall be placed within a landscaped setting.
- J. Relief from any required site design standard under this section shall be considered a design standard exception pursuant to N.J.S.A. 40:550-51(b) and not a variance.

200-133. Affordable Housing Standards Applicable to the AH-6 Zone

- A. The maximum number of affordable housing units on-site shall be forty-two (42).
- B. All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA");

applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

- C. The bedroom distribution of very-low-, low-, and moderate-income units for age-restricted senior housing constructed in the AH-6 Zone shall comply with the UHAC, including a requirement that at least five percent (5%) of such units be two-bedroom units.
- D. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- E. Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court, and are as set forth in the Borough of Saddle River affordable housing ordinances.

200-134. Application Requirements

- A. Any application for development for any portion or the entirety of the tract shall be submitted in accordance with the requirements of Articles I, II and IV of Chapter 37 and Chapter 179 of the Borough of Saddle River Code, except as provided herein. Consistent with N.J.A.C. § 5:93-10.1(b), no unnecessary cost generative requirements shall apply to any development of permitted uses within the AH-6 Zone. The environmental site analysis required as part of the stormwater plan pursuant to § 181-9C(2), shall not be required for a preliminary site plan application, but shall be required at the time of final site plan application. The following checklist items shall not be required at the time of preliminary site plan application:
 - (1) An original tracing of the map;
 - (2) A scale of not less than 50 feet to the inch;
 - (3) Structures to be removed identified with a dashed line and structures to remain indicated by solid lines;
 - (4) Structures within 25 feet of the property;

- (5) Location of all existing and proposed storm drainage structures and utility lines whether publicly or privately owned, with pipe sizes, grades and direction of flow. If any existing utility lines are underground, the estimated location of said utility lines shall be shown;
 - (6) Existing and proposed contours, referred to US Coast and Geodetic datum, with a contour interval of two feet; and interval of five feet may be used for slopes of 15% or more. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines
 - (7) Plan sketch showing all existing drainage within 500 feet of any boundary, and all areas such as paved areas, wooded areas, grassed areas, wooded areas and any other surface area contributing to the calculations, and showing the methods used in the drainage calculations;
 - (8) Point by point lighting/footcandles;
 - (9) Detailed landscape plan showing proposed screening, landscaping and planting plan; and
 - (10) Signature block for the Board of Health to approve the plans.
- B. For the avoidance of doubt, development of principal permitted uses in the AH-6 Zone shall constitute an Affordable Housing Development and be exempt from payment of Development Fees.
- C. Notwithstanding the Borough Code, application for development to the Planning Board shall be deemed to also serve as an application for a zoning permit, including zoning permits required for retaining walls, soil movement minor or major permit, sign permit and tree removal permit (§ 210-58). Application to and review by the Board of Architectural Review, Construction Official, Borough Engineer, or Borough Engineering and Zoning Departments shall not be required. To the extent applicable, applications for development in the AH-6 zone shall not requires a certificate of appropriateness from the Borough of Saddle River Landmarks Commission pursuant to § 125-5 of the Borough Code.

SECTION 2. 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 add thereto the Affordable Housing - 6 District (AH-6) Zone, and further said AH-6 Zone is hereby added to the Zone designations as Section 210-6.

SECTION 3. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. 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 5. 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: April 20, 2026

Adoption: May 18, 2026

	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Carpenter, Duncan			X			
DiGirolamo, Christopher	X		X			
Hekemian, David		X	X			
Kurpis, Jonathan						X
Liva, Jeffrey			X			
Sachdev, Ravi			X			
Kurpis, Albert J., - Mayor						

I hereby certify the above to be a true copy of an Ordinance **adopted** by the Governing Body of the Borough of Saddle River on May 18, 2026.



Albert J. Kurpis,
Mayor



Cindy Kirkpatrick, RMC
Municipal Clerk

