

ORDINANCE NO. 18-10

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WOODCLIFF LAKE TO CREATE AN OVERLAY ZONE AND PERMITTED USES ON A PORTION OF THE R22.5 RESIDENTIAL ONE FAMILY DISTRICT TO PERMIT THE DEVELOPMENT OF MULTI-UNIT VETERAN'S HOUSING PROJECT

WHEREAS, pursuant to *N.J.S.A. 40:55D-62b*, the Mayor and Council of the Borough of Woodcliff Lake is authorized and empowered to adopt and amend the zoning ordinance of the Borough of Woodcliff Lake; and

WHEREAS, the Borough further recognizes the continuing need for and its obligation in creating affordable housing within the Borough consistent with the "Fair Housing Act," P.L. 1985, c 222 (C-52:27D-301 et seq.) and In re Adoption of the N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV); and

WHEREAS, the Mayor and Council have entered into settlement negotiations and secured settlement terms regarding its obligation in creating affordable housing and has prepared a Housing Element and Fair Share Plan ("FSP") to achieve this goal; and

WHEREAS, to facilitate such settlement and in compliance with its FSP, the Mayor and Council of the Borough of Woodcliff Lake have deemed it in the best interests of the Borough to amend the Borough Zoning Ordinance so as to create an overlay zone on a portion of the R22.5 Residential One Family District which shall permit the development of a multi-unit housing project(s) for Veterans of the United States Armed Forces.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, as follows:

Section 1. That Chapter §380-11 shall be amended to add article § 380-11A to permit and govern a Veterans Affordable Housing Overlay District (AH-VO) within a portion of the R22.5 Residential Zone in addition to the underlying uses permitted in the R22.3 Zone. Article § 380-11A shall read and be enumerated as follows:

Chapter Title: Article § 380-11A.1 Veterans Affordable Housing Overlay District (AH-VO)

§ 380-11A.1 Intent.

The intent of this overlay zone is to permit the development of an affordable veterans multi-unit housing project on a portion of the R-22.5 Residential One Family District in addition to the underlying uses permitted in the R-22.5 District. The portion of the R-22.5 District for which the overlay district applies is designated on the Tax Maps as Lot 1 in Block 2502. Such homes shall be made available to Veterans as defined by the United States Department of Veterans Affairs.

§ 380-11A.2 Permitted uses.

Within the Veterans Affordable Housing Overlay District (AH-VO), no lot, tract or parcel of land shall be used and no building structure shall be constructed, altered, erected or placed to be used for any purpose other than the following:

- A. Any principal or accessory use permitted in the R-22.5 District in accordance with the requirements of the R-22.5 District.
- B. Veterans' affordable multi-unit housing units are principal permitted uses.
- C. Accessory uses and structures associated with veterans affordable multi-unit housing, which shall include but not be limited to parking, patios, recreational uses and buildings, refuse enclosures, directional and identification signs, and utility and retaining structures.

§ 380-11A.3 Affordable Housing Requirements.

100% of the units shall be reserved for veterans. The affordable units shall have a minimum 30-year deed restriction. Any such affordable units shall comply with the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws. The units shall meet the bedroom distribution required by UHAC. The units shall meet the low/moderate income split required by the Uniform Housing Affordability Controls and provide at least 13% of the units as very-low-income units as mandated by the Fair Housing Act.

§ 380-11A.4 Dimensional requirements.

Veterans' affordable housing developments shall comply with the following dimensional requirements:

- A. Each lot shall have a minimum size of 15,000 square feet and a minimum frontage of 200 feet on Broadway.
- B. The maximum number of dwelling units in the AH-VO District shall be 12 units.
- C. The maximum building coverage shall be 50% of lot area
- D. The maximum surface coverage shall be 75% of lot area. The provisions of § 380-10 of this chapter shall apply in computing lot area for the purpose of calculating maximum surface coverage.
- E. The maximum building height shall be 35 feet and two and a half stories.
- F. The minimum required building setbacks shall be as follows: front yard 15 feet; side yards 10 feet; and rear yard 5 feet.
- G. The minimum parking standards for both the dimensions and the number of spaces as well as driveways and other site improvements shall be in accordance with the New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq.

- H. The following schedule of area, yard, setback and bulk requirements shall apply to veterans' affordable multi-unit housing development in the AH-VO District and supplements the Borough's existing Limiting Schedule for all zoning districts.

Editor's Note: Said schedule is included at the end of this chapter.

§ 380-11A.5 Other requirements.

Veterans' affordable multi-unit development shall also comply with the following requirements:

- A. Signage. One two-sided freestanding identification sign shall be permitted, having a maximum sign panel area of 20 square feet (excluding the base of the sign and the monument on which the sign is located), a maximum height of six feet and a minimum setback from any property line of 5 feet. Additionally, directional and informational signs shall be permitted along internal driveways and near building entrances, subject to site plan approval.
- B. Mechanical equipment. Any rooftop mechanical equipment shall be concealed within the roof of the building so it is not visible from Broadway. Any ground-mounted mechanical equipment shall be screened appropriately.
- C. Architectural Design Guidelines.
- i. Primary materials for buildings shall be brick, wood, HardiePlank® panels or similar fiber cement siding, stone, precast and cast stone and manufactured stone, and glass.
 - ii. No more than three different primary materials shall be used on each building façade.
 - iii. Within the primary materials, variations in colors, texture and pattern may be employed to further break up the mass or bulk of a building.
 - iv. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building.
 - v. Windows shall be vertically proportioned.
 - vi. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
 - vii. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.
 - viii. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes.
 - ix. Building wall offsets, including projections such as canopies and recesses may also be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall.

- x. In the case of a pitched roof, roofline offsets, dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

Section 2. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 3. This ordinance shall be construed consistent with the purpose stated herein. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

Section 4. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Date: September 4, 2018

Attest: Deborah A. Dakin, Borough Clerk