

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 26-04
(ADOPTION)**

**AN ORDINANCE AMENDING CHAPTER 310 “LAND USE”,
ARTICLE XII “ZONES ESTABLISHED”, SECTION 48
“DISTRICTS” OF THE BOROUGH CODE AND AMENDING
CHAPTER 310 “LAND USE”, ARTICLE XIII “USE SCHEDULE” OF
THE BOROUGH CODE TO CREATE A NEW SECTION 53.4
ENTITLED “T/C-2 TOWNHOUSE COMPLEX DISTRICT” TO
ADDRESS THE BOROUGH’S AFFORDABLE HOUSING
OBLIGATION**

WHEREAS, the Borough of Hillsdale has a constitutionally mandated requirement to provide affordable housing; and

WHEREAS, the Borough Council desires to create opportunities for the creation of affordable housing within the Borough; and

WHEREAS, the Borough Council has determined that certain lands within Block 1205 along West Street are suitable for inclusionary development.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Hillsdale, County of Bergen, State of New Jersey as follows:

Chapter 310 “Land Use”, Article XII “Zones Established”, Section 48 “Districts” and Section 49 “Zoning Map” of the Borough Code shall hereby be amended and supplemented by inserting the following underlined text as follows:

Article XII Zones Established

§310-48 Districts.

T/C Townhouse Complex
T/C-2 Townhouse Complex 2
MU-1 Mixed-Use 1

§310-49 Zoning Map.

A. Zoning Map amendments.

(5) Ord. No. 26-04: The Official Zoning Map shall be changed for Block 1205, Lots 10 and 11 and portion of the West Street right-of-way to create the T/C-2

District.

Chapter 310 “Land Use”, Article XIII “Use Schedule”, is hereby amended to create a new Section 53.4 entitled “T/C-2 Townhouse Complex District”, which shall read as follows:

Article XIII Use Schedule

§310-53.4 T/C-2 Townhouse Complex 2 District

A. Permitted principal uses.

- (1) Townhouses.
- (2) Affordable flats.

B. Permitted accessory uses.

- (1) Off-street parking.
- (2) Fences and walls.
- (3) Refuse enclosures.

C. Bulk requirements.

- (1) Minimum tract area – 32,750 square feet.
- (2) Minimum setback to the front lot line – 6 feet. For the purposes of this District, the front lot line shall be that portion of the property that coincides with the West Street right-of-way.
- (3) Minimum setback to the rear lot line – 8 feet. For the purposes of this District, the rear lot line shall be the entire western lot line.
- (4) Minimum setback to the side lot line – 6 feet. For the purposes of this District, the side lot line shall be all other lot lines not identified as the front or rear lot lines.
- (5) Minimum front-to-front building setback – 28 feet.
- (6) Minimum side-to-side building setback – 10 feet.
- (7) Minimum parking setback from the front lot line – 0 feet.
- (8) Minimum parking setback from all other property lines – 5 feet.
- (9) Maximum building height – 3 stories and 40 feet.

- (10) Maximum building coverage – 45%.
- (11) Maximum impervious coverage – 85%
- (12) Maximum density – 24 units per acre up to a maximum of 18 units.
- (13) Retaining walls, walkways, fences, above-ground and underground utilities shall be permitted within the setbacks.

D. Affordable Housing.

- (1) A minimum of 22% of all units shall be reserved for, and affordable to, low- and moderate-income households. Any fractional obligation shall be rounded up to the next whole number. The units shall be family units available to the general public and not restricted to any specific segment of the population and shall meet the low-moderate-income split required, by the Uniform Housing Affordability Controls ("UHAC") except in lieu of ten (10%) percent of units at thirty-five (35%) percent of median income, the developer shall provide at least thirteen (13%) percent of the units as very-low-income units at thirty (30%) percent of median income within each bedroom distribution if the affordable units are rental in tenure.
- (2) The affordable units shall have a minimum forty (40) year deed restriction. Any such affordable unit shall comply with UHAC, applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws.
- (3) The units shall meet the bedroom distribution required by the UHAC.
- (4) The developer shall be responsible for retaining a qualified Administrative Agent, approved by the Borough, at the developer's sole cost and expense.
- (5) All necessary steps shall be taken to make the affordable units provided creditworthy pursuant to applicable law.
- (6) Affordable units shall comply with Chapter 310, Article XXXIII Affordable Housing Regulations.

E. Architectural Requirements.

- (1) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details.
- (2) Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.

- (3) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- (4) All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.
- (5) Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as canopies and recesses shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, 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.
- (6) First floor projections for each unit, such as covered porches, overhangs, and similar architectural features, are permitted on front facades of buildings only. Said projection may not be greater than three feet from the façade.
- (7) Second floor projections for each unit with a maximum width of 14 feet and a maximum depth of two feet (24 inches) are permitted on the rear façades of buildings only. Said projections may reduce the minimum rear yard setback to 6 feet.
- (8) At-grade patios may be permitted on the rear façade of any building, provided that the patio is no less than 5 feet from any property line.
- (9) Each townhouse building in the complex shall have a compatible architectural theme with variations in design to provide attractiveness to the development, which shall include consideration of landscaping techniques, building orientation to the site and to other structures, topography, natural features and individual dwelling unit design, such as varying widths, staggering unit setbacks, providing different exterior materials, changing rooflines and roof designs, altering building heights and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singularly or in combination for each dwelling unit. The reviewing body shall have the ultimate power to approve the architectural plans.
- (10) There shall be at least three different ridge line heights in each townhouse building, which shall vary by at least three feet. In any townhouse building, no more than two adjacent dwelling units shall have the same setback. Setbacks shall vary by at least three feet.

F. Off-street parking requirements.

- (1) The following minimum number of parking spaces shall be provided:

- (a) One-bedroom units – 1.8 spaces per unit
- (b) Two-bedroom units – 2.3 spaces per unit
- (c) Three-bedroom units – 2.4 spaces per unit

(2) All parking spaces shall measure no less than 9 feet wide by 18 feet long.

G. Landscaping.

- (1) Any areas not paved shall be landscaped with a mix of deciduous and evergreen trees and low ground cover.
- (2) Parking areas with 20 or more spaces require one landscaped island for every 15 parking spaces planted with trees and low ground cover. The ends of parking rows may count as a landscaped island provided the landscaped area is at least 9 feet wide by 18 feet long.
- (3) A landscaped buffer of dense evergreen plantings no less than six feet in height and four feet in depth, and/or a six-foot-tall board-on-board fence shall be required on all lot lines to adjacent residential uses or zones and shall be used to screen off-street parking.

H. Lighting.

- (1) All lighting shall comply with Section 310-110. Lighting shall not exceed 0.2 footcandles at any property line.

I. Refuse.

- (1) All refuse shall comply with Section 310-109. Refuse and recycling must be located either interior to a building in a designated refuse storage area or located outside of buildings at least 10 feet from any property line.
- (2) If located outside of buildings, trash and/or recycling facilities shall be screened by a solid fence at least six feet tall and adequately landscaped.

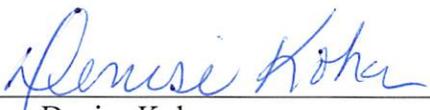
In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

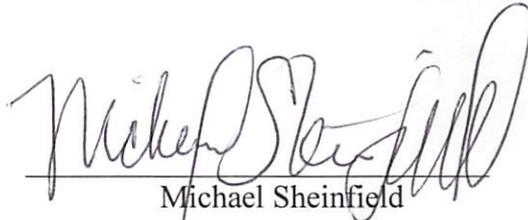
All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
Camp, Christopher			X				
Colletti, Robert			X				
DeRosa, Anthony		X	X				
Mazza-Chiong, Melissa			X				
Osso, Clemente			X				
Ruocco, John	X		X				
Sheinfield, Michael							

Adoption: February 3, 2026

Attest: 
 Denise Kohan
 Municipal Clerk


 Michael Sheinfield
 Mayor