

**BOROUGH OF MOUNTAIN LAKES  
MORRIS COUNTY, NEW JERSEY**

**ORDINANCE 26-3**

**ORDINANCE AMENDING CHAPTER 245, "LAND USE AND ZONING," OF THE CODE OF THE  
BOROUGH OF MOUNTAIN LAKES, NEW JERSEY**

**BE IT ORDAINED** by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

**SECTION 1.** Chapter 245, Article IX, § 245-70. Zoning Districts is hereby amended to add the following:

OL-2/MF-AHO2 Office and Light Industrial OL-2/Multi-Family Affordable Housing Overlay 2

**SECTION 2.** Chapter 245, Article IX, § 245-71. Zoning Map is hereby amended to change the zone classification of the following tax lot from OL-2 to OL-2/MF-AHO2: Block 118.04, Lot 1.

**SECTION 3.** Chapter 245, Article X. Zoning District Regulations is hereby amended by adding the following:

**§245-83A Office and Light Industrial OL-2/Multi-Family Affordable Housing Overlay 2**

A. Permitted principal, accessory and conditional uses.

- (1) As set forth under §245-79.
- (2) Multifamily inclusionary development consisting of townhouses and/or stacked townhouses as permitted principal uses with a required set aside for low- and moderate-income households of 20%. A stacked townhouse is defined as a multi-story residence with two or more units arranged vertically each above the other. No more than two market rate units and no more than three affordable units shall be vertically stacked. Affordable units shall not be permitted within a separate building or buildings but instead shall be interspersed in buildings with market rate units, although buildings with exclusively market rate units shall be permitted. Permitted accessory uses shall include uses which are customarily incidental to the permitted principal use, including but not limited to, indoor and outdoor recreational facilities and related amenities for the exclusive use of residents and guests.

B. Affordable housing. Low- and moderate-income units shall comply with the provision of the Borough's Affordable Housing Ordinance; the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; the Uniform Housing Affordability Controls rules at N.J.A.C. 5:80-26 ("UHAC"); N.J.A.C. 5:99 Fair Housing Act Regulations; and any provisions of the rules and regulations of the Council on Affordable Housing, i.e., N.J.A.C. 5:93 and 5:97 which have not been invalidated.

C. Bulk and development standards.

- (1) For permitted uses other than multi-family inclusionary development, as set forth in this chapter for the OL-2 Zone.
- (2) For multifamily inclusionary development, as set forth below:
  - (a) Minimum lot size: 5 acres.
  - (b) Minimum lot frontage: 300 feet.
  - (c) Maximum density: 14 units per gross acre.

- (d) Maximum building height: three stories, 43.5 feet. Measurements shall be from the first floor elevation at the front door entrance of each townhouse or stacked townhouse unit to the highest point of a sloped roof. Development shall be exempt from measuring to existing (original) grades as defined in **§245-3**, under definitions for "building height (residential zones)", "grade plane" and "story above grade".
- (e) Minimum setbacks
  - [1] to any RC-3 zone boundary: 50 feet, except that along the common property line shared with Block 118.03, Lot 9 beginning at the northeast corner of said common property line and proceeding in a southerly direction for a distance of 200 feet the minimum setback shall be 75 feet, exclusive of patios and decks, however in no event shall the setback be less than 70 feet.
  - [2] to the Bloomfield Avenue property line as it exists on the date of adoption of this ordinance: 70 feet, exclusive of patios and decks, however in no event shall the setback be less than 65 feet.
  - [3] to all other property boundaries: 25 feet, exclusive of patios and decks, however in no event shall the setback be less than 20 feet.
- (f) Maximum building coverage: 25%.
- (g) Maximum improved coverage: 50%
- (h) There shall be no more than twelve (12) units in any building, except that where a building does not include affordable units the maximum number of units shall be ten (10).
- (i) The minimum distance between buildings shall be as follows:
  - [1] Windowless wall to windowless wall: 25 feet.
  - [2] Window wall to windowless wall: 30 feet.
  - [3] Window wall to window wall:
    - [a] Front to front: 70 feet for front-loaded units and 50 feet for rear-loaded units.
    - [b] Rear to rear: 70 feet for rear-loaded units and 50 feet for front-loaded units.
    - [c] End to end: 30 feet.
- (j) Development shall maintain a minimum 20-foot landscaped buffer to the RC-3 zone along the easterly lot line and a minimum 15-foot landscaped buffer along the northerly lot line. Along the southernmost common lot boundary with the RC-3 zone, no such buffer shall be required. Buffers shall consist of existing vegetation, trees, or new plantings or, where appropriate, a combination of existing vegetation, trees, and new plantings, so as to provide screening to adjacent properties. A landscape plan encompassing the entire property shall be submitted as part of the development application and shall be subject to Planning Board review and approval.
- (k) No parking shall be located within 25 feet of the RC-3 zone boundary, except that along the southernmost common lot boundary the minimum parking setback shall be 10 feet.
- (l) Parking shall be provided in accordance with New Jersey Residential Site Improvement Standards (RSIS).

- (m) The property boundary shall be considered as shown in Revised Schedule A-Item No. 3 Description of Land on ALTA/NSPS Land Title Survey prepared by Control Point Associates, Inc. last dated 11-11-2016, signed by James D. Sens.

**SECTION 4.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION 5.** All Ordinances or part of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 6.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

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**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of the ordinance duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 9, 2026.

Cara Fox  
 Cara Fox, Borough Clerk

Introduced: 2/25/26

Adopted: 3/9/25

Name	Motion	Second	Aye	Nay	Absent	Abstain	Motion	Second	Aye	Nay	Absent	Abstain
Barnett		X	X								X	
Cannon			X								X	
Howley	X		X						X			
Sheikh			X						X			
Tsai			X					X	X			
Menard			X				X		X			
Muilenburg			X						X			