

Title 17 - ZONING

Chapters:

Chapter 17.04 - GENERAL PROVISIONS

Sections:

17.04.010 - Short title.

This title shall be known and may be cited as the "Township of Glen Ridge Borough Zoning Ordinance."

(Ord. 1080 § 1, 1984; Ord. 820 § 1.100, 1963)

17.04.020 - Purpose.

- A. The purpose of this title is to encourage the most appropriate use of land throughout the municipality; to conserve and stabilize the value of property; to prevent the overcrowding of land and buildings; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to facilitate adequate provisions for water, sewerage, schools, parks and other public requirements; to provide adequate open spaces for light and air; and to accomplish such other projects and purposes of zoning as are now and may be hereinafter set forth in the enabling legislation.
- B. For this purpose, this title designates, regulates and restricts the location and use of buildings, structures and land for residence, nonresidence and other purposes and the height, number of stories and size of buildings and other structures hereafter erected or altered; regulates and determines the size of yards and other open spaces; and regulates and limits the density of population.
- C. In order to effect its purpose, this title divides the borough into zoning districts of such number, shape and area as may be deemed best to carry out this title.

(Ord. 820 § 1.200, 1963)

17.04.030 - Definitions.

Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot"; the word "structure" includes the word "building."

"Accessory use" or "accessory structure" means a use, structure, or building subordinate to the permitted use of the principal building on the same lot and serving a purpose customarily incidental to the permitted use of the principal building.

"Building" means a structure which has a roof supported by columns or walls and is used or intended to be used for the shelter or enclosure of persons or property, but not including vehicles, trailers, mobile homes or the like whether standing on wheels or on foundation walls or other rigid supports. A covered porch, patio, carport or the like, whether enclosed or unenclosed, which is attached or contiguous to a structure shall be considered part of a building.

"Building area" means the total of the maximum horizontal projected areas of the principal building and all its accessory buildings, including covered porches, porte-cocheres, decks and all other surface projections.

"Building, principal" means a building in which is conducted the principal use permitted for the site on which it is situated.

"Courts:"

1. "Inner court" means an open, unoccupied space on the same lot with a principal building which is enclosed on all sides by exterior walls of the building.
2. "Outer court" means an open, unoccupied space on the same lot with a principal building enclosed on not more than three sides by exterior walls with at least one side or end open to a street lot line or any front, side or rear yard.

"Dwelling" or "dwelling unit" means one or more rooms designed, occupied or intended for occupancy as separate living quarters, with a lockable entrance, cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

1. "Dwelling, single-family" means a detached building, designed or occupied exclusively as the residence of a single family.
2. "Dwelling, two-family" means a detached building, designed or occupied exclusively as the residence of two families living independently of each other.

"Electronic fence" means a fence which is designed to contain dogs within its boundaries by using a hidden electronic signal intended to contain the dog within the electronic boundaries of the fence.

"Family" means one or more persons living together as a single, nonprofit housekeeping unit whose relationship is of a permanent and domestic character, being a traditional family unit or the functional equivalent thereof. The existence of a fraternity, sorority, club, religious order or similar relationship shall not alone be sufficient to qualify as a "family." "Family" includes children placed with a family in a dwelling by the Division of Youth and Family Services in the New Jersey Department of Children and Families or by a duly incorporated child care agency, and children placed pursuant to law in single-family dwellings known as "group homes."

"Fence" means an artificially constructed barrier of wood, masonry, stone, wire, plastic, metal or any other material or a combination of these materials erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or confinement or concealment or for decorative purposes erected for the enclosure of land or dividing of one piece from another.

"Gross floor area" means the aggregate area of all floors computed by measuring the dimensions of the outside walls of a building, excluding attic and basement floors, porches, patios, terraces, breezeways, verandas and residential garages.

"Group home" means and includes any single-family dwelling used in the placement of children pursuant to law recognized as a group home by the New Jersey Department of Children and Families in accordance with rules and regulations adopted by the Commissioner of Children and Families; provided, however, that no group home shall contain more than twelve children.

"Floor area ratio" means the gross floor area of all buildings on a lot divided by the lot area.

"Garage, private" means an enclosed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted therein and further provided that no space therein for more than two motor vehicles is leased to nonresidents of the premises.

"Height of fence, wall or retaining wall" means the vertical distance from the mean natural grade surrounding the base of the fence, wall or retaining wall to the highest point of the fence, wall or retaining wall.

"Height of building" means the vertical distance from the mean natural grade surrounding the building to: (a) in the case of a flat roof, the highest point of the flat roof or parapet wall, whichever is higher, or (b) in the case of a sloped roof, the midpoint of the sloped roof. The mean grade shall be calculated using the existing natural grade at ten-foot intervals surrounding the existing building foundation walls and any new construction. If soil or rock removal lowers the ground elevation around the perimeter of the foundation walls, building height shall be based on the lowered elevation. If the placement of soil or other materials raises the ground elevation around the perimeter of the foundation walls, building height shall be based on the elevation as it existed prior to the placement of soil or other material.

"House of worship" means any building, structure or portion thereof or land maintained and operated by an organized religious group in which religious services are regularly conducted, and which may include accessory uses in the main building or structure or in accessory buildings or structures on the same property for religious education, assembly, food preparation, recreational activities or library facilities, but not including missions, district offices or regional headquarters of a religious group.

"Hospital" means an institution providing health services (extended or otherwise) primarily for inpatient medical and surgical care and treatment of the sick or injured of the human race and includes related facilities, such as, but not limited to, laboratory, outpatient departments, training facilities, central service facilities and staff offices, but only so long as: (1) the foregoing facilities are directly related to and necessary for the provision of the aforementioned health services; and (2) the services related to such foregoing facilities are directly performed by the institution. "Hospital" shall not include a nursing home, home for the aged, convalescent home or sanitarium.

"Lot" means a parcel of land occupied or intended to be occupied by one principal building and the accessory buildings or uses customarily incidental to the principal building, including such open spaces as required by this title and having frontage on a public street.

1. "Lot, corner" means a lot at the junction of and fronting on two or more streets.

2. "Lot, interior" means a lot other than a corner lot.
3. "Lot, depth" means the mean distance between the street lot line and the rear lot line measured in the general direction of the side lot lines.
4. "Lot lines" means the property lines bounding the lot.
 - a. "Lot line, front" means a line separating the lot from a street.
 - b. "Lot line, rear."
 - i. Interior Lot. A lot line opposite a front lot line.
 - ii. Corner Lot. A lot line opposite and most distant from the front lot line, and in the case of an irregular or triangular shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.
 - c. "Lot line, side." Any lot line other than a front or rear lot line.
5. "Lot width" means the horizontal distance measured along a straight line between the points in the two side lot lines where such lot lines are intersected by a line parallel to or concentric with the front lot line and at the required depth of the front yard at the time the lot is established.

"Multifamily dwelling" means a building or group of buildings with each building containing three or more dwelling units, including units located one over the other and townhouses.

"Nonconforming building" means a building which in its design or location upon a lot does not conform to the regulations for the zone in which it is situated.

"Nonconforming lot" means any lot which does not conform to the minimum area or dimensions required in the zone in which such lot is situated.

"Nonconforming use" means the use of a building or land that does not conform to the regulations regarding permitted or conditional uses for the zone in which it is situated.

"Professional office" means the office of a member of a recognized profession maintained for the conduct of that profession including, but not limited to, accountants, architects, engineers, attorneys, realtors, and medical and health care professionals.

"Structure" means anything constructed or erected with permanent location on the ground, or attachment to something having permanent location on the ground, including central air-conditioning units, power generators, stationary and portable carports, but excluding paved parking areas, driveways and walkways.

"Townhouse" means a one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire-resistant walls.

"Yard" means an unoccupied space on the same lot with a principal building, open to the sky except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than four inches.

1. "Yard, front" means a yard situated between a front lot line and the line of the principal building nearest to the front lot line projected to its intersection with other lot lines.
2. "Yard, rear" means a yard situated between the rear lot line and the rear wall of the principal building nearest thereto projected to other lot lines. For interior lots, a rear yard shall extend from side lot line to side lot line. For corner lots, a rear yard, if any, shall extend from front yard to side lot line or to another front yard.
3. "Yard, side" means a yard situated between the principal building and the side lot line extending from the front yard to the rear yard.

(Ord. 1464 § 1, 2007; Ord. 1411 § 1, 2004; Ord. 1318 §§ 2—5, 1999; Ord. 1266 § 1, 1995; Ord. 1173 (part), 1990; Ord. 1080 § 3, 1984; Ord. 987 § 1, 1976; Ord. 919 § 1, 1970; Ord. 906 § 1, 1969; Ord. 893 § 1, 1969; Ord. 820 §§ 2.100—2.280, 1963)

(Ord. No. 1508, § 1, 3-9-2009)

Chapter 17.08 - ZONES AND ZONING MAP

Sections:

17.08.010 - Designation of zones.

For the purpose of this title, the borough is divided into zones, designated as follows:

R-1-125, R-1-100, R-1-85, R-2 and R-3	One-family
R-4	Two-family
R-5	Townhouse and professional office
B	Professional and office; nursing homes; public and private schools; municipal buildings and libraries
C-1	Commercial and professional office
OS	Open space
H	Historic
PRD	Planned residential development

B-RO	Business-residential overlay
MR	Matchless Metals Redevelopment

(Ord. 1411 § 2, 2004; Ord. 1173 (part), 1990: Ord. 1080 § 4, 1984: Ord. 820 § 3.100, 1963)

(Ord. No. 1642, § 1, 11-28-2016)

17.08.020 - Zoning map.

The zones are established and are bounded as shown on a map entitled "Building Zone Map of the Municipality of Glen Ridge Borough" revised to June 2016 and certified by the borough clerk, which accompanies the ordinance codified in this section and which with all explanatory matter thereon is made a part of this title.

(Ord. 1468 § 1, 2007; Ord. 1411 § 3, 2004: Ord. 1173 (part), 1990: Ord. 1080 § 5, 1984: Ord. 820 § 3.200, 1963)

(Ord. No. 1642, § 2, 11-28-2016)

17.08.030 - Use limitations.

No land, structure, building or premises or part thereof shall be used, and no structure, building or part thereof shall be erected, altered or enlarged which is arranged, intended or designed to be used for any purpose other than one hereinafter listed as a permitted use in the zone in which such land, structure, building or premises is located.

(Ord. 820 § 3.300, 1963)

17.08.040 - Plot plan.

All applications for building permits must be accompanied by a plot plan showing thereon the exact size, shape and location of any proposed building or addition and the location of all existing buildings and structures on the lot. Such plot plan shall be drawn to an indicated scale and shall be prepared by a licensed surveyor. In the case of alterations or additions, the building inspector may waive the requirements for the seal of a licensed surveyor on the plot plan if the location of the building or structure leaves no doubt in his or her mind that the regulations of the zone will be fulfilled.

(Ord. 820 § 3.400, 1963)

Chapter 17.12 - ZONE REGULATIONS

Sections:

17.12.010 - Schedule of zone regulations.

The restrictions and controls intended to regulate development in each zone are as set forth in this chapter and as supplemented by special restrictions and controls in other sections of this title.

(Ord. 820 § 4.100, 1963)

17.12.020 - R-1 zone.

A. Principal Permitted Uses.

1. Single-family detached dwellings;
2. Churches;
3. Private country clubs subject to the special restrictions in Chapter 17.20; or
4. Public and private day schools, not operated for a profit of elementary or high school grade.

B. Accessory Uses. (Subject to special restrictions in Chapter 17.20).

1. Signs.
2. Private garages and private parking areas.
3. Other uses customarily incidental and subordinate to the principal permitted uses, the term accessory use, however, not including a business or a driveway or a walk for access to a business or commercial use, or any building or use not located on the same lot as the building or use to which it is accessory.
4. Home office use, meaning an office activity carried on for gain by a resident in a dwelling unit, shall be a permitted accessory use in residential zone districts, provided:
 - a. The use is limited solely to office use;
 - b. The use is operated by, or employs in the residence, only a resident or residents who are permanent full-time residents of the dwelling unit, and no other persons;
 - c. Not more than two resident occupants of the dwelling are employed in the operation of any domestic craft;
 - d. No non-resident employees, customers or business invitees or guests shall visit the dwelling unit, for business purposes;
 - e. The use is located in only one room of the dwelling unit, and is not served by an entrance separate from the household;
 - f. Interior storage of materials shall only consist of office supplies;
 - g. There is no change to the exterior of buildings or structures because of the use and there exists no outside appearance of a business use, including, but not limited to, parking, storage, signs or lights;
 - h. There is no display of any commodity or advertising on the premises, nor shall any commodity be sold from the premises;
 - i. Any such occupation does not substantially alter or change the character of the premises from one

being used for residential occupancy; and there are no physical features or arrangements not customary in buildings intended for residential use only;

- j. The address of the home is not to be used for the business;
- k. The use uses no equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with telephone, radio or television reception, detectable by neighboring residents;
- l. The use does not require any increased or enhanced electrical or water supply; and
- m. The quantity and type of solid waste disposal is the same as other residential uses in the zone district;
- n. The capacity and quality of effluent is typical of normal residential use, and creates no potential or actual detriment to the sanitary sewer system or its components;
- o. Delivery trucks shall be limited to U.S. Postal Service, United Parcel Service, Federal Express, and other delivery services providing regular service to residential uses in the zone district; and
- p. All vehicular traffic to and from the home office use is limited in volume, type and frequency to what is associated with other residential uses in the zone district.

C. Building Height—Except Churches and Schools (Maximum).

- 1. Principal building: thirty-five feet;
- 2. Accessory building: fifteen feet.

D. Lot Area (Minimum). Ten thousand two hundred fifty square feet measured within the first one hundred feet back from the street lot line.

E. Lot Width (Minimum). One hundred twenty-five feet.

F. Lot Depth (Minimum). One hundred twenty-five feet.

G. Yards (Minimum).

- 1. Front Yard Depth. Forty feet except that where there are existing buildings on the same side of the street within the block, then not less than the average of the depths of the front yards of the buildings on the same side of the street and facing the street.
- 2. Side Yard Width. Two side yards shall be required: One, six feet; other, ten feet and more if necessary so that no point in any wall or roof shall be closer to the side lot line than two-thirds of the height of the point above the average finished grade along the nearest side wall of the building.
- 3. Rear Yard Depth. Twenty-five percent of the depth of the lot, but need not exceed twenty-five feet.

H. Building Area (Maximum). Twenty percent of lot area.

(Ord. 1337, 2000; Ord. 929 § 1, 1971; Ord. 919 § 2, 1970; Ord. 869 §§ 1, 2, 1967; Ord. 820 §§ 4.110—4.118, 1963)

(Ord. No. 1642, § 3, 11-28-2016)

17.12.021 - R-1-100 zone.

A. Principal Permitted Uses. Same as R-1-125

- B. Accessory Uses. Same as R-1-125.
- C. Building Height—Except Churches and Schools (Maximum).
 - 1. Principal building: thirty-five feet;
 - 2. Accessory building: fifteen feet.
- D. Lot Area (Minimum). Ten thousand square feet measured within the first one hundred feet back from the street lot line.
- E. Lot Width (Minimum). One hundred feet.
- F. Lot Depth (Minimum). One hundred twenty-five feet.
- G. Yards (Minimum).
 - 1. Front Yard Depth. Forty feet except that where there are existing buildings on the same side of the street within the block, then not less than the average of the depths of the front yards of the buildings on the same side of the street and facing the street.
 - 2. Side Yard Width. Two side yards shall be required: One, six feet; other, ten feet and more if necessary so that no point in any wall or roof shall be closer to the side lot line than two-thirds of the height of the point above the average finished grade along the nearest side wall of the building.
 - 3. Rear Yard Depth. Twenty-five percent of the depth of the lot, but need not exceed twenty-five feet.
- H. Building Area (Maximum). Twenty percent of lot area.

(Ord. No. 1642, § 3, 11-28-2016)

17.12.022 - R-1-85 zone.

- A. Principal Permitted Uses. Same as R-1-125
- B. Accessory Uses. Same as R-1-125.
- C. Building Height—Except Churches and Schools (Maximum).
 - 1. Principal building: thirty-five feet;
 - 2. Accessory building: fifteen feet.
- D. Lot Area (Minimum). Eight thousand five hundred square feet measured within the first one hundred feet back from the street lot line.
- E. Lot Width (Minimum). Eighty-five feet.
- F. Lot Depth (Minimum). One hundred twenty-five feet.
- G. Yards (Minimum).
 - 1. Front Yard Depth. Forty feet except that where there are existing buildings on the same side of the street within the block, then not less than the average of the depths of the front yards of the buildings on the same side of the street and facing the street.
 - 2. Side Yard Width. Two side yards shall be required: one, six feet; other, ten feet and more if necessary so that no point in any wall or roof shall be closer to the side lot line than two-thirds of the height of the point

above the average finished grade along the nearest side wall of the building.

3. Rear Yard Depth. Twenty-five percent of the depth of the lot, but need not exceed twenty-five feet.

H. Building Area (Maximum). Twenty percent of lot area.

(Ord. No. 1642, § 3, 11-28-2016)

17.12.030 - R-2 zone and R-3 zone.

A. Principal Permitted Uses.

1. Same as R-1-125, but excluding private country clubs.
2. In R-3 zones only, hospitals, subject to the special restrictions in Chapter 17.20, and municipally owned and controlled service yard and buildings.

B. Accessory Uses. Same as R-1-125.

C. Building Height (Maximum). Same as R-1-125.

D. Lot Area (Minimum).

1. For R-2 zone: six thousand two hundred square feet, measured within the first one hundred feet back from the street lot line.
2. For R-3 zone: four thousand eight hundred square feet measured within the first one hundred feet back from the street lot line.

E. Lot Width (Minimum).

1. For R-2 zone: sixty-two feet.
2. For R-3 zone: forty-eight feet.

F. Lot Depth (Minimum). One hundred feet.

G. Yards (Minimum).

1. Front Yard Depth. Twenty-five feet, except that where there are existing buildings on the same side of the street within the block, then not less than the average of the depths of the front yards of the buildings on the same side of the street and facing said street.
2. Side Yard Width. Two side yards are required: One, four feet; and the other eight feet.
3. Rear Yard Depth. Same as R-1-125.

H. Building Area (Maximum). Thirty percent of lot area.

(Ord. 1030 § 1, 1979; Ord. 893 § 2, 1969; Ord. 820 §§ 4.120—4.128, 1963)

(Ord. No. 1642, § 4, 11-28-2016)

17.12.040 - R-4 zone.

A. Principal Permitted Uses.

1. One-family detached dwellings.

2. Two-family detached dwellings.
- B. Accessory Uses. Same as R-1.
- C. Building Height (Maximum). Same as R-1.
- D. Lot Area (Minimum). Three thousand three hundred square feet measured within the first one hundred feet back from the street lot line.
- E. Lot Width (Minimum). Thirty-three feet.
- F. Lot Depth (Minimum). One hundred feet.
- G. Yards (Minimum).
1. Front Yard Depth. Fifteen feet except that where there are existing buildings on the same side of the street within the block, then not less than the average of the depths of the front yards of the buildings on the same side of the street and facing said street.
 2. Side Yard Width. Two side yards are required. One, ten feet. Total of both, twelve feet.
 3. Combined Side Yard Width. Combined adjoining side yards for adjoining lots in the R-4 zone shall be no less than twelve feet, notwithstanding other side yard requirements.
 4. Rear Yard Depth. Twenty percent of lot depth, but need not exceed twenty feet.
- H. Building Area (Maximum). Fifty-five percent of lot area at curb level. Forty percent of lot area, fifteen feet and more above curb level.

(Ord. 820 §§ 4.130—4.138, 1963)

17.12.050 - R-5 zone.

- A. Principal Permitted Uses.
1. Single-family residential structures which shall be subject to the area yard and bulk regulations for the R-3 zone.
 2. Townhouses.
 3. Public parking lots and structures.
- B. Conditional Use. Professional offices which meet the following conditions:
1. Access must be provided onto either Clark Street or Bloomfield Avenue;
 2. All parking areas abutting or facing a residential zone or residential use shall provide a twelve-foot wide buffer area between any parking or loading areas and the residential zone or residential use. Said buffer shall provide a close woven wood fence, wood or hedge at least six feet in height so as to create an effective screen. In addition, adequate landscaping shall be provided within the buffer area;
 3. No building shall be closer than thirty feet to the side or rear line of any adjacent property;
 4. Adequate on-site parking spaces shall be provided in accordance with Section 17.12.060(A) so that no parking related to the office shall occur on the street;
 5. Maximum impervious coverage: sixty percent.

C. Accessory Uses (Subject to special restrictions of Chapter 17.20).

1. Private garages and private parking areas.
2. Loading areas.
3. Signs.
4. Other uses customarily incidental and subordinate to the principal permitted use.

D. Maximum Permitted Density for Townhouses.

1. Two thousand five hundred square feet or more (excluding garages): eight units per acre.
2. One thousand five hundred to two thousand four hundred ninety-nine square feet (excluding garages): nine units per acre.
3. Under one thousand five hundred square feet (excluding garages): ten units per acre.

E. Maximum Building Height.

1. Principal building: two and one-half stories and thirty-five feet.
2. Accessory building: fifteen feet.

F. 1. Minimum Lot Area. Forty thousand square feet to be measured within two hundred fifty feet from the ROW line.

2. Minimum Lot Width. One hundred sixty feet.
3. Minimum Lot Depth. One hundred fifty feet.
4. Minimum Setbacks. No principal structure shall be located closer than twenty-five feet to any abutting public street or property line.

G. Maximum Building Area. Thirty percent.

H. Minimum Off-Street Parking.

1. Townhouses: 2.3 parking spaces for each unit (of which one space must be in an attached enclosed garage).
2. Professional buildings: One parking space for each three hundred square feet of gross floor area.
3. Medical offices: One parking space for each two hundred square feet of gross floor area.
4. No motor vehicle shall be parked closer than twenty-five feet to any public street line or closer than eight feet to any lot line.
5. A driveway shall not be less than five feet from any adjoining lot line.

I. Design and Building Layout—Townhouses.

1. A maximum of six units in a single row is permitted. A minimum offset of four feet for every fifty feet is required.
2. Minimum distance between town-house buildings shall be as follows:
 - a. Windowless wall to windowless wall: twenty feet.
 - b. Window wall to windowless wall: thirty feet.

- c. Window wall to window wall.
 - i. Front to front: seventy-five feet.
 - ii. Rear to rear: fifty feet.
 - iii. End to end: thirty feet.

The planning board may reduce the above distances by not more than twenty percent if there is an angle of twenty degrees or more between buildings and if extensive landscaping and buffers, which provide necessary screening and shielding, are placed between buildings.

- 3. Minimum common open space: twenty-five percent.

J. The following uses shall be prohibited:

- 1. Tattoo parlors, including body piercing establishments;
- 2. Manufacturing, wholesale trade, warehouse establishments and bus and truck depots;
- 3. Storage establishments, including mini-storage warehouses;
- 4. Pawn shops;
- 5. Check-cashing shops.

(Ord. 1462 § 1 (part), 2006; Ord. 1173 (part), 1990)

(Ord. No. 1517, § 1, 8-10-2009)

17.12.060 - B zone.

- A. Principal Permitted Uses. Office and professional buildings, nursing homes, public and private schools, municipal buildings and libraries, existing single-family detached dwellings. Where the use is a single-family detached dwelling, the provisions of Section 17.12.030(A) through (H) shall apply. The provisions of Section 17.12.060(B) through (L) shall not apply.
- B. Accessory Use. Same as R-5.
- C. Building Height (Maximum).
 - 1. Principal building: thirty-five feet.
 - 2. Accessory building: fifteen feet.
- D. Lot Area (Minimum). Ten thousand square feet measured within the first one hundred feet back from the street lot line.
- E. Lot Width (Minimum). One hundred feet.
- F. Lot Depth (Minimum). One hundred feet.
- G. Yards.
 - 1. Front yard depth: twenty-five feet.
 - 2. Side yard width: sixteen feet, except where B zone abuts an existing residence zone the minimum present distance between any existing building and the residence zone line shall not be further encroached upon.

Any addition or new building on the same lot shall also maintain the existing setback.

3. Rear yard depth: twenty-five feet.

H. Building Area (Maximum ground coverage). Fifty percent of lot area.

I. Floor Area Ratio (Maximum). 0.6.

J. Off-Street Parking.

1. Offices: One parking space for every two hundred fifty square feet of floor area; and

2. Nursing homes: One parking space for every 2.5 beds.

K. Minimum Distance of Parking and Driveways.

1. No parking in any required front yard except as provided in Section 16.24.130(B)(12).

2. Driveway or access drives: thirteen feet from any residence zone line; five feet from all other lot lines.

3. Parking area: twenty-five feet from existing residence zone line; ten feet from all other lot lines.

L. Notwithstanding any other provision of other ordinances, up to thirty percent of all required parking areas may be designed for compact cars, providing the applicant can demonstrate to the planning board's satisfaction that a reasonable control plan exists restricting the use of said spaces to compact cars.

M. The following uses shall be prohibited:

1. Tattoo parlors, including body piercing establishments;

2. Manufacturing, wholesale trade, warehouse establishments and bus and truck depots;

3. Storage establishments, including mini-storage warehouses;

4. Pawn shops;

5. Check-cashing shops.

(Ord. 1462 § 1 (part), 2006; Ord. 1127 § 1, 1986; Ord. 1120 § 2, 1986; Ord. 1082 § 1, 1984; Ord. 1080 § 6, 1984)

17.12.070 - C-1 zone.

A. Principal Permitted Uses.

1. Commercial retail uses limited to first floor only;

2. Commercial and professional offices;

3. Personal service uses including restaurants (not including fast food restaurants);

4. Public parking and structures;

5. Municipal facilities.

B. Accessory Uses.

1. Same as R-5.

2. Restaurants: Service bars selling alcoholic beverages for restaurant customers only shall be permitted accessory use in restaurants.

C. Building Height (Maximum).

1. Principal building: thirty-five feet.
 2. Accessory building: fifteen feet.
- D. Lot Area (Minimum). Ten thousand square feet measured within the first one hundred feet back from the street lot line.
- E. Lot Width (Minimum). One hundred feet.
- F. Lot Depth (Minimum). One hundred feet.
- G. Yards (Minimum).
1. Front yard depth: twenty-five feet.
 2. Side yard width: two side yards each of which shall be not less than sixteen feet.
 3. Rear yard depth: twenty-five feet.
- H. Building area (Maximum). Fifty percent of the lot area.
- I. Off-Street Parking Requirements.
1. One car space for each three hundred square feet of floor area exclusive of basement area used for storage.
 2. Locations. No motor vehicle shall be parked nearer than thirty feet to Bloomfield Avenue and fifteen feet to Herman Street.
- J. The following uses shall be prohibited:
1. Tattoo parlors, including body piercing establishments;
 2. Manufacturing, wholesale trade, warehouse establishments and bus and truck depots;
 3. Storage establishments, including mini-storage warehouses;
 4. Pawn shops;
 5. Check-cashing shops.

(Ord. 1462 § 1 (part), 2006; Ord. 1173 § 1.200, 1990; Ord. 1145 § 1, 1988; Ord. 929 § 4, 1971; Ord. 820 §§ 4.170—4.179, 1963)

17.12.080 - OS-H open space-historic zone.

- A. Principal Permitted Uses.
1. Noncommercial parks;
 2. Playground;
 3. Open spaces.
- B. Permitted Accessory Uses.
1. Gazebo;
 2. Fitness trail;
 3. Customary accessory uses and uses appurtenant to principal uses.

(Ord. 1173 § 1.300, 1990; Ord. 820 §§ 4.180—4.182, 1963)

17.12.090 - Planned residential development zone (PRD zone).

- A. Purpose. It is the intent of the PRD zone regulations to create a realistic opportunity for the construction of low- and moderate-income housing in the Borough of Glen Ridge and thereby help to address the fair share housing obligation of the Borough of Glen Ridge under the New Jersey Fair Housing Act ("FHA"), applicable council on affordable housing ("COAH") regulations, the settlement agreement entered into between the Borough and Fair Share Housing Center ("FSHC") on November 12, 2018, and the Borough's Housing Element and Fair Share Plan. The planned residential development zone (PRD Zone) encourages the development of low- and moderate-income housing by allowing for inclusionary residential development. Any provisions of this title or any other ordinance in conflict with the PRD zoning regulations and which impose higher standards not related to health and safety shall be inapplicable.
- B. Permitted Principal Uses.
 - 1. Townhouses;
 - 2. Private country clubs subject to the special restrictions in Chapter 17.20;
 - 3. Single-family detached houses (shall conform to the R-1 zone standards).
- C. Permitted Accessory Uses. Permitted accessory uses shall include accessory use that is customary and incidental to the permitted uses in the PRD zone, including but not limited to:
 - 1. Accessory buildings;
 - 2. Fences and walls;
 - 3. Off-street parking and garages;
 - 4. Recreational facilities;
 - 5. Signs;
 - 6. Public utility uses;
 - 7. Common open space
- D. Affordable Housing.
 - 1. All multifamily developments constructed in the PRD zone shall be required to set aside a minimum percentage of units for affordable housing. Where units will be for sale, the minimum set aside shall be twenty percent. Where units will be for rent, the minimum set aside shall be fifteen percent. When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.
 - 2. All affordable units to be produced pursuant to this section shall comply with the Borough's Affordable Housing Ordinance of the Borough Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC")(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, and the Borough's Housing Element and Fair Share Plan, as may be amended from time to time. This includes, but is not limited to, the following requirements for all affordable units:

- a. Low/Moderate Income Split: A maximum of fifty percent of the affordable units shall be moderate-income minimum of fifty percent of the affordable units shall be low-income units. At least thirteen percent of all rental units shall be very low-income units, which shall be counted as part of the required number of low within the development.
- b. Bedroom Mix: If the development is not age-restricted, the following bedroom mix shall apply:
 - i. The combined number of efficiency and one-bedroom units shall be no greater than twenty percent of the total low- and moderate-income units;
 - ii. At least thirty percent of all low- and moderate-income units shall be two bedroom units;
 - iii. At least twenty percent of all low- and moderate-income units shall be three bedroom units; and
 - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
- c. Deed Restriction Period: All affordable units shall be deed restricted for a period of thirty years from the date of the initial occupancy of each affordable unit (the "Deed Restriction Period"). The affordability controls shall expire at the end of thirty years after the date of the initial occupancy of the respective individual affordable unit, except, as to rental units, the affordability controls shall remain in effect until the date on which a rental unit shall become vacant, provided that the occupant household continues to earn a gross annual income of less than eighty percent of the applicable median income. See N.J.A.C. 5:80-26.11(b). If, at any time after the end of thirty years after the date of initial occupancy, a rental household's income is found to exceed eighty percent of the regional median income, the rental rate restriction shall expire at the later of either the next scheduled lease renewal or sixty days. Ibid. For for-sale units, the deed restriction shall expire only after it is properly released by the town and/or the borough's administrative agent.
- d. Administrative Agent: All affordable units shall be administered by a qualified administrative agent paid for by the developer.
- e. Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the borough's affordable housing ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between all of the buildings on its site, and shall identify the exact location of each affordable unit at the time of site plan application.

E. Requirements.

1. Area, Bulk and density requirements.
 - a. Minimum Tract Size. Thirteen acres.
 - b. Maximum Permitted Density. The maximum density shall be fourteen units per acre;
 - c. Minimum Tract Setback. All development shall maintain a fifty-foot minimum buffer to all exterior property lines. Said buffer shall be bermed or landscaped with a four-season buffer and remain unoccupied except for entrance roads or utilities. In addition, there shall be a fifty-foot setback from

all townhouse development to all interior single-family property lines.

- d. Frontage Along Ridgewood Avenue. The frontage along Ridgewood Avenue shall be developed for single-family homes. The single-family lots shall comply with the bulk standards of the R-1 zone, Section 17.12.020.
 - e. Maximum Height.
 - a. Single Family.
 - i. Principal building: thirty-five feet.
 - ii. Accessory building: fifteen feet.
 - b. Townhomes.
 - i. Three stories or forty-two feet, whichever is lesser.
 - f. Minimum Common Open Space. Twenty percent. Ownership and maintenance of common open space shall be regulated by N.J.S.A. 40:55D-43, standards for the establishment of open space organization.
 - g. Yards.
 - a. Single family (shall conform to the R-1 zone standards).
 - b. Townhomes.
 - i. Front Yard. There shall be no front yard less than twenty-five feet.
 - ii. Side Yard. No side yard shall be less than fifteen feet. On a lot that fronts two intersecting roadways, whether private or public streets, the side yard fronting on said roadway shall meet front yard requirements.
 - iii. Rear Yard. There shall be a rear yard of at least fifteen feet.
 - h. Maximum Impervious Coverage. Sixty-five percent.
2. Building Requirements.
- a. Single family homes (shall conform to the R-1 zone standards).
 - b. Townhomes.
 - 1. Location of Building. Dwelling units, buildings and their front facades shall be oriented towards the public and/or private roadway. Primary dwelling unit entrances shall be located on the front façade of any structure that is oriented towards the public and/or private roadway. Where dwelling units or building does not front on a public/private roadway, they shall be oriented towards interior open spaces. All units and buildings shall be oriented away from parking lots.
 - 2. Units Per Building. No building shall contain more than six dwelling units in a townhome configuration and twelve units in a stacked townhome configuration and no dwelling unit shall be located in an attic, basement or cellar.
 - 3. Distance Between Buildings. There shall be a minimum distance of fifty feet between principal structures. If an access drive is located between principal structures, the minimum distance between the structures shall be fifty feet. In addition, the following requirements shall be met:

- i. Buildings which are parallel to one another or approximately so but which overlap one another, six feet apart at the closest point; provided, however, that for every foot or part thereof of overlap in the building shall be an additional sixty inches apart.
4. Construction. The outside walls of a building shall be of fire-resistant material, such as brick, stone or masonry, as approved by the planning board. Interior walls separating dwelling units shall also be constructed with fire resistant material.
5. Design. In order to provide attractiveness, identity and individuality to dwelling units, buildings and complexes of buildings within the entire development and to avoid the monotonous repetition of design elements and its undesirable visual effects, the following design standards shall be utilized:
 - i. Varying dwelling unit widths, staggering dwelling unit setbacks and altering building heights and rooflines;
 - ii. Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building;
 - iii. Varying the front entrance definition 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.
 - iv. Each dwelling unit shall have at least two exterior exposures with at least one window in each exposure.
 - v. Each townhouse dwelling unit shall contain as a minimum a separate living room, a separate bedroom, a separate bath, a basement or cellar for storage and utilities, an enclosed garage and a separate kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
6. Dwelling unit size: One, two and three bedroom units are permitted are only permitted in townhouse dwelling structures. Units shall meet the following criteria:
 - i. One bedroom - unit minimum seven hundred fifty square feet.
 - ii. Two bedroom - unit minimum one thousand one hundred square feet.
 - iii. Three bedroom - unit minimum one thousand two hundred fifty square feet.
 - iv. As it relates to any units with dens:
 - a. Dens must adjoin a living space.
 - b. Dens must be built without closets and at all times post-construction have no closets.
 - c. Dens must be accessed through a wider-than-usual opening.
 - d. The addition of a door, wall and a closet is at all times prohibited.
 - v. Each change in lease occupancy (including lease assignment and lease sub-letting) would require the issuance of a certificate of continued occupancy to verify continued compliance

with the foregoing, the reasonable cost of each such inspection to be borne by the owner of the property.

7. Miscellaneous.

- i. Buildings shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents.
- ii. Window air conditioning units are not permitted.
- iii. Television connections shall be provided for each unit. One satellite dish shall be permitted per structure and may not be visible from any street.
- iv. All trash and recyclables shall be stored in covered containers. They may be stored within or outside the building. If the materials are stored outside, they must be kept in a permanent enclosure with a latching gate in a centrally located, concealed area approved by the planning board.
- v. Each dwelling unit shall be provided with a completely enclosed, covered storage space. Such storage area shall be exclusive of normal interior closets and may either be contained within the dwelling unit or building, attached thereto or located separately.
- vi. Each townhouse dwelling unit shall have an individual private yard area or open patio or court adjoining the unit of at least fifteen feet in depth. Steps, roof overhangs, bay windows and similar features shall not project into such area more than three feet. Each private yard area, patio or court shall be effectively screened from adjoining units by a fence, wall, or natural screening in order to provide a reasonable degree of privacy.

3. Minimum Off-Street Parking Requirements.

- a. Off-street parking facilities shall be provided in accordance with the residential site improvement standards (RSIS).
- b. All required parking must be provided on-site.
- c. Garages may be counted as parking space.
- d. Adequate fire and emergency access must be provided.
- e. On-site parking shall not be provided for any use or to any party other than a resident or visitor of the site, nor shall parking areas be used for any purpose other than parking.
- f. Signage shall be provided where parking spaces are to be reserved for residents. Visitor parking shall be signed and painted for each space designated for such a purpose.
- g. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).

4. Lighting.

- a. Adequate lighting shall be provided for all parking areas and pedestrian walkways.
- b. All outdoor lighting, including street lamps and accent lighting, should comply with "dark sky" standards intended to reduce light pollution. Dark sky standards require that lighting is downcast,

illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies.

- c. Lighting for a building must be contained on the property on which the building is located.
- d. LED lighting shall be permitted in addition to all of the conditions of the land use ordinance standards for lighting.

(Ord. 1173 § 3.200, 1990; Ord. 820 § 4.190—4.202, 1963)

(Ord. No. 1704, 4-8-2019)

17.12.110 - B-RO business-residential overlay zone.

A. Principal Permitted Uses.

- 1. All principal permitted uses in the B zone as regulated by the standards for that zone.
- 2. Multifamily dwellings, where at least seventy-five percent of the total number of dwelling units are within an existing building or are constructed as additional stories over an existing building.

B. Accessory Uses.

- 1. For uses accessory to permitted uses in the B zone, same as in that zone.
- 2. For uses accessory to multifamily dwellings:
 - a. Signs;
 - b. Private garages and private parking areas;
 - c. Common loading and refuse storage areas;
 - d. Other uses customarily incidental and subordinate to the principal permitted use.

C. Maximum permitted density for multifamily dwellings shall be thirty dwelling units per acre with no more than forty percent of the units having three or more bedrooms. No more than five townhouse design units shall be constructed as new units requiring a new foundation.

D. Maximum permitted building height shall be forty feet except that an additional building height of twenty feet shall be permitted for up to two stories over an existing building provided that the building portion which exceeds forty feet shall be set back at least eight feet from the main existing building facade. Notwithstanding this provision, to provide architectural variation, corner building elements constructed over an existing building may extend twenty-five feet above the forty-foot height limit provided such elements do not have an exterior horizontal dimension which exceeds twenty feet, are not closer than thirty feet to an existing principal dwelling, and do not have a total building coverage in excess of one thousand two hundred square feet. The height limitations indicated in Exhibit A-1 and generally described in this section promote good planning and are conscientious of the adjoining residential properties.

E. Minimum lot area: one and one-fourth acres.

F. Minimum lot width: one hundred fifty feet.

G. Minimum lot depth: one hundred fifty feet.

H. Minimum Building Setbacks.

1. Existing building setbacks to public rights-of-way shall be maintained except that balcony and bay window additions may extend up to five feet from the building facade provided such additions do not extend the building foundation and provided the total length of such balconies or bay window additions is not more than fifty percent of the total length of the wall from which such additions protrude. No individual balcony or bay window addition shall exceed a length of sixteen feet.
 2. Any new building shall be setback at least fourteen feet from the public right-of-way except that balcony and bay window additions may be permitted in accordance with the standards in subsection (H)(1) of this section. Landings and stairs providing access to the front facade of any townhouse design unit shall be permitted to extend to within four feet of the public right-of-way.
 3. Any new building shall be setback at least seventeen feet from any other property line which is not a public right-of-way except that one townhouse design unit, appearing as a two and one-half story building from the front facade and with the two full stories not exceeding a height of twenty-eight feet, shall be permitted to have a side setback no less than four feet from a property line (other than a public right-of-way).
 4. The approving authority may permit protrusions into required minimum side and rear yards for roof overhangs, columns, and column supports and similar features provided such intrusions do not extend more than two and one-half feet from the building facade from which they protrude and provided the approving authority determines that such features constitute architectural variations which do not add to the habitable floor area.
 5. In determining minimum building setback in this subsection H of this section, the term new building shall not include a building which replaces an existing building which has been demolished, but shall only include a building constructed on land which prior to new construction under the terms of these regulations was essentially paved, landscaped or otherwise not improved with a building.
- I. Maximum Building Area. Fifty percent except that a maximum building area of seventy-five percent of lot area shall be permitted where all on-site parking is enclosed within a roofed structure.
- J. Maximum Impervious Coverage. Eighty percent of lot area.
- K. Minimum Off-Street Parking. The required number of required on-site parking spaces shall be in accordance with the New Jersey Residential Site Improvement Standards [N.J.A.C.5:-1 et seq.] unless a de minimus exception is granted therefrom. Notwithstanding the standards or practice of allowing off-site parking in other zones, all required parking in the B-RO zone shall be on-site parking, and all on-site parking shall be located within a covered structure.

(Ord. 1411 § 4, 2004)

Chapter 17.16 - SUPPLEMENTARY LOT, HEIGHT, YARD AND COURT REGULATIONS

Sections:

17.16.010 - Lot regulations.

- A. Existing Lots. No lot shall hereafter be reduced in size or area so as to create a nonconforming lot or a nonconforming building.
- B. Visibility at Street Intersections. On all corner lots in residential zones unobstructed visibility shall be maintained within the area bounded by the street lot lines of the intersecting streets and a diagonal joining the points on each street lot line thirty feet from the point of intersection of said street lot lines. Within this area no structure, wall, embankment, terrace or fence of a type which obstructs visibility and no vegetation other than shade trees trimmed to a distance of at least eight feet above the curb lines shall be permitted more than thirty inches above a plane through the top of the curbs or the surface of the sidewalk, whichever plane is the lower.

(Ord. 820 § 5, 100, 1963)

17.16.020 - Building height regulations.

- A. General Application. No building or structure shall have a greater number of stories or greater number of feet of building height than permitted in the zone where such building or structure is located.
- B. Permitted Exceptions. Building height limitations stipulated elsewhere in this title shall not apply to church spires, church belfries, church towers, chimneys, flues, parapet walls, radio or television aerials or antennas, except that no parapet wall, radio or television aerial or antenna may extend more than five feet above the maximum building height allowed for the principal building. Moreover, the building height provisions of this title shall not apply to bulkheads, elevator enclosure or water tanks occupying in the aggregate less than ten percent of the area of the roof on which they are located, provided that they are no closer to any outside wall of the structure than the height of the bulk head, elevator enclosure or water tank.

(Ord. 820 § 5.200, 1963)

17.16.030 - Yard regulations.

- A. General Application. No building or structure shall project into or be located within any required front, side or rear yard except as provided in this title.
- B. Buffer Strips Between Residential and Nonresidential Zones. Wherever any lot in a B or C zone abuts an R zone, there shall be provided on such lot in the B or C zone a buffer strip of not less than ten feet in width. Prior to the use of such lot for any permitted use in the B or C zone, such buffer strip shall be planted by the owner thereof with evergreen hedges and shrubs spaced at such intervals as to provide a visual screen ten feet in height which shall be maintained in good condition. A screening fence six feet high such as a close-split cedar pole or basketweave fence shall also be required and shall be located along the interior line of the buffer strip. No use other than planting or the screen fence shall be permitted in the buffer strip.
- C. Yard regulations in the health care zone shall be regulated by the provisions of Section 17.20.050, health care

zone.

(Ord. 1266 § 2, 1995; Ord. 820 § 5.300, 1963)

17.16.040 - Maximum building area.

The building area shall not exceed the maximum permitted for any lot in the zone.

(Ord. 820 § 5.400, 1963)

17.16.050 - Number of buildings restricted.

No dwelling shall be erected on any parcel of land which does not conform to the definition given in Section 17.04.030 for "lot." There shall be no more than one dwelling on each lot in any R zone.

(Ord. 820 § 5.500, 1963)

17.16.060 - Courts for multifamily residential buildings.

- A. Outer Courts. The width of any outer court (distance between opposite walls) shall not be less than the height of the highest wall forming said court. The depth of an outer court formed by walls on three sides shall not be greater than the width.
- B. Inner Courts.
 - 1. The least dimension of an inner court shall be not less than the full height of the highest wall enclosing such court, but not less than fifty feet.
 - 2. An unobstructed passageway shall be provided at the grade level of each inner court. Such passageway shall have a width of twelve feet and a height of twelve feet to permit the passage of firefighting equipment and shall be continuous from the inner court to a front yard with an unobstructed access to a public street.

(Ord. 820 § 5.600, 1963)

Chapter 17.20 - SPECIAL RESTRICTIONS GOVERNING CERTAIN USES

Sections:

17.20.010 - Private country clubs.

- A. A private country club shall be limited to a private club which is neither organized nor operated for pecuniary profit and which owns and operates, for exclusive use of its members and its guests, a golf course complying in all respects with the standards prescribed by the United States Golf Association which golf course is located wholly or partly in Glen Ridge.

- B. A private country club shall be permitted accessory uses customarily incidental to the operation of a private country club including but not limited to a clubhouse, a swimming pool, tennis courts and parking areas provided that they are owned by said club and operated by said club or by a corporation all of the voting stock of which is owned by the club; and provided said accessory uses are for the exclusive use of the members and guests of the private country club.
- C. A private country club shall be permitted outdoor tennis courts, subject to the following conditions and limitations:
 - 1. Construction of outdoor tennis courts shall be limited to four.
 - 2. No outdoor tennis courts shall be located closer than twenty feet to a street lot line, and any tennis court located within one hundred feet of a street lot line shall be screened from said street by a continuous row of evergreens of a height of not less than six feet and maintained in good condition.
 - 3. No outdoor tennis court shall be located closer than thirty feet to a residential property lot line, and any outdoor tennis court located within one hundred feet of a residential property lot line shall be obscured from said residential property by adequate landscaping and a screening fence located between the outdoor tennis court and a line no closer than twenty-five feet to said lot line. The landscaping shall consist of evergreen hedges, shrubs or trees providing a planting at least ten feet in height which shall be maintained in good condition. The screening fence shall consist of a solid or closely spaced picket fence six feet high, maintained in good condition and located no farther than eight feet from the outdoor tennis court.
 - 4. The height of any and all fencing to be erected for purposes of operation of tennis courts shall be limited to three feet high along the side court lines and ten feet high in the back court area and the wings not to extend beyond thirty feet from the back fence line.
 - 5. No artificial lighting of any kind shall be permitted in connection with the operation of outdoor tennis courts.
- D. No portion of any building or structure shall be erected nearer than one hundred fifty feet to the street lot line on which the principal building or clubhouse faces.

No portion of any building or structure shall be erected nearer to any adjoining lot line than one hundred feet. The term "structure" as used herein shall be any type of construction including, but not limited to, a swimming pool, handball court, paddle tennis court and the like, and the paved areas used in connection therewith.

- E. An off-street parking area or space shall be provided to accommodate one motor vehicle for every three club members.
- F. Any approach or driveway at the point where it crosses the street lot line shall be at least one hundred feet from any adjoining lot line.
- G. No motor vehicle shall be parked nearer than fifteen feet to any street lot line or thirty-five feet to any other lot line and no driveway to a parking area or space shall be closer than thirty-five feet to any other lot line.
- H. Any parking area or space or any driveway to a parking area or space located within one hundred feet of a residential property lot line shall be screened from said residential property by adequate landscaping and a

screening fence located between the parking area, parking space or driveway to the same and a line no closer than twenty feet to said lot line. The landscaping shall consist of evergreen hedges, shrubs or trees which will develop a planting screen at least ten feet high and shall be maintained in good condition. The screening fence shall consist of a solid or closely spaced picket fence six feet high, maintained in good condition and located no farther than eight feet from the parking area or driveway. Any parking area or space or driveway to same located within one hundred feet of a street lot line shall be screened from said street by a continuous row of evergreens to grow to a height of not less than six feet and maintained in good condition and separating the parking area or space from the street lot line.

- I. No parking area or space and no part of any driveway to the same within one hundred feet of a residential property lot line shall be closer to the street lot line than the main front wall of a residence on the adjoining property or in any event closer than fifty feet to the street lot line.

(Ord. 1003 § 1, 1977; Ord. 820 §§ 6.100—6.144, 1963)

17.20.020 - Accessory buildings.

A. Minimum Yard Regulations for All Zones.

1. When an accessory building is attached to the principal building, it shall be considered part of the principal building and shall comply in all respects with the requirements of this title applicable to the principal building.
2. No detached accessory building shall be located within a front yard of the lot on which it is located.

B. Additional Regulations for R Zones, Except Country Clubs. Except as provided in Section 17.20.030, accessory buildings which are not attached to a principal building may be erected within a side yard or a rear yard provided that:

1. Any detached accessory building in the rear yard located more than ten feet from the principal building shall be located no closer than three feet to the side or rear lot line.
2. Any detached accessory building within ten feet of the principal building or in the side yard of the principal building shall not be closer to a side lot line than the width of the side yard required on that side for said principal building.
3. Accessory buildings may occupy not more than forty percent of the required area of the rear yard.
4. Accessory detached buildings shall be located so that they will not be closer than twelve feet to a principal building on an adjoining lot.

(Ord. 1036 § 1, 1979; Ord. 820 §§ 6.210—6.212, 1963)

17.20.030 - Parking area, garages and outdoor storage.

A. Regulations for R-1 (except country clubs), R-2, R-3 (except hospitals), and R-4 Zones.

1. The maintenance and use of a garage or a stone, gravel or other hardsurfaced area for the storage or constant or habitual parking of one or more motor vehicles shall be permitted as an accessory use;

provided, however, that not more than three motor vehicles shall be stored or constantly or habitually parked on a lot with an area of ten thousand square feet or less plus one additional motor vehicle for each five thousand square feet by which the area of the lot exceeds ten thousand square feet; and further provided that not more than one commercial motor vehicle may be stored or constantly or habitually parked on a lot and then only if said commercial motor vehicle has a manufacturer's rated capacity of three-quarter ton or less, is used regularly to go to and from business by a member or members of the household, and is kept in a garage when not in use.

2. No garage shall be located within a required front of side yard.
3. No motor vehicle shall be stored or constantly or habitually parked outside a garage except on a stone or gravel or other hardsurfaced area.
4. No commercial motor vehicle and not more than one noncommercial motor vehicle may be stored or constantly or habitually parked in a front yard.
5. No commercial motor vehicle and not more than one noncommercial motor vehicle may be stored or constantly or habitually parked in a side yard.
6. None of the following shall be deemed to be an accessory use and each is prohibited:
 - a. The storage or constant or habitual parking, whether indoors or outdoors, of a commercial vehicle having a manufacturer's rated capacity of more than three-quarter ton, or of construction equipment;
 - b. The outdoor storage or constant or habitual outdoor parking of any inoperable motor vehicle;
 - c. The habitual dismantling, assembling or repairing of a motor vehicle other than one belonging to a member or members of the household which may by this title be stored on the premises;
 - d. The conducting or maintenance of a business;
 - e. A building or use not located on the same lot as the residence to which it is accessory;
 - f. The outdoor storage of motor vehicle parts or accessories or discarded household furniture, furnishings, fixtures or equipment.
7. Nothing contained herein shall be construed to prohibit:
 - a. The parking of noncommercial motor vehicles by members of the household, their guests or invitees, where the parking is temporary and does not constitute a storage or constant or habitual parking; or
 - b. The parking of commercial motor vehicles where such parking is temporary does not constitute a storage or constant or habitual parking and is necessary for the delivery of goods or services to the premises.

B. All parking areas shall meet the requirements of Sections 16.24.120 and 16.24.130 of Title 16.

(Ord. 1080 § 7, 1984; Ord. 987 § 2, 1976; Ord. 893 §§ 3, 4, 1969; Ord. 820 §§ 6.220—6.222, 1963)

17.20.040 - Signs.

No sign, including but not limited to a billboard or a signboard, may be erected and maintained except as hereinafter permitted.

A. Signs in R-1, R-2, R-3 and R-4 Zones.

1. Church Signs. Signs on premises occupied by a church for announcements pertaining to the services or activities of the church will be permitted provided that:
 - a. Only one permanently located sign shall be permitted on each street frontage of the premises and such sign, unless affixed to the principal building, shall be set back from the street lot line a distance of not less than ten feet, each such sign shall not exceed twenty square feet in area, and if such sign is illuminated the source of illumination shall be so screened that it shall not be visible from off the premises.
 - b. One temporary sign will be permitted on each street frontage of the premises for announcing special events provided such sign is removed within ten days of its erection and further provided that all restrictions pertaining to permanent church signs be complied with.
2. Sales or Rental Signs. One sign announcing that the premises on which it is located is available for sale or rental is permitted, subject to the following conditions:
 - a. Such sign shall not exceed six square feet in area.
 - b. Not more than one sign is placed upon any premises.
 - c. Such sign may be freestanding, but not illuminated in any way.
 - d. The top of such sign shall be no higher than four feet above the surface of the ground.
 - e. Such sign may contain a message on both sides and may be erected perpendicular or parallel to the roadway on which the property fronts.
 - f. Such sign shall be located only in the front yard and shall be set back at least ten feet from the street lot line. For premises which have a front yard of less than twenty feet from the street lot line, such sign shall be affixed to the building or erected within six inches of the front of the building.
 - g. Such sign be removed after it has been signed under contract.

B. Signs for R-5, B, B-RO and C Zones. The following limitations shall control:

1. One nonilluminated sign not exceeding four square feet in overall area announcing that the premises on which the sign is located is for sale, or announcing space available for rent will be permitted provided that the sign is set back at least ten feet from the street lot line.
2. One sign attached to, or forming a part of, the front of the building, which sign shall include no more than (1) the name of the building, (2) the name and occupation of the single occupant thereof and the street number, will be permitted provided that:
 - a. Such sign shall not extend above the top or beyond the sides of the front wall of the building or extend out from the building more than one foot.
 - b. The lettering shall not exceed eight inches in height and the overall area of such sign shall not exceed eight square feet.
 - c. If such sign is illuminated, the source of such illumination shall be so screened that it is not visible

from off the premises.

- d. Where the sign permitted herein specifies the name of the occupant of the building, the right to maintain the sign shall terminate upon the vacation of the building by the occupant and the sign shall be removed within thirty days after the vacation.
3. In C zones, signs advertising services offered or products sold within the building may be placed on or in the windows of the building provided that they occupy not more than twenty-five percent of the window area of the first floor and not more than ten percent the window area of the second floor.
4. In C-1 zones, one sign advertising the brand name of a gasoline may be erected on the premises occupied by a gasoline or service station provided that the area of such sign does not exceed twelve square feet and further provided that the location and illumination of the sign are first approved by the board of adjustment.
- C. Temporary Signs. A temporary sign not exceeding fifty square feet in area announcing a new development in any zone or the construction of a building in a B, C or R-5 zone will be permitted provided that the design, wording, location and illumination are first approved by the board of adjustment. The board's approval shall designate the time limit for the removal of the sign, and such sign shall be removed at the expiration of the time limit set in the approval by the board.
- D. Limitations on Permitted Signs. The following types of signs shall not be permitted in any zone:
 1. A flashing, neon or animated sign;
 2. A sign which causes radio or television interference.

(Ord. 1421, 2005; Ord. 1411 § 5, 2004; Ord. 1294 § 1, 1997; Ord. 1268 § 1, 1995; Ord. 929 § 6 (part), 1971; Ord. 820 §§ 6.240—6.244, 1963)

17.20.050 - Health care zone.

- A. There is created with the borough a health care zone, the boundaries of which are set forth on the map attached to the ordinance codified in this section as Exhibit A.
- B. On and after the effective date of the ordinance codified in this section, uses formerly allowed by the former R-3 zone, but not allowed hereunder shall be nonconforming uses in the health care zone.
- C. The following uses are permitted uses in the health care zone provided the standards and restrictions set forth in subsection D of this section are complied with and site plan approval evidencing compliance with such standards and restrictions is first applied for and granted by the planning board of the borough:
 1. A hospital, as defined in Section 17.04.030, and its accessory uses directly related thereto;
 2. Ambulatory care center;
 3. Outpatient care facilities;
 4. Long-term care facility hospice;
 5. Child and adult daycare;
 6. Parking garages—Multilevel structures and parking lots (but only south of Bay Avenue);

7. Accessory business occupancies—Medical office buildings (but only south of Bay Avenue);
 8. Kitchen—Restaurant (but only south of Bay Avenue);
 9. Bank—Automatic teller machine;
 10. Accessory buildings—Warehouse and storage;
 11. Laboratory—Research and clinical testing;
 12. Accessory retail (such as a gift shop and the sale of medical supplies) ancillary to the foregoing.
- D. The uses set forth in subsection C of this section are permitted uses in the health care zone provided the following standards and restrictions are complied with and site plan approval evidencing compliance with such standards and restrictions is first applied for and granted by the planning board of the borough:
1. Front Yard Setback.
 - a. Those portions of Bay Avenue, Highland Avenue and Hathaway Place which lie east of Highland Avenue and south of Bay Avenue: twenty feet.
 - b. Those portions of Bay Avenue and Roswell Terrace which lie north of Bay Avenue: forty feet.
 - c. Those portions of Highland Avenue, Bay Street and George Street which lie west of Highland Avenue: twenty feet.
 2. Side and Rear Yard Setbacks.
 - a. East of Highland Avenue and south of Bay Avenue: twenty feet.
 - b. North of Bay Avenue: thirty feet.
 - c. West of Highland Avenue: twenty feet.
 3. Building Area (Maximum).
 - a. East of Highland Avenue and south of Bay Avenue. The maximum building area shall not exceed sixty-five percent of the total area of the lands owned by the health care provider within the health care zone east of Highland Avenue and south of Bay Avenue.
 - b. North of Bay Avenue. The maximum building area shall not exceed thirty percent of the total area of the lands owned by the health care provider within the health care zone north of Bay Avenue.
 - c. West of Highland Avenue. The maximum building area shall not exceed seventy percent of the total area of the lands owned by the health care provider within the health care zone west of Highland Avenue.
 4. Off-Street Parking. Throughout the health care zone, off-street parking shall be provided for a minimum of one parking or car space for each two hundred fifty square feet, or fraction thereof, of floor area of the building. A minimum of sixty percent of the required spaces must be provided within a radius of one thousand five hundred feet from the principal site as herein defined. Principal site shall be defined to include only the parcel of land on which the main building is located.
 5. Maximum Height of Principal Structure.
 - a. East of Highland Avenue, south of Bay Avenue and north of Hathaway Place, the height limitations

shall be as set forth on the map attached to the ordinance codified in this section as Exhibit 1-A. In general, the height limitations are described as follows:

- i. The area within Block 92, Lots 1, 2 and a portion of Lot 19 shall have a height limitation no more than fifty feet above grade. The portion of Lot 19 shall be generally defined as the area north of Block 92, Lots 1, 2 and the westerly ten feet of Lot 3 up to a distance of approximately two hundred and thirty-five feet north of the southwest corner of Lot 1, as measured parallel to Highland Avenue. The height limitation shall exclude roof structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the height of the roof structure equipment does not exceed ten feet.
 - ii. The area within a portion of Lot 19 of Block 92 generally located west of Lots 13, 14 and 15 of Block 92 and north of Block 92, Lots 7, 8 and the easterly twenty feet of Lot 6 shall have a height limitation no more than fifty feet above grade. The height limitation shall exclude roof structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the height of the roof structure equipment does not exceed ten feet.
 - iii. The area north of Lots 4, 5, the easterly forty feet of Lot 3 and the westerly thirty feet of Lot 6; and immediately adjacent to the fifty foot height limitation zones, identified above as i and ii, shall have a height limitation no more than seventy-five feet above grade. The height limitation shall exclude roof structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the height of the roof structure equipment does not exceed ten feet.
 - iv. The balance of Block 92, Lots 18 and 19 not contained within area i, ii and iii identified above shall have a height limitation no more than one hundred and five feet above grade. The portions of Lot 18 and 19 shall be generally defined as that area north of George Street and north of Lot 15 of Block 92. The height limitation shall exclude roof structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the height of the roof structure equipment does not exceed ten feet.
- b. North of Bay Avenue. No more than thirty-five feet above grade excluding structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the overall building height, including the roof equipment, does not exceed forty-five feet.
 - c. West of Highland Avenue. No more than sixty feet above grade excluding structures housing mechanical or electrical equipment, provided the total floor area of such last mentioned structure does not exceed one-half of the floor area immediately below and provided the overall building height, including the roof equipment, does not exceed seventy feet.

E. Emergency Sanitary Sewer Connection Fee.

1. There is established an annual calendar-year fee in the amount of seven thousand five hundred dollars to be paid by each facility in the health care zone for the permission granted to any such facility to have and to make use of, on an emergency basis from time to time as needed, the health care zone's existing but unused sanitary sewer connection to and with the borough's Hathaway Place sanitary sewer interceptor.
2. The aforesaid fee shall be payable within thirty days from the effective date of the ordinance codified in this section and shall thereafter be paid annually on or before January 31st of each calendar year.
3. The aforesaid fee shall be increased on January 1st, 2003 and every fifth anniversary of such date thereafter by the amount equal to the increase in the Consumer Price Index for the New York City/Northern New Jersey Metropolitan Area since the date of the last adjustment.

(Ord. 1372, 2002; Ord. 1302 § 1, 1998; Ord. 1299 §§ 1, 2, 1997; Ord. 1266 § 3, 1995; Ord. 1080 § 8, 1984; Ord. 940 § 1 (part), 1972; Ord. 899 §§ 1—5, 1969; Ord. 893 § 5, 1969; Ord. 820 §§ 6.300, 6.310, 1963)

17.20.055 - Redevelopment zone.

- A. There is created within the borough a redevelopment zone, the initial metes and bounds description thereof being attached to the ordinance codified in this section as Exhibit A.
- B. On and after the effective date of said ordinance, uses formerly allowed by the former R-5 zone shall continue to be allowed uses in the redevelopment zone.

(Ord. 1304 § 1, 1998)

17.20.060 - Fences.

No fence or barrier exceeding four feet in height above finished grade shall be erected or maintained in any front yard and no fence or barrier exceeding seven feet in height above finished grade shall be erected or maintained in any rear or side yard. A permit shall be required for any fence or barrier over four feet in height except that no permit shall be required for any fence or barrier required by any ordinance and no permit shall be required for temporary construction fences or required for temporary construction fences or barriers. Any fence or barrier installed pursuant to a permit granted under this title shall be installed so that its finished surface faces the exterior perimeter of the property on which it is installed.

(Ord. 1209 § 1, 1992; Ord. 995 § 2, 1977; Ord. 820 § 6.340, 1963)

17.20.065 - Electronic fences.

Electronic fences, as defined in Section 17.04.030, may be installed on a property. Electronic fences shall comply with the following requirements:

- A. Electronic fences installed after February 28, 2007, may be installed no closer to the front property line than the front of the existing structure of the home. A permit shall be required for any electronic fence.
- B. Electronic fences are prohibited in the front yards of any property unless they were installed prior to

February 28, 2007.

- C. Any electronic fences that were properly installed in the front yards of properties as of February 28, 2007, may remain, provided that there are permanent signs next to the driveway and at any sidewalk leading directly to the house indicating that the property has an electronic fence.

(Ord. 1464 § 2, 2007)

17.20.070 - Community residences for the developmentally disabled.

- A. The term "community residences for the developmentally disabled," as used in this chapter, shall have the same meaning as the term "community residence for the developmentally disabled" as defined in N.J.S.A 40:55D-66.2.
- B. Community residences for the developmentally disabled shall be a permitted use in all residential districts of the borough and the requirements thereof shall be the same as the requirements therefor shall be the same as the requirements for single-family dwelling units located within the borough, subject to restrictions in federal and/or state law, if any.

(Ord. 1364 § 2, 2002)

17.20.080 - Portable home storage units (PODS).

- A. Portable Home Storage Unit (POD). A portable shed or storage container, storage unit, shed-like container or other portable structure that can or may be used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building other than an accessory structure.
- B. A portable home storage unit may be placed upon any property only upon the issuance of a permit by the zoning officer. The application fee is fifty dollars. Permit extension application fee is twenty-five dollars.
- C. Portable storage containers shall be placed on property within a residential zone for no more than thirty days unless used in conjunction with a construction permit. A property owner may apply for an extension of the thirty-day limitation to the zoning official for good cause, but in no event for an additional thirty days.
- D. Permits will be granted for PODS used in conjunction with a building permit for a period of ninety days. The permittee may seek one extension of the permit for up to an additional ninety days.
- E. PODS units must be kept in the driveway of the property at the furthest accessible point from the street. All locations must be paved off-street surfaces. All other locations must be preapproved by the zoning officer.
- F. This subsection shall be enforced by the police department and the zoning officer.

(Ord. No. 1570, 11-14-2011)

Chapter 17.24 - NONCONFORMING USES, BUILDINGS AND LOTS

Sections:

17.24.010 - Nonconforming uses.

A. Carriage houses shall be regulated as follows:

1. For purposes of this section, "carriage house" is defined as an accessory building of two stories originally constructed at or about the same time as the principal single-family dwelling.
2. The occupancy and continued use of existing carriage houses in the single-family residential zones (R-1, R-2, and R-3) as one-family dwellings that existed prior to June 13, 1921 shall be permitted to be continued.
3. The establishment or reestablishment of carriage houses as single-family residences shall be permitted in the R-1 and R-2 single-family residential zones as a conditional use subject to the following:
 - a. The carriage house is on the same property as the original principal dwelling;
 - b. Residential use of the carriage house shall not be permitted on the first floor;
 - c. The minimum habitable floor area for conversions shall be five hundred square feet;
 - d. The gross floor area of the carriage house shall not be expanded, except that dormers may be added to provide additional light, ventilation and access;
 - e. At least four on-site parking spaces, two of which shall be enclosed, shall be available for use by occupants of the carriage house and principal building.

B. All other nonconforming uses shall be permitted as follows:

1. Continuance. Any nonconforming use existing on June 13, 1921, the date of the passage of the ordinance codified in this title, may be continued and any structure or building devoted to a legal nonconforming use may be restored or repaired in the event of partial destruction by reason of windstorm, fire, explosion, act of God or act of the public enemy; provided, that said partial destruction does not exceed fifty percent of the fair value of the building or structure at the time of its partial destruction.
2. Enlargement. No nonconforming use and no building or structure devoted to a nonconforming use shall be extended or enlarged.
3. Alteration. No structural alteration or alterations shall be made in or to any building or structure devoted to a nonconforming use the cost of which shall exceed twenty-five percent of the fair value of the building or structure at the time of such alteration or alterations.
4. Termination.
 - a. No nonconforming use and no building or structure devoted to a nonconforming use shall, if once changed to a conforming use, be changed back again to a nonconforming use.
 - b. A discontinuance of any nonconforming use of a building, structure, premises or lot for the period of one year or more shall terminate such use, and thereafter the building, structure, premises or lot shall be used only for a use permitted in its zone.
 - c. An abandonment of a nonconforming use shall terminate the right of the nonconforming use.

(Ord. 1265 § 1, 1995; Ord. 820 § 7.100, 1963)

17.24.020 - Nonconforming buildings and structures.

- A. Continuance. Any nonconforming building or structure existing on June 13, 1921, the date of the passage of the ordinance codified in this title, may be continued and any nonconforming building or structure devoted to a conforming use may be restored or repaired in the event of partial destruction by reason of windstorm, fire, explosion or act of God or act of the public enemy provided that said partial destruction does not exceed seventy-five percent of the fair value of the building or structure at the time of its partial destruction.
- B. Enlargement and Alteration. Any residential building or its accessory buildings in existence on November 12, 1963, nonconforming only because of location on the lot may be altered or added to provided that such alteration or addition conforms to the building height and the yard requirements for the lot and provided that the allowable building area is not exceeded.

(Ord. 820 § 7.200, 1963)

17.24.030 - Nonconforming lots.

- A. One-Family Detached Dwellings Permitted. A one-family detached dwelling and permitted accessory buildings or structures shall be permitted on:
 - 1. A nonconforming lot in a residential zone separately owned on June 13, 1921, the date of the passage of the ordinance codified in this title, where the owner of said lot has not owned any property adjacent thereto; provided, however, that any dwelling and accessory buildings or structures built on any of the aforementioned lots conform to all the requirements for the zone.
 - 2. A lot located in the R-2 zone and constituting a lot of record on September 26, 1949, and on that date containing in the first one hundred feet back from the street lot line an area of not less than one-ninth of an acre and which lot has not subsequently been reduced in size; provided, however, that any dwelling and accessory buildings or structures built thereon conform to all requirements for the R-2 zone.
- B. Enlargement and Alteration. Where there is a dwelling devoted to a conforming use on a nonconforming lot in a residential zone, said dwelling and its accessory buildings may be altered, added to or rebuilt and permitted accessory buildings may be constructed provided that such alteration, addition or new construction conforms to the building height and the yard requirements and provided that the allowable building area is not exceeded.

(Ord. 820 § 7.300, 1963)

(Ord. No. 1642, § 3, 11-28-2016)

Chapter 17.28 - BOARD OF ADJUSTMENT

Sections:

17.28.010 - Establishment.

Pursuant to the Revised Statutes of New Jersey as amended and supplemented, and in accordance therewith, a board of adjustment is established in and for the borough of Glen Ridge.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.100, 1963)

17.28.020 - Appointment.

The board of adjustment shall consist of seven citizens of the borough to be appointed by the mayor and council of the borough who shall serve for a term of four years each and until their successors shall be appointed and qualify. The term of the members first appointed under this act shall be so determined that to the greatest practicable extent, the expiration of such terms shall be distributed evenly over the first four years after their appointment; provided the initial term of no member shall exceed four years. Thereafter, the term of each such member shall be four years.

(Ord. 987 § 3 (part), 1976: Ord. 868 § 1, 1966: Ord. 820 § 8.200, 1963)

17.28.030 - Alternate members.

The mayor and council may appoint not more than two alternate members. Alternate members shall be designated by the chairperson "Alternate No. 1" and "Alternate No. 2" and shall serve in rotation during the absence or disqualification of any regular member or members. The term of each alternate member shall be two years.

(Ord. 1020 § 1, 1978: Ord. 820 § 8.210, 1963)

17.28.040 - Qualifications.

No member may hold any elective office or position under the municipality. No member of the board of adjustment shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.300, 1963)

17.28.050 - Removal and vacancies.

A member may, after public hearing if he or she requests it, be removed by the governing body for cause. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.400, 1963)

17.28.060 - Compensation.

No member of the board of adjustment shall receive any compensation for his or her services on the board of adjustment.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.500, 1963)

17.28.070 - Expenses and costs.

The board of adjustment may employ, or contract for, and fix the compensation of legal counsel, other than the municipal attorney, and experts and other staff and services as it shall deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the governing body for its use.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.600, 1963)

17.28.080 - Selection of officers.

The board of adjustment shall elect a chairperson and vice-chairperson from its members and select a secretary who may or may not be a member of the board of adjustment or a municipal employee.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.700, 1963)

17.28.090 - Rules.

The board of adjustment shall adopt rules consistent with the provisions of the Revised Statutes of New Jersey as amended or supplemented and the local ordinances as it may deem necessary to the proper performances of its duties and the proper exercise of its powers.

(Ord. 987 § 3 (part), 1976: Ord. 820 § 8.800, 1963)

Chapter 17.32 - ADMINISTRATION AND ENFORCEMENT**Sections:****17.32.010 - Building inspector.**

This title shall be enforced by the building inspector.

(Ord. 820 § 9.100, 1963)

17.32.020 - Certificate of occupancy.

It shall be unlawful to use or permit to be used any building, structure or premises or part thereof, hereafter created, erected, changed, converted, altered or enlarged wholly or partly, in its use or structure, until a certificate of occupancy shall have been applied for and issued by the building inspector. Such certificate shall show that such building, structure or premises or part thereof and the proposed use thereof are in conformity with the provisions of this title or a determination of the board of adjustment. A temporary certificate of occupancy for a part of a building may be issued by the building inspector as provided by the building code.

(Ord. 820 § 9.200, 1963)

17.32.030 - Violations—Penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010, general penalty, of this code.

(Ord. 820 § 9.300, 1963)

(Ord. No. 1584, 9-10-2012)

Chapter 17.36 - AMENDMENTS

Sections:

17.36.010 - Governing body may amend.

The borough council may, from time to time, on its own motion or on petition, after public notice and hearing, amend, supplement or change the regulations and zones herein established.

(Ord. 820 § 10.100, 1963)

17.36.020 - Petitions by property owners for change of zones.

Whenever the owners of fifty percent or more of the frontage in any zone or part thereof shall present a petition duly signed and acknowledged to the borough council, requesting an amendment, supplement, change or repeal of the regulations prescribed for such zone or such part thereof, it shall be the duty of the council to vote upon said petition within ninety days after the filing of the same by the petitioners with the borough clerk. If, however, a protest against such amendment, supplement or change be presented, duly signed and acknowledged by the owners of twenty percent or more of any frontage proposed to be altered, or by the owners of twenty percent of the frontage immediately in the rear thereof, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, such amendment shall not be passed except by a three-fourths vote of the council. If any area is hereafter transferred to another zone by a change in zone boundaries by an amendment, as above provided, the provisions of this title in regard to buildings or premises existing at the time of the passage of the ordinance codified in this title shall apply to buildings or premises existing at the time of the passage of such amendment in such transferred area. Whenever owners of twenty percent or more of either the area of the lot or land in any zone or part thereof shall present a petition duly signed and acknowledged to the borough council, requesting an amendment, supplement, change or repeal of the regulations proscribed for such zone or such part thereof, it shall be the duty of the council to vote upon said petition within ninety days after filing of the same by the petitioners with the borough clerk. Such amendment shall not be passed except by a two-thirds favorable vote of the council. If any area is hereafter transferred to another zone by a change in zone boundaries by an amendment, as above provided, the provisions of this title in regard to buildings or premises existing at the time of the passage of the ordinance codified in this title shall apply to buildings or premises existing at the time of the passage of such amendment in such transferred area.

(Ord. 1228, 1993; Ord. 820 § 10.200, 1963)

Chapter 17.40 - AFFORDABLE HOUSING

Sections:

Footnotes:

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Editor's note— Ord. No. 1702, §§ 1—22, adopted April 8, 2019, did not specify manner of inclusion; hence, codification as Ch. 17.40, §§ 17.40.010, 17.40.020, 17.40.040—17.40.220 were at the discretion of the editor.

17.40.010 - Definitions.

The following terms when used in this chapter shall have the meanings given in this section:

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity designated by the borough to administer affordable units in accordance with this chapter, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

"Affordability average" means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

"Affordable" means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable housing development" means a development included in or approved pursuant to the housing element and fair share plan or otherwise intended to address the borough's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one hundred percent affordable housing development.

"Affordable housing program(s)" means any mechanism in a municipal fair share plan prepared or implemented to address a municipality's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act and approved for crediting by the court and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are sixty-two years of age or older; or 2) at least eighty percent of the units are occupied by one person who is fifty-five years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the state of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

"Assisted living residence" means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Certified household" means a household that has been certified by an administrative agent as a low-income household or moderate-income household.

"COAH" means the council on affordable housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

"DCA" means the state of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

"Developer" means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

"Inclusionary development" means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

"Low-income household" means a household with a total gross annual household income equal to fifty percent or less of the regional median household income by household size.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Major system" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

"Market-rate units" means housing not restricted to low- and moderate-income households that may sell or rent at any price.

"Median income" means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the court.

"Moderate-income household" means a household with a total gross annual household income in excess of fifty percent but less than eighty percent of the regional median household income by household size.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.

"Multifamily unit" means a structure containing five or more dwelling units.

"Non-exempt sale" means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

"Random selection process" means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

"Regional asset limit" means the maximum housing value in each housing region affordable to a four-person household with an income at eighty percent of the regional median as defined by duly adopted regional income limits published annually by COAH or a successor entity.

"Rehabilitation" means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

"Restricted unit" means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

"UHAC" means the uniform housing affordability controls set forth in N.J.A.C. 5:80-26, et seq.

"Very low-income household" means a household with a total gross annual household income equal to thirty percent or less of the median household income for the applicable housing region.

"Very low-income unit" means a restricted unit that is affordable to a very low-income household.

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

(Ord. No. 1702, § 1, 4-8-2019)

17.40.020 - Applicability.

- A. The provisions of this chapter shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Borough of Glen Ridge pursuant to the borough's most recently adopted housing element and fair share plan.
- B. This chapter shall apply to all developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.
- C. All affordable housing developments, including those intended to be funded through federal low income housing tax credit programs, shall be deed restricted to comply with the terms of this chapter pertaining to the income and bedroom distributions of the units.

(Ord. No. 1702, § 2, 4-8-2019)

17.40.030 - Affordable housing mandatory set-aside.

- A. Any multi-family residential development (including the multi-family residential portion of a mixed-use project) that is approved to contain five or more new dwelling units as a result of a subdivision or site plan approval, rezoning, use variance, redevelopment plan or rehabilitation plan approved by the borough or the planning board shall be required to set aside a minimum percentage of units for affordable housing.
- B. For inclusionary projects in which the low and moderate units are to be offered for sale, the minimum set-aside percentage shall be twenty percent; for projects in which the low and moderate income units are to be offered for rent, the minimum set-aside percentage shall be fifteen percent. Where the set-aside percentage results in a fractional unit, the total set-aside requirement shall be rounded upwards to the next whole number.
- C. Nothing in this section precludes the borough or the planning board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this section consistent with N.J.S.A.

52:27D-311(h) and other applicable law.

- D. This requirement does not create any entitlement for a property owner or applicant for subdivision or site plan approval, a zoning amendment, use variance, or adoption of a redevelopment plan or rehabilitation plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- E. This requirement does not apply to any sites or specific zones for which higher set-aside standards have been or will be established, either by zoning, subdivision or site plan approval, or an adopted redevelopment plan or rehabilitation plan.
- F. Furthermore, this requirement shall not apply to developments containing four or less new dwelling units.
- G. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five or more.
- H. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section.
- I. All affordable units to be produced pursuant to this section shall comply with the borough's affordable housing ordinance at Chapter 17.40 of the Borough Code and the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.), as may be amended from time to time.

(Ord. No. 1703, § 1, 4-8-2019)

Editor's note— Ord. No. 1703, § 1, adopted April 8, 2019, has been included as § 17.40.030 at the discretion of the editor.

17.40.040 - Alternative living arrangements.

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - 1. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the court;
 - 2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a twenty-year operating contract with the department of human services, division of developmental disabilities, alternative living arrangements shall have at least thirty-year controls on affordability in accordance with UHAC.
- C. The service provider for the alternative living arrangement shall act as the administrative agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

(Ord. No. 1702, § 4, 4-8-2019)

17.40.050 - Inclusionary zoning.

- A. Phasing: In inclusionary developments, the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

(Ord. No. 1702, § 5, 4-8-2019)

17.40.060 - New construction.

A. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least thirteen percent of all restricted rental units shall be very low-income units (affordable to a household earning thirty percent or less of median income). The very low-income units shall be counted as part of the required number of low income units within the development. A maximum of twenty-five percent of the prior round and third round RDP and a maximum of twenty-five percent of the units actually built to satisfy the unmet need may be age restricted.
2. In each affordable development, at least fifty percent of the restricted units within each bedroom distribution shall be low-income units.
3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - a. The combined number of efficiency and one-bedroom units shall be no greater than twenty percent of the total low- and moderate-income units;
 - b. At least thirty percent of all low- and moderate-income units shall be two bedroom units;
 - c. At least twenty percent of all low- and moderate-income units shall be three bedroom units; and
 - d. The remaining affordable units may be allocated between two and three bedroom units at the discretion of the builder.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms

shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B. Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - a. An adaptable toilet and bathing facility on the first floor; and
 - b. An adaptable kitchen on the first floor; and
 - c. An interior accessible route of travel on the first floor; and
 - d. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - e. If not all of the foregoing requirements in [paragraphs] 2.a. through 2.d. can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs 2.a. through 2.d. above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
- f. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Glen Ridge has collected funds from the developer sufficient to make ten percent of the adaptable entrances in the development accessible:
 - a) Where a unit has been constructed with an adaptable entrance, upon the request of a person with disabilities who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - b) To this end, the builder of restricted units shall deposit funds within the Borough of Glen Ridge's Affordable Housing Trust Fund sufficient to install accessible entrances in ten percent of the affordable units that have been constructed with adaptable entrances.
 - c) The funds deposited under paragraph f.b) above shall be used by the Borough of Glen Ridge for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - d) The developer of the restricted units shall submit a design plan and cost estimate to the construction official of the Borough of Glen Ridge for the conversion of adaptable to accessible entrances.
 - e) Once the construction official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7,

and that the cost estimate of such conversion is reasonable, payment shall be made to the borough's affordable housing trust fund in care of the borough chief financial officer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.

- f) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

C. Design:

1. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
2. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

D. Maximum Rents and Sales Prices:

1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established by COAH or a successor entity.
2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than sixty percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than fifty-two percent of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least thirteen percent of all low- and moderate-income rental units shall be affordable to very low-income households, earning thirty percent or less of the regional median household income.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than seventy percent of median income, and each affordable development must achieve an affordability average of fifty-five percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
5. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - a. A studio shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household;
 - c. A two-bedroom unit shall be affordable to a three-person household;
 - d. A three-bedroom unit shall be affordable to a four and one-half person household; and

- e. A four-bedroom unit shall be affordable to a six-person household.
- 6. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - a. A studio shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - c. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- 7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to ninety-five percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty-eight percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- 8. The initial rent for a restricted rental unit shall be calculated so as not to exceed thirty percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- 9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
- 10. The rent of low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Region. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.

E. Minimum Presumptive Densities/Maximum Presumptive Set-asides for Multi-Family Development:

Mandatory Set Aside Requirements

Any new development that provides that for all new multi-family residential developments providing five or more additional units over the number of units currently permitted that are developed at a density of six or more units per acre which developments become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted or a new or amended redevelopment plan or a new or amended rehabilitation plan, an affordable housing set-aside of twenty percent, if the affordable units will be for-sale, and fifteen percent, if the affordable units will be for rent, shall be required.

This does not give any developer the right to any such rezoning, variance, redevelopment designation or

redevelopment plan approval or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance, redevelopment designation or redevelopment plan approval or other relief. No site shall be permitted to be subdivided so as to avoid compliance with this requirement.

(Ord. No. 1702, § 6, 4-8-2019)

17.40.070 - Utilities.

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the HUD utility allowances approved by DCA for its Section 8 program.

(Ord. No. 1702, § 7, 4-8-2019)

17.40.080 - Occupancy standards.

In referring certified households to specific restricted units, the administrative agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

- 1. Provide an occupant for each bedroom;
- 2. Provide children of different sexes with separate bedrooms;
- 3. Provide separate bedrooms for parents and children; and
- 4. Prevent more than two persons from occupying a single bedroom.

(Ord. No. 1702, § 8, 4-8-2019)

17.40.090 - Control periods for restricted ownership units and enforcement mechanisms.

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this chapter for a period of at least thirty years, until Glen Ridge takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to

repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this chapter, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

- E. The affordability controls set forth in this chapter shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a continuing certificate of occupancy or a certified statement from the construction official stating that the unit meets all code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

(Ord. No. 1702, § 9, 4-8-2019)

17.40.100 - Price restrictions for restricted ownership units, homeowner association fees and resale prices.

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the administrative agent.
2. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
3. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
4. The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 17.40.130.

(Ord. No. 1702, § 10, 4-8-2019)

17.40.110 - Buyer income eligibility.

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to fifty percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than eighty percent of median income.
- B. Notwithstanding the foregoing, however, the administrative agent may, upon approval by the borough council, and subject to the court's approval, permit moderate-income purchasers to buy low-income units in housing markets if the administrative agent determines that there is an insufficient number of eligible low-

income purchasers to permit prompt occupancy of the units. All such low-income units to be sold to moderate-income households shall retain the required pricing and pricing restrictions for low-income units.

- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed thirty-three percent of the household's eligible monthly income.

(Ord. No. 1702, § 11, 4-8-2019)

17.40.120 - Limitations on indebtedness secured by ownership unit; subordination.

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the administrative agent for a determination in writing that the proposed indebtedness complies with the provisions of this section, and the administrative agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of first purchase money mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed ninety-five percent of the maximum allowable resale price of the unit, as such price is determined by the administrative agent in accordance with N.J.A.C. 5:80-26.6(b).

(Ord. No. 1702, § 12, 4-8-2019)

17.40.130 - Capital improvements to ownership units.

- A. The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the administrative agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to ten-year, straight-line depreciation, has been approved by the

administrative agent. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

(Ord. No. 1702, § 13, 4-8-2019)

17.40.140 - Control periods for restricted rental units.

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this chapter for a period of at least thirty years, until Glen Ridge takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented. For new projects receiving nine percent low income housing tax credits, a control period of not less than a thirty-year compliance period plus a fifteen-year extended use period shall be required.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the county of Essex. The deed shall also identify each affordable unit by apartment number and/or address and whether that unit is designated as a very low, low or moderate income unit. Neither the unit nor its affordability designation shall change throughout the term of the deed restriction. A copy of the filed document shall be provided to the administrative agent within thirty days of the receipt of a certificate of occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this chapter despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

(Ord. No. 1702, § 14, 4-8-2019)

17.40.150 - Rent restrictions for rental units; leases.

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the administrative agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the administrative agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of

the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls applicable to the unit as set forth in this chapter.

- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least fifteen percent of the total number of dwelling units are restricted rental units in compliance with this chapter.

(Ord. No. 1702, § 15, 4-8-2019)

17.40.160 - Tenant income eligibility.

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to thirty percent of median income.
 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to fifty percent of median income.
 3. Moderate-income rental units shall be reserved for households with a gross household income less than eighty percent of median income.
- B. The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed thirty-five percent (forty percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than thirty-five percent (forty percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 2. The household has consistently paid more than thirty-five percent (forty percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the administrative agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in (A)1. through (B)5. above with the administrative agent, who shall counsel the household on budgeting.

(Ord. No. 1702, § 16, 4-8-2019)

17.40.170 - Municipal housing liaison.

- A. The Borough of Glen Ridge shall appoint a specific municipal employee to serve as a municipal housing liaison responsible for administering the affordable housing program, including affordability controls, the affirmative marketing plan, monitoring and reporting, and, where applicable, supervising any contracted administrative agent. Glen Ridge shall adopt an ordinance creating the position of municipal housing liaison. Glen Ridge shall adopt a Resolution appointing a municipal housing liaison. The municipal housing liaison shall be appointed by the governing body and may be a full or part time municipal employee. The municipal housing liaison shall be approved by the court and shall be duly qualified through a training program sponsored by affordable housing professionals of New Jersey before assuming the duties of municipal housing liaison.
- B. The municipal housing liaison shall be responsible for oversight and administration of the affordable housing program for Glen Ridge, including the following responsibilities which may not be contracted out to the administrative agent:
 - 1. Serving as Glen Ridge's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents and interested households;
 - 2. Monitoring the status of all restricted units in Glen Ridge's Fair Share Plan;
 - 3. Compiling, verifying and submitting annual monitoring reports as may be required by the court;
 - 4. Coordinating meetings with affordable housing providers and administrative agents, as needed; and
 - 5. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.
- C. Subject to the approval of the court, the Borough of Glen Ridge shall designate one or more administrative agent(s) to administer newly constructed affordable units in accordance with UHAC. An operating manual for each affordable housing program shall be provided by the administrative agent(s) to be adopted by resolution of the governing body and subject to approval of the court. The operating manual(s) shall be available for public inspection in the office of the borough clerk, in the office of the municipal housing liaison, and in the office(s) of the administrative agent(s). The municipal housing liaison shall supervise the contracting administrative agent(s).

(Ord. No. 1702, § 17, 4-8-2019)

17.40.180 - Administrative agent.

The administrative agent shall be an independent entity serving under contract to and reporting to the municipality. For new sale and rental developments, all of the fees of the administrative agent shall be paid by the owners of the affordable units for which the services of the administrative agent are required. For resales, single family homeowners and condominium homeowners shall be required to pay three percent of the sales price for services provided by the administrative agent related to the resale of their homes. That fee shall be collected at closing and paid directly to the administrative agent. The administrative agent shall perform the duties and responsibilities of an administrative agent as set forth in UHAC, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which include:

1. Affirmative Marketing:

- a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the affirmative marketing plan of the Borough of Glen Ridge and the provisions of N.J.A.C. 5:80-26.15; and
- b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification:

- a. Soliciting, scheduling, conducting and following up on interviews with interested households;
- b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- f. Employing a random selection process as provided in the affirmative marketing plan of the Borough of Glen Ridge when referring households for certification to affordable units.

3. Affordability Controls:

- a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Essex County Register of Deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
- d. Communicating with lenders regarding foreclosures; and
- e. Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resales and Rerentals:

- a. Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rerental; and
- b. Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.

5. Processing Requests from Unit Owners:

- a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this chapter;
- b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- c. Notifying the municipality of an owner's intent to sell a restricted unit; and
- d. Making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement:

- a. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
- c. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent or other charges can be made;
- d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- e. Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund; and
- f. Creating and publishing a written operating manual for each affordable housing program administered by the administrative agent, to be approved by the borough council and the court, setting forth procedures for administering the affordability controls.

7. Additional Responsibilities:

- a. The administrative agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- b. The administrative agent shall prepare monitoring reports for submission to the municipal housing liaison in time to meet any monitoring requirements and deadlines imposed by the court.
- c. The administrative agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

(Ord. No. 1702, § 18, 4-8-2019)

17.40.190 - Affirmative marketing requirements.

- A. The Borough of Glen Ridge shall adopt by resolution an affirmative marketing plan, subject to approval of the court that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 2 and is required to be followed throughout the period of restriction.
- C. The affirmative marketing plan shall provide a regional preference for all households that live and/or work in housing Region 2, comprised of Essex, Morris, Union and Warren Counties.
- D. The municipality has the ultimate responsibility for adopting the affirmative marketing plan and for the proper administration of the affirmative marketing program, including initial sales and rentals and resales and rere rentals. The administrative agent designated by the Borough of Glen Ridge shall implement the affirmative marketing plan to assure the affirmative marketing of all affordable units.
- E. In implementing the affirmative marketing plan, the administrative agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The affirmative marketing plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the affirmative marketing plan, the administrative agent shall consider the use of language translations where appropriate.
- G. The affirmative marketing process for available affordable units shall begin at least four months (one hundred twenty days) prior to the expected date of occupancy.
- H. Applications for affordable housing shall be available in several locations, including, at a minimum, the county administration building and/or the county library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Pre-applications shall be emailed or mailed to prospective applicants upon request. In addition, direct notification and the provision of copies of application forms to the language of and entities named in Section 9 of the settlement agreement.
- I. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

(Ord. No. 1702, § 19, 4-8-2019)

17.40.200 - Enforcement of affordable housing regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner,

developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

- B. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action(s) against the owner, developer or tenant for any violation that remains uncured for a period of sixty days after service of the written notice:
1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the owner, developer or tenant is adjudged by the court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - a. A fine of not more than five hundred dollars per day or imprisonment for a period not to exceed ninety days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - b. In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Borough of Glen Ridge Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - c. In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the superior court seeking a judgment that would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
 - a. The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the sheriff, at which time the low- and moderate-income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have his right to possession terminated as well as his title conveyed pursuant to the sheriff's sale.
 - b. The proceeds of the sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the sheriff's sale. In the event that the proceeds

from the sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.

- c. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the sheriff's sale shall not be entitled to any right of redemption.
- d. If there are no bidders at the sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- e. Failure of the low- and moderate-income unit to be either sold at the sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- f. The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

(Ord. No. 1702, § 20, 4-8-2019)

17.40.210 - Appeals.

Appeals from all decisions of an administrative agent appointed pursuant to this chapter shall be filed in writing with the court.

(Ord. No. 1702, § 21, 4-8-2019)

17.40.220 - Reporting and monitoring requirements.

- A. On the first anniversary of the entry of the order granting the borough a final judgment of compliance and repose, and every anniversary thereafter, through the end of the repose period, the township shall provide annual reporting of its affordable housing trust fund activity to the New Jersey Department of Community Affairs, council on affordable housing or local government services, or such other entity designated by the state of New Jersey, with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, council on affordable housing or local government services. The reporting shall include an accounting of all affordable housing trust fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
- B. On the first anniversary of the entry of the order granting the borough a final judgment of compliance and repose, and every anniversary thereafter, through the end of the repose period, the borough shall provide annual reporting of the status of all affordable housing activity within the borough through posting on the borough website with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, using forms previously developed for this purpose by the council on affordable housing or any other forms endorsed by the court-appointed special master and fair share housing center.
- C. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the borough shall post on its borough website, with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, a status report as to its implementation of its plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the borough, with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, regarding whether any sites no longer present a realistic opportunity and should be replaced. Any interested party may, by motion, request a hearing before the court regarding these issues.
- D. For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within thirty days of the third anniversary of the entry of the order granting the township a final judgment of compliance and repose, and every third year thereafter, the township shall post on its borough website, with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the township with copies provided to fair share housing center and the intervenors in IMO application of the Borough of Glen Ridge, Docket No.: ESX-L-4173-15, on the issue of whether the municipality has complied with its very low income housing obligation.

(Ord. No. 1702, § 22, 4-8-2019)