

ZONING ORDINANCE SUMMARY

The zoning ordinance for has now been completed and adopted. The ordinance includes a full reorganization of section 96, the zoning ordinance, and section 96A the development review regulations and standards.

The document includes Schedule 1 – permitted, accessory and conditional uses, Schedule 2 – bulk and area requirements and the Zone Map (done by tax map sheet).

Here are the major changes and highlights of the new ordinance:

In terms of zoning districts, the residential zones are essentially the same with the exception being an R-4 designation for the Elks Club property. Areas to the south and west of Main St. /Mt. Vernon St. (Lincoln, Cedar, Spruce) have been zoned R-3. The C-1H designation has been removed.

The C-1H zone and C-2 zone are retained but the C-3 zone has been eliminated. The Route 46 frontage at Skymark has been rezoned C-2 and allows hotels and restaurants.

The I-1 and I-2 zones are unchanged. The I-3 zone has been reoriented towards smaller lot development along Railroad Ave. and Bergen Turnpike.

The OP-1 zone is unchanged, but the OP-2 zone has been eliminated (with a request to rescind the Skymark Redevelopment Plan) and a new WD-1 zone (warehouse distribution) has been installed in its place at Skymark.

The majority of the parks and open space areas have been placed in a new Open Space district (OS). The Open Space zone (OS) permits parks, open space, recreation and radio towers and is in primarily publicly owned or utility land areas.

This ordinance now requires an open space corridor be established for all properties along the Hackensack River and Overpeck Creek.

The R-1 and R-2 zone regulations are essentially unchanged particularly after much discussion of basement and attic occupancy. Building height was changed to allow 32 foot height, 2 ½ stories to allow for architectural diversity in design.

In the R-3 and R-4 zones, specific requirements are now proposed for townhouse and apartment development including dwelling unit size minimums where none existed before.

In the C-1H zone, apartment use above retail has been made a permitted accessory use (from conditional use) and specific requirements have been included for this use.

The historic preservation design guidelines in this zone have been included in this section as part of the zoning requirements, including mandatory Historic Preservation Commission review.

The I-3 zone is reconfigured to encourage small lot business development along Bergen Turnpike and Railroad Ave. on smaller industrial sites.

The warehouse distribution zone (WD-1) replaces the Skymark Redevelopment Plan and permits such uses on 4 acre lots. Permitted uses also include bus garages and facilities and require that the overall development of the tract be subdivided and account for the Route 46 flyover to Challenger Road.

Conditional Uses have been paired down but still include houses of worship, auto related uses and telecommunication towers.

Off-street parking and loading design requirements have been moved from §96A to §96 so that deviations are considered variances not waivers. Electric vehicles design requirements have been added to this section.

Billboards have been retained as a conditional use in specific industrial zones of the Village along the major interstate highways but away from residential areas.

The sign section has some changes particularly in the OP-1 zone. The C-1H zone will not permit perpendicular store front signs with Planning Board approval.

The C-1H zone and portions of the adjoining R-2 zone as well as several industrial areas will be covered by an overlay zone for arts and cultural uses. The overlay zone will be in addition to the underlying C-1H and commercial, industrial uses. It will permit a number of arts and cultural uses but not take away the underlying commercial and industrial permitted uses.

The zoning map has been prepared in book form based on the Village tax map sheets and is drawn in black and white. This format is easier to read and the zone lines are more clearly identifiable on a lot by lot basis.

In Chapter 96A:

The fee schedule was revised to ensure the Village can support the review of applications. Applications involving homeowners was not changed.

Public hearing notices are now required for just about every application including appeals from the zoning officer's decisions and interpretations of the zoning ordinance.

Checklists, plan requirements and Environmental Impact Report requirements have been updated and revised.