

**ORDINANCE NO.   1957**

**BOROUGH OF GLEN ROCK  
BERGEN COUNTY, NEW JERSEY**

**AN ORDINANCE IMPLEMENTING THE BOROUGH'S FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN IN ACCORDANCE WITH THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT STATE REGULATIONS AND POLICIES, AND AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF GLEN ROCK, CHAPTER 230 "ZONING" TO CREATE NEW AHO-2A, AHO-3 AND AHO-4 AFFORDABLE HOUSING OVERLAY ZONING DISTRICTS**

*Interpretive Statement:*

*In furtherance of the Borough's affordable housing obligations, this Ordinance establishes three new affordable housing overlay zoning districts identified as AHO-2A, AHO-3, and AHO-4.*

**WHEREAS**, the Borough of Glen Rock (the "Borough" or "Glen Rock") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action pursuant to *N.J.S.A. 52:27D-301 et seq.* (the "Fair Housing Act") on January 22, 2025; and

**WHEREAS**, the Court entered an order on June 4, 2025 setting the Borough's Fourth Round fair share obligations as a Present Need of 0 units and a Prospective Need of 201 units, which no party appealed, and ordering the Borough to file a Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

**WHEREAS**, the Borough having filed its HEFSP on June 19, 2025 ("Adopted HEFSP"); and

**WHEREAS**, Fair Share Housing Center (FSHC) having filed a challenge pursuant to *N.J.S.A. 52:27D-304.1(f)(2)(b)* regarding the Borough's HEFSP on September 2, 2025; and

**WHEREAS**, 66 Glen Ave, LLC having filed a challenge pursuant to *N.J.S.A. 52:27D-304.1(f)(2)(b)* regarding the Borough's HEFSP on August 28, 2025; and

**WHEREAS**, the Borough and FSHC and 66 Glen Avenue LLC have agreed to amicably resolve the issues set forth in the challenge through a mediation agreement presented for review by the Program and referral to the Mount Laurel judge pursuant to *N.J.S.A. 52:27D-304.1(f)(2)(b)* and Administrative Directive #14-24, which if approved will result in a compliance certification for the Borough for the Fourth Round; and

**WHEREAS**, as of the date of final adoption of this Ordinance, an Amended Housing Element and Fair Share Plan (the "Amended HEFSP") has been adopted by the Planning Board and endorsed by the Governing Body; and

**WHEREAS**, in furtherance of the mediation agreement, the Adopted HEFSP, and the Amended HEFSP, the Borough wishes to amend and supplement the Borough Code to establish three new affordable housing overlay zoning districts identified as AHO-2A, AHO-3, and AHO-4,

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Glen Rock, County of Bergen, and State of New Jersey that Chapter 230 Zoning of the Borough Code is hereby amended and supplemented as follows:

**Section 1.** The recitals hereto are incorporated herein as if set forth at length.

**Section 2.** Section 230-5 of the Borough Code, entitled “Zone Districts” is hereby updated to add the following:

AHO-2A      Affordable Housing Unmet Need Overlay District 2A.

AHO-3      Affordable Housing Unmet Need Overlay District 3.

AHO-4      Affordable Housing Unmet Need Overlay District 4

**Section 3.** Section 230-6 of the Borough Code, entitled “Zone Map” is hereby amended to include the new overlay districts of AHO-2A, AHO-3 and AHO-4. More specifically, the following properties shall retain their existing district designation but shall also be subject to the overlay district by their inclusion within the AHO-2A district:

AHO-2A      Block 115 Lot 13.

The following properties shall retain their existing district designation but shall also be subject to the overlay district by their inclusion within the AHO-3 district:

AHO-3      Block 197 Lots 7, 8 and 10.

The following properties shall retain their existing district designation but shall also be subject to the overlay district by their inclusion within the AHO-4 district:

AHO-4      Block 2, Lots 5 and 6.  
                 Block 17, Lots 8, 9 and 10.  
                 Block 18, Lot 1.  
                 Block 177 Lots 23.01 and 24.01.

**Section 4.** A new Article XV-D AHO-2A is hereby enacted with following provisions:

ARTICLE XV-D

AHO-2A Affordable Housing Overlay-2A District

Section 230-72.8 Permitted uses.

This district has been created to assist the Borough of Glen Rock in fulfilling a distinct portion of its constitutional obligation to provide affordable housing. As a community without the land resources to fully address its affordable housing obligation, Glen Rock has an unmet need component to its affordable housing obligation. The AHO-2A District is designed to help address this obligation and to implement certain requirements detailed in Fourth Round court-approved settlement agreements.

The AHO-2A District provides for the development of low- and moderate-income housing by allowing for inclusionary multifamily residential development as a permitted use subject to the requirements herein; however, developers shall also have the option of maintaining development in accordance with the underlying C-2 Zone standards. The provisions of this section are intended to promote the health, safety and welfare of the public and Borough of Glen Rock and encourage the construction of inclusionary housing consistent with smart growth design goals and development accessible to public transit.

§230-72.9 Bulk requirements.

- A. Minimum Tract Area. The minimum area of the lots comprising a tract for development permitted to apply the overlay standards of this zone shall be 1 acre.
- B. Height. Maximum height of three (3) stories or thirty-nine (39) feet and forty-eight (48) feet to the top of a stair or elevator bulkhead structure which shall occupy no more than twenty (20) percent of the proposed roof area. A rooftop parapet may exceed the maximum building height, by no more than 4 feet.
- C. Density in the AHO-2A district shall be developed with no more than forty (40) dwelling units.
- D. Front Yard. Minimum front yard setback building setback shall be ten (10) feet.
- E. Side Yard. Minimum side yard setback shall be ten (10) feet and the combination of two side yard setbacks to a principal building shall be minimally forty (40) feet.
- F. Rear Yard. Minimum rear yard setback shall be 25 feet.
- G. Pavement and Parking areas shall be minimally setback eight (8) feet from the A-2 zone line and up to minimally one foot three (1'3") inches from all other lot lines although five (5) feet minimum is preferred.
- H. Maximum Building Length. The maximum total building length of one-hundred 125 feet is permitted without a step-back in the building that measures at least eighteen (12) inches in depth. Areas of the same building that are completely below finished grade are exempt from this requirement.
- I. Total Lot Coverage. Maximum buildings lot coverage shall be forty (40) percent.
- J. Total Impervious Coverage. Maximum total lot coverage in this district shall not exceed ninety (90) percent.

- K. Affordable Units. A minimum of twenty (20) percent of total number housing units generated in a development in this district shall be reserved as affordable housing. All such affordable housing shall be deed restricted for a minimum of 30 years pursuant to N.J.A.C. 5:80-26.2. D The affordable housing component shall be compliant with Article XXVI and the UHAC rules (N.J.A.C. 5:80-26.1 et seq. and N.J.A.C. 5:99). All affordable housing units in this district shall be constructed, marketed, occupied and maintained in strict compliance with Glen Rock's Affordable Housing Ordinance, and the Court approved settlement agreement between the Borough of Glen Rock, Fair Share Housing Center and 66 Glen Avenue L.L.C..
- L. Architectural Design Standards. The architectural design standards for new buildings constructed in this zone shall comply with the standards contained in §230-72.2 K as applicable.
- M. Off-street Parking Requirements. The development shall provide 1.5 spaces per unit including related credits available for electric charging (EV) charging spaces. The parking areas shall comply with §230-37 as applicable although where any conflicts occur between those of this overlay zone, the overlay zone standards shall govern.
- N. Tree Removal, Protection and Preservation. Shall conform with the standards contained in Article II Tree Removal, Protection and Restoration Regulations.
- O. Landscaping and Lighting.
- (1) A minimum landscape buffer between an on-site parking area and a single-family zone district shall be 8 feet. Required landscaping in this buffer area shall provide a year-round screen between adjacent single-family zone district and the on-site pavement. A six-foot-high fence is permitted to further supplement the landscaping of the buffer along the boundary line of the property adjacent to another residential zone up to the front yard setback line for the adjacent A-2 Zone. A fence along the said buffer line in the front yard shall not exceed four feet in height.
  - (2) A minimum landscape area between an on-site parking area and adjacent public right-of-way shall be 5 feet. Required landscaping in this buffer area shall provide screening of adjacent parking areas.
  - (3) All landscape buffers shall comply with all required roadway sight triangle needs.
  - (4) All lot areas not developed with dwellings, parking, driveway, refuse and recycling pads, walks or mechanical equipment shall be attractively landscaped subject to the approval of the reviewing Board.
  - (5) Shade or ornamental sized tree shall be planted at a minimum size of 2 ½ to 3" caliper at the time of planting at a ratio of 1 per every 20 parking spaces in and around parking areas where space permits subject to the approval of the reviewing Board.
  - (6) Evergreen tree buffer planting shall be minimally 12 feet tall.

- (7) Off-street parking areas lighting shall conform with the requirements of the latest standards for the parking areas as published by the North American Illuminance Engineering Society for the type of parking area proposed.

**Section 5.** A new Article XV-E AHO-3 is hereby enacted with following provisions:

## ARTICLE XV-E

### AHO-3 Affordable Housing Overlay-3 District

#### Section 230-72.10 Permitted uses.

This district has been created to assist the Borough of Glen Rock in fulfilling a distinct portion of its constitutional obligation to provide affordable housing. As a community without the land resources to fully address its affordable housing obligation, Glen Rock has an unmet need component to its affordable housing obligation. The AHO-3 District is designed to help address this obligation and to implement certain requirements detailed in Fourth Round court-approved settlement agreements.

The AHO-3 District encourages the development of low- and moderate-income housing by allowing for mixed use inclusionary multifamily residential development; however, developers shall also have the option of maintaining development in accordance with the underlying C-1 Zone standards. The provisions of this section are intended to promote the health, safety and welfare of the public and Borough of Glen Rock and encourage the construction of inclusionary housing consistent with smart growth design goals, development accessible to public transit and maintaining commercial uses on the ground or first floor.

- A. Special rules regarding principal permitted uses. Development in accordance with the AHO-3 Overlay District standards shall be mixed use residential over commercial. The uses of the ground or first floor of a principal building are those permitted in the underlying C-1 district. Attached multifamily inclusionary housing is and shall be a principal permitted use with the following requirements:

- (1) Residential units shall be permitted on the second and third floors, but not the ground or first floor (whichever is lower).
- (2) The principal buildings, first or ground floor, shall be a commercially demised space occupying minimally 50 percent of the principal building's overall footprint.

#### §230-72.11 Bulk requirements.

- A. Minimum Tract Area. The minimum area of the lot's comprising a tract for development permitted to apply the overlay standards of this zone shall be 12,000 square feet.
- B. Height. Maximum height of three (3) stories or thirty-eight (38) feet whichever is lesser, an additional ten (10) feet is permitted to the top of a stair tower or elevator bulkhead that covers no

more than twenty (20) percent of the area of the roof.

- C. Density in the AHO-3 district shall not exceed twenty-five (25) dwelling units per acre.
- D. Front Yard. Minimum front yard setback building setback shall be thirty (30) feet.
- E. Side Yard. Minimum side yard setback shall be ten (10) feet except the minimum side yard setback to a A-2 single residential district shall be thirty (30) feet.
- F. Rear Yard. Minimum rear yard setback shall be ten (10) feet except the minimum rear yard setback to a A-2 single residential district shall be thirty (30) feet.
- G. Minimum required building setback from the New Jersey Transit railroad property shall be ten (10) feet. Pavement and parking may be constructed up five (5) feet from the New Jersey Transit property.
- H. Pavement and Parking areas shall be setback minimally ten (10) feet from the A-2 zone line and up to five (5) feet from all other lot lines.
- I. Maximum Building Length. The maximum total building length of one hundred (120) feet is permitted without a step-back in the building that measures at least five (5) feet in depth by twenty (20) feet in length. Areas of the same building that are completely below finished grade are exempt from this requirement.
- J. Total Lot Coverage. Maximum buildings lot coverage shall be forty (40) percent.
- K. Total Impervious Coverage. Total impervious coverage in this district shall not exceed ninety (90) percent.
- L. Affordable Units. A minimum of twenty (20) percent of total number housing units generated in a development in this district shall be reserved as affordable housing. All such affordable housing shall be deed restricted for a minimum of 30 years pursuant to N.J.A.C. 5:80-26.2. D The affordable housing component shall be compliant with Article XXVI and the UHAC rules (N.J.A.C. 5:80-26.1 et seq. and N.J.A.C. 5:99). All affordable housing units in this district shall be constructed, marketed, occupied and maintained in strict compliance with Glen Rock's Affordable Housing Ordinance, and the Court approved settlement agreement between the Borough of Glen Rock and Fair Share Housing Center.
- M. Architectural Design Standards. The architectural design standards for new buildings constructed in this zone shall comply with the standards contained in §230-72.2 K in its entirety.
- N. Off-street Parking Requirements. The development shall provide 1.5 spaces per unit including related credits available for electric charging (EV) charging spaces. The parking areas shall comply with §230-37 as applicable although where any conflicts occur between those of this overlay zone, the overlay zone standards shall govern.

O. Tree Removal, Protection and Preservation. Shall conform with the standards contained in Article II Tree Removal, Protection and Restoration Regulations.

P. Landscaping and Lighting.

- (1) A minimum landscape buffer between an on-site parking area and a single-family zone district shall be 8 feet. Required landscaping in this buffer area shall provide a year-round screen between adjacent single-family zone district and the on-site pavement. A six-foot-high fence is permitted to further supplement the landscaping of the buffer along the boundary line of the property adjacent to another residential zone up to the front yard setback line for the adjacent A-2 Zone. A fence along the said buffer line in the front yard shall not exceed four feet in height.
- (2) A minimum landscape area between an on-site parking area and adjacent public right-of-way shall be 5 feet. Required landscaping in this buffer area shall provide screening of adjacent parking areas.
- (3) All landscape buffers shall comply with all required roadway sight triangle needs.
- (4) All lot areas not developed with dwellings, parking, driveway, refuse and recycling pads, walks or mechanical equipment shall be attractively landscaped subject to the approval of the reviewing Board.
- (5) Shade or ornamental sized tree shall be planted at a minimum size of 2 ½ to 3” caliper at the time of planting at a ratio of 1 per every 20 parking spaces in and around parking areas where space permits subject to the approval of the reviewing Board.
- (6) Evergreen tree buffer planting shall be minimally 12 feet tall.
- (7) Off-street parking areas lighting shall conform with the requirements of the latest standards for the parking areas as published by the North American Illuminance Engineering Society for the type of parking area proposed.

**Section 6.** A new Article XV-F AHO-4 is hereby enacted with following provisions:

#### ARTICLE XV-F

#### AHO-4 Affordable Housing Overlay-4 District

Section 230-72.12 Permitted uses.

This district has been created to assist the Borough of Glen Rock in fulfilling a distinct portion of its constitutional obligation to provide affordable housing. As a community without the land resources to fully address its affordable housing obligation, Glen Rock has an unmet need component to its affordable housing obligation. The AHO-4 District is designed to help address this obligation and to implement certain requirements detailed in Fourth Round court-approved settlement agreements.

The AHO-4 District encourages the development of low- and moderate-income housing by allowing for mixed use inclusionary multifamily residential development; however, developers shall also have the option of maintaining development in accordance with the underlying C-1 Zone standards. The provisions of this section are intended to promote the health, safety and welfare of the public and Borough of Glen Rock and encourage the construction of inclusionary housing consistent with smart growth design goals, development accessible to public transit and maintaining commercial uses on the ground or first floor.

A. Special rules regarding principal permitted uses. Development in accordance with the AHO-4 Overlay District standards shall be mixed use residential over commercial. The uses of the ground or first floor of a principal building are those permitted in the underlying C-1 district. Attached multifamily inclusionary housing is and shall be a principal permitted use with the following requirements:

- (1) Residential units shall be permitted on the second and third floors, but not the ground or first floor (whichever is lower).
- (2) The principal buildings, first or ground floor, shall be a commercially demised space occupying minimally 50 percent of the principal building's overall footprint.

§230-72.13 Bulk requirements.

- A. Minimum Tract Area. The minimum area of the lots comprising a tract for development permitted to apply the overlay standards of this zone shall be 12,000 square feet.
- B. Height. Maximum height of three (3) stories or thirty-eight (38) feet whichever is lesser, an additional ten (10) feet is permitted to the top of a stair tower or elevator bulkhead that covers no more than twenty (20) percent of the area of the roof.
- C. Density in the AHO-4 district shall not exceed twenty (20) dwelling units per acre.
- D. Front Yard. Minimum front yard building setback shall be 30 feet.
- E. Side Yard. Minimum side yard setback shall be 10 feet except the minimum side yard setback to a A-2 single residential district shall be 30 feet.
- F. Rear Yard. Minimum rear yard setback shall be 10 feet except the minimum rear yard setback to a A-2 single residential district shall be 30 feet.
- G. Pavement and Parking areas shall be setback minimally 10 feet from the A-2 zone line and up to 5 feet from all other lot lines.
- H. Maximum Building Length. The maximum total building length of 120 feet is permitted without a step-back in the building that measures at least five (5) feet in depth by twenty (20) feet in length. Areas of the same building that are completely below finished grade are exempt from this

requirement.

- I. Total Lot Coverage. Maximum buildings lot coverage shall be forty (40) percent.
- J. Total Impervious Coverage. Maximum impervious coverage in this district shall not exceed ninety (90) percent.
- K. Affordable Units. All affordable housing units in this district shall be constructed, marketed, occupied and maintained in strict compliance with Glen Rock's Affordable Housing Ordinance, and the Court approved settlement agreement between the Borough of Glen Rock, Fair Share Housing Center.
- L. Architectural Design Standards. The architectural design standards for new buildings constructed in this zone shall comply with the standards contained in §230-72.2 K in its entirety.
- M. Off-street Parking Requirements. Shall comply with the standards contained in §230-72.11N in their entirety.
- N. Tree Removal, Protection and Preservation. Shall conform with the standards contained in Article II Tree Removal, Protection and Restoration Regulations.
- O. Landscaping and Lighting. Shall comply with the standards contained in §230-72.11P in their entirety.

**Section 7.** Concurrently with the introduction of this Ordinance, it is hereby referred to Planning Board for the Planning Board's review as to the consistency of the Ordinance with the Borough's Master Plan.

**Section 8.** All Ordinances of the Borough of Glen Rock which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 9.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**Section 10.** This Ordinance shall take effect as provided by law.

ATTEST:

BOROUGH OF GLEN ROCK  
COUNTY OF BERGEN  
STATE OF NEW JERSEY

\_\_\_\_\_  
Jacqueline Scalia, Borough Clerk

By: \_\_\_\_\_  
Kristine Morieko, Mayor