

Borough of Tenafly

ORDINANCE NO. 26-07

AN ORDINANCE OF THE BOROUGH OF TENAFLY, COUNTY OF BERGEN, STATE OF NEW JERSEY TO AMEND CHAPTER 35 ENTITLED “LAND DEVELOPMENT REGULATIONS,” ARTICLE VIII ENTITLED “ZONING REGULATIONS,” TO CREATE A NEW AHO-11 DISTRICT

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Tenafly, County of Bergen, State of New Jersey, as follows:

SECTION 1. Chapter 35 entitled “Land Development Regulations,” Article VIII entitled “Zoning Regulations,” Section 35-801.1 entitled “Zone Districts” is hereby amended by adding the following new zoning district.

AHO-11 Affordable Housing Overlay Zone District, No. 11

SECTION 2. Chapter 35 entitled “Land Development Regulations,” Article VIII entitled “Zoning Regulations,” Section 35-805.13 entitled “Zoning Map” is hereby amended to place Block 1311 Lots 7, 8, 9, and 10, Block 715 Lots 15 and 16, Block 1707 Lots 1 and 9, and Block 1801 Lot 1 into the AHO-11 Affordable Housing Overlay Zone District, No. 11. The underlying zoning districts shall remain in place.

SECTION 3. Chapter 35 entitled “Land Development Regulations,” Article VIII entitled “Zoning Regulations,” Section 812I. is hereby created as follows.

§ 35-812I AHO-11 Affordable Housing Overlay Zone District, No. 11

§ 35-812I.1 Purpose.

The purpose of the AHO-11 Affordable Housing Overlay Zone District, No. 11 is to encourage an additional opportunity for the production of very-low, low-, and moderate-income housing units in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.

§ 35-812I.2 Description.

The AHO-11 Overlay District shall encompass Block 1311 Lots 7, 8, 9, and 10, Block 715 Lots 15 and 16, Block 1707 Lots 1 and 9, and Block 1801 Lot 1 on the Borough of Tenafly Tax Map.

§ 35-812I.3 Permitted Principal Uses.

The AHO-11 Overlay District shall permit multifamily uses.

§ 35-812I.4 Permitted Accessory Uses.

Accessory uses and structures permitted in the AHO-11 Overlay District are those uses and structures which are customarily incidental and subordinate to permitted multifamily and commercial use. Accessory uses and structures shall include, but not be limited to, the following:

- a. Street furnishings, planters, street lights, and exterior, garden-type, shade structures;
- b. Fences and walls, which shall complement the architectural style, type, and design of the buildings and the overall project design;
- c. Clubhouses;
- d. Recreational facilities such as swimming pools, tennis courts, jogging paths, dog runs, and play lots, and;
- e. Parking lots and private garages serving the development.

§ 35-812I.5 Permitted Conditional Uses.

None.

§ 35-812I.6 Prohibited Uses.

Any use other than those uses specifically permitted above are prohibited.

§ 35-812I.7 Development Standards.

The following development standards apply to the AHO-11 Overlay District.

Standard	
Minimum area	15,000 square feet
Maximum residential density	20 units per acre
Maximum stories/height ¹	3 stories/35 feet
Minimum front yard	0 feet
Minimum side yard	0 feet; 13 feet if provided
Minimum rear yard	0 feet; 13 feet if provided
Minimum parking setback from property lines	
Front yard	10 feet
Side and rear yard	3 feet
Minimum parking setback from buildings	10 feet
Minimum landscape buffer	None
Maximum impervious coverage	85%
Maximum building coverage	40%
Minimum accessory building setback	5 feet
Parking	Compliance with RSIS

§ 35-812I.8 Affordable Housing Standards.

- a. A minimum of 20% of the total number of units shall be set-aside for very-low, low-, and moderate-income units regardless of whether they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate unit
- b. All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").
- c. Bedroom distribution of very-low, low-, and moderate-income housing units. The bedroom distribution of very-low, low-, and moderate-income units for affordable units constructed in the AHO-11 Overlay District shall be as follows:
 1. No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.
 2. At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.
 3. At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

- d. Very-low, low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- e. Procedures regarding affirmative marketing of very-low, low-, and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC rules or other rules determined appropriate by the court.

§ 35-812I.9 Design Standards.

- a. Facade design
 - 1. For every 30 feet of building length, there shall be a plane-break along the facade comprised of at least 12 inches in depth by five feet in length. The offset shall extend from grade to the highest story.
 - 2. Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
 - 3. Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
 - 4. Complementary building colors and materials shall be consistent with the general theme of the development.
 - 5. Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements.
- b. Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
 - 1. The primary material shall cover at least 60% of the facade of the building.
 - 2. Secondary materials shall cover not more than 40% of the facade.
- c. Exterior-mounted mechanical and electrical equipment exposed to the public view shall be screened.

- d. 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.
- e. Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited to, benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- f. Landscaping standards.
 - 1. A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual, shall be submitted with any plan for development.
 - 2. All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.
 - 3. Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
 - 4. Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
 - 5. Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
 - 6. The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
 - 7. The use of passive systems such as raingardens, landscaped areas, and/or planters to offset stormwater discharge shall be utilized to the extent feasible.

8. Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

SECTION 4. Severability Clause. If any article, 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 and they shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared severable.

SECTION 5. Repealer. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. Effective Date. This Ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

INTRODUCED: February 24, 2026

ADOPTED:

ATTEST:

APPROVED:

Omar Stovall, MPA, RMC, CMR
Borough Clerk

Mark Zinna, Mayor