

**BOROUGH OF PALISADES PARK  
BERGEN COUNTY, NEW JERSEY**

**ORDINANCE #2025-6**

**AN ORDINANCE CREATING AN AFFORDABLE HOUSING AND MIXED-USE DEVELOPMENT  
OVERLAY ZONE (AHMUD)**

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**WHEREAS**, the Borough of Palisades Park has a constitutional obligation to provide a realistic opportunity for the construction of affordable housing under the New Jersey Supreme Court's Mount Laurel Doctrine and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

**WHEREAS**, the Borough also seeks to enhance the economic vitality of specific commercial corridors, particularly along Grand Avenue and Commercial Avenue, by encouraging mixed-use development; and

**WHEREAS**, the Borough's Master Plan and Housing Element & Fair Share Plan support the development of affordable housing as part of the Borough's compliance with its affordable housing obligations; and

**WHEREAS**, the Borough desires to create an Affordable Housing and Mixed-Use Development Overlay Zone (AHMUD) to promote developments with a 20% set-aside for affordable housing units, while also requiring ground-floor commercial uses in specific areas to serve both residential and commercial needs;

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

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**Section 1. Title**

This Ordinance shall be known and cited as the "Affordable Housing and Mixed-Use Development" Overlay Zone Ordinance of Palisades Park."

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**Section 2. Purpose**

The purpose of this Ordinance is to create an Affordable Housing and Mixed-Use Development Overlay Zone (AHMUD) to encourage the development of affordable housing units and require commercial uses on the ground floor along designated commercial corridors. This Overlay Zone is intended to balance affordable housing needs with economic development objectives, particularly in areas where mixed-use developments will contribute to the vitality of the community.

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**Section 3. Applicability**

The Affordable Housing and Mixed-Use Development Overlay Zone (AHMUD) applies to properties within the following designated areas, as indicated on the Borough Zoning Map:

1. **Grand Avenue Corridor** (properties fronting Grand Avenue between [insert boundary points]).
2. **Commercial Avenue Corridor** (properties fronting Commercial Avenue between [insert boundary points]).

The AHMUD applies as an overlay zoning district, allowing developers to pursue mixed-use development under this ordinance while preserving the underlying zoning for other forms of development.

[Insert Map]

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#### **Section 4. Permitted Uses**

Within the Affordable Housing and Mixed-Use Overlay Zone, the following uses are permitted:

1. **Ground Floor Commercial Uses:**
  - Retail and commercial establishments, including but not limited to grocery stores, cafes, pharmacies, and boutiques.
  - Professional and personal services, such as offices, salons, and fitness centers.
  - Financial Services (banks, savings and loans and credit unions)
  - Food and beverage services, such as restaurants and coffee shops.
  - Eating/Drinking Establishments (including microbreweries, distilleries, and micro-wineries) and Outdoor Dining
  - Art galleries, cultural facilities, and community spaces.
  - Overnight Lodging and Hotel
  - Entertainment-Movie theaters, theaters
2. **Upper-Floor Residential Uses:**
  - Multifamily residential dwellings (apartments and townhouses).
  - Live/Work Units
3. **Upper-Floor Office Uses:**
  - Professional, governmental and business offices.
4. **Accessory Uses:**
  - Parking, recreational areas, and facilities for residents and commercial tenants.

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## **Section 5. Affordable Housing Set-Aside Requirement**

1. **Mandatory Set-Aside:** Any residential component of a development within the AHMUD Overlay Zone with five (5) or more dwelling units shall set aside a minimum of twenty percent (20%) of the total number of dwelling units as affordable housing units in accordance with New Jersey's affordable housing requirements.
2. **Phasing Requirement:** Construction of affordable units shall be phased alongside market-rate units in accordance with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., ensuring that affordable units are issued certificates of occupancy proportionately within each phase of development.
3. **Affordability Controls:** All affordable units created under this Ordinance shall comply with affordability controls as per the New Jersey Council on Affordable Housing (COAH) or any successor agency, and the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq.

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## **Section 6. Ground Floor Commercial Requirement**

1. **Commercial Requirement along Grand Avenue and Commercial Avenue:**
  - Developments fronting Grand Avenue and Commercial Avenue are required to include commercial uses on the ground floor to promote a vibrant streetscape and provide services to residents and the surrounding community.
2. **Minimum Commercial Space:**
  - Ground floor commercial space shall occupy at least 30% of the building footprint along these corridors.
3. **Design Standards for Commercial Facades:**
  - Ground floor facades must have transparent glass covering at least 60% of the street-facing facade area to encourage pedestrian engagement and visibility of commercial activities.
  - Ground floor entrances must be directly accessible from the public sidewalk along the primary street.

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## **Section 7. Density and Bulk Standards**

1. **Maximum Residential Density:** [TBD] dwelling units per acre.
2. **Minimum Lot Size:** [TBD].
3. **Maximum Building Height:** 6 stories or 72 feet.

4. **Building Width<sup>1</sup> (max.):** 250'
  5. **Building Depth (max.):** 250'
  6. **Building Placement:**
    - Front Primary Street Setback (min./max.): 20'/30'
    - Front Secondary Street Setback (min./max.): 15'/20'
    - Side Interior/Common Lot Line (min./max.): 0'/30'
    - Rear Setback Common Lot Line (min.): 30'
  7. **Maximum Building Coverage:** 80%.
  8. **Maximum Lot Coverage:** 90%.
  9. **Parking Requirements:** Parking shall comply with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21.
  10. **Parking Placement:**
    - Primary Street Setback (min.): 30'
    - Secondary Street Setback (min.): 10'
    - Side Setback: Interior/Common Lot Line (min.): 10'
    - Rear Setback (min.): 10'
    - Vehicular Access<sup>2</sup>: Secondary Street
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## **Section 8. Design Standards**

1. **Architectural Design:** Buildings within the AHMUD Overlay Zone must have a cohesive design with an emphasis on creating a welcoming streetscape. Ground floor commercial spaces should be inviting, with large windows, attractive signage, and outdoor seating where appropriate.

## **Section 9. Landscaping and Open Space Requirements**

2. A minimum of **10% of the total lot area** must be dedicated to landscaped open space.
  - a) **Landscaping:** A landscape plan shall include a mix of trees, shrubs, and ground cover to enhance the visual appeal and buffer any adjacent residential uses.

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<sup>1</sup> Buildings wider than 150 ft. must be designed to read as a series of buildings no wider than 100 ft. Each

<sup>2</sup> New curb-cuts are not permitted on Primary Streets, except where there is no alley or Secondary or side street to provide access.

- b) **Open Space and Recreation:** Developments should provide common open space and recreational areas such as playgrounds, walking paths, or seating areas to serve the residents of the development.
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### **Section 10. Affordable Housing Unit Distribution**

1. **Distribution of Affordable Units:** Affordable units shall be integrated with market-rate units throughout the development and not concentrated in a single area or building.
  2. **Bedroom Mix:** The bedroom mix of affordable units must comply with UHAC requirements, providing a mix of unit types to accommodate diverse household sizes.
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### **Section 11. Administration and Compliance**

The administration of affordable units shall be in compliance with COAH or its successor agency, as well as with any designated affordable housing administrative agent. Compliance with this Ordinance shall be monitored by the Borough's Affordable Housing Liaison or designee.

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### **Section 12. Severability**

If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be deemed invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined to the part directly involved in the controversy in which such judgment shall have been rendered.

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### **Section 13. Effective Date**

This Ordinance shall take effect upon final passage and publication as provided by law.

**ROLL CALL VOTE ON ADOPTION**

COUNCIL	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
KIM						
LEE						
MIN						
SHIN						
VIETRI						
WON-YOON						
MAYOR (TIE-BREAK VOTE)						

ATTEST:

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Sophia H. Jang, Borough Clerk

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Chong Paul Kim, Mayor

First Reading: January 6, 2025  
Second Reading: January 21, 2025

I hereby certify that the above is a true copy of Ordinance #2025-6 adopted by the Mayor and Council of the Borough of Palisades Park at a Regular Meeting held on January 21, 2025.

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