

VILLAGE OF RIDGEWOOD
ORDINANCE # 2260

AN ORDINANCE TO AMEND AND SUPPLEMENT THE VILLAGE OF RIDGEWOOD
LAND USE ORDINANCE KNOWN AS
CHAPTER 35 OF THE RIDGEWOOD VILLAGE CODE

BE IT ORDAINED by the Village Council of the Village of Ridgewood in the County of Bergen, and State of New Jersey as follows:

Section 1. 35-72(b)(1) is hereby amended by changing said section to read in its entirety as follows:

- (1) All off-street parking areas for non-residential uses permitted in residential zones, and all off-street parking areas in the R-1A, R-2A, R-4, R-5, R-6 and R-7 zones and parking areas in the non-residential zones and for transitional lots shall be surfaced with bituminous concrete or concrete pavement in accordance with Village specifications for streets or roadways, and maintained in good condition, and shall be so graded and drained as to dispose of all surface waters to the satisfaction of the Director, Department of Public Works. Said parking areas shall be bounded by curbs which shall not be closer to any side or rear property line in any B-1, B-2, P and P-2 zones than 5 feet, provided, however, said 5 foot setback requirement may be waived where 2 or more abutting parking areas are developed as a joint parking facility as permitted in Section 35-74b(6) and as approved by the Planning Board.

Section 2. Section 35-74(b)(3)(a) is hereby amended by changing the third paragraph of said subsection (a) to read as follows:

B-2 and OB-2 zones require one parking space for every 200 square feet of floor areas, or any fraction thereof, of all buildings upon the premises, exclusive of private garages provided, however, the required parking standard for 2 or more abutting parking areas, where developed as a joint parking facility as permitted in Section 35-74b(6) and as approved by the Planning Board, shall be one parking space for every 250 square feet of floor area, or any fraction thereof, of all buildings upon the premises involved in the joint parking facilities.

Section 3. Section 35-80.1(b) is hereby amended by changing said section to read in its entirety as follows:

b. Institutional Uses. Institutional uses may be located in any of the zone districts as a conditional use. If said uses are located in non-residential zones, they shall meet all height, setback and area requirements for the zone district in which they are located. If conditional uses are located in any residential zone, they shall only be permitted after the following requirements are met.

(1) Public or private schools covering kindergarten through grade twelve: These uses shall meet the following minimum requirements:

a. Height. No structure shall exceed forty-five feet above the average elevation of the ground at the foundation of the structure; provided, that service equipment structures may be permitted upon such buildings but shall be limited to five feet above the forty-five foot height and shall have a minimum setback of one foot for every two feet in height of the service equipment structures, measured from the roof line on which the structure is located; and further provided that service equipment structures shall not occupy more than sixty-five percent of the roof area of any building on which such service equipment structure is located. Service equipment structures shall not exceed twenty-five percent of the land area covered by buildings on the property.

b. Setbacks. No building or structure shall be located closer than forty feet to any abutting street right-of-way line. The minimum required setback from all other property lines shall be not less than three feet for every one foot of height of such structure.

c. Land coverage. No more than twenty percent of the land area shall be covered by any above grade structure or structures.

d. Off-street parking. All off-street parking shall meet the provisions of subsection 35-74(b) of the Village Code. All parking areas shall not be less than fifteen feet from any adjoining property line other than an abutting street right-of-way line. Parking is

not permitted in the setback from the abutting street right-of-way line. All setback areas not used for parking shall be landscaped with a suitable hedge or other natural planting as required by the Planning Board.

(2) Churches, public utility buildings and structures: These uses shall meet the following minimum requirements:

(a) Height. No structure shall exceed forty-five feet in height above the average elevation of the ground at the foundation of the structure.

(b) Setbacks. No building or structure shall be located closer than forty feet to any abutting street right-of-way line. The minimum required setback from all other property lines shall be not less than one foot for every one foot of height of such structures.

(c) Land coverage. No more than twenty percent of the land area shall be covered by any above grade structure or structures.

(d) Off-street parking. All off-street parking shall meet the provision of subsection 35-74(b) of the Village Code.

Section 4. Section 35-85.1(h) is hereby amended by changing said section to read as follows:

(h) Municipal buildings owned or leased by the Village of Ridgewood and used for public purposes.

Section 5. Section 35-85.1 is hereby amended by adding a new subsection (i) to said section to read as follows:

(i) Any permitted non-residential use, other than any municipal building owned or leased by the Village of Ridgewood and used for public purposes, shall only be permitted after a site plan has been reviewed and approved by the Planning Board.

Section 6. Section 35-85.1 is hereby amended by adding a new subsection (j) to said section to read in its entirety as follows:

(j) Family day care homes conducted within any private

residence provided all of the following requirements are complied with:

- (1) There shall be no physical evidence of said use from the exterior of the residential building.
- (2) Signs of any kind advertising the non-residential use are prohibited.
- (3) The remodeling of any residential building in any way to create the impression of business activity from the exterior of the residential building is prohibited.
- (4) No family day care home shall have the services of any person not residing therein.
- (5) Any family day care home shall be limited to the first floor of such residence and shall not occupy an aggregate amount of floor space greater than twenty-five percent of the above grade floor area of the residence or fifty percent of the ground floor whichever is lesser.
- (6) No part of any structure containing a permitted family day care home, within a residential dwelling, shall be located on either side of the same street or any intersecting street within five hundred feet of any other permitted family day care home within a residential structure.

For the purpose of administering this provision a family day care home shall be defined as any private residence approved by the Division of Youth and Family Services or an organization with which the division contracts for family day care in which child care services are regularly provided to no less than three and no more than five children for no less than 15 hours per week. A child being cared for under the following circumstances is not included in the total number of children receiving child care services:

- (a) The child being cared for is legally related to the provider; or
- (b) The child is being cared for as part of a cooperative agreement between parents for the care of their children by one or more of the

parents, where no payment for the care is being provided.

Section 7. Section 35-85.1(e) is hereby amended by changing the first paragraph of said section to read as follows:

- (e) No more than one office, contained in a single family residence, of a single practitioner licensed by the State to practice chiropody, podiatry, dentistry, acupuncture, medicine, chiropractic and osteopathy, provided that any building that contains said office, whether a new structure or a converted existing structure, shall be residential in exterior appearance and further provided that the following terms and conditions are met:

Section 8. Section 35-81.1(e)(5) is hereby amended by changing said section to read as follows:

- (5) Such practitioner shall not have the services of more than three other employees assisting in his practice on the premises. Said employees need not be resident therein. This shall not be construed to permit any practitioner to operate in the one office as herein regulated other than the practitioner residing therein.

Section 9. Section 35-85.1(e) is hereby amended by adding a new subsection (10) to read as follows:

- (10) The office hours of any practitioner as herein regulated shall be limited to the hours between 7AM and 9PM.

Section 10. Section 35-85.3(c) is hereby amended by changing said section to read as follows:

- (c) There shall be two side yards and no side yard shall be less than two-thirds the height of the principal building on-site or 15 feet, whichever results in the greater setback; in addition the aggregate width of the two side yards combined shall not be less than 33 percent of the lot width measured at the front yard setback line. On corner lots the side yard measured along the depth of the lot shall not be less than 15 feet and the rear yard measured along the width of the lot shall not be less than 30 feet.

Section 11. Section 35-85.3(g) is hereby amended by changing said section to read as follows:

- (g) Not more than twenty percent of the land area of any lot shall be covered by any above grade structure or structures and not more than twenty percent of that part of the total lot area that is contained within 140 feet of the front street sideline shall be covered by any above grade structure or structures.

Section 12. Section 35-86.3(g) is hereby amended by changing said section to read as follows:

- (g) Not more than twenty percent of the land area of any lot shall be covered by any above grade structure or structures and not more than twenty percent of that part of the total lot area that is contained within 140 feet of the front street sideline shall be covered by any above grade structure or structures.

Section 13. Section 35-87.3(g) is hereby amended by changing said section to read as follows:

- (g) Not more than twenty-five percent of the land area of any lot shall be covered by any above grade structure or structures and not more than twenty-five percent of that part of the total lot area that is contained within 140 feet of the front street sideline shall be covered by any above grade structure or structures.

Section 14. Section 35-90.3(b) is hereby amended by changing said section to read as follows:

- (b) All new buildings shall conform to the existing established front yard setback line of the buildings located on each side of the subject property. In the event the front yard setback on each side of the subject property is not the same distance from the center line of the abutting street in question then the Planning Board, as part of site plan review, shall determine the required set back line for the subject property which shall not be less than the setback of the abutting property that is closest to the street right-of-way line nor greater than the setback of the abutting property that is farthest from the street right-of-way line:

Section 15. Section 35-91.3(b) is hereby amended by changing said section to read as follows:

- (b) All new buildings shall conform to the existing established front yard setback line of the buildings

located on each side of the subject property. In the event the front yard setback on each side of the subject property is not the same distance from the center line of the abutting street in question then the Planning Board, as part of site plan review, shall determine the required set back line for the subject property which shall not be less than the setback of the abutting property that is closest to the street right-of-way line nor greater than the setback of the abutting property that is farthest from the street right-of-way line:

Section 16. Section 35-90.2 is hereby amended by adding a new subsection (h) to read as follows:

- (h) No building shall be permitted which is not supported on a continuous footing and foundation and enclosed on all sides by an exterior wall that rests on said footing and foundation.

Section 17. Section 35-91.3 is hereby amended by adding a new subsection (j) to read as follows:

- (j) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building, except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns shall not be visible from any abutting street or property.

Section 18. Section 35-92.3 is hereby amended by adding a new subsection (g) to read as follows:

- (g) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns shall not be visible from any abutting street or property.

Section 19. Section 35-93.3 is hereby amended by adding a new subsection (j) to read as follows:

- (j) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns

shall not be visible from any abutting street or property.

Section 20. Section 35-94.3 is hereby amended by adding a new subsection (g) to read as follows:

- (g) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns shall not be visible from any abutting street or property.

Section 21. Section 35-95.3 is hereby amended by adding a new subsection (k) to read as follows:

- (k) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns shall not be visible from any abutting street or property.

Section 22. Section 35-98.3 is hereby amended by adding a new subsection (i) to read as follows:

- (i) Any building constructed on piers, pillars or columns shall be enclosed on all sides by the same material as contained on the facade of the building except for an opening which provides vehicular access to a street, alley or parking area. Said piers, pillars or columns shall not be visible from any abutting street or property.

Section 23. Section 35-60 is hereby amended by changing the first paragraph of said section to read as follows:

Sec. 35-60. Filing procedures.

Prior to the subdivision or re-subdivision of land and prior to the issuance of a building permit, zoning permit or certificate of occupancy for any development, an application shall be submitted to and approved by the planning board in accordance with the requirements of this article; except that site plan review and approval shall not be required for subdivision or individual lot applications for one or two family detached dwelling

unit buildings, nor for any use as set forth in section 35-85.1(h), nor in any case where a proposed alteration will change neither the nature of the use nor the exterior of a building and the planning board, by previous regulation, has provided for administrative review and approval in lieu thereof. Prior to the alteration, diminution, creation or elimination of a lot line which does not constitute a subdivision as defined in section 35-3 of this chapter, an application for subdivision exemption as defined in section 35-3 shall be submitted to and approved by the planning board.

In the event the subdivision or site plan application requires action by the board of adjustment as provided in this chapter, the application shall be submitted to and processed by the board which shall act to the same extent and subject to the same restrictions as the planning board as set forth in this article.

- (a) An application for subdivision or site plan approval shall be filed with the secretary of the appropriate Board at least two weeks prior to a regular meeting of the appropriate municipal agency.

Section 24. Section 35-83.3 is hereby amended by changing the first paragraph of said section to read as follows:

Sec. 35-83.3. Same-Applicability to issuance of building permits and certificates of occupancy; review of permit applications.

No building permit shall be issued by the building inspector for any proposed structure or other improvements to be located within any flood hazard area unless and until the planning board shall have approved a site plan submitted in accordance with subsection 35-84.2 except that site plan review and approval shall not be required for any use as set forth in section 35-85.1(h). Upon approval or denial of any site plan required by said subsection, the secretary of the planning board shall forthwith notify the building inspector thereof. No certificate of occupancy shall be issued by the building inspector unless and until proof has been submitted to him that all conditions of site plan approval have been fully met and complied with.

Section 25. Except as herein amended and supplmented, Chapter 35 of the Ridgewood Code, Land Use and Development, remains in full force and effect.

Section 26. This ordinance shall take effect immediately upon passage and publication as required by law.

FOR AFFIRMANCE: Councilmembers Nealy, Repetto, Svarre and Wiest
NAYS: None ABSENT: Councilman O'Brien ABSTAIN: None
Adoption Date: June 12, 1990
Effective Date: June 17, 1990

Quentin W. Wiest II

Quentin W. Wiest II, Mayor

ATTEST:

Heather A. Mailander

Heather A. Mailander, Village Clerk