



VILLAGE OF RIDGEWOOD

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HEATHER A. MAILANDER, RMC/CMC
VILLAGE CLERK

MARY SUE MICHAUD, RMC
DEPUTY VILLAGE CLERK

March 3, 2004

Bergen County Department of Planning
and Economic Development
One Bergen County Plaza
Room 415
Hackensack, NJ 07601-7076

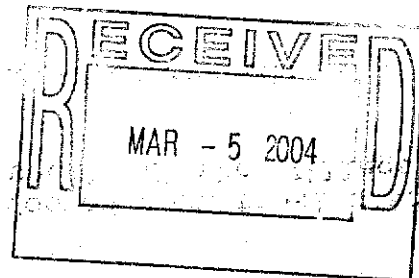
Ordinance #2862, enclosed herewith, was adopted upon final reading on February 11, 2004 by the Village Council of the Village of Ridgewood.

This certified copy is being sent to you for your records.

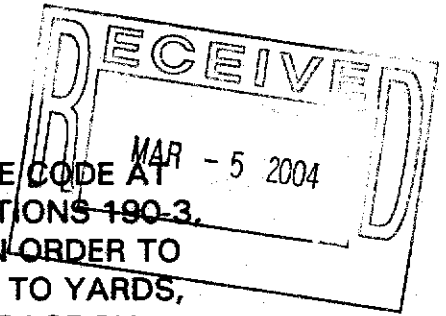
Sincerely,

A handwritten signature in cursive script that reads "Heather A. Mailander".

Heather A. Mailander, RMC/CMC
Village Clerk



ORDINANCE NO. 2862



AN ORDINANCE TO AMEND THE RIDGEWOOD VILLAGE CODE AT CHAPTER 190, *LAND USE AND DEVELOPMENT*, AT SECTIONS ~~190-3~~, *DEFINITIONS*, AND 190-119, *GENERAL PROVISIONS*, IN ORDER TO AMEND AND CLARIFY THE REGULATIONS APPLICABLE TO YARDS, COVERAGE BY ABOVE-GRADE STRUCTURES, COVERAGE BY IMPROVEMENTS AND BUILDING HEIGHT

BE IT ORDAINED by the Village Council of the Village of Ridgewood that Chapter 190, *Land Use and Development*, of the Ridgewood Village Code be and it is hereby amended at Sections 190-3, *Definitions*, and 190-119, *General provisions*, as follows:

Section 1. Section 190-3, *Definitions*, is amended by revising the definition of "above-grade structure" to read as follows:

ABOVE-GRADE STRUCTURE – Any building, roofed structure or other structure which has a height above the ground of at least one foot. If only part of said structure is one foot or higher above the ground, then only that part shall be considered an "above-grade structure." This definition shall include, but is not necessarily limited to, swimming pools, hot tubs, ornamental pools, porches, decks, balconies, tanks, fireplaces and barbecue pits, roofed arbors and trellises, any or all of which are located above-grade, as defined herein. Notwithstanding the above, the following shall not be construed to be above-grade structures for the purposes of this chapter: fences, freestanding or retaining walls and the earth retained by such walls, flagpoles, mail boxes, signs and lawn ornaments.

Section 2. Section 190-3, *Definitions*, is amended by revising the definition of "accessory building or structure" to read as follows:

ACCESSORY BUILDING OR STRUCTURE – A building or structure on the same lot with and subordinate to a principal building, occupied or devoted exclusively to an accessory use. Where an accessory building is integrated into the principal building, as with an attached garage having access between the garage and the principal building, such accessory building shall be considered part of the principal building. Notwithstanding the above, a structure shall be construed as being accessory to a principal use or structure although it is located on a different lot than said principal use or structure, when such location is specifically permitted by this chapter.

Section 3. Section 190-3, *Definitions*, is amended by revising the definition of "coverage by improvements or improvement coverage" to read as follows:

COVERAGE BY IMPROVEMENTS or IMPROVEMENT COVERAGE - The coverage by buildings and other above-grade structures on lot as defined by this chapter, plus the coverage of any other structures, including but not limited to driveways, sidewalks, patios, decks, swimming pools, tennis courts, parking areas, and other paved areas, whether constructed of asphalt, concrete, brick, stone, gravel or other paving materials, but excluding structures, or portions of structures, that are located below the surface of the ground and which are not visible from above the surface of the ground (Thus, subsurface structures such as drywells, underground tanks, etc. are typically excluded from such coverage, whereas swimming pools, which may be located below the surface of the ground, but which are visible from above the surface of the ground, are not excluded). It is intended to include within this definition all man-made features except vegetation, organic mulch, soil (including soil retained by retaining walls) and structures that may be specifically excluded by this chapter.

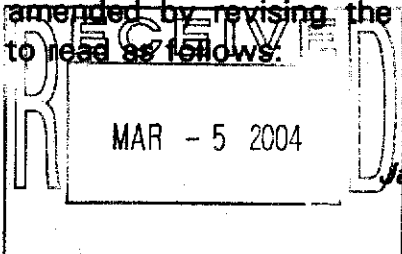
Section 4. Section 190-3, *Definitions*, is amended by revising the definition of "height of building" to read as follows:

HEIGHT OF BUILDING - The vertical distance from the highest roof point and any appurtenance thereto, excluding any appurtenances that are exempted by this chapter from building height requirements, to the average elevation of normal grade at the perimeter of the building. Notwithstanding the foregoing, in the event that the building or other roofed structure includes a parapet wall, pediment or other vertical facade element that projects above the roof, and which is not excluded by this chapter from building height requirements, the building height shall be measured to the highest point of such feature or highest point of the roof, whichever is higher.

Section 5. Section 190-3, *Definitions*, is amended by revising the definition of "normal grade" to read as follows:

NORMAL GRADE - The newly established grade after construction, disregarding any filling, berming, mounding, excavating, retaining wall or curbing which alters the grade at the base of the structure from the grade in the general vicinity of the structure. In the event of such grade alteration, calculation of normal grade shall be made by the Zoning Officer.

Section 6. Section 190-3, *Definitions*, is amended by revising the definitions of "yard, front", "yard, rear" and "yard, side" to read as follows:

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YARD, FRONT –The space extending across the full width of any lot and lying between the street right-of-way and the nearest principal building on such lot. On corner lots, any yards facing any abutting streets shall be deemed front yards for the purposes of this chapter. The depth of the front yard shall be measured perpendicular to the street right-of-way line.

YARD, REAR –The space extending across the full width of any lot between the nearest principal building and the rear lot line. The depth of the rear yard shall be measured perpendicular to the rear lot line.

YARD, SIDE – The space located between the front yard and the rear yard on a lot and between the side lot line(s) and the nearest principal building. The depth of the side yard(s) shall be measured perpendicular to the side lot line(s).

Section 7. Section 190-119, *General provisions*, is amended by revising the opening sentence in Paragraph (4) of Subsection A to read as follows:

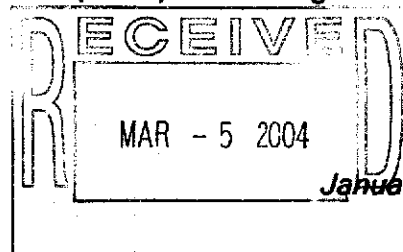
- (4) Projections and encroachments. Except as hereinafter specified, yards and courts required under this chapter shall be entirely free of principal buildings or parts thereof:

Section 8. Section 190-119, *General provisions*, is amended by revising Paragraph (1)(f) in Subsection C to read as follows:

- (f) Accessory buildings built in any rear yard shall not be closer than five feet from any side or rear property line of the lot; provided, however that when an accessory building is attached to a principal building by a breezeway, roof, wall or the like, or is separated from the principal building by a distance less than required by § 190-119C(1)(d), such accessory building shall be subject to the same minimum side and rear yard setback requirements as the principal building.

Section 9. Section 190-119, *General provisions*, is amended by adding and inserting a new Paragraph (2)(f) in Subsection C to read as follows:

- (f) Accessory buildings built in any rear yard shall comply with the following requirements; provided, however that when an accessory building is attached to a principal building by a breezeway, roof, wall or the like, or is separated from the principal building by a distance less than required by § 190-119C(2)(d), such accessory building shall be subject to the same minimum side and rear yard setback requirements as the principal building:



- [1] Accessory buildings and roofed accessory structures having a floor area of less than or equal to five hundred (500) square feet shall be located at least five (5) feet from the side or rear lot line.
- [2] Except as provided in paragraph (a) above, accessory buildings and roofed accessory structures having a floor area of more than five hundred (500) square feet shall comply with the minimum yard requirements for principal buildings.

Section 10. Section 190-119, *General provisions*, is amended by revising Subsection D to include new Paragraphs (3) and (4), to read as follows:

(3) The height limitations for buildings shall not apply to rooftop appurtenances, including but not limited to decorative architectural elements such as cupolas and weathervanes; heating, ventilating and air conditioning equipment; chimneys, vent pipes, etc., but only if such appurtenances comply with the following limitations:

(a) The height of the appurtenances, and any structures that screen the appurtenances from view, must not exceed eight (8) feet above the highest point of the roof or eight (8) feet above the maximum permitted building height, whichever is less.

(b) The horizontal dimension of any such appurtenances, and any structures that screen such appurtenances from view, must not exceed twenty percent (20%) of the horizontal dimension of the building wall or side toward which such appurtenance or screening structure faces. For example, a chimney located on or facing the side of a building having a horizontal dimension of 40 feet is exempt from the building height requirements only if the horizontal dimension of the chimney facing that side of the building is 8 feet or less.

(4) The height limitations for buildings shall not apply to roof-mounted antennas, provided that roof-mounted antennas shall be required to comply with the applicable regulations for such antennas set forth in this chapter.

Section 11. Except as herein amended and supplemented, the Ridgewood Village Code remains in full force and effect.

Section 12. Each part of this ordinance is independent of the remainder, and the holding of any part to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

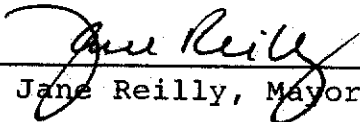
Section 13. This ordinance shall take effect immediately upon passage and publication as required by law.

* * * * *

FOR AFFIRMANCE: Councilmembers Grubb, Mancuso, Pfund, Ringler
Shagin, and Mayor Reilly

NAYS: None
ABSENT: None
ABSTAIN: None

Introduction Date: January 14, 2004
Adoption Date: February 11, 2004
Effective Date: March 2, 2004



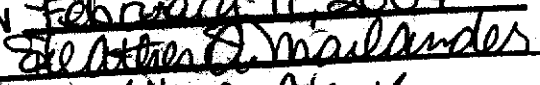
Jane Reilly, Mayor

ATTEST:



Heather A. Mailander, Village Clerk

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF AN ORDINANCE PASSED BY THE COUNCIL
ON February 11, 2004



Village Clerk

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