

Exhibit A

ZONING ORDINANCE

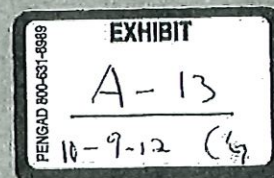
VILLAGE OF RIDGEWOOD

Bergen County

New Jersey

April 23, 1946

Amended by Ordinance 998, July 1946
Amended by Ordinance 1028, October 1948
Amended by Ordinance 1051, June 1950
Amended by Ordinance 1065, July 1951



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Village of Ridgewood

ORDINANCE No. 993

AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE NATURE AND EXTENT OF THEIR USE IN THE VILLAGE OF RIDGEWOOD, IN THE COUNTY OF BERGEN, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED, FIXING PENALTIES FOR THE VIOLATION THEREOF, AND PROVIDING FOR THE REPEAL OF PRIOR ZONING ORDINANCES.

The Board of Commissioners of the Village of Ridgewood in the County of Bergen, do ordain:

Section 1. DEFINITIONS

Certain words and phrases are used in this Ordinance which for the purposes hereof are defined as follows:

(a) Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "occupied" includes the words "designed or intended to be occupied"; the word "used" includes the words "arranged, designed or intended to be used."

(b) Lot. A "lot" is a parcel of land the location, dimensions and boundaries of which are determined by the latest official record, and occupied or intended to be occupied by one building or one unit group of buildings and its accessory buildings and uses, and including such open spaces as are provided, or as are required by this Ordinance.

(c) Corner Lot. A "corner lot" is a lot at the junction of and fronting on two or more intersecting streets.

(d) Interior Lot. An "interior lot" is any lot other than a corner lot.

(e) Lot Line. A "lot line" is any boundary line of a lot.

(f) Depth of Lot. The "depth of a lot" is the mean distance between its front lot line and its rear lot line. The greater frontage of a corner lot is its depth, and its lesser frontage is its width.

(g) Width of Lot. The "width of a lot" is its mean width measured at right angles to its depth.

(h) Front Yard. A "front yard" is an open unoccupied space within and extending the full width of the lot

between the front lot line and the parts of the main building thereon setting back from and nearest such line.

(i) Rear Yard. A "rear yard" is an open unoccupied space within and extending the full width of the lot between the rear walls of the main building thereon and the rear lot line.

(j) Side Yard. A "side yard" is an open unoccupied space within the lot between a side lot line and the parts of the building erected thereon and nearest thereto. Such side yard shall extend through from the street or front lot line, or from the front yard to the rear yard.

(k) Street. A "street" is any road, avenue, street, lane or other way set aside for common street purposes and shall extend from lot line to lot line.

(l) Court. A "court" is an open unoccupied space either on the ground or above, excepting the roof, and not a front yard, side yard or rear yard, and bounded on at least two sides by a building on the same lot.

(m) Outer Court. An "outer court" is a court which extends its full width from a front or rear yard or from a street.

(n) Inner Court. An "inner court" is any court except an outer court.

(o) The width of an outer court is its horizontal dimension parallel with its principal open end.

(p) The width of an inner court is its lesser horizontal dimension.

(q) The height of a court is to be measured from the lowest level it is required to serve up to the top of the highest wall which bounds it within the same lot.

(r) Height of Building. The "height of a building" shall be measured in the manner prescribed in the Building Code of the Village. If there be no average or mean established curb level, the measurement to the roof shall be made from the mean natural level of the ground immediately adjacent to the base of the building.

(s) Family. A "family" is any number of individuals living privately together as a single housekeeping unit and using certain rooms and cooking facilities in common, but not including the residents of an apartment hotel, or of a boarding house or lodging house serving more than two paying guests.

(t) Non-conforming use. A "non-conforming use" is one that does not comply with the regulations of this Ordinance for the zone in which it is located.

(u) Accessory Building. An "accessory building" is a building or other structure, which is subordinate and accessory to a main building on the same lot.

u) Private Garage. A "private garage" is an accessory building in which no business, commercial service, industry connected with motor vehicles is carried on.

v) Public Garage. A "public garage" is any garage other than a private garage.

w) Filling Station. A "filling station" is any establishment supplying, selling motor fuel or oil direct to motor vehicles.

x) Electric Motive Power. "Electric motive power" is power which is developed by an electric motor from electricity not generated in the premises.

y) Open Porch. An "open porch" is a roofed piazza, porch or portico which projects beyond the main wall of a building into a yard, which the columns supporting the porch shall present the minimum obstruction to the view and the circulation in.

z) Inn, Hotel or Apartment Hotel. "Inn, hotel or apartment hotel" is a building containing rooms or apartments which are available for compensation for the more or less temporary residence of individuals or families, with or without meals.

aa) Boarding House. A "boarding house" is a building, other than an inn, hotel or apartment hotel, where lodging and meals for three or more persons are provided for compensation.

ab) Lodging House. A "lodging house" is a building, other than an inn, hotel or apartment hotel, where lodging for three or more persons is provided for compensation.

ac) Residential Zone. The "Residential Zone" shall include the "one-family zone," the "two-family zone" and the "multi-family zone."

Section 2. CLASSES OF ZONES

For the purposes of this Ordinance, the Village of Ridgewood is hereby divided into five classes of districts or zones, as follows:

- One Family Zones
- Two Family Zones
- Multi-Family Zones
- Retail Business Zones
- General Business Zones

Section 3. BOUNDARIES OF ZONES

1) Building Zone Map.

As amended by Ordinances 993 and 1028, see Page 14.

The boundaries of each of the above zones are hereby established as shown on a map entitled "Building Zone Map, Village of Ridgewood, Bergen County, New Jersey, scale 1"=100', dated November 19, 1945, revised May 14, 1946", signed by the Mayor and Village Clerk, which map accompanies and is hereby declared to be a part of this ordinance.

Revised by Ordinance No. 995

(b) Zone Boundary Lines:

The Zone Boundary Lines are intended generally to follow street lines, existing lot lines, the mean water level of streams or ponds, or railroad right-of-way lines as indicated on the Building Zone Map; but where a boundary line does not coincide with such line its location or relation to another boundary line is indicated on said map by means of figures expressing distance in feet from a street line, or other boundary line.

(c) Determination of Doubtful Lines:

In cases of uncertainty or disagreement as to the true location of any zone boundary line, the determination thereof shall lie with the Board of Adjustment as hereinafter provided.

Section 4. ONE-FAMILY ZONE USES

Within any one-family zone no building or lands shall be used in whole or in part for any industrial, manufacturing, trade or commercial purpose, or for any other than the following specified purposes:

(1) A residence for not more than one family. Such residence may contain the professional office of its resident owner or lessee where the office work involves principally the personal service of the said owner or lessee. The office shall occupy not more than fifty percent of the first floor area of the residence, and in connection therewith no overnight hospital facilities shall be provided for persons or animals.

(2) Church or other place of worship, including parish house and Sunday School building; public school, hospital, library, museum, art gallery, or any governmentally owned or operated building, provided that the street, or streets, upon which such building faces, or abuts, shall be at least 50 feet in width.

(3) Private garage, private stable or other accessory building customarily incident to any use permitted in this section, and provided that no such accessory building shall be occupied for residence purposes by other than a servant or domestic employee of the owner or tenant of the premises.

(4) Accessory building used privately for horticultural or agricultural purposes, provided that no greenhouse heating plant be operated within twenty (20) feet of any lot line and no fertilizer be stored within fifty (50) feet of any lot line.

(5) Small professional announcement signs not over two square feet in area if fixed to the main wall of a residence building; name or announcement sign, not more than eight square feet in area, of a church, parish house, public or semi-public building, real estate sign not over eight square feet in area, pro-

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vided such sign is located behind the prevailing front building line of the block, but not more than fifty feet from the front lot line, and further provided that the sign is used only with reference to the premises on which it is erected.

Section 5. TWO-FAMILY ZONE USES

Within any two-family zone no building, or lands, shall be used in whole or in part for any industrial, manufacturing, trade or commercial purpose, or for any other than the following specified purposes:

(1) Any use specified in Section 4 as permitted and as regulated in one-family zones.

(2) A residence for not more than two families.

(3) Customary home occupations, such as dressmaking, hat trimming, hair dressing, manicuring and home cooking; provided that such occupation shall be conducted and operated solely by resident occupants of the main building, that not more than the equivalent of one-quarter the area of each floor shall be used for such purpose, and that no display of products shall be visible from the street.

(4) Signs may be erected in conformity with the provisions of Section 4, Subdivision 5 hereof.

Section 6. MULTI-FAMILY ZONE USES

Within any multi-family zone no building, or lands, shall be used in whole or in part for any industrial, manufacturing, trade or commercial purpose, or for any other than the following specified purposes:

(1) Any use specified in Sections 4 and 5 as permitted and as regulated in one-family and two-family zones.

(2) Residences for three or more families built separately or in groups in accordance with all the requirements of this ordinance and with the following:

(a) Height. No building shall be erected to a height in excess of thirty (30) feet or two and one-half (2½) stories exclusive of cellar or basement.

(b) Length. The longest dimension of any wall of any building or of any side of a U, L or irregular shaped building shall not exceed 115 feet, provided, however that the total width or total depth of any building, including courts shall not exceed 150 feet. In cases of uncertainty or disagreement as to this measurement its determination shall be left to the Board of Adjustment.

(c) Size of Courts and Distance between Buildings. The distance be-

tween single buildings on any one lot shall be not less than thirty (30) feet. In any U-shaped building the main court shall face on the street and shall have a minimum width of sixty (60) feet and a depth of not less than the width of the court.

(d) Open Space. There shall be left open on each lot, at least three square feet for every square foot of the aggregate gross ground floor area of all the buildings on the lot.

(3) Buildings used for club, fraternal, recreation, athletic or social purposes and maintained by a membership or organization, in which lodging, the temporary use of rooms or meals may be supplied to the public incidentally to serving its members. For the uses in this sub-section no restaurant or other room available to the public shall have immediate access from the street.

(4) A sign not over six (6) square feet in area may be affixed to the main wall of a building, provided it indicates only the name, occupancy or purpose of such building.

Section 7. RETAIL BUSINESS ZONE USES

Within any Retail Business Zone no building or lands shall be used in whole or in part for any industrial or manufacturing purpose, or for any other than the following specified purposes:

(1) Any use specified in Sections 4, 5 and 6 as permitted in one-family, two-family and multi-family zones, without the therein specified restrictions for professional offices in Section 4 and for customary home occupations in Section 5.

(2) Hotel, Inn, apartment hotel, boarding house, lodging house, apartment house, building used for club, fraternal, recreation, athletic or social purposes without the restriction on location of public restaurant as specified in Section 6, but no trailer camp, lunch wagon, diner, roadstand or eating place of a similar type is permitted.

(3) Retail store, office, office building, business or vocational school, bank, theatre, assembly hall, commercial greenhouse, public parking lot, undertaking establishment, personal service establishment, such as tailor shop, shoe shop, hand laundry, barber shop or beauty parlor; restaurant, confectionery, butcher shop, quick freeze, and frozen food locker establishment, retail bakery, shop of a plumber, electrician or similar tradesman; automobile salesroom, including accessory repair shop in rear; public garage, filling or service station for motor vehicles, including repair shop; billiard room, gymnasium or athletic establishment, bowling alley, newspaper or job printing plant; cleaning, dyeing, pressing and tailor-

operations done exclusively for 1 and individual customers, but including work done for the trade or other establishments; all provided that in the permitted stores or shops merchandise shall be carried other than that intended to be sold at all on the premises; that only electric motive power be used for operating any machinery used incidentally to permitted use, and further provided that no supplies, materials or goods be stored outdoors.

1) The words "retail store" as used in the preceding sub-division are not intended and shall not be construed to include establishments handling or storing coal, lumber, oil, sand, stone, gravel, brick, tile, masonry material or other bulk structural building materials.

a) A sign referring to the premises in which it is displayed, or to services rendered thereon, may be erected on any entrance wall or wall facing on a street, provided that any such sign shall not project beyond a property line, shall be erected parallel to the face of the wall, shall not extend more than twelve inches therefrom and further provided that there shall not be more than one sign to each separate tenant of the premises and that the area of the sign shall not exceed two (2) square feet for each foot of street frontage, that the maximum height shall not exceed two feet, and the maximum width not in excess of ninety percent (90%) of the width of the store front to which such sign is attached.

b) Where a lot is occupied by a hotel, theatre, restaurant, store, or a similar use, which is likely to attract an unusual number of people and motor vehicles, adequate provision shall be made for convenient offstreet parking for the motor vehicles on the basis of the expected volume of such vehicles for adequate ingress to and egress therefrom. The determination of the adequacy and convenience of such parking space shall lie with the Board of Adjustment.

Section 8. GENERAL BUSINESS ZONE USES

Within any General Business Zone building or lands shall be used in whole or in part for any industrial or manufacturing purpose, except as permitted in this Section, or for any other than the following specified purposes:

a) Any use specified in Sections 4, 5 and 7 as permitted in one-family, two-family, multi-family and retail business zones.

b) Storage warehouse, electric transformer or switching station; wholesale jobbing or distributing establishment; provided that only electric motive power be used for operating any machinery used incidentally to a permitted

(3) Cleaning, dyeing, pressing, tailoring, laundering, or similar operations employing not over twenty (20) operatives; blacksmith shop, welding plant; establishment, including storage yard, supplying coal, wood, oil and building material; provided that in any fabricating or other operations connected therewith only electric motor power be used.

(4) Plant supplying, or connected with the supply of water, gas or electricity under such conditions and regulations as may be prescribed by the Board of Adjustment.

(5) Signs may be erected in conformity with the provisions of Section 7, sub-section 5 hereof.

Section 9. HEIGHT OF BUILDINGS

(a) Except as specified in this Section, no building shall be erected in excess of the following heights:

	Main Bldg.	Accessory Bldg.
Within One Family Zones	30-ft.	18-ft.
Within Two Family Zones	30-ft.	18-ft.
Within Multi-Family Zones	30-ft.	18-ft.
Within Retail Business Zones	45-ft.	20-ft.
Within General Business Zones	45-ft.	20-ft.

(b) The hereinbefore specified height limits shall not apply to masts, flag poles or monuments; nor to domes, cupolas, church spires, belfries, chimneys, water tanks, elevator penthouses, scenery lofts and similar parts of a building, provided that the aggregate horizontal area of such parts shall not exceed twenty (20%) percent of the ground area covered by the main building; nor shall the specified height limits apply to parapet walls not over four feet high.

Section 10. FRONT YARDS

(a) Requirements in Residence Zones:

Within any residential zone a front yard is required on every lot which shall be at all points of a depth of not less than the following:

Within One-Family Zones	40-ft.
Within Two-family Zones	40-ft.
Within Multi-family Zones	30-ft.

Provided, however, that where the existing front yards in the same block frontage are of a greater or a lesser depth than above specified, then the front yard shall be at least equal in depth to the average of such existing front yards in the same block frontage, but in no case shall the front yard be less than thirty (30) feet.

(b) Requirements in Retail Business Zones:

On any lot within a Retail Business Zone which is within the same block on the same side of the street and

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within 50 feet of the boundary line of any Dwelling or Multi-family Zone, a front yard or equivalent open space is required of a depth not less than one-half the front yard depth prescribed herein for that class of Dwelling or Multi-family Zone which adjoins the hereinbefore mentioned Retail Business Zone.

(c) Maintaining Established Building Lines:

Nothing in this section shall justify or cause the violation of any existing ordinance, regulation or contract which prescribes in any zone a building line along any street, the adherence to which building line would create a front yard or equivalent open space of a depth greater than is specified in this section.

(d) The street walls of every building hereafter erected shall be set back from the center line of the following streets for a distance not less than the setback called for in the following table:

Street	Distance	Setback
South Broad Street	From LeRoy Place southerly to Village line	37½ feet
Chestnut Street	From Franklin Ave. northerly to end of street	30 feet
Oak Street	From Franklin Ave. northerly to Mastin Place	30 feet
East Ridgewood Ave.	From Oak Street easterly to easterly line of Retail Business Zone	42 feet
Franklin Ave.	From Oak Street easterly to North Maple Ave.	42 feet
S. Maple Ave. and N. Maple Ave. ..	For their entire length within the Village of Ridgewood	42 feet
Franklin Turnpike	For its entire length within the Retail Business Zone	42 feet
East Ridgewood Ave.	From East Side Ave. easterly to Village line	42 feet
Goffle Road	For its entire length within the General Business Zone	42 feet

The center line of North Maple Avenue in the Retail Business Zone created immediately south of First Street shall be considered to be twenty feet (20') seven and one-half inches (7½") west of the present easterly property line on this street.

The center line of South Maple Avenue in that section or the Multi-Family* Zone southerly from the center line of Spring Avenue a distance of 111,825 feet shall be considered to be twenty feet (20') seven and one-half inches (7½") east of the westerly property line of the street.

Section 11. REAR YARDS

(a) Requirements in All Zones:

Within any zone a rear yard is required on every lot which shall be at all points of a depth not less than the following:

Within One-family, two-family and Multi-family Zones	30-ft.
Within Retail Business Zones	10-ft.
Within General Business Zones	10-ft.

*Revised by Ordinance No. 595

(b) Within any Business Zone where the main building is used in any part for residence or sleeping purposes, the minimum depth of the rear yard shall be twenty (20) feet, and for each foot that the height of said building exceeds fifteen (15) feet there shall be added four (4) inches to the required depth.

(c) Modification and Exceptions:

Within any Business Zone no rear yard is required on any corner lot where the building has a width of fifty (50) feet or less, except that where the rear lot line within any Business Zone is a boundary line of a One-family, Two-family or Multi-family Zone, a rear yard shall be provided on the lot within the Business Zone which shall have a depth of not less than ten feet.

Section 12. SIDE YARDS

(a) Requirements in all Residential Zones:

Within One-family, Two-family and Multi-family Zones, two side yards are required, each of a minimum width of one-sixth of the width of the lot at the building line.

(b) Requirements in Business Zones:

Within any Business Zone a side yard is required along any side lot line which serves as a boundary line between that lot and any residence zone. The width of such side yard shall be not less than one-sixth of the width of the lot at the building line.

Within any Business Zone, except as specified in the immediately preceding subsection, no side yard is required except where the building is occupied in part for residential purposes, in which case a court shall be required as hereinafter provided.

Where one-family, two-family and multi-family residences are erected in the Business Zone, they shall have two side yards each of a minimum width of one-sixth of the width of the lot at the building line.

Exception for Corner Lots:

thin any zone, on any corner lot previously specified required side yard abuts a side street line need be any wider than one-half the lot of the front yard required as a minimum on the adjoining lot fronting that side street, but where a dwelling is erected on a corner lot the front high faces the longer dimension, the front yard shall have a minimum depth of thirty (30) feet, the side on the shorter street frontage a minimum width equal to the requirement for a front yard on the adjoining lot on that street, the opposite yard a minimum width of one-half of such longer dimension, and a yard at least equal to the side requirement where a dwelling is on the shorter dimension.

on 13. COURTS

When Required:

thin any zone a court is required over any room in which people sleep, work or congregate cannot adequately lighted or ventilated directly from a street or a yard on the lot to afford natural light and ventilation to such room, but no court extend below the room, or rooms, required to serve.

Required Size:

thin any zone the minimum width of outer court shall be in the ratio eight (8) inches to each foot of its width, and not less than eight (8) feet, and of an inner court in the ratio ten (10) inches to each foot of its width, and not less than twelve (12) feet. No outer court shall be longer than twice its width, and no inner court be shorter than twice its width.

on 14. SIZE OF LOT

Amended by Ordinance 1065
Page 15

map entitled "Plot Size Map, Village of Ridgewood, Bergen County, New York, Scale 1"=300' and dated November 10, 1945," signed by the Mayor. Village Clerk is attached hereto hereby declared a part of this ordinance. No building shall be erected on a lot of less width than shown on map for the particular location where said building is to be erected, and it shall hereafter be so subdivided in area as to cause any open space to be less in any dimension than required by this Ordinance for the said lot in question.

The requirements of this section may be modified for individual lots by the Board of Adjustment after a finding of hardship. For a proposed subdivision, the Planning Board after publication, may recommend a revision of any or all of the lots, subject to confirmation by the Board of Commissioners, provided that in the revision the width of the lot as above required shall not be reduced more than five feet.

Section 16. GARAGES, STABLES, FILLING STATIONS

(a) A stable shall be deemed equivalent to a garage.

For the purposes of this Ordinance a stable for horses, or mules, shall be deemed to be equivalent to a garage; and one horse or one mule and one vehicle shall be deemed to be equivalent to one motor vehicle.

(b) Garages in Residential Zones:

(1) A private garage, or a group of private garages, is permitted in any zone on any lot of an area adequate for the accommodation thereof in conjunction with any other principal buildings on the same lot, and for the provision of the open spaces required by this Ordinance, but public garages are permitted only in the business zones.

(2) *Amended by Ordinance 1065 See Page 15

Within any residential zone the rental of garage space for the use of a commercial motor vehicle is prohibited.

(3) In any zone where buildings are used for more than two families, there shall be provided within the buildings or on the lot, garage space to accommodate at least one motor vehicle for each two apartments. Not more than one-half of such space shall be rented or used by other than the occupants of the premises and the rental of the space for the use of commercial motor vehicles is prohibited. In addition, there shall be provided on the lot sufficient parking space to accommodate at least one motor vehicle for each apartment and adequate ingress and egress.

(c) Public Garages, Filling and Service Stations:

(1) No part of any public garage, filling or service station shall be used for residence or sleeping purposes.

(2) No part of any filling station, bus terminal, or public garage accommodating more than five motor vehicles, nor any driveway, entrance or exit to or from the same, shall be within 300 feet of any lot line of any plot on which is located any building used as a theatre, auditorium, or other place of public assembly seating over one hundred persons, or used as a church, hospital, college, school or institution for dependents or children, or any public playground or athletic field.

(3) No part of any building used as a public garage or filling station and no filling pump or other service appliance used to supply motor vehicles shall be erected within twenty (20) feet of any boundary line of any Residential Zone.

(4) No gasoline or oil pump, no oiling or greasing mechanism and no other service appliance installed in connection with any filling station or public garage shall be within ten feet of any street, and no gasoline storage tank or pump shall be permitted within any building.

VILLAGE OF RIDGEWOOD ZONING ORDINANCE

Section 16. GENERAL PROVISIONS

(1) No lot hereafter may be used and no building or part thereof hereafter may be erected, constructed, reconstructed, moved, repaired, extended, converted, altered, maintained or used, except in conformity with the provisions of this Ordinance.

(2) Any building or use permitted in a more restricted zone shall be allowed in a less restricted zone, provided, however, that one-family, two-family and multi-family residences in whatever zone erected, shall conform to the requirements of their respective zones, and where a building containing apartments is erected in any business zone, that portion of the building used for residence shall conform to all the requirements for courts as specified in Section 13 and for side yards as specified in Section 12.

(3) Non-conforming Uses:

(a) Any non-conforming use or structure existing at the time of the passage of this or any previous Zoning Ordinance of the Village of Ridgewood may be continued upon the lot or in the building so occupied, but nothing in this Ordinance shall validate or authorize any non-conforming use or structure which existed or exists in violation of a previous Zoning Ordinance unless such use or structure is specifically permitted and authorized by this Ordinance.

(b) Any non-conforming use or building existing at the time of the enactment of this Ordinance may be continued upon the lot or in the building so occupied even though the building may be partially damaged or destroyed, provided that in case a building is destroyed or damaged to the extent that it must be rebuilt then such new building may be devoted to the said prior non-conforming use, but shall in all respects conform to the regulations prescribed by this Ordinance for the zone in which it is constructed.

(c) Nothing in this Ordinance shall prevent the strengthening or restoring to a safe and lawful condition of any part of any building declared unsafe or unlawful by the Superintendent of Buildings, the Chief of Fire Department or other duly authorized Village official.

(4) Projections and Encroachments into Required Open Spaces:

Except as hereinafter specified, yards and courts required under this Ordinance shall be entirely free of buildings or parts thereof.

(a) Cornices and Eaves:

Cornices and eaves may project not to exceed two (2) feet over any required yard or court.

(b) Ornamental Features, Balconies, etc.:

Sills, leaders, belt courses and similar ornamental or structural features may project six (6) inches into any required yard or court. An open fire balcony or fire escape may project in-

to a required yard not more than four (4) feet.

(c) Amended by Ordinance 1051 See Page 15

Bay Windows, Porches, etc.:

Ground story bay windows, oriel or balconies, and one-story open porches or porte-cocheres may project not more than three feet into any required rear yard, or into any required side yard which is over ten (10) feet wide and any one-story open porch or porte-cochere may project not more than ten (10) feet into any required front yard.

(d) Chimney, Shafts, etc.:

A chimney, smoke stack, flue or elevator shaft may project into any required yard or court provided the horizontal section of the projection does not exceed four (4) square feet in any Residential Zone, or nine (9) square feet in any Business Zone.

(e) Walls, Fences, Steps, etc.

The requirements of this Ordinance respecting yards and courts shall not apply to any necessary retaining wall or steps, nor to any fence or wall which is less than four (4) feet high.

(f) Accessory Buildings:

No accessory building permitted by this Ordinance shall be placed in any required front or side yard.

No accessory building in any zone, when located in the rear yard, shall be within three (3) feet of a rear or side lot line and the aggregate ground area covered by accessory buildings in any required rear yard, including the ground area covered by any projections permitted in this section, shall not exceed thirty (30%) percent of the required rear yard area in any Residential Zone and forty (40%) percent in any Business Zone in which a ground level rear yard is required.

No accessory building shall exceed one and a half stories in height in any Residential Zone as defined in this ordinance and in a Retail or General Business Zone shall not exceed two stories.

No accessory building in a Residential Zone may be used for residence purposes except by domestic employees of the owner or tenant of the premises, and in a Business Zone no building accessory to a building used for business shall be used for any residence purposes.

(g) Garages in Basements and Terraces:

Within any Residential Zone no garage built into a basement or terrace shall project in any part, except the doors when open, more than four feet into a front yard.

(h) Corner Lot Modifications:

Within the limitations hereinbefore recited in this section, any accessory building on a corner lot within any Residential or Retail Business Zone shall be distant from any side street

VILLAGE OF RIDGEWOOD ZONING ORDINANCE

of such lot not less than the rear front yard set back on the street prescribed by this Ordinance. In any Residential Zone when rear of any corner lot abuts any lot on a street which is a side street with reference to said corner lot, any accessory building on the corner lot shall not be built nearer the line of the corner lot than ten feet.

Determining Lot Frontage:

In the case of a lot running through one street to another, the front lot shall, for the purposes of this Ordinance, be considered that lot upon which the majority of buildings in the same block front; in case there has been no clearly established frontage, the owner, when applying for a building permit, specify which lot line shall be considered the front lot line.

Calculating Open Space Requirements:

Open space which has been set aside or included as a part of a yard, rear yard, front yard, court or other open space as required by ordinance for one building may, upon change of ownership or for any other reason, be counted or used in order to comply with the requirements of any other building ordinance.

Reducing Lot Areas:

Lot shall hereafter be so subdivided, or reduced in area, as to cause same, or any yard or open space on, to be less in any dimension as required by this Ordinance.

Two Buildings on One Lot.

The One-Family and Two-Family lots, not more than one such building shall be erected, used or occupied on any one lot, except accessory buildings as defined and permitted by this Ordinance.

Section 17. INTERPRETATION PURPOSE

The interpretation and application of the provisions of this Ordinance shall be held to be the minimum requirements adopted for the promotion of public health, morals and general welfare; for lessening the congestion in the streets; for securing safety from fire, panic and other dangers; for the provision of adequate light and air; for preventing overcrowding of buildings; for the avoidance of concentration of population and facilitating adequate provision of transportation, water, sewage, schools, and other public improvements. Not intended by this Ordinance, and as hereinafter provided, to retrograde, annul or in any way to interfere with any existing ordinance, or any rules, regulations or building permits previously issued or issued, or which shall be issued or issued pursuant to law relating to the use or construction of

buildings, or the provisions of yards, courts or other open spaces, provided, however, that the provisions and requirements of this Ordinance shall be held paramount to any corresponding or similar but less restrictive provisions of any existing law, ordinance, rule or regulation.

Section 18. ENFORCEMENT

(a) Authority and Duties of the Superintendent of Buildings:

This Ordinance shall be administered and enforced by the Superintendent of Buildings who shall in no case grant any permit for the construction or alteration of any building, and who shall not grant any certificate of occupancy in respect of any building where the proposed construction, alteration or use thereof would be in violation of any provisions of this Ordinance.

(b) All applications for building permits shall be accompanied by a plan in duplicate drawn to scale, showing the actual dimensions, radii, and angles of the lot to be built upon, the exact size and location on the lot of the building to be erected and such other information as may be necessary to provide for the enforcement of this Ordinance.

(c) Certificate of Occupancy:

It shall be unlawful to use or permit the use of any building, or part thereof hereafter created, erected, changed, converted, altered, enlarged, wholly or in part until a Certificate of Occupancy shall have been applied for and issued by the Superintendent of Buildings. An application for a Certificate of Occupancy shall be made in duplicate upon form provided by the Superintendent of Buildings and accompanied by such plans or other information as may be required by the Superintendent, and by the payment of a fee of five dollars. In case the Superintendent shall decline to issue a Certificate of Occupancy, his reasons for so doing shall be stated on one copy of the application and that copy returned to the applicant.

Section 19. BOARD OF ADJUSTMENT

(a) The Board of Adjustment now existing is hereby continued and it shall in appropriate cases and subject to appropriate conditions and safeguards, have authority to make special exceptions to the terms of this Ordinance in harmony with its general purpose and intent, and in accordance with the rules herein contained and by law established.

(b) Said Board of Adjustment shall continue to consist of five (5) members to be appointed by the Board of Commissioners, and to serve without pay. Successors to such appointees shall be appointed for the term of three years. Vacancies in said board shall be filled in the same manner for the unexpired term of any member whose term becomes vacant.

(c) A quorum shall consist of three members, and in order to reverse a decision of the Superintendent of Buildings, or authorize a variance from the terms of this Ordinance, an affirmative vote of at least three members shall be required. The meetings of the Board of Adjustment shall be held at the call of the Chairman, and at such other times as the Board may determine. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. Said Board shall perform all the duties and have all of the powers provided by law to be exercised by Boards of Adjustment, and shall exercise special powers hereinbefore specified.

Section 20. VIOLATIONS AND PENALTIES

For any and every violation of the provisions of this Ordinance, the owner, contractor or other persons interested as lessees, tenants, or otherwise in any building or premises where such violation has been committed or shall exist, and who refuses to abate said violation within five days after written notice has been served upon him either by mail or by personal service, shall for each and every violation be subject to a fine of not more than one hundred dollars or to five days' imprisonment in the County Jail or both, at the discretion of the court or judicial officer before whom a conviction may be had. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this Ordinance and not as a continuing offense.

Section 21. AMENDMENTS

This Ordinance may be amended, revised or repealed by the Board of Commissioners in the manner provided by Statute.

Section 22. VALIDITY

Should any section, part or provision of this Ordinance be held unconstitutional or invalid, such decision

shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so held unconstitutional or invalid.

Section 23. SHORT TITLE

This Ordinance shall be known by the short form title of "The Zoning Ordinance of Ridgewood, N. J."

Section 24. WHEN EFFECTIVE

This Ordinance shall take effect immediately on adoption and publication as provided by Statute.

Section 25. EXISTING ORDINANCE REPEALED

The existing Zoning Ordinance of the Village of Ridgewood, passed April 14, 1931, and known as Ordinance No. 764, together with all amendments thereto, is hereby repealed.

NOTICE

Notice is hereby given that the foregoing ordinance was passed on final reading at a regular meeting of the Board of Commissioners of the Village of Ridgewood, held on the 23rd day of April, 1945.

WILBUR MORRIS,
Village Clerk

NOTE: Ordinance No. 935 amending Ordinance No. 933 is incorporated in the text of this Ordinance.

Exhibit B

ZONE DISTRICT	PRIMARY INTENDED USE	HEIGHT	FRONT YARD	SIDE YARD	REAR YARD	MINIMUM LOT AREA	MINIMUM LOT COVER
R 1	1 FAMILY	30	10	15-33	30	14,000	100
R 2	1 FAMILY	30	10	10-25	30	10,500	75
R 3	2 FAMILY	30	10	10-20	30	9,400	60
R 4	GARDEN APARTMENT	30	10	20	30	44,000	—
B 1	RETAIL BUSINESS	45	42 FROM C	NONE OR 12	10	—	—
B 2	RETAIL BUSINESS	45	42 FROM C	NONE OR 12	10	—	—
B 3	RETAIL BUSINESS	45	30 FROM C	12	12	—	—
C	COMMERCIAL	45	30 FROM C	12	10	—	—
P	PROFESSIONAL AND OFFICE	30	0	6-18	30	—	—

NOTE: THE SCHEDULE OF REQUIREMENTS IS A SUMMARY OF REQUIREMENTS FOR EACH ZONE DISTRICT. THERE ARE ADDITIONAL ZONING ORDINANCES WHICH MAY APPLY TO CERTAIN ZONE DISTRICTS.

VILLAGE OF BIRCHWOOD

PREPARED BY ROBERT CATLIN AND ASSOCIATES
CITY PLANNING CONSULTANTS ROCKAWAY, NEW JERSEY

FLOOD PLAIN AREA - SEE ARTICLE 10

Village of Ridgewood

Sections 325 and 326

Section 325. PRIVATE GARAGE. A private garage is a detached building, or a portion of a building, used exclusively for the storage of motor vehicles owned or used by the owner of the building in which it is located. The garage is an accessory use to the building in which it is located.

Section 326. PUBLIC GARAGE OR GARAGE SERVICE STATION. A public garage or garage service station is a building, structure, or land or upon which a business, service or industry involving the storage, maintenance, washing or repairing, and storage in connection therewith, of motor vehicles is maintained, conducted, operated or rendered.

Section 412

Section 412. OUTDOOR STORAGE.

(a) Outdoor storage of any kind or nature, except storage of those items customarily used in connection with a residential occupancy, is prohibited in all residential zones.

(b) In all non-residential zones, outdoor storage is only permitted in the side and rear yards, as herein regulated. No article, equipment, vehicle, machine or material shall be kept, stored or displayed outside the confines of any building unless and until the same is screened by means of planting or fencing, as required by the Planning Board and maintained in good condition, so that it shall not be visible from any adjacent property or public street. Any fence, required by this Section to screen the outdoor storage of flammable material otherwise permitted by this Ordinance, shall not be closer than 20 feet to any property line of the lot upon which it is erected.

(c) Where otherwise permitted by this Ordinance, the display, conditioned for retail sale, of new and used motor vehicles as a permitted accessory use in the E-1, E-2 and C Zone Districts shall not be required to be screened by a planting or fence.

Section 508

Section 508. OUTDOOR REPAIR PROHIBITED. On any premises upon which a public garage or gasoline service station is located, all repairs or repairs to or for motor vehicles, other than such minor items as the changing and filling of tires or the sale of gasoline or oil, shall be conducted within the confines of a building capable of being wholly enclosed. Any vehicles stored outside overnight shall be so stored as to meet the provisions of Section 413 of this Ordinance.

Article 18

ARTICLE 18
B-2 RETAIL BUSINESS DISTRICT
Section 182. PRIMARY INTENDED USE. The B-2 retail business zone District shall be limited to retail sales and retail service businesses, as well as offices for professional and business uses, and all as permitted and regulated in subparagraph (a) of Section 181 of this Ordinance, and the following additional uses:
(a) Apartment hotels, boarding houses, clubbed rooms, bowling alleys, buildings used for club, fraternal, recreational, athletic or social purposes, coin-operated self-service laundries and dry cleaning and accessory uses, shop of an watchman or similar tradesman, franchised new-car dealer showrooms and customary accessory uses and used car lots as an accessory use thereto, provided, however, that there shall not be more than one square foot of area devoted to used car lot use for each square foot of all buildings devoted to new-car dealer use, furniture power, hand laundries, hotels, home lodging houses, newspaper or job printing plants, shop of a plumber or similar tradesman, telephone and telegraph business offices, and telephone and telegraph equipment offices.
(b) Public garages and gasoline service stations as regulated in Article 3 of this Ordinance, but not including car washing as a principal use.
(c) Institutional and municipal uses and public utility facilities as regulated in Section 417 of this Ordinance and uses as regulated under Article 3 of this Ordinance.
(d) There shall be provided within the B-2 retail business zone District parking facilities as regulated in Article 3 of this Ordinance.
(e) Any use permitted by this Section of this Ordinance, unless otherwise specifically provided to be conducted as an accessory use, shall be conducted within the confines of the building.

Article 18 (continued)

Section 188. PROHIBITED USES. Any uses other than those uses permitted by Section 185 of this Ordinance are prohibited. Without in any way limiting the generality and prohibition of this Section, nothing contained in this Ordinance shall be construed to permit wholesale warehousing, with the exception of the storage of furniture and furnishings as an accessory use to any use permitted for a furniture mover, and those uses prohibited by Section 174 of this Ordinance, unless otherwise specifically permitted in this Article. Mixtures of residential and business uses are prohibited except as specifically provided in apartment hotels, hotels, inns and lodging houses.

Section 189. REQUIRED CONDITIONS IN THE B-3 ZONE. The following conditions and requirements shall be complied with by the B-3 retail business Zone District:

(a) No building shall exceed a height of 45 feet.

(b) Every building shall be set back not less than 45 feet from the center line of any abutting street. This provision shall be applicable to any corner lot in the B-3 retail business Zone District regardless of anything hereinbefore contained in Section 410 of this Ordinance.

(c) Every principal building may be built without any side yard, provided, however, that where a side yard to the B-3 retail business Zone District shall abut the side yard of any residential zone, there shall be provided a minimum side yard of 15 feet. In the event that a side yard be provided for a structure within the B-3 retail business Zone District, said side yard shall be not less than 15 feet.

(d) There shall be a rear yard equal to 1 foot for each foot of height of the principal building upon said premises, provided, however, that no rear yard shall be less than 10 feet.

(e) No store frontage within the B-3 retail business Zone District shall be less than 15 feet in width.

(f) No wall signs shall exceed over the existing curb line or the curb line proposed on the Master Plan or the Official Map of the Village of Kenilworth.

(g) Prior to the issuance of any Building Permit, Zoning Permit or Certificate of Occupancy, an application may be submitted to the Planning Board for review and approval a site plan as required in Article 7 of this Ordinance.

ARTICLE 20
C COMMERCIAL DISTRICT

Section 2061. PRIMARY INTENDED USE. The C commercial Zone District shall be limited to those uses permitted in the B-2 retail business Zone District as well as the following additional uses:

(a) Auto body repair shop, cleaning, drying, pressing, tailoring and laundering or like operations done for the trade or on a wholesale basis, jobbing or distributing establishment, storage warehouse, storage yard supplying coal, wood, oil and building materials, welding shop, wholesale business, and wood-working shop.

(b) Light machine shop and limited manufacturing, processing and fabrication of products and materials, provided, however, the operations for any such permitted use shall not exceed the limitations imposed by the performance standards set forth in Section 2064 of this Ordinance; also, veterinarian hospitals and establishments wholly contained in a sound-proof building or buildings.

(c) There shall be provided within the C commercial Zone District parking facilities as regulated in Article 4 of this Ordinance.

(d) Any use permitted by this Section of this Ordinance, unless otherwise specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building.

Section 2062. PROHIBITED USES. Any use other than those uses permitted by Section 2061 of this Ordinance are prohibited. Without in any way limiting the generality and prohibition of this Section, nothing contained in this Ordinance shall be construed to permit commercial incineration, junk yards, rubbish, garbage or trash dumps, residential construction

Article 20 (continued)

or conversion of structures to residential uses, stock yards, slaughter houses, or other animal processing operations. Without in any way limiting the generality and prohibition of this Section, no land or building shall be used or occupied for a use which will in any manner create any dangerous, infectious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard, or noise or vibration, or gases, dust, odor or other form of air pollution, or heat, cold, dampness, movement of air, electrical or other similar disturbances, glare, or solid or liquid waste in any manner or amount which shall not conform to the performance standards set forth in Section 204 of this Ordinance.

Section 201. REQUIRED CONDITIONS IN THE C ZONE. The following conditions and requirements shall be complied with in the C commercial Zone District:

(a) No building shall exceed a height of 45 feet.

(b) Every building in a C commercial Zone District which abuts a street having a width of 40 feet or greater shall be set back not less than 40 feet from the center line of said abutting street. Every building in a C commercial Zone District which abuts a street having a width less than 50 feet shall be set back not less than 30 feet from the center line of said abutting street. This provision shall be applicable to any corner lot in the C commercial Zone District regarding its abutting hereinafter contained in Section 410 of this Ordinance.

(c) Every principal building may be built without any side yard, provided, however, that where a side yard in a C commercial Zone District shall abut the side yard of any residential zone, there shall be provided a minimum side yard of 10 feet. In the event that a side yard be provided for a structure within the C commercial Zone District, said side yard shall be not less than 10 feet. Any side yard that abuts any residential zone shall be provided with a fence or special planting, maintained in good condition, as approved by the Planning Board, to screen the commercial use from the adjoining residential property.

(d) There shall be a rear yard equal to 6 inches for each foot of height of the principal building upon the said premises, provided, however, that no rear yard shall be less than 10 feet. Any rear yard that abuts any residential zone shall be provided with a fence or special planting, maintained in good condition, as approved by the Planning Board, to screen said commercial use from the adjoining residential property.

(e) Prior to the issuance of any Building Permit, Zoning Permit, or Certificate of Occupancy, to the use may be, the Planning Board shall have submitted to it for review and approval a site plan as required in Article 7 of this Ordinance.

Section 1004. **PAINTING AND STAINING.** Prior to the issuance of any Building Permit, Owner must obtain Certificate of Occupancy, and the case may be, for any lot in the C commercial Zone District, the following conditions and requirements shall be complied with:

(a) All activities shall be carried on only in structures which conform to the minimum safety standards of the National Board of Fire Underwriters, or the Village of Ridgewood Building Code or Fire Ordinance governing the permitted use, whichever may be more restrictive. All operations shall be carried on and explosive materials, fuels, liquids and finished products shall be stored in accordance with the standards of the said National Board of Fire Underwriters.

(b) Any use permitted by this Article of this Ordinance shall only be permitted if it shall comply with all applicable Federal and State safety laws, rules and regulations.

(c) Any manufacturing, fabricating or processing uses permitted by this Article of this Ordinance which shall result in the dissemination of smoke, fumes, gas, dust, odors or any other atmospheric pollutants beyond the boundary lines of the lot occupied by such use are prohibited.

(d) There shall be no vibration beyond the boundary lines of the lot on which is conducted any use permitted by this Article of this Ordinance.

(e) There shall be no operational noise measured from any point on any property line of any lot on which a use permitted under this Article of this Ordinance is located, which shall exceed the values in any table based on the data set forth in this sub-section. In the determination of operational noise sound pressure level shall be measured with a sound level meter which shall conform to specifications published by American Standards Association, Inc., New York, N. Y., entitled "American Standard Sound Level Meters for Measurement of Noise and Other Sounds" and "American Standard Specifications for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds".

Frequency Band in Cycles per Second	Sound Pressure Level Decibels re .001 dyn/cm ²
8-13	23
13-20	24
20-31.5	25
31.5-50	26
50-79	27
79-100	28
100-150	29
150-200	30
200-315	31
315-500	32
Above 500	33

If there shall be objectionable noise due to intermittent, beat frequency, or hammering, or if the noise be not smooth and continuous, corrections shall be made to the above table by subtracting 3 decibels from each of the decibel levels set forth.

(f) Anything in this Article of this Ordinance to the contrary notwithstanding, no use shall be permitted in the C commercial Zone District which shall discharge an industrial waste into any municipal sanitary sewer system without written approval of the Department of Public Works and no such waste shall be treated on any premises located in the C commercial Zone District.

Frequency Band in Cycles per Second	Sound Pressure Level, Decibels re 200 μ dynes/cm ²
0-15	53
15-100	55
100-200	54
200-400	53
400-1000	52
1000-2000	52
2000-4000	53
4000-6000	53
Above 6000	54

Exhibit C

ZONING

**Reprinted from
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CHARLOTTESVILLE, VIRGINIA
1976

BERGEN COUNTY

**FEB 2 1977
PLANNING**

CHAPTER 33.

ZONING.

For state law as to authority of village relative to zoning generally, see R.S., § 40:55-30 et seq.

As to planning board, see §§ 2-106 to 2-113 of this Code. As to applicability of zoning regulations to miniature golf courses, see § 4-24. As to construction of poultry coops and runs to conform to zoning regulations, see § 5-36. As to compliance of kennels, pet shops and animal hospitals with zoning regulations, see § 5-67. As to building regulations generally, see ch. 8. As to subdivisions, see ch. 28.

Article L In General.

- § 33-1. Purpose.
- § 33-2. Scope.
- § 33-3. Definitions.
- § 33-4. Designation of zone districts.
- § 33-5. Zone map and schedule of requirements.
- § 33-6. Effect of zoning regulations on structures, land, etc.
- § 33-7. Issuance of permits, etc.
- § 33-8. Subdivision of lot.
- § 33-9. Yards.
- § 33-10. Accessory buildings or structures.
- § 33-11. More than one principal building on same lot prohibited; exception.
- § 33-12. Required area or space.
- § 33-13. Garages in residential zones.
- § 33-14. Land use variances.

Zoning

- § 33-15. Corner lots.
- § 33-16. Uses of structures and lots.
- § 33-17. Outdoor storage.
- § 33-18. Traffic visibility across corner lots.
- § 33-19. Planting within three feet of street sideline, etc.
- § 33-20. Conversion of existing structures.
- § 33-21. Driveways.
- § 33-22. Institutional and municipal uses and public utility facilities.
- § 33-23. Signs.
- § 33-24. Height exceptions; ground coverage, setback and parking requirements for hospitals.
- § 33-25. Fences and retaining walls.
- § 33-26. Projections and encroachments.
- § 33-27. Erection of structures, etc., within certain distance of ground water supplies; etc.
- § 33-28. Zoning officer — Office created.
- § 33-29. Same — Powers and duties.
- § 33-30. Violations and penalties.

Article II. Board of Adjustment.

- § 33-31. Created; composition; appointment, term, etc., of members; filling of vacancies.
- § 33-32. Powers and duties generally.
- § 33-33. Rules and procedure; election of chairman and vice-chairman; meetings; quorum; etc.
- § 33-34. Fees.
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ARTICLE I. IN GENERAL.**Sec. 33-1. Purpose.**

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals and general welfare of the inhabitants of the village. Among other purposes, such provisions are intended to provide for adequate light, air and

convenience of access, to lessen congestion in the streets, to secure safety from fire and other dangers, to avoid undue concentration of population by regulating and limiting the use of land, the height and bulk of buildings wherever erected, to limit and determine the size of yards, courts and other open spaces, and to regulate the density of population, all with reasonable consideration to the character of each district and its peculiar uses, and with a view to conserving the value of property and encouraging the most appropriate use of land throughout the village. (Ord. No. 1316, § 102.)

Sec. 33-2. Scope.

The provisions and requirements of this chapter shall be held paramount to any corresponding or similar, but less restrictive, provisions and requirements of any existing law, ordinance, rule, regulation, deed restriction or private covenant affecting lands and premises in the village. Nevertheless, this section shall not justify or cause violation of any existing private restrictions which would create a greater front yard area than one required under any section of this chapter. (Ord. No. 1316, § 103.)

Sec. 33-3. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Accessory building. 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 attached to a principal building by a breezeway, roof, wall or the like, such accessory building shall be considered part of the principal building.

Accessory use. A use naturally and normally incident and subordinate to the principal and primary use upon any premises. More particularly, but not by way of limitation, an accessory use shall be construed to include a private swimming pool, driveway, private road, alley, railroad spur, side track or switch, or other facility for ingress and egress by pedestrians and vehicles.

Alteration of building or change of use. An alteration of

building is any change in the supporting members of a building, such as bearing walls, columns, beams, girders, interior partitions, as well as any change in doors or windows, or any addition to or diminution of a building. A change of use is a change from the use permitted in one zone district to a use permitted in another zone district, any removal of a building from one location to another, or the conversion of any building, or any part thereof, from a use permitted in one zone district to a use permitted in another zone district.

Apartment. One or more dwelling rooms, with private bath and kitchen facilities, comprising an independent self-contained dwelling unit in a larger building.

Attic. The open, nonhabitable space between the ceiling beams of a top habitable story and the roof rafters in any building.

Basement. An interior space, or a portion of an interior space, having a floor level below the highest outside elevation of ground at the foundation wall of the structure in which it is contained.

Canopy or marquee. A roof-like shelter without sides, permanently affixed to the wall of a building, and providing overhead protection from the weather at an entrance to such building, which shall be construed to be a part of the building to which it is affixed. No canopy or marquee shall extend past any setback line affecting the building to which it is affixed. This prohibition shall not apply to retractable types of awnings, nor shall it negate the provisions of section 33-26.

Common ownership. Ownership of two or more contiguous lots of real property by one person or by two or more persons owning such property in any form of joint ownership.

Dwelling unit. A unit comprising living accommodations designed and used for occupancy by only one family.

Family. A family is up to three persons unrelated by blood, marriage or adoption or any number of individuals related by blood, marriage or adoption living privately together as a single housekeeping unit and using certain rooms and cooking facilities in common. Nothing herein contained shall be construed to prevent the placement of foster children by the New Jersey State Board of Child Welfare or a duly incorporated child welfare agency with families living in a one-family zone.

Flood hazard areas.

(a) **CHANNEL.** The bed and banks of a watercourse which convey the normal flow of the stream.

(b) **FLOOD PLAIN.** The relatively flat area adjoining the channel which has been or may be hereafter covered by flood water.

(c) **FLOODWAY.** The channel and portions of the adjacent flood plain necessary to preserve, carry and discharge flood water or flood flow of a magnitude now or hereafter to be reasonably anticipated.

(d) **SPECIAL FLOOD HAZARD AREAS.** The floodway and such additional portions of the floodplain as are subject to flood flow at lesser depths and lower velocities than the floodway as set forth on official flood hazard boundary maps prepared for the department of housing and urban development dated August 31, 1973, subject to future amendment, as incorporated in the zone map.

Floor area. The aggregate area of all floors in a building enclosed by an exterior wall, excluding, however, except as hereinafter provided, attic and basement floors, open porches, breezeways and garages. The foregoing to the contrary notwithstanding, if any part or area of a basement floor in a building shall be devoted to the permitted principal use, including but not limited to retail sales, services or office space, such part or area shall be included in the computation of floor area where such computation determines off-street parking requirements under article VI of this chapter.

Garden apartments. A building or group of buildings situated on one lot and containing separate dwelling units for no less than twelve families.

Height of building. The distance from the highest roof point to the average elevation of the ground level at the foundation wall of the building.

Institutional uses. Nonprofit institutions limited to churches, public or private schools covering grades kindergarten through grade twelve, hospitals for humans and libraries.

Lot. A parcel of land, the location, dimensions and boundaries of which are set forth on the latest village tax map. Despite what may be disclosed on the current village tax map, however, if contiguous lots are in common ownership and shall have been

treated by the owner or owners as one lot, the entire land area so treated shall, for the purposes of administering and enforcing this chapter, be construed to be one lot.

(a) **CORNER LOT.** A lot at the junction of and having frontage on two or more intersecting streets. A corner lot is also a lot bounded on two or more sides by the same street. The greater frontage of a corner lot is its depth, and its lesser frontage is its width.

(b) **LOT DEPTH.** The mean distance between the front and rear property lines of any lot.

(c) **LOT WIDTH.** The shortest straight line distance between the two sidelines of any lot. If a lot shall not have parallel sidelines, the average of such widths taken at ten-foot intervals and parallel to the front street sideline throughout the depth of the lot shall constitute the average width of the lot.

(d) **LOT AREA.** The total square unit contents of any lot as measured within the lot lines.

(e) **LOT FRONTAGE.** In the case of a lot running through from one street to another, the front of such lot shall, for the purposes of this chapter, be considered that frontage upon which the majority of the buildings in the same block front; but in case there has been no clearly defined frontage established, the owner may, when applying for a building permit, specify on his permit application which lot line shall be considered the front lot line.

Municipal use. Any use by the village of any property owned or leased by it.

Nonconforming use. A use which is being lawfully exercised within a structure or on land on September 16, 1965, or on the date of adoption of any amendments to this chapter, and which does not conform with the regulations and requirements of the zone district in which it is located after September 16, 1965.

Nonresidential zones. Those zones set forth in section 33-4, and known as B-1, B-2, C, O-B, O-B-2 and P zone districts.

Occupancy or occupied. Any dwelling unit shall be construed to be occupied if one or more persons or a family customarily reside in such dwelling unit overnight.

Open space zoning. The creation of lots of less area or frontage than that normally required for the zone district in which such

lots are located, and by subdivision designed and arranged in such a manner as to maintain the standard density requirements of the zone district in which open space zoning is permitted, as an optional method for developing property, so as to permit the use of the additional unused area for open space by the village for public uses, parks and recreational facilities and the title to which by virtue of the permitted reduction, shall vest in the village.

Parking area. An open area other than a street or other public road or way used for the parking of motor vehicles, including access drives or aisles for ingress and egress thereto and therefrom.

Parking space. A rectangular space measuring not less than nine feet in width and twenty feet in length and used as an accommodation for off-street motor vehicle parking, exclusive of access drives or aisles; provided, that any parking space that extends beyond a curb along the periphery of a parking area, as approved by the planning board, need only be eighteen feet in length measured from the face of the curb to the edge of the required aisle. All parking spaces shall have adequate provisions for ingress and egress, as required by section 33-55(h).

Principal use or structure. A principal use is the primary or predominant use of any lot. A principal structure is one devoted to the principal use.

Private garage. A detached accessory building, or a portion of a principal building, used primarily for the storage of motor vehicles owned or used by the occupant of the principal building to which the garage is an accessory.

Public garage or gasoline service station. Any building, structure, lot or land in or upon which a business, service or

industry involving the storage, maintenance, washing or servicing, and storage in connection therewith, of motor vehicles is maintained, conducted, operated or rendered.

Public utility facilities. Telephone and electric lines, poles, equipment and structures, water or gas pipes, mains, valves or structures, or sewer pipes, valves or structures, maintained, operated and conducted for the service, convenience, necessity, health and welfare of the general public, whether owned by any arm or creature of the local, state or federal government or by any privately-owned public utility corporation.

Residential zones. Those zones set forth in section 33-4 and known as R-1, R-2, R-3, R-4 and R-5 zone districts.

Single-family residence. A building or structure lawfully accommodating only one family.

Single ownership. As distinguished from common ownership as defined in this section, single ownership shall be ownership of a single lot by one person, or jointly by two or more persons, whether as joint tenants, tenants by the entirety, or tenants in common.

Signs. Any device, freestanding or attached to a building or structure, or erected, painted, represented or reproduced upon or in any building or structure, which displays, reproduces or includes any letter, word, name, number, model, insignia, design, device or representation used for one or more of the following purposes: To identify the premises or occupant or owner of the premises; to advertise any trade, business, profession, industry, service or other activity; to advertise any product or item; to advertise the sale or rental or use of all or any part of any premises, including that upon which it is displayed; to direct vehicular or pedestrian traffic other than state, county or village highway and roadway markers; and shall include any announcement, declaration, demonstration, display, illustration, insignia or any representation used to advertise or intended to advertise or promote the interests of any person. "Sign" shall not be construed to mean any nonilluminated sign in the interior of any structure unless specifically designated as such in article VII.

Story. That portion of a building included between the surface of any one floor, exclusive of any basement, and the surface of the

floor next above it, or if there is no floor above it, then that portion of the building included between the surface of any floor and the ceiling next above it.

Street sideline. The outermost line of the whole area devoted to street purposes on either side thereof. Street sideline is synonymous with street right-of-way line, but generally throughout this chapter, the former is used in conjunction with existing streets and the latter is used in conjunction with proposed streets.

Structure. An object consisting of one or more fabricated or natural materials which is constructed, erected or placed below, upon or above ground level and shall include any building, edifice, construction or piece of work, or any part thereof, or any combination of related parts, including an object attached thereto.

Yards.

(a) **FRONT YARD.** An open, unoccupied space (unless occupied by a use hereinafter specifically permitted) extending across the full width of any lot and lying between the front street sideline and the nearest line of any building on such lot; provided, that where there is a proposed widening of the right-of-way of any street as shown on the master plan of the village, the front yard setback requirement shall be measured from the proposed right-of-way line as shown on the master plan rather than from the existing front street sideline. No steps shall extend into any street right-of-way in any zone district. Front steps extending not more than sixty inches from the front line of any building and within the required front yard shall not be construed as part of such building unless said steps are fully enclosed.

(b) **REAR YARD.** An open, unoccupied space (unless occupied by an accessory building or use hereinafter specifically permitted) extending across the full width of any lot between the rear line of any principal building thereon and the rear lot line of such lot.

(c) **SIDE YARD.** An open, unoccupied space (unless occupied by a use hereinafter specifically permitted) extending from the rear front yard line to the front rear yard line of any lot between either side lot line and the sideline of the principal building nearest thereto.

curb line proposed on the master plan or official map of the village.

(g) Prior to the issuance of any building permit, zoning permit or certificate of occupancy, as the case may be, the planning board shall have submitted to it for review and approval a site plan as required in article V.

(h) All ground level stores must contain window areas on any side abutting any street of not less than ten percent of an area equal to ten feet times the width of the said exterior wall abutting any street. (Ord. No. 1316, § 1703; Ord. No. 1538, § 1.)

ARTICLE XVII. B-2 RETAIL BUSINESS DISTRICT.

Sec. 33-118. Primary intended use; other permitted uses.

The B-2 retail business zone district shall be limited to retail sales and retail service businesses, as well as offices for professional and business uses, and all as permitted and regulated in subsection (a) of section 33-115, and the following additional uses:

(a) Billiard rooms, bowling alleys, buildings used for club, fraternal, recreational, athletic or social purposes, coin-operated self-service laundries and dry cleaning and accessory uses, shop of an electrician or similar tradesman, franchised new-car dealer showrooms and customary accessory uses and used-car lots as an accessory use thereto; provided, that there shall not be more than one square foot of area devoted to used-car lot use for each square foot of all buildings devoted to new-car dealer use, furniture mover, hand laundries, newspaper or job printing plants, shop of a plumber or similar tradesman, telephone and telegraph business offices, and telephone and telegraph equipment offices.

(b) Public garages and gasoline service stations as regulated in article III, but not including car washing as a principal use.

(c) Institutional and municipal uses and public utility facilities as regulated in section 33-22 and signs as regulated under article VII.

(d) There shall be provided within the B-2 retail business zone district parking facilities as regulated in article VI.

(e) Any use permitted by this section, unless otherwise

specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building. (Ord. No. 1316, § 1801; Ord. No. 1450, § 1.)

Sec. 33-119. Prohibited uses.

Any uses other than those uses permitted by section 33-118 are prohibited. Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit wholesale warehousing, with the exception of the storage of furniture and furnishings as an accessory use to any use permitted for a furniture mover, and those uses prohibited by section 33-116, unless otherwise specifically permitted in this article. (Ord. No. 1316, § 1802; Ord. No. 1450, § 1.)

Sec. 33-120. Required conditions.

The following conditions and requirements shall be complied with in the B-2 retail business zone district:

- (a) No building shall exceed a height of forty-five feet.
- (b) Every building shall be set back not less than forty-two feet from the center line of any abutting street. This provision shall be applicable to any corner lot in the B-2 retail business zone district regardless of anything hereinbefore contained in section 33-15.
- (c) Every principal building may be built without any side yard; provided, that where a side yard in the B-2 retail business zone district shall abut the side yard of any residential zone, there shall be provided a minimum side yard of twelve feet. In the event that a side yard be provided for a structure within the B-2 retail business zone district, such side yard shall be not less than twelve feet.
- (d) There shall be a rear yard equal to six inches for each foot of height of the principal building upon said premises, provided, that no rear yard shall be less than ten feet.
- (e) No store frontage within the B-2 retail business zone district shall be less than fifteen feet in width.
- (f) No vault rights shall extend past the existing curb line or the curb line proposed on the master plan or the official map of the village.

(g) Prior to the issuance of any building permit, zoning permit or certificate of occupancy, as the case may be, the planning board shall have submitted to it for review and approval a site plan as required in article V.

(h) All ground level stores must contain window areas on any side abutting any street of not less than ten percent of an area equal to ten feet times the width of said exterior wall abutting any street. (Ord. No. 1316, § 1803; Ord. No. 1538, § 1.)

ARTICLE XVIII. C COMMERCIAL DISTRICT.

Sec. 33-121. Primary intended use; other permitted uses.

The C commercial zone district shall be limited to those uses permitted in the B-2 retail business zone district as well as the following additional uses:

(a) Auto body repair shop, cleaning, dyeing, pressing, tailoring and laundering or like operations done for the trade or on a wholesale basis, jobbing or distributing establishment, storage warehouse, storage yard supplying coal, wood, oil and building materials, welding shop, wholesale business and wood-working shop.

(b) Light machine shop and limited manufacturing, processing and fabrication of products and materials; provided, the operations for any such permitted use shall not exceed the limitations imposed by the performance standards set forth in section 33-124; also veterinarian hospitals and establishments wholly contained in a soundproof building or buildings.

(c) There shall be provided within the C commercial zone district, parking facilities as regulated in article VI.

(d) Any use permitted by this section, unless otherwise specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building. (Ord. No. 1316, § 2001.)

Sec. 33-122. Prohibited uses.

Any uses other than those uses permitted by section 33-121 are prohibited. Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit commercial incinerations, junk yards, rubbish, garbage or trash dumps, residential construction or conversion of structures to residential uses, stock yards, abattoirs, slaughter houses, or other animal processing operations. Without in any way limiting the generality and prohibition of this section, no land or building shall be used or occupied for a use which will in any manner create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard, or noise or vibration, or smoke, dust,

Exhibit D

VILLAGE OF RIDGEWOOD

ORDINANCE NO. 1949

AN ORDINANCE TO AMEND CHAPTER 35
OF THE RIDGEWOOD VILLAGE CODE, LAND USE AND
DEVELOPMENT, SECTION 78, MAP AND SCHEDULE OF
REQUIREMENTS, TO DELETE LOTS 8 THROUGH 35, 39 AND 40
OF BLOCK 3905 FROM THE B-2 DISTRICT
AND TO ADD LOTS 8 THROUGH 35, 39 AND 40
OF BLOCK 3905 TO THE R-3 ZONE DISTRICT
AS SET FORTH IN THE CODE

BE IT ORDAINED by the Council of the Village of Ridgewood:

Section 1. Section 35-78 of the Ridgewood Village Code entitled
"Map and Schedule of Requirements" is hereby amended by amending the
Zoning Map of the Village of Ridgewood to change the Zone District of
Lots 8 through 35, 39 and 40 of Block 3905 as delineated on the map
attached hereto and made a part herein as indicated thereon.

The purpose of this amendment is to rezone Lots 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,
34, 35, 39 and 40 of Block 3905 from their present designation of B-2 to a
new designation of R-3.

Section 2. Except as herein amended and supplemented, Chapter 35,
Land Use and Development, of the Ridgewood Village Code shall remain
in full force and effect.

Section 3. This ordinance shall take effect upon passage and
publication as required by law.

Adopted: October 9, 1984

ATTEST:

William C. Lee
Acty. Dep. Village Clerk

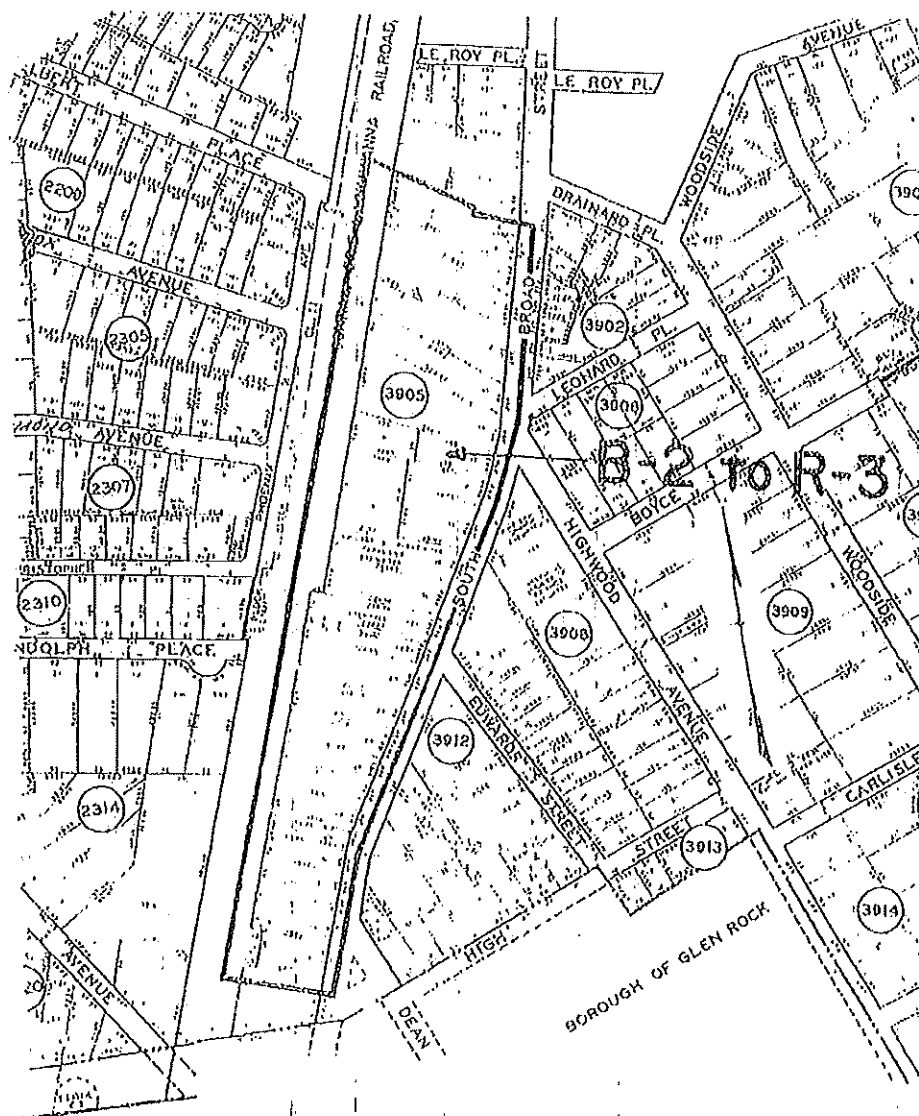
William C. Lee

Frank Ryan

John W. Smith

Robert J. Smith

Marlin H. Smith



REPRODUCED FROM THE 1950 AERIAL PHOTOGRAPHIC SURVEY OF THE BOROUGH OF GLEN ROCK, NEW JERSEY, BY THE NEW JERSEY DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING AND ZONING, IN COOPERATION WITH THE BOROUGH OF GLEN ROCK, NEW JERSEY, AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS.

Exhibit E

Chapter 190

LAND USE AND DEVELOPMENT

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§ 190-6.	Historic Preservation Commission.	§ 190-23.	Payment for professional services.
§ 190-7.	General provisions applicable to Planning Board, Zoning Board of Adjustment and Historic Preservation Commission.	§ 190-24.	Inspection fees.
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RIDGEWOOD CODE

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[HISTORY: Adopted by the Village Council of the Village of Ridgewood 4-9-1996 by Ord. No. 2561.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Historic Preservation Commission — See Ch. 29.	Property maintenance — See Ch. 223.
Condominium conversion — See Ch. 123.	Sewers and sewage disposal — See Ch. 238.
Uniform construction codes — See Ch. 125.	Soil removal — See Ch. 246.
Fees — See Ch. 145.	Streets and sidewalks — See Ch. 249.
Flood damage prevention — See Ch. 154.	Swimming pools — See Ch. 251.
Housing standards — See Ch. 175.	Trees and shrubs — See Ch. 260.

1. Editor's Note: This ordinance also repealed former Ch. 190, Land Use and Development, adopted 12-26-1978 by Ord. No. 1695, as amended.

- (1) Renovation and conversion of a single existing structure for dwelling units.
 - (2) Public or private schools for kindergarten through grade 12.
 - (3) Houses of worship.
 - (4) Public utility buildings and structures.⁵⁷
- D. Prohibited uses. Any uses other than those permitted by this section are prohibited.
- E. Bulk and lot regulations. All bulk and lot regulations set forth in § 190-102E shall be complied with.

§ 190-106. R-3 Two-Family Residence District.

- A. Principal uses and structures. The following principal uses and structures shall be permitted: **[Amended 2-10-1998 by Ord. No. 2620; 10-13-1998 by Ord. No. 2643; 4-12-2017 by Ord. No. 3591]**
- (1) Single-family residential uses in detached single-family residential structures.
 - (2) Two-family residential uses in a single structure on the same lot.
 - (3) Municipal buildings owned or leased by the Village of Ridgewood and used for public purposes.
 - (4) Community residences and shelters as defined in § 190-3.
- B. Accessory uses and structures. The following accessory uses and structures shall be permitted, provided that they are located on the same premises as the principal use or structure to which they are accessory:
- (1) Private garages as an accessory use for up to four motor vehicles, subject to § 190-121G(3).
 - (2) Private swimming pools as permitted and regulated by § 190-124T. **[Amended 9-11-2019 by Ord. No. 3730]**
 - (3) Private tennis courts, racquetball courts, paddleball courts, platform tennis courts, handball courts and similar recreation facilities designed to serve the residents on the premises, all as regulated in § 190-124G.
 - (4) Signs, as regulated in § 190-122.
 - (5) (Reserved)⁵⁸
 - (6) The office, contained in a detached single-family or two-family residence, of an ordained clergyman of any faith or Christian Science practitioner, or home office use as defined and regulated by § 190-124Q. **[Amended 4-12-2017 by Ord. No. 3591]**
 - (7) Family day-care homes, as regulated in § 190-124B.
 - (8) Accessory uses customarily incident to the above principal uses, provided that they shall not include any activity commonly conducted for gain unless specifically permitted in this section.

57. Editor's Note: Former Subsection C(5), which permitted nonprofit club uses as a conditional use, was repealed 4-15-2009 by Ord. No. 3177.

58. Editor's Note: Former Subsection B(5), pertaining to home professional offices, was repealed 4-13-2005 by Ord. No. 2933.

- C. Conditional uses and structures. The following conditional uses and structures shall be permitted in the R-3 District only if they comply with the appropriate regulations for such uses or structures in § 190-123: **[Amended 2-10-1998 by Ord. No. 2620; 10-13-1998 by Ord. No. 2643]**
- (1) Public or private schools for kindergarten through grade 12.
 - (2) Houses of worship.
 - (3) Public utility buildings and structures.⁵⁹
- D. Prohibited uses. Any uses other than those permitted by this section are prohibited.
- E. Bulk and lot regulations. The following conditions and requirements shall be complied with:
- (1) Maximum building height: 30 feet.
 - (2) Minimum front yard: 40 feet or mean prevailing setback as established in § 190-119A(1)(d). **[Amended 11-8-2023 by Ord. No. 3973; 1-17-2024 by Ord. No. 3980]**
 - (3) Minimum side yard: 10 feet.
 - (4) Minimum both side yards: 33% of the lot width measured at the minimum front yard setback line.
 - (5) Minimum rear yard: 30 feet.
 - (6) Minimum lot area: 8,400 square feet; provided, however, that the minimum lot area of corner lots shall be 12,600 square feet. **[Amended 7-18-2001 by Ord. No. 2744]**
 - (7) Minimum lot width: 60 feet, measured at the minimum front yard setback line, and 50 feet at any other point within 140 feet of the front lot line; provided, however, that the minimum lot width of corner lots shall be 90 feet at the minimum front yard setback line and 80 feet at any other point within 140 feet of the front lot line. **[Amended 7-18-2001 by Ord. No. 2744]**
 - (8) Minimum average lot width: 60 feet, calculated so that at least 8,400 square feet of lot area shall be provided within 140 feet of the front lot line; provided, however, that the minimum average lot width of corner lots shall be 90 feet, calculated so that at least 12,600 square feet of lot area shall be provided within 140 feet of the front lot line. **[Amended 7-18-2001 by Ord. No. 2744]**
 - (9) Minimum lot depth: 120 feet.
 - (10) Maximum total coverage by above-grade structures: 25% of the land area of the lot.
 - (11) Maximum coverage by above-grade structures located within 140 feet of the front lot line: 25% of the lot area within 140 feet of the front line. For corner lots, the distance shall be measured from all lot frontages. **[Amended 11-8-2023 by Ord. No. 3973; 1-17-2024 by Ord. No. 3980]**
 - (12) Maximum gross building area: as set forth in § 190-119J. **[Amended 10-10-2007 by Ord. No. 3083]**
 - (13) Maximum gross building area within 140 feet of the front lot line: as set forth § 190-119J, provided that the gross building area shall be calculated using only those buildings or portions

59. Editor's Note: Former Subsection C(4), which permitted nonprofit club uses as a conditional use, was repealed 4-15-2009 by Ord. No. 3177.

buildings, and only that portion of the lot, located within 140 feet of the front lot line. For corner lots, the distance shall be measured from lot frontages. **[Amended 10-10-2007 by Ord. No. 3083; 11-8-2023 by Ord. No. 3973; 1-17-2024 by Ord. No. 3980]**

- (14) Minimum buildable area. Within any lot developed or intended to be developed for residential purposes, there shall be provided within the building envelope a rectangular area having a width of 40 feet and a depth of 50 feet. For purposes of administering this requirement, the rectangle width shall be construed to be that dimension that is generally parallel with the lot width, and the rectangle depth shall be construed to be that dimension that is generally parallel with the lot depth. The buildable area rectangle shall be located so as to encompass the existing principal building and above-grade structures attached to the principal building, unless such building and structures occupy an area larger than the rectangle or are located outside of the building envelope, in which case the rectangle shall encompass as much as possible of such building and structures within the building envelope. New principal buildings and attached above-grade structures shall also be located so as to result in compliance with the foregoing requirement. **[Added 10-25-2000 by Ord. No. 2713; amended 7-18-2001 by Ord. No. 2744]**
- (15) Minimum usable area. **[Added 7-18-2001 by Ord. No. 2744]**
- (a) Within any lot developed or intended to be developed for residential purposes, there shall be provided a usable area rectangular in shape and having a width of 50 feet and a depth of 120 feet. For purposes of administering this requirement, the rectangle width shall be construed to be that dimension that is generally parallel with the lot width, and the rectangle depth shall be construed to be that dimension that is generally parallel with the lot depth. Such usable area rectangle shall encompass the buildable area rectangle on the lot required by Subsection E(14) above and shall also be located to comply with the following:
- [1] The front of the usable area rectangle shall be parallel to and 40 feet from the front of the buildable area rectangle.
 - [2] The sides of the usable area rectangle shall be parallel to and five feet from the sides of the buildable area rectangle. **[Amended 8-21-2001 by Ord. No. 2753]**
 - [3] The rear of the usable area rectangle shall be parallel to and 30 feet from the rear of the buildable area rectangle.
- (b) The terms "front," "side" and "rear" in the foregoing Subsection E(15)(a)[1], [2] and [3] shall be construed to mean those sides of the rectangle that generally face the front, side and rear lot lines, respectively. The area within the usable area rectangle, and including the area within the buildable area rectangle, shall comply with the provisions of § 190-120.
- (16) Maximum coverage by improvements: as set forth in § 190-119H(1) and (2). **[Added 4-12-2017 by Ord. No. 3591]**

§ 190-107. R-4 Garden Apartment Residence District.

- A. Principal uses and structures. The following principal uses and structures shall be permitted: **[Amended 2-10-1998 by Ord. No. 2620; 10-13-1998 by Ord. No. 2643; 8-9-2006 by Ord. No. 3015; 4-12-2017 by Ord. No. 3591]**

- (1) Garden apartments, multifamily dwellings and single-family attached residential dwelling units.

(2) Signs for nonresidential uses shall comply with the following requirements:

(a) Type and number of signs. One wall sign per use, plus one freestanding sign per lot, shall be permitted, regulated as follows:

[1] If access is provided to the property solely from Route 17, except for emergency access, the following requirements shall apply:

[a] The area of freestanding signs shall not exceed 75 square feet, and the height shall not exceed 20 feet.

[b] The area of wall-mounted signs shall not exceed two square feet for each horizontal foot of store frontage of the wall upon which the sign is located, or 50 square feet, whichever is less. The height of wall signs shall not exceed 20 feet.

[2] If access is provided from or to the property from streets other than Route 17 (e.g., by variance or nonconforming condition), the following requirements shall apply:

[a] The area of freestanding signs shall not exceed 30 square feet, and the height shall not exceed 10 feet.

[b] The area of wall-mounted signs shall not exceed one square foot for each horizontal foot of store frontage of the wall upon which the sign is located, or 25 square feet, whichever is less. The height of wall signs shall not exceed 15 feet.

(b) Other signs. [Amended 12-14-2022 by Ord. No. 3928]

[1] If access is provided to the property solely from Route 17, except for emergency access, the following requirements shall apply:

[a] Interior window signs (illuminated or nonilluminated) shall be permitted in addition to wall-mounted signs. Each business or tenant may have one or more interior windows signs with a total area not to exceed 15% of the window area associated with the tenant space.

[b] Awning signs shall be permitted as regulated by § 190-122E(2)(f), and license and permitting signs shall be regulated by § 190-122E(5). The area of license and permitting signs shall not apply to the area associated with interior window signs for the purpose of determining maximum permitted sign area.

[2] If access is provided from or to the property from streets other than Route 17 (e.g., by variance or nonconforming condition), the following requirements shall apply:

[a] Interior signs and awning signs shall be permitted as regulated by § 190-122E(2)(d), (e), and (f), and license and permitting signs shall be regulated by § 190-122E(5).

§ 190-123. Conditional uses. [Amended 2-10-1998 by Ord. No. 2620; 10-13-1998 by Ord. No. 2643; 4-10-2002 by Ord. No. 2780; 5-14-2008 by Ord. No. 3120; 4-15-2009 by Ord. No. 3177; 7-8-2009 by Ord. No. 3196; 12-14-2011 by Ord. No. 3323; 2-8-2017 by Ord. No. 3579]

Recognizing that certain uses, activities and structures may be necessary to serve the needs and

convenience of the Village of Ridgewood and its residents, and at the same time recognizing that such uses may be or become adverse to the public health, safety and general welfare if located and operated without proper consideration being given to existing conditions and the character of the surrounding area, such uses are hereby designated as conditional uses. The conditional uses indicated in this section shall be permitted only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this article, and only upon the issuance of an authorization therefor by the Planning Board.

The review by the Planning Board of a conditional use application shall include any required site plan review, and the procedure for obtaining conditional use approval shall be in accordance with the procedures in Article VII for processing and review of site plan applications, unless the context clearly indicates otherwise or unless contrary to other law.

In the event that any conditional use standard conflicts with any other zoning regulation, the conditional use standard shall apply, unless the context indicates otherwise.

If any requirement of this chapter does not conflict with the conditional use requirements in this section, said requirement shall apply to the conditional use, unless the context clearly indicates otherwise. A violation of any such requirement shall not be considered to be a violation of a conditional use standard.

A. Motor vehicle service stations and public garages. A public garage or motor vehicle service station shall only be permitted in the B-2 and C Districts after the following requirements are met:

- (1) A site plan shall be submitted and approved as required in Article VII, and said plan shall show, in addition to all information required by Article VIII, the street entrances and exits or driveways and the precise location of all tanks, pumps, lifts and other machinery and equipment appurtenant thereto, as well as the location, nature of construction and present use of all buildings within 300 feet of the lot lines of the premises for which the application has been filed.
- (2) The nearest lot line of the lot or parcel of land to be used as a public garage or gasoline service station shall be at least 300 feet, measured in a straight line, from the nearest lot line of any lot upon which is located any building used as a theater, auditorium or other place of public assembly capable of seating over 100 persons or used as a church, hospital for humans, college, school, public library or institution for dependents or children or any public playground or athletic field.
- (3) No part of any public garage or gasoline service station nor any driveway entrance or exit to or from the same shall be located within 300 feet of any lot line of any lot upon which is located any other public garage or gasoline service station.
- (4) No part of any public garage or gasoline service station, wherever located, shall be used for any other purpose; provided, however, that car rental sales shall be permitted as an accessory use if all the following requirements are complied with:
 - (a) The parking area of rental vehicles shall meet the same setback, lighting, paving, drainage and screening standards as those required for the minimum off-street parking requirements.
 - (b) The parking area of rental vehicles shall be in addition to the minimum required off-street parking area for all structures located on the premises.
- (5) The minimum lot size for any lot upon which any public garage or gasoline service station is located shall be 14,000 square feet, and the minimum street frontage of such lot shall be 100

- feet. If a public garage or gasoline service station is located on a corner lot, the minimum street frontage on each street shall be 100 feet.
- (6) Entrance and exit driveways to and from any lot upon which is located a public garage or gasoline service station shall have an unrestricted width of not less than 16 feet nor more than 24 feet, shall be located not nearer than 10 feet from any lot line and shall be so laid out as to avoid the necessity of any vehicle leaving the property by backing out across any public sidewalk, street, highway, right-of-way or portion thereof.
 - (7) The area of all driveways and other areas over which motor vehicles are intended to be driven or parked on any lot upon which is located a public garage or gasoline service station shall be paved with bituminous or concrete surface sufficient to meet the Village paving specifications applicable to streets and roadways.
 - (8) On any premises upon which a public garage or gasoline service station is located, all services or repairs to or for motor vehicles, other than such minor items as the changing and filling of tires or the sale of gasoline or oil, shall be conducted within the confines of a building capable of being wholly enclosed. Any vehicles stored outside overnight shall be so stored as to meet the provisions of § 190-124E.
 - (9) No part of any building used as a public garage or gasoline service station and no filling pump or other service appliance, whether for gasoline, oil or any other combustible liquid or material, shall be erected within 10 feet of any side or rear lot line, and the ten-foot free area required hereunder shall be at all times kept free, open and unobstructed for the purposes of ready access by emergency fire and police vehicles.
 - (10) Storage facilities for gasoline, oil or other flammable materials in bulk shall be located wholly underground and no nearer than 35 feet from any lot line other than any street side line. No gasoline or oil pumps, oil or greasing mechanism or other service appliance installed for use at such premises shall be within 10 feet of any street side line, and no gasoline pump shall be located or permitted within any enclosed or semi-enclosed building.
 - (11) A canopy is permitted over the pump islands, provided that said canopy complies with all of the following requirements:
 - (a) The vertical projection of said canopy is no closer to any street right-of-way line than two feet.
 - (b) The vertical projection of said canopy is no closer to any side or rear lot line than 10 feet.
 - (c) The thickness of said canopy or the dimension measured from the topside to the underside of the canopy shall not be greater than 18 inches.
 - (d) The height of said canopy shall not exceed 10 feet to the bottom of the canopy.
 - (e) The vertical projection of the perimeter of the canopy, commonly referred to as the "footprint," shall not be larger than 5% of the lot area.
 - (f) The stanchions or posts holding up the canopy shall be no closer than 1/2 the setback required for a principal building.
 - (12) No part of any building or structure used in whole or in part as a public garage or gasoline service station shall be located within 100 feet of any boundary line of any residential zone

district created by this chapter.

- (13) No permit for the alteration or expansion of any existing public garage or gasoline service station shall be issued except upon compliance by the applicant with all the provisions of this article.
 - (14) The foregoing provisions shall not apply to any municipally owned or operated parking garage.
- B. Institutional uses in the residential zone districts. Institutional uses as defined by § 190-3 are permitted in the R-125, R-110, R-1, R-1A, R-2, R-2A, R-3, R-4, R-5 and R-7 Zone Districts as a conditional use. The following conditional use standards shall apply:
- (1) More than one institutional use on a lot. More than one institutional use shall be permitted on a lot or as part of the same development, such as but not limited to a house of worship and school as part of the same development.
 - (2) Accessory uses. Uses that are customarily incidental and subordinate to the primary institutional use and part of the same development as the primary use shall be permitted.
 - (3) Residences for institutional use staff. Residences for the staff of institutional uses, such as but not limited to parsonages, rectories, convents, manses and vicarages, used solely or primarily as housing shall be permitted on the same lot or on lots separate from the institutional use, subject to the following:
 - (a) When such a residence is located on a separate lot from the institutional use, it shall not be considered a conditional use, but shall be subject to all of the provisions applicable to residences in the zone district within which it is located.
 - (b) When such a residence is located on the same lot as the institutional use, and it is located within a separate building and its yard areas, its accessory uses and its accessory structures are generally distinct and separate from the institutional use, then it shall not be considered a conditional use, but shall be subject to all of the provisions applicable to residences in the zone district within which it is located, with that portion of the lot devoted to the residence considered its "lot" for purposes of complying with such requirements. Furthermore, the residential portion shall be excluded from the institutional use lot for the institutional use for purposes of complying with the requirements for the institutional use in this subsection.
 - (c) When such a residence is located within the same building as the institutional use, or is located in a separate building but its yard areas, its accessory uses and its accessory structures are not distinct and separate from the institutional use, such residence shall be considered part of the institutional use and shall be subject to all of the requirements applicable to the institutional use.
 - (4) Minimum lot area: one acre (43,560 square feet) net developable area, which shall be defined as the gross lot area minus wetlands, wetland transition areas and any other areas within which development is prohibited, subject to the following:
 - (a) In cases where multiple contiguous lots or noncontiguous lots located within 200 feet of each other are devoted to the same institutional use, the cumulative area of the lots devoted to the use shall be used in determining compliance with this requirement. For example, if a house of worship or school owns and uses a parking area on an adjacent lot or on a lot located across the street, the area of both lots shall count towards the minimum lot area.

- (b) The area of noncontiguous lots that are not located within 200 feet of each other and the area of contiguous or noncontiguous lots that are not used for the same development shall not be counted together for purposes of the complying with the minimum lot area. For example, if a religious school is located on a separate lot than the house of worship with which it is affiliated and the two uses are generally developed and operate in an independent manner, then each use shall be considered a separate institutional use and each lot must comply with the minimum lot area requirement.
- (c) The area of lots used by residences for institutional use staff are regulated by § 190-123B(3) above.
- (5) Minimum lot width: 150 feet for lots devoted to the principal building and use. Lots devoted solely to accessory parking shall have a minimum width of 100 feet for interior lots and 120 feet for corner lots.
- (6) Minimum lot depth: 200 feet.
- (7) Maximum floor area ratio: 15% of the lot area.
- (8) Maximum coverage by above-grade structures: 20% of the lot area.
- (9) Maximum improvement coverage: 65% of the lot area.
- (10) Maximum building height: 45 feet.
- (11) Minimum yard setbacks for principal buildings and accessory buildings having a floor area greater than 750 square feet:
 - (a) Front yards: as required in the zone for dwellings. For the purpose of administering this yard setback requirement, the height of the building shall be calculated using the height of any steeple, tower, minaret or similar structure
 - (b) Side yards: the height of the building or 40 feet, whichever is greater.
 - (c) Rear yard: the height of the building or 50 feet, whichever is greater.
 - (d) Steeples, towers, minarets, and similar structures: the height of such structure or as otherwise required for the principal or accessory building, whichever is greater.
- (12) Minimum yard setbacks for accessory buildings having a floor area up to 750 square feet:
 - (a) Front yards: the same as required for principal buildings.
 - (b) Side yards: the height of the building or 15 feet, whichever is greater, unless the buffer requirements of Subsection B(15) below impose a greater requirement.
 - (c) Rear yards: the height of building or 15 feet, whichever is greater, unless the buffer requirements of Subsection B(15) below impose a greater requirement.
- (13) Minimum yard setbacks for parking areas and driveways:
 - (a) Front yards: the same as required for principal buildings.
 - (b) Side yards: 15 feet, unless the buffer requirements of Subsection B(15) below impose a greater requirement.

- (c) Rear yards: 15 feet, unless the buffer requirements of Subsection B(15) below impose a greater requirement.
- (14) Minimum yard setbacks for outdoor use areas such as playgrounds, sports fields, courts, etc.:
 - (a) Front yards: the same as required for principal buildings.
 - (b) Side yards: 25 feet, unless the buffer requirements of Subsection B(15) below impose a greater requirement.
 - (c) Rear yards: 25 feet, unless the buffer requirements of Subsection B(15) below impose a greater requirement.
- (15) A buffer area shall be provided along the common boundary of the institutional use with any adjacent property in a residential zone district that is developed for residential use or is vacant and able to be developed for residential use in conformance with the zone regulations. Such buffer area shall be planted with screening vegetation and a solid fence, as approved by the Planning Board. In the front yard, the design of the buffer area may be modified, or the buffer may be eliminated entirely, as determined by the Board, in order to provide adequate sight distance for driveways or to maintain the residential streetscape in the neighborhood, while still providing an adequate buffer for adjacent residential properties. The minimum depth of the buffer, measured perpendicular to the property line, shall be as set forth below:

Net developable area of property	Minimum buffer depth
Up to 50,000 square feet	10 feet
Over 50,000 square feet	10 feet, plus one foot of additional depth for each additional 5,000 square feet of additional net developable area, or fraction thereof, greater than 50,000 square feet; provided, however, that no buffer shall be required to have a depth greater than 30 feet.

- (a) For purposes of this requirement, "net developable area" shall be defined as the gross area of the property minus wetlands, wetland transition areas and any other areas within which development is prohibited.
- C. (Reserved)
- D. Single-family attached residential units. Single-family attached residential units shall be permitted in the R-1A District only after the following requirements are met:
 - (1) A site plan shall be submitted and approved as required in Article VII, and said plan shall show, in addition to all information required by Article VIII, that all standards established herein for single-family attached units as a conditional use will be complied with.
 - (2) Height. No structure containing a single-family attached unit shall exceed a height of 30 feet.
 - (3) Setbacks. No building or structure shall be located closer than:
 - (a) Fifty feet to any public street or highway.

- (b) Twenty feet to the curblineline or edge of pavement of any internal private road.
 - (c) Ten feet to the pavement edge of a driveway where said driveway traverses the setbacks between buildings as hereinafter regulated in § 190-123D(7).
 - (d) Forty feet to any other property line.
- (4) Buffer areas. Those setbacks required in § 190-123D(3) above shall be landscaped areas and shall not contain any building structure. Off-street parking is not permitted within the 40 foot setback required in § 190-123D(3)(d) above.
- (5) Density. The gross density for any development in the R-1A Zone shall not exceed 3.5 single-family attached dwelling units per acre. The maximum number of dwelling units permitted for any project shall be determined by multiplying the total area of the tract in acres, exclusive of any abutting public streets, by 3.5. Any fractional number of units shall be treated as one unit.
- (6) Minimum tract size. Single-family attached units will only be permitted on a tract having a minimum area of eight acres.
- (7) Distance between buildings. No structure containing a single-family attached dwelling unit shall be permitted closer to another structure containing a single-family attached dwelling unit than a distance which equals 75% of the sum of heights of the two said structures or 30 feet, whichever results in the greater distance.
- (8) Landscaping. A landscaping plan shall be submitted and be subject to review and approval by the Planning Board at the same time as the site plan. The landscaping plan will show in detail the location, size and type of all plantings, including lawns, to be used on the site. All areas not used for buildings or off-street parking shall be included in the landscaped plan. All parking and service areas shall be screened so that said areas are shielded from residential areas adjacent to the site.
- (9) Lighting. Yard lighting shall be provided during the hours of darkness to provide illumination for the premises and all interior sidewalks, walkways and parking areas thereon. All wiring shall be laid underground, and all lighting fixtures shall be arranged so that the direct source of light is not visible from any residential areas adjacent to the site.
- (10) Architecture and construction.
- (a) From a design and construction standpoint, a single-family attached residence structure has two basic options, as follows:
 - [1] It shall be designed and constructed to resemble a large single-family residence; or
 - [2] It shall be designed and constructed with appropriately different single-family attached residence setbacks and rooflines so as to reflect the combination of more than one but not more than four single-family attached residences.
 - (b) The architecture employed shall be esthetically in keeping with the surrounding area and shall be subject to approval by the Planning Board. All buildings shall be constructed in accordance with the building code and shall comply with the following requirements:
 - [1] The exterior of each building wall of single-family attached residences shall be of wood, brick or stone facing, solid brick or stone or some other acceptable durable material. Asbestos shingle and cinder or concrete block as exterior finishes are

prohibited. The applicant shall submit to the Planning Board for review and approval, in addition to any and all other documents required by any other ordinance concerning site plan review, floor plans, elevation drawings, color rendering and detailed finish schedules.

- [2] The exterior of any accessory structures shall harmonize architecturally with and be constructed of materials of a like character to those used in principal structures.
 - [3] There shall be between single-family attached residences a soundproof fire wall constructed according to the specifications approved by the Village Engineer. Such noncombustible wall shall have a sound transmission classification (STC) of not less than 52 based on the laboratory test procedure specified in the ASTM (American Society of Testing Materials) recommended practice E-90-66T.
- (11) Utilities. Every single-family attached residential unit must be connected to the public sanitary sewer and water systems as approved by the Village Engineer.
 - (12) Roads. All roads within the project shall be private roads at least 24 feet wide, constructed and maintained by the developer pursuant to specifications prepared by the Village Engineer and subject to approval by the Planning Board.
 - (13) Master deed. The developer shall furnish to the Village as a condition of site plan approval such guaranties, covenants, master deed or builder's agreement which shall satisfy the requirements of the Planning Board for the construction and maintenance of common areas, landscaping, recreational areas, public improvements and buildings.
 - (14) Units per structure. No structure shall contain more than four single-family attached dwelling units.
 - (15) Impact statement. An environmental impact statement shall be prepared and submitted which will include an assessment, supported by engineering data, of the environmental impact of the project relating to vehicular traffic, noise, storm drainage, sanitary sewer facilities.
 - (16) The Planning Board shall require entrances and exits to the site at locations and widths that will minimize traffic congestion and result in the best vehicular and pedestrian circulation pattern both on and abutting the site. The Planning Board may require the applicant to submit a traffic engineering study prepared by a licensed professional traffic engineer which will indicate the impact that the development of the site will have on surrounding roads. This traffic study shall include an analysis of estimated peak hourly traffic to be generated by the proposal and an assignment of estimated peak hourly traffic by percentage and volume to surrounding streets. If the results of the study indicate necessary off-site improvements to existing Village streets, the applicant shall contribute a prorated share of such improvements as determined by the Planning Board.
 - (17) Building coverage. Not more than 20% of the total tract area shall be covered by any above-grade buildings or structures.
 - (18) Total impervious coverage. Not more than 35% of the total tract area shall be covered by any impervious material, including but not limited to buildings, structures, driveways, parking areas, patios, walkways, game areas such as tennis courts, swimming pools and the like.
 - (19) Common open space. The developer of single-family attached residential units as a conditional use shall make provision for the establishment of an open space organization which shall own

and maintain all common open space for the benefit of owners or residents of the development, in accordance with § 190-48.

- E. Cellular telecommunications antennas. Cellular telecommunications antennas are permitted in the OB-2 Zone District as a freestanding structure and are permitted in the B-1, B-2, OB-1, OB-2, C and H Zone Districts if attached at or near the top of an existing tall structure, only if all of the following requirements are complied with:

- (1) Intent. The provisions of this chapter are intended to:

- (a) Reasonably accommodate cellular telecommunications as may be required by the Federal Telecommunications Act of 1996 and by the Federal Communications commission.
- (b) Minimize the number of towers or monopoles in the Village and to encourage as an alternative the installation of cellular telecommunications antennas at or near the top of existing tall structures.
- (c) Encourage the collocation of cellular telecommunications antennas on as few structures as necessary, rather than locating such antennas each on separate structures.
- (d) Mitigate the visual impacts from cellular telecommunications antennas in all areas through proper location and through the use of creative and compatible design.
- (e) Protect residential areas from encroachment by incompatible uses, specifically cellular telecommunications antennas, and to provide for the appropriate separation of residential uses and cellular telecommunications antennas.
- (f) Avoid the potential damage to adjacent properties from tower or antenna failure or from falling ice from such structures through stringent engineering and siting of tower structures.

- (2) (Reserved)

- (3) Requirements for freestanding antennas. In addition to any other applicable requirements of this chapter, the following requirements shall apply to freestanding cellular telecommunications antennas:

- (a) Freestanding cellular telecommunications antennas shall be permitted only in the OB-2 Zone District, and only if the applicant demonstrates to the satisfaction of the Board that the purposes set forth in § 190-123E(1)(a) through (f) are satisfied by the application, and in particular that no other space is reasonably available on any other existing or pending structure, within or outside the Village, that would conform with the provisions of this Subsection § 190-123E and that would provide adequate communication pursuant to the Telecommunications Act of 1996. In order to demonstrate the foregoing, the applicant shall submit an inventory of all existing antenna towers, building-mounted antennas and sites approved or pending approval, as well as all other tall buildings, water towers, utility towers and similar structures within the area being served by the proposed freestanding antenna.
- (b) No freestanding tower or antenna structure shall exceed a height of 120 feet. Any buildings or equipment accessory to or servicing the cellular telecommunications tower or antenna shall conform with the height requirements otherwise applicable in the zone district. The height of such structures shall be measured as set forth in § 190-119D(6).

- (c) Any freestanding tower or antenna structure shall be set back from any property line a distance equal to or greater than the height of the tower and antenna. Any buildings or equipment accessory to or servicing the cellular telecommunications tower or antenna shall conform with the setback requirements otherwise applicable in the zone district.
- (d) Any proposed cellular telecommunications antenna and related structures shall be designed, structurally, electrically and in all respects, to accommodate both the applicant's antennas and additional antennas that may be installed in the future by the applicant or other telecommunications service providers as required below, unless the applicant demonstrates to the satisfaction of the Board that such collocation is not feasible or necessary to minimize the number or visible impact of future antennas.
 - [1] The antenna shall provide space for the antennas and related structures of at least two additional users if the antenna is over 100 feet in height.
 - [2] The antenna shall provide space for the antennas and related structures of at least one additional user if the antenna is over 60 feet and equal to or less than 100 feet in height.
 - [3] The antennas and related structures shall be designed for future rearrangement of antennas and to accept antennas mounted at varying heights.
 - [4] The applicant shall provide a letter of commitment, submitted prior to any approval by the Board, to lease excess space on the facility to other potential users at reasonable rental rates and on reasonable terms. The letter shall commit the owner of the antenna and related structures and equipment, as well as any successors in interest.
 - [5] If the foregoing design for collocation requires additional antenna height or structures beyond that necessary for a single-user installation or beyond that permitted above, the Board, in determining the acceptable design, shall balance the benefits and probability of collocation against any detriments resulting from such additional antenna height or structures and may waive such collocation requirement if the detriments to the public welfare outweigh the benefits.
- (e) The base of any freestanding antenna support structure and any structures accessory to or servicing the tower and antenna structure, except for buildings, shall be screened from the street and adjacent properties by a solid wood fence six feet high and by a planted buffer. The depth of the buffer shall be sufficient to accommodate the future growth of the plantings in the buffer, depending upon the specific plant(s) used, but not less than 10 feet in depth. The fence shall be located further from the street and adjacent properties than the plantings. The plantings shall be evergreen and shall be at least six feet high at the time of planting. The plantings shall be spaced in such a manner that, depending upon the specific plant used, they can be expected to form a single mass without any apparent breaks or gaps in the screen within five years of planting.
- (f) The antenna and supporting tower shall be designed to simulate the appearance of any of the following:
 - [1] A flagpole;
 - [2] An evergreen tree; or

[3] A brick-faced clock or bell tower.

- (g) No freestanding antenna over 75 feet in height shall be located closer to any other freestanding antenna over 75 feet in height than 15 times the height of the higher antenna. No freestanding antenna less than or equal to 75 feet in height shall be closer to any other freestanding antenna than two times the height of the higher antenna.
 - (h) One off-street parking space shall be provided for every three cellular telecommunications service providers having facilities on the site, in addition to any other parking that is required on the property for other uses. Fractional space requirements shall be rounded up to the next higher whole number.
- (4) Requirements for antennas mounted on an existing structure. In addition to any other applicable requirements of this chapter, the following requirements shall apply to cellular telecommunications antennas mounted on an existing structure:
- (a) The existing structure shall be at least 40 feet in height.
 - (b) The antenna(s) shall be located at or near the top of the existing structure.
 - (c) The height of such antenna and related structures above the ground shall not exceed the height above the ground of the existing structure in the location of the antenna by more than 15 feet.
 - (d) The antenna and related structures shall be set back from the building facade a distance equal to or greater than the height of such antenna and related structures above the elevation of the building where the antenna and related structures are mounted.
 - (e) When visible from any abutting street or property, the antenna and related structures shall be screened, as much as possible without interfering with antenna transmission and reception, by materials that have the same color and finish as the building facade, or when mounted on the roof of a building with a sloped roof, have the same color and finish as the roofing material. If complete screening is not provided, the applicant shall have the burden of proving that the same is not possible without interfering with antenna reception and transmission.
 - (f) One off-street parking space shall be provided for every three cellular telecommunications service providers having facilities on the site, in addition to any other parking that is required on the property for other uses. Fractional space requirements shall be rounded up to the next higher whole number.
- F. Renovation and conversion of a single existing structure so as to contain dwelling units as a conditional use. The renovation and conversion of a single existing structure so as to contain dwelling units shall only be permitted in the R-2A Residence District if all of the following requirements are met:
- (1) Required site plan. A site plan shall be submitted and approved by the Planning Board as required in Article VII, and said plan shall show, in addition to all information required by Article VIII, that all standards established herein for the renovation and conversion of a single existing structure so as to contain dwelling units as a conditional use shall be complied with.
 - (2) New residential buildings prohibited. New buildings or additions to existing buildings which will contain dwelling units shall not be permitted within said R-2A Residence District; new

- buildings or additions in said district shall only be permitted for a use permitted in the R-2 District, and only after demolition of the existing single structure.
- (3) Conversion of existing structure. Any existing structure within said R-2A Residence District may be renovated and converted so as to contain dwelling units, provided that there shall be no physical enlargement beyond the exterior walls of said existing structure, and further provided that all conditions as set forth in this subsection are complied with.
 - (4) Open spaces. All areas within the site which are not used for structures or off-street parking or recreational amenities, as approved by the Planning Board, shall be landscaped pursuant to a plan approved by the Planning Board, which plan shall show in detail the location, size and type of all plantings, including lawns, to be used on the site. All parking and service areas shall be screened so that said areas are shielded from residential areas adjacent to the site.
 - (5) Number of dwelling units permitted in existing structure. The number of dwelling units in an existing structure shall be limited to the quotient obtained by dividing the total gross floor area of the existing structure, expressed in square feet, by 1,135 square feet; any fraction in the quotient resulting from this calculation will be disregarded.
 - (6) Lighting. Yard lighting shall be provided during the hours of darkness to provide illumination for the premises and all interior sidewalks, walkways and parking areas thereon. All wiring shall be laid underground, and all lighting fixtures shall be arranged so that the direct source of light is not visible from any residential areas adjacent to the site.
 - (7) Architecture and construction. The architecture employed shall be esthetically in keeping with the existing structure and shall be subject to approval by the Planning Board. All structures shall be constructed in accordance with the building code.
 - (8) Renovation plans. The applicant shall submit to the Planning Board for review and approval, in addition to any and all other documents required by any other ordinance concerning site plan review, floor plans, elevations, drawings, color rendering and detailed finish schedules.
 - (9) Accessory structures. The exterior of any accessory structure shall harmonize architecturally with and be constructed of materials of a like character to those used in principal structures.
 - (10) Utilities. Each dwelling unit shall be connected to the public sanitary sewer and water systems as approved by the Village Engineer.
 - (11) Construction and maintenance of common facilities. The developer shall submit to the Planning Board, as a condition of site plan approval, such a master deed, declaration of restrictions, builder's agreement or other legal instrument which shall satisfy the requirements of the Planning Board with respect to the proper construction and maintenance of common facilities, common areas, landscaping, recreational areas and common improvements to be installed for the benefit of owners or residents of said dwelling units located in the single existing structure.
 - (12) Environmental impact statement. An environmental impact statement shall be prepared by a qualified expert acceptable to the Planning Board and submitted to the Planning Board for its approval, which statement will include an assessment, supported by competent engineering data, of the environmental impact relating to vehicular traffic, noise, storm drainage and sanitary sewer facilities.
 - (13) The Planning Board shall require entrances and exits to the site at locations and widths that will minimize traffic congestion and result in the best vehicular and pedestrian circulation pattern

both on and abutting the site. The Planning Board may require the applicant to submit a traffic engineering study prepared by a licensed professional traffic engineer which will indicate the impact which the development of the site will have on surrounding roads. This traffic study shall include an analysis of estimated peak hourly traffic to be generated by the proposal and an assignment of estimated peak hourly traffic by percentage and volume to surrounding streets. If the results of the study indicate necessary off-site improvements of existing Village or county streets, the applicant shall contribute a prorated share of such improvements as determined by the Planning Board.

- (14) Total impervious coverage of tract. Not more than 35% of the total tract area shall be covered by any impervious material, including but not limited to buildings, structures, driveways, parking areas, patios, walkways, game areas such as tennis courts, swimming pools and the like.

G. (Reserved)

H. Drive-in banks. Drive-in banks shall only be permitted in the B-2 Zone after the following requirements are met:

- (1) A site plan shall be submitted and approved as required in Article VII, and said plan shall show, in addition to all information required by Article VIII, that all standards established herein for drive-in banks as a conditional use will be complied with.
- (2) The nearest lot line of the lot or parcel of land shall be at least 300 feet, measured in a straight line, from the nearest lot line of any lot upon which is located any other drive-in bank.
- (3) The minimum lot size shall be 18,000 square feet, and the minimum street frontage of such lot shall be 120 feet. If a drive-in bank is located on a corner lot, the minimum street frontage on each street shall be 120 feet.
- (4) Entrance and exit driveways shall have an unrestricted width of not less than 20 feet nor more than 30 feet, shall be located not nearer than five feet from any lot line and shall be so designed as to avoid the necessity of any vehicle leaving the property by backing out across any public sidewalk, street or portion thereof.
- (5) No part of any building or structure shall be located within 100 feet of any residential zone district boundary line.
- (6) The minimum distance between driveways shall be 50 feet measured from the two closest driveway curbs.
- (7) The minimum distance a driveway into the site shall be from a street intersection shall be 100 feet measured from the intersection of the street right-of-way to the nearest end of the curb radius.
- (8) All drive-in banks shall provide suitable storage of trash areas which are so designed and constructed as to allow no view of the trash storage from the street, to prevent waste from blowing around the site or onto adjacent properties or public rights-of-way and to permit safe easy removal of trash by truck or hand.
- (9) All drive-in banks shall provide off-street parking at a ratio of at least one off-street parking space for every 150 square feet of gross floor area.
- (10) A traffic impact statement shall be submitted by the applicant which will include an assessment,

supported by engineering data, of the impact the proposed drive-in bank will have on the surrounding streets. This traffic study shall include, among other things:

- (a) The estimated peak hourly traffic to be generated by the proposed drive-in bank.
 - (b) The assignment of estimated peak hourly traffic by percentage and volume to surrounding streets.
 - (c) The estimated peak hourly turning movements for all right and left turns into and leaving the banking facility.
 - (d) What impact the peak hourly traffic and turning movements would have on the abutting streets serving the banking facility.
 - (e) Any proposed solutions to the traffic problems that may be created or increased as a result of the construction or expansion or renovation of the drive-in bank.
- (11) Notwithstanding any other provisions of this section, any existing bank establishment in the B-1 Zone that operates a drive-in banking facility on site shall be construed as having a nonconforming use for only that part of said establishment devoted to the drive-in banking facility.

I. Membership-based outdoor recreational club uses. "Membership-based outdoor recreational club" shall be defined as an organization, and its associated facilities, which is created for and designed to provide on-site outdoor recreational opportunities such as tennis, platform tennis, paddle tennis, racquetball, handball, squash, swimming and similar recreational activities primarily to the members of the organization and their guests. Such clubs shall be permitted in the R-125 Zone District only if all of the following requirements are complied with:

- (1) The site shall contain a minimum of 10 acres.
- (2) Any clubhouse or other similar principal building or structure shall have a gross floor area on the ground floor of no more than 10,000 square feet.
- (3) Any clubhouse or other similar principal buildings or structures shall be limited to two stories and shall not exceed 30 feet in height.
- (4) All buildings, roofed structures, shade shelters, parking areas and outdoor play areas shall be located at least 100 feet from an abutting property used for residential purposes. Buildings, shade shelters, and roofed structures shall meet the setbacks from other property lines as set forth in the zone regulations.
- (5) The total land area to be devoted to outdoor games, courts and play areas shall not exceed 30% of the total area of the site.
- (6) All outdoor activities to be conducted on the site shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- (7) The illumination of courts shall be permitted during the hours within which outdoor activities are permitted pursuant to Subsection I(6) above. Notwithstanding the height limitation for lighting in § 190-85D, such fixtures shall not exceed a height of 30 feet. Such lighting shall not be required to face downward but shall be oriented and shielded in such a manner as to avoid undue illumination of and directing glare onto adjacent properties, as determined by the Planning Board. All other lighting shall also conform to the requirements of § 190-85.

- (8) A one-hundred-foot buffer strip shall be provided adjacent to any abutting residential zones. Such buffer shall be landscaped, retained in a natural wooded condition, or both, as required by the Planning Board, and maintained in good condition. No above-grade structures shall be permitted within this buffer strip except a driveway and related improvements providing access to the property and any structures, such as fences, designed to enhance or supplement the function of the buffer area. All buildings, parking areas and outdoor play areas shall be effectively screened by a fence, wall or hedge, maintained in good condition, as approved by the Planning Board, on any side of the site which adjoins or faces premises situated in any residential zone, but such fence, wall or hedge may be waived by the Planning Board if, in its judgment, because of topographic or other conditions, such fence, wall or hedge shall not be necessary to screen adjoining or facing residential property.
- (9) Notwithstanding any other provision of this chapter, the height of any fence enclosing an outdoor play area shall not exceed 12 feet.
- J. Public utility facilities. Public utility facilities, as defined by this chapter and for which proof is furnished that the proposed installation in the specific location is necessary for the proper functioning of the public utility system and is designed primarily to serve the neighborhood in which the facility is to be located and/or the Village of Ridgewood, shall comply with the following requirements; provided, however, that this subsection shall not apply to public utilities exempted by § 190-2C and D:
- (1) Prohibited facilities. The facility shall not include any of the following uses or structures:
- (a) Terminal, parking facility, storage or maintenance facility for buses or railways.
 - (b) Electric substation.
 - (c) Natural gas transmission pumping facility or pressure reduction facility.
 - (d) Any facility relating to the collection, transfer, processing, storage or disposal of solid waste or vehicles engaged in the collection of solid waste.
 - (e) A hazardous waste site or any facility relating to the storage, transfer processing or disposal of hazardous waste.
 - (f) Cellular telecommunications antennas and related structures and equipment, which structures and equipment are regulated by § 190-123E.
 - (g) In residential zone districts, any facility that would typically generate more than 10 trips per day. For purposes of this requirement, a "trip" shall be considered each movement of a motor vehicle to the site or from the site via area streets.
- (2) Height, bulk and intensity of use regulations. If public utility facilities are located in any residential zone, the following requirements shall apply:
- (a) Maximum floor area ratio: 20% of the lot area.
 - (b) Maximum coverage by above-grade structures: 20% of the lot area.
 - (c) Maximum improvement coverage: 50% of the lot area.
 - (d) Maximum height of structures. The height of buildings and other roofed structures shall not exceed 25 feet.

- (e) Minimum front yard setback: as required in the zone for dwellings.
 - (f) Minimum side yard: the height of the building and other roofed structure or 20 feet, whichever is greater.
 - (g) Minimum rear yard: the height of the building and other roofed structure or 20 feet, whichever is greater.
 - (h) Minimum setbacks for other above-ground structures or equipment: the same as required for buildings and roofed structures.
 - (i) Minimum setbacks for driveways, parking areas and other vehicular use areas. Driveways, parking areas and other vehicular use areas shall be located at least 15 feet from the side and rear lot lines. Parking areas and other vehicular use areas shall be located at least 25 feet from front lot lines.
 - (j) The foregoing setback requirements shall not apply to any pipes, structures or equipment located beneath the surface of the ground.
- (3) Exterior appearance of structures. The exterior appearance of any building or structure required for such use shall be compatible with the character of buildings or structures in the area in which the site is located, as determined by the Board.
- (4) Buffer requirements. A buffer area having a depth of at least 10 feet shall be provided along the common boundary of the public utility facility and any adjacent residential property. Such buffer area shall be planted with screening vegetation and a solid fence, as approved by the Planning Board. In the front yard, the design of the buffer area may be modified, or the buffer may be eliminated entirely, as determined by the Board, in order to provide adequate sight distance for driveways or to maintain the residential streetscape in the neighborhood, while still providing an adequate buffer for adjacent residential properties.

§ 190-124. Special regulations for certain uses and structures.

In addition to all other applicable requirements of this chapter, the following requirements shall apply to the uses and structures specified below. The following uses and structures shall be permitted when so indicated in the specific zone regulations, and the following requirements shall not be construed to be conditional use requirements.

- A. Residential cluster. Residential cluster may be permitted by the Planning Board in accordance with this chapter, provided that the following requirements shall supersede the requirements for conventional developments above. Where a different standard is not set forth below, the standards for conventional development shall apply.
- (1) The provisions of § 190-48 shall be complied with.
 - (2) Every lot shall contain a minimum lot area of 12,600 square feet.
 - (3) Every lot shall contain a minimum lot width, measured at the minimum front yard setback line, of 90 feet; provided, however, that no lot shall measure less than 75 feet in width at any point within 140 feet of the front lot line.
 - (4) Every lot shall contain an average lot width of at least 90 feet, calculated so that the minimum lot area of 12,600 square feet shall be provided within 140 feet of the front lot line.

Exhibit F

Chapter 190: LAND USE AND DEVELOPMENT

[HISTORY: Adopted by the Village Council of the Village of Ridgewood 4-9-1996 by Ord. No. 2561. Editor's Note: This ordinance also repealed former Ch. 190, Land Use and Development, adopted 12-26-1978 by Ord. No. 1695, as amended. Amendments noted where applicable.]

GENERAL REFERENCES

Historic Preservation Commission — See Ch. 29.

Condominium conversion — See Ch. 123.

Uniform construction codes — See Ch. 125.

Fees — See Ch. 145.

Flood damage prevention — See Ch. 154.

Housing standards — See Ch. 175.

Property maintenance — See Ch. 223.

Sewers and sewage disposal — See Ch. 238.

Soil removal — See Ch. 246.

Streets and sidewalks — See Ch. 249.

Swimming pools — See Ch. 251.

Trees and shrubs — See Ch. 260.

ARTICLE I Purpose and Scope

§ 190-1. Purpose.

It is the intent and purpose of this chapter to: A. Encourage action to guide the appropriate use or development of all lands in the Village, in a manner which will promote the public health, safety, morals and general welfare.

B. Secure safety from fire, flood, panic and other natural and man-made disasters.

C. Provide adequate light, air and open space.

D. Ensure that the development of Ridgewood does not conflict with the development and general welfare of neighboring municipalities.

E. Promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods and the entire municipality as well as the preservation of the environment.

F. Encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.

G. Provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements.

H. Encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight.

I. Promote a desirable visual environment through creative development techniques and good civic design and arrangements.

§ 190-114. C Commercial District. A. Principal uses and structures. The following principal uses and structures shall be permitted: (1) Retail sales and service businesses which carry only merchandise intended to be sold at retail on the premises, and limited to antique shops; appliances shops; art studios; art supply shops; auto body repair shops; barbershops; beauty parlors; bicycle shops; bookstores; butcher shops; camera stores; car rental establishments; card shops; Christian Science reading room; cleaning, dry cleaning, dyeing and pressing for individual retail customers or for the trade or the wholesale market; clothing and dress shops; coin-operated self-service laundries; confectioneries; coin stores; dance studios; delicatessens; department stores; drapery stores; drugstores; flower shops; franchised new car dealer showrooms; furniture and furnishing stores; gift shops; grocery stores; haberdashers; hardware and paint stores; hobby shops; interior decorators; jewelers; leather goods shops; linen stores; liquor stores; music and record shops; musical instrument sales; office equipment stores; optician stores; pet shops; photographers; radio; religious article sales; restaurants; retail bakeries; shoe repair shops; shoe sales stores; sporting goods stores; stamp stores; stationers; stereo and television sales and repair shops; tailor shops; taverns and inns; theaters; tobacconists; toy stores; travel and ticket agencies; and undertaking establishments.

(2) Financial institutions limited to banks and savings and loan institutions and similar institutions, stock brokerage houses and finance companies.

(3) Professional office and business office uses on other than the ground floor or basement.

(4) Veterinarian hospitals.

(5) Buildings used for club, fraternal, recreational and athletic or social purposes.

(6) Shops of an electrician, plumber, welder, woodworker or similar tradesman.

(7) Light machine shops and limited manufacturing, processing and fabrication of products and materials.

(8) Furniture movers.

(9) Jobbing or distributing establishments, storage warehouses, storage yards supplying coal, wood, oil and building materials.

(10) Newspaper or job printing plants.

(11) Telephone and telegraph business offices, and telephone and telegraph equipment offices.

(12) Wholesale business.

(13) Dwelling units on other than the ground floor or basement.

(14) Child-care centers.

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

B. Accessory uses and structures. The following accessory uses and structures shall be permitted, provided that they are located on the same premises as the principal use or structure to which they are accessory: [Amended 5-13-1996 by Ord. No. 2566] (1) Parking and loading facilities, as regulated in §§ 190-90 and 190-121.

(2) Signs, as regulated in § 190-122.

(3) Used car sales accessory to new car sales, not exceeding one square foot of area devoted to used car lot use for each square foot of wall buildings devoted to new car dealer use.

(4) Instruction and organized parties.

(5) Accessory uses and structures customarily incident to the above principal uses.

C. Conditional uses and structures. The following conditional uses and structures shall be permitted in the C District only if they comply with the appropriate regulations for such uses or structures in § 190-123: [Amended 10-13-1998 by Ord. No. 2643] (1) Motor vehicle service stations and public garages.

(2) Public or private schools for kindergarten through grade 12.

(3) Houses of worship.

(4) Public utility buildings and structures.

(5) Fast-food restaurants.

(6) Drive-in banks.

(7) Cellular telecommunications antennas mounted on an existing structure at least 40 feet high.

D. Prohibited uses. Any uses other than those uses permitted by this section are prohibited.

Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit commercial incinerations, junkyards, rubbish, garbage or trash dumps, residential construction or conversion of structures or residential uses, stockyards, abattoirs, slaughterhouses or other animal processing operations or any use which will in any manner create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard or noise or vibration or smoke, dust, odor or other form of air pollution or heat, cold, dampness, movement of air, electrical or other similar disturbances, glare or solid or liquid waste in any manner or amount which shall not conform to the performance standards set forth in § 190-120G.

E. Bulk and lot regulations. The following conditions and requirements shall be complied with:

(1) Maximum building height: 45 feet.

(2) Minimum front yard: five feet.

(3) Minimum side yard: none required, but if provided, 12 feet. If adjacent to a residential zone, a minimum twelve-foot side yard is required.

(4) Minimum rear yard: six inches for each foot of height of the principal building, or 10 feet, whichever is greater.

(5) Maximum floor area ratio: 45%.

(6) Maximum coverage by improvements: 90% of the lot area. [Amended 6-7-1999 by Ord. No. 2670]

F. Other regulations. In addition to the bulk and lot regulations, the following requirements shall be complied with: (1) Editor's Note: Former Subsection F(1), regarding enclosure of piers, pillars or columns, was repealed 10-8-1996 by Ord. No. 2583, which ordinance also provided for the renumbering of the remaining subsections. Any use permitted by this section, unless otherwise specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building.

(2) Veterinary hospitals and establishments shall be contained within a soundproof building.

(3) Any side or rear yard that abuts any residential zone shall be provided with a fence or special planting, maintained in good condition, as approved by the Planning Board, to screen the commercial use from the abutting residential property.

Exhibit G

Village of Ridgewood, NJ

Friday, January 18, 2013

Chapter 190. LAND USE AND DEVELOPMENT

[HISTORY: Adopted by the Village Council of the Village of Ridgewood 4-9-1996 by Ord. No. 2561. Editor's Note: This ordinance also repealed former Ch. 190, Land Use and Development, adopted 12-26-1978 by Ord. No. 1695, as amended. Amendments noted where applicable.]

GENERAL REFERENCES

Historic Preservation Commission — See Ch. 29.

Condominium conversion — See Ch. 123.

Uniform construction codes — See Ch. 125.

Fees — See Ch. 145.

Flood damage prevention — See Ch. 154.

Housing standards — See Ch. 175.

Property maintenance — See Ch. 223.

Sewers and sewage disposal — See Ch. 238.

Soil removal — See Ch. 246.

Streets and sidewalks — See Ch. 249.

Swimming pools — See Ch. 251.

Trees and shrubs — See Ch. 260.

Article I. Purpose and Scope

§ 190-1. Purpose.

It is the intent and purpose of this chapter to:

- A. Encourage action to guide the appropriate use or development of all lands in the Village, in a manner which will promote the public health, safety, morals and general welfare.
- B. Secure safety from fire, flood, panic and other natural and man-made disasters.
- C. Provide adequate light, air and open space.
- D. Ensure that the development of Ridgewood does not conflict with the development and general welfare of neighboring municipalities.

- (7) Minimum lot width: 75 feet, measured at the minimum front yard setback line.
- (8) Maximum floor area ratio: 35%.
- (9) Maximum coverage by improvements: 70% of the lot area.

[Amended 6-7-1999 by Ord. No. 2670]

F. Other regulations. In addition to the bulk and lot regulations, the following shall be complied with:

- (1) *Editor's Note: Former Subsection F(1), regarding enclosure of piers, pillars or columns, was repealed 10-8-1996 by Ord. No. 2583, which ordinance also provided for the renumbering of the remaining subsections.* Vehicular ingress to and egress from any lot shall only be permitted on State Highway Route No. 17 and Franklin Turnpike.

§ 190-114. C Commercial District.

A. Principal uses and structures. The following principal uses and structures shall be permitted:

- (1) Retail sales and service businesses which carry only merchandise intended to be sold at retail on the premises, and limited to antique shops; appliances shops; art studios; art supply shops; auto body repair shops; barbershops; beauty parlors; bicycle shops; bookstores; butcher shops; camera stores; car rental establishments; card shops; Christian Science reading room; cleaning, dry cleaning, dyeing and pressing for individual retail customers or for the trade or the wholesale market; clothing and dress shops; coin-operated self-service laundries; confectioneries; coin stores; dance studios; delicatessens; department stores; drapery stores; drugstores; flower shops; franchised new car dealer showrooms; furniture and furnishing stores; gift shops; grocery stores; haberdashers; hardware and paint stores; hobby shops; interior decorators; jewelers; leather goods shops; linen stores; liquor stores; music and record shops; musical instrument sales; office equipment stores; optician stores; pet shops; photographers; radio; religious article sales; restaurants; retail bakeries; shoe repair shops; shoe sales stores; sporting goods stores; stamp stores; stationers; stereo and television sales and repair shops; tailor shops; taverns and inns; theaters; tobacconists; toy stores; travel and ticket agencies; and undertaking establishments.
- (2) Financial institutions limited to banks and savings and loan institutions and similar institutions, stock brokerage houses and finance companies.
- (3) Professional office and business office uses on other than the ground floor or basement.

- (4) Veterinarian hospitals.
- (5) Buildings used for club, fraternal, recreational and athletic or social purposes.
- (6) Shops of an electrician, plumber, welder, woodworker or similar tradesman.
- (7) Light machine shops and limited manufacturing, processing and fabrication of products and materials.
- (8) Furniture movers.
- (9) Jobbing or distributing establishments, storage warehouses, storage yards supplying coal, wood, oil and building materials.
- (10) Newspaper or job printing plants.
- (11) Telephone and telegraph business offices, and telephone and telegraph equipment offices.
- (12) Wholesale business.
- (13) Dwelling units on other than the ground floor or basement.
- (14) Child-care centers.
- (15) Municipal buildings owned or leased by the Village of Ridgewood and used for public purposes.

B. Accessory uses and structures. The following accessory uses and structures shall be permitted, provided that they are located on the same premises as the principal use or structure to which they are accessory:

[Amended 5-13-1996 by Ord. No. 2566]

- (1) Parking and loading facilities, as regulated in §§ **190-90** and **190-121**.
- (2) Signs, as regulated in § **190-122**.
- (3) Used car sales accessory to new car sales, not exceeding one square foot of area devoted to used car lot use for each square foot of wall buildings devoted to new car dealer use.
- (4) Instruction and organized parties.
- (5) Accessory uses and structures customarily incident to the above principal uses.

C. Conditional uses and structures. The following conditional uses and structures shall be permitted in the C District only if they comply with the appropriate regulations for such uses or structures in § **190-123**:

[Amended 10-13-1998 by Ord. No. 2643]

- (1) Motor vehicle service stations and public garages.
- (2) Public or private schools for kindergarten through grade 12.
- (3) Houses of worship.
- (4) Public utility buildings and structures.
- (5) (Reserved) *Editor's Note: Former Subsection C(5), Fast-food restaurants, was repealed 12-14-2011 by Ord. No. 3323.*
- (6) (Reserved) *Editor's Note: Former Subsection C(6), Drive-in banks, was repealed 12-14-2011 by Ord. No. 3323.*
- (7) Cellular telecommunications antennas mounted on an existing structure at least 40 feet high.

D. Prohibited uses. Any uses other than those uses permitted by this section are prohibited. Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit commercial incinerations, junkyards, rubbish, garbage or trash dumps, residential construction or conversion of structures or residential uses, stockyards, abattoirs, slaughterhouses or other animal processing operations or any use which will in any manner create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard or noise or vibration or smoke, dust, odor or other form of air pollution or heat, cold, dampness, movement of air, electrical or other similar disturbances, glare or solid or liquid waste in any manner or amount which shall not conform to the performance standards set forth in § 190-120G. Also specifically prohibited shall be drive-in or drive-through uses, including but not limited to drive-in banks, drive-in pharmacies and drive-in restaurants; and the sale, delivery and/or serving of prepared food and/or beverages in a ready-to-consume state from a location within a building through a door or window or over a counter to a location outside the same building on the same site or within the adjacent public right-of-way, including outdoor cafes. Such prohibition shall include but not be limited to the delivery to or receipt of food and/or beverages to customers in motor vehicles. The foregoing shall not be construed to prohibit: a) take-out sales of prepared food, where the customer must enter the building to purchase and/or pick up food for consumption at an off-site location; and b) the delivery of prepared foods to customers at an off-site location not located within the street-right-way.

[Amended 12-14-2011 by Ord. No. 3323; 2-8-2012 by Ord. No. 3327]

- E. Bulk and lot regulations. The following conditions and requirements shall be complied with:
- (1) Maximum building height: 45 feet.

- (2) Minimum front yard: five feet.
- (3) Minimum side yard: none required, but if provided, 12 feet. If adjacent to a residential zone, a minimum twelve-foot side yard is required.
- (4) Minimum rear yard: six inches for each foot of height of the principal building, or 10 feet, whichever is greater.
- (5) Maximum floor area ratio: 45%.
- (6) Maximum coverage by improvements: 90% of the lot area.

[Amended 6-7-1999 by Ord. No. 2670]

F. Other regulations. In addition to the bulk and lot regulations, the following requirements shall be complied with:

- (1) *Editor's Note: Former Subsection F(1), regarding enclosure of piers, pillars or columns, was repealed 10-8-1996 by Ord. No. 2583, which ordinance also provided for the renumbering of the remaining subsections. Any use permitted by this section, unless otherwise specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building.*
- (2) Veterinary hospitals and establishments shall be contained within a soundproof building.
- (3) Any side or rear yard that abuts any residential zone shall be provided with a fence or special planting, maintained in good condition, to screen the commercial use from the abutting residential property.

[Amended 4-7-2010 by Ord. No. 3242]

§ 190-115. P Professional and Office District.

A. Principal uses and structures. The following principal uses and structures shall be permitted:

- (1) Business, professional or administrative offices which are not engaged in retail or wholesale sale of goods on the premises and which are not engaged in the repair or servicing of goods on the premises.
- (2) Single-family residential uses in detached single-family residential structures.
- (3) Two-family residential uses in a single structure on the same lot.
- (4) Business, professional or administrative offices in the same building as dwelling units as a mixed use.

Exhibit H



VILLAGE OF RIDGEWOOD

131 NORTH MAPLE AVENUE
RIDGEWOOD, NEW JERSEY 07451

(201) 670-5500 EXT. 201 VILLAGE CLERK
(201) 670-5500 EXT. 205 DEPUTY VILLAGE CLERK
FAX: (201) 652-7623

HEATHER A. MAILANDER, RMC/MMC/CPM
VILLAGE CLERK
EMAIL: HMAILANDER@RIDGEWOODNJ.NET

DONNA M. JACKSON, RMC
DEPUTY VILLAGE CLERK
EMAIL: DJACKSON@RIDGEWOODNJ.NET

April 25, 2016

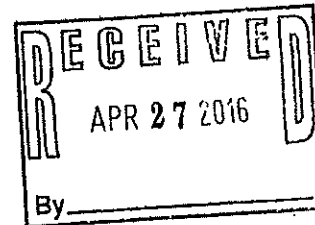
Bergen County Department of Planning
and Economic Development
One Bergen County Plaza
Room 415
Hackensack, NJ 07601-7076

Ordinance(s) #3489 through #3493, enclosed herewith, was/were adopted upon final reading on March 23, 2016 by the Village Council of the Village of Ridgewood.

These certified copies are being sent to you for your records.

Sincerely,

Heather A. Mailander, RMC/CMC/MMC
Village Clerk

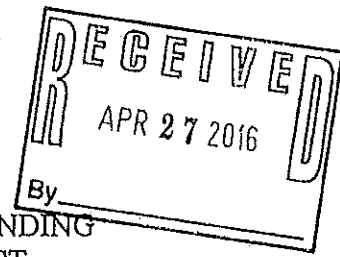


0003492

(A)
(F)

VILLAGE OF RIDGEWOOD

ORDINANCE NO. 3492



AN ORDINANCE OF THE VILLAGE OF RIDGEWOOD AMENDING
THE ZONE REGULATIONS FOR THE C ZONE DISTRICT

WHEREAS, the Village of Ridgewood Planning Board has adopted an amendment to the land use element of the master plan on June 2, 2015, with the decision memorialized on June 16, 2015, which amendment recommends the revision of the regulations for the C – Commercial zone district; and

WHEREAS, the recommended revisions provide a reasonable update to the zone regulations, consistent with the land use development pattern and also designed to promote an upgraded form of development in the area;

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Ridgewood that Chapter 190, *Land Use and Development*, of the Code of the Village of Ridgewood is hereby amended as follows:

Section 1. Section 190-114, *C Commercial District*, is hereby amended to read as follows:

§ 190-114. C Commercial District.

- A. Intent. The C zone district is intended to accommodate a variety of nonresidential uses not permitted elsewhere in the Village, consistent with its existing land use and development pattern, and to promote an upgraded form of development in the area.
- B. Permitted principal uses and structures. The following principal uses and structures shall be permitted in the C zone district, subject, however to the use limitations in Subsection C below:
- (1) Retail sales uses, such as:
- Paint, glass and wallpaper stores, hardware stores
 - General merchandise stores, such as department stores, variety stores, miscellaneous general merchandise stores
 - Food stores, such as grocery stores, meat and fish markets, fruit and vegetables markets, candy, nut and confectionery stores, dairy products stores, retail bakeries, miscellaneous food stores
 - Auto and home supply stores
 - Apparel and accessory stores, such as men's, boys, women's and family clothing stores, women's accessory and specialty stores, children's and infants' wear stores, shoe stores and miscellaneous apparel and accessory stores

- Home furniture, furnishings and equipment stores, such home furniture and furnishings stores, household appliance stores, radio, television and computer stores
 - Miscellaneous retail, such as drug stores and proprietary stores, liquor stores, used merchandise stores, miscellaneous shopping goods stores
- (2) Eating and drinking places
- (3) Banks and other similar financial institutions
- (4) Personal services, such as:
- Laundry, cleaning and garment services
 - Portrait photographic studios
 - Beauty and barber shops
 - Shoe repair
- (5) Business services, such as mailing, reproduction, commercial art and photography, and stenographic services
- (6) Miscellaneous repair services, such as:
- Electrical repair shops
 - Watch, clock and jewelry repair
- (7) Amusement and recreation services, such as:
- Motion picture rental
 - Dance studios, schools and halls
 - Physical fitness facilities
- (8) Business, administrative and professional offices, providing the following services:
- Advertising
 - Consumer credit reporting, mercantile reporting, adjustment and collection
 - Offices of medical doctors, dentists, osteopathic physicians and other health practitioners
 - Home health care services
 - Legal services
 - Engineering, architectural and surveying services
 - Landscape counseling, planning
 - Accounting, auditing and bookkeeping services
 - Management and public relations services
 - Arrangement of passenger transportation (travel agents, etc.)
- (9) Museums and art galleries
- (10) Veterinarian hospitals.
- (11) Business, professional, labor, civic, social and political associations

(12) Shops of an electrician, plumber, welder, woodworker or similar tradesman.

(13) Automotive repair shops

(14) Storage warehouses

(15) Wholesale sales business.

(16) Child-care centers.

(17) Municipal buildings and uses

(18) Surface parking lots.

C. Use limitations. The following limitations shall apply to permitted principal uses in the C-R zone district:

(1) Drive in uses shall be prohibited.

(2) Individual commercial uses shall be limited to those which are small in scale, similar and consistent with the existing pedestrian-oriented shops and stores in the central business district, not exceeding a gross floor area of 10,000 square feet for each business establishment.

(3) Uses involving operation between the hours of 11 p.m. and 7 a.m., except for public uses and except for emergency operations, shall be prohibited.

(4) Uses of an industrial nature shall be prohibited, including but not limited to any establishment engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, or engaged in the assembling of component parts of manufactured products.

D. Accessory uses and structures. The following accessory uses and structures shall be permitted, provided that they are located on the same premises as the principal use or structure to which they are accessory:

(1) Parking and loading facilities, as regulated in §§ 190-90 and 190-121.

(2) Signs, as regulated in § 190-122.

(3) Instruction and organized parties.

(4) Accessory uses and structures customarily incident to the above principal uses.

E. Conditional uses and structures. The following conditional uses and structures shall be permitted in the C District only if they comply with the appropriate regulations for such uses or structures in § 190-123:

(1) Public utility buildings and structures.

(2) Cellular telecommunications antennas mounted on an existing structure at least 40 feet high.

F. Prohibited uses. Any uses other than those uses permitted by this section are prohibited. Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit commercial incinerations, junkyards, rubbish, garbage and trash dumps, residential construction or conversion of structures or residential uses, stockyards, abattoirs, slaughterhouses or other animal processing operations or any use which will in any manner create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard or noise or vibration or smoke, dust, odor or other form of air pollution or heat, cold, dampness, movement of air, electrical or other similar disturbances, glare or solid or liquid waste in any manner or amount which shall not conform to the performance standards set forth in § 190-120G. Also specifically prohibited shall be drive-in and drive-through uses, including but not limited to drive-in banks, drive-in pharmacies and drive-in restaurants; and the sale, delivery and/or serving of prepared food and/or beverages in a ready-to-consume state from a location within a building through a door or window or over a counter to a location outside the same building on the same site or within the adjacent public right-of-way, including outdoor cafes. Such prohibition shall include but not be limited to the delivery to or receipt of food and/or beverages to customers in motor vehicles. The foregoing shall not be construed to prohibit: a) take-out sales of prepared food, where the customer must enter the building to purchase and/or pick up food for consumption at an off-site location; or b) the delivery of prepared foods to customers at an off-site location not located within the street-right-way.

G. Bulk and lot regulations. The following conditions and requirements shall be complied with:

- (1) Minimum lot area: 10,000 square feet.
- (2) Maximum building height: 45 feet.
- (3) Minimum front yard: 15 feet.
- (4) Minimum side yard: none required, but if provided, 12 feet. If adjacent to a residential zone, a minimum twelve-foot side yard is required.
- (5) Minimum rear yard: six inches for each foot of height of the principal building, or 10 feet, whichever is greater.
- (6) Maximum floor area ratio: 45% of the lot area.
- (7) Maximum coverage by improvements: 90% of the lot area.

H. Other regulations. In addition to the bulk and lot regulations, the following requirements shall be complied with:

- (1) Any use permitted by this section, unless otherwise specifically permitted to be conducted outdoors, shall only be conducted within the confines of a building.
- (2) Veterinary hospitals and establishments shall be contained within a soundproof building.

(3) Any side or rear yard that abuts any residential zone shall be provided with a fence or special planting, maintained in good condition, to screen the commercial use from the abutting residential property.

(4) Architectural design.

(a) Buildings shall be required to incorporate high quality architectural features that are characteristic of exemplary buildings reflecting the traditional architecture in the central business district. The applicant for any development shall demonstrate such design by providing as part of any site plan review examples of and comparisons with existing high quality buildings in the central business district.

(b) Buildings greater than 40 feet in height shall be required to use architectural features such as pitched roofs, varied roof lines, decorative cupolas, pediments, varied parapet heights and similar features designed to provide variety and reduce the visual impact of the building height. In order to accommodate such features, the following exceptions to the height limitation in Paragraph F(5) above shall be permitted:

[1] The height of such features shall not exceed the maximum permitted building height by more than eight feet.

[2] The horizontal area of such features, including the area enclosed by such features, that exceed the maximum permitted building height shall not exceed 20% of the horizontal area of that portion of the building having a height greater than 40 feet. This limitation shall be cumulative for all such features. (For example, the horizontal area of that portion of a sloped roof or roofs at an elevation greater than the maximum building height could not exceed 4,000 square feet in the case of a building with a horizontal area of 20,000 square feet ($20,000 \times 0.20 = 4,000$)).

[3] In the case of linear features for which an area calculation is not possible, such as a parapet wall, rooftop screen, etc., the horizontal length of any such features that exceed the maximum permitted building height shall not exceed 20% of the horizontal length of the highest building wall or walls above which the feature is located and toward which such feature faces. This limitation shall be cumulative for all such features. (For example, the length of that portion of a parapet or parapets at an elevation greater than the maximum building height could not exceed 20 feet if located above a wall 100 feet long ($100 \times 0.20 = 20$)).

(c) Buildings having a gross floor area greater than 40,000 square feet shall be required to use architectural features that provide variety and reduce the visual impact of the building mass, through the use varied facade materials, facade projections and recesses, judicious use of windows and other openings in the facade, and other similar features.

- (d) If parking or other exterior areas are provided beneath a building, such areas shall be screened by structural elements that are compatible with the materials and design of the front and side building facades. The intent of such screening shall be to mitigate the effects of headlights, minimize the view of parked vehicles and pavement, and to provide for a unified architectural design.

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This ordinance shall take effect upon passage and publication as provided by law.

VILLAGE OF RIDGEWOOD
ORDINANCE NO. 3492

FOR AFFIRMANCE: Councilmembers: Hauck, Pucciarelli and
Mayor Aronsohn

NAYS: Knudsen and Sedon

ABSENT: NONE

ABSTAIN: NONE

Introduction Date: July 15, 2015

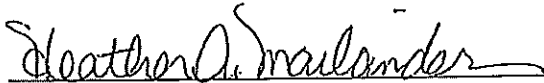
Adoption Date: March 23, 2016

Effective Date: April 12, 2016



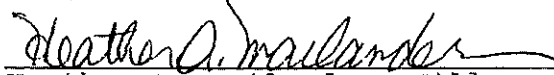
Paul S. Aronshon, Mayor

ATTEST:



Heather A. Mailander, Village Clerk

I hereby certify that this is a true copy
of an ordinance adopted by the Village
Council of the Village of Ridgewood,
Bergen County, New Jersey on March 23,
2016



Heather A. Mailander, Village Clerk

Exhibit I

