

TOWNSHIP OF SADDLE BROOK

ORDINANCE 1687-20

ORDINANCE AMENDING CHAPTER 206 ENTITLED "ZONING"

WHEREAS, the Mayor and Council of the Township of Saddle Brook recognize the need to amend Chapter 206 of the Township Code of the Township of Saddle Brook, in order to add a new section entitled, Affordable Housing Overlay Districts;

Now, therefore, be it ordained as follows:

**SECTION 1.**

Chapter 206, is amended by adding the following new section:

**Chapter 206. Zoning  
Article VH. Affordable Housing Overlay Districts**

§206-9.51 Objectives

The Affordable Housing overlay zones are intended to allow greater flexibility of development alternatives, especially attractive higher density residential development in appropriate areas of the Township. More specifically, the intent of the Affordable Housing overlay zone is to accomplish the following objectives:

- A. To encourage mixed use projects that combine residential with nonresidential uses in the same building or building site area as a means to create affordable housing, enhance the vitality of businesses, and reduce the need for automobile travel;
- B. To provide a meaningful blend of residential and non-residential uses that enhances and builds upon the Township's commercial base;
- C. To provide additional affordable housing options for people, including but not limited to, young families and older citizens, who want to live near their workplace and/or near retail and other non-residential uses.

§206-9.52 Superimposed Nature of Affordable Housing Overlay Zones

The Affordable Housing overlay zones shall be in the nature of an overlay zone. Land classified in the overlay zone shall also be classified in one or more underlying zones. The regulations set forth in this chapter of the Affordable Housing overlay zone shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the Affordable Housing overlay zone and the provisions of the underlying zone, the provisions of

the Affordable Housing overlay zone shall prevail when a mixed use project is being developed. If the mixed use overlay zone is silent in relation to any development standard, the development standard identified in the underlying zone shall prevail.

§206-9.53 AHOZ-1 Affordable Housing Overlay Zone

A. The following land and premises shown and designated on the Tax Assessment Map of the Township of Saddle Brook are hereby included in the AHOZ-1 Overlay District:

<u>Block</u>	<u>Lots</u>
102	19 - 26

B. Permitted Uses. In addition to the permitted uses in the underlying TH-3 Zone District when affordable housing is provided, three-story multi-family residential structures are permitted with a density up to, but not exceeding twenty (20) dwelling units per acre. There shall be a mandatory set aside of affordable units. The set aside for rental developments shall be 15%. The set aside for for-sale developments shall be 20%. At least 13% of affordable units shall be affordable to very low-income households with half of the very low-income units available to families.

All affordable units created within the AHOZ-1 District shall be administered in accordance with the provisions of Chapter 48, “Affordable Housing”, of the Code of the Township of Saddle Brook, as well as all the applicable laws and regulations.

§206-9.54 AHOZ-2 Affordable Housing Overlay Zone

A. The following land and premises shown and designated on the Tax Assessment Map of the Township of Saddle Brook are hereby included in the AHOZ-2 Overlay District:

<u>Block</u>	<u>Lots</u>
705	1, 22-34

B. Permitted Uses. In addition to the permitted uses in the underlying B-2 Zone District when affordable housing is provided, mixed use buildings shall be permitted with first floor commercial uses and second and third floor residential uses resulting in structures with a maximum height of three (3) stories and with a residential density up to, but not exceeding twelve (12) dwelling units per acre. There shall be a mandatory set aside of affordable units. The set aside for rental developments shall be 15%. The set aside for for-sale developments shall be 20%. At least 13% of affordable units shall be affordable to very low-income households with half of the very low-income units available to families.

All affordable units created within the AHOZ-2 District shall be administered in accordance with the provisions of Chapter 48, “Affordable Housing”, of the Code of the Township of Saddle Brook, as well as all the applicable laws and regulations.

§206-9.55 AHOZ-3 Affordable Housing Overlay Zone

- A. The following land and premises shown and designated on the Tax Assessment Map of the Township of Saddle Brook are hereby included in the AHOZ-3 Overlay District:

<u>Blocks</u>	<u>Lots</u>
707	1, 2 (part), 3-13, 37
708	1-7

- B. Permitted Uses. In addition to the permitted uses in the underlying B-2 Zone District when affordable housing is provided, mixed use buildings shall be permitted with first floor commercial uses and second floor residential uses resulting in structures with a maximum height of two (2) stories and with a residential density up to, but not exceeding eight (8) dwelling units per acre. There shall be a mandatory set aside of affordable units. The set aside for rental developments shall be 15%. The set aside for for-sale developments shall be 20%. At least 13% of affordable units shall be affordable to very low-income households with half of the very low-income units available to families.

All affordable units created within the AHOZ-3 District shall be administered in accordance with the provisions of Chapter 48, “Affordable Housing”, of the Code of the Township of Saddle Brook, as well as all the applicable laws and regulations.

§206-9.56 AHOZ-4 Affordable Housing Overlay Zone

- A. The following land and premises shown and designated on the Tax Assessment Map of the Township of Saddle Brook are hereby included in the AHOZ-4 Overlay District:

<u>Blocks</u>	<u>Lots</u>
101	2-7
403	14, 15

- B. Permitted Uses. In addition to the permitted uses in the underlying O-MR Zone District when affordable housing is provided, mixed use buildings shall be permitted with first floor commercial uses and second and third floor residential uses resulting in structures with a maximum height of three (3) stories and with a residential density up to, but not exceeding sixteen (16) dwelling units per acre. There shall be a mandatory set aside of affordable units. The set aside for rental developments shall be 15%. The set aside for for-sale developments shall be 20%. At least 13% of affordable units shall be affordable to very low-income households with half of the very low-income units available to families.

All affordable units created within the AHOZ-4 District shall be administered in accordance with the provisions of Chapter 48, “Affordable Housing”, of the Code of the Township of Saddle Brook, as well as all the applicable laws and regulations.

**SECTION 2.**

All other parts, portions and provisions of the Township of Saddle Brook Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**SECTION 3.**

The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

**SECTION 4.**

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

APPROVED:

TOWNSHIP OF SADDLE BROOK

\_\_\_\_\_  
Peter LoDico, Township Clerk

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Andrew M. Cimiluca  
Council President

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Robert D. White  
Mayor

Adopted: