

BOROUGH OF PALISADES PARK
PLANNING BOARD
RESOLUTION

CONSISTENCY REVIEW

of

Ordinance 2026-7
Ordinance 2026-8
Ordinance 2026-9
Ordinance 2026-10

WHEREAS, on March 2, 2026, Judge Corriston issued a Case Management Order (the “Court Order”) in the consolidated affordable housing litigation captioned *Fan Associates v. Palisades Park, et al.*, Docket No. BER-L-566-23 which set forth a compliance schedule for certain actions to be taken by the Planning Board; and

WHEREAS, under the Court Order, the Planning Board is ordered to conduct a consistency review of the introduced legislation that was introduced by the governing body on April 28, 2026; and

WHEREAS, these legislations include the following:

- The three (3) overlay zones: Bergen Boulevard., Route. 5, and Bellview Place; and
- Golden Value zoning ordinance.

WHEREAS, in accordance with the Court Order, the Governing Body of the Borough of Palisades Park introduced legislation on April 28, 2026 and passed on first reading the following ordinances:

- **Ordinance 2026-7 – AN ORDINANCE CREATING THE BERGEN BOULEVARD DISTRICT (BBD) OVERLAY ZONE**

Includes the following properties:

Block 420, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 17.01, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; Block 421, Lots 1, 2, 3, 4, 5, and 6; Block 421, Lot 8.02; and Block 424, Lot 5.

- **Ordinance 2026-8** – *AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF PALISADES PARK TO ESTABLISH THE "ROUTE 5 SENIOR HOUSING OVERLAY DISTRICT" APPLICABLE TO BLOCK 724, LOT 14; BLOCK 725, LOT 1; AND BLOCK 726, LOT 1*

Includes the following properties:

Block 724, Lot 14; Block 725, Lot 1; and Block 726, Lot 1

- **Ordinance 2026-9** – *AN ORDINANCE ESTABLISHING THE "BELLVIEW PLACE OVERLAY DISTRICT" FOR BLOCK 217, LOT 23 AND AMENDING THE ZONING MAP AND LAND USE REGULATIONS OF THE BOROUGH OF PALISADES PARK*

Includes the following property:

Block 217, Lot 23

- **Ordinance 2026-10** – *AN ORDINANCE ESTABLISHING THE AFFORDABLE HOUSING DISTRICT 1 (AHD-1) AND REGULATING DEVELOPMENT REQUIREMENTS FOR BLOCK 716, LOTS 20, 21 & 22 (Golden Value, LLC)*

Includes the following properties:

Block 716, Lots 20, 21, and 22;

Collectively "Ordinances"

Attached as **EXHIBIT A**; and

WHEREAS, the Governing Body of the Borough of Palisades Park, County of Bergen and State of New Jersey, has pursuant to N.J.S.A. 40:55D-26 a, referred to the Planning Board for its review and report to the Council, **Ordinance No. 2026-7, 2026-8, 2026-9 and 2026-10**, which was introduced for a First Reading on April 28, 2026; and

WHEREAS, at its meeting on May 20, 2026, the Planning Board reviewed the Ordinances with its consultant, Michael D. Kauker, AICP, PP of Kauker & Kauker, LLC, Wyckoff, New Jersey; and

NOW, THEREFORE, the Planning Board makes the following findings with respect to the Ordinance:

1. The Ordinances are intended to amend and supplement Chapter 123 and 300, Land Use of the Code of the Borough of Palisades Park; and
2. The Planning Board has considered this matter at a duly noticed, in-person, public meeting conducted on May 20, 2026; and
3. Michael D. Kauker, AICP, PP of Kauker & Kauker, LLC, the Borough Planner provided an overview of the Ordinances, indicating that same were related to ad aligned with negotiated settlements between the Borough of Palisades Park and Fair share Housing, Tamarcs Management LLC and Golden Value, LLC relative to the development of affordable housing opportunities within the Borough, and recommended that same, in their current iteration and if adopted, were substantially consistent with the Master Plan of the Borough of Palisade Park; and
4. The Planning Board is aware the Municipal Land Use Law (“MLUL”) charges the Planning Board with reviewing and identifying inconsistencies between the proposed/pending land use ordinances and the Master Plan. N.J.S.A 40:55D-26a; and
5. The Planning Board is likewise mindful that N.J.S.A. 40:55D-26 and the Appellate Division case Willoughby v. Wolfson Group, Inc., 332 N.J. Super. 223, 229 (App. Div), certify. Den. 165 N.J. 603 (2000) charges the Planning Board with reviewing and identifying any inconsistencies between the proposed Ordinance and the Master Plan, whether substantial or not.
6. The Planning Board is further mindful that in reviewing the proposed Ordinance, the Master Plan has a fundamental objective to:
 1. Encourage Housing Diversity: Promote the development of diverse housing types to meet the needs of residents across all income levels.
 2. Comply with Affordable Housing Obligations: Align with the Municipality’s constitutional obligation to provide realistic opportunities for the development of affordable housing.
 3. Support Smart Growth Principles: Promote the development of mixed-use, walkable, and compact communities while providing a diverse range of housing choices and opportunities. Focus on creating vibrant neighborhoods with a strong sense of place.

4. Promote Sustainability: Encourage sustainable design practices and efficient land use.
5. Enhance Community Character: Ensure that new multifamily and affordable housing developments are designed to complement the existing character of the community.
7. Furthermore, the Planning Board is aware that the Municipal Land Use Law requires that every zoning ordinance must “either **be substantially consistent** with the Land Use Element... or the Master Plan or designed to effectuate such plan element.” N.J.S.A. 40:55D-62a. In defining “**substantial consistency**” the Supreme Court in Manalapan Realty v. Township Committee 140 NJ 366, 384 (1995) noted some inconsistencies are permitted “provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan; and
8. The Planning Board finds that the adoption of **Ordinance No. 2026-7, 2026-8, 2026-9 and 2026-10** are substantially consistent with the comprehensive goals set forth in the Master Plan.
9. Specifically, the Ordinances are substantially consistent with the comprehensive goals, land use goals, and economic development goals as set forth in the Master Plan, or is designed to effectuate such plan elements, for the reasons expressed on the record as well as the reasons expressed by Borough Planner.
10. No members of the public appeared in connection with the matter except Neil Rubenstein who is the owner of 462 and 464 11th Street. Mr. Rubenstein inquired if there was any consideration given to an area Edsall Boulevard and 11th Street.

NOW THEREFORE BE IT RESOLVED, based upon the factual and legal evidence, testimony and contentions set forth herein, that the Palisades Park Planning Board hereby finds the Ordinances to be substantially consistent with the comprehensive goals, land use goals and economic development goals in the Master Plan, or as designed to effectuate such plan elements for the Borough of Palisades Park, approving same at its regular meeting for May 20, 2026.

BE IT FURTHER RESOLVED, that the Planning Board Secretary is hereby authorized and directed to transmit a copy of this Resolution to the Mayor and Borough Council. This Resolution shall serve as the report to the Governing Body pursuant to N.J.S.A. 40:55D-26a of the Municipal Land Use Law.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Member	Motion	Second	Yes	No	Abstain	Absent
Arlene Star			X			
Justin Kang	X		X			
Chris Aufiero			X			
Mayor Chong Paul Kim						X
Mirjana Tarabocchia			X			
Sophia Jang						X
Edwin Han		X	X			
Chrstopher Kwak						X
Justin Jeong						X

IT IS HEREBY CERTIFIED that this is a true and correct copy of a Resolution adopted by the Planning Board of the Borough of Palisades Park upon a roll call vote at its regular meeting held on May 20, 2026.

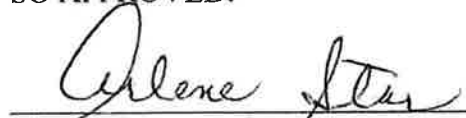
A copy of this Resolution shall be given to the Mayor & Council, Tax Assessor, Borough Clerk, Building Department, Zoning Officer and Borough Engineer.

ATTEST:



 LUCY HANRAHAN, Secretary

SO APPROVED:



 ARLENE STAR, Chairperson

Date of Adoption: May 20, 2026

EXHIBIT A

Ordinance 2026-7
Ordinance 2026-8
Ordinance 2026-9
Ordinance 2026-10

BOROUGH OF PALISADES PARK
NOTICE OF PUBLIC HEARING FOR PROPOSED ORDINANCE 2026-7,
ORDINANCE 2026-8, ORDINANCE 2026-9, AND ORDINANCE 2026-10

PLEASE TAKE NOTICE that on April 28, 2026, the Borough Council of the Borough of Palisades Park introduced and passed on first reading the following ordinances:

- Ordinance 2026-7 – *AN ORDINANCE CREATING THE BERGEN BOULEVARD DISTRICT (BBD) OVERLAY ZONE*

Includes the following properties:

Block 420, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 17.01, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; Block 421, Lots 1, 2, 3, 4, 5, and 6 ; Block 421, Lot 8.02; and Block 424, Lot 5.

- Ordinance 2026-8 – *AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF PALISADES PARK TO ESTABLISH THE "ROUTE 5 SENIOR HOUSING OVERLAY DISTRICT" APPLICABLE TO BLOCK 724, LOT 14; BLOCK 725, LOT 1; AND BLOCK 726, LOT 1*

Includes the following properties:

Block 724, Lot 14; Block 725, Lot 1; and Block 726, Lot 1

- Ordinance 2026-9 – *AN ORDINANCE ESTABLISHING THE "BELLVIEW PLACE OVERLAY DISTRICT" FOR BLOCK 217, LOT 23 AND AMENDING THE ZONING MAP AND LAND USE REGULATIONS OF THE BOROUGH OF PALISADES PARK*

Includes the following property:

Block 217, Lot 23

- Ordinance 2026-10 – *AN ORDINANCE ESTABLISHING THE AFFORDABLE HOUSING DISTRICT 1 (AHD-1) AND REGULATING DEVELOPMENT REQUIREMENTS FOR BLOCK 716, LOTS 20, 21 & 22 (Golden Value, LLC)*

Includes the following properties:

Block 716, Lots 20, 21, and 22

A public hearing and final consideration for adoption of Ordinance 2026-7, Ordinance 2026-8, Ordinance 2026-9, Ordinance 2026-10 will be held at a regular meeting of the Borough Council on May 26, 2026 at 6:00 p.m. The meeting will take place at the Palisades Park Borough Hall, at 275 Broad Avenue, Palisades Park, New Jersey.

At that time and place, all interested persons will be given an opportunity to be heard concerning the proposed Ordinances. This notice is being provided to you because you are the owner of property located within 200 feet of property proposed to be rezoned or made subject to

the Ordinance 2026-7, 2026-8, 2026-9, & 2026-10 pursuant to N.J.S.A. 40:55D-62.1.

Enclosed please find copies of Ordinance 2026-7, Ordinance 2026-8, Ordinance 2026-9, and Ordinance 2026-10. The full text of the Ordinances are also on file in the Office of the Borough Clerk at the address set forth above and is available for public inspection during regular business hours.

Sofia Jang, RMC
Borough Clerk
Borough of Palisades Park

Borough of Palisades Park

Ordinance No. 2026-7

AN ORDINANCE CREATING THE BERGEN BOULEVARD DISTRICT (BBD) OVERLAY ZONE

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

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

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

WHEREAS, the Borough desires to create the Bergen Boulevard District (BBD) Overlay Zone to promote developments with a 20% set-aside for affordable housing units, while also requiring ground-floor commercial uses in specific areas to serve both residential and commercial needs;

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

Section 1. Title

This Ordinance shall be known and cited as the "Bergen Boulevard District (BBD)" established as an Overlay Zone in the Borough of Palisades Park.

Section 2. Codification / Amendment to Code

The Bergen Boulevard District (BBD) Overlay Zone is hereby established and shall be incorporated into the Code of the Borough of Palisades Park as Section 300-9.2 of Article II, entitled "Districts, Map, Boundaries, and Schedules," of Chapter 300, Zoning.

Section 3. Purpose

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

Section 4. Applicability

The Bergen Boulevard District (BBD) Overlay Zone shall be divided into two (2) districts along the Bergen Boulevard corridor and shall apply to properties located within the designated areas as depicted on the Borough Zoning Map.

1. **BBD Mixed-Use** This district applies to the majority of the commercial areas located along the east side of Bergen Boulevard, extending from the Fort Lee border to the north to East Palisades Boulevard, and including the first property south of East Palisades Boulevard. Properties included within the district are identified in the Borough's tax records as Block 420, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 17.01, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; and Block 424, Lot 5.

The standards of the BBD Mixed-Use District are intended to create an active, walkable destination through the integration of a mix of land uses.

Development within this district is proposed at a density of 70 dwelling units per acre, subject to site design and ordinance standards.

Development within this district relies on the provision of both physical and visual connections, including improved access and enhanced visibility from Bergen Boulevard, as well as connections to adjacent neighborhoods.

This district accommodates a wide variety of permitted uses, as set forth in Section 4. Redevelopment within the BBD Mixed-Use District is intended to create a walkable, mixed-use core serving as the anchor of the District.

2. **BBD 10th Street Transition Neighborhood** This district applies to properties located along the east side of 10th Street, north of East Edsall Boulevard and extending northward to the Fort Lee border. The district is intended to serve as a transitional area between the more intensive mixed-use development permitted along Bergen Boulevard and the lower-density residential neighborhoods located to the east. Properties included within the district are identified in the Borough's tax records as Block 421, Lots 1, 2, 3, 4, 5, and 6, and Block 421, Lot 8.02.

The standards of the BBD 10th Street Transition Neighborhood are intended to facilitate residential-only development that provides additional affordable housing opportunities within the Borough, while ensuring compatibility with the scale and character of adjacent residential development.

Development within this district is proposed at a density of 45 dwelling units per acre, subject to site design and ordinance standards.

Development within the district shall consist of four-story residential buildings, with building heights and massing designed to remain compatible with the existing condominium development located immediately east of the subject properties.

Development shall incorporate appropriate transitions in building height, scale, and site design to provide a sensitive interface between higher-density development along Bergen Boulevard and the established residential neighborhood to the east.

Section 5. Permitted Uses

A. Within the BBD Mixed-Use Overlay Zone, the following uses are permitted:

1. Ground Floor Commercial Uses:

- (a) Retail and commercial establishments.
- (b) Professional and personal services.
- (c) Financial Services (banks, savings and loans and credit unions).
- (d) Eating/Drinking Establishments (including restaurants, coffee shops, microbreweries, distilleries, and micro-wineries) and Outdoor Dining
- (e) Art galleries, cultural facilities, and community spaces.
- (f) Overnight Lodging and Hotel
- (g) Entertainment / Recreation, Indoor (including movie theaters, theaters, karaoke, live music).
- (h) Exercise, Wellness and Fitness.

2. Office Uses (Permitted on Ground through 2nd floors) :

- (a) Professional, general, medical, governmental and business offices.

3. Upper-Floor Residential Uses (Permitted on floors 2 – 5):

- (a) Multifamily residential dwellings.

4. Accessory Uses:

- (a) Parking, recreational areas, and facilities for residents and commercial tenants.
- (b) Surface parking lots are permitted; however, they shall be located only within the side or rear yard areas.
- (c) Parking structures are permitted when integrated into the building; however, they shall not be located within the portion of the building fronting the primary street or secondary street.
- (d) Home Occupations.
- (e) Outdoor dining and seating.
 - i. Outdoor dining and seating areas, furniture, and enclosures shall be set back at least six feet from the curb and at least five feet from all street trees

- and street furniture. In no case shall these amenities be placed in a manner that would provide less than six feet of clear area for pedestrian use.
- ii. Advertising is not permitted on dining furniture, accessories, or other similar amenities.
 - iii. Dining furniture shall be of the same design, material and color for all furniture associated with the use. When not in regular use, outdoor furniture shall be stored in a location that is not visible to the public, unless the furniture is all-weather material, set up for use and not covered in any way, and weather conditions make the use of furniture possible.
- B. Within the BBD 10th Street Transition Neighborhood Overlay Zone, the following uses are permitted:
1. Multifamily residential dwellings.
 2. Stacked Townhomes.
 3. Accessory Uses:
 - (a) Parking, recreational areas, and facilities for residents.
 - (b) Home Occupations.

Section 6. Ground Floor Commercial Requirement

1. **Commercial Requirement along Bergen Boulevard:**
 - o Developments fronting Bergen Boulevard are required to include commercial uses on the ground floor to promote a vibrant streetscape and provide services to residents and the surrounding community.
2. **Minimum Commercial Space:**
 - o Ground floor commercial space shall occupy at least 85% of the building frontage along these corridors and shall be oriented toward Bergen Boulevard.
3. **Design Standards for Commercial Facades:**
 - o Ground floor facades must have transparent glass covering at least 60% of the street-facing facade area, blank walls are not permitted to encourage pedestrian engagement and visibility of commercial activities.
 - o Blank walls are not permitted.
 - o Ground floor entrances must be directly accessible from the public sidewalk along Bergen Boulevard.

Section 7. Density and Bulk Standards

- A. Within the BBD Mixed-Use Overlay Zone:

1. **Maximum Residential Density:** 70 dwelling units per acre
2. **Minimum Lot Size:** 20,000 sq. ft.
3. **Minimum Lot Width:** 100 ft.
4. **Maximum Building Height:**
 - (a) 2 stories min. 5 stories or 66 ft. max. , except as otherwise permitted pursuant to Section 11, Sixth Floor Stepback and Amenity Use, which provides for an additional story as an incentive.
 - (b) Ground Story: 12 ft. min. to 18 ft. max.
 - (c) Upper Stories: 10 ft. min. to 12 ft. max.
5. **Building Placement:**
 - (a) Front Primary Street Setback (min./max.): 2 ft./12 ft.
 - (b) Front Secondary Street Setback (min./max.): 2 ft./12 ft.
 - (c) Side Setback (min.): 0 ft.
 - (d) Rear Setback (min.): 5 ft.
 - (e) Frontage Buildout 80% min. at setback
6. **Maximum Impervious Coverage:** 85%.
7. **Parking Requirements:** Parking for residential uses shall comply with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21. Parking for non-residential uses shall comply with the applicable zoning requirements of the Borough of Palisades Park.

The approving authority may permit shared parking arrangements for mixed-use developments, where appropriate. In conjunction with such shared parking arrangements, the approving authority may, without the need for a variance, permit a reduction of up to twenty-five percent (25%) in the total number of required non-residential parking spaces, provided the applicant demonstrates that peak parking demands occur at different times and that sufficient parking will be available to serve all uses.
8. **Parking Location & Loading:**
 - (a) Parking Location: Rear or Side; within building (refer to Section 4 - A.4(c) Accessory Uses)
 - (b) Loading Facility Location: Rear
 - (c) Entry for Parking within Building: Rear or Side
 - (d) Primary Street Setback (min.): 30'
 - (e) Secondary Street Setback (min.): 10'

- (f) Side Setback: Interior/Common Lot Line (min.): 10'
 - (g) Rear Setback (min.): 10'
 - (h) Vehicular Access: Secondary Street. New curb-cuts are not permitted on Primary Streets, except where there is no alley or Secondary or side street to provide access.
- B. Within the BBD 10th Street Transition Neighborhood Overlay Zone:
1. **Maximum Residential Density:** 45 dwelling units per acre.
 2. **Minimum Lot Size:** 20,000 sq. ft.
 3. **Maximum Building Height:** 4 stories or 48 ft.
 4. **Building Placement:**
 - (a) Front Primary Street Setback (min./max.): 5 ft./20 ft.
 - (b) Front Secondary Street Setback (min./max.): 5 ft./20 ft.
 - (c) Side Setback (min.): 5 ft.
 - (d) Rear Setback (min.): 15 ft.
 - (e) Frontage Buildout 75% min. at setback
 5. **Maximum Impervious Coverage:** 70%.
 6. **Parking Requirements:** Parking shall comply with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21.
 7. **Parking Location:**
 - (a) Parking Location: Rear or Side
 - (b) Primary Street Setback (min.): 30 ft.
 - (c) Secondary Street Setback (min.): 10 ft.
 - (d) Side Setback: Interior/Common Lot Line (min.): 10 ft.
 - (e) Rear Setback (min.): 10 ft.

Section 8. Design Standards

A. Architectural Design

1. Buildings within the Bergen Boulevard District (BBD) Overlay Zone shall exhibit a cohesive architectural design that contributes to a welcoming, pedestrian-oriented streetscape. Ground floor commercial spaces, where permitted, shall be designed to be inviting and active, incorporating large transparent windows, attractive signage, and, where appropriate, outdoor seating.

2. The design standards set forth in subsections B through G below shall apply only to development within the BBD Mixed-Use Overlay Zone and shall not apply to development within the BBD 10th Street Transition Neighborhood Overlay Zone.

B. Street Façade Transparency

1. Ground floor street-facing façades shall provide a minimum of 60% transparency to promote visibility of interior commercial uses and pedestrian engagement.
2. Upper-story street-facing façades shall provide a minimum of 30% transparency.
3. Blank wall areas along street-facing façades shall be minimized and are subject to applicable blank wall limitation requirements.

C. Non-Street Façade Transparency

1. Non-street-facing façades shall provide a minimum of 15% transparency. Blank wall limitations shall also apply.

D. Building Entrances

1. The principal entrance to each building shall be located on the primary street frontage.
2. Along street-facing façades, a minimum of one (1) entrance shall be provided for every 75 feet of façade length.
3. Along parking lot façades, a minimum of one (1) entrance shall be provided for every 100 feet of façade length.
4. For buildings exceeding 250 feet in length, a mid-building pedestrian passageway shall be required to improve connectivity.

E. Façade Articulation and Story Expression

1. Building façades shall be designed to clearly express individual stories through the use of fenestration, material changes, and horizontal articulation. Fenestration shall be organized to align with and occupy each floor level.
2. Vertical façade divisions shall occur at intervals of no greater than 45 feet to break down building mass and create visual interest.
3. Horizontal façade divisions shall be provided on buildings of three (3) stories or greater, located within three (3) feet of the top of the ground story, and at any building step-back.

F. Roof Design

1. Permitted roof types include parapet, pitched, and flat roofs.
2. Alternative roof types may be permitted subject to the approving authority.

G. Building Materials

1. Primary façade materials shall consist of high-quality, durable materials, including but not limited to stone, brick, and glass.

Section 9. Landscaping and Open Space Requirements

1. A minimum of 10% of the total lot area shall be dedicated to landscaped open space. The required landscaped area may include planter areas located around the perimeter and in front of the building, as well as street trees.

- a) **Landscaping:** A landscape plan shall include a mix of trees, shrubs, and ground cover to enhance the visual appeal and buffer any adjacent residential uses. Landscaping shall also be provided along the front of the building adjacent to the public street to enhance and create a visually appealing streetscape.
- b) **Open Space and Recreation:** Developments should provide common open space and recreational areas such as playgrounds, walking paths, or seating areas to serve the residents of the development.

Section 10. Affordable Housing Requirements

1. **Mandatory Set-Aside:** Any residential component of a development within the Bergen Boulevard District (BBD) Overlay Zone with five (5) or more dwelling units shall set aside a minimum of twenty percent (20%) of the total number of dwelling units as affordable housing units in accordance with New Jersey's affordable housing requirements.
2. **Phasing Requirement:** Construction of affordable units shall be phased alongside market-rate units in accordance with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., ensuring that affordable units are issued certificates of occupancy proportionately within each phase of development.
3. **Affordability Controls:** All affordable units created under this Ordinance shall comply with affordability controls as per the New Jersey Council on Affordable Housing (COAH) or any successor agency, and the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq.
4. **Distribution of Affordable Units:** Affordable units shall be integrated with market-rate units throughout the development and not concentrated in a single area or building.
5. **Bedroom Mix:** The bedroom mix of affordable units must comply with UHAC requirements, providing a mix of unit types to accommodate diverse household sizes.

Section 11: Sixth Floor Incentive

A sixth (6th) story shall be permitted within the BBD Mixed-Use Overlay Zone, only on lots having a minimum area of one-half (0.5) acre (21,780 square feet), or on contiguous lots that have been assembled into a single development parcel with a minimum area of one-half (0.5) acre, provided that the development complies with the following requirements:

- A. **Stepback Requirement:** The sixth floor shall be stepped back a minimum of ten (10) feet from all building façades, as measured horizontally from the exterior wall of the fifth floor.
- B. **Maximum Floor Area:** The indoor floor area of the sixth floor shall not exceed sixty percent (60%) of the gross floor area of the floor immediately below. Outdoor areas, including terraces, gardens, and recreation spaces, shall not be included in this calculation.
- C. **Permitted Use:** The sixth floor shall be limited primarily to amenity space accessory to the principal residential use and shall not be used for dwelling units, offices, or other principal commercial purposes. Permitted amenity space may include, but is not limited to, indoor

resident amenity areas such as lounges, fitness rooms, co-working spaces, and community rooms, as well as outdoor roof terraces, gardens, and recreation areas. Notwithstanding the foregoing, commercial space may be permitted on the sixth floor at the sole discretion of the approving authority, provided that such space is accessory to permitted commercial use located on the ground floor, is physically separated from any residential use or amenity area, and is accessed by a separate entrance from that serving the residential or amenity spaces. Such commercial space may include, but is not limited to, a rooftop café or bar associated with a restaurant.

- D. Design Standards:** The sixth floor shall be designed to reduce perceived mass and shall comply with the following:
1. The sixth floor shall incorporate lighter and visually distinct materials, including but not limited to glass, metal panels, or similar materials, to differentiate it from the lower floors.
 2. Guardrails, terrace edges, and similar features shall be visually transparent.
 3. All mechanical equipment shall be fully screened from view from public streets and adjacent properties.
 4. The stepback area shall incorporate landscaping and/or usable outdoor amenity space.
- E. Height and Story Exception:** The sixth floor shall not be counted toward the maximum permitted building height, whether measured in number of stories or feet, provided that it complies with the stepback requirements set forth herein and does not exceed an additional twelve (12) feet in height above the roof level of the fifth floor.

Section 12. Administration and Compliance

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

Section 13. Severability

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

Section 14. Effective Date

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

ORDINANCE NO. 2026-8

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF PALISADES PARK TO ESTABLISH THE “ROUTE 5 SENIOR HOUSING OVERLAY DISTRICT” APPLICABLE TO BLOCK 724, LOT 14; BLOCK 725, LOT 1; AND BLOCK 726, LOT 1

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

WHEREAS, the Borough seeks to provide additional housing opportunities for seniors through age-restricted residential development in appropriate locations along the Route 5 corridor; and

WHEREAS, the Borough has identified Block 724, Lot 14; Block 725, Lot 1; and Block 726, Lot 1 as appropriate sites for inclusionary residential development capable of supporting the Borough’s affordable housing obligations while advancing sound planning objectives; and

WHEREAS, the Borough’s Master Plan and Housing Element and Fair Share Plan support the development of affordable housing opportunities and the redevelopment of underutilized parcels in a manner consistent with smart growth principles; and

WHEREAS, the establishment of an overlay zoning district will provide flexible development standards while maintaining consistency with the Borough’s Master Plan;

WHEREAS, the Borough desires to establish the Route 5 Senior Housing Overlay District (R5-SHOD) to permit age-restricted multifamily residential development with a mandatory affordable housing set-aside, together with appropriate design, parking, and site planning standards; and

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

Section 1. Title

This Ordinance shall be known and cited as the “Route 5 Senior Housing Overlay District (R5-SHOD)” established as an Overlay Zone in the Borough of Palisades Park.

Section 2. Codification / Amendment to Code

The Route 5 Senior Housing Overlay District (R5-SHOD) Overlay Zone is hereby established and shall be incorporated into the Code of the Borough of Palisades Park as Section 300-9.3 of Article II, entitled “Districts, Map, Boundaries, and Schedules,” of Chapter 300, Zoning.

Section 3. Purpose

The purpose of this Ordinance is to create an Overlay Zone to encourage age-restricted residential development for residents aged fifty-five (55) years and older, while advancing the Borough’s affordable housing obligations through inclusionary housing development.

This Overlay Zone is intended to promote the appropriate redevelopment of underutilized parcels along Route 5, provide high-quality site planning and community amenities, and ensure consistency with the Borough’s Master Plan and smart growth principles.

Section 4. Applicability

The Route 5 Senior Housing Overlay District (R5-SHOD) shall apply to the following properties as depicted on the Borough Zoning Map:

1. Block 724, Lot 14
2. Block 725, Lot 1
3. Block 726, Lot 1

The Overlay District shall supplement the underlying zoning district regulations. In the event of a conflict between the underlying zoning and the provisions of this Overlay District, the provisions of the Overlay District shall control.

Section 5. Permitted Uses

Within the R5-SHOD, the following uses shall be permitted:

- A. Age-restricted multifamily residential dwellings in accordance with applicable federal and state law, including the Fair Housing Act (Housing for Older Persons Act).
- B. Accessory uses, including:
 - Community rooms
 - Fitness and wellness facilities
 - Management offices
 - Parking structures or surface parking
 - Passive recreational amenities.

Section 6. Development Standards

A. Maximum Residential Density:

- Up to ninety (90) dwelling units total across the Overlay District.

B. Building Configuration:

- Development shall consist of up to three (3) principal residential buildings.

C. Age Restriction:

- All units shall be age-restricted to residents aged 55 years and older, except as otherwise permitted by law.

D. Affordable Housing Requirement:

- A minimum of 20% of all dwelling units within the development must be designated as affordable housing units.
- A total of eighteen (18) units shall be designated as affordable housing.
- Affordable units must be distributed throughout the development and must be indistinguishable from market-rate units in terms of design, materials, and finishes.
- The affordable units must comply with income eligibility and affordability controls as established by the Uniform Housing Affordability Controls (UHAC).

Section 7. Bulk and Area Requirements

The following standards shall apply:

- A. Minimum Lot Area: As required to accommodate the development and associated improvements, but no less than 40,000 square feet in aggregate across the Overlay District.
- B. B. Maximum Building Height: Four (4) stories or fifty feet (50'), whichever is less. Rooftop mechanical equipment and elevator overruns shall not be counted toward building height provided they are set back a minimum of ten feet (10') from the exterior building wall and screened from public view.
- C. Setbacks:

- Front Yard (Route 5): Minimum twenty-five feet (25'). Architectural projections such as covered entries and canopies may encroach up to five feet (5') into the required front yard setback.
- Side Yard: Minimum fifteen feet (15') per side yard; or twenty feet (20') where the side yard abuts a residentially-zoned property.
- Rear Yard: Minimum twenty feet (20'); or twenty-five feet (25') where the rear yard abuts a residentially-zoned property.
- Buffer: Where the development abuts an existing residential use or residentially-zoned property, a minimum ten-foot (10') landscaped buffer shall be provided within the required setback area.

D. Maximum Lot Coverage (Buildings): Forty percent (40%) of total lot area.

E. Maximum Impervious Coverage (All Impervious Surfaces): Seventy percent (70%) of total lot area, inclusive of buildings, parking areas, driveways, and hardscape.

F. Minimum Unit Size:

- Studio/Efficiency Units: 450 square feet minimum net livable area.
- One-Bedroom Units: 600 square feet minimum net livable area.
- Two-Bedroom Units: 800 square feet minimum net livable area.
- The foregoing minimum unit sizes shall apply equally to market-rate and affordable units.

G. Open Space: A minimum of fifteen percent (15%) of the total lot area shall be maintained as common open space, which may include courtyards, passive recreation areas, landscaped buffers, and pedestrian pathways. Parking areas, driveways, and stormwater management facilities shall not be counted toward this requirement.

Section 8. Parking and Circulation

A. Parking shall be provided in accordance with the requirements of the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21.

B. The Planning Board may modify parking requirements upon submission of a parking demand study prepared by a licensed professional engineer demonstrating that the proposed supply is adequate for anticipated demand.

C. Accessible parking spaces shall be provided in conformance with the Americans with Disabilities Act (ADA) and the New Jersey Barrier-Free Subcode (N.J.A.C.

5:23-7). Given the age-restricted nature of the development, the Planning Board may require accessible spaces beyond the ADA minimum at its discretion.

- D. Surface parking areas shall be screened from Route 5 and adjacent properties by landscaping, low decorative walls, or fencing consistent with the architectural character of the development. Interior landscaped islands shall be provided at a ratio of not less than one island per twenty (20) parking spaces.
- E. A dedicated drop-off and pick-up area shall be provided at each principal building entrance, designed to accommodate ambulances, paratransit vehicles, and passenger vehicles without conflicting with internal traffic circulation. Drop-off areas shall be covered where feasible.

Section 9. Design Standards

- A. **Architectural Design.** Development shall incorporate high-quality architectural design reflective of the residential character of Palisades Park. Exterior materials shall consist primarily of brick, stone, fiber cement siding, or equivalent durable materials. EIFS (Exterior Insulation and Finish Systems) shall be permitted only as an accent material and shall not constitute the predominant facade material. All building facades visible from a public right-of-way or adjacent residential property shall include architectural articulation, varied rooflines, windows, and other features to avoid monotonous, flat facades.
- B. **Building Arrangement.** Buildings shall be arranged to promote walkability, internal connectivity, and a sense of community among residents. Principal building entrances shall be oriented toward internal pedestrian paths or common areas, not exclusively toward parking areas.
- C. **Landscaping and Buffering.** A comprehensive landscape plan prepared by a licensed landscape architect shall be submitted as part of site plan approval. Landscaping and buffering shall be provided along all property boundaries. Where the development abuts a residentially-used or residentially-zoned property, an evergreen buffer of not less than six feet (6') in height at time of planting shall be provided within the required setback.
- D. **Pedestrian Environment.** Outdoor seating areas, passive recreation areas, raised planting beds, walking paths, and paved pedestrian pathways shall be incorporated into the site design. Pedestrian pathways shall be ADA-compliant, well-lit, and directly connect all principal building entrances to parking areas,

drop-off areas, and any adjacent public sidewalk along Route 5.

- E. Lighting. All site lighting shall be full cut-off fixtures designed to minimize light spillover onto adjacent properties and the public right-of-way. A photometric plan shall be submitted with the site plan application demonstrating conformance with this requirement. Average illumination levels in parking areas shall not exceed 2.0 foot-candles.

- F. Signage. Signage shall be limited to identification signage for the development and shall be monument-style, not to exceed six feet (6') in height and thirty-two (32) square feet in sign face area. No internally illuminated cabinet signs shall be permitted. Signage shall be reviewed and approved by the Planning Board as part of site plan review.

Section 10. Severability

If any section, clause, or provision of this ordinance is found to be invalid, the remainder shall remain in full force and effect.

Section 11. Effective Date

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

ORDINANCE NO. 2026-9

AN ORDINANCE ESTABLISHING THE “BELLVIEW PLACE OVERLAY DISTRICT” FOR BLOCK 217, LOT 23 AND AMENDING THE ZONING MAP AND LAND USE REGULATIONS OF THE BOROUGH OF PALISADES PARK

WHEREAS, the Borough of Palisades Park recognizes its constitutional obligation to provide for its fair share of affordable housing as mandated by the New Jersey Supreme Court in the landmark Mount Laurel decisions and as required under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the Borough seeks to promote the development of multi-family housing as a means of addressing the diverse housing needs of its residents, including the creation of affordable housing opportunities for low- and moderate-income households; and

WHEREAS, the Borough is committed to fostering inclusive communities and ensuring compliance with its affordable housing obligations while promoting responsible development that enhances the quality of life for all residents; and

WHEREAS, this ordinance is intended to establish standards and requirements for the development of multi-family housing that includes affordable housing units, thereby contributing to the Borough’s compliance with its constitutional and statutory obligations and advancing the public welfare;

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

Section 1. Purpose

The purpose of this ordinance is to establish the “Bellview Place Overlay District” (BPOD) for the specific property known as Block 217, Lot 23, to encourage and regulate the development of mixed-income housing, promote the inclusion of affordable housing units, and provide clear standards for building height, setbacks, and parking.

Section 2. Creation of Bellview Place Overlay District (BPOD)

The zoning map of the Borough of Palisades Park is hereby amended to establish the “Bellview Place Overlay District” (BPOD) for the property identified as Block 217, Lot 23, hereinafter referred to as the “BPOD.”

Section 3. Permitted Uses

The following uses are permitted within the BPOD:

1. Multiple-family residential buildings.
2. Community amenities such as recreation areas, fitness centers, and community rooms for residents.
3. Accessory uses, including but not limited to parking facilities, bicycle storage, and on-site management offices.

Section 4. Development Standards

1. Maximum Residential Density: 20 dwelling units.
2. Minimum Lot Size: 0.21 acres, 9,500 square feet.
3. Maximum Building Height: 65 feet and six (6) stories (4 residential stories above 2 parking stories).
4. Maximum Building Coverage: 95%.
5. Maximum Impervious Coverage: 95%.
6. Setbacks
 - o Minimum Front Yard Setback: 10 feet from the property line.
 - o Minimum Side Yard Setback: 5 feet to from the property line.
 - o Minimum Rear Yard Setback: 15 feet from the rear property line.
7. Parking Requirements
 - o A minimum of 1 parking space per residential unit is required.
 - o All parking facilities must comply with municipal standards for lighting, landscaping, and accessibility.
8. Affordable Housing Set-Aside
 - o A minimum of 20% of all dwelling units within the development must be designated as affordable housing units.
 - o Affordable units must be distributed throughout the development and must be indistinguishable from market-rate units in terms of design, materials, and finishes.
 - o The affordable units must comply with income eligibility and affordability controls as established by the Uniform Housing Affordability Controls (UHAC)

Section 5. Architectural and Design Standards

All buildings constructed within the BPOD shall conform to the following architectural and design standards, which shall be reviewed and approved by the Planning Board as part of site plan approval:

1. Facade materials shall consist of high-quality, durable materials such as brick, stone, fiber cement panel, or architectural precast concrete. EIFS (synthetic stucco) shall not be permitted below the second floor on any street-facing facade.
2. Building facades facing a public street shall incorporate horizontal and vertical modulation, including variation in wall plane, window rhythm, cornice lines, and material changes, such that no uninterrupted facade exceeds 40 feet in length.
3. A defined, covered primary entrance shall be provided on the street-facing facade with direct pedestrian connection to the public sidewalk.
4. Mechanical equipment, utility meters, and refuse/recycling enclosures shall be screened from public view using materials and design consistent with the principal building.
5. All ground-level residential units fronting a public street shall provide a landscape transition buffer between the building and the sidewalk of not less than 3 feet in width, planted with a combination of shrubs, ornamental grasses, and seasonal plantings.

Section 6. Severability

If any section, clause, or provision of this ordinance is found to be invalid, the remainder shall remain in full force and effect.

Section 7. Effective Date

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

ORDINANCE NO. 2026-10

AN ORDINANCE ESTABLISHING THE AFFORDABLE HOUSING DISTRICT 1 (AHD-___) AND REGULATING DEVELOPMENT REQUIREMENTS FOR BLOCK 716, LOTS 20, 21 & 22

WHEREAS, the Borough of Palisades Park recognizes its constitutional obligation to provide for its fair share of affordable housing as mandated by the New Jersey Supreme Court in the landmark Mount Laurel decisions and as required under the Fair Housing Act, **N.J.S.A. 52:27D-301 et seq.**; and

WHEREAS, the Borough seeks to promote the development of multi-family housing as a means of addressing the diverse housing needs of its residents, including the creation of affordable housing opportunities for low- and moderate-income households; and

WHEREAS, the Borough's Planning Board has amended the Land Use Plan Element and adopted a Housing Plan Element and Fair Share Plan of the Master Plan, and this ordinance is substantially consistent with each of those elements of the Master Plan and is designed to effectuate the intent and purposes of each; and

WHEREAS, the Borough is committed to fostering inclusive communities and ensuring compliance with its affordable housing obligations while promoting responsible development that enhances the quality of life for all residents; and

WHEREAS, this ordinance is intended to establish standards and requirements for the development of multi-family housing that includes affordable housing units, thereby contributing to the Borough's compliance with its constitutional and statutory obligations and advancing the public welfare;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council, as follows:

Section 1. Purpose

The purpose of this ordinance is to establish the Affordable Housing District __ (AHD-__) for the specific property known as Block 716 and Lots 20, 21 & 22, to encourage and regulate the development of mixed-income housing, promote the inclusion of affordable housing units, and provide clear standards for building height, setbacks, and parking.

Section 2. Creation of Affordable Housing District __ (AHD-__)

The zoning map of the Borough of Palisades Park is hereby amended to establish the Affordable Housing District 1 (AHD-__) for the property identified as Block 716, Lots 20, 21 & 22, hereinafter referred to as the "AHD-__ Zone."

Section 3. Permitted Uses

The following uses are permitted within the AHD-1 Zone:

1. Multiple-family residential buildings.
 2. Community amenities such as recreation areas, fitness centers, and community rooms for residents.
 3. Accessory uses, including but not limited to parking facilities, bicycle storage, and on-site management offices.
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Section 4. Development Standards

1. **Maximum Residential Density:** 80.4 dwelling units per acre.
2. **Minimum Lot Size:** 0.44 acres, 18,962 square feet.
3. **Maximum Building Height:** 68 feet and six (6) stories.
4. **Maximum Building Coverage:** 60%.
5. **Maximum Impervious Coverage:** 80%.
6. **Setbacks**
 - **Minimum Front Yard Setback:** 15 feet from the property line.
 - **Minimum Side Yard:** 5 feet to from the side property line.
 - **Minimum Rear Yard Setback (Garage Ramp):** 9 feet from the rear property line.
 - **Minimum Rear Yard Setback (Building):** 25 feet from the rear property line, except that balconies and other protrusions may extend 5 feet from the rear building wall
7. **Retaining walls:** Any retaining walls in the rear yard that are in excess of 6 feet in height shall be tiered and the space between the tiers shall be landscaped. Retaining walls in the side yard that are in excess of 8 feet (excluding a parapet that shall not exceed 3 feet) shall be tiered and the space in between the tiers shall be landscaped.
8. **Parking Requirements**
 - A minimum of 1.25 parking spaces per residential unit is required.
 - All parking facilities must comply with municipal standards for lighting, landscaping, and accessibility.
9. **Steep slopes and Environmental Constraints Requirements:** § 300-24 of the Borough's Zoning Ordinance shall not be applicable to development in the AHD-___ Zone.
10. **Affordable Housing Set-Aside**
 - A minimum of 20% of all dwelling units within the development must be designated as affordable housing units.
 - Affordable units must be distributed throughout the development and must be indistinguishable from market-rate units in terms of design, materials, and finishes.

- The affordable units must comply with income eligibility and affordability controls as established by the Uniform Housing Affordability Controls (UHAC)
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Section 5. Severability

If any section, clause, or provision of this ordinance is found to be invalid, the remainder shall remain in full force and effect.

Section 6. Effective Date

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