

BOROUGH OF PALISADES PARK · BERGEN COUNTY · NEW JERSEY
BOROUGH OF PALISADES PARK
BERGEN COUNTY, NEW JERSEY

ORDINANCE 2026-22

AN ORDINANCE OF THE BOROUGH OF PALISADES PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 300, “ZONING,” OF THE CODE OF THE BOROUGH OF PALISADES PARK TO REVISE § 300-9.1, ENTITLED “MHR-1 AND MHR-2 DISTRICTS”

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., authorizes municipalities to regulate land development through zoning ordinances; and

WHEREAS, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., establishes municipal responsibilities concerning the provision of affordable housing; and

WHEREAS, the Borough Council seeks to revise the standards applicable to the MHR-1 and MHR-2 Districts in accordance with applicable law and directives of the Superior Court of New Jersey; and

WHEREAS, the Borough Council finds that the amendments set forth below advance the public health, safety, morals, and general welfare and further the purposes of zoning under the Municipal Land Use Law;

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

SECTION 1. AMENDMENT TO BOROUGH CODE § 300-9.1

Section 300-9.1 of Chapter 300, “Zoning,” of the Code of the Borough of Palisades Park is hereby amended and restated in its entirety to read as follows:

§ 300-9.1. HR-1 and MHR-2 Districts.

A. Authority; purpose.

- (1) This section is adopted pursuant to the authority of the Municipal Land Use Law, Chapter 291 of the Laws of 1975 (N.J.S.A. 40:55D-1 et seq.), and the amendments thereof and supplements thereto, and upon the directive of the Superior Court of New Jersey.
- (2) The purpose of this section is to provide for the development of high-density apartment buildings pursuant to and in accordance with the Municipal Land Use Law; to provide standards and criteria; and to execute the Borough’s responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985, provided that such development shall not aesthetically or physically intrude upon preexisting neighborhood schemes and patterns; to lessen the burden of traffic on streets and highways; to conserve the value of land; and to comply with the directives of the Superior Court of New Jersey.

B. Statement of objectives; districts established.

- (1) The Borough recognizes that, due to the decision of the Superior Court, it is required to create a high-rise zone from remaining developable lands within the Borough; to provide adequate, safe, efficient, and economical municipal services and utilities; and to establish appropriate patterns for the distribution of population in housing accommodations in order to provide for a variety of service activities, parking, and other open space in orderly relationship to each other and in conformity with the development of the municipality as a whole.
- (2) In view of the foregoing, a High-Rise Residential District One (HR-1) and a Medium High-Rise Residential District Two (MHR-2) are hereby established, subject to the conditions, criteria, and standards set forth in this section.

C. Permitted uses and structures.

- (1) In the HR-1 and MHR-2 Districts, no lot, plot, parcel, or tract of land and no building or structure shall be used, and no building shall be altered or erected to be used, for any purpose other than the following:

(a) All principal uses in the AA District, subject to the bulk regulations prescribed therein.

(b) Medium- or high-rise apartments.

(2) Accessory uses. All permitted accessory uses in the AA District, subject to the bulk regulations prescribed therein.

D. Lot size, dimension, and height.

(1) Minimum lot size.

(a) HR-1 District. The minimum lot size shall be one acre.

(b) MHR-2 District. The minimum lot size shall be 2½ acres.

(2) Building and structure height.

(a) No building shall have more than 20 stories devoted principally to residential use; provided, however, that such residential stories may be above not more than two stories devoted to an access lobby, utilities, building services (including a superintendent's living unit), storage, and parking. Any building exceeding eight stories shall comply with all applicable provisions of the New Jersey Uniform Construction Code (NJUCC) for high-rise residential construction, including, but not limited to, fire suppression, egress, and structural requirements.

(b) In addition to the aboveground stories described above, parking accessory to the residential use may be provided at ground level and in stories located below the ground-floor elevation at the front of the building.

E. Standards and criteria for development. Within the HR-1 and MHR-2 Districts, development shall be in accordance with the following:

(1) Density.

(a) HR-1 District. The maximum permitted density shall not exceed 180 dwelling units, provided that the development includes affordable housing units in accordance with the Borough's fair housing obligations and the requirements of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

(b) MHR-2 District. The maximum permitted density shall not exceed 140 dwelling units.

(2) Floor area ratio.

(a) HR-1 District. The maximum floor area ratio (FAR) permitted for the entire zone is 1.0.

(b) MHR-2 District. The maximum floor area ratio (FAR) permitted for the entire zone is 1.0.

F. Building setback and yard requirements.

(1) Building setbacks and yard requirements shall be as follows:

[a] Minimum front yard. The front-yard setback from all public and private roads shall be zero feet from the road right-of-way; provided, however, that balconies, canopies, and other similar projections from the principal facade of a building shall be permitted within the front-yard setback. Parking, access driveways, and public or private communal spaces and walkways may be developed within the front-yard setback, subject to the following condition: no wall or other solid structure shall project more than six feet above street level, and any such structure shall be suitably screened with landscaping.

[b] Minimum side yard: 15 feet from all other public and private roads.

[c] Minimum rear yard: 45 feet.

[d] Setback from internal driveways: 10 feet.

(2) All foregoing yard requirements may be expanded or modified by the Planning Board for good cause.

(G) Parking.

- (1) Number of parking spaces. Each dwelling unit shall have off-street parking as set forth in the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21). The number of off-street parking spaces shall be as follows:

Dwelling Unit Size	Number of Spaces Required
1 bedroom	0.8 spaces
2 bedrooms	1.3 spaces
3 bedrooms	1.9 spaces

- (2) Surface parking setbacks. Surface parking shall be set back from the building a minimum distance of 15 feet.

SECTION 2. REFERRAL TO PLANNING BOARD

Following introduction, this ordinance shall be referred to the Borough of Palisades Park Planning Board for review and recommendation in accordance with N.J.S.A. 40:55D-26.

SECTION 3. REPEALER

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

SECTION 5. CODIFICATION

This ordinance shall be a part of the Code of the Borough of Palisades Park as though codified and fully set forth therein. The Borough Clerk and the codifier are authorized to make non-substantive editorial revisions, including renumbering, formatting, correction of typographical errors, and revision of internal references, as necessary for codification.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect upon final passage and publication as required by law and after the filing of a copy with the Bergen County Planning Board, as applicable, in accordance with N.J.S.A. 40:55D-16.

ATTEST:

Borough Clerk

Mayor

Date: _____

Date: _____