

**BOROUGH OF HAWORTH
BERGEN COUNTY
ORDINANCE NO. 2026-003**

AN ORDINANCE TO CREATE A NEW INCLUSIONARY ZONE DISTRICT FOR 139 TERRACE STREET (BLOCK 1308, LOT 1)

IN THE BOROUGH OF HAWORTH, BERGEN COUNTY, NEW JERSEY

WHEREAS, the Borough of Haworth has adopted a Housing Element and Fair Share Plan; and

WHEREAS, the Borough of Haworth seeks to address its Round 4 Prospective Need Obligation; and

WHEREAS, the Borough of Haworth seeks to create a new inclusionary zone district to address a portion of its obligation:

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Haworth,

Section 26-401 is amended to add:

Zone H – 139 Terrace Street (Block 1308, Lot 1) Inclusionary Zone District

Section 26-502.11 is added to the Borough Code as follows:

- a. This ordinance creates a new zone district, known as Zone H to include only the property known as Block 1308, Lot 1/139 Terrace Street.
- b. Intent and purpose. It is the intent and purpose of this district to facilitate creation of an inclusionary development that will diversify housing opportunities and satisfy a portion of the Borough's Round 4 affordable housing obligation.
- c. Permitted uses. The following use is permitted.
 - (1) Mixed-use development, containing:
 - (a) The ground floor use shall be a business or commercial use that is permitted in Business District "D"/Business Zone, as provided in Subsection 26-502.4a. of the Land Use Ordinance, as well as a lobby or other common space for the residential units.
 - (b) The second and third floors shall contain residential dwelling units.
 - (c) Residential dwelling units are not permitted on the ground floor.
- d. The following accessory uses are permitted.
 - (1) Parking, both surface and/or structured.
 - (2) Accessory uses and accessory structures customarily incidental to the above uses and located on the same lot as the principal use to which they are accessory.
- e. Area and Bulk Requirements:
 - (1) Minimum lot size: 11,700 square feet

- (2) Maximum gross density: 37 du/ac but not to exceed the maximum number of units stipulated herein
- (3) Maximum number of dwelling units: 10 units
- (4) Minimum tract perimeter building setbacks:
 - (a) Terrace Street: 3 feet
 - (b) St. Nicholas Ave. : 0 ft.
 - (c) Stevens Place: 0 ft.
- (5) Parking & Loading
 - (a) 16 parking spaces shall be provided, including (1) one ADA accessible space and one (1) Electric Vehicle (EV) make ready space.
 - (b) A loading space is not required.
- (6) Maximum principal building height: 35 ft. but in no event more than three (3) stories
- (7) Maximum impervious coverage: 98.7%
- (8) Maximum permitted building coverage: 96.1%

f. Site Design Requirements:

- (1) Signs are permitted pursuant to Section 26-702 (Signs in Business Zone “D”).
- (2) Parapets are excluded from building height calculations.
- (3) Architectural features including fenestration, step-backs, variations in building height and rooflines and varying color schemes are to be used to break up the mass and appearance of the building, in particular along the St. Nicholas Ave. frontage.
- (4) The site layout and design shall be substantially consistent with the engineering plan entitled, “Concept Map, 139 Terrace Street,” prepared by MCB Engineering Associates, LLC, dated April 2025, and architectural plans entitled, “Terrace Street Development,” consisting of four (4) sheets, prepared by Zampolin & Associates, dated April 25, 2025.
- (5) A minimum of six (6) bicycle parking spaces shall be provided.

g. Affordable Housing

- (1) Not less than 20% of the total dwelling units shall be restricted to low and moderate households, with 13% of the affordable units being available to very low income households. These households shall be available to families, and shall not be restricted to any specific demographic or population. In the event that the 20% affordable housing set-aside calculation results in a fractional unit, the set-aside shall be rounded up to the next whole number.
- (2) The affordable units shall be developed and administered in accordance with the Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.), Local Planning Services regulations (N.J.A.C. 5:99), and UHAC regulations (N.J.A.C. 5:80-26.1), and as required under Chapter 30, Affordable Housing and Affirmative Marketing Regulations, of the Code of the Borough of Haworth. Such requirements include but are not limited to the following: income distribution, bedroom distribution, affordability controls (not less than 40 years for rental units and 30 years for sale units).
- (3) The affordable units shall be integrated throughout the development.

Repealer

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5. EFFECTIVE DATE

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



HEATHER WASSER, Mayor

Introduced: 02/24/2025

Adopted: 03/10/2025



**Greg Zagaja, RMC, CMC, CMR
Borough Clerk**

