

**BOROUGH OF HAWORTH  
BERGEN COUNTY  
ORDINANCE NO. 2026-005**

**AN ORDINANCE TO AMEND THE BOROUGH CODE TO REPEAL AND REPLACE §26-502.7, A/OZ  
RESIDENTIAL/OVERLAY ZONE DISTRICT,  
IN THE BOROUGH OF HAWORTH, BERGEN COUNTY, NEW JERSEY**

**§ 26-502.7 — A/OZ Residential/Overlay Zone District is fully removed and replaced as follows:**

The following standards shall apply to development within Zone A/OZ. All other zoning and land use provisions including by way of example the provisions of Chapter 26, Land Use Regulations, of the Haworth Code shall apply to development in Zone A/OZ only where specifically indicated as applicable in § 26-502.7. When the standards herein conflict with other provisions of Chapter 26, the standards herein shall apply.

- a. Intent; Description. The Mayor and Council of the Borough of Haworth desire to amend an existing overlay zone district to provide a realistic opportunity to address the Borough's Unmet Need from Round 4. This zoning ordinance shall implement the Borough's Housing Element and Fair Share Plan and the Borough's Mediation Agreement that was executed in February 2026. The subject amendment to the existing overlay zone shall provide the realistic opportunity for the provision of moderate, low and very low income housing in accordance with the Borough's obligation for New Jersey's Fair Housing Act Fourth Round (2025-2035). Lot 1 of Block 1008 of the Official Tax Maps of the Borough of Haworth has been identified as appropriate for an inclusionary multifamily housing overlay zone development in which 20% of the dwelling units therein can be set aside for moderate, low and very low income households.
- b. Permitted Principal Uses:
  1. All uses permitted in Residence Zone A, which shall be subject to the bulk requirements that are applicable to Residence Zone A.
  2. Multifamily residential development.
  3. Townhouses.
  4. Stacked townhouses.
- c. Permitted Accessory Uses and Structures: private garages, off-street parking, sidewalks, walking paths, landscaping, buffering, fencing, walls, lighting, signage, stormwater detention facilities, common open space, outdoor recreational facilities or structures for the private use and enjoyment of residents and their guests, and other accessory structures and uses that are customary and incidental to the principal permitted uses.
- d. Bulk Area and Other Dimensional Standards for townhouse, stacked townhouse or multifamily residential development use:

1. Minimum tract area: Ten (10) acres.
  2. Minimum tract depth: 500 feet.
  3. Minimum setbacks:
    - (a) Minimum setback from Ivy Avenue, Haworth Drive, and Sunset Avenue: 50 feet.
    - (b) Minimum setback from adjacent property situated in the A (Residential) Zone District and/or improved with an existing single family detached residential dwelling: 150 feet.
    - (c) Minimum setback from driveways, access roads and parking areas:
      - (1) Front yards: 10 feet.
      - (2) Side yards: Zero (0) feet.
  4. Minimum distance between structures:
    - (a) Side-to-side: 15 feet.
    - (b) Rear-to-rear: 30 feet.
    - (c) Front-to-front: 40 feet.
    - (d) Front-to-side and rear-to-side: 30 feet.
  5. Maximum height of structure (feet): 35 feet.
  6. Maximum building coverage: 35 percent.
  7. Maximum impervious lot coverage: 65 percent.
  8. Maximum residential density: 16 units per acre.
- e. Parking Requirements:
1. Parking shall be provided per RSIS standards.
  2. For townhouses, at least one (1) parking space shall be provided in an enclosed garage. A second parking space may be provided in the driveway in front of the garage.
  3. Parking for multifamily residential development and stacked townhouses may be provided in off-street surface or covered parking spaces.

4. Parking for visitors of townhouses, stacked townhouses, and multifamily residential development may be provided in off-street surface spaces.
- f. Signage. One double-sided ground-mounted sign shall be permitted, no taller than six (6) feet in height, with a sign area no greater than 32 square feet and set back a minimum of ten (10) feet from a public right-of-way and 75 feet from adjacent properties located in the A (Residential) Zone District.
- g. Fences and Walls:
  1. No fence or wall shall exceed a height of six (6) feet.
  2. Fences along lot lines shall be set back a minimum of one-half (0.5) foot from all property lines.
- h. Landscaping. Development shall comply with the provisions of § 26-904.1 of the Haworth Code, entitled "Landscaping."
- i. Buffering. Development shall comply with the provisions of § 26-903.5 of the Haworth Code, entitled "Required Buffering Areas and Setbacks." Notwithstanding such provisions, along the frontages of Haworth Drive and Sunset Drive, a minimum of a row of evergreen trees interspersed with deciduous shade trees with a planting height of at least eight to 10 feet shall be planted. The spacing of such trees shall be such that, at maturity, such trees shall provide a continuous evergreen screen along such property lines. The deciduous shade trees interspersed with the evergreen buffer plantings shall be provided at intervals of not more than 40 feet. The same buffer, except that instead of one row of evergreen trees there shall be two rows of evergreen trees, shall be applied along the frontage of Ivy Avenue, the eastern tract boundary, and any other tract boundaries with adjacent properties in the A (Residential) Zone District. In addition, notwithstanding such provisions, no driveway or parking area shall be located closer than 75 feet to adjacent properties in the A (Residential) Zone District.
- j. Lighting. Development shall comply with the provisions of § 26-905 of the Haworth Code, entitled "Lighting."
- k. Architectural Design Standards. Development shall comply with the provisions of § 26-907 of the Haworth Code, entitled "Architectural Design Standards of Structures Requiring Site Plan Review and Approval." In addition, the following shall apply:
  1. The development shall include either an indoor or an outdoor amenity or recreation facilities for residents.
  2. Building design shall include both vertical and horizontal articulation.
  3. All roof-mounted equipment shall be screened from public view by the use of a parapet wall or other architectural detail. The 35 ft. maximum building height shall not be exceeded by the parapet wall or other architectural detail used to screen the roof-mounted equipment.

- l. Sidewalks. Development shall comply with the provisions of § 26-908.4 of the Haworth Code, entitled “Sidewalks.”
- m. Utilities. Development shall comply with the provisions of § 26-910 of the Haworth Code, entitled “Utilities.”
- n. Stormwater. Development shall comply with the provisions of § 26-911 of the Haworth Code, entitled “Stormwater Control.”
- o. 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.
  - 2. If the required total number of residential units does not result in a full integer, the developer shall round up to the nearest full integer.
  - 3. The affordable units shall be developed and administered in accordance with the Fair Housing Act (NJSA 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).
  - 4. 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**

