

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-016**

**ACCESSORY APARTMENT ORDINANCE**

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER  
101, "ZONING," OF THE CODE OF THE BOROUGH OF PARK RIDGE,  
COUNTY OF BERGEN, STATE OF NEW JERSEY, TO ESTABLISH  
ACCESSORY APARTMENT REQUIREMENTS**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Park Ridge, in the County of Bergen, and State of New Jersey, that:

**SECTION 1.** Chapter 101, "Zoning," Section 101-21, "Regulations Governing Certain Accessory Structures and Uses," is hereby supplemented to include a new Subsection (J), which shall be entitled "Accessory Apartments," and which shall read as follows:

**J.** Accessory apartments.

- (1) Purpose. This section is intended to provide opportunities for the creation of up to 7 subsidized affordable accessory apartments within the Borough of Park Ridge to fulfill the Borough's affordable housing obligation.
- (2) Definition. The term "accessory apartment," as used in this section, shall mean a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.
- (3) Where permitted. Accessory apartments shall be permitted in principal or accessory buildings in the R-40, R-20, R-15, and R-10 Zones on lots developed with a detached single family dwelling according to the area, yard, and bulk requirements set forth at paragraph (7) below.
- (4) Affordability. Each new accessory apartment created under the terms of this section shall be an affordable rental unit in accordance with the terms of Chapter 39, Affordable Housing, of the Code of the Borough of Park Ridge.
- (5) Applicability. While this section shall apply to the development and continued operation of all affordable accessory apartments created in the Borough following the adoption of this section, no more than 7 affordable accessory apartments shall be subsidized by the Borough of Park Ridge.
- (6) Number of dwelling units. No lot shall contain more than two dwelling units. A lot shall contain a principal dwelling unit and not more than one affordable accessory apartment which may be located in the principal residence or in an accessory structure. The accessory apartment shall be exempt from the density requirements of the zone district in which the unit is located; however, this density exemption shall only apply to one unit above the maximum density.
- (7) Area and bulk standards. An affordable accessory apartment shall only be permitted if it complies with the following lot and bulk standards:
  - (a) The lot to be used for the accessory apartment shall comply with the minimum area, width and depth requirements applicable to single family detached dwellings in the zone district.

- (b) The building within which the accessory apartment is located shall comply with all requirements applicable to principal buildings used as detached single family dwellings in the zone district, except for requirements that limit the lot to only one dwelling or dwelling structure.
  - (c) The cumulative building coverage, improvement coverage, floor area ratio and gross floor area of all buildings and other improvements on the lot shall comply with the maximum standards applicable to single family dwellings on the lot.
- (8) Accessory apartments in accessory structures. Any accessory apartment created under the terms of this section within an accessory structure shall be exempt from the regulations governing accessory structures and uses in residential districts set forth at § 101-21.A. and shall instead be subject to this section.
- (9) Design standards. An affordable accessory apartment shall be subject to the following design standards:
  - (a) Minimum unit floor area. Each accessory apartment unit shall contain a minimum habitable gross floor area of 450 square feet, plus 150 square feet for each bedroom in the unit.
  - (b) Maximum unit floor area. The habitable gross floor area of any accessory apartment shall not exceed the lesser of: a) the habitable gross floor of the primary dwelling unit on the lot, or b) 1,000 square feet.
  - (c) Access to any affordable accessory apartment shall be provided with an exterior entrance separate from the principal dwelling entrance.
  - (d) The exterior design of any accessory apartment shall be consistent with the design of the existing dwelling structure, utilizing the same or similar materials, colors, and architectural style. In applying this standard, the intent shall be to maintain the appearance of the property as a single family dwelling and related structures.
  - (e) Off-street parking shall be provided for any vehicles used by the occupants of the affordable accessory apartment. The requirements of the New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21-4.14 shall apply. All parking and driveways serving accessory apartments shall comply with the standards for parking and driveways for detached single family dwellings in the district, provided that one off-street parking space shall be provided for any efficiency or one-bedroom accessory apartment.
- (10) Water and sewer. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.
- (11) Existing accessory apartments. Existing unauthorized accessory apartments may be legalized under this section without Borough subsidy, provided all of the foregoing criteria as well as the following criteria can be met:
  - (a) The unit is currently vacant or is occupied by a qualified very-low, low- or moderate-income household unrelated to the owner.



- (b) If the unit is currently in substandard condition, it shall be brought up to standard condition before a Certificate of Occupancy is issued in accordance with all of the requirements and procedures of Chapter 39, Affordable Housing, of the Code of the Borough of Park Ridge, except that no Borough subsidy shall be required to be paid to the owner to bring the unit up to standard condition.
- (c) The unit will be affirmatively marketed pursuant to the Borough's affirmative marketing plan. If the unit is currently occupied by a qualified very-low, low- or moderate-income household unrelated to the owner, it shall be affirmatively marketed when the current tenant vacates the unit.
- (d) The unit will be deed restricted for occupancy by and will remain affordable to a qualified very-low, low-, or moderate-income household for a period of 10 years from the date a Certificate of Occupancy is issued for it, consistent with the requirements of Chapter 39, Affordable Housing, and the rules of the Council on Affordable Housing, except that no Borough subsidy shall be required to be paid to the owner for the creation of the affordable accessory apartment.

**SECTION 2.** All other Ordinances of the Borough of Park Ridge, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk