

ORDINANCE 04-10

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 310 "LAND USE" OF THE BOROUGH CODE
OF THE BOROUGH OF HILLSDALE,
COUNTY OF BERGEN, STATE OF NEW JERSEY**

Be it ordained by the Borough Council of the Borough of Hillsdale as follows:

I. Article 1 "General Provisions", Section 310-4 "Definitions" is amended and supplemented as follows:

A. The following definitions are revised to read as follows:

BUILDING COVERAGE: Building coverage shall be computed by determining the first floor area of any and all structures intended to be used or occupied on a permanent or temporary basis, and shall include but not be limited to, buildings, sheds, pool houses and garages.

A. The following new definitions are added:

EXPANSION: Construction on an existing structure that results in new floor area where none previously existed.

FLOOR AREA RATIO (FAR): The sum of the area of all floors of existing or new buildings or structures, compared to the total area of the property on which the structures are located, expressed as a percentage. The computation of floor area ratio includes the principle and all accessory structure(s), such as sheds and garages located on the lot. Basements, unfinished attics, decks and patios are not included in the computation.

IMPERVIOUS COVERAGE: Impervious coverage shall include all of the square footage under the definition of building coverage, plus driveways, decks that do not allow rain water to be directly absorbed by the ground, patios, sidewalks, walkways, decking surrounding swimming pools, tennis courts, basketball courts or other similar facilities constructed with an impervious surface. Surfaces such as brick pavers, laid stones, slate or timber with open joints, shall all constitute 50% of impervious surface coverage. Surfaces such as gravel, loose stones, special paver stones with voids for grass, and timber decks with open joints shall constitute 25% impervious surface coverage.

II Article XIII "Use Schedule", Section 310-53 "Schedule of Uses and Requirements" is hereby amended and supplemented to include the following

requirements.

- R-1 zone: 20% maximum FAR, 30% maximum impervious coverage
- R-2 zone: 25% maximum FAR, 30% maximum impervious coverage
- R-3 zone: 28% maximum FAR, 30% maximum impervious coverage
- R-4 zone: 30% maximum FAR, 30% maximum impervious coverage

In those situations where an addition is proposed to an existing dwelling, the FAR regulations shall not apply when all of the following conditions are met:

1. The existing principal structure (single family dwelling) meets all of the bulk requirements for the zone in which the property is located, and
2. The proposed expansion or new construction meets all of the bulk requirements for the zone in which the property is located, and
3. The subject lot meets all of the bulk requirements for the zone in which the property is located, and
4. The total square footage of the proposed floor area expansion constitutes less than 30 percent of the dwelling's existing (pre-expansion) building coverage.
5. The impervious coverage regulations shall apply to all proposed construction

If any of the above conditions are not met, the FAR regulations are applied to the proposed construction. The FAR regulations are always applied to those situations where a new single-family dwelling is proposed for a vacant lot

- III 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.
- IV All Ordinances or any provisions of any ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.
- V This Ordinance shall become effective twenty (20) days after final passage and publication according to law. (Published on March 26, 2004 and effective on April 15, 2004)