

**TOWNSHIP OF WYCKOFF  
MEMORIAL TOWN HALL  
340 FRANKLIN AVENUE  
WYCKOFF, NEW JERSEY**

**ORDINANCE #2070**

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF, SECTION 186-49 OF CHAPTER 186 ZONING, TO ADD ONE NEW INCLUSIONARY OVERLAY TO A PORTION OF WINDHAM COURT NORTH TO BE CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2025 ROUND 4 HOUSING ELEMENT AND FAIR SHARE PLAN AND 2025 MEDIATION AGREEMENT WITH FAIR SHARE HOUSING CENTER**

**WHEREAS**, the Township adopted a Fourth Round Housing Element and Fair Share Plan that also set forth that a portion of Windham Court North shall receive overlay zoning to permit inclusionary townhouses and multi-family development at a density of 10 du/ac and an affordable housing set-aside of 20% in order to satisfy a portion of Wyckoff's constitutional obligation to provide for its fair share of low- and moderate- income housing; and

**WHEREAS**, Fair Share Housing Center filed an objection to the Township's Fourth Round compliance filing, and, in response, the Township participated in mediation to address that objection and to identify limited, targeted amendments to the Township's zoning framework in furtherance of the Township's Fourth Round affordable housing compliance; and

**WHEREAS**, the Township of Wyckoff thereafter entered into a Mediation Agreement with Fair Share Housing Center on December 22, 2025 in the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-756-25); and

**WHEREAS**, the Mediation Agreement set forth that a portion of Windham Court shall receive zoning to permit inclusionary townhouses and multi-family development at a density of 10 du/ac and an affordable housing set-aside of 20%; and

**WHEREAS**, the amended overlay zoning herein is consistent with the Mediation Agreement with Fair Share Housing Center, as well as the 2025 Housing Element and Fair Share Plan, as amended by the 2026 Housing Element and Fair Share Plan Amendment; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, that the Code of the Township of Wyckoff is hereby amended to include provisions for new overlay zoning to permit inclusionary townhouses and multi-family development at a density of 10 du/ac and an affordable housing set-aside of 20% on Block 203, Lot 3.04.

**SECTION 1. Amend Section 186-3 Zoning Map to add a new Section KK. as follows:**

Additions are shown as **thus**; deletions shown as **~~thus~~**

**KK. The AHO-6 Overlay Zone is the name of the zone established to include Block 203, Lot 3.04.**

**SECTION 2. Amend Section 186-49 Zoning districts and bulk requirements as follows:**

Additions are shown as **thus**; deletions shown as **~~thus~~**

**N. AHO-6 Zone: Affordable Housing Overlay 6 Zone**

- (1) **Principal permitted uses shall be as follows:**
  - (a) **Multi-family units.**
  - (b) **Townhouse units.**
  - (c) **Stacked townhouse units.**
  - (d) **A combination of one or more permitted uses.**
- (2) **Accessory uses shall be as follows:**
  - (a) **Accessory buildings.**
  - (b) **Off-street parking facilities, including structured parking**
  - (c) **Private recreational facilities and common open space.**
  - (d) **Signs.**
  - (e) **Fences.**
  - (f) **Retaining walls.**
  - (g) **Home occupations, as regulated by Section 186-9.**
  - (h) **Uses which are customary and incidental to a permitted use.**
- (3) **Conditional uses shall be as follows:**
  - (a) **None.**
- (4) **Affordable housing.**
  - (a) **20% of the total units on the site shall be reserved for affordable housing.**
  - (b) **Low- and moderate-income units constructed on site shall be situated on the tract in locations no less desirable than other dwelling units within the development and shall be at least equally accessible to common open space and community facilities.**
  - (c) **The affordable units shall be managed by a single entity in accordance with an Affordable Housing Management Plan, which shall be approved by the Township of Wyckoff. All costs associated with administration and affirmative marketing shall be borne by the developer, as set forth in the Township's affordable housing regulations.**
  - (d) **The exterior design of affordable housing units shall be**

harmonious in scale, texture and materials with market-priced units.

(5) Bulk Requirements.

- (a) Minimum Tract size: 3.5 acres
- (b) Maximum Gross Density: 10 du/ac
- (c) Minimum Building Setback to Tract Perimeter: 50 feet
- (d) Townhouse and Stacked Townhouse Principal Buildings:
  - (i) Minimum front yard setback: 20 feet to curb or sidewalk, whichever is closer to the unit. This may be reduced to 10 feet where there are no private driveways.
  - (ii) Minimum side yard setback: 20 feet or 0 feet.
  - (iii) Minimum rear yard setback: 25 feet
  - (iv) Minimum unit width: 22 feet. This shall apply to the width of the stacked units in the case of stacked townhouses.
- (e) Multi-family Principal Buildings:
  - (i) Minimum front yard setback: 30 feet
  - (ii) Minimum side yard setback: 25 feet
  - (iii) Minimum rear yard setback: 25 feet
- (f) Minimum Distance Between buildings:
  - (i) Front façade to any facade: 60 feet
  - (ii) Rear facade to any façade: 50 feet
  - (iii) Side façade to any facade: 20 feet
- (g) Accessory Building Setback: 15 feet
- (h) Maximum Building Height: 3 stories / 40 feet
- (i) Maximum Principal Building Lot Coverage: 50%
- (j) Maximum Accessory Building Lot Coverage: 5%

(6) Building Design

- (a) Structured parking shall not exceed one story (parking level) and shall be screened by structural elements that are compatible with the materials and design of the front and side building facades.
- (b) The front facade shall not continue on the same plane for a distance of more than the width of four adjacent units. Offsets between front facade planes shall not be less than four feet.
- (c) Garbage and recycling facilities. Garbage, refuse and recyclable storage and collection areas suitable for containerized collection shall be provided in sufficient number and at locations convenient to all dwelling units. Such collection areas shall be screened from view and shall be constructed primarily of masonry, brick or concrete.

- (d) Multiple principal buildings shall be permitted on a lot.
  - (e) An overall theme of design and architectural motif shall be utilized within the development for the purpose of presenting an aesthetically desirable effect and shall be such that they provide varied building elevations, design and structural appearance within the context of the unifying theme.
  - (f) Building materials and architectural details shall be consistent on all sides of each building.
  - (g) Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
  - (h) Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."
  - (i) Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together.
  - (j) Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.
- (7) Plantings and buffers.
- (a) A buffer strip of not less than 30 feet shall be provided along a single-family residential use.
  - (b) Exterior utility boxes, mechanical and electrical equipment, and HVAC equipment shall be screened from view by architectural elements and/or landscape plantings.
  - (c) Buffers shall be maintained in perpetuity. If such buffers fail to provide adequate screening the buffers shall be re-established by the property owner using the same or similar plantings at the property owner's expense.
- (8) Signs.
- (a) One (1) freestanding sign shall be permitted.
    - (i) Maximum size: 20 square feet.
    - (ii) Minimum setback: 20 feet from a right-of-way, 50 feet from single-family lots outside the zone district.
    - (iii) Maximum height: 6 feet.
    - (iv) Internal illumination is prohibited. Exterior illumination is permitted only if the lighting is fully shielded and downcast, aimed solely at the sign face, and configured so that all direct

and reflected illumination is confined to the sign and the lot on which it is located, with no light spillover beyond any property line.

- (b) Façade signs of not more than 2 square feet are permitted to identify the building(s).
- (c) Residential signs pursuant to Section 186-28 shall be permitted.
- (9) Off-street parking requirement. Off-street parking shall be provided in accordance with the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21 and the following requirements:
  - (a) Required off-street parking shall be located within 300 feet of the dwelling unit served.
  - (b) Parking may be permitted in all required minimum yard areas except the minimum buffer area.
- (10) Miscellaneous Requirements.
  - (a) Minimum setback to parking or drive aisle: 10 feet
  - (b) Useable open space not less than 10% of the tract shall be provided for use by on-site residents. Said open space shall be located on the tract and shall be maintained as common property of the development for the exclusive or primary use of on-site residents, and shall remain in private ownership and responsibility, subject to any required easements, covenants, and homeowners' association and/or condominium association governing documents, and shall not be dedicated to or accepted by the Township as municipal open space. Said open space shall be used as outdoor passive open space (such as but not limited to outdoor seating, walking trails) and/or active open space (such as but not limited to a playground or outdoor game area). Buffer areas and other required landscape areas shall not contribute to the open space requirement.
  - (c) Sidewalks shall be required on both sides of public and private roads.