

**City of Englewood**  
**City Council Workshop Meeting Minutes**  
**November 12, 2014**

A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held at the Liberty School commencing at 7:30 P.M.

**Roll Call:**

Present: Council member Marc Forman  
 Council member Michael Cohen  
 Council member Eugene Skurnick  
 Council member Wayne Hamer  
 Council President Lynne Algrant  
 Mayor Frank Huttle III (7:55pm)  
 City Manager Timothy Dacey  
 City Attorney William Bailey  
 City Clerk Lauren Vande Vaarst

Absent:

President Algrant called the meeting to order.

The City Clerk stated that adequate notice of this meeting was given by the posting, filing and distribution of the notice as required by the Open Public Meetings Act.

**Items For Discussion:**

- o CDBG Grant Applications:
  - Reviewed by Lauren Vande Vaarst, City Clerk
  - Councilman Skurnick asked how much money does the City get for its application and Ken Albert explained that.

**Public Comment on Agenda Items:**

- **No one from the Public came forward to speak.**

**Resolution #229-11-12-14**

**STATE CONTRACT PURCHASE FOR 2014 PARK FURNITURE REPLACEMENT,**  
**PROJECT NO. 111411**

**WHEREAS**, the City of Englewood has a need for the replacement of outdoor furniture in a number of city owned parks; and.

**WHEREAS**, the City of Englewood is a participant in the State Cooperative Purchase program and intends to purchase this equipment through this program; and

**WHEREAS**, funds are available for this purchase from Ordinance #14-16 (5) and the Chief Financial Officer has certified that sufficient funds are available to award this contract.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract for the purchase of the items on the attached list from James D. Boyce Associates Inc. located at PO Box 885, Trexlertown, Pennsylvania 18087 under State Contracts T-0103 and A81420 for a total not to exceed \$126,746.00.

**BE IT FURTHER RESOLVED** that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

**RESOLUTION #230-11-12-14**

**AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH THE**  
**BOROUGH OF PARAMUS TO PROVIDE VEHICLE REPAIRS**

**WHEREAS**, the City of Englewood and the Borough of Paramus seek to enter into an Interlocal Services Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the City of Englewood; and

**WHEREAS**, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A. 40:8A-1 et seq.; and

**WHEREAS**, the governing bodies of the City of Englewood and the Borough of Paramus recognize that the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Englewood hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Paramus for a period of four (4) years.

**BE IT FURTHER RESOLVED**, that the Agreement shall commence on January 1, 2015 and end on December 31, 2018.

**BE IT FURTHER RESOLVED**, that the cost of the same shall be as set forth in the agreement, which is attached hereto.

**BE IT FURTHER RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute an Interlocal Services Agreement between the City of Englewood and the Borough of Paramus for vehicle repair and maintenance.

**BE IT FURTHER RESOLVED** that the Agreement shall take effect upon the execution of same and adoption of the Resolutions by both parties as provided by law.

**BE IT FURTHER RESOLVED** that a copy of the Agreement be maintained on file and open to public inspection at the office of the City Clerk.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Forman</i>		X			
<i>Skurnick</i>			X		
<i>Cohen</i>		X			
<i>Hamer</i>				X	

**RESOLUTION #231-11-12-14**

**AUTHORIZING AWARD OF CONTRACT FOR THE  
LIBERTY SQUARE MEMORIAL – CONCRETE & STONWORK**

**WHEREAS**, sealed bids were received on October 30, 2014 for the Liberty Square Memorial – Concrete & Stonework in accordance with specifications therefore and following public advertisement; and

**WHEREAS**, specifications were sent and responsible bids were received from six (6 bidders listed on the attached Bid Summary Sheet; and

**WHEREAS**, the bid submitted by Bello Grande Contracting LLC, 174 Boulevard, Suite 3, Hasbrouck Heights, New Jersey 07604 for the sum of \$133,300.00 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

**WHEREAS**, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the bid submitted by Bello Grande Contracting LLC, is hereby accepted; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Bello Grande Contracting LLC, for the Liberty Square Memorial – Concrete & Stonework in accordance with the specifications therefore.

**BE IT FURTHER RESOLVED** that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Ordinance 14-16 (6)

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

**RESOLUTION #232-11-12-14**

**RESOLUTION HONORING JOSEPH M. CLARK, ESQ.**

**WHEREAS**, the Honorable Joseph M. Clark, Esq, diligently, tirelessly and proudly served the residents of the City of Englewood as a Municipal Court Judge for over 30 years; and

**WHEREAS**, Judge Clark made history in 1973 when he was assigned to serve as Bergen County's First African-American Assistant County Prosecutor and Deputy Assistant Attorney General, and made further history when he was appointed in 1974 to serve the City of Englewood as its First Public Defender. In 1975, he was then appointed to serve as a Municipal Court Judge in Englewood making him the First African-American Judge in Bergen County; and

**WHEREAS**, Judge Clark was a proud graduate of St. Cecilia's R.C. High School, and was named as a member of its Hall of Fame. He attended St. John's University and graduated from Fairleigh Dickinson University with a Bachelor of Arts Degree. Judge Clark also attended Rutgers, The State University of New Jersey School of Law-Newark with a Juris Doctor (J.D.) degree. He was certified to practice before all New Jersey State and Federal courts as well as the U.S. Supreme Court; and

**WHEREAS**, Judge Clark further served his community as a member of community organizations such as the Vincent K. Tibbs Child Development Center and the Urban League of Bergen County Credit Union Board and was a member of numerous fraternal organizations; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honors the Honorable Joseph M. Clark, Esq., for his long-time service to the residents of the City of Englewood.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

**Resolutions For Discussion:**

- Reviewed by Tim Dacey, City Manager:
  - Refund of Tax Overpayment
  - Refunds Due to State Tax Appeals
  - Authorize Flat Rock Brook Nature Association Application for Bergen County Community Development Block Grant Funds
  - Authorize Englewood Housing Authority Application for Bergen County Community Development Block Grant Funds
  - Authorizing Award of Contract for Englewood Avenue Road Improvement, Project Number 111436
  - Authorizing Award of Contract for Tibbs Early Childhood Center Renovations
  - Authorizing Award of Contract for Wright Arena-Dasher Boards, Project Number 111409
  - Confirmation of Appointment of Tax Collector
  - Requesting Permission for the Dedication by Rider for Donations Pursuant to N.J.S.A. 40A:5-29
  - Requesting Permission for the Dedication by Rider for Multiple Law Enforcement Trusts Pursuant to N.J.S.A. 2C:64-6
  - Authorize the Cancellation of Old Grant Receivables
  - Authorize Budget Transfers for Budget Year 2014
  - Authorize Women's Rights Information Center Application for Bergen County Community Development Block Grant Funds for Help for Enterprising Women Program
  - Authorize Women's Rights Information Center Application for Bergen County Community Development Block Grant Funds for Shared Housing Program
  - Authorize BergenPAC Application for Bergen County Community Development Block Grant Funds
  - State Contract Purchase for Panasonic Toughpad, Mounting Equipment and Installation for Englewood Fire Department Vehicles

**Second Reading/Public Hearing on Ordinances #14-34 through #14-41:**

- Review of Ordinances and Master Plan process by Neil Desai (The RBA Group).
- Mayor Huttle spoke about the Master Plan and the Ordinances:
  - Master Plan was a two (2) year effort and tonight it will be capped of and this is the execution of the Master Plan which will strengthen our neighborhoods.
  - Master Plan will serve as an economic engine for the City of Englewood.
  - The City of Englewood had 4 decades of noncompliance with its previous Master Plans because the City Code was not updated.
  - The Master Plan highlights the City and its assets such as parks, accessibility to New York City and its vibrant Downtown.
  - It is a simple comprehensive plan in which all Wards and the Downtown are considered important and must be considered as one.
  - The Master Plan process began with three (3) community meetings attended by 1,000 residents, collaboration through a working group got the process completed. Traditionally Master Plans are reviewed every 6 years by a small group of people and was not opened up to public participation until now.

**ORDINANCE #14-34**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO AMENDING AND SUPPLEMENTING DEFINITIONS**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of preserving residential neighborhoods, revitalizing and introducing new economic activity in the Englewood South district, with live/work environments, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-58 ("Definitions") is hereby amended and supplemented as follows:

**§250-58 DEFINITIONS.**

- A. The definitions of "Restaurant" and "Fast-Food Restaurant" are hereby deleted.
- B. The following new definitions are added:

**ACCESSORY RETAIL**

The retail sales of various products, including food service, in a store or similar facility that is located within a health care, hotel, office, industrial, or institutional complex. These uses include pharmacies, gift shops, and food service establishments within hospitals; gift shops, convenience stores and food service establishments within hotel, office, industrial, and institutional complexes. This use category also includes retail associated with commercial and industrial uses for the products sold, distributed or manufactured on site.

**ACCESSORY RESTAURANT**

An establishment for the sale of prepared food, following all applicable health code requirements, located within a facility whose primary function is food or beverage production.

**AMBULATORY SURGERY CENTER**

A medical facility that provides same-day surgical care, including diagnostic and preventive procedures, to patients not requiring hospitalization.

**BUILDING ARTICULATION**

The design of architectural details of a building façade that modulates the building mass in order to create a complementary pattern or rhythm that divides the façade into sections and creates visual interest.

**BUSINESS INCUBATOR**

A facility that nurtures young startup firms during their early months or years, typically providing affordable space, shared offices and services, hand-on management training, marketing support and access to financing.

**BUSINESS OFFICE**

The office of a business entity where its employees conduct their work. Retail sales are not conducted in a business office.

**CONTINUING CARE COMMUNITY**

Retirement communities with accommodations for independent living, assisted living, and nursing home care offering residents a continuum of care in which they can move between levels of care if needed.

**CO-WORKING SPACE**

Co-working space is a type of office space comprised of a shared working environment in which workers are typically self-employed or employed by different companies.

**CORNICE LINE**

The uppermost edge of a flat roof or projecting feature of the wall or architectural feature above a flat roof.

**DRIVE-THROUGH/DRIVE-UP FACILITIES**

Facilities through which an establishment, not including parking facilities, provides goods and/or services to customers while customers remain in their motor vehicles.

**DRUGSTORES**

A retail establishment where the profession of pharmacy is practiced and/or where prescription medications and general merchandise are offered for sale.

**EAVE**

The lower edge or edges of a roof, which, typically, project beyond the sides of the building.

**GARDEN CENTER**

A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may, include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

**GREEN BUILDINGS**

A structure that is environmentally-responsible and resource-efficient throughout its lifecycle, from siting to design, construction, operation, maintenance, renovation, and demolition.

**GREEN ROOF**

An engineered roofing system that allows for the propagation of rooftop vegetation and the retention of stormwater while maintaining the integrity of the underlying roof structure and membrane.

**HEALTH AND FITNESS CLUB**

A commercial establishment that provides as its primary purpose facilities for individual physical health activities, such as aerobic exercise, running and jogging, use of exercise equipment, saunas, showers, lockers. Such establishments are typically on a membership basis and not open to the public at large. Personal training and group instruction in exercise may be provided.

**HOSPICE**

A facility that provides specified services to terminally ill individuals and their families, including nursing care, physician services, physical and speech therapy, home health aide, homemaker services, pastoral counseling, social work services, occupational therapy, and dietary services in addition to bereavement counseling.

**INSTRUCTIONAL STUDIO**

A commercial establishment that provides individual and/or group instruction in the performing and visual arts or fitness, including dance, music, voice, drama, painting, martial arts, gymnastics, yoga, or other similar activities.

**LIGHT INDUSTRY**

Manufacturing activity that uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight, requiring only a small amount of raw materials, area and power. The value of the products is relatively low and the products themselves are easy to transport.

**MEDICAL CENTER**

Two or more medical group practices or medical offices, or a combination thereof, operating in the same building, which may also contain associated principal or accessory uses such as diagnostic testing facilities, physical therapy, therapeutic counseling services, pharmacies, medical supply retailers, and similar uses. A medical center does not contain residential facilities.

**MEDICAL OFFICE**

A medical or dental practice offering medical or dental services on an outpatient basis and including a total of no more than the full time equivalent of three (3) principal health care providers and two (2) other medical or dental professionals, exclusive of administrative or clerical staff, providing services on the premises. A medical or dental office may also contain associated in-house ancillary services such as in-house diagnostic testing facilities, medical counseling services, and similar services.

**MEDICAL GROUP PRACTICE**

A medical or dental practice, larger than a medical office, offering medical or dental services on an outpatient basis and including principal health care providers and other medical or dental professionals, exclusive of and administrative or clerical staff, providing services on the premises. A medical group practice and its principal health providers shall offer medical services within one area of medical practice (e.g., general practice, orthopedics, cardiology, oncology, etc.) or within a small number of closely related areas of medical practice, and may also contain in-house diagnostic testing facilities, medical counseling services, and similar services, or may be associated with other similar accessory or complementary principal uses in the same building.

**PERFORMANCE FACILITY**

A structure designed to accommodate the assembly of persons attending musical performances, dance performances, dramatic performances, and other arts and entertainment-related events.

**PERSONAL SERVICES**

A use that provides a personal service that is non-medical and may include accessory retail sales of products related to the services that are provided.

**PROFESSIONAL OFFICE**

Offices where services that are not of a medical nature are provided that require specialized training or professional certification.

**PUBLIC PARKING FACILITY**

An off-street parking lot or parking structure owned and operated by the City of Englewood.

**REHABILITATION CENTER**

A non-residential facility that provide comprehensive diagnostic, therapeutic, and restorative services to outpatients for the rehabilitation of injured, disabled, or sick persons by or under the supervision of a physician.

**RESEARCH AND DEVELOPMENT**

Study, research, and experimentation in one or more scientific fields such as life sciences or biomedical research, communications, chemistry, computer science, electronics, medicine and physics. Research and development also includes the development of prototypes and the marketing of resultant products. Related activities include the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of products. Supporting services such as administrative offices, educational facilities, libraries, and data services are other examples of related activities.

**RESTAURANT, FULL SERVICE**

An establishment that provides food services to patrons who order and are served while seated and who pay after eating, which may provide as an ancillary or accessory function the take out or delivery service of food or beverages for consumption at some other location away from the restaurant premises.

**RESTAURANT, LIMITED SERVICE**

Establishments primarily engaged in providing food services where patrons generally order items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to the customer's location.

**RIDGE LINE**

The uppermost edge of a sloped roof.

**ROOFTOP FARMING**

Growing, washing, and storage of fruits, vegetables, and other plant products on a principal building as an accessory use for education, donation, wholesale and retail sales. Typical operations include growing beds and growing trays.

**SKILLED NURSING FACILITY**

A healthcare facility that provides the skilled nursing care and supportive care to patients whose primary need is for skilled nursing care on an extended basis.

**STORY**

That portion of a building included between the upper surface of any floor and the upper surface of the next floor next, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above.

**TECHNICAL SCHOOL**

A post-secondary vocational school offering instruction, training, and/or certification in trades or crafts such as auto repair, welding, bricklaying, machinery operation, culinary trades, health care, and computer technology.

**URGENT CARE CENTER**

A facility that delivers medically necessary ambulatory medical care apart from a hospital emergency department setting, typically on a walk-in basis and for acute conditions that are not life-threatening.

**USABLE OPEN SPACE**

An unobstructed portion of a lot that designed for active or passive recreational and leisure use, and is conveniently-located and accessible.

**VETERINARY CLINIC**

A facility maintained by or for the use of a licensed veterinarian for the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats or other comparable household pets and wherein the overnight care of said animals is prohibited.

**VETERINARY HOSPITAL**

A facility where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment and which includes overnight care related to such treatment.

**WELLNESS CENTER**

A facility staffed by medical and/or non-medical healthcare professionals that promote healthy living and the prevention of illness and disease.

**WORK/LIVE**

A building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer	X	Y	X	Y	X	Y

**Public Hearing on Ordinance #14-34:**

- No one from the Public came forward to speak.

**ORDINANCE #14-35**

**AN ORDINANCE TO IMPLEMENT A PORTION OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO DOWNTOWN DEVELOPMENT AND DOWNTOWN ZONING DISTRICTS**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of enhanced economic activity in the Downtown Districts, improved streetscapes, better management and visibility of parking and improved utilization of public spaces, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 ("Zoning Map") is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section is amended to incorporate the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** Sections 250-63 ("Central Business Districts"), 250-65 ("Retail/Commercial/Residential (RCR) Overlay District"), 250-66 ("Mixed-Use Residential/Retail (MURR) Overlay District"), and 250-78 ("South Dean Street (SDS) Retail Zoning District") are hereby deleted, and the following is substituted:

**§250-63 DOWNTOWN DISTRICTS.**

**A. Purpose.**

The purpose of this Ordinance is to promote a vibrant, energetic 18-hour downtown and attract investment that accommodates new businesses and business growth, adds jobs, increases services, enhances arts and cultural offerings, allows for mixed uses and additional residential opportunities, and generates more pedestrian activity throughout downtown during the day and into the evening. The standards in this Ordinance are intended to ensure that future projects are sited and designed in ways that maintain or complement the traditional form and scale of downtown's buildings and blocks. Furthermore, this Ordinance intends to foster safe, lively, pedestrian-friendly streets.

**B. Downtown districts.** The following districts are hereby created:

- (1) Downtown (D-1) District.** This district is the focal point of city life and commerce. It serves a variety of types of users, including businesses, customers, employees, residents, and visitors and people using various modes of transportation. It serves the core retail function of downtown and the areas of most intense pedestrian activity.

These regulations intend to support this district's role as the central retail and civic hub of the city, and to enhance the level of economic, cultural, and social activity by permitting mixed uses; residential and office space in upper floors; and arts, entertainment, recreational, and cultural uses. The standards contained in this district permit the greatest intensity of development/redevelopment among the downtown districts, yet they aim to ensure that it complements the traditional form and scale of downtown's buildings and blocks and promotes active ground floors that support pedestrian activity and safety during the day and into the night. Ground floors in the D-1 Districts must contain retail or commercial uses.

**(2) Downtown (D-2) District.** The D-2 District is intended to promote high-quality development and redevelopment that serves as a transition into downtown. The land uses permitted in this district are intended to increase the presence of people and pedestrian activity, stimulate business growth and development, and support downtown through functional and economic relationships to activity in the D-1 districts and in the greater Engle/Grand corridor. As much of this district is located at the edges of downtown and in proximity to residential districts, bulk and setback requirements would result in a less intense, more open environment than in the D-1 districts.

**(3) Downtown (D-3) District.** See §250-64; intent statement repeated in this section for comparing the Downtown Districts. The intent of this district is to provide for the planned commercial development of an area as a single entity, according to a plan containing mixed retail and commercial office uses in such ratios, and subject to such specific conditions and limitations as set forth herein, so as to promote a desirable visual environment through good civil design and arrangement, relate the mixed development to the particular site, accommodate the movement of pedestrian and vehicular traffic safely and conveniently, promote economic growth and employment within business districts, foster the proper utilization of existing resources, eliminate blighting conditions and otherwise guide the development of land in a manner which will promote the public health, safety, morals and general welfare.

**C. Permitted uses.**

Permitted uses by downtown district are summarized in the table below. In the table, the letter "Y" stands for permitted use, "YC" stands for conditional use, and "N" stands for prohibited use. The letter "Y" with an asterisk, or "Y\*", indicates a use permitted only on upper floors of a multi-story building. Conditions for conditional uses are listed in Subsection F. All other uses not expressly permitted in this Section are prohibited.

LAND USE CATEGORIES & LAND USES	D-3**	D-2a	D-2b	D-2c	D-2d	D-2e	D-1a	D-1b
<b>Retail Trade</b>								
Retail stores <i>with the exception of:</i> <ul style="list-style-type: none"> <li>- Establishments open between the hours of 12:00 a.m and 6:00 a.m.</li> <li>- Pawn shops</li> <li>- Sexually-oriented retail</li> <li>- Medical equipment sales</li> </ul>	Y	Y	Y	Y	Y	N	Y	Y
Banks	Y	YC						
Shopping center	Y	N	N	N	N	N	N	N
Automobile sales	N	N	N	YC	N	YC	N	N
<b>Eating &amp; Drinking Establishments</b>								
Restaurants (limited service restaurants)	Y	YC						
Restaurants (full service)	Y	N	N	N	YC	N	YC	YC

LAND USE CATEGORIES & LAND USES	D-3**	D-2a	D-2b	D-2c	D-2d	D-2e	D-1a	D-1b
<b>Arts, Entertainment &amp; Recreation</b>								
Professional & artist studios <i>with the exception of:</i> – Body art, or tattoo, and body piercing studios	Y	Y	Y	Y	Y	Y	Y	Y
Art galleries	Y	Y	Y	Y	Y	Y	Y	Y
Performance facility	Y	Y	N	N	Y	N	Y	Y
Theaters	Y	N	N	N	N	N	Y	Y
Health clubs and instructional studios	Y	Y	Y	Y	Y	Y	Y	Y
<b>Personal &amp; Consumer Services</b>								
Personal Services <i>with the exception of:</i> – Fortune-telling and palm-reading establishments – Massage parlors with unlicensed personnel – Sexually-oriented businesses – Tattoo and body piercing parlors	Y	Y	Y	Y	Y	Y	Y	Y
Pet grooming & training	Y	Y	Y	Y	Y	Y	N	N
Child care	Y	Y	Y	Y	Y	Y	Y*	Y*
Laundry & dry cleaning	Y	Y	Y	Y	Y	Y	Y	Y
Printing & reproduction	Y	N	Y	Y	Y	Y	Y	Y
Repair of consumer products	Y	N	Y	Y	Y	Y	Y	Y
<b>Offices (non-medical)</b>								
Professional offices	N	Y	Y	Y	Y	Y	Y	Y*
Business offices	N	Y	Y	Y	Y	Y	Y	Y*
<b>Medical &amp; Healthcare</b>								
Medical offices	N	Y	Y	Y	Y*	Y	Y*	Y*
Medical & dental laboratories and diagnostic services	N	N	Y	Y	N	Y	N	Y*
Medical equipment sales	N	N	Y	Y	N	Y	N	N
Medical group practice	N	N	Y	Y	N	N	N	N
<b>Lodging</b>								
Hotel	N	N	N	Y	Y	Y	Y	Y
<b>Education</b>								
School (Pre-school)	N	Y	Y	Y	Y	N	N	N
Test preparation and learning centers	Y	N	Y	N	N	Y	N	N
<b>Residential</b>								
Apartments and condominiums	N	Y	Y	Y*	Y	N	Y*	Y*
Townhouses (attached)	N	Y	Y	N	N	N	N	N
<b>Public Facilities</b>								

LAND USE CATEGORIES & LAND USES	D-3**	D-2a	D-2b	D-2c	D-2d	D-2e	D-1a	D-1b
Recreational facilities	N	Y	N	N	N	N	N	N
Government and community services	N	Y	Y	Y	Y	Y	Y*	Y*
Government offices	Y	Y	Y	Y	Y	Y	Y	Y
<b>Parking Facilities</b>								
Public parking facility	Y	Y	Y	Y	Y	Y	Y	Y
<b>Accessory Uses</b>								
Drive-through/drive-up facilities	Y	YC	YC	YC	N	N	N	N
**Permitted uses for D-3 are provided for the purpose of comparing the various Downtown Districts. See §250-64 for specific uses permitted and prohibited in D-3.								

**D. Conditional Uses in the Downtown D-1 and D-2 Districts.**

For areas within the Downtown D-1 and D-2 Districts, the Planning Board shall not approve any application for any of the following conditional uses unless the following enumerated specific conditions have been met:

**(1) Restaurants.**

- a. Restaurants where food is prepared for retail sale on the premises, are permitted conditionally upon obtaining site plan approval from the municipal agency. Approval may be subject to the execution of a maintenance agreement to include obligations on the part of the owner or operator of the premises to maintain the premises and the surrounding area free of litter and to minimize loitering on or about the premises.
- b. Drive-through/drive-up facilities are not permitted.

**(2) Banks.**

- a. D-1 Districts. Drive-through/drive-up facilities are not permitted.
- b. D-2 Districts. Drive-through/drive up facilities are permitted only in the D-2b District, provided that such facilities and associated lanes do not encroach on the public right-of-way or internal site circulation roadways. Drive-through/drive-up facilities will require site plan approval.

**(3) Automobile Sales.**

- a. Automobile sales will require site plan approval.
- b. Automobile sales establishments shall consist of an enclosed showroom. Outdoor display and storage of vehicles shall not occupy more than 30 percent of the land area of the property.
- c. Automobile service and repair is permitted as an accessory use.

**E. Dimensional Standards.** As related to dimensional standards, the D-1 and D-2 Downtown Districts have the Subdistricts "a", "b", "c" and "d" charted below.

DIMENSION	D-3**	D-2a	D-2b	D-2c	D-2d	D-2e	D-1a	D-1b
<b>Lot Dimensions</b>								
Minimum Lot Area	10,000 sq ft	2,000 sq ft	2,000 sq ft					

<b>DIMENSION</b>	<b>D-3**</b>	<b>D-2a</b>	<b>D-2b</b>	<b>D-2c</b>	<b>D-2d</b>	<b>D-2e</b>	<b>D-1a</b>	<b>D-1b</b>
Minimum Lot Area (if building height > 45 ft)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	25,000 sq ft
Minimum Lot Width	100 ft	100 ft	100 ft	100 ft	100 ft	100 ft	20 ft	20 ft
Minimum Lot Width (if building height > 45 ft)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	150 ft
Minimum Lot Depth	100 ft	100 ft	100 ft	100 ft	100 ft	100 ft	100 ft	100 ft
<b>Building Height &amp; Number of Stories</b>								
Maximum Building Height	45 ft	45 ft	45 ft	45 ft	45 ft	45 ft	45 ft	60 ft
Maximum Number of Stories	4	4	4	4	4	4	4	5
<b>Setbacks &amp; Building Coverage</b>								
Front Yard Setback	0 ft	0-15 ft	0-10 ft	0-10 ft	0 ft	0-10 ft	0 ft	0 ft
Minimum Side Yard Setback	0 ft	6 ft	0 ft	0 ft	0 ft	6 ft	0 ft	0 ft*
Minimum Rear Yard Setback	0 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
<b>Setbacks when Abutting Residential District</b>								
Minimum Rear Yard Setback	0 ft	14 ft	14 ft	14 ft	14 ft	14 ft	14 ft	14 ft
Minimum Side Yard Setback	6 ft	8 ft	8 ft	8 ft	8 ft	8 ft	8 ft	8 ft
* See Subsection F								
** Dimensional standards for the D-3 District are shown here for comparing them with all of the Downtown Districts. See §250-64 for detailed standards for the D-3 District.								

**F. Additional Side Yard Setback Standards in the D-1b District.** In the D-1b District, the side yard setback of the side of corner properties facing Bennett Street, Williams Street, Armory Street, and Humphrey Street shall be a minimum of 6 feet.

**G. Additional Standards for Buildings Taller than 45 feet in the D-1b District.**

- (1)** The front of a new building taller than 45 feet with a flat roof shall step back a minimum of 6 feet from the front setback line starting at a point in the height of the building between 45 and 49 feet.
- (2)** The eave height of a new building taller than 45 feet with a pitched roof shall be between 45 and 49 feet.

**H. General Standards for the Downtown D-1 and D-2 Districts.**

**(1)** Measurement of Building Height.

- a. Building height shall be measured as the vertical distance between the average finished grade and the highest point of a building or structure. The highest point shall be the coping of a flat roof without a parapet, the mid-point of the parapet on a flat roof, the deck line of a mansard roof, or the mid-point between the eaves and highest ridge of a gable, gambrel, or hipped roof.
- b. Elevator shafts, solar collectors, and mechanical equipment necessary for building functions and maintenance shall not be included in the calculation of the maximum building height, provided the shafts and equipment are screened or integrated into architectural rooflines so as not to be discernable from the public street level.
- c. The total area of all roof appurtenances and other features that exceed the maximum building height shall not exceed 33 percent of the total roof area of the structure.
- d. No roof structure shall be allowed for the purpose of providing additional interior floor space.

**(2)** Story Heights

- a. The ground floor shall have a maximum floor to floor height of 18 feet.
- b. Each story above the ground floor shall have a maximum floor to floor height of 14 feet.
- c. At-grade parking structures occupying a story shall count in the calculation of the number of stories in a building.

**(3)** Driveways. Driveways are not permitted in the D-1b District along Palisade Avenue.

**(4)** Parking. Parking shall be accessed by rear alleys, rear lanes, or side streets where available.

**(5)** Encroachments. Balconies and window bays shall provide a minimum of 10 feet of clearance over public sidewalks or rights-of-way and shall project no more than 3 feet over public sidewalks or rights-of-way.

**(6)** Entrances. Every street-facing, ground-level business shall have a separate entry.

**(7)** Green Buildings.

- a. All new buildings, additions, or renovations with gross area greater than 5,000 sf are encouraged to be constructed to the U.S. Green Building Council's LEED certification standards or equivalent.
- b. Green roofs are permitted and encouraged. The planting media and plant material comprising green roofs shall be maintained in accordance with generally accepted landscape maintenance practices, replacing each as necessary.

**(8)** Waste collection and storage areas. Trash, recycling, and any other refuse or recycling collection dumpsters or containers shall be located at the rear of the property and either screened, enclosed, or otherwise blocked from public view. Such screening or enclosure should be designed in conjunction with the primary building, may use similar materials and shall obscure views of waste collection and storage area.

## I. Design Standards for the Downtown D-1 and D-2 Districts.

### (1) General Design Standards

- a. Buildings shall generally relate in scale and design features to surrounding buildings and to the traditional form and scale of Englewood's downtown blocks and buildings.
- b. Buildings shall generally demonstrate continuity of treatment by maintaining cornice lines in buildings of similar height, by extending horizontal lines of fenestration, and by complementing architectural styles, details, features, design themes, building materials, and colors used in surrounding buildings where such buildings represent the traditional character and architecture of Englewood.
- c. Buildings shall not have long, monotonous, uninterrupted walls or roof planes. Offsets including projections, recesses, and changes in floor level shall be incorporated to add architectural interest and variety. Roofline offsets shall be provided in order to add architectural interest and variety to the massing of a building.
- d. The overall appearance of roofs in downtown should be varied and reinforce the rhythm and scale of facades and reflect variation in the area's natural topography.
- e. To the extent the foregoing criteria do not impose an objective standard in feet, percentage or other objective criteria, a variance therefrom shall be considered a design waiver rather than a zoning variance and shall be considered as such in the discretion of the appropriate land use board.

### (2) Detailed Design Standards

- a. Building Articulation
  1. Horizontal articulation. New buildings shall be articulated horizontally. Internal programs should be used to define building articulation. The maximum width of any articulated section shall be 45 feet along the street frontage. Sections can be expressed through bays, variations in setback, window patterns, changes in material, and other similarly effective techniques.
  2. Vertical articulation. New buildings shall be articulated vertically to clearly define a base, middle, and top.
- b. Roof Forms. Roofs shall be designed to relate to the structural system and architectural style of the building.
- c. Doors and Windows
  1. All buildings shall include doors and windows facing the street. At ground level, buildings are not permitted to have blank walls facing public streets.
  2. Buildings located at the corner of two public streets shall have either a principal entrance at the corner of the building or an entrance facing each street.
  3. At least 70 percent of the wall surface area of the ground level for each wall facing a public street shall consist of transparent treatments. Tinted, reflective, or other types of glass or window treatments that diminish transparency are prohibited.
  4. Multi-story buildings shall be designed with a minimum transparent area of 25 percent of the surface area of each building wall above the ground floor. Each upper story building wall shall contain an approximately proportional amount of transparent area as each other story above the ground floor. Windows shall be aligned vertically and horizontally between floors and follow the same window rhythm.
- d. Buildings at prominent corners. The intersections of Palisade Avenue and Dean Street, Palisade Avenue and Engle Street/Grand Avenue, and Palisade Avenue and Tenafly Road/Lafayette Avenue/Bennett Road are prominent thresholds in downtown Englewood and, therefore, buildings at

these intersections shall be considered significant structures. The Planning Board may deem appropriate that significant structures are designed with architectural features such as corner towers or other features to emphasize their location and serve as a visual focal point in downtown. Such architectural features shall be a maximum width of 24 feet and a maximum length of 24 feet. The approving authority also may deem appropriate that such features may exceed the maximum building height of the downtown subdistrict.

- e. To the extent the foregoing criteria do not impose an objective standard in feet, percentage or other objective criteria, a variance therefrom shall be considered a design waiver rather than a zoning variance and shall be considered as such in the discretion of the appropriate land use board.

**J. Visual Buffers and Screening.**

Buffers shall be provided to effectively protect residential property from the potential adverse effects of adjacent nonresidential land use activity that may result in nuisance, including visual blight, excessive light, threat to safety, noise, or odor encroachment to an adjacent parcel or one located across a public right-of-way.

**(1) Landscaping.**

- a. All activities on any lot in the downtown districts that abut a residential zoning district shall be screened from such abutting residential district by landscaping consisting of lawn, massed evergreen and deciduous trees, and shrubs of such species and density as will provide, within two growing seasons, a solid and continuous screen throughout the full course of the year.
- b. Evergreen and deciduous shrubs shall have a minimum height of 3 feet when planted and shall be of varieties that normally grow to a minimum height of 6 feet within two full growing seasons.
- c. Deciduous trees shall have a minimum caliper of 3 inches at the time of planting.

**(2) Fencing.**

- a. Fences are permitted in rear yards only.
- b. Fences shall have a maximum height of 6 feet.
- c. Fences shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for maintaining the area between the property line and the fence.
- d. Chain-link material used for any fence shall be of dark-colored material, and the posts and other framework forming part of such fence shall be the same color as the chain-link material.

**SECTION 3.** The following properties shall be reclassified into the Downtown Districts according to the following table:

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
610	1	CBD-2	D-1a	
610	2.01	CBD-3	D-1a	
610	2.02	CBD-3	D-1a	
610	2.03	CBD-3	D-1a	
610	3	CBD-2	D-1a	
610	4.01	CBD-2	D-1a	
610	5	CBD-2	D-1a	
610	6	CBD-2	D-1a	
1206	1	CBD-2	D-1a	
1206	2	CBD-2	D-1a	
1206	3	CBD-2	D-1a	
1206	4	CBD-2	D-1a	

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
1206	5	CBD-2	D-1a	
1206	6	CBD-2	D-1a	
1206	7	CBD-1	D-1a	
1206	8.01	CBD-2	D-1a	
1206	9	CBD-2	D-1a	
1206	10	CBD-2	D-1a	
1206	11	CBD-2	D-1a	
1207	15	CBD-2	D-1a	
1207	16	CBD-2	D-1a	
1207	17.01	CBD-2	D-1a	
1207	18	CBD-2	D-1a	
1207	19	CBD-2	D-1a	
1207	20	CBD-2	D-1a	
1207	21	CBD-2	D-1a	
1207	22.01	CBD-2	D-1a	
1207	23.01	CBD-2	D-1a	
1207	24	CBD-2	D-1a	
1207	25	CBD-2	D-1a	
1207	26	CBD-2	D-1a	
1207	27	CBD-2	D-1a	
1208	1.01	CBD-1	D-1a	
1208	4.01	CBD-1	D-1a	
1208	5.01	CBD-1	D-1a	
1208	6	CBD-1	D-1a	
1208	21	CBD-1	D-1a	
1208	22	CBD-1	D-1a	
610	7.01	CBD-1	D-1b	
610	8	CBD-1	D-1b	
610	9	CBD-1	D-1b	
610	12.01	CBD-3	D-1b	
610	13.01	CBD-3	D-1b	
610	14	CBD-1	D-1b	
610	15	CBD-1	D-1b	
610	16.01	CBD-1	D-1b	
610	16.02	CBD-1	D-1b	
610	17.01	CBD-1	D-1b	
610	19.01	CBD-1	D-1b	
614	4.01	CBD-1	D-1b	
614	9.01	CBD-1	D-1b	
614	10.01	CBD-1	D-1b	
614	11	CBD-1	D-1b	
614	12	CBD-1	D-1b	
614	13	CBD-1	D-1b	
614	14	CBD-1	D-1b	
614	15	CBD-1	D-1b	
614	16	SBD	D-1b	
614	17	SBD	D-1b	
1206	12	CBD-1	D-1b	
1206	13	CBD-1	D-1b	
1206	14	CBD-1	D-1b	
1206	15	CBD-1	D-1b	

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
1206	16	CBD-1	D-1b	
1208	7.01	CBD-1	D-1b	
1208	8.01	CBD-1	D-1b	
1208	9	CBD-1	D-1b	
1208	10	CBD-1	D-1b	
1208	11	CBD-1	D-1b	
1208	12	CBD-1	D-1b	
1208	13	CBD-1	D-1b	
1208	14	CBD-1	D-1b	
1208	15	CBD-1	D-1b	
1208	16.01	CBD-1	D-1b	
1208	17.01	CBD-1	D-1b	
1208	18.01	CBD-1	D-1b	
1208	19.01	CBD-1	D-1b	
1208	20	CBD-1	D-1b	
1209	15.01	CBD-2	D-1b	
2303	1	CBD-1	D-1b	
2303	2	CBD-1	D-1b	
2303	3	CBD-1	D-1b	
2303	4	CBD-1	D-1b	
2303	5	CBD-1	D-1b	
2304	1	CBD-1	D-1b	
2304	2	CBD-1	D-1b	
2304	3	CBD-1	D-1b	
2304	4	CBD-1	D-1b	
2304	5	CBD-1	D-1b	
2304	6	CBD-1	D-1b	
2304	7	CBD-1	D-1b	
2304	8	RM-A	D-1b	
2304	36	RM-A	D-1b	
2305	1	CBD-1	D-1b	
2305	2	CBD-1	D-1b	
2305	3	CBD-1	D-1b	
2305	4	CBD-1	D-1b	
2305	5	CBD-1	D-1b	
2305	6	CBD-1	D-1b	
2305	7	CBD-1	D-1b	
2305	13	RM-A	D-1b	DRL
2401	1.01	CBD-1	D-1b	
2402	1	CBD-1	D-1b	
2402	2	SBD	D-1b	
2403	1	CBD-1	D-1b	
2403	2	CBD-1	D-1b	
2403	3	CBD-1	D-1b	
2403	4	CBD-1	D-1b	
2403	5	CBD-1	D-1b	
2403	6	SBD	D-1b	
2404	1.01	CBD-1	D-1b	
2404	1.02	CBD-1	D-1b	
2404	2	CBD-1	D-1b	
2404	3	CBD-1	D-1b	

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
2404	4.01	CBD-1	D-1b	
2404	6	CBD-1	D-1b	
2404	7	CBD-1	D-1b	
2404	8	CBD-1	D-1b	
2404	9	CBD-1	D-1b	
2404	10	CBD-1	D-1b	
2404	11	R-E	D-1b	
2404	12	CBD-1	D-1b	
2404	13	SBD	D-1b	
2404	14	SBD	D-1b	
2404	23	SBD	D-1b	
2404	24	CBD-1	D-1b	
2701	15	CBD-2	D-1b	
613	13	R-E	D-2a	
2302	1	SBD	D-2a	
2302	2	SBD	D-2a	
2302	3.01	SBD	D-2a	
2307	1	SBD	D-2a	
913	12	CBD-2	D-2b	
913	13	CBD-2	D-2b	
913	14	CBD-2	D-2b	
913	15	CBD-2	D-2b	
913	16	CBD-2	D-2b	
1203	1	CBD-2	D-2b	
1203	2	CBD-2	D-2b	
1203	3.01	CBD-2	D-2b	
1203	4.01	CBD-2	D-2b	
1203	5	CBD-2	D-2b	
1203	6.01	CBD-2	D-2b	
1204	15	CBD-2	D-2b	
1204	16	CBD-2	D-2b	
1204	17	CBD-2	D-2b	
1204	18	CBD-2	D-2b	
1207	3	CBD-2	D-2b	
1207	4	CBD-2	D-2b	
1207	5	CBD-2	D-2b	
1207	6.02	CBD-2	D-2b	
1207	6.03	CBD-2	D-2b	
1207	9.01	CBD-2	D-2b	
1207	10	CBD-2	D-2b	
1207	11	CBD-2	D-2b	
1209	1.01	CBD-2	D-2b	
1209	15.02	CBD-2	D-2b	
1209	15.03	CBD-2	D-2b	
1209	16.01	CBD-2	D-2b	
1209	17.01	CBD-2	D-2b	
2305	8	RM-A	D-2b	
2305	9	RM-A	D-2b	
2305	10	RM-A	D-2b	
2305	11	RM-A	D-2b	
2305	12	RM-A	D-2b	DRL

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
2402	3.01	SBD	D-2b	
2402	3.02	SBD	D-2b	
2402	4	SBD	D-2b	
2402	5	SBD	D-2b	
2402	6	SBD	D-2b	
2403	7.01	SBD	D-2c	
2403	7.02	SBD	D-2c	
2404	15	SBD	D-2c	
2404	16.01	SBD	D-2c	
2404	18	SBD	D-2c	
2404	20	SBD	D-2c	
2404	21	SBD	D-2c	
2408	5.01	SBD	D-2c	
2701	10	SBD	D-2c	
2701	11	SBD	D-2c	
2701	13.01	SBD	D-2c	
2701	14	CBD-2	D-2c	
605	3	SBD2	D-2d	
605	4	SBD2	D-2d	
605	5	SBD2	D-2d	
605	6	SBD2	D-2d	
605	7	SBD2	D-2d	
605	8	SBD2	D-2d	
605	9	SBD2	D-2d	
911	2.02	RMC	D-2d	
911	3	RHC	D-2d	
912	8	SBD	D-2d	
912	9	SBD	D-2d	
1203	8	CBD-2	D-2d	
1203	9	CBD-2	D-2d	
1203	10	CBD-2	D-2d	
1203	11	CBD-2	D-2d	
1203	12	CBD-2	D-2d	
1207	1	CBD-2	D-2d	
1207	2	CBD-2	D-2d	
905	4	CBD-2	D-2e	
905	5	CBD-2	D-2e	
913	1	CBD-2	D-2e	
913	2	CBD-2	D-2e	
913	3	CBD-2	D-2e	
913	4	CBD-2	D-2e	
913	5	CBD-2	D-2e	
913	6	CBD-2	D-2e	
913	7	CBD-2	D-2e	
913	8	CBD-2	D-2e	
913	9	CBD-2	D-2e	
913	10	CBD-2	D-2e	
913	11	CBD-2	D-2e	
2407	1	SBD	D-2e	
2407	2	SBD	D-2e	
2408	1.01	SBD	D-2e	

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
2408	3.01	SBD	D-2e	
2408	27	SBD	D-2e	
2408	28	SBD	D-2e	
2408	29	SBD	D-2e	
2408	30	SBD	D-2e	
2408	31.01	SBD	D-2e	
610	4.02	CBD-3	D-3	
610	10.01	CBD-3	D-3	
610	11.01	CBD-3	D-3	
610	32.01	CBD-3	D-3	
610	32.02	CBD-3	D-3	
610	33.01	CBD-3	D-3	

**SECTION 4. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 5. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick	X	Y	X	Y	X	Y
Cohen		Y		Y		Y
Hamer		Y		Y		N

**Public Hearing on Ordinance #14-35:**

- Councilwoman Algrant read the amendment to #14-35, Block 2403, Lot 6 has been reclassified and is included in tonight's ordinance. Neil Desai explained that there are 8,500 parcels in the City of Englewood and that there were some typographical errors.
- Travis Waller 53 W. Palisade Avenue:
  - Asked about the Redevelopment Plan Area. It was explained to him that the area is not part of this Ordinance.
- Lucy Walker 363 Washington Place:
  - Asked about tax burden relief on residents. Mayor Huttle responded that the Master Plan encourages incubators to bring businesses such as Healthcare and Assisted Living into the City of Englewood in the proper location. Neil Desai conveyed what zoning does now and that the new zoning will attract reinvestment in the City of Englewood, especially in South Englewood.

**ORDINANCE #14-36**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO THE LIGHT INDUSTRIAL (L-I) DISTRICT AND OFFICE-INDUSTRIAL (OI) DISTRICT AND THE NEW RESEARCH, INDUSTRY & MEDICAL (RIM) DISTRICT**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of, revitalizing and introducing new economic activity in Englewood South, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 ("Zoning Map") is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section is amended to incorporate the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** Section 250-68 ("Light Industrial (LI) District") is retained and renamed "Light Industrial (L-I) District," but the criteria are deleted in favor of the following criteria:

:

**K. Purpose.**

The purpose of this chapter, with respect to the Light Industrial (L-I) District, is to permit land uses that reflect contemporary light industrial economies and trends; to strengthen the identity of this district as a base of local and regional employment in the distribution, production, and manufacturing of products; to broaden the presence of research and development enterprises; to promote creativity, entrepreneurship, and business development; and to improve the physical appearance of the district. This district also provides for certain medical and healthcare uses, in appropriate locations, that may complement the various types of medical and healthcare offerings already located throughout the City.

**L. Permitted uses.**

Permitted uses are summarized in the table below. In the table, the letter "Y" stands for permitted use and "YC" stands for conditional use. Conditions for conditional uses are listed in Section C. All other uses not expressly permitted in this section are prohibited

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>L-I</b>
<b>Industrial Uses, light</b>	
Apparel manufacturing	Y
Beverage production and manufacturing	Y

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>L-I</b>
Computer, electronic, and electrical product manufacturing	Y
Food production and manufacturing	Y
Scientific and medical instrument manufacturing	Y
Non-metallic mineral product manufacturing	Y
Printing and related support activities	Y
Research and development	Y
Wood and furniture product manufacturing	Y
<b>Wholesale Trade, Warehousing, Distribution</b>	
Wholesale sales	Y
Warehousing or distribution of non-flammable, non-hazardous materials	YC
Moving and storage facilities	Y
<b>Agricultural Uses</b>	
Accessory rooftop farming and gardening	YC
<b>Motor Vehicle-Related Uses</b>	
Automobile sales	YC
Car wash facilities	YC
Motor vehicle service and repair	YC
<b>Arts, Entertainment &amp; Recreation</b>	
Instructional studios	Y
Professional & artist studios	Y
Studios (television, film, production, recording, radio)	Y

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>L-I</b>
<b>Offices, non-medical</b>	
Business incubators	Y
Business offices	Y
Co-working space	Y
Professional offices	Y
<b>Medical &amp; Healthcare</b>	
Medical & dental laboratories and diagnostic services	Y
Medical offices	Y
Urgent care facility	Y
Wellness center	Y
Veterinary clinic	Y
<b>Retail Trade</b>	
Automobile sales	YC
Accessory retail	YC
Garden center	Y
<b>Personal &amp; Consumer Services</b>	
Pet grooming & training	Y
Pet daycare facilities	YC
<b>Eating &amp; Drinking Establishments</b>	
Accessory restaurant	YC
<b>Education</b>	

LAND USE CATEGORIES & LAND USES	L-I
Technical school	Y
<b>Emergency Services</b>	
Police, Fire, EMT, and Ambulance stations	Y

**M. Conditional Uses.**

For areas within the designated L-I districts, the Planning Board shall not approve any conditional use application for any of the following uses under this chapter unless the following enumerated specific conditions have been met:

- (1) Accessory retail and restaurants. The area of accessory retail space shall not exceed 15 percent of a building's square footage. The area of accessory restaurant space shall not exceed 20 percent of a building's total square footage.
- (2) Automobile sales.
  - a. Such establishments shall have a fully-enclosed sales building with a showroom area accommodating at least 3 automobiles. Vehicle service or repair may be performed as an accessory use, but only within a totally-enclosed building.
  - b. Outdoor storage. An automobile sales establishment shall comply with the following requirements for outdoor storage:
    1. All outdoor display and service areas, including driveways and parking facilities, shall be paved.
    2. Motor vehicles and equipment shall be kept at least 15 feet from the right-of-way and property lines.
  - c. On-site circulation. An automobile sales establishment shall comply with the following requirements for on-site circulation:
    1. There shall be sufficient area on site for all vehicle maneuvering and repositioning of inventory. No vehicles shall stand or be parked in the public right-of-way. All vehicle service must be performed on-site.
    2. Driveways are limited to 1 driveway per street frontage per 100 linear feet of street frontage and the maximum width of each driveway is 24 feet.
    3. Driveways shall be at least 10 feet from any side lot line 50 feet from the intersection of street lines.
- (3) Accessory rooftop farming.
  - a. The primary activity to be performed with or without a greenhouse structure shall be the cultivation of plants.
  - b. Buildings with structures to contain accessory rooftop farming shall abide by the maximum building height.
- (4) Car wash facilities.
  - a. All car wash facilities shall be subject to site plan approval and shall provide sufficient off-street drainage so as to eliminate water runoff upon a public right-of-way or adjoining property.
  - b. Car wash facilities shall be conducted within a fully enclosed structure.
  - c. Car wash facilities shall contain on-site parking, computed on the basis of one parking space for each 400 square feet or part thereof of structure.

- d. No part of the lot on which an automatic car wash facility is operated shall be located within 500 feet of a residential district or within 200 feet of an existing residential use.
  - e. An automatic car wash facility shall provide a paved driveway consisting of a minimum of 10 automobile spaces to accommodate automobiles waiting to be washed and an additional paved driveway consisting of a minimum of 3 automobile spaces to permit the drying of automobiles following washing. Each such automobile space shall measure not less than 20 feet in length and shall be set back not less than 10 feet from any lot line.
  - f. Automatic car wash facilities shall be screened from the street and from adjoining properties by fencing, evergreen landscaping, or other suitable screening, in such manner as shall be approved by the Planning Board.
  - g. Automatic car wash facilities shall not include a driveway within 50 feet of any street intersection.
- (5) Motor vehicle service and repair.
- a. A motor vehicle service and repair station shall be completely enclosed for all operations in a building that meets the dimensions of the underlying zoning.
  - b. Storage areas for vehicles waiting for repair shall be provided on the site and shall not occur in the public right-of-way.
  - c. All dismantled vehicles, equipment and parts and accessories thereof shall be stored within a building or behind a solid screen fence no less than 6 feet high. Such fence shall be least 15 feet from the right-of-way and property line.
  - d. Outdoor storage areas shall not be permitted in any required yard.
- (6) Pet daycare facilities.
- a. Pet daycare facilities are prohibited adjacent to residential properties or medical facilities providing overnight care.
  - b. Outdoor exercise yards and/or runs.
    - 1. Outdoor exercise yards and/or runs shall be surrounded by a fence of at least six-feet in height. Fences must be maintained so as to prevent escape of pets.
    - 2. Outdoor exercise yards and/or runs shall provide an adequate exercise area, protection from the weather, and be landscaped with appropriate absorbent materials such as crushed stone or gravel.
    - 3. Outdoor exercise yards and/or runs shall be used only between 9:00 a.m. and 6:00 p.m.
  - c. All animal quarters and runs are to be kept clean, dry, and in sanitary condition.
  - d. Enclosures must be provided which shall allow adequate protection against weather extremes.
  - e. Floors of buildings and walls shall be of an impervious material to permit proper cleaning and disinfecting.
  - f. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping.
  - g. On-site waste collection. All on-site waste shall be housed on-site, and all waste shall be disposed of in a sanitary manner and on a regular basis to prevent odor and excess accumulation.

**D. Dimensional Standards.**

DIMENSION	L-I
<b>Lot Dimensions</b>	

<b>DIMENSION</b>	<b>L-I</b>
Minimum Lot Area	10,000 sq ft
Minimum Lot Width	50 ft
Minimum Lot Depth	100 ft
<b>Building Height</b>	
Maximum Building Height	46 ft*
<b>Setbacks &amp; Building Coverage</b>	
Minimum Front Yard Setback	5 ft**
Minimum Side Yard Setback	5 ft
Minimum Rear Yard Setback	6 ft
<b>Setbacks when Abutting Residential District</b>	
Minimum Front Yard Setback	15 ft
Minimum Side Yard Setback	10 ft
Minimum Rear Yard Setback	20 ft
*See Subsection E(1a)	
**See Subsection E(1b)	

**E. General Standards for L-I Districts.**

- (1) Additional building height and setback requirements.
  - a. When abutting a residential district, maximum building height shall be 30 feet.
  - b. Front yard setbacks. In order to maintain a consistent appearance, front yard setbacks shall be similar to existing front yard setbacks on the block or on adjacent properties within the L-I District.
- (2) Operational standards.
  - a. Any activity permitted in this district shall be conducted in such a manner as not to have a detrimental effect on adjacent properties by reason of waste, noise, light, vibration, or lack of proper maintenance of grounds or buildings.
  - b. Outdoor storage of materials, products, dumpsters, equipment or vehicles, shall be screened by a solid fence or wall no taller than 8 feet in height. Materials, products or equipment stored outdoors shall not be piled higher than the height of the fence or wall, nor shall they encroach into required parking and landscape areas.
  - c. Businesses Adjacent to Residential Districts.

1. Businesses adjacent to a residential district shall open no earlier than 7:00 a.m. and close no later than 9:00 p.m. Loading is permitted only between the hours of 8:00 a.m. and 8:00 p.m.
  2. Loading areas or docks shall not be located closer than 60 feet from a residential district.
  3. Loading docks shall be screened with a solid masonry wall at a height to be determined by the Zoning Official.
- (3) Landscaping. Applicants shall submit a landscape plan detailing the location and types of plantings and other materials. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and/or the use of building and paving materials.
- (4) Doors and windows.
  - a. All buildings shall include doors and windows facing the street. Blank walls are not permitted facing the street at ground level.
  - b. Ground floors shall have a minimum transparency of at least 40 percent of the wall area of the ground level for each wall facing a public street.
- (5) Exterior lighting.
  - a. Applicants shall submit a lighting plan detailing exterior lighting of facades and grounds.
  - b. All exterior light fixtures shall be fully shielded and direct light either downward toward the earth's surface and/or toward the building façade.
  - c. All exterior light fixtures shall be positioned in such a manner as to direct light away from adjacent property and public rights of way.
  - d. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights of way.
- (6) Location of parking. Off-street parking areas shall be located to the side or rear of the building.
- (7) Open space requirement.
  - a. A minimum of 10 percent of the lot area shall be designed as usable open space.
  - b. For the change of use of an existing building, the Planning Board may permit the creation of substitute interior space accessible to building occupants for the required open space in the project, if it finds that it is not practical or desirable to provide exterior open space.
- (8) Signs. Applicants shall comply with the following standards for signs in addition to the sign regulations located in §250-105.
  - a. Applicants shall submit a sign plan.
  - b. Signs shall be internally- or externally-illuminated for visibility at night.
- (9) Street numbers. Buildings shall be clearly marked with their street number. Street numbers shall be internally- or externally-illuminated for visibility at night.
- (10) Green buildings.
  - a. All new buildings, additions, or renovations with gross area greater than 5,000 sf are encouraged to be constructed to the U.S. Green Building Council's LEED certification standards or equivalent.
  - b. Green roofs are permitted and encouraged. The planting media and plant material comprising green roofs shall be maintained in accordance with generally accepted landscape maintenance practices, replacing each as necessary.
  - c. Waste collection and storage areas. Trash, recycling, and any other refuse or recycling collection dumpsters or containers shall be located at the rear of the property and either screened, enclosed, or otherwise blocked from public view. Such screening or enclosure should be designed in conjunction with the primary building, may use similar materials and shall obscure views of waste collection and storage area.

**F. Visual Buffers and Screening.**

Buffers shall be provided to effectively protect residential property from the potential adverse effects of adjacent nonresidential land use activity that may result in nuisance, including visual blight, excessive light, threat to safety, noise, or odor encroachment to an adjacent parcel or one located across a public right-of-way.

(1) Landscaping.

- a. All activities on any lot in the Light Industrial (L-I) District that abut a residential zoning district shall be screened from such abutting residential district by landscaping consisting of lawn, massed evergreen and/or deciduous trees, and shrubs of such species and density as will provide, within two growing seasons, a solid and continuous screen throughout the full course of the year.
- b. Evergreen and deciduous shrubs shall have a minimum height of 3 feet when planted and shall be of varieties that normally grow to a minimum height of 6 feet within two full growing seasons.
- c. Deciduous trees shall have a minimum caliper of 3 inches at the time of planting.

(2) Fencing.

- a. Fences are permitted in side and rear yards at a maximum height of 6 feet.
- b. Fences shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for maintaining the area between the property line and the fence.
- c. Chain-link material used for any fence shall be of dark-colored material, and the posts and other framework forming part of such fence shall be the same color as the chain-link material.

**SECTION 3.** Section 250-72 (“Office-Industrial (OI) District”) is hereby deleted, and substituted by the “Research, Industry & Medical (RIM) District” which contains the following criteria:

**G. Purpose.**

The purpose of this chapter, with respect to the Research, Industry & Medical (RIM) District, is to permit land uses that reflect contemporary light industrial economies and development trends in research and medicine; to strengthen the identity of this district as a base of local and regional employment; to broaden the presence of research, development, and manufacturing enterprises; and to foster the development of medical and healthcare facilities that complement the existing medical and healthcare services located throughout the City. Senior housing is permitted to complement future medical and healthcare services and to contribute to a sense of a healthcare village that offers care and living opportunities for older persons. This district already encompasses several multifamily residential complexes created through planned unit developments (PUDs). Therefore, this district also intends, through careful attention to site design and urban design principles appropriate for a city of Englewood’s scale and the scale of the blocks and streets within the RIM to improve the physical appearance of the area, create an orderly developed environment with an engaging public realm and active open spaces, and to foster internal connectivity, mobility, and safety for all modes of transportation within and between properties.

**H. Permitted uses.**

Permitted uses are summarized in the table below. In the table, the letter “Y” stands for permitted use and “YC” stands for conditional use. Conditions for conditional uses are listed in Section C. All other uses not expressly permitted in this section are prohibited.

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>RIM</b>
<b>Industrial Uses, light</b>	
Apparel manufacturing	Y
Beverage production and manufacturing	Y
Computer, electronic, and electrical product manufacturing	Y
Food production and manufacturing	Y
Scientific and medical instrument manufacturing	Y
Non-metallic mineral product manufacturing	Y
Printing and related support activities	Y
Research and development	Y
Wood and furniture product manufacturing	Y
<b>Wholesale Trade, Warehousing, Distribution</b>	
Wholesale sales	Y
Warehousing or distribution of non-flammable, non-hazardous materials	Y
Moving and storage facilities	Y
<b>Agricultural Uses</b>	
Accessory rooftop farming and gardening	YC
<b>Motor Vehicle-Related Uses</b>	
Automobile sales and rental	YC
Car wash facilities	YC
Motor vehicle service and repair	YC
<b>Arts, Entertainment &amp; Recreation</b>	

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>RIM</b>
Studios (television, film, production, recording, radio)	Y
<b>Offices, non-medical</b>	
Business offices	Y
Professional offices	Y
<b>Medical &amp; Healthcare</b>	
Ambulatory surgery center	Y
Assisted living facility	Y
Continuing care community	Y
Hospice	Y
Medical & dental laboratories and diagnostic services	Y
Medical offices	Y
Medical center	Y
Rehabilitation center	Y
Skilled nursing facility	Y
Urgent care facility	Y
Veterinary hospital	Y
Wellness center	Y
<b>Retail Trade</b>	
Accessory retail	YC
Medical equipment sales	Y
<b>Eating &amp; Drinking Establishments</b>	

LAND USE CATEGORIES & LAND USES	RIM
Accessory restaurant	YC
<b>Education</b>	
Technical school	Y
<b>Emergency Services</b>	
Police, Fire, EMT, and Ambulance stations	Y
<b>Lodging</b>	
Hotel	Y
<b>Residential</b>	
Apartment and condominium communities for senior citizens	Y

**I. Conditional Uses.**

For areas within the designated RIM district, the Planning Board shall not approve any conditional use application for any of the following uses under this chapter unless the following enumerated specific conditions have been met:

- (1) Accessory retail and restaurants. The area of accessory retail space shall not exceed 15 percent of a building's total square footage. The area of accessory restaurant space shall not exceed 20 percent of a building's total square footage.
- (2) Automobile sales and rental.
  - a. Automobile sales establishments shall have a fully-enclosed sales building with a showroom area accommodating at least 3 automobiles.
  - b. Vehicle service or repair may be performed as an accessory use, but only within a totally-enclosed building.
  - c. Outdoor storage. An automobile sales or rental establishment shall comply with the following requirements for outdoor storage:
    1. All outdoor display and service areas, including driveways and parking facilities, shall be paved.
    2. Motor vehicles and equipment shall be kept at least 15 feet from the right-of-way and property lines.
    3. Parking areas for rental vehicles shall be located behind the principal structure on the lot.
  - d. On-site circulation. An automobile sales or rental establishment shall comply with the following requirements for on-site circulation:
    1. There shall be sufficient area on site for all vehicle maneuvering and repositioning of inventory. No vehicles shall stand or be parked in the public right-of-way. All vehicle service must be performed on-site.

2. Driveways are limited to 1 driveway per street frontage per 100 linear feet of street frontage and the maximum width of each driveway is 24 feet.
  3. Driveways shall be at least 10 feet from any side lot line 50 feet from the intersection of street lines.
- (3) Accessory rooftop farming. The primary activity to be performed with or without a greenhouse structure shall be the cultivation of plants.

**J. Dimensional Standards.**

<b>DIMENSION</b>	<b>RIM</b>
<b>Lot Dimensions</b>	
Minimum Lot Area	20,000 sq ft
Minimum Lot Width	200 ft
Minimum Lot Depth	100 ft
<b>Building Height</b>	
Maximum Building Height	75 ft
<b>Setbacks &amp; Building Coverage</b>	
Minimum Front Yard Setback	15 ft
Minimum Side Yard Setback	10 ft
Minimum Rear Yard Setback	20 ft
<b>Setbacks when Abutting Residential District</b>	
Minimum Front Yard Setback	25 ft
Minimum Side Yard Setback	20 ft
Minimum Rear Yard Setback	30 ft

**K. General Standards for RIM Districts.**

- (1) Operational standards.
  - a. Any activity permitted in this district shall be conducted in such a manner as not to have a detrimental effect on adjacent properties by reason of waste, noise, light, vibration, or lack of proper maintenance of grounds or buildings.

- b. Outdoor storage of materials, products, dumpsters, equipment or vehicles, shall be screened by a solid fence or wall no taller than 8 feet in height. Materials, products or equipment stored outdoors shall not be piled higher than the height of the fence or wall, nor shall they encroach into required parking and landscape areas.
  - c. Business Adjacent to Residential Districts.
    - 1. Loading areas or docks shall not be located closer than 60 feet from a residential district.
    - 2. Loading docks shall be screened with a solid masonry wall at a height to be determined by the Zoning Official.
- (2) Landscaping. Applicants shall submit a landscape plan detailing the location and types of plantings and other materials. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and/or the use of building and paving materials.
- (3) Doors and windows.
- a. All buildings shall include doors and windows facing the street. Blank walls are not permitted facing the street at ground level.
  - b. Ground floors shall have a minimum transparency of at least 50 percent of the wall area of the ground level for each wall facing a public street.
- (4) Exterior lighting.
- a. Applicants shall submit a lighting plan detailing exterior lighting of facades and grounds.
  - b. All exterior light fixtures shall be fully shielded and direct light either downward toward the earth's surface and/or toward the building façade.
  - c. All exterior light fixtures shall be positioned in such a manner as to direct light away from adjacent property and public rights of way.
  - d. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights of way.
- (5) Location of parking. Off-street parking areas shall be located to the side or rear of the building.
- (6) Open space requirement.
- a. A minimum of 10 percent of the lot area shall be designed as usable open space.
  - b. For the change of use of an existing building, the Planning Board may permit the creation of substitute interior space accessible to building occupants for the required open space in the project, if it finds that it is not practical or desirable to provide exterior open space.
- (7) Signs. Applicants shall comply with the following standards for signs in addition to the sign regulations located in §250-105.
- a. Applicants shall submit a sign plan.
  - b. Signs shall be internally- or externally-illuminated for visibility at night.
- (8) Street numbers. Buildings shall be clearly marked with their street number. Street numbers shall be internally- or externally-illuminated for visibility at night.
- (9) Green buildings.
- a. All new buildings, additions, or renovations with gross area greater than 5,000 sf are encouraged to be constructed to the U.S. Green Building Council's LEED certification standards or equivalent.
  - b. Green roofs are permitted and encouraged. The planting media and plant material comprising green roofs shall be maintained in accordance with generally accepted landscape maintenance practices, replacing each as necessary.
- (10) Waste collection and storage areas. Trash, recycling, and any other refuse or recycling collection dumpsters or containers shall be located at the rear of the property and either screened, enclosed, or otherwise blocked from public view. Such screening or enclosure should be designed in conjunction with the primary building, may use similar materials and shall obscure views of waste collection and storage area.

**L. General Building, Site, Circulation, and Public Realm Design Standards for RIM Districts.**

(1) Building, Site, and Circulation Design Standards.

- a. To create a sense of enclosure and defined space, buildings shall be arranged so that they frame and define the fronting streets, giving deliberate form to streets and sidewalk areas.
- b. Buildings shall be set back a similar distance from the property line.
- c. Exposure of the backs of buildings along major thoroughfares shall be avoided through appropriate building orientation and screening.
- d. Sidewalks shall be designed to be part of an interconnected network of pedestrian paths within the property lines and shall connect to sidewalks outside of the property line.
- e. Pedestrian walkways shall be provided along and/or through parking areas to building entrances.
- f. Crosswalks shall be applied at appropriate locations where pedestrians might frequently cross a driveway or internal access road.
- g. Traffic calming infrastructure such as raised crosswalks should be installed within driveways, parking areas, and internal access roads to promote safe passage for both pedestrians and motorists.
- h. Special treatments for bicycle circulation on site should be considered, including the provision of sheltered or unsheltered bicycle parking.
- i. Access to public transit should be considered in the design of the site, driveways, sidewalks, and access roads. Bus shelters should be provided.
- j. To the extent the foregoing criteria do not impose an objective standard in feet, percentage or other objective criteria, a variance therefrom shall be considered a design waiver rather than a zoning variance and shall be considered as such in the discretion of the appropriate land use board.

(2) Public Realm Design Standards.

- a. Internal streetscapes and streetscapes along public streets should consist of street trees or and other appropriate landscape features, street furniture, and street lights. The types/designs should complement existing streetscape features located throughout the City.
- b. Wayfinding elements such as gateway treatments, banners affixed to street lights, and directional signs are encouraged and should be coordinated with existing or proposed wayfinding systems within the City of Englewood.
- c. To the extent the foregoing criteria do not impose an objective standard in feet, percentage or other objective criteria, a variance therefrom shall be considered a design waiver rather than a zoning variance and shall be considered as such in the discretion of the appropriate land use board.

**M. Visual Buffers and Screening.**

Buffers shall be provided to effectively protect residential property from the potential adverse effects of adjacent nonresidential land use activity that may result in nuisance, including visual blight, excessive light, threat to safety, noise, or odor encroachment to an adjacent parcel or one located across a public right-of-way.

(1) Landscaping.

- a. All activities on any lot in the RIM District that abut a residential zoning district shall be screened from such abutting residential district by landscaping consisting of lawn, massed evergreen and/or deciduous trees, and shrubs of such species and density as will provide, within two growing seasons, a solid and continuous screen throughout the full course of the year.
- b. Evergreen and deciduous shrubs shall have a minimum height of 3 feet when planted and shall be of varieties that normally grow to a minimum height of 6 feet within two full growing seasons.
- c. Deciduous trees at the time of planting shall have a minimum caliper of 3 inches.

(2) Fencing.

- a. Fences are permitted in rear yards at a maximum height of 6 feet.
- b. Fences shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for maintaining the area between the property line and the fence.
- c. Chain-link material used for any fence shall be of dark-colored material, and the posts and other framework forming part of such fence shall be the same color as the chain-link material.

**SECTION 4.** The following properties shall be reclassified into the RIM District according to the following table:

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
2502	1	L-I	RIM	
2502	2	L-I	RIM	
2503	1	L-I	RIM	
2503	2	L-I	RIM	
2503	3	L-I	RIM	
2503	4	L-I	RIM	
2503	5	L-I	RIM	
2504	1	L-I	RIM	
2504	2	L-I	RIM	
2504	3	L-I	RIM	
2504	4	L-I	RIM	
2504	5	L-I	RIM	
2504	6	L-I	RIM	
2504	7	L-I	RIM	
2504	8	L-I	RIM	
2504	9	L-I	RIM	
2505	1.01	L-I	RIM	
2505	2	L-I	RIM	
2505	4	L-I	RIM	
2505	5	L-I	RIM	
2506	1	L-I	RIM	
2506	2	L-I	RIM	
2506	3.01	L-I	RIM	
2506	5	L-I	RIM	
2506	6	L-I	RIM	
2506	7	L-I	RIM	
2507	1	L-I	RIM	
2507	2	L-I	RIM	
2507	3	L-I	RIM	
2507	4	L-I	RIM	
2509	1.01	OI	RIM	
2509	7.01	OI	RIM	
2516	1.03	OI	RIM	
2516	1.04	OI	RIM	
2516	1.05	OI	RIM	
2516	7.01	OI	RIM	
2516	8	OI	RIM	
2516	9	OI	RIM	
2516	10.01	OI	RIM	
2516	10.02	OI	RIM	

BLOCK	LOT	EXISTING ZONING	NEW ZONING	OVERLAY
2516	11	OI	RIM	
2516	12	OI	RIM	
2516	13	OI	RIM	
2516	14	OI	RIM	
2516	15.02	OI	RIM	
2517	3.01	OI	RIM	
2517	3.03	OI	RIM	PUD-1
2518	1.01	OI	RIM	PUD-1
2518	1.02	OI	RIM	PUD-1
2519	1.01	OI	RIM	
2519	2.01	OI	RIM	
2602	3.01	OI	RIM	PUD-1
2602	3.02	OI	RIM	PUD-1
2602	3.03	OI	RIM	PUD-1
2602	3.04	OI	RIM	PUD-1
2602	4	OI	RIM	PUD-1
2602	5	OI	RIM	PUD-1
2602	6	OI	RIM	
2602	7	L-I	RIM	
2602	8	OI	RIM	
2602	9	OI	RIM	
2602	13.01	OI	RIM	PUD-1
2603	1	OI	RIM	
2603	2	OI	RIM	PUD-1
2603	2	OI	RIM	PUD-1
2603	3	OI	RIM	PUD-1
2603	4	OI	RIM	PUD-1
2603	5	OI	RIM	
2603	6	OI	RIM	
2603	7	OI	RIM	
2603	8	OI	RIM	
2603	9.01	OI	RIM	
2603	10.01	OI	RIM	
2603	11	OI	RIM	
2603	12	OI	RIM	
2603	13	OI	RIM	
2603	14.01	OI	RIM	
2603	14.02	OI	RIM	
2603	15	OI	RIM	
2603	16	OI	RIM	
2604	2	L-I	RIM	
2604	3	L-I	RIM	
2604	4	L-I	RIM	
2605	1.01	OI	RIM	PUD-1
2605	1.02	OI	RIM	PUD-1
2605	2.01	OI	RIM	PUD-1
2605	2.02	OI	RIM	PUD-1
2605	2.03	OI	RIM	PUD-1
2605	2.04	OI	RIM	PUD-1

**SECTION 5. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 6. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer	X	Y	X	Y	X	Y

**Public Hearing on Ordinance #14-36:**

- Lucy Walker 363 Washington Place:
  - o How will medical waste be handled, it was explained that is a function of State and Federal regulations.

**ORDINANCE #14-37**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO AMENDING AND SUPPLEMENTING SERVICE BUSINESS (SBD) DISTRICT**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of reexamining the Service Business District zoning, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 ("Zoning Map") is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section is amended to incorporate the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** Section 250-67 ("Service Business (SBD) District") is retained but the criteria are deleted in favor of the following criteria

**N. Purpose.**

The purpose of this chapter, with respect to the Service Business (SBD) District, is to provide a variety of retail, commercial service generally serving the surrounding neighborhood in a desirable visual environment and located particularly along major thoroughfares where a general mixture of retail, commercial, and service activity now exist.

**O. Permitted uses.**

Permitted uses are summarized in the table below. In the table, the letter “Y” stands for permitted use and “YC” stands for conditional use. Conditions for conditional uses are listed in Section C. All other uses not expressly permitted in this section are prohibited.

LAND USE CATEGORIES & LAND USES	SBD
<b>Retail Trade</b>	
Retail stores <i>with the exception of:</i> <ul style="list-style-type: none"> <li>– Pawn shops</li> <li>– Establishments open between the hours of 12:00 a.m. and 6:00 a.m.</li> <li>– Sexually-oriented businesses</li> </ul>	Y
Banks	YC
Automobile Sales	YC
<b>Eating &amp; Drinking Establishments</b>	
Restaurant (limited-service)	YC
<b>Arts, Entertainment &amp; Recreation</b>	
Health and fitness clubs	Y
Instructional studios	Y
<b>Personal &amp; Consumer Services</b>	
Personal services <i>with the exception of:</i> <ul style="list-style-type: none"> <li>– Fortune-telling and palm-reading establishments</li> <li>– Sexually-oriented businesses</li> <li>– Tattoo parlors</li> <li>– Massage parlors with unlicensed personnel</li> </ul>	Y
Child care	Y
Funeral parlors	Y

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>SBD</b>
Laundry & dry cleaning	Y
Pet grooming & training	Y
Printing & reproduction	Y
Repair of consumer products	Y
<b>Education</b>	
School (Pre-school)	Y
<b>Medical &amp; Healthcare</b>	
Medical offices	Y
Medical group practice	Y
Veterinary clinic	Y
<b>Offices (non-medical)</b>	
Professional offices	Y
Business offices	Y

**P. Conditional Uses.**

For areas within the designated SBD districts, the Planning Board shall not approve any conditional use application for any of the following uses under this chapter unless the following enumerated specific conditions have been met:

- (1) Automobile sales.
  - a. Such establishments shall have a fully-enclosed sales building with a showroom area accommodating at least 3 automobiles. Vehicle service or repair may be performed as an accessory use, but only within a totally-enclosed building.
  - b. Outdoor storage. An automobile sales establishment shall comply with the following requirements for outdoor storage:
    1. All outdoor display and service areas, including driveways and parking facilities, shall be paved.
    2. Motor vehicles and equipment shall be kept at least 15 feet from the right-of-way and property lines.
  - c. On-site circulation. An automobile sales establishment shall comply with the following requirements for on-site circulation:

1. There shall be sufficient area on site for all vehicle maneuvering and repositioning of inventory. No vehicles shall stand or be parked in the public right-of-way. All vehicle service must be performed on-site.
2. Driveways are limited to 1 driveway per street frontage per 100 linear feet of street frontage and the maximum width of each driveway is 24 feet.
3. Driveways shall be at least 10 feet from any side lot line 50 feet from the intersection of street lines.

**(2) Banks.** Drive-through/drive-up facilities are permitted under the following conditions:

- a. Drive-through/drive-up facilities and associated lanes shall not encroach on the public right-of-way or internal site circulation roadways. Drive-through/drive-up facilities will require site plan approval.
- b. Such facilities shall be located on an arterial or collector street in an area least disruptive to pedestrian and vehicular traffic.
- c. All access drives shall be located as far as practicable from an existing intersection in order to minimize congestion and constricted turning movements.

**(3) Restaurants.**

- a. Restaurants where food is prepared for retail sale on the premises, are permitted conditionally upon obtaining site plan approval from the municipal agency. Approval may be subject to the execution of a maintenance agreement to include obligations on the part of the owner or operator of the premises to maintain the premises and the surrounding area free of litter and to minimize loitering on or about the premises.
- b. Drive-through/drive-up facilities are not permitted.

**Q. Dimensional Standards.**

DIMENSION	SBD
<b>Lot Dimensions</b>	
Minimum Lot Area	10,000 sq ft
Minimum Lot Width	100 ft
Minimum Lot Depth	100 ft
<b>Building Height</b>	
Maximum Building Height	45 ft*
<b>Setbacks &amp; Building Coverage</b>	
Minimum Front Yard Setback	5 ft
Minimum Side Yard Setback	0 ft

Minimum Rear Yard Setback	6 ft
<b>Setbacks when Abutting Residential District</b>	
Minimum Front Yard Setback	15 ft
Minimum Side Yard Setback	10 ft
Minimum Rear Yard Setback	20 ft
*See subsection E(1)	

**R. General Standards for SBD Districts.**

**(1)** Additional building height requirements.

- a. Cornices and cantilevered roofs may project into any required yard a distance of not more than 12 inches.
- b. Belt courses, windowsills and similar ornamental features may project into any required yard a distance of not more than 12 inches, and chimneys may so project a distance of not more than 18 inches.
- c. Chimneys, flues, towers, including cooling towers, bulkheads, spires, and similar decorative features may exceed such height limitations if the total area of all such features on any one building does not exceed 20% of the area of the roof of such building.
- d. Receiving or transmitting antennas may exceed such height limitations but shall not exceed a height of 45 feet above the ground.

**(2)** Additional setback requirements.

- a. In the case of a corner lot, each yard which abuts a street shall be considered a front yard, and the lot shall comply with front yard setback requirements and all other front yard requirements and limitations set out in this chapter respecting each of such streets.
- b. Front yards shall be landscaped in a manner approved by the Planning Board.
- c. The following additional yard requirements shall apply to any lot abutting a residential district or a residential use:
  - 1. A front yard setback shall be required with a depth of the lesser of either the average setback of existing buildings on the same side of the street, within the same block; or the minimum depth required for front yards in the adjacent residence districts.

**(3)** Driveways.

- a. The aggregate width of all driveways into any such facility shall not exceed 70 feet, and no single curb cut shall exceed 35 feet in width.
- b. No part of any driveway shall be located within 10 feet of any side lot line or within 25 feet of any street corner which is located in or which abuts a residential district.

**S. Visual Buffers and Screening.**

Buffers shall be provided to effectively protect residential property from the potential adverse effects of adjacent nonresidential land use activity that may result in nuisance, including visual blight, excessive light, threat to safety, noise, or odor encroachment to an adjacent parcel or one located across a public right-of-way.

**(1)** Landscaping.

- a. All activities on any lot in the Service Business District (SBD) District that abut a residential zoning district shall be screened from such abutting residential district by landscaping consisting of lawn, massed evergreen and deciduous trees, and shrubs of such species and density as will provide, within two growing seasons, a solid and continuous screen throughout the full course of the year.
- b. Evergreen and deciduous shrubs shall have a minimum height of 3 feet when planted and shall be of varieties that normally grow to a minimum height of 6 feet within two full growing seasons.
- c. Deciduous trees shall have a minimum caliper of 3 inches at the time of planting.

**(2) Fencing.**

- a. Fences are permitted in rear yards only at a maximum height of 6 feet.
- b. Fences shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for maintaining the area between the property line and the fence.
- c. Chain-link material used for any fence shall be of dark-colored material, and the posts and other framework forming part of such fence shall be the same color as the chain-link material.

**SECTION 3.** The following properties along South Dean Street shall be reclassified from L-1 to SBD: 150 S Dean St (Block 2407, Lot 6); 112 S Dean St (Block 2407, Lot 5); 100 S Dean St (Block 2407, Lot 3); and 80 S Dean St (Block 2407, Lot 2).

**SECTION 4. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 5. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman	X	Y	X	Y	X	Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

**Public Hearing on Ordinance #14-37:**

- Donald Aronson 77 Brayton Street:
  - Asked what the difference is between the Service Business District (SBD) and the Neighborhood Center (NC) districts. Bill Bailey explained that is part of Ordinance #14-39 and will be amended at a later date.

**ORDINANCE #14-38**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO CREATING A NEW ZONING DISTRICT FOR "WORK/LIVE OVERLAY"**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of revitalizing and introducing new economic activity in the Englewood South district, with live/work environments, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 ("Zoning Map") is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section is amended to incorporate the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** The following zoning district, the "Work/Live Overlay (W-L) District", is added to Article XI:

**§ 250-66<sup>1</sup>. [New] Work/Live Overlay (W-L) District.**

**A. Purposes.**

- (1) Provide flexibility for the creation of work/live units, specifically within existing buildings.
- (2) Provide for the appropriate development of units that incorporate both living and working spaces.
- (3) To provide locations where appropriate new businesses can start up or relocate.
- (4) Serve as a transition between light industrial uses and residential uses.
- (5) To assure that the division of space between living and working space within work/live space reflects the priority of work space.

**B. Operating Requirements.**

- (1) Occupancy. A work/live unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one member shall be the business operator.
- (2) Sale or rental of portions of unit. No portion of a work/live unit may be separately rented or sold as a commercial space for any person not living in the premises or as a residential space for any person not working in the same unit.
- (3) Notice to occupants. The owner or developer of any building containing work/live units shall provide written notice to all occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with light industrial uses. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.

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<sup>1</sup> Section 250-66 became available for codification purposes with the elimination of the Mixed-Use Residential/Retail (MURR) Overlay District in favor of the Downtown District

- (4) Non-resident employees. Up to two persons who do not reside in the work/live unit may work in the unit. The employment of any persons who do not reside in the work/live unit shall comply with all applicable Building Code requirements.
- (5) Client and customer visits. Client and customer visits to work/live units are permitted between the hours of 9:00 a.m. and 9:00 p.m.
- (6) Business license. At least one resident in each work/live unit shall maintain at all times appropriate licenses as may be required by law for operating a business on the premises.

**C. Residential Use Criteria.**

The residential component of a work/live unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than 50 percent of the total floor area of a work/live unit shall be designed or used for residential purposes. The residential occupancy of a work/live unit must include at least one person who is employed or carries out an occupation in the unit.

**D. Permitted uses.**

- (1) Arts and craft production activities including painting, sculpture, printmaking, ceramics, photography, film, writing, video, music, industrial design, graphic design, woodworking, metalwork, jewelry, and textiles.
- (2) Studios for instruction in the arts and crafts and in health and wellness activities.
- (3) Accessory retail.
- (4) Professional offices, including practitioners in massage therapy and acupuncture. Practitioners shall show proof of possessing a valid State of New Jersey license for the practice of their respective profession.
- (5) Other uses that, in the opinion of the Planning Board, are of a similar and compatible nature to the uses described above.

**E. Prohibited Uses.**

- (1) Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use.
- (2) Welding, machining, or any open flame work.
- (3) Any other activity or use, as determined by the Zoning Official to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of work/live unit residents and adjacent residents because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.

**F. Parking Requirements.** Minimum required parking spaces for work/live space is 1 per living unit.

**G. General Standards for the Work/Live Overlay District.**

- (1) Separation and access. Each work/live unit shall be separated from other units and other uses in the structure. Access to each unit shall be provided from common access areas, corridors, halls, and/or the public street

sidewalk; and the access to each unit shall be clearly separate from other work/live units or other uses within the structure.

- (2) Facilities to accommodate commercial or industrial activities. A work/live or unit shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity.
- (3) Integration of living and working space. Areas within a work/live or units that are designated as living space shall be an integral part of the work/live unit and not separated (or occupied and/or rented separately) from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this section, and living and working space may be separated by interior courtyards or similar private space.
- (4) Mixed occupancy buildings. If a building contains mixed occupancies of work/live units and other nonresidential uses, occupancies other than work/live shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the work/live or work/live units and other occupancies, as determined by the Building Inspector.
- (5) Usable Open Space
  - a. A minimum of 40 square feet of usable exterior open space shall be provided for each work/live unit.
  - b. For those work/live projects established through a change of use of an existing building, the Planning Board may permit the creation of substitute interior space accessible to all residents for the required open space in the project, if it finds that it is not practical or desirable to provide exterior open space.

**SECTION 3.** The Work Live Overlay (W-L) District shall apply to the following properties.

BLOCK	LOT	OVERLAY
2407	7	W-L
2412	9	W-L
2412	10	W-L
2412	11	W-L
2801	1	W-L
2801	2	W-L
2801	3	W-L
2801	4	W-L
2801	5	W-L
2801	6	W-L
2802	21	W-L
2802	22	W-L
2802	23	W-L
2802	24	W-L
2802	25	W-L
2802	26	W-L
2802	27	W-L
2802	28	W-L
2802	29	W-L

BLOCK	LOT	OVERLAY
2802	30	W-L
2802	31	W-L
2802	32	W-L
2802	33	W-L
2802	34	W-L
2802	35.01	W-L
2902	1	W-L
2902	2	W-L
2902	3	W-L

**SECTION 4. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 5. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman	X	Y	X	Y	X	Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

**Public Hearing on Ordinance #14-38:**

- Ari Khlar 90 S. Woodland Street:
  - Asked what a Work/Live Overlay is, and does it increase the tax base? How does better the town? Mr. Desai explained that an Overlay is an experiment to see if people are interested in this type of use in smaller buildings. Mr. Bailey explained that taxes are based on the highest and best use. There are only 15 parcels out of the City's 8,500 that would fall under this designation.
- Curtis Caviness 41 E. Forest Avenue:
  - Asked if this is on S. Dean Street and why are we doing this will be forced out of their homes. Mayor Huttle stated that Mr. Caviness is on the Planning Board and had every opportunity to discuss this there and never did throughout the 2 year process.
- Bill Bailey spoke about the procedures of a Public Hearing on ordinances and that it is a ministerial process to adopt the ordinances for the Adopted Master Plan.
- Neil Desai explained that the Work/Live Overlay only affects 8 homes within the 15 parcels that it covers and that those 8 homes are zoned residential and that will not change, but the homeowners would be given the right to produce products within their own homes.
- Travis Waller 53 W. Palisade Avenue:
  - He feels that Mr. Desai made 2 conflicting statements and that the taxes will be raised,

**ORDINANCE #14-39**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO CREATING A NEW ZONING DISTRICT FOR “NEIGHBORHOOD CENTERS (N-C)”**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan’s stated goals of protecting residential neighborhoods, improving neighborhood commercial nodes, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 (“Zoning Map”) is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section is amended to incorporate the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** The following new zoning district, the “Neighborhood Center (N-C) District” is added to Article XI:

**§ 250-65<sup>2</sup>. [New] Neighborhood Center (N-C) District.**

**A. Purpose.**

The purpose of this chapter with respect to the Neighborhood Center (N-C) District is to provide a mix of retail and commercial businesses that serve the needs of residents of the surrounding neighborhoods and visitors and passersby from other areas. Commercial activity should take place in a pedestrian-friendly and desirable visual environment that complements the character of the surrounding residential area. This district also permits upper story residential uses to enhance the character of this district as a neighborhood-serving place.

**B. Permitted uses.**

Permitted uses in the N-C District are summarized in the table below. In the table, the letter “Y” stands for permitted use, “YC” stands for conditional use. The letter “Y” with an asterisks, or “Y\*”, indicates a use permitted only on upper floors of a multi-story building. Conditions for conditional uses are listed in section C. All other uses not expressly permitted here, with our without conditions, are prohibited.

LAND USE CATEGORIES & LAND USES	N-C
Retail Trade	

<sup>2</sup> Section 250-65 became available for codification purposes with the elimination of the Retail/Commercial/Residential (RCR) Overlay District in favor of the Downtown District.

LAND USE CATEGORIES & LAND USES	N-C
Retail stores <i>with the exception of:</i> <ul style="list-style-type: none"> <li>- Pawn shops</li> <li>- Establishments open between the hours of 11:00 p.m. and 6:00 a.m.</li> <li>- Sexually-oriented businesses</li> </ul>	Y
Banks	YC
Drugstores	YC
<b>Eating &amp; Drinking Establishments</b>	
Restaurant (limited-service)	YC
Restaurant (full-service)	YC
<b>Arts, Entertainment &amp; Recreation</b>	
Health and fitness clubs	Y
Instructional studios	Y
<b>Personal &amp; Consumer Services</b>	
Personal services <i>with the exception of:</i> <ul style="list-style-type: none"> <li>- Fortune-telling and palm-reading establishments</li> <li>- Sexually-oriented businesses</li> <li>- Tattoo parlors</li> <li>- Massage parlors with unlicensed personnel</li> </ul>	Y
Child care	Y
Funeral parlor	Y
Laundry & dry cleaning	Y
Pet grooming & training	Y
Printing & reproduction	Y
Repair of consumer products	Y

LAND USE CATEGORIES & LAND USES	N-C
<b>Education</b>	
School (Pre-school)	Y
<b>Offices (non-medical)</b>	
Professional offices	Y
Business offices	Y
<b>Residential Uses</b>	
Apartments and condominiums	Y*

**C. Conditional Uses.**

For areas within the designated Neighborhood Center (N-C) Districts, the Planning Board shall not approve any conditional use application for any of the following uses under this chapter unless the following enumerated specific conditions have been met:

(1) Restaurants.

- a. Restaurants are permitted conditionally upon obtaining site plan approval from the municipal agency. Approval may be subject to the execution of a maintenance agreement to include obligations on the part of the owner or operator of the premises to maintain the premises and the surrounding area free of litter and to minimize loitering on or about the premises.
- b. Hours of operation. When located on a site adjacent to or that includes any residentially-zoned property, a restaurant shall not open prior to 7:00 a.m. nor shall it remain open after 8 p.m.
- c. Drive-through/drive-up facilities are not permitted.

(2) Banks and Drugstores. Drive-through/drive-up facilities for banks and drugstores are permitted under the following conditions:

- a. Drive-through/drive-up facilities and associated lanes shall not encroach on the public right-of-way or internal site circulation roadways. Drive-through/drive-up facilities will require site plan approval.
- b. Such facilities shall be located on an arterial or collector street in an area least disruptive to pedestrian and vehicular traffic.
- c. All access drives shall be located as far as practicable from an existing intersection in order to minimize congestion and constricted turning movements.

**D. Zoning District Requirements.**

<b>DIMENSION</b>	<b>N-C</b>
<b>Lot Dimensions</b>	
Minimum Lot Area	1,500 sq ft
Minimum Lot Width	20 ft
Minimum Lot Depth	75 ft
<b>Building Dimensions</b>	
Maximum Building Height	25 ft
Maximum Number of Stories	2
<b>Setbacks &amp; Building Coverages</b>	
Front Yard Setback	0 ft
Side Yard Setback	0-6 ft
<b>Setbacks when Abutting Residential District</b>	
Minimum Rear Yard Setback	10 ft
Minimum Side Yard Setback	10 ft
*See Subsection F.	

**E. General Standards for the Neighborhood Commercial (N-C) District.**

- (1) Measurement of building height. Building height shall be measured as the vertical distance between the average finished grade and the highest point of a building or structure. The highest point shall be the coping of a flat roof without a parapet, the mid-point of the parapet on a flat roof, the deck line of a mansard roof, or the mid-point between the eaves and highest ridge of a gable, gambrel, or hipped roof.
- (2) Entrances. Buildings located at the corner of two public streets shall have either a principal entrance at the corner of the building or an entrance facing each street.
- (3) Landscaping. Applicants shall submit a landscape plan detailing the location and types of plantings and other materials. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and/or the use of building and paving materials.

(4) Exterior lighting.

- a. Applicants shall submit a lighting plan detailing exterior lighting of facades and grounds.
- b. All exterior light fixtures shall be fully shielded and direct light either downward toward the earth's surface and/or toward the building façade.
- c. All exterior light fixtures shall be positioned in such a manner as to direct light away from adjacent property and public rights of way.
- d. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights of way.
- e. Flashing lights and letterforms are prohibited.

(5) Location of parking. Off-street parking areas shall be located to the side or rear of buildings.

(6) Driveways

- a. Parking shall be accessed by rear alleys or rear lanes where available.
- b. Shared driveways between two adjacent properties are encouraged. This shall be accomplished by creating an irrevocable offer of cross-easement between the two properties. The owners of the two properties shall submit, with their application for a site plan.

(7) HVAC. HVAC equipment shall not be visible from streets.

(8) Waste collection and storage areas. Trash, recycling, and any other refuse or recycling collection dumpsters or containers shall be located at the rear of the property and either screened, enclosed, or otherwise blocked from public view. Such screening or enclosure should be designed in conjunction with the primary building, may use similar materials and shall obscure views of waste collection and storage area.

**F. Design Standards for the Neighborhood Commercial (N-C) District.**

(1) Building massing and design

- a. Buildings shall generally relate in scale and design features to surrounding buildings.
- b. Buildings shall generally demonstrate continuity of treatment by maintaining cornice lines in buildings of similar height, by extending horizontal lines of fenestration, and by complementing architectural styles, details, features, design themes, building materials, and colors used in surrounding buildings where such buildings represent the traditional character and architecture of Englewood.

(2) Doors and windows

- a. All buildings shall include doors and windows facing the street. Blank walls are not permitted facing the street at ground level.
- b. At least 60 percent of the wall surface area of the ground level for each wall facing a public street shall consist of transparent treatments. Tinted, reflective, or other types of glass or window treatments that diminish transparency are prohibited.

**F. Visual Buffers and Screening.**

Buffers shall be provided to effectively protect residential property from the potential adverse effects of adjacent nonresidential land use activity that may result in nuisance, including visual blight, excessive light, threat to safety, noise, or odor encroachment to an adjacent parcel or one located across a public right-of-way.

(1) Landscaping.

- a. All activities on any lot in the Neighborhood Center (N-C) District that abut a residential district or a residence shall be screened from such abutting residence district or residence by landscaping consisting of lawn, massed evergreen and/or deciduous trees, and shrubs of such species and density as will provide, within two growing seasons, a solid and continuous screen throughout the full course of the year.
- b. Evergreen and deciduous shrubs shall have a minimum height of 3 feet when planted and shall be of varieties that normally grow to a minimum height of 6 feet within two full growing seasons.
- c. Deciduous trees shall have a minimum 3 inches caliper at the time of planting.

(2) Fencing.

- a. Fences are permitted in rear yards at a maximum height of 6 feet.
- b. Fences shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for maintaining the area between the property line and the fence.
- c. Fences shall be constructed of wood, metal, bricks, masonry or other permanent materials designed for permanent fencing. Fences constructed of wood shall be resistant to decay.
- d. Chain-link material used for any fence shall be of dark-colored material, and the posts and other framework forming part of such fence shall be the same color as the chain-link material.

**SECTION 3.** The following properties shall be reclassified as Neighborhood Center (N-C) District according to the following table.

BLOCK	LOT	OLD ZONING	NEW ZONING	OVERLAY
701	18.01	SBD	N-C	
702	1	SBD	N-C	
702	2	SBD	N-C	
702	3	SBD	N-C	
702	4	SBD	N-C	
702	5	SBD	N-C	
704	11	SBD	N-C	
705	4	SBD	N-C	
705	5	SBD	N-C	
705	6	SBD	N-C	
705	7	SBD	N-C	
705	8	SBD	N-C	
705	9	SBD	N-C	
705	10	SBD	N-C	
707	1	SBD	N-C	
709	9	SBD	N-C	

BLOCK	LOT	OLD ZONING	NEW ZONING	OVERLAY
710	1	SBD	N-C	
710	2	SBD	N-C	
710	22.01	SBD	N-C	
2008	18	SBD	N-C	
2008	19	R-E	N-C	
2008	20	SBD	N-C	
2008	21	SBD	N-C	
2009	20	SBD	N-C	
2009	21	SBD	N-C	
2009	22	SBD	N-C	
2019	1	SBD	N-C	
2019	2	SBD	N-C	
2019	3	SBD	N-C	
2019	4	R-E	N-C	
2019	5.01	R-E	N-C	
2019	6.01	R-E	N-C	
2019	7.02	R-E	N-C	
2019	8	R-E	N-C	
2019	9	R-E	N-C	
2019	10	R-E	N-C	
2019	27	SBD	N-C	
2306	1	SBD	N-C	
2306	2	SBD	N-C	
2306	3	SBD	N-C	
2802	10.01	SBD	N-C	
2802	11.01	SBD	N-C	
2802	20	R-E	N-C	
2902	1	L-I	N-C	W-L
2902	2	L-I	N-C	W-L
2902	3	R-E	N-C	W-L

**SECTION 4. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 5. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick		Y
Cohen		Y
Hamer	X	Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick	X	Y	X	Y	X	Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

**Public Hearing on Ordinance #14-39:**

- Bill Bailey explained that #14-39 will be amended in January 2015.
- Herbert Shaganda 250 Grand Avenue Englewood Cliffs:
  - Asked what would be amended in January 2015. Mr. Bailey explained that 2 properties on Grand Avenue will be amended to include residential use.
- Tracey Adams 321 Liberty Road:
  - Asked if anything is zoned for the use of youth and children. Mr. Desai explained that the NC districts permit daycare, and activity centers such as tutoring. Councilman Skurnick said that all over the City there are permitted uses for dance studios, art studios, etc.
- Don Aronson 77 Brayton Street:
  - Again asked the difference between a SBD and NC district. Mr. Desai explained that NC district was created to fit better into the neighborhoods with parking, etc. really geared for redevelopment.
- Neil Desai read typographical changes to Ordinance #14-39 in Section 3:
  - Mapping of one (1) property located at Block 2802 Lot 20 previously zoned R-E but should be NC
  - Mapping of one (1) property located at B2902 Lot 3 previously zoned LI but should be NC

**ORDINANCE #14-40**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO AMENDING AND SUPPLEMENTING OFF-STREET PARKING AND RELATED MOTOR VEHICLE REQUIREMENTS**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan’s stated goals of enhanced economic activity in the Downtown Districts, improved streetscapes, better management and visibility of parking and improved utilization of public spaces, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Article XII (“Off-Street Parking and Related Motor Vehicle Requirements”) and all Sections contained therein are hereby deleted, and the following is substituted:

**Article XII. Off Street Parking and Related Motor Vehicle Requirements.**

**§ 250-79. Purpose.**

The purpose of this article is to establish requirements for off-street facilities for parking of motor vehicles and also to provide such off-street facilities for loading of and making deliveries from motor vehicles, in recognition of the fact that a primary function of public streets is to move traffic safely and conveniently and that parking, loading, and delivery functions performed within the public street can conflict with that function. Furthermore, the provision of off-street parking is essential to support all types of land uses, but it must be balanced with the spatial constraints of urban areas; the mixed-use nature of urban areas, which can reduce the need to utilize the automobile for transportation; and the recognition that people are increasingly utilizing alternate modes of transportation—which can reduce the need for each person to own an automobile. Therefore, this section requires off-street parking and related facilities for new development, changes in occupancy of existing structures, and expansion of existing structures, with several

exceptions in certain Downtown Districts, where spatial constraints, the dense pattern of downtown development, and the proximity to transit may make them impractical. This section also sets standards for the design and functioning of such off-street parking facilities with a view toward making the same safe, functional, and attractive, with minimal adverse effect on pedestrians, surrounding properties, and the traditional structure and form of Englewood's blocks.

**§ 250-80. Use of parking spaces.**

Required off-street parking spaces shall be used for parking purposes only and shall not be used for storage, loading, or delivery purposes or any other non-parking purposes.

**§ 250-81. Off-street parking requirements**

**A. Purpose of off-street parking requirements in the D-1, D-2, N-C, SBD, L-I, and RIM districts.**

- (1) Downtown (D-1) Districts. Minimum parking requirements in the D-1 Districts ensure that new residential and certain commercial uses offer residents, employees, visitors, and/or customers traveling by motor vehicle the convenience of on-site parking while not overwhelming the on-street parking system with additional motor vehicles.
- (2) Downtown (D-2) Districts. Minimum parking requirements in the D-2 Districts ensure that new residential and certain commercial uses offer residents, employees, visitors, and/or customers traveling by motor vehicle the convenience of on-site parking while not overwhelming the on-street parking system with additional motor vehicles.
- (3) Neighborhood Center (N-C) Districts and Service Business (SBD) Districts. Minimum parking requirements in the N-C and SBD Districts ensure that new residential, retail, and commercial uses offer residents, employees, visitors, and/or customers traveling by motor vehicle the convenience of on-site parking while not overwhelming the on-street parking system and adjacent residential neighborhood streets with additional motor vehicles.
- (4) Light (L-I) Industrial Districts. Minimum parking requirements in the L-I District ensure that new uses provide sufficient off-street parking for employees traveling by motor vehicle while also deploying available and appropriate on-street parking for this purpose as well as to conserve lot area for pervious services and/or building space.
- (5) Research, Industry & Medical (RIM) Districts. Minimum parking requirements in the RIM Districts ensure that new uses provide sufficient, safe, and convenient off-street parking for employees, customers, visitors, medical patients, and/or residents.

**B. Provisions for all districts.**

- (1) Surface parking lots shall be located to the side or rear of the principal structure on the lot.
- (2) Except as hereinabove provided or except as may be otherwise specifically provided in this chapter, the off-street parking requirements hereof shall apply to all new construction and all modifications or expansions of existing buildings. Exemptions shall be granted for minor additions of new floor area of up to 1,000 square feet of gross floor area. For changes of use, commercial uses with a total gross floor area of 5,000 square feet or less in existing non-residential buildings are exempt from parking requirements.
- (3) In case of a combination of different uses in a building, the required number of parking spaces for each of such uses shall be added together, and the sum thereof shall represent the total number of spaces required. References in this section to square feet shall mean gross square footage devoted to or accessory to the use described.

- (4) When the computation to determine the number of off-street parking spaces results in a fractional number, the fractional number shall be rounded upward to the next whole number to determine the number of parking spaces required.
- (5) If, in the course of site plan review, the municipal agency determines that more than 15 percent of the gross floor area of the building or buildings on which the parking requirements are computed is devoted to common areas, including but not necessarily limited to lobbies, stairways, elevators, lavatories, washrooms, common storage areas, utility rooms and basements, the municipal agency shall exclude the square footage of such common areas in excess of 15 percent from the computations used in calculating the required number of parking spaces.
- (6) No parking shall be permitted within any required front yard in any direction.
- (7) The provision of sheltered or unsheltered parking for bicycles is encouraged.

**B. Parking requirements for the D-1, D-2, N-C and SBD Districts premises to which this Article XII is applicable shall be as follows:**

USE OF BUILDING OR SITE	D-1 DISTRICTS Minimum No. of Required Parking Spaces	D-2 DISTRICTS Minimum No. of Required Parking Spaces	N-C Districts Minimum No. of Required Parking Spaces	SBD Districts Minimum No. of Required Parking Spaces
<b>Residential Uses</b>				
Apartments and condominiums	1 per unit for each studio or 1br unit. 1.5 per unit for each unit with 2br or more	1 per unit for each studio or 1br unit. 1.5 per unit for each unit with 2br or more	1 per unit for each studio or 1br unit. 1.5 per unit for each unit with 2br or more	n/a
Townhouses (attached)	n/a	1.7 per townhouse	n/a	n/a
<b>Retail</b>				
Retail stores	0	1 per 400 sq ft	1 per 400 sq ft	1 per 400 sq ft
Bank	0	1 per 300 sq ft	1 per 300 sq ft	1 per 300 sq ft
<b>Eating &amp; Drinking Establishments</b>				
Restaurant (limited service)	0	1 per 300 sq ft	1 per 300 sq ft	1 per 300 sq ft
Restaurant (full-service)	1 per 250 sq ft	1 per 250 sq ft	1 per 300 sq ft	n/a
<b>Personal &amp; Consumer Services</b>				
Personal & consumer services	0	1 per 800 sq ft	1 per 800 sq ft	1 per 800 sq ft
Child care	n/a	1 per 800 sq ft	1 per 800 sq ft	1 per 800 sq ft
Funeral parlor	n/a	n/a	1 per 500 sq ft	1 per 300 sq ft
Pet grooming & training	0	1 per 800 sq ft	1 per 800 sq ft	1 per 800 sq ft

<b>USE OF BUILDING OR SITE</b>	<b>D-1 DISTRICTS Minimum No. of Required Parking Spaces</b>	<b>D-2 DISTRICTS Minimum No. of Required Parking Spaces</b>	<b>N-C Districts Minimum No. of Required Parking Spaces</b>	<b>SBD Districts Minimum No. of Required Parking Spaces</b>
Printing & reproductions	0	1 per 800 sq ft	1 per 1,000 sq ft	1 per 800 sq ft
Repair of consumer products	0	1 per 800 sq ft	1 per 1,000 sq ft	1 per 800 sq ft
<b>Lodging</b>				
Hotel	1.3 per room	1.3 per room	n/a	1.3 per room
<b>Office Uses (non-medical)</b>				
Business office	1 per 400 sq ft	1 per 400 sq ft	1 per 500 sq ft	1 per 400 sq ft
Professional office	1 per 500 sq ft	1 per 500 sq ft	1 per 600 sq ft	1 per 500 sq ft
<b>Medical &amp; Healthcare</b>				
Medical & dental laboratories and diagnostic services	1 per 250 sq ft	1 per 250 sq ft	n/a	n/a
Medical equipment sales	n/a	1 per 600 sq ft	n/a	n/a
Medical group practice	n/a	1 per 250 sq ft	n/a	1 per 250 sq ft
Medical office	1 per 250 sq ft	1 per 250 sq ft	n/a	1 per 250 sq ft
<b>Arts, Entertainment &amp; Recreation</b>				
Professional & artist studios	0	1 per 800 sq ft	n/a	n/a
Performance facility	1 per 8 seats	n/a	n/a	n/a
Art galleries	0	1 per 800 sq ft	n/a	n/a
Theaters	1 per 6 seats	n/a	n/a	n/a
Health and fitness clubs	1 per 250 sq ft	1 per 250 sq ft	1 per 350 sq. ft.	1 per 250 sq ft
Instructional studios	0	1 per 400 sq ft	1 per 500 sq ft	1 per 400 sq ft
<b>Motor Vehicle Related Uses</b>				
Automobile sales	n/a	1 per 1,000 sq ft of sales area	n/a	1 per 1,000 sq ft of sales area
<b>Education</b>				
Schools (pre-school)	0	1 per 1,000 sq ft	1 per 1,000 sq ft	1 per 1,000 sq ft
Test preparation and learning centers	n/a	1 per 400 sq ft	n/a	n/a
<b>Public Facilities</b>				

USE OF BUILDING OR SITE	D-1 DISTRICTS Minimum No. of Required Parking Spaces	D-2 DISTRICTS Minimum No. of Required Parking Spaces	N-C Districts Minimum No. of Required Parking Spaces	SBD Districts Minimum No. of Required Parking Spaces
Recreational facilities	n/a	1 per 300 sq ft	n/a	n/a
Government and community services	0	1 per 500 sq ft	n/a	n/a
Government offices	0	1 per 500 sq ft	n/a	n/a

**C. Reduction of minimum required parking in the D-1, D-2, N-C, and SBD Districts.** The minimum required number of parking spaces in the D-1, D-2, N-C, SBD districts may be reduced upon approval by the Planning Board. Approval shall be granted only if the applicant cites evidence that fewer parking spaces will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses, or otherwise adversely impact the neighborhood, or that such fewer parking spaces will provide positive environmental or other benefits to the users of the lot and the neighborhood. The applicant shall also present to the Planning Board evidence that a reduction is reasonable in light of the following:

- (1) For residential uses only, the availability of surplus off-street parking in the vicinity of the residential use being served. If the applicant for site plan approval demonstrates to the Planning Board that existing parking facilities are reasonably and conveniently accessible to, and not farther than 300 feet from proposed use are, in whole or in part, unused during his parking demand and are available to applicant for such use during such period, the Planning Board, in granting site plan approval, may waive the requirement for all or any portion of the number of parking spaces which would otherwise be required for such use, provided that the Planning Board is satisfied that such joint use of parking facilities will provide adequate off-street parking for the proposed use.
- (2) The ability of the applicant to enter into an agreement to share parking in a parking facility with other developments.
- (3) The ability of the applicant to demonstrate that parking can be shared among different uses in a mixed-use project based on a study of the utilization of parking by land use and time of day.
- (4) The availability of on-street parking in the vicinity of the use being served if peak times of business occur after 5:30 p.m.
- (5) Age or other occupancy restrictions that are likely to result in a lower level of motor vehicle usage.
- (6) The availability of car sharing services on site or in the vicinity of the uses being served.
- (7) Proximity to transit stops and the percentage of employees and/or customers utilizing transit.
- (8) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on historic resources on the lot, impairment of the urban design objectives of the city as set forth in the Master Plan, or loss of pedestrian amenities along public ways.

**D. Parking requirements for the L-I and RIM Districts premises to which this Article XII is applicable shall be as follows:**

LAND USE CATEGORIES & LAND USES	L-I* Minimum No. of Required Parking Spaces	RIM Minimum No. of Required Parking Spaces
<b>Industrial Uses, light</b>		
Apparel manufacturing	1 per 400 sq ft	1 per 400 sq ft
Beverage production and manufacturing	1 per 400 sq ft	1 per 400 sq ft
Computer, electronic, and electrical product manufacturing	1 per 400 sq ft	1 per 400 sq ft
Food production and manufacturing	1 per 400 sq ft	1 per 400 sq ft
Scientific and medical instrument manufacturing	1 per 400 sq ft	1 per 400 sq ft
Non-metallic mineral product manufacturing	1 per 400 sq ft	1 per 400 sq ft
Printing and related support activities	1 per 400 sq ft	1 per 400 sq ft
Research and development	1 per 400 sq ft	1 per 400 sq ft
Wood and furniture product manufacturing	1 per 400 sq ft	1 per 400 sq ft
<b>Wholesale Trade, Warehousing, Distribution</b>		
Wholesale sales	1 per 700 sq ft	1 per 700 sq ft
Warehousing or distribution of non-flammable, non-hazardous materials	1 per 700 sq ft	1 per 700 sq ft
Moving and storage facilities	1 per 1,000 sq ft	1 per 1,000 sq ft
<b>Agricultural Uses</b>		
Accessory rooftop farming	n/a	n/a
<b>Motor Vehicle-Related Uses</b>		
Automobile sales and rental	1 per 1,000 sq ft of sales area	n/a
Car wash facilities	1 per 1,000 sq ft	n/a
Motor vehicle service and repair	1 per 1,000 sq ft	n/a

LAND USE CATEGORIES & LAND USES	L-I* Minimum No. of Required Parking Spaces	RIM Minimum No. of Required Parking Spaces
<b>Arts, Entertainment &amp; Recreation</b>		
Instructional studios	1 per 400 sq ft	n/a
Professional & artist studios	1 per 800 sq ft	n/a
Studios (television, film, production, recording, radio)	1 per 400 sq ft	1 per 400 sq ft
<b>Offices, non-medical</b>		
Business incubators	1 per 500 sq ft	n/a
Business offices	1 per 300 sq ft	1 per 300 sq ft
Co-working space	1 per 500 sq ft	n/a
Professional offices	1 per 500 sq ft	1 per 500 sq ft
<b>Medical &amp; Healthcare</b>		
Ambulatory surgery center	n/a	1 per 200 sq ft
Assisted living facility	n/a	1 per 2 beds
Continuing care community	n/a	1 per 2 beds
Hospice	n/a	1 per 3 beds
Medical & dental laboratories and diagnostic services	1 per 300 sq ft	1 per 250 sq ft
Medical offices	1 per 300 sq ft	1 per 250 sq ft
Medical center	n/a	1 per 250 sq ft
Rehabilitation center	n/a	1 per 250 sq ft
Skilled nursing facility	n/a	1 per 2 beds
Urgent care facility	1 per 250 sq ft	1 per 250 sq ft

<b>LAND USE CATEGORIES &amp; LAND USES</b>	<b>L-I* Minimum No. of Required Parking Spaces</b>	<b>RIM Minimum No. of Required Parking Spaces</b>
Veterinary clinic	1 per 300 sq ft	n/a
Veterinary hospital	n/a	1 per 250 sq ft
Wellness center	1 per 300 sq ft	1 per 250 sq ft
<b>Retail Trade</b>		
Automobile sales and rental	1 per 1,000 sq ft of sales area	1 per 1,000 sq ft of sales area
Accessory retail	0	1 per 1,000 sq ft
Garden center	1 per 800 sq ft	n/a
<b>Personal &amp; Consumer Services</b>		
Pet grooming & training	1 per 800 sq ft	n/a
Pet daycare facility	1 per 800 sq ft	n/a
<b>Education</b>		
Technical school	1 per 300 sq ft	1 per 300 sq ft
<b>Eating &amp; Drinking Establishments</b>		
Accessory restaurant	1 per 400 sq ft	1 per 350 sq ft
<b>Emergency Services</b>		
Police, Fire, EMT, and Ambulance stations	1 per 400 sq ft	1 per 400 sq ft
<b>Lodging</b>		
Hotel	n/a	1.3 per room
<b>Residential</b>		
Apartment and condominium community for senior citizens	n/a	1 per unit

LAND USE CATEGORIES & LAND USES	L-I* Minimum No. of Required Parking Spaces	RIM Minimum No. of Required Parking Spaces
*See Subsection E for additional parking provisions for the L-I Districts		

**E. Additional provisions for the Light Industrial (L-I) District.** In the Light Industrial (L-I) District, on-street parking along the frontage of a property may be counted towards the provision of employee and/or customer parking spaces at the rate of one parking space for every twenty (20) feet of frontage where on-street parking is permitted and sufficient paved width is present.

**F. Reduction of minimum required parking in the L-I and RIM Districts.** The minimum required number of parking spaces in the L-I and RIM Districts may be reduced upon approval by the Planning Board. Approval shall be granted only if the applicant cites evidence that fewer parking spaces will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses, or otherwise adversely impact the neighborhood, or that such fewer parking spaces will provide positive environmental or other benefits to the users of the lot and the neighborhood. The applicant shall also present to the Planning Board evidence that a reduction is reasonable in light of the following:

- (1) The availability of surplus off-street parking in the vicinity of the use being served. If the applicant for site plan approval demonstrates to the Planning Board that existing parking facilities are reasonably and conveniently accessible to, and not farther than 300 feet from proposed use are, in whole or in part, unused during his parking demand and are available to applicant for such use during such period, the Planning Board, in granting site plan approval, may waive the requirement for all or any portion of the number of parking spaces which would otherwise be required for such use, provided that the Planning Board is satisfied that such joint use of parking facilities will provide adequate off-street parking for the proposed use.
- (2) The ability of the applicant to enter into an agreement to share parking in a parking facility with other developments.
- (3) The availability of on-street parking in the vicinity of the use being served if peak times of business occur after 5:30 p.m.
- (4) Age or other occupancy restrictions that are likely to result in a lower level of motor vehicle usage.
- (5) Proximity to transit stops and the percentage of employees and/or customers utilizing transit.
- (6) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on historic resources on the lot, impairment of the urban design objectives of the city as set forth in the Master Plan, or loss of pedestrian amenities along public ways.

**G. Parking requirements for all other districts to which this Article XII is applicable shall be as follows:**

USE OF BUILDING OR SITE	ALL OTHER DISTRICTS Minimum No. of Required Parking Spaces
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USE OF BUILDING OR SITE	ALL OTHER DISTRICTS Minimum No. of Required Parking Spaces
<b>Residential Uses</b>	
One-family Use less than 4 br five or more br	2 spaces 3 spaces
Multifamily Residences efficiency or 1br unit 2br or more housing for the elderly (with no more than 1 br/unit)	1.2 per unit 1.6 per unit 0.5 per unit
Rooming house and boardinghouse	1 per bedroom
Permitted accessory use within a dwelling unit in a one-family residence district or multiple residence district	2 spaces, plus the no. of spaces req. for dwelling unit
<b>Retail</b>	
Retail and service business	1 per 400 sq ft
Bank	1 per 250 sq ft
<b>Eating &amp; Drinking Establishments</b>	
Eating & Drinking Establishments	1 per each two seats
<b>Lodging</b>	
Rooming house and boardinghouse	1 per bedroom
<b>Office Uses (non-medical)</b>	
General office use, without counter or similar facilities designed to service customers	1 per 250 sq ft
General office use, with counter or similar facilities designed to service customers	1 per 250 sq ft, plus 5 additional spaces clearly marked "customers only"
Office portion of an industrial building	1 per 300 sq ft
<b>Medical &amp; Healthcare</b>	
Doctor's or dentist's office in an office building	1 per 200 sq ft
Hospital	1.5 per bed
Hospitals for dogs, cats, and other household pets	1 per 400 sq ft
Nursing home	0.5 per bed
<b>Arts, Entertainment &amp; Recreation</b>	
Studios and art galleries	1 per 400 sq ft
Bowling alley	4 per alley
Tennis courts (other than a single court on a single-family residential property, for which no additional parking space is required)	2 per court

USE OF BUILDING OR SITE	ALL OTHER DISTRICTS Minimum No. of Required Parking Spaces
<b>Motor Vehicle Related Uses</b>	
Gasoline Service Station	1 per 1,000 sq ft of lot area, plus 2 spaces clearly marked "customers only"
New automobile sales, including on-site accessory service and repair facilities	1 per 1,000 sq ft of lot area, plus 6 spaces clearly marked "customers only"
Used automobile sales, including on-site accessory service and repair facilities	1 per 1,000 sq ft of lot area, plus 4 spaces clearly marked "customers only"
Vehicle repair or service, other than gasoline service station	1 per 1,000 sq ft of lot area, plus 2 spaces clearly marked "customers only"
<b>Education</b>	
Schools – grades pre-K to 9	1.2 per classroom, plus 1 per 10 students
Schools – grades 10 and up	1.2 per classroom, plus 0.2 per student
<b>Industrial</b>	
Manufacturing	1 per 400 sq ft
<b>Wholesale Trade, Warehousing, Distribution</b>	
Warehousing and wholesaling	1 per 600 sq ft for the first 3,000 sq ft in a building or unit of a building for separate tenancy; 1 per 900 sq ft for the next 3,000 to 12,000 sq ft in a building or unit of a building for separate tenancy; 1 per 1,200 sq ft for over 12,000 sq ft
<b>Places of Assembly</b>	
Places of Assembly	1 per each 3 seats in the largest place of assembly on the premises

**E. Reduction of required parking in all other districts, which does not include D-1, D-2, D-3, N-C, SBD, L-I, and RIM.**

The minimum required number of parking spaces may be reduced upon approval of the Planning Board. Approval shall be granted only if the Planning Board determines and cites evidence in its decision that fewer parking spaces will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses, or otherwise adversely impact the neighborhood, or that such fewer parking spaces will provide positive environmental or other benefits to the users of the lot and the neighborhood. In making such a determination the Planning Board shall also consider whether or not permitting fewer off-street parking spaces is reasonable in light of the following:

- (1) The availability of surplus off-street parking in the vicinity of the use being served. If an applicant for site plan approval demonstrates to the Planning Board that existing parking facilities are reasonably and conveniently accessible to, and not farther than 300 feet from proposed use are, in whole or in part, unused during his parking demand and are available to applicant for such use during such period, the Planning Board, in granting site plan approval, may waive the requirement for all or any portion of the number of parking spaces which would otherwise be required for such use, provided that the Planning Board is satisfied that such joint use of parking facilities will provide adequate off-street parking for the proposed use.

- (2) The ability of an applicant to enter into an agreement to share parking in a parking facility with other developments.
- (3) Age or other occupancy restrictions that are likely to result in a lower level of motor vehicle usage.
- (4) The availability of car sharing services on site or in the vicinity of the uses being served.
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in the Master Plan, or loss of pedestrian amenities along public ways.

**§ 250-82. Design standards and dimensions.**

**A. Driveway dimensions and location.**

- (1) A driveway for a one-family, two-family, three-family, or four-family residence shall have a minimum width of eight feet and a minimum curb cut width of 10 feet and a maximum width of 20 feet.
- (2) No circular driveway shall be permitted on any property used for residential use, unless the property has a width of not less than 100 feet.
- (3) Driveways on property used for any use other than a one-family, two-family, three-family, or four-family residence shall have the following minimum widths:
  - a. For a two-way driveway: 22 feet.
  - b. For a one-way driveway: 12 feet.
- (4) No driveway shall intersect a public street within 25 feet of the intersection of that street with any other public street.

**B. Maneuvering area.** Except for premises used for one-family residence use, any off-street parking area shall be so designed, either by use of one-way driveways or by providing sufficient maneuvering space within the parking facility, so that vehicles can exit the parking area without backing into any street.

**C.** A parking area with a single driveway for both ingress and egress and without an on-site turnaround facility shall provide only ninety-degree parking stalls.

**D.** Access to all parking stalls shall be provided by a driveway or driveways completely within the property, and no such access to any parking stall shall be provided directly from any public street.

**E. Dimensions of parking stalls.**

- (1) In any case in which this chapter requires parking facilities for 30 or more vehicles, 1/3 of the required parking spaces may be designed for small cars and may conform to the dimensions hereinafter set forth for small cars.
- (2) Except with respect to small cars and parking spaces for the handicapped, parking spaces shall conform with the following minimum requirements:

- a. The minimum width shall be nine feet.
- b. The minimum length for parallel parking spaces shall be 22 feet.
- c. The minimum length for angle parking spaces shall be 19 feet.

(3) Parking spaces for small cars shall conform with the following minimum dimensions:

- a. The minimum width shall be eight feet.
- b. The minimum length for parallel parking spaces shall be 20 feet.
- c. The minimum length for angle parking spaces shall be 16 feet.

(4) Parking spaces reserved for the handicapped shall conform with the following minimum dimensions:

- a. The minimum width shall be 12 feet.
- b. The minimum length for parallel parking spaces shall be 22 feet.
- c. The minimum length for angle parking spaces shall be 19 feet.

**F. Minimum combined width of parking areas and aisles.** In any parking facility, the combined width of parking areas and adjacent aisles serving such parking areas shall be not less than the following:

Type of Parking	Minimum Combined Width of Aisles and Parking Spaces (feet)
1. Angle parking on both sides of the aisles:  One or both angles exceeding 60° One or both angles exceeding 45°, but neither angle exceeding 60° Neither angle exceeding 45°	  62 60 53
1. Parallel parking on one side and angle parking on the other side:  Angle exceeding 60° Angle exceeding 45, but not exceeding 60° Angle not exceeding 45°	  52 48 42
2. Parallel parking on both sides	32
3. Angle parking on one side only:  Angle exceeding 60° Angle exceeding 45°, but not exceeding 60° Angle not exceeding 45°	  43 39 33

4. Parallel parking on one side only – two-way aisle	26
5. Parallel parking on one side only – one-way aisle	20

**G. Sight distance.** Exit driveways from parking areas shall be designed to provide clear visibility for drivers exiting the parking area.

- a. Driveways that cross public sidewalks shall be designed to provide a clear sight triangle from a point within the driveway, eight feet from the sidewalk, to all points on the sidewalk within a distance of eight feet from the driveway, in both directions.
- b. Driveways that exit to public streets without crossing public sidewalks shall be designed to provide a clear sight triangle from a point within the driveway, 20 feet from the curb line (or, if there is no curb, then from the beginning of the roadway), to all points in the roadway within a distance of 20 feet from the driveway, in both directions.
- c. Planting within required clear sight triangles shall be limited to ground cover or low-growing dwarf shrubs not exceeding 24 inches in height at maturity.

**H.** No parking stall or aisle shall exceed a grade of 6%, nor shall any driveway exceed a grade of 10%.

**I. On-site parking structures shall meet the following design requirements:**

- a. Provide for vertical breaks along the façade along any street frontage.
- b. Facades shall incorporate building materials aesthetically complementary to the greater structure on street-facing facades.
- c. The view of parked vehicles shall be obscured from the street. Such methods of obscuring vehicles may include transparent or translucent wall treatments and decorative wall openings. Blank walls are not permitted along public streets.
- d. Entrances shall be located toward the side or rear of the property whenever possible.

**§ 250-83. Off-street delivery and loading.**

All property used for manufacturing, warehousing, industrial or funeral home purposes shall include on-site facilities for loading and delivery as follows:

- A. Such facilities shall contain adequate space for on-site maneuvering without encroaching on any required front yard or parking space and, to the extent practicable, without requiring maneuvering within any public street.
- B. One on-site loading space shall be provided for each 15, 000 square feet of gross floor area or any fraction thereof.
- C. Each such loading space shall be not less than 35 feet long, 12 feet wide and 14 feet high, except that required loading spaces for a funeral home may not be less than 20 feet long, 10 feet wide and eight feet high.
- D. All loading spaces shall be located so that loading and unloading operations may take place entirely within the site and shall not encroach upon any public street or sidewalk.

**§ 250-84. Paving & Landscaping requirements.**

- A. Pervious pavement treatments, bioswales, rain gardens, and other methods to reduce stormwater runoff through green infrastructure are encouraged in the design of off-street surface parking facilities.
- B. Within any off-street surface parking facility, all areas that are not required for parking or access purposes shall be landscaped, and all landscaping, including planting islands, shall be protected from vehicle encroachment by continuous concrete curbing, with a depth of 20 inches and a face of six inches, or by some other curbing or barrier approved by the Planning Board.
- C. Any off-street surface parking facility designed to accommodate five or more vehicles shall be screened from the street and from adjacent properties with landscaping materials at least five feet in height in side yards and rear yards and, except as otherwise limited by this chapter, three feet in height in front yards.
- D. Such landscaped areas shall include deciduous trees with a minimum three-inch caliper to be planted in a ratio of one tree for each 30 linear feet of perimeter area; provided, however, that the Planning Board may waive all or any part of such requirements if such planting of trees shall be impractical.
- E. No off-street surface parking facility shall have more than 10 parking spaces in any one row without having the same interrupted by a planting island or planting peninsula containing a minimum of 50 square feet of permeable space with a minimum planting width of four feet. Planning Board may waive all or any part of such requirements if such plantings shall be impractical.
- F. Such permeable space shall be either planted or covered with organic material such as wood chips or some similar permeable material approved by the Planning Board.
- G. At least one deciduous tree with a minimum three-inch caliper shall be planted in each required planting island.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick		Y
Cohen		Y
Hamer	X	Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer	X	Y	X	Y	X	Y

**Public Hearing on Ordinance #14-40:**

- No one from the Public came forward to speak.

**ORDINANCE #14-41**

**AN ORDINANCE TO IMPLEMENT PORTIONS OF THE LAND USE PLAN ELEMENT OF THE 2014 MASTER PLAN RELATING TO AMENDING AND SUPPLEMENTING THE ZONING MAP;**

**AMENDING AND SUPPLEMENTING CBD-3; CHANGING THE ZONING DESIGNATION OF CERTAIN PARCELS TO THE RM-A DISTRICT; AND CHANGING THE DESIGNATION OF CERTAIN PARCELS FROM CBD-2 TO THE OS DISTRICT; REVISING ESTABLISHMENT OF ZONING DISTRICTS; AND ADOPTING A NEW ZONING MAP**

**WHEREAS**, on March 6, 2014 the Planning Board of the City of Englewood completed a two-year process of study, public discussions through forums and formal hearings, and writing, resulting in the adoption of new Master Plan for the City; and

**WHEREAS**, Chapter 14 of the revised General Ordinances of the City of Englewood addresses, among other things, zoning uses and dimensional criteria; and

**WHEREAS**, the City Council finds that the criteria enumerated herein are both consistent with the 2014 Master Plan of the City and necessary steps in realizing the Master Plan's stated goals of preserving residential neighborhoods, revitalizing and introducing new economic activity in the Englewood South district, with live/work environments, among others;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 250-55 ("Zoning Map") is hereby amended and supplemented as follows:

The Zoning Map referred to in this Section and appended hereto, dated October 17, 2014, revised November 11, 2014, incorporates the dimensional changes and classifications specified herein and is appended hereto.

**SECTION 2.** The following revisions are made to Section 260-64 "Central Business (CBD-3) District":

260-64 shall be revised to be titled "Downtown (D-3) District." Under subsection B. "Permitted Uses," subsection (4) "Business professional or governmental offices, excluding medical or dental offices or clinics" is deleted. Under subsection G. "Height and story limitations," subsection (1) is revised to read "Except as otherwise provided in this section, no building or structure, including any associated parking structure, shall not exceed 45 feet in height."

**SECTION 3.** The following properties along East Palisade Avenue shall be reclassified from R-AA to RM-A: 245 E. Palisade Avenue (Block 1601, Lot 27); and 253 E. Palisade Avenue (Block 1601, Lot 26).

**SECTION 4.** The following properties along Dean Street and West Street shall be reclassified from CBD-2 to Open Space (OS): 75-105 West Street (Block 1201, Lot 1.01); and 50-106 Dean Street (Block 1202, Lot 1.01).

**SECTION 5.** The following revisions shall be made to Section 250-54 "Establishment of Zoning Districts": delete Retail/Commercial/Residential Overlay (RCR), delete Mixed-Use Residential/Retail Overlay (MURR), delete South Dean Street Retail (SDS), delete Central Business (CBD-1, CBD-2, CBD-3), delete Office-Industrial (O-I); insert Downtown (D-1, D-2, D-3), insert Neighborhood Center (N-C), insert Work/Live Overlay (W-L), and insert Research, Industry & Medical (RIM).

**SECTION 6. SEVERABILITY.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 7. REPEALER.** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
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Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATE PUBLIC HEARING HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		N
Forman		Y		Y		N
Skurnick	X	Y	X	Y	X	Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

**Public Hearing on Ordinance #14-41:**

- Carmine Alampi, Esq. 1 University Place, Hackensack:
  - Attorney representing residents who live in single family residential zone bordering on E. Palisade Avenue and are objecting to Ordinance #14-41 He stated that in his reading of the Master Plan it states in numerous sections that it is the intention of the Master Plan to preserve and protect the integrity of residential neighborhoods which ordinance #14-41 will not do. Noted that on page 77 shows townhouses in transitional zones which this area is not. Showed 4 aerial photographs of the properties in question.
  - His clients are objecting to the enlargement of the RM-A multi family zone on the 2 parcels of land. They do appreciate that the corner property on Brayton Street will not be zoned RM-A. Asked what is the purpose of zoning the 2 lots as RM-A?
  - Councilwoman Algrant clarified that Block 1601 Lot 25 has been removed from the RM-A zone.
- Fred Weinberger 35 Brayton Street:
  - Stated that he is not represented by the attorney.
  - Objects to ordinance #14-41 because the change of those 2 pieces of property to RM-A zone will have a negative impact on the neighborhood.
- Richard Bensoussen 18 Brayton Street:
  - He is the owner of Block 1601 Lot 25 and supports it being zoned RM-A because it will improve his property value. Mr. Desai explained that Block 1601 Lot 25 never should have been included in Ordinance #14-41 at all.
- Sara Zahadovski Brayton Street:
  - Spoke about a previous case involving 245 E .Palisade Avenue before the Board of Adjustment, and she is opposed to the zoning changes for 245 and 253 E. Palisade Avenue. Came from New York City looking for trees and grass and wanted a single family home surrounded by other single family homes.
  - 245 E. Palisade Avenue impinges on the backyards of homes located on Brayton Street.
  - Wants to see Section 3 removed from Ordinance #14-41.
  - Asked why notices were not sent to surrounding property owners. Mr. Bailey explained that these ordinances are part of the Master Plan and notices are not required to be sent.
- Rebecca Schneebaum 230 Brinkerhoff Court:
  - Asked why the 2 parcels are being rezoned?
- Don Aronson 77 Brayton Street:
  - Asked if Ordinance #14-41 is not adopted then is the Zoning Map also rejected. Yes it would be.
  - He is opposed to the zone change in Ordinance #14-41.
- Ari Klahr 90 S. Woodland Street:
  - Has been a resident of Englewood for 15 years, and he wants to live in a townhouse due to his disability and expects it to be more accessible for him and his needs.
  - Supports Ordinance #14-41.
- Eric Herschman 373 Walnut Street:
  - Feels that there is a material change in the Zoning Map. Mr. Bailey explained that the map was not incorrect but the ordinance was.

**ORDINANCE #14-42**

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-18, SCHEDULE X; OF THE TRAFFIC AND PARKING ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, Chapter 25, Section 25-18 Schedule X, No Parking as designated within the City of Englewood; and

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend the following Chapter 25, Section 25-18 Schedule X, No Parking.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25, Section 25-18 Schedule X, No Parking is hereby amended as follows:

**Section 25-18, Schedule X, No Parking**

STREET	SIDE	LOCATION
South Van Brunt Street	West	From a point 455 feet north of the northerly curbline of Linden Avenue to a point 85 feet north thereof
Laurel Place	Both	Entire Length

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

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick		Y
Cohen		Y
Hamer	X	Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATES PUBLIC HEARINGS HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer	X	Y	X	Y	X	Y

**Public Hearing on Ordinance #14-42:**

- No one from the Public came forward to speak.

**ORDINANCE #14-43**

**AN ORDINANCE AMENDING CHAPTER 3, ARTICLE VI DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, SECTION 3-42 ENVIRONMENTAL OFFICE, OF THE ADMINISTRATIVE CODE OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, Chapter 3, Article VI Department of Public Works and Engineering, Section 3-42 Environmental Office, of the Administrative Code; and

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend the following Chapter 3, Article VI Department of Public Works and Engineering, Section 3-42 Environmental Office, of the Administrative Code; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 3, Article VI Department of Public Works and Engineering, Section 3-42 Environmental Office, of the Administrative Code is hereby amended as follows:

*A. The Environmental Office shall be an office within the Department of Public Works and Engineering.*

*B. The Director of the Flat Rock Brook Nature Center shall be the head of the Environmental Office.*

*C. The functions and duties of the Environmental Office shall be to supervise operation of the Flat Rock Brook Nature Center, subject to direction from and policies established by the Environmental Commission; to provide such environmental services as shall be required in connection with the operation of the City government or any department, board or agency of the City government; and to perform such additional related services and functions as shall be prescribed by the City Manager or the Director of the Department of Public Works.*

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

FIRST READING DATE: October 21, 2014

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		AB
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: October 31, 2014

DATES PUBLIC HEARINGS HELD: November 12, 2014

DATE SECOND READING HELD: November 12, 2014

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer	X	Y	X	Y	X	Y

**Public Hearing on Ordinance #14-43:**

- Jack Silberman 320 Murray Avenue:
  - Wants the Council to table this for further discussion.

**Public Session:**

- Tracey Adams 321 Liberty Road:
  - Spoke about 2 recent motor vehicle accidents taking place in her driveway. One involved her new car. She is located near dead man's curve and wants to know how to take care of this situation through the use of signage, speed bumps, etc. Mr. Dacey explained that the City has reached out to the County and is working with them to correct this since it is a county Road.
  - Ms. Adams asked if Belgian block curbing can be put on Liberty Road like what they have on Howell Road. Councilman Skurnick said that something could be placed in the Capitol Budget for that.
  - Ms. Adams also discussed he basement getting flooded with sewage by DPW blowing out the lines and hers was the only house with 4 feet of sewage in the basement. The DPW workers said it was an accident and to file a claim with the Insurance Company.

**RESOLUTION #233-11-12-14**

**PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION**

**BE IT RESOLVED** by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:  
Litigation and Contract Negotiations

Which subject matter is permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- ( ) Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- ( ) Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.

( ) Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.

( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

**AND BE IT FURTHER RESOLVED** that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

**BE IT FURTHER RESOLVED** that, although it is not envisioned that the Council will return to open session after this meeting, the Council reserves the right to do so upon conclusion of the closed session.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

**ADJOURN: 10:07 PM**

Motion: Algrant  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk, City of Englewood