

**BOROUGH OF HO-HO-KUS
COUNTY OF BERGEN, NJ**

ORDINANCE #2026-121

AN ORDINANCE TO AMEND ARTICLE V, CHAPTER 85, ZONING OF THE BOROUGH OF HO-HO-KUS. THE FOLLOWING SECTION IS AMENDED.

WHEREAS, the Borough seeks to establish criteria to clarify the regulations pertaining to building height, basement and lot coverage requirements in the various zones in the Borough; and

WHEREAS, to establish an appropriate definition for the measurement of building height, the qualification of a basement and the clarification of items to be included in the lot coverage limitations, some amendments to the zoning ordinance are deemed reasonable and appropriate.

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen and State of New Jersey, that Article III section §85-7 entitled “Word usage; definitions” is hereby amended and supplemented in the existing code in the following particulars only: (deleted sections are noted by ~~strike~~throughs, new sections are underlined)

Section 1. Amend section §85-7 by changing the following definitions for the following words to read as follows:

BUILDING HEIGHT

*The vertical distance measured from the average elevation of the ~~proposed finished grade at the front of the building~~ **finished grade, measured six feet offset from every side of the structure at 10-foot intervals and where the measured offsets intersect at building corners to the highest point of the roof for flat roofs, to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.***

BASEMENT

*A story partly underground but having at least 1/2 of its height above the average ~~level~~ **elevation of the adjoining ground** of the **finished grade, measured six feet offset from every side of the structure at 10-foot intervals and where the measured offsets intersect at building corners.** A basement shall be counted as a story ~~for the purposes of height measurement~~ **if the vertical distance between the ceiling finished floor next above the basement level and the average level elevation of the adjoining ground is more than five six feet or the finished floor next above the basement level is more than 12 feet above the finished ground level at any point and if used for business or dwelling purposes.***

COVERAGE, LOT

*~~That~~ **The percentage of the plot or lot area covered by all principal buildings and attached appurtenances including impervious roofed areas, excluding roof soffits of no more than 24 inches and all accessory buildings, and exclusive of accessory structures and at-grade surfaces.***

Section 2. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 5. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on June 23, 2026. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 333 Warren Avenue, Ho-Ho-Kus, NJ 07423-1547, in said Borough at the Public Meeting on July 28, 2026, at 7:00 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available at no charge in the Office of the Borough Clerk for members of the general public who may request them or on the Municipal website <https://www.hhkborough.com/borough-code/pages/recently-introducedadopted-ordinances>

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT THE PUBLIC MEETING ON {July 28, 2026}.

ATTEST: _____Joan Herve, RMC, Borough Clerk

APPROVED: _____Thomas W. Randall, Mayor