

**BOROUGH OF LEONIA
ORDINANCE #2026-05**

**AN ORDINANCE OF THE BOROUGH OF LEONIA TO AMEND
CHAPTER 290 "Zoning", TO ADD THE AH-3 AFFORDABLE HOUSING OVERLAY 3
ZONE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia, in the County of Bergen and State of New Jersey that Chapter 290 (Zoning) of the Code of the Borough of Leonia is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend *Chapter 290 of Zoning* to add Article XXIV Affordable Housing-3 (AH-3).

Unless otherwise indicated these regulations and standards are the only standards that apply to this zoning district.:

SECTION 1

That Chapter 290, Zoning, Article XXIV Affordable Housing-3 (AH-3) shall be added as follows:

Article XXIV Affordable Housing-3 (AH-3)

- a. Purpose: The AH-3 Zone is intended to provide an option through overlay zoning for inclusionary residential units.
- b. Location. The AH-3 Zone is applicable to Block 504, Lots 1 and 2 as generally depicted on the attached map.
- c. Permitted uses. The following principal uses shall be permitted:
 1. Townhouses.
 2. Supportive and Special Needs housing.
- d. Accessory Uses Permitted. The following accessory uses and structures shall be permitted provided they are located on the same premises as the principal use or structure to which they are accessory and are located in the rear or side yard, with the exception of Americans with Disabilities Act required parking:
 1. Accessory uses and structures customarily incidental and subordinate to any permitted principal use or structure.
 2. Surface parking area.
 3. Passive recreational amenities.

4. Decks, patios, and similar outdoor platforms associated with the principal structure.
5. Site and operational features such as utilities, mechanical equipment, stormwater management facilities, lighting, signage, and bicycle parking.

e. Development Standards

1. Maximum units: Twelve (12) units total, with two (2) units of those twelve (12) total units set aside for low and moderate income housing in accordance with the Borough's Affordable Housing Ordinance, Housing Element and Fair Share Plan, any applicable Order of the Court (including a Compliance Certificate), the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC"), and applicable New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq. The Developer shall make a one-time payment in lieu of a partial unit in the amount of \$125,000 for a 0.4 unit. The two (2) affordable units shall consist of one (1) low-income unit and one (1) moderate-income unit.
2. Maximum height: 3 stories or 40 feet. The third story shall be designed so that it does not appear as a full story from the exterior and shall incorporate dormers. Building height shall be measured from the average grade of each individual unit to the peak of the roof.
3. Maximum building coverage: 42%
4. Maximum lot coverage: 70%
5. Minimum front yard setback: 20 feet from Grand Avenue and 15 feet from Christie Heights Street
6. Other minimum yard setbacks: 10 feet from the property line perpendicular to Grand Avenue and 15 feet from the property line perpendicular to Christie Heights Street.
7. Minimum buffer: A landscaping buffer shall be provided adjacent to any single family residential use. The buffer may be satisfied by the installation of Thuja Plicata 'Green Giant' or an equivalent evergreen species. The buffer shall consist of a single straight line of evergreen trees providing a comparable year round visual screen on all side and rear yards adjacent to any single family residential use. All evergreen trees shall be no less than six (6) feet in height at the time of planting.

8. Design Standards

a. Parking and Circulation

1. Market rate units will have two-car garages.
2. Market rate units shall be permitted to have a maximum of three cars per unit. The market rate unit driveways will be designed such that they are narrow with flare for access to the garage.

3. Affordable units shall include one-car garages with one additional driveway space per unit. Each unit shall have a maximum of two vehicles. Driveways shall be a standard one-car width.
 4. There will be one Americans with Disabilities Act space per 12 townhomes.
 5. Each individual townhome unit entrance will feature paver driveways that utilize pervious pavers where possible.
- b. Landscaping. All portions of the site not used for buildings and off-street parking shall be attractively landscaped with trees, shrubs and grass lawns as required by the Planning Board.
- c. Building Design.
1. Townhouse units closest to Grand Avenue shall front Grand Avenue, and the units furthest from Grand Avenue will also face Grand Avenue. Townhouse rows shall be arranged in such a manner that they will appear reasonably parallel. Balconies are not permitted on the units furthest from Grand Avenue on the façade of the building facing a residential use or district.
 2. Buildings shall incorporate high-quality architectural features using materials, proportions, and design elements generally consistent with residential architecture scale and finish.
 3. All HVAC and mechanical equipment shall be adequately screened from view from the public right-of-way or residential dwellings.
 4. Basements are not permitted.
 5. Sustainability: The project shall incorporate elements consistent with LEED Silver principles or equivalent sustainable design practices, as feasible.
 6. All primary entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades and other elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building as a whole, as shall the doors.
 7. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.
 8. Fenestration

- i. Window sizing and spacing shall be consistent with and complementary to the overall façade composition.
 - ii. Window types shall be consistent with the building elements.
- 6. Stormwater Management. The site design shall comply with the Borough's stormwater requirements.
- 7. Tree Removal
 - 1. Tree replacement fees will be limited to half the cost required by the Borough's tree replacement ordinance for healthy trees that are removed.. The Borough shall only bill Developer a permit fee of \$15 per tree for removal of any trees with a diameter of 8" or greater at breast height.
 - 2. Developer shall be credited \$400 for each shade tree replaced on site.
 - 3. All other items under the Borough's shade tree ordinance that were in effect prior to December 18, 2025 shall apply.
- 8. Affordable Housing.
 - a. The AH-3 Zone shall provide a minimum total of two (2) affordable units. The developer shall provide a payment in lieu of the 0.4 partial unit in the amount of \$125,000 which will be deposited into the Borough's Affordable Housing Trust Fund. Fifty percent (50%) of the amount due for the payment in lieu (\$62,500) will be paid at the issuance of the first building permit, and the remaining fifty percent (50%) of the payment in lieu (\$62,500) will be due when the certificate of occupancy for the ninth (9th) market rate unit in the project is secured.
 - b. Affordable units in said projects must be affordable to low- and moderate-income households in accordance with the Borough's Affordable Housing Ordinance, the Borough's Housing Element and Fair Share Plan, any applicable Order of the Court (including a Judgment of Compliance and Repose Order), the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA"), Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC"), and applicable New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq.
 - c. The affordable housing shall include standards for the split between low and moderate income housing providing a minimum of thirteen percent (13%) of the affordable units within each bedroom distribution as very low-income units at thirty percent (30%) of the median income, thirty-seven percent (37%) of the affordable units within each bedroom distribution as low-income units, with the fifty percent (50%) balance of units within each bedroom distribution allowed to be moderate-income units. Said affordable housing will also comply, pricing and rent of units, affirmative marketing, the minimum affordability controls set by deed restriction in accordance with UHAC and the Borough's Affordable Housing Ordinance, and the affordability controls shall remain unless and until the Borough, in its sole discretion,

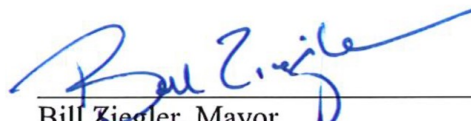
takes action to extend or release the unit from such controls. Construction phasing with any market rate units developed on the tract is required by UHAC. Where the total number of affordable units to be provided in a project is less than 3 units, a payment in lieu may be provided in place of the requirement to provide a unit that is a very-low-income unit.

- d. The Borough designated Affordable Housing Administrative Agent, or a qualified Administrative Agent selected by the Developer, shall be responsible to affirmatively market, administer and certify the occupant of each on-site affordable unit, in accordance with the Borough's affirmative marketing plan and applicable law, including the posting of all affordable units on the online New Jersey Housing Resource Center website, with all administrative costs to be paid by the Developer.

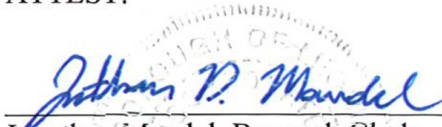
f. Fees:

1. Any fees applicable to a project in the AH-3 Zone shall follow the fee schedule set forth in Chapter 123 of the Code of the Borough of Leonia, entitled "Fees," as that chapter existed on December 18, 2025.

RECORD OF VOTE												
ORD. 2026-05												
	First Reading						Second Reading					
	February 18, 2026						March 2, 2026					
Council	M	S	Y	N	A	AB	M	S	Y	N	A	AB
Zeigler	✓		✓									✓
Grandelis			✓									✓
Hesterbrink			✓						✓			
Ravid		✓	✓					✓	✓	✓		
Scarangella			✓				✓		✓	✓		
Terrell						✓			✓			
Mayor Ziegler	...	...					...	...				
M - Motion S - Seconded Y- Yes N - No A - Abstain AB - Absent												


 Bill Ziegler, Mayor

ATTEST:


 Jonathan Mandel, Borough Clerk

