BOROUGH OF UPPER SADDLE RIVER
ORDINANCE NO. 04-26

AN ORDINANCE OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 150, ENTITLED "ZONING," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UPPER SADDLE RIVER TO AMEND THE MAXIMUM PERMITTED DENSITY IN THE OL-1 OVERLAY 1 ZONE

WHEREAS, the Upper Saddle River Borough Planning Board has adopted, and the Upper Saddle River Borough Council has endorsed, an Amended Housing Element & Fair Share Plan addressing the Borough's Fourth Round affordable housing obligation; and

WHEREAS, the Amended Housing Element & Fair Share Plan recommends amendments to the OL-1 affordable housing overlay zone on the parcel identified as Block 1301 Lot 13 on Borough tax records; and

WHEREAS, consistent with the provisions of the Municipal Land Use Law, including N.J.S.A. 40:55D-26 and 40:55D-64, prior to the hearing on the adoption of the amendment to the Zoning Ordinance, the Upper Saddle River Borough Council has referred to the Upper Saddle River Planning Board the proposed amendments to the Land Use and Development Ordinance for review, comment and recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey, that the amendments set forth below are made to the Revised General Ordinances of the Borough of Upper Saddle River, Chapter 150, entitled "Zoning."

Section 1. Section 150-15.7, "OL-1 Overlay 1 Zone," Subsection A(2) shall be amended to read as follows:

(2) Maximum (gross) density: 28 units per acre.

Section 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Upper Saddle River, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Upper Saddle River are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Bergen County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 5. After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough if Upper Saddle River for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Committee, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 7. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Bergen County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the 5th day of March, 2026.

ADOPTED the 9th day of April, 2026.

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Arman Fardanesh, Mayor

ATTEST:

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Joy Convertini, RMC, Borough Clerk