

**VILLAGE OF RIDGEFIELD PARK
BERGEN COUNTY NEW JERSEY
ORDINANCE NO. 2023-06**

**ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN,
STATE OF NEW JERSEY, RESCINDING THE EXISTING “SKYMARK”
REDEVELOPMENT PLAN AND AMENDING AND SUPPLEMENTING CHAPTER 96
OF THE ZONING ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK**

WHEREAS, The Village of Ridgefield Park adopted a Redevelopment Plan for the Skymark Property consisting of approximately 55 acres that included the former Lincoln Paper site, the NJ Turnpike land east of the roadway, the Exxon gas station, the Hampton Inn, and the former Gasho Property and NJ Turnpike property, comprised of Block 49.01, Lot 1; Block 47.02, Lot 1; Block 40.02, Lot 1.02; Block 47.06, Lot 1; Block 49.01, Lot 2; and Block 40.02, Lot 2; and

WHEREAS, the “Skymark” Redevelopment Plan was adopted in 2012 and revised in 2016 and again in 2019 in order to complete the property assemblage and finalize the redevelopment potential; and

WHEREAS, despite the Village’s best efforts, the redevelopment project experienced financial difficulties and no development occurred on the site; and

WHEREAS, on December 30, 2020, New Jersey Transit exercised its power of “eminent domain” and acquired title to three parcels identified as Block 49.01, Lot 1 (Lincoln Paper), Block 47.02, Lot 1 (Exxon) and Block 40.02, Lot 1.02 (Gasho), the purpose which was for the construction of a regional bus garage facility; and

WHEREAS, in 2022, New Jersey Transit further exercised its power of eminent domain and acquired title to the two parcels previously owned by the New Jersey Turnpike Authority, namely Block 49.01, Lot 2 (Turnpike Tract) and Block 40.02, Lot 2 (Small Turnpike Parcel); and

WHEREAS, the acquisition of the above-referenced parcels has rendered the Redevelopment Plan moot and leaves the remaining Hampton Inn property incapable of meeting the redevelopment criteria; and

WHEREAS, the rescinding of the existing redevelopment plan and replacement thereof by two zoning districts, the existing Neighborhood Commercial Zone (C-2) and the new Warehouse Distribution Zone (WD-1), which will provide development opportunity for the existing Hampton Inn property and Gasho property and will further regulate the property owned by New Jersey Transit to be consistent with its intended development.

NOW, THEREFORE, BE IT ORDAINED by the Village Commissioners of Ridgefield Park, County of Bergen, as follows:

SECTION 1. The Redevelopment Plan for the “Skymark” Redevelopment area, comprised of Block 49.01, Lot 1; Block 47.02, Lot 1; Block 40.02, Lot 1.02; Block 47.06, Lot 1; Block 49.01, Lot 2; and Block 40.02, Lot 2, is hereby rescinded in its entirety.

SECTION 2. The following parcels shall be re-zoned as part of the C-2, Neighborhood Commercial District:

Block 40.02, Lot 1.02

Block 40.02, Lot 2

Block 47.06, Lot 1

SECTION 3. Chapter 96, “Zoning,” Article VIII, “Regulations Governing Certain Conditional Uses,” is hereby amended and supplemented by adding a new Section 96-8.9, “Drive-Through Facilities,” as follows:

§96-8.9 Drive-Through Facilities.

- A. Purpose. The intent of this section is to regulate the location and design of Drive-Through Facilities in the C-2 District. Drive-Through Facilities are restricted to areas of the C-2 zone for sites not in proximity to residential uses and neighborhoods. Bank and restaurant drive-through uses create an extraordinary environmental impact on adjacent residential areas and therefore, these provisions are enacted to alleviate these impacts as described below.
- B. Definition. A Drive-Through Facility shall be defined as a component of a business, particularly a restaurant, where service is rendered through a window to customers in their vehicles. Ordering is done through an outdoor menu board and the order is picked up at the drive up window without the customer leaving their vehicle.
- C. Permitted Use. Drive-Through Facilities shall be a permitted use in the C-2 Neighborhood Commercial District, subject to the requirements set forth herein:
 - a. Residential Zones and Uses. No Drive-Through Facility shall be permitted if the property is adjacent to existing residential uses or zones.
 - b. Minimum Lot Size. The minimum lot size for Drive-Through Facilities shall be 1 acre.
 - c. Buffer Requirements. There shall be established along the line of any side and rear property line a buffer area of at least 10 feet in width. A landscaped area of 15 feet shall be provided along the access roadway frontage. The buffer area shall be well landscaped and may include fencing as required to provide appropriate screening of parking areas to adjacent uses. No building or impervious surface shall be

permitted within the buffer area. Existing vegetation should be preserved in the buffer area where possible.

D. Other Design Standards.

- a. Adequate vehicle stacking shall be provided for Drive-Through Facilities and escape aisles shall be created to mitigate congestion.
- b. All areas on any lot not utilized for building and off-street parking shall be suitably landscaped.
- c. All Drive-Through Facilities shall provide for adequate roadway access in accordance with engineering standards and New Jersey Department of Transportation criteria.

SECTION 4. The following parcels shall be re-zoned as part of the new Warehouse Distribution District (WD-1):

Block 47.02, Lot 1
Block 49.01, Lot 1
Block 49.01, Lot 2

SECTION 5. Article IV, Chapter 96-4 entitled "District Regulations" of the Zoning Ordinance of the Village of Ridgefield Park is hereby amended and supplemented in order to establish a new Section 4.6 thereof to be known as "Warehouse Distribution District (WD-1)" as follows:

§96-4.6 Warehouse Distribution District (WD-1)

- A. Purpose. The intent of the Warehouse Distribution District is to encourage large scale warehousing, distribution centers, fulfillment centers, bus garages and high cube automated warehousing.
- B. District Regulations.
 - a. Minimum lot size: 4 acres
 - b. Minimum lot width: 300 feet and shall be adjoining a public street (existing or proposed)
 - c. Maximum building height: 80 feet / 2 stories
 - d. Maximum building coverage: 50%

e. Maximum Improved Lot Coverage: 80%

f. Setbacks:

i. Front Yard: 70 feet

ii. Side Yard: 30 feet

iii. Rear Yard: 50 feet

g. Landscaped Buffers:

i. Front Yard: 20 feet

ii. Side Yard: 10 feet

iii. Rear Yard: 10 feet

C. Primary and Accessory Structures. Within the WD-1 Zone, not more than one building shall be erected upon any industrial plot, except those accessory buildings. The principal building may be so designed as to be used by more than one permitted use, provided, that approval for such multiple use is obtained by the Planning Board of the Village. Parking requirements shall be calculated for each industry or use in the building.

D. Subdivision. Any proposed subdivision within the WD-1 zone shall be accompanied by the following:

a. An Environmental Impact Report discussing the effects on the community.

b. A traffic report and plan detailing the amount of truck and vehicle traffic and a traffic and truck routing plan.

c. A fiscal impact analysis showing the cost benefit results to the Village.

d. A subdivision plan showing the area of lots to be developed, the rights-of-way for internal roadways and sidewalks and utility areas. All utilities shall be underground.

e. A plan showing the location of sidewalks, utilities, bicycle lanes, crosswalks and transit stops.

f. An open space plan showing the areas that are to remain in their natural state such as the Eagle's Nest area and buffer areas to the major roadways and to Overpeck Creek as well as a street tree plan for establishing shade trees along the proposed roadways.

E. Parking and Buffers.

- a. No off-street parking or loading shall be located within 25 feet of the front property lines. The area between the street and the 25 feet shall be landscaped in accordance with a comprehensive landscape plan for the site.
- b. On each site a minimum buffer of 15 feet shall be established along the side and rear property lines. The buffer area shall be suitably landscaped in accordance with the landscape plan and shall not be utilized for parking of vehicles or vehicle storage and shall be otherwise not be impervious.
- c. A 50-foot wide buffer area shall be established from the top of bank along Overpeck Creek. This buffer area shall be improved as an open space area and walkway for use by the public. Connections to adjacent open space areas and walkways shall be incorporated into the design.
- d. There shall be an area for sidewalk and utilities along all streets. The developer shall provide curbing and sidewalk along all frontages of the property. There shall be a 4-foot grassed strip between the curb and sidewalk area for utilities and signs. This area shall also be planted with street trees as per the Village Shade Tree Commission.
- e. The landscape buffer area provided shall be planted and a landscape plan shall be provided and implemented by the developer.

F. Design Standards

- a. Green Design. Each lot proposed for development shall provide for elements of "green design". This may include elements for on-site storm water management, green building standards, roofing systems to reduce heat generation (green roofs, white roofs and/or solar roof systems).
- b. Bus garages must have a roof design that permits gases to escape through the roof structure. The roof may be flat or pitched but shall contain roof ventilation that avoids creating unventilated pockets where gases can accumulate. Exhaust fans shall be non-ducted (direct exhaust).
- c. The proposed facility shall be responsible for its share of constructing the Challenger Road extension from the north side of State Highway 46 to Bergen Turnpike. This shall include the elevation of Challenger Road over the State Highway 46.
- d. Facilities may be designed to be "fuel flexible" such that CNG and GH2 fuels can be accommodated on the site.

G. Lighting

- a. All light sources shall be shielded and positioned to prevent glare from becoming a hazard or a nuisance, or having a negative impact on site users, adjacent properties, or the traveling public.

- b. All light sources with illumination levels greater than one footcandle shall be arranged to reflect away from adjacent properties.
- c. The number and spacing or required light pole standards shall be based on the type of fixture, height of pole, number of fixtures on the pole and the lighting level.
- d. Light poles shall not exceed 40 feet in height and shall utilize underground wiring.

H. Signage: As per §96-7.8

I. Fences and Walls

- a. A fence may be erected along the side and rear property lines but shall not extend beyond the front setback line. Such fences may be up to eight feet in height. Gates shall be provided as necessary but shall also not extend beyond the front setback line.
- b. No fence or wall shall be constructed with metal spikes or topped with concertina or razor wire, broken bottles or similar materials, or constructed in such a manner as to be dangerous to animals or humans.

J. Performance Standards. All development in the WD-1 zone shall conform to the performance standards as enumerated in Section 96-11 of this Chapter.

SECTION 6. Chapter 96, Schedule 3, shall be amended and supplemented by revising the provisions concerning the C-2 and WD-1 zones to read as follows:

Zone	Permitted Principal Uses	Permitted Accessory Uses	Conditional Uses
C-2 Neighborhood Commercial District	Existing single-family detached residences, subject to the area, yard and bulk regulations of the R-1 Zone. Existing two-family residences, subject to the area, yard and bulk requirements of the R-2 Zone. Banks including drive-in and through facilities in accordance with §96-8.9 Business Services	Off-street parking and loading facilities Signs, subject to § 96-12 Accessory storage within a wholly enclosed permanent structure Walls and fences, subject to § 96-7.2 Mandatory buffer zones, subject to § 96-9	Churches and other houses of worship including parish houses, Sunday school buildings Essential services, subject to §§ 968.2 to 96-8.4 Clubs, social/recreation buildings

	<p>Community buildings, social clubs, lodges, fraternal organizations Day Care Facilities Funeral Homes and Mortuaries Health Centers and Medical Offices, Health and Fitness Centers Hotels and Motels Offices, Business and Professional Personal Services Restaurants including drive- through facilities in accordance with §96-8.9 Retail Sales and Services Municipal and government buildings Parks, playgrounds, firehouses, libraries Shoe repair establishments Taverns and liquor sales</p>	<p>Home occupations, subject to § 96-7.4 Private residential swimming pools, subject to § 96-7.9 Outdoor storage areas</p>	
<p>WD-1 Warehouse Distribution District</p>	<p>Office buildings, Business and professional Warehousing, shipping, and distribution centers E Commerce Distribution Depots Agriculture and Horticulture Operations within buildings Public and Private Bus Garages and Facilities</p>	<p>Off-Street Parking and Loading Signs, subject to §96-7.8 Walls and Fences subject to §96-7.2 Buffer areas subject to §96-9</p>	<p>Telecommunication Facilities</p>

SECTION 7. Chapter 96, Schedule 4, shall be amended and supplemented by revising the provisions concerning the C-2 and WD-1 zones to read as follows:

Zone	District	Minimum Lot Dimensions			Maximum		Maximum Building Height (feet/stories)	Minimum Yard Requirements (feet)			
		Area (square feet)	Width (feet)	Depth (feet)	Building Coverage (%)	Impervious Surface Coverage		Front	Rear	Side	
										Other	One
C-2	Neighborhood Commercial	7,500 sf	75 ft	100 ft.	40%	80%	35ft./3 sty	20 ft.	30 ft.	10 ft.	10 ft.
WD-1	Warehouse Distribution	4 ac.	300 ft.	400 ft.	50%	75%	80 ft. / 2 sty	70 ft.	50 ft.	30 ft.	30 ft.

SECTION 8. The Zoning Map established by the zoning ordinance of the Village is hereby amended to include the changes to the C-2 District and the establishment of the WD-1 District as set forth herein.

SECTION 9. Planning Board review.

Upon approval of this Ordinance upon First Reading by the Board of Commissioners, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-26.

SECTION 10. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

SECTION 11. Inspection.

A copy of this Ordinance shall be available for public inspection at the office of the Village Clerk during regular business hours.

SECTION 12. Effective date.

This Ordinance shall take effect 20 days after final publication as required by law.

SECTION 13. Repeal of inconsistent ordinances.

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

SECTION 14. Notice to County Planning Board.

Within 30 days of the adoption of this Ordinance, a copy of same shall be transmitted to the Bergen County Planning Board in accordance with N.J.S.A. 40:27-4.

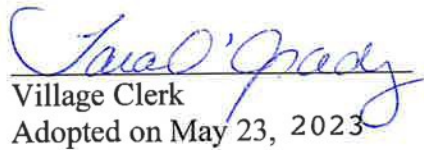

Commissioner Gerken


Commissioner MacNeill


Commissioner Olson


Commissioner Portorreal


Mayor Anlian


Village Clerk
Adopted on May 23, 2023