

SUMMARY OF ORDINANCE #08-21

This Ordinance replaces the Zoning Ordinance of the Borough of Midland Park, Chapter 34, in its entirety.

The Ordinance adds a number of new definitions to Section 34-3 and clarifies certain terms detailed therein. A number of permitted uses are changed in the various Zoning Districts. For example, churches and houses of worship are provided as conditional uses subject to certain regulations. Home occupations are only permitted to be operated within the principal building on a residential property, with medical and veterinary offices not permitted. The Ordinance changes certain conditions applicable to the R-1 District, including the maximum height of a principal building being reduced from 35 feet to 32 feet, and certain other bulk standards are also modified in Section 34-4.5. A maximum driveway width is limited to 20 feet. The R-3 District is changed to permit age-restricted, multi-family housing, and to prohibit certain industrial uses. A minimum lot area of 34,000 square feet is required for the R-3 District.

Various changes are made pertaining to permitted uses in non-residential districts. These include permitting restaurants, personal service establishments, and physical therapy establishments as permitted uses in the B-3 Business-Retail/Office District.

The I-1 Zone has been amended to delete a provision regarding performance standards, as the prior Ordinance had included outdated standards pertaining to fire and explosion hazards, smoke, fumes, dust and odors, noise and other standards no longer applicable.

The Ordinance permits houses of worship as a permitted conditional use, subject to standards governing setback, coverage, buffering, and parking. In addition to houses of worship, other uses categorized as conditional uses are included in the Ordinance, including service stations, seasonal outdoor café restaurants, and certain commercial uses such as car washes.

The Ordinance also modifies conditions pertaining to fences in residential districts and includes a provision pertaining to standards for generators, air conditioning units, and similar utilities. Signage regulations are detailed for all Zoning Districts.

The Ordinance establishes a procedure for construction and occupancy permits. Various modifications are made to the area, bulk and yard requirements (Schedule I) governing the various Zoning Districts.