ADOPTED: APRIL 15, 2025

APPROVED: _____ MAYOR

DATE: 4/15/2025

ATTEST: _____ MUNICIPAL CLERK

Ordinance No. 2-2025
Introduced: March 18, 2025
Adoption: April 15, 2025

ORDINANCE NO. 2-2025
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth the standards and requirements for development in the Bloomingdale Center District Zone; and

WHEREAS, the Ordinance Review Committee has reviewed the Code and recommended certain changes be made; and

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

SECTION 1. Chapter 92 "Zoning", Section 92-55.2 "Bloomingdale Center District Zone", shall be amended to read as follows:

(Deleted material shown with ~~strikeouts~~, added material is underscored)

The following regulations shall apply in the BCD Zone:

A. Permitted principal uses.

(1) Bakery.

(2) Banks and other financial institutions.

(3) Barbershops and beauty parlors.

(4) Book and stationery stores.

(5) Tutoring and learning centers.

(6) Cigar shops.

(7) Clothing and clothing accessory shops.

(8) Pharmacies.

(9) Dry-cleaning provided that no flammable cleaning agents are used.

(10) Convenience stores.

(11) Restaurants, cafes and take-out shops.

(12) Taverns and beverage shops.

(13) Trade business offices.

(14) Home restoration and remodeling shops.

(15) Florists.

(16) Food stores.

(17) Furniture stores.

(18) Hardware stores.

(19) Household-appliance stores.

(20) Interior-decorating shops.

(21) Printing.

(22) Laundries, hand or automatic, self-service.

(23) Leather goods.

(24) Locksmiths.

(25) Appliance and electronics.

(26) Newspapers, stationery stores and card shops.

(27) Business, professional and governmental offices.

(28) Package liquor stores.

(29) Paint stores.

(30) Martial arts studios.

(31) Pet shops.

(32) Photographic studios.

(33) Physical therapy and health services.

(34) Nursery schools and childcare centers.

(35) Post offices, package shipping stores and mailing stores.

(36) Sporting, athletic goods and exercise equipment stores.

(37) Music and dance studios.

(38) Custom tailors and furriers.

(39) Theaters and performing arts centers.

(40) Shopping centers consisting of two or more permitted uses.

(41) Upholsterers.

(42) Variety shops.

(43) Other nonregulated similar retail and service uses.

B. Accessory permitted uses. (See §§ 92-16 and 92-17.)

(1) Private parking and loading. (See § 92-22A and B.)

(2) Signs as regulated in § 92-26D and § 92-26.3.

(3) Other accessory uses customarily appurtenant to a permitted use.

C. Conditional uses to be acted upon by the Planning Board, subject to § 92-24.

(1) Public uses.

(2) Retail automobile showrooms (no show/storage lots).

(3) Dog grooming, veterinary offices (no board facilities or kennels).

(4) General public parking facilities.

(5) Outdoor dining and drinking establishments.

(6) Recreational uses.

(7) Dwelling units above permitted business uses.

(a) A mandatory affordable housing set-aside standard shall apply for any development consisting of five or more new dwelling units.

(b) The set-aside of affordable units which are to be offered for sale shall be 20%. The set-aside of affordable units which are to be offered for rental shall be 15%. For developments where the set-aside results in a decimal, 0.4 and below shall be rounded down and 0.5 and above shall be rounded up.

(c) No payments in lieu of the affordable housing set-aside shall be permitted or collected.

(d) The affordable units shall comply with the Borough's affordable housing regulations in Chapter 12 of the Borough Ordinances. This includes, but is not limited to, affordability controls of not less than 30 years, proper distribution of one-, two-, and three-bedroom affordable units, proper distribution of very-low-, low- and moderate-income units, and affirmative marketing.

(e) This standard does not create any entitlement for a property owner or applicant for a zoning amendment, variance, site plan approval, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.

(f) This Borough may seek to continue its substantive certification by way of the

Superior Court of the State of NJ or a future administrative agency with jurisdiction over the certification process. In the event such a court or administrative agency approves a plan that deviates from the set-aside provisions of this section, then the order of the court or the administrative agency shall prevail.

(g) **Except for any first-floor mixed-use parking facilities and residential amenities, mixed commercial and residential floors shall not be permitted on any level.**

D. Minimum lot size. (See Article IV.)

(1) Minimum lot area: 5,000 square feet.

(2) Minimum lot frontage: none.

(3) Minimum lot depth: none.

E. Yards and lot coverage. Minimum yard dimensions for principal or accessory structures shall be as follows. (See Article IV and § 92-14.)

(1) Front yard: none.

(2) Side yard: All BCD Zone uses may be built without side yards, except that where the BCD Zone adjoins a residential district there shall be a minimum side yard of 10 feet. **The side yard shall include six-foot solid fencing and/or a landscape buffer with plantings at least 6 feet in height.**

(3) Rear yard: **Where the BCD Zone adjoins a residential district there shall be a minimum setback of** 10 feet. The rear yard shall **include six-foot solid fencing and/or a landscape buffer with plantings at least 6 feet in height.**

F. Maximum improved lot coverage: exempt.

G. Maximum building coverage: exempt.

H. **Maximum principal structures.**

(1) **Two (2) principal structures shall be permitted on a lot or adjacent lots if the following conditions are met. Lot depth dimension shall be at least 300 feet at one (1) point and at no point shall depth be less than 220 feet. Main Street frontage shall be at least 250 feet. Depth shall be measured from the tax lot boundary. The minimum required depth shall have a grade elevation change of no more than five (5) percent.**

(2) **Where two (2) principal structures are permitted the combined number of stories shall be no greater than six (6).**

I. Maximum building height for principal structures. **Building height shall be measured from the top of the curb within the lot frontage. (See Article IV.)**

- **One Story**
  - **Height: 14 feet**
  - **Location: Any lot or adjacent lots**

- **Two Story**
  - **Height: 27 feet**
  - **Location: Any lot or adjacent lots**

- **Three Story**
  - **Height: 40 feet**
  - **Location: Permitted on a lot or adjacent lots if the following conditions are met. Lot depth dimension shall be at least 180 feet at one (1) point and at no point shall depth be less 115 feet. Main Street frontage shall be at least 160 feet. Depth shall be measured from the tax lot boundary. The minimum required depth shall have a grade elevation change of no more than five (5) percent.**

- **Four Story**
  - **Height: 54 feet**
  - **Location: Permitted on a lot or adjacent lots if the following conditions are met. Lot depth dimension shall be at least 260 feet at one (1) point and at no point shall depth be less than 200 feet. Main Street frontage shall be at least 250 feet. Depth shall be measured from the tax lot boundary. The minimum required depth shall have a grade elevation change of no more than five (5) percent.**

J. Parking.

(1) Required parking and loading spaces in the Bloomingdale Center District between Van Dam Avenue and Glenwild Avenue. Also see § 92-22A to D(5).

BCD Zone On-Street/Off-Street Parking and Off-Street Loading	
Use	**Minimum Parking**
Dwelling units	As required by RSIS (except that the Board may consider approval of a shared parking arrangement if the nature of the uses on the site is such that there will not be overlapping demand for the shared parking spaces). At all times there must be at least one dedicated parking space per dwelling unit.

(2) All drive-up establishments shall provide sufficient room for at least five cars to be queued at each drive-up facility.

(3) Perpendicular parking spaces shall measure at least nine feet by 18 feet; parallel parking spaces shall measure at least eight feet by 23 feet. New Jersey Barrier Free Subcode parking requirements shall be met in the design of any parking lot.

(4) All parking areas shall be located in the side or rear yards, where they shall be screened from view from adjacent properties by a six-foot-high fence or plantings or both, as approved by the Planning Board. Parking shall be prohibited within a front yard.

(5) Parking lot lighting, where provided, shall not be mounted higher than the height of the

first floor of the building, shall be shielded from adjacent properties, and shall be set on a timer such that the parking lot lighting will be fully extinguished not later than one hour after the close of business. Residential style carriage lamps may be mounted on the building at its entrances and may remain on after hours for security purposes.

(6) **Parking facility vehicle secured access shall be set back at least 20 feet from building front façade.**

K. Enclosure. All uses shall be conducted wholly within a completely enclosed building, except for off-street parking and loading facilities, except for outdoor dining and drinking establishments.

L. Dwelling unit development regulations.

(1) Number of bedrooms. No dwelling unit shall have over two bedrooms.

(2) Minimum habitable floor space.

Number of Bedrooms	Minimum Floor Space - Square Footage
0	550 square feet (efficiency)
1	650 square feet
2	800 square feet
3 (affordable housing units only)	960 square feet

(3) Efficiency units shall not exceed 20% of total number of dwelling units.

M. All portions of the lot not used for buildings, parking lots, driveways and walkways shall be landscaped subject to Planning Board approval.

N. Where residential uses will be provided above the first floor as permitted in § 92-55.2C(7) above, a separate residential entrance shall be provided to the building.

O. **River side properties development: All developers are encouraged to include a passive accessible waterway feature, where feasible, to integrate this natural resource.**

P. Building standards and guidelines.

(1) Purpose. The purpose of this section is to promote a desirable visual environment within the Bloomingdale Center District by improving the appearance of buildings and structures to make a more attractive and inviting destination for residents, consumers, professionals and retailers to conduct commerce, gather, dine and walk in a mixed-use environment while promoting the Borough's Complete Streets Policy (Borough Code Chapter 20, Article III). An essential strategy in achieving the objective is to foster recognition that facades, buildings and structures should have a visual and harmonious relationship with surrounding facades, buildings and structures. Integral to the strategy is recognition that visible side or rear elevations contribute significantly to a building or structure's overall appearance.

(2) Benefits. Potential tangible benefits Bloomingdale will realize by adhering to these standards and guidelines include: the creation of a more desirable location for existing and new businesses; the improvement of commerce for existing and future retail and professional businesses as well as residential uses; the improvement of commercial and residential property values and the avoidance of adversely affecting the value of adjacent or nearby properties; the creation of a destination for shoppers; and the improvement of the walking experience.

(3) Applicability. The provisions of this section shall apply to new buildings and any alteration of existing buildings when such alteration changes the exterior design or appearance of a building. All alterations shall be registered with the Zoning Official. An Alteration Project Certificate, to be displayed on the building in a visible location, will be issued upon coordination and review with the Zoning Official.

(a) Exterior painting of more than 20% of any one facade of an existing building shall be considered a change to the appearance of the building.

(b) Exterior painting of the trim or accent facade elements of any one facade of an existing building shall be considered a change to the appearance of the building.

(c) Roof replacement of more than 20% of all roof areas of an existing building shall be considered a change to the appearance of the building.

(4) Building Designs Prohibited. Modular buildings, trailers, converted trailers and storage containers utilized as buildings shall be prohibited.

(5) Building facade design. All sides of a building should be architecturally designed so as to be consistent with regard to style, materials, colors and details.

(a) Horizontal articulation between floors. Each facade should be designed to have a delineated floor line between street level and upper floors. This delineation can be in the form of a masonry belt course, a concrete lintel or a cornice line delineated by any facade permitted finish materials described in this section.

(b) Vertical articulation. Buildings shall avoid long, monotonous, uninterrupted facades. Building facade offsets or vertically articulated treatments, including balconies, canopies, columns, piers, recessed windows, overhangs, ornamental projection of molding, different exterior materials or recessed portions of the main surface of the facade itself should be used to add architectural interest and variety to the massing of a building.

(6) Building facade permitted finish materials.

(a) Textured concrete block; concrete block with stucco.

(b) Reinforced concrete with smooth finish or with stucco.

(c) Natural brick or stone.

(d) Brick-face systems; applied stone.

(e) Wood, pressure treated or naturally decay-resistant species.

(f) Fiber-reinforced cement panels or boards that simulate wood.

(g) Metal, plastic or vinyl siding that is not used to such an extent that it is the dominant architectural feature.

(h) Similar materials as approved by the Planning Board, Zoning Officer or Construction Official.

(7) Building facade prohibited finish materials.

(a) Metal, plastic or vinyl siding with exposed fastenings.

(b) Corrugated or reflective metal panels, steel buildings.

(c) Exposed concrete block; smooth, scored or rib-faced concrete block; cinder block.

(d) Any translucent material, other than glass.

(e) Residentially scaled, horizontal vinyl or aluminum siding. Metal, plastic or vinyl siding that is used to such an extent that it is the dominant architectural feature.

(f) Plywood and other compressed wood sheathing products, textured or nontextured.

(g) Cement parging, shingles, shakes.

(h) Exterior insulation finishing systems (EIFS).

(i) Natural brick or stone in a rubble construction look.

(8) Building facade color guidelines.

(a) The color scheme should be compatible with adjacent buildings.

(b) Buildings should not be painted to compete for attention with other buildings in the vicinity or to stand out boldly in their context.

(c) All visible facades of the building should be used to contribute to the architectural and visual unity of the building.

(d) Simple color schemes are encouraged. The building facades should not exhibit more than three colors.

(e) The field or body of a facade should be the lightest color. The trim should be a deeper shade of the field or body's color, or the trim alternatively should be white or black. The facade's trim and accent elements should be a brighter complimentary or contrasting color. Such trim and accent elements should be utilized to avoid monotonous, single-color facades.

(9) Building facade color standards.

(a) The field or body of the building facades shall be a solid color included in an earth tone palette.

(b) Trim and accent facade elements shall be solid colors.

(c) Garish or gaudy colors shall not be used on any portion of a facade.

(d) Black shall not be used for the field or body of a facade. Neon or fluorescent colors shall not be used on any portion of a facade.

(10) Roofing and Roofline. The type, shape, pitch, texture and color of a roof should be considered as an integral part of the design of a building.

(a) The maximum roof pitch should be 8/12 and all gables on a building should be of the same pitch. A flat roof may be permitted on a building of a minimum of two stories in height, provided that all visibly exposed walls should have an articulated cornice that projects out horizontally from the vertical building wall plane.

Mansard roofs are permitted. Architectural embellishments that add visual interest to roofs, such as dormers, masonry chimneys, cupolas, clock towers and similar elements are encouraged, provided these elements are architecturally compatible with the style, materials, colors and details of the building.

(b) Terra-cotta-style roofing shall not be permitted.

(c) The top of all buildings must be capped by a cornice or sloping roof element. Varying rooflines are encouraged.

(d) All roof-mounted equipment shall be screened from public view by use of parapet walls or other architectural features. An additional five feet in height for equipment screening features is permitted.

(e) Continuity of Treatment. The architectural treatment of a roof should be completely continued around all visibly exposed sides of a roof. All sides of a roof should be architecturally designed so as to be consistent with regard to stye, materials, colors and details.

(11) Fenestration. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate.

(a) At least 30% of the first floor primary building frontage for retail, office or other non-residential commercial uses shall be clear window glass permitting a view of the building's interior. This percentage shall be calculated within the area of the building facade that is located above the first floor elevation level.

(b) Residential entries in multi-use buildings shall be distinguished by architecture, color or other elements.

(c) Orientation. All primary facades shall be oriented toward the public right-of-way so as to provide a continuous, varied and attractive landscape.

(12) Awnings and canopies.

(a) Awnings and canopies are encouraged at the ground floor level. Such awnings and canopies may project over a public sidewalk.

(b) In buildings with multiple storefronts or storefronts and residential entrances, all

awnings and canopies shall be designed of compatible materials.

(c) Awnings and canopies shall be designed with a minimum vertical clearance of eight feet and shall not extend more than three feet from the face of the building.

(d) A maximum number of three colors, inclusive of black and white, are permitted.

(e) Any lettering on the awning or canopy shall be limited to the name of the occupant only, which shall be included in determining the color and other sign calculations. The lettering shall have a maximum letter size of eight inches and occupy a maximum of 70% of the valance area.

(f) Signs of any type shall not be permitted to hang from awnings and canopies.

(g) No awning or canopy shall be erected or maintained so as to obstruct access to any fire escape, window or door.

(h) Awnings and canopies are permitted to encroach within the front yard setback and the public right-of-way, but shall project no closer than four feet from the curb line.

(13) Lighting. All exterior lighting proposed shall be designed to minimize any impact to the surrounding area and shall meet or exceed the principles and standards of the International Dark Sky Association.

(a) All outdoor building lights shall be decorative fixtures. The style of any freestanding light and light standard or stanchion shall be consistent with the architectural style of the principal building and shall not exceed 15 feet above the mean ground level of the surrounding area. Whenever possible, light standards or stanchions should be integrated into landscaped islands.

(b) All lights shall be shielded to restrict the maximum apex angle of the cone of illumination to 50 degrees.

(c) All lights shall utilize color-corrected lamps. The use of fluorescent or mercury vapor lighting is prohibited. Use of minimum-high-pressure sodium lighting is encouraged.

(d) Any internal site pathway or sidewalk lighting proposed shall be with low- or mushroom-type standards.

(e) Storefront and facade lighting. Lighting should be directed toward the storefront and should be shielded and recessed to prevent spillage. Facade-mounted lights shall not be located higher than the second floor.

(f) No lighting is permitted on the roof structure of a building.

(g) The use of floodlights and spotlight-type fixtures are prohibited.

(h) Lighting shall not be permitted which requires flashing or intermittent illumination. Exterior neon lights and lighting generating glare and unnecessary night-glow impacts shall be prohibited.

(14) Signage.

(a) Roof signs are prohibited. Awning and canopy hanging signs or banners are prohibited.

(b) For multi-tenanted buildings, signs shall be designed with uniform area and height.

(c) Signs affixed to the exterior of a building should be architecturally compatible with the style, materials, colors and detail of the building and other signs used on the property.

(d) Street address signage is required on each building or individual unit. Numbers shall be a maximum of one foot in height.

(15) Barrier-free construction. Any barrier-free construction shall be compatible with the architecture and style of the structure.

(16) Trash Enclosures.

(a) Trash enclosures shall not be visible from any public street and shall be located to the rear or side of the building.

(b) All trash enclosures shall be screened by a solid masonry wall on three sides and heavy-duty gate closures on the fourth side. Building materials for such trash enclosures shall match the materials and color of the primary structure.

(17) Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

(18) Special features. Exposed storage areas; exposed machinery installations, including roof installations; service areas, truck loading areas; utility buildings and structures; and similar accessory areas and structures shall be so located and screened with plantings or by other methods to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

(19) **Front facades, including building primary entrance and exit, shall be facing Main Street. On a lot or adjacent lots permitting two principal structures, both front facades to include building entrance and exit shall be facing Main Street.**

(20) **Terracing setback standards.**

(a) **The use of terracing setbacks for two (2) and three (3) story buildings is encouraged.**

(b) **All four (4) story buildings within 50 feet of the tax lot boundary shall have at least two (2) distinct terracing setbacks totaling 16 feet. It is encouraged that all four (4) story buildings have two (2) distinct terracing setbacks regardless of location on the lot.**

(c) **Terracing setbacks shall permit passive, residential amenities.**

(21) **The front façade of the first story of principal structures shall be at least fifty (50) percent commercial use. Where 2 buildings are allowed, both commercial and**

residential amenity use shall be permitted on the first floor of the building furthest away from Main Street.

(22) All applicable regulations set forth in Chapter 92, Zoning, shall be adhered to. In the event that standards and guidelines set forth in this subsection N conflict with standards and guidelines set forth in other sections of Chapter 92, Zoning, this section of design standards and guidelines shall supersede.

(23) Enforcement. No building permit shall be issued for exterior construction and/or exterior renovation or alteration for any building in the Bloomingdale Center District, used in whole or in part for nonresidential purposes, without the review and approval of plans by the Planning Board, if applicable, the Zoning Officer or the Construction Official. Certificates of occupancy, temporary or permanent, shall not be issued for any building that is in violation of the standards set forth in this section, or for any building where the approved plans by the Planning Board, Zoning Officer or Construction Official have not been adhered to. Any building material changes and color changes after the date of adoption of this section shall be subject to the standards and guidelines as set forth in this subsection N. The Zoning Officer, Construction Official and Code Enforcement Official have jurisdiction to cite violations of this section and to levy fines of $2,000 per day until the violation ceases.

All other portions of this Section not addressed herein shall remain unchanged.

SECTION 2. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Breeanna Smith, Clerk

By: John D'Amato, Mayor