**ORDINANCE NO. 9-2025**

**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 accessory structures; 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 92-17 “Accessory Structures”, shall be amended to read as follows:

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

**§ 92-17. Accessory structures.**

1. Maximum size regulations.
	1. The maximum permitted height of accessory structures shall be 1 1/2 stories or 15 feet.
	2. The maximum permitted total footprint square footage of all accessory structures on a residential lot less than three (3) acres shall not exceed the lesser of the footprint square footage of the principal dwelling structure or two thousand (2000) square feet.
	3. The maximum permitted total footprint square footage of all accessory structures on a residential lot three (3) acres or more shall not exceed the lesser of one and one-half (1 ½) percent of the lot square footage or two thousand (2000) square feet.
	4. The maximum permitted total footprint square footage of all accessory structures on any residential lot shall not cause maximum permitted lot and building coverages to be exceeded.
2. Minimum yard regulations.
	1. Unattached accessory structures in residential districts. Accessory structures which are not attached to a principal structure may be erected within one of the side yards or within the rear yard in accordance with the following setback requirements:
		1. Front yard: 50 feet for lots less than three (3) acres and 75 feet for lots three (3) acres or more.
		2. Side yard (interior lot): five feet for lots less than three (3) acres and 20 feet for lots three (3) acres or more.
		3. Side yard (corner lot): same as for principal structures.
		4. Rear yard: five feet for lots less than three (3) acres and 20 feet for lots three (3) acres or more.
		5. Accessory structures shall not be closer to a principal structure than 10 feet for lots less than three (3) acres and 20 feet for lots three (3) acres or more.
	2. Swimming pools. Permanent swimming pools shall be subject to yard requirements covered in Chapter 16, Swimming Pools, in the Revised General Ordinances of the Borough of Bloomingdale.
	3. Attached accessory structures in residential districts. When an accessory structure is attached to the principal building, it shall comply in all aspects to the requirements of this chapter applicable to the principal building.
	4. Non-dwelling accessory structures in other districts. Non-dwelling accessory structures shall comply with front and side yard requirements for the principal structure to which they are accessory and shall be not closer to any rear property line than 10 feet; except that where the rear property line shall abut a residential district, the rear yard requirements for the principal structure in that zone district shall apply to all accessory structures.
3. Accessory structures shall not be utilized as a dwelling structure.
4. Flag poles in residential districts may be placed in residential yards, provided the following setbacks are met:
	1. Front yard: 10 feet.
	2. Side yard: 10 feet.
	3. Flag poles must be no closer to a principal structure than 10 feet.

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

ATTEST: STATE OF NEW JERSEY

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Breeanna Smith, Clerk John D’Amato, Mayor