

**BOROUGH OF PARAMUS
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 2021-03

**AN ORDINANCE TO AMEND CHAPTER 429, ZONING SECTION 6, DEFINITIONS,
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PARAMUS**

BE IT ORDAINED, by the Mayor and Council of the Borough of Paramus, County of Bergen and State of New Jersey, that Chapter 429, Zoning, of the Code of the Borough of Paramus, is hereby amended as follows:

Section 1. The current text of Borough Ordinance, Chapter 429, Zoning, Section 6, Definitions, shall hereby be amended to include the following:

§ 429-6 Definitions.

All capitalized words used in this Chapter shall have the meaning as defined in this Chapter.

Any words not defined in this Chapter shall have the meaning as defined in the Municipal Land Use Law, 40:55D-1, et seq. Any words not defined in either this Chapter or the Municipal Land Use Law, shall have the meaning as set forth in "The Complete Illustrated Book of Development Definitions, Fourth Edition by Harvey S. Moscovitz, Carl G. Lindbloom, David Listokin, Richard Preiss & Dwight H. Merriam (published by Transaction Publishers, a Center for Urban Policy Research Book, 2015, as updated from time to time).

The words set forth herein shall be defined as follows:

ATRIUM HOUSE

A detached dwelling unit that is designed to form a private yard through the use of building walls and fences.

ACCESSORY BUILDING OR USE

A building or use that is on the same lot as and subordinate to and under the same ownership or control as and used for the purposes customarily incidental to the use of the main building.

BUILDING AREA OF

The area projected on a horizontal plane of the outer extremities of a structure, including, by way of example, the foundation, roof, protruding floors, overhangs and the floors of any portion of the structure not having a roof but shall not include eave overhangs of not more than two (2)' feet and bay windows without foundations.

BUILDING HEIGHT

The vertical distance from the mean grade measured six feet from the building to the top of the highest ridge or roof beams. Mean grade is measured six feet from the building and is calculated as the average grade.

DWELLING

A building designed for or used in whole or in part as the home residence or sleeping place of one or more families.

DWELLING, MULTIPLE

A residence containing three or more dwelling units.

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DWELLING, ONE-UNIT

A detached dwelling house designed to be used as a residence and used for a one-unit residential dwelling. There shall be only one distinct set of living facilities & kitchen.

DWELLING, TWO-FAMILY

A single detached dwelling having two distinct sets of kitchen and living facilities and designed or used to house two unit dwellings. There shall be two separate entrance doors, one to each dwelling unit of the structure. This definition applies to two-unit dwellings as permitted in the R-2F Zone.

DWELLING UNIT

One room or connecting rooms constituting a separate independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and containing independent cooking, bathroom and sleeping facilities.

DUPLEX

A two-family dwelling unit or two attached one-family dwelling units.

DECORATIVE SIGN BASE

A cladding or other material affixed to the support structure of a freestanding sign.

EQUALIZED ASSESSED VALUE

The assessed value of a property divided by the current average ratio of assessed value to true value as determined in accordance with N.J.S.A. 54:1-35a through c.

FRONT PORCH

A front porch is a structure attached to the front entrance of a building and external to the walls of the main building. A front porch is attached to or a part of the building and shall have direct access to and from the building. A front porch must consist of a roofed, open area and may not be enclosed. A front porch must be free of frame walls, windows, or screens of any kind.

HOME OCCUPATION

- A. A workplace such as the home of a resident architect, engineer, teacher or dressmaker, provided that not more than 15% of the habitable floor space of the building is devoted to such occupation, and provided further that not more than two persons are employed on the premises at the same time who are not members of the family of the resident person practicing such occupation, but not including medical or dental practitioners.
- B. For the purposes of this definition, a "teacher" shall be restricted to a person giving individual instruction in a musical instrument, in singing or in academic or scientific subjects to not more than four pupils at a time. A home professional office

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shall not include the office of any person professionally engaged in the purchase, manufacture or sale of goods kept or displayed on the premises. By way of illustration and not by way of limitation, dancing instructions, band instruments or voice instruction in groups, tearooms, tourist homes, beauty parlors, barbershops, hairdressing and manicuring establishments, convalescent homes, mortuary establishments, automobile and mechanical repairs, real estate offices, travel agents, photo studios, stores, trades or business of any kind not herein excepted shall not be deemed to be "home occupations.

KITCHEN

A kitchen area within a structure that is used or designed to be used for the preparation or cooking of food and that contains one or both of the following: Cooking appliances including but not limited to ovens, stoves, stove tops, and powered by electric or gas line.

Lot Area

The total horizontal area included within lot lines.

Lot, Corner

A lot bounded on two or more consecutive sides by street lines which meet or intersect so as to form an interior angle of 135 degrees or less. There shall be two (2) front yards on a corner lot that abut each street, one side yard minimum and one rear yard

Lot Line

Any boundary line of a lot

Lot Line, Rear

The lot line opposite and most nearly parallel with the front street line. In case of a corner lot, the rear line of the lot may be elected by the owner after designation of the front street line, if it is indicated on any application for a building permit.

Lot Line, Side

The lot line connecting the front street line and rear line of the lot or, in the case of a through lot, the lot line connecting the street lines. Any lot not a rear line or a front line shall be deemed a "side line". In the case of a corner lot the side line of the lot may be elected by the owner, provided that it is indicated on any application for a building permit.

Lot, through

A lot bounded on two or more nonconsecutive sides by street lines.

LAND USE BOARD

Either the Planning Board or the Zoning Board of Adjustment, as the case may be, pursuant to the jurisdictional requirements of the MLUL.

LOT COVERAGE

The area of a lot covered by buildings and paved surfaces, including but not limited to sidewalks, roads, parking lots and drives, whether constructed of asphalt, compacted stone, flagstone, brick, concrete or similar material.

MALL

A regional shopping center comprised of not less than two (2) anchor stores on not less than

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25 acres of land.

NONCONFORMING STRUCTURE

Any structure or building that does not conform to the regulations and requirements of this chapter for the zone district in which it is located, but was lawfully in existence before the effective date of this chapter or exists by virtue of a duly granted variance.

NONCONFORMING USE

Any use of land or building, or both, that does not conform to the requirements of this chapter for the district in which it is located, but that was lawfully in existence before the effective date of this chapter or exists by virtue of a duly granted variance.

PRIVATE SWIMMING POOL

Includes any permanently constructed receptacle for water, either above- or below-grade, having a depth of more than 18 inches, designed, used or maintained for swimming or bathing purposes by any person for his own use and that of the members of his household and his guests and located on such person's land as an accessory use to a private residence.

PARKING SPACE

A stall or berth which is arranged and intended for the parking of one motor vehicle in a garage structure or parking area and shall contain a minimum of 162 square feet with minimum dimensions of nine feet by 18 feet, except as may otherwise be expressly provided elsewhere in this Ordinance.

PLANTED BUFFER AREA

An area containing evergreens, trees, shrubs or other plantings designed to provide suitable drainage and visual screening in accordance with dimensions and criteria set forth elsewhere in this Ordinance.

QUADPLEX

A multiple dwelling building consisting of four dwelling units.

RSIS

The Residential Site Improvement Standards adopted by the New Jersey Department of Community Affairs, codified as N.J.A.C. 5:21 as amended from time to time.

SIGN

Any inscription, design or lighting arrangement, written, printed or otherwise placed on a board, balloon, banner or upon any material object or device, or in a window, whatsoever which, by reason of its form, color, working or otherwise, is intended to attract attention to itself, whether it is used as a means of identification, advertisement or announcement which is visible and intelligible to persons located outside a building or structure, including permanent signs within a building or structure mounted in a window or within 10 feet of a window and oriented to be viewed through such window and containing lettering of four or more inches. Works of art unrelated to business or other activity conducted at the property shall not be considered as signs.

TRACT

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A combination of contiguous lots (or in the case of the R-AH Zone, lots located across a public street from each other) intended to be developed as a single property, in which event, all zoning requirements shall be applied to the tract as a whole and not to the individual component lots, provided however, in the event of a resubdivision creating separate parcels, all such zoning requirements shall apply to the resulting new lots as individual parcels and not as a contiguous parcel.

TOWNHOUSE

A dwelling which contains two or more such dwelling units but does not exceed three stories in height and is attached side-by-side to another similar dwelling unit by a common wall or walls bordering the adjacent unit and has no part of one dwelling unit located above or below the other dwelling unit.

UNIT, MULTIFAMILY

A dwelling unit in a building which contains more than two such dwelling units and does not exceed in the permitted maximum allowable height for the designated zone.

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.


Section 4. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

ATTEST:



Annemarie Krusznis, RMC
Borough Clerk

BOROUGH OF PARAMUS:



Richard A. LaBarbiera
Mayor

INTRODUCED: January 19, 2021

ADOPTED: February 16, 2021