**ORDINANCE 14-10**

**ORDINANCE AMENDING WOODCLIFF LAKE CODE § 380-84 PERTAINING**

**TO ZONING, GENERAL PROVISIONS**

**Section 1.** **Purpose & Authority.** Pursuant to N.J.S.A. 40:48-2, 40:49-2, and N.J.S.A. 40A:14-118, the Woodcliff Lake Governing Body hereby amends Section 380-84 of the Woodcliff Lake Code to update the Zoning, General Provisions.

 **Section 2.** **Table of Organization.** Section 380-84 is hereby amended as follows. Additions are highlighted; deletions are in strikethrough.

Unless otherwise provided in this chapter, the following provisions shall apply to all zoning districts:

1. Accessory structures. No accessory structure may be erected on any lot on which there is no principal building or structure except where adjacent lots are in common ownership and then only as an accessory structure to a principal building structure on such adjoining lot and only for so long as the adjoining lot on which the accessory structure is located is in common ownership with the adjoining lot on which the principal building or structure is located. This subsection shall not, however, supersede the provisions of § 380-12 herein, which shall control.

[Amended 1-2-2001 by Ord. No. 00-7]

1. Corner lot (two front yards, side yards and rear yard). Any building to be constructed on a corner lot fronting on two streets, commonly known as a "corner lot," shall on each street be set back the number of feet required for a front yard on each street, it being the intention of this chapter that the side of a building on any corner lot shall be aligned with the front yard setback requirement for a building located on an interior lot. The yard opposite the designated front of the building shall meet the rear yard setback, and the remaining yard shall meet the minimum side yard setback.

[Amended 12-2-2002 by Ord. No. 02-15]

1. Frontage on public street. Every lot shall have frontage on a public street, and said frontage shall not be less than the required frontage in the district in which the lot is located.
2. Payment of taxes as condition of approval. As a condition of approval of any development application, there shall be submission of proof that no taxes or assessments for local improvements are due or delinquent on the property for which any subdivision, site plan or planned development is made.
3. Projections and encroachments. No part of any building or structure attached to a building shall project into any required yard or setback except as follows:
4. Leaders, windowsills, belt courses and similar features projecting no more than four inches.
5. Ornamental features not extending to the foundation walls or chimneys, in either case projecting not more than two feet.
6. Eaves projecting not more than 16 inches.

[Amended 12-2-2002 by Ord. No. 02-15]

1. Window air-conditioning units projecting not more than 18 inches and outside air-conditioning condenser units on the ground projecting not more than three feet.
2. Uncovered entrance steps may project a maximum of four feet into a required setback.
3. Required area or space. No lot, yard, parking area or other space shall be reduced in area or dimension so as to make said area or dimension less than the minimum required under this chapter. If already less than the minimum required under this chapter, said area or dimension shall not be further reduced.
4. Temporary structures. Temporary structures such as tents, platforms, reviewing stands and other similar structures are prohibited except that the Zoning Officer may issue a temporary permit for a period of seven days or less when, in his opinion, the same would be of sound construction, would not create any hazard and would not interfere with any movement of traffic within the municipality. This subsection shall not apply to municipal government and its boards and agencies and the Board of Education with respect to their properties.
5. No driveway for any lot within the Borough shall be closer than five feet from any adjacent lot or lot line, excluding that portion of a lot line that abuts a dedicated and accepted right-of-way.

[Added 1-2-2001 by Ord. No. 00-7]

1. Retaining walls to be a maximum of three feet high measured from the lowest elevation of the finished grade pursuant to § 380-111B and be a minimum of five feet from any property line.

[Added 12-2-2002 by Ord. No. 02-15]

**Section 3. No New Rights/No Vacancies.** Unless expressly stated otherwise or required by law, this ordinance shall not create any rights that did not exist before this ordinance and this ordinance shall not be deemed to create any vacancies unless the law requires otherwise.

**Section 4. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

 **Section 5.** **Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

 **Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.