



ZONING FAQs

[City of Hackensack Zoning Ordinance](#) - The Zoning Ordinance regulates things such as land use, lot size, setbacks, signage, and parking, which help to manage the physical development of our city and the overall well-being of our communities.

- 1. What is zoning?** Zoning provides the standards and regulations that apply to land use and the location of structures in the city. Zoning categorizes land into districts with specific permitted and prohibited uses. The overall objectives of planning and zoning are to protect public health, safety and welfare, to promote compatibility between various land uses and developments and to promote an attractive and well-planned community.
- 2. Why do I need a Zoning Permit?** A permit is necessary before construction begins to assure the project is meeting; use, size, height and setback requirements per the City zoning ordinance.
- 3. What requires a zoning permit?**
Construction, which includes but not limited to:
Additions, sheds, decks, fences, driveways, patios, swimming pools, and signs, whether new or replacement.
Any time a property changes its use.
When in doubt, call the Zoning office to see if your particular project must have a zoning permit.
- 4. How do I get a zoning permit?** Zoning permits are obtained by submitting a completed application form, along with all the required documentation for your project, along with appropriate payment to the Zoning Department.
- 5. Where can I get a Zoning Application?** Applications are available at the Building Department (116 Holt Street, Hackensack), by calling 201-646-3920 ext. 2005/ext. 2020 or you may download one online - [Zoning Permit Application](#) Applications may be submitted to the Zoning Department either in person or by postal service.
- 6. What happens after I submit my application for a permit?** The zoning officer will review applications for zoning compliance and submit comments if changes are necessary for approval; if denied – will advise.
- 7. Do I need a zoning permit for a fence and can I put a fence anywhere I want?** YES & NO! YES, a zoning permit is required for a fence. NO, you cannot put it just anywhere as there are setback requirements and height restrictions. For additional information, see FENCES, Section 175-7.5
*Note: Corner properties have different criteria.
 - a. How high can I build my fence?**
The City's Zoning Ordinance regulates the height of fences. Generally, in residential districts, the maximum height of a fence constructed along a front lot line is four feet above ground level. The maximum height of a fence along the side or rear lot line is six feet.
 - b. Where can I put my fence?** Fences must be 3" off the property line.

- c. **Which way does my fence have to face?** The “nice” side should be facing your neighbor.
- 8. Do I need a permit for a retaining wall?** It depends on the height – See YARD REGULATIONS Section 175-5.3D(7)
- 9. Do I need a permit for a shed?** Yes. – See TOOL SHEDS AND OTHER SIMILAR STRUCTURES Section 175-7.15
- 10. Do I need a permit for a sign?** Yes. – See SIGNS Section 175-7.14
- a. When submitting an application for signs, make sure it is accompanied by colored renderings with dimensions of sign, lettering and mounting info.
- 11. Do I need a permit for an HVAC or whole-house generator?** Yes.
- 12. Where can I put my HVAC/whole-house generator?** It must be placed in the rear of the home.
- a. If this is a commercial unit to be placed on a roof, we require setbacks and it must be stealthed.
- 13. What are my setbacks?** Setbacks are the distance a structure is required to be from the property lines, according to the bulk requirements of the zone.
- 14. How do I measure setbacks?** Setbacks are measured from the actual property lines and not from fences, curbs, sidewalks, or street pavement edges. A property survey may be necessary to verify the location of property lines prior to construction. From the property line, setbacks are usually measured to the foundation edge of the structure.
- 15. Do I need a permit to expand my driveway?** Yes, we have to review your project for compliance. – See YARD REGULATIONS Section 175-5.3G
- 16. Do I need a permit to put in a patio?** Yes. The zoning code has a maximum amount of impervious coverage per property and we have to review your project for compliance. – See YARD REGULATIONS Section 175-5.3D(6)
- 17. Do I need a permit to erect a pool?** Yes. – See PERMANENT AND PORTABLE SWIMMING POOLS Section 175-7.9
- 18. Do I need a permit to put in a swing set/playset, treehouse, freestanding barbeque, or freestanding chiminea?** No.
- 19. Can I convert my attic or basement into a living space?** The City of Hackensack does not allow sleeping in attics or basements.
- 20. Can I build a deck in my back yard?** Yes. With proper zoning you can build a rear yard deck, but there are limitations on size, height and other factors based on lot coverage and related issues.
- 21. Do I need a permit for landscaping?**
No, however, when planting consider the maturity, so it doesn't encroach on the neighboring property or road right-of-way. Also, planting in easements is generally prohibited.

- 22. What are the rules about parking on the grass or a sidewalk?** Cars are not permitted to park on lawns or sidewalks. Contact the Zoning Department at 201-646-3920 ext. 2020
- 23. It looks like my neighbor's shed or fence is on my property. What should I do?** This is not a zoning issue; it is a private matter. You need to speak to your neighbor or consult an attorney.
- 24. Am I responsible for my neighbor's tree branches that encroach onto my property?**
Any disputes between neighbors concerning tree branches, shrubs or other landscaping, are civil matters that must be resolved by the neighbors. For the most part, if branches encroach on your property, you have the right to trim them if they pose a problem. Professional legal advice should be obtained prior to any action that may cause an escalation in disputed property.
- 25. I think a business may be operating illegally. Who do I call?** Call the Zoning Department at 201-646-3920 ext. 2020
- 26. My neighbor's property has a lot of trash and debris. What can be done?** Contact Property Maintenance at 201-646-3920, ext. 2007
- 27. My neighbor's grass is not mowed. What can be done?** Contact Property Maintenance at 201-646-3920, ext. 2007
- 28. How can I resolve a dispute about a property line?** As this is a private, civil matter, the City cannot do anything in these issues. You should contact a licensed surveyor or an attorney for guidance.
- 29. I would like to open an Airbnb. Where should I start?** The City of Hackensack does not allow Airbnb's.
- 30. Do you have a copy of my survey?** No. However, if you recently filed a copy of your survey with a zoning permit, we may have a copy of the survey that was current at that time. Otherwise, you will need to locate your survey in your documents from when you purchased your home or contact a company to obtain a survey.
- 31. What is a Continued Certificate of Occupancy (CCO)?** The City of Hackensack requires a Continued Certificate of Occupancy for the sale and rental of certain residential units including, but not limited to, one or two-family homes. We also require this for change in tenancy of commercial spaces. For New Businesses - Any and all new tenants need Zoning.

One or two family homes:

- One Family – Completed application accompanied by \$100.00 (check or money order).
- Two Family – Completed application accompanied by \$150.00 (check or money order).

Note: Applications may only be obtained by visiting the B.H.L.U. Department.

Commercial Spaces:

1. **Zoning Department** (must be completed prior to Building review) -
 - a. You must complete a [Zoning Application detailing](#) what the current space is and what the proposed site will be. It is recommended that you submit for signage at the same time. If submitting for signage, please note our requirements on the application (colored renderings, dimensions, etc.). If you do not submit for signage at the same time, an additional application and fee will need to be submitted.

b. Submit application with a \$50.00 application fee (check or money order).

2. Building Department (once Zoning is complete) -

- a. You must obtain a manila folder, called a Building jacket (either with or without construction) from the B.H.L.U. Department, containing a CCO application. If there are renovations to be made, you may obtain the forms at the same time for submittal with the CCO application. – NOTE: You may submit for Zoning at the same time. - However, your Building jacket will not be forwarded until Zoning has been approved.
 - b. Without Construction: Submit Building jacket with a \$100.00 application fee (check or money order).
 - c. With Construction: You may submit all paperwork and pay later.
- NOTE: Zoning must be paid in advance, regardless of how you are submitting.

32. Permits are often required for work on Residential and/or Commercial properties. When in doubt, call the Zoning Department! 201-646-3920 ext. 2020

33. I need a letter verifying my property’s zoning. How do I get one? [Zoning Determinations](#) are provided by the Zoning Department for a fee of \$50.00.

Please send a request for a zoning determination letter by mail to:
Building, Housing, Land Use Department
ATTN: Zoning Department
116 Holt Street
Hackensack, NJ 07601

A \$50.00 check made payable to City of Hackensack must be included. Requests must include the address, plus the block and lot information.

It may take up to two (2) weeks to properly research from the time submission is received for the issuance of the zoning verification letter.

34. What are the fees for zoning permits?

Standard Zoning Application Fee (which includes change in tenancy)	\$50.00
Signage	\$50.00
Fence	\$20.00 per \$1,000.00 estimated cost of work With a minimum of \$60.00
Driveway	\$20.00 per \$1,000.00 estimated cost of work With a minimum of \$60.00
Patio	\$20.00 per \$1,000.00 estimated cost of work With a minimum of \$60.00
Shed (less than 200 sq. ft.)	\$20.00 per \$1,000.00 estimated cost of work With a minimum of \$60.00
Walkway	\$20.00 per \$1,000.00 estimated cost of work With a minimum of \$60.00

35. How can I pay for my permit? Zoning fees are paid at the time the application is submitted. You may pay by check or money order made payable to the City of Hackensack.

36. How long does it take for a zoning permit to be reviewed? State law provides 10 business days for review. We always try to do our reviews in less time than that, but sometimes, depending on volume and other factors, it does take longer. Holidays also effect that 10-business day period.

- 37. How will I know when my permit is ready?** Once a permit has been approved (or denied), you will receive a phone call or an email from the Zoning Department notifying you.
- 38. How long is a zoning permit good for?** Generally, a zoning permit is valid for six months after the date of its issuance. If six months (or more) have passed and you are unsure if your permit is still valid, please call the Zoning department at 201-646-3920 ext. 2020.
- 39. I was denied for a permit. How can I appeal the Zoning Official's decision?** Follow the [Zoning Procedures Form](#). You will need to [appeal](#) for a variance.
- 40. What if my project doesn't comply with the Zoning Ordinance?** If you cannot comply with the zoning ordinance for any reason, you must obtain a variance from the Planning or Zoning Board before your project can proceed. The Zoning Official is charged with the responsibility of enforcing the zoning ordinance but may not waive its requirements. That power is granted by law to the Planning and Zoning Board. If your project requires a variance, the Zoning Official will explain the application process to you.
- 41. When are building permits required?** In general, if it is more than a repair of a building, electrical, plumbing or fire element, a permit is probably required. The New Jersey Uniform Construction Code states, "A building or structure shall not be constructed, extended, repaired, removed or altered..." without construction permits except for ordinary repairs.
- 42. Why do I need a zoning permit AND a building permit, aren't they the same thing?** Zoning permits and building permits are NOT the same thing. Both are required for most projects, however, some zoning activities do not require building permits and some building activities do not require zoning permits. A simplistic clarification of the difference is Zoning regulates WHERE things are built, if it's a permitted use, and Building Codes regulate HOW things are built.
- 43. What if I fail to obtain a zoning permit for a project that required one?** If a project which requires a zoning permit has commenced or been completed without having obtained an approved permit prior, it is considered a violation of our zoning ordinance. The property owner will be notified in writing that the violation occurred and given options to remedy the violation. A summons may also be issued. Depending on the circumstances, the property owner may be required to remove, in part or in whole, any new structures or additions that were not properly permitted or possibly even relocate a previously commenced or completed project to a different location on the property to facilitate compliance with the zoning ordinance. Refusal to cooperate with a violation remedy plan may result in court action on behalf of the City, as well as, applicable fines and fees being levied on the property owner and/or tenant.
- 44. I am selling my home and I had some work done without a permit, now what do I do?** Please call the Building Department at 201-646-3920 so this can be corrected. A "retro" permit can be generated requiring the same fees and inspections as a regular permit. Please note, since this is a time-sensitive situation and the permit may take time to process, please call the Building Department as soon as possible to get the process going. Note: Depending on the scope of work, you may also require a zoning permit.
- 45. Who do I speak with if I have Zoning questions?** You may speak with Bridget McLaughlin, the Assistant Zoning Officer Monday – Friday from 8:30 am to 4:30 pm by phone 201-646-3920 ext. 2020 or by emailing bmclaughlin@hackensack.org

- 46. Who do I speak with if I have general Building questions?** You may speak with Ruth Koennemann Monday – Friday from 8:00 am to 4:00 pm by phone 201-646-3920 ext. 2000 or by emailing rkoennemann@hackensack.org OR contact Gigi Medina Monday – Friday 8:30 am – 4:30 pm by phone 201-646-3920 ext. 2013 or by emailing gmedina@hackensack.org
- 47. When are you open?** The Building, Housing, Land Use Department located at 116 Holt Street is open Monday – Friday, 8:00 am – 4:30 pm.
- 48. How do I contact the Zoning Department?** Call 201-646-3920 Monday-Friday, 8:00 am – 4:30 pm, except for federal holidays.
- 49. How do I contact the Building Department?** Call 201-646-3920 Monday-Friday, 8:00 am – 4:30 pm, except for federal holidays.
- 50. When are the Planning & Zoning Board meetings?** Planning Board meetings are held the second Wednesday of each month. Zoning Board meetings are held the third Thursday of each month. The meetings are open to the public, and agendas are posted no later than 72 hours before each meeting on the [City of Hackensack Building website](#).
- 51. What percentage is a landlord able to raise my rent?** For non-seniors where the landlord pays the heat, it is 5%; if the tenant pays the heat, the increase is 4.5%. For qualified seniors where the landlord pays the heat it is 4%; if the tenant pays the heat, the increase is 3.5%. For more information, you may contact the Rent Stabilization Board (within the Zoning Department) at 201-646-3920, ext. 2020. You may read more about Rent Stabilization within the City’s Ordinance – [Section 134-3](#)