

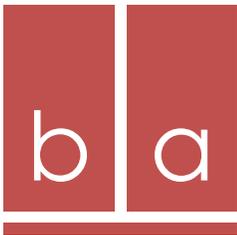
Borough of Westwood 2020 Re-examination Report of the Master Plan

BOROUGH OF WESTWOOD
BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

BOROUGH OF WESTWOOD PLANNING BOARD
BA# 3306.04

Adopted: June 25, 2020



Community Planning
Land Development and Design
Landscape Architecture

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The original document was appropriately signed and sealed on June 25, 2020 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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SECTION I: INTRODUCTION

A. COMMUNITY OVERVIEW

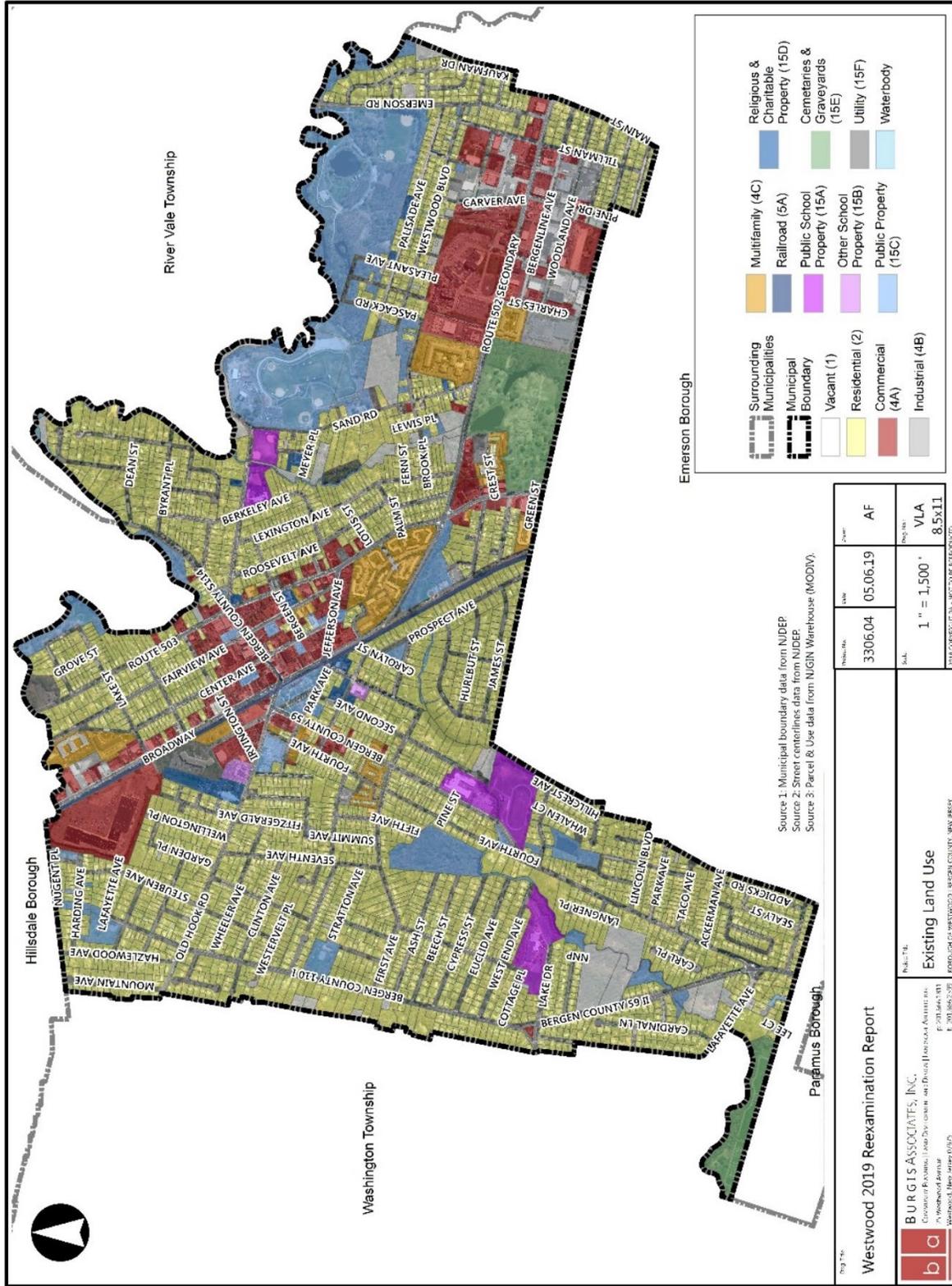
The Borough of Westwood Reexamination of the Master Plan is a continuing comprehensive planning tradition by the Borough, initiated in 1975 when the Borough adopted its first master plan. Since then the Borough has adopted several master plan reports and documents since then, the most recent being a comprehensive 1993 master plan and 2005, 2011 and most recently on May 23, 2019, the Borough also adopted a CBD District focused interim Master Plan Reexamination Report dated December of 2005. All of these master plan documents were designed to guide the future development of the community.

In continuation of this effort, this reexamination report has been compiled to review the planning policies and land use goals and objectives so that they remain current and up-to-date and seeks to supplement the prior re-examination report with a review of the remainder of the zoning regulations in the Borough. This document does not radically depart from the policies set forth in the previous master plan or re-examination reports. This report continues to provide a more detailed and definitive set of goals and policy statements regarding the Borough's future growth and development than previous studies. It is intended to update the background information and provide recommendations relating to the various zone districts in the Borough.

As noted in previous studies, this report recognizes that the municipality is a fully developed community. The character of this development pattern necessitates a planning response which should focus on reaffirming the community's established character and identifying those areas warranting refinement to ensure the community's planning properly identifies and addresses its needs.

The Borough's existing land uses are illustrated on the accompanying Existing Land Use Map.

Figure 1 – Existing Land Use Map
Borough of Westwood, New Jersey



B. LEGAL REQUIREMENTS FOR PLANNING

The New Jersey Municipal Land Use Law (MLUL) establishes the legal requirement and criteria for the preparation of a master plan and Reexamination Report. The Planning Board is responsible for the preparation of the master plan and its periodic reexamination. These documents may be adopted or amended by the Board only after a public hearing. The Board is required to prepare a review of the plan at least once every ten years.

Per the MLUL, the statute mandates that the report must include, at a minimum, five key elements, which identify:

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report;
2. The extent to which such problems and objectives have been reduced or have increased, subsequent to such date;
3. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;
4. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared;
5. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.
6. The recommendations concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The MLUL identifies the required contents of a master plan and reexamination report, which have been outlined in this section. Master plans must include a statement of goals, objectives, and policies upon which the proposals for the physical, economic and social development of the municipality are based. The master plan must include a land use element which takes into account physical features, identify the existing and proposed location, extent and intensity of development for residential and non-residential purposes, and state the relationship of the plan to any proposed zone plan and zoning ordinance. Municipalities are also required to prepare a housing plan and recycling plan. Other optional elements that may be incorporated into a comprehensive master plan include, but are not limited to, circulation, recreation, community facilities, historic preservation and similar elements.

The master plan gives the community the legal basis to control development in the municipality. This is accomplished through the adoption of development ordinances designed to implement the master plan recommendations.

C. PREVIOUS MASTER PLAN EFFORTS UNDERTAKEN BY THE BOROUGH

As previously noted, the Borough adopted its most recent comprehensive master plan in 1993 and its most recent reexamination report in May of 2019. The 1993 master plan goals provided the basis for the land use plan recommendations, which are intended to guide the Borough's future development. The 2011 reexamination report refined and updated those community's goals and objectives and provided a number of recommendations to refine the zoning for the Borough. The most recent reexamination report in May of 2019 reaffirmed many of the goals and objectives from the prior reports in addition to identifying new goals and objectives relevant to the Borough. Since the recently adopted May 2019 reexamination report, the Planning Board has continued to evaluate other land use issues and prepared additional land use recommendations. Therefore, this report restates the prior findings from the May 10, 2019 report and offers additional land use findings and recommendations where deemed appropriate.

SECTION 2. MAJOR PROBLEMS & OBJECTIVES RELATING LAND DEVELOPMENT IDENTIFIED AT THE TIME OF ADOPTION IN 2011 AND NEW ISSUES TO BE ADDRESSED

The following issues were identified in the Borough's 2011 Reexamination Report as requiring specific attention or needed further analysis.

A. MAJOR PROBLEMS IDENTIFIED IN THE LAST RE-EXAMINATION REPORT PREVIOUS MASTER PLAN

1. Need to reinforce uniform development pattern

This land use objective was reaffirmed from 2011 due to increasing development pressures and the need to protect uniform land use arrangements within the community and to preserve the current boundaries of the business districts. In addition, the borough has strived to mitigate potential impacts on residential zones through buffer and setback requirements to maintain their uniform arrangement and protection of health, safety and welfare.

2. Need to protect environmentally sensitive land

This issue was reaffirmed in 2011 to be a critical issue as development pressure increased to develop the limited remaining vacant land within the borough. Additional protection should be provided for tree preservation and stream riparian corridors. State regulations have been enacted establishing C-1 Critical Resource Waterways in the borough, for the Pascack and Musquapsink Brooks and their tributaries. These regulations will substantially affect the development potential of properties near these areas.

The borough had enacted steep slope regulations for slopes over 15% wherein the level of disturbance is reduced to protect the public health safety and welfare. Development trends at the time have led to greater pressure to develop these areas of the borough. Regulations were enacted to reduce the impacts of erosion, excessive cut and fill, existing vegetation removal and extensive wall construction required when these slopes are disturbed.

3. Economic Vitality of the Central Business District

The Planning Board noted in 2005 and 2011 the economic vitality of the business districts in the borough was an increasingly important consideration to ensure the districts maintains the needs of the community. In addition, the continuation of the CBD districts as a strong center of commerce for the region was considered essential. Property enhancements in the district are encouraged, where appropriate, so that they represented a positive ratable to offset property tax impacts on the borough's residential properties.

While some traffic improvements have been implemented at various critical intersections, future improvements were a continued focus for the borough to insure improvements to the efficiency and safety of vehicular traffic and continued economic vitality of the borough is achieved. The safety of pedestrian traffic is also a critical objective, particularly for pedestrian routes to schools, recreation centers and the various business areas of the community.

Improvements to parking accommodations were considered an ongoing effort in the CBD of the borough. The accessibility of public parking via signage and the improvements to these areas were needed to ensure these areas served the needs of the adjacent properties. The review of future applications for development was encouraged to ensure that the proposed development does not place an undue burden on the availability of public parking for patrons.

The borough prepared a Central Business District Study and Plan in 2005 to provide the recommended design guidelines for the district. The document provides recommendations for roadway, streetscape, parking and architectural elements. The continued awareness of the suggestions in the 2011 reexamination report was encouraged in the borough to guide future improvements.

From the time of the reexamination in 2005 to the next reexamination in 2011, the permission of mixed-use developments in the CBD had not been implemented although, a few properties in the CBD and adjacent O-zone were completed. Mixed use was reaffirmed in 2011 as a recommendation in select limited areas of the CBD zone in this re-examination report to further support the economic health of the business districts and expand the range of housing choices of the borough but only in scale with the established character of the community.

4. Development of Balanced Housing:

The statistical data at the time of the 2005 re-examination indicated that the mixture of owner to renter occupied housing has remained relatively consistent with the 1990 Census. It was identified there was a 1.8% increase in rental housing as a result of the completion of the Highlands apartment complex on Old Hook Road at the time of the 2000 Census. Since then, the borough approved a minimal amount of subdivisions to date for new single-family residences due to the relatively built out of condition of the borough. This reinforced that the borough has maintained a diverse housing supply as noted in the past re-examination reports.

The borough received substantive certification from the New Jersey Council on Affordable Housing (COAH), on April 7, 2004 for their second-round obligation affirming that the borough had addressed its low and moderate-income housing obligation. The third round COAH methodology for computing low to moderate income housing obligation was going through the several permutations at the time of the prior re-examination report. The Borough had a policy to maintain a balanced housing supply by remaining cognizant of needs for affordable housing during the review of residential development applications pending the establishment of new statewide methodology and rules.

5. Protection of Local Housing Supply:

The borough had continued to enact policies and regulations to protect the local housing supply including modifications to zoning requirements for single family homes to accommodate modernization of the existing housing stock. As a result of the economic conditions and the low interest rates of home improvement loans at the time of the prior re-examination report, single family residential homes experienced a dramatic increase in renovations and new additions since the prior re-examinations. This created a positive improvement and upgrade to the value of housing stock in the borough, but there was an increased pressure to overbuild existing properties out of context with their neighborhoods. A balance was sought between the upgrading and modernization of the housing stock and the impacts that variances requested would have on the scale and architectural quality of single family neighborhoods in the borough.

Since the last Master Plan Re-examination report, the Planning Board evaluated the overbuilding issue and the borough has enacted regulations to address this issue including the requirement of second floor area restrictions. Furthermore, the Borough continued to participate in the Bergen County Home Improvement program to rehabilitate residential properties in the borough. The prior re-examination report of the Borough recommended support of this effort by the continued participation in this program.

6. Two-family Homes:

The borough had reaffirmed that the single-family zones should be safeguarded from the conversion or proliferation of additional 2 family homes within predominantly single-family zones, which are inconsistent with the established zone plan. The land use plan had established appropriate areas for multifamily family homes in the community in close proximity to goods, services and the availability of mass transit.

7. Business Area Zoning Regulations

It was noted in prior re-examination reports there was a need to upgrade the zoning regulations pertaining to several business areas including the LB and LM zone areas to

provide for contemporary needs and further improvements to properties. The prior re-examination report provided several recommendations for improvements.

8. Residential Lot Over Building or “Mc Mansions”

There was a concern about the size and scale of single-family residential development in relationship to the established size and character of the borough’s neighborhoods. The overbuilding of residential lots, so called “McMansions”, are the result of expansions or tear downs and replacements with much larger dwellings that are visually out of character with the surrounding neighborhood. Development controls were recommended to address this issue and strike a balance between neighborhood character and a property owner’s ability to improve their residence.

9. Historic Preservation Plan

The prior re-examination report identified that an updated list of properties or districts of historic significance was utilized as the framework for the formulation of a historic element to the Master Plan. A Historic Master Plan Element was adopted in 2007 setting for the framework for a Historic Preservation Ordinance in 2008. The borough also created a Historic Preservation Commission to advise the borough as to recommendations for historic preservation and review of applications relating to specific impacts to historic features of the borough.

10. Steep Slopes

Prior re-examination reports reaffirmed the concern of steep slope disturbances that require extensive grading and retaining walls. The issue concerning steep slopes was noted as requiring continued diligence in enforcement of the steep slope regulations was needed in order to avoid excessive lot disturbance and the long-term detrimental effect to the environment of Westwood.

11. Senior Population

While earlier re-examination reports noted an increasing trend in the aging of the resident population of the borough, the 2010 Census noted this trend was beginning to level off wherein the amount of senior population had stabilized. However, it was noted that the average age of the population did increase slightly to 41 years of age in 2010 compared to 38.6 in 2000 indicating that the population was still aging in place but at a slower rate. The population of seniors between 65 to 74 experienced a reduction from 899 people in 1990 to 808 people in 2000. This 10 percent reduction for this age cohort was the largest among the senior populations. The largest increase in population within the Borough’s senior population took place among residents 85 years of age and older.

The largest increase in the Borough's population took place among residents 45 to 54 years of age. A slight increase in the under age 14 cohort had occurred while there was a corresponding increase in the size of the under 18 population.

Compared to Bergen County, Westwood still had a senior population as a percentage of total population that was higher than the County's average. This indicates that there is possible increasing need for senior or age-restricted housing and that this use may be appropriate in limited locations of the borough.

12. Stormwater Management Rules

It was noted that the borough updated their stormwater management regulations in subsequent years with the latest being in 2007 bring them in conformance with the state required standards.

13. LM, LB and RW zones

The 2011 Master Plan Re-examination noted the LB zone was amended by earlier rezoning into the LB-1, LB-2 and LB-3 zones. These changes provided flexibility in the uses permitted in response to their respective locations in the borough. The economic recession in 2008 was recognized in the prior re-examination to require the further reassessment of uses permitted in these zones to make sure they represent the greatest potential to serve the needs of the community. The Planning Board then offered several recommendations for amendments to update the LB-3 and subsequently the LB-1 zones. The recommended standards were amended.

14. Mass-transit

Considering the increasing cost of gasoline and diesel fuel, it was recommended the borough consider accommodating and encouraging alternative modes of transportation in the land use policies it fostered. Accommodations for bicycles and pedestrian are specifically applicable to Westwood. The neighborhoods are interconnected by a grid network of streets and the points of access to mass transit are conducive to bicycle and pedestrian connections. A comprehensive study of bicycle and pedestrian routes was recommended. The following was a preliminary list of key locations of the borough which when linked provide a network of bikeways and pedestrian routes:

- a. Central Business District
- b. Train Station
- c. Bus Stops
- d. Municipal Building
- e. Westwood Plaza Shopping Center

- f. Arterial Roadways (i.e.; Kinderkamack Road, Broadway, Westwood Avenue and Washington Avenue).

15. Hackensack University Medical Center at Pascack Valley

The opening of a full-service hospital was noted as of critical importance to the continued land use purpose of the H-Hospital and HSO Health-Service-Office zones. The neighboring properties were noted as developed to service or contribute to the health care business environment associated with the hospital. The existing medical uses and building infrastructure provided considerable resources to the current and future operations of the hospital. In addition, the HSO zone is the location of the Care One at Valley Nursing Home. This facility was developed in close proximity to the hospital for access to immediate and specialized medical care provided by the former hospital and remains in need of such a facility.

16. Sustainable Design and Related Land Use Issues

In 2008, the MLUL was amended to authorize municipalities to establish an additional optional Sustainability Element of the comprehensive master plan. The purpose of this element is to *"provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design."* The intent of such an element is to also establish guidelines for future improvements and policy decisions to establish a balance between the needs of the community and the desire to achieve sustainability. At the time of the previous report, in lieu of preparing a Sustainability Element for the Borough's Master Plan, similar goals and objectives were included in the report to promote a more sustainable environment in the borough.

17. Floodplain and Stream Flooding

The floodplains of Westwood were noted of significant importance to the health and well-being of the Borough. The numerous peak rainfall events experienced in the region, had substantial impacts to a number of properties within the borough and the region, therefore it was vital to control and thoroughly review development applications to reduce impacts to floodplains. A review of methods to improve the floodplain condition and the management of stream flow by regional agencies and United Water were undertaken in the Borough. The solutions to improve conditions, while they may not be easily accomplished, are needed to be considered in order to make improvements to what appear to be a worsening trend in storm events.

18. Economic Recession and Impacts to Land Use Viability

The economic recession of 2008 had obvious impacts on the economy of the borough. Economic vitality of the business districts in the borough was of increasing importance to insure the districts continue to serve the needs of the community. In addition, the continuation of the CBD districts as a strong center of commerce for the region was noted as essential. Enhancements to the district's properties were encouraged, where appropriate, so that they represent a positive ratable to offset property tax impacts on the borough's residential properties.

B. MAJOR LAND USE ISSUES CURRENTLY FACING THE MUNICIPALITY

1. The Continued Economic Vitality of the Central Business District

The Westwood Planning Board recognizes the need to remain diligent regarding the land use and functional updates that are needed foster continued economic vitality of the central business district area inclusive of the CBD/SPE and CBD zones. The central business district is experiencing substantial and wide-ranging challenges posed by online retail, the changing habits and needs of patrons and the everyday needs of borough residents. Furthermore, the publicized efforts of regional as well as local retail facilities or business districts seeking to transform their shopping areas as new or improved "downtowns" will add to these challenges. Such ongoing rehabilitation efforts are seeking to transform such locations as centers of entertainment and/or mixed-use neighborhoods to attract patrons, visitors and provide a resident population.

To enhance the district's services for borough and area residents, improve economic vitality and improve the district's competitiveness, the Planning Board has reviewed the permitted uses and other criteria in the CBD/SPE and the CBD zone districts. The Board, following a series of hearings with public input, reviewed and refined a recommended list of land use amendments provided in Section 5 of this report for consideration by the Westwood Mayor and Council.

2. Updates Recommended to the Permitted Land Uses and Related Development Regulations

The Westwood Planning Board conducted a review of the land use and development regulations in order to evaluate if existing regulations represented contemporary needs. Several modifications are recommended for the Mayor and Council's consideration in Section 5 of this report.

3. 2020 COVID-19 Pandemic. In the final stage of the preparation for adoption of this Master Plan Reexamination report, the Borough has been severely impacted by the worldwide

Coronavirus (COVID-19) pandemic health crisis. This pandemic has caused significant economic, physical and social disruptions by the efforts to control the spread and impacts of the virus. These disruptions will require immediate, short-term and long-term responses to assist in the Borough's recovery. It is anticipated that numerous land use efforts will be necessary.

The Planning Board finds many recommendations in this report remain relevant to this effort and should be implemented as soon as possible. Furthermore, it is recognized by the Board, there will be other recommendations as the needs and ideas for recovery come to the forefront requiring special planning and land use efforts to further this recovery.

Section 3. Extent to Which Such Problems and Objectives Have Been Reduced or Increased Subsequent to the Last Reexamination Report

1. Need to reinforce uniform development pattern

This land use objective was reaffirmed from 2011 due to increasing development pressures and the need to protect uniform land use arrangements within the community and to preserve the current boundaries of the business districts. In addition, the borough has strived to mitigate potential impacts on residential zones through buffer and setback requirements in order to maintain their uniform arrangement and protection of health, safety and welfare.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

2. Need to protect environmentally sensitive land and steep slopes

This issue was reaffirmed in 2011 to be a critical issue as development pressure increased to develop the limited remaining vacant land within the borough. Additional protection should be provided for tree preservation and stream riparian corridors. State regulations have been enacted establishing C-1 Critical Resource Waterways in the borough, for the Pascack and Musquapsink Brooks and their tributaries. These regulations will substantially affect the development potential of properties near these areas.

The borough had enacted steep slope regulations for slopes over 15% wherein the level of disturbance is reduced to protect the public health safety and welfare. Development trends at the time have led to greater pressure to develop these areas of the borough. Regulations were enacted to reduce the impacts of erosion, excessive cut and fill, existing vegetation removal and extensive wall construction required when these slopes are disturbed.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

3. Development of Balanced Housing:

The statistical data at the time of the 2005 re-examination indicated that the mixture of owner to renter occupied housing has remained relatively consistent with the 1990 Census. It was identified there was a 1.8% increase in rental housing as a result of the completion of the Highlands apartment complex on Old Hook Road at the time of the 2000 Census.

Since then, the borough approved a minimal amount of subdivisions to date for new single-family residences due to the relatively built out of condition of the borough. This reinforced that the borough has maintained a diverse housing supply as noted in the past re-examination reports.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report. It is noted that under supervision of the State Superior Court, the Borough entered into a Settlement Agreement with Fair Share housing Center executed on April 24, 2018. The Borough prepared a subsequent Housing Element and Fair Share Plan dated latest amended date of February 7, 2019, affirmatively addressing the Borough's fair share of affordable housing obligation for the period known as the Third Round from 1999 to 2025. See the Housing Element and Fair Share Plan referenced above for the specific findings and plan components.

4. Protection of Local Housing Supply:

The borough had continued to enact policies and regulations to protect the local housing supply including modifications to zoning requirements for single family homes to accommodate modernization of the existing housing stock. As a result of the economic conditions and the low interest rates of home improvement loans at the time of the prior re-examination report, single family residential homes experienced a dramatic increase in renovations and new additions since the prior re-examinations. This created a positive improvement and upgrade to the value of housing stock in the borough, but there was an increased pressure to overbuild existing properties out of context with their neighborhoods. A balance was sought between the upgrading and modernization of the housing stock and the impacts that variances requested would have on the scale and architectural quality of single-family neighborhoods in the borough.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

5. Two-family Homes:

The borough had reaffirmed that the single-family zones should be safeguarded from the conversion or proliferation of additional 2 family homes within predominantly single-family zones, which are inconsistent with the established zone plan. The land use plan had established appropriate areas for multifamily family homes in the community in close proximity to goods, services and the availability of mass transit.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

6. Business Area Zoning Regulations

It was noted in prior re-examination reports there was a need to upgrade the zoning regulations pertaining to several business areas including the LB and LM zone areas to provide for contemporary needs and further improvements to properties. The prior re-examination report provided several recommendations for improvements.

Re-examination update: While the amendments have been implemented the Borough seeks to review these zones further in the near future in order to reaffirm this effort.

7. Residential Lot Over Building or “Mc Mansions”

There was a concern about the size and scale of single-family residential development in relationship to the established size and character of the borough’s neighborhoods. The overbuilding of residential lots, so called “McMansions”, are the result of expansions or tear downs and replacements with much larger dwellings that are visually out of character with the surrounding neighborhood. Development controls were recommended to address this issue and strike a balance between neighborhood character and a property owner’s ability to improve their residence.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

8. Historic Preservation Plan

The prior re-examination report identified that an updated list of properties or districts of historic significance was utilized as the framework for the formulation of a historic element to the Master Plan. A Historic Master Plan Element was adopted in 2007 setting for the framework for a Historic Preservation Ordinance in 2008. The borough also created a Historic Preservation Commission to advise the borough as to recommendations for historic preservation and review of applications relating to specific impacts to historic features of the borough.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report. Please refer to Section 5 of this report for further refinements regarding historic preservation efforts and recommendations.

9. Senior Population

While earlier re-examination reports noted an increasing trend in the aging of the resident population of the borough, the 2010 Census noted this trend was beginning to level off wherein the amount of senior population had stabilized. However, it was noted that the average age of the population did increase slightly increased to 41 years of age in 2010

compared to 38.6 in 2000 indicating that the population was still aging in place but at a slower rate. The population of seniors between 65 to 74 experienced a reduction from 899 people in 1990 to 808 people in 2000. This 10 percent reduction for this age cohort was the largest among the senior populations. The largest increase in population within the Borough's senior population took place among residents 85 years of age and older.

Re-examination update: This remains a continued issue for consideration in future land use planning efforts and is reaffirmed in this re-examination report. Section 4 of this report provides a complete update of the latest population statistics.

10. Stormwater Management Rules

It was noted that the borough updated their stormwater management regulations in subsequent years with the latest being in 2007 bring them in conformance with the state required standards.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

11. LM, LB and RW zones

The 2011 Master Plan Re-examination noted the LB zone was amended by earlier rezoning into the LB-1, LB-2 and LB-3 zones. These changes provided flexibility in the uses permitted in response to their respective locations in the borough. The economic recession in 2008 was recognized in the prior re-examination to require the further reassessment of uses permitted in these zones to make sure they represent the greatest potential to serve the needs of the community. The Planning Board then offered several recommendations for amendments to update the LB-3 and subsequently the LB-1 zones.

Re-examination update: As noted, the recommended standards were amended although the Planning board continues to evaluate these zones for further recommendations and improvements.

12. Mass-transit

It was recommended the borough consider accommodating and encouraging alternative modes of transportation in the land use policies it fostered. Accommodations for bicycles and pedestrian are specifically applicable to Westwood. The neighborhoods are interconnected by a grid network of streets and the points of access to mass transit are conducive to bicycle and pedestrian connections. A comprehensive study of bicycle and pedestrian routes was recommended. The following was a preliminary list of key locations of the borough which when linked provide a network of bikeways and pedestrian routes:

- g. Central Business District
- h. Train Station
- i. Bus Stops
- j. Municipal Building
- k. Westwood Plaza Shopping Center
- l. Arterial Roadways (i.e.; Kinderkamack Road, Broadway, Westwood Avenue and Washington Avenue).

Re-examination update: While a comprehensive study of bicycle and pedestrian routes has not been prepared to date, this remains a continued objective and is reaffirmed in this re-examination report. Additionally, the advent and increase in use of what is termed as “ride sharing services” has and will likely continue to contribute as a means of transportation to and from businesses in the community. These services provide an alternate means of transportation to be considered in the future land use considerations.

13. Hackensack University Medical Center at Pascack Valley

The opening of a full-service hospital was noted as of critical importance to the continued land use purpose of the H-Hospital and HSO Health-Service-Office zones. The facility was developed to serve the region while the surrounding HSO zone was established in close proximity for supportive services to the hospital for access to immediate and specialized medical care provided by the former hospital.

Re-examination update: The Hospital has been subsequently reopened following the recertification by the State of New Jersey Department of Health in February 2012 and has undergone several site improvements and further refinement to their emergency room operations. The continued improvement to and furtherance of the medical services provided in this area in support of the hospital is a continued objective and is reaffirmed in this re-examination report.

14. Sustainable Design and Related Land Use Issues

In 2008, the MLUL was amended to authorize municipalities to establish an additional optional Sustainability Element of the comprehensive master plan. The purpose of this element is to *“provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design.”* The intent of such an element is to also establish guidelines for future improvements and policy decisions to establish a balance between the needs of the community and the desire to achieve sustainability. At the time of the previous report, in lieu

of preparing a Sustainability Element for the Borough's Master Plan, similar goals and objectives were included in the report to promote a more sustainable environment in the borough.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

15. Floodplain and Stream Flooding

The floodplains of Westwood were noted of significant importance to the health and well-being of the Borough. The numerous peak rainfall events experienced in the region, had substantial impacts to a number of properties within the borough and the region, therefore it was vital to control and thoroughly review development applications to reduce impacts to floodplains. A review of methods to improve the floodplain condition and the management of stream flow by regional agencies and United Water (now Suez), were undertaken in the Borough. The solutions to improve conditions, while they may not be easily accomplished, are needed to be considered in order to make improvements to what appear to be a worsening trend in storm events.

Re-examination update: This remains a continued objective and is reaffirmed in this re-examination report.

16. Economic Recession and Impacts to Land Use Viability

The economic recession of 2008 had many obvious impacts on the economy of the borough. Economic vitality of the business districts in the borough was increasingly important to ensure the districts provide the needs of the community. In addition, the continuation of the CBD districts as a strong center of commerce for the region was noted as essential. Enhancements to the district's properties were encouraged, where appropriate, so that they represent a positive ratable to offset property tax impacts on the borough's residential properties.

Re-examination update: While there has been a recovery from the recession, this remains an important consideration in the reevaluation of land use controls in the Borough to ensure that appropriate growth is maintained where appropriate. This remains a continued objective and is reaffirmed in this re-examination report.

SECTION 4: SIGNIFICANT CHANGES SINCE THE LAST RE-EXAMINATION REPORT

Several substantive changes at the state and local level have occurred since the adoption of the 2011 Reexamination Report. The MLUL requires consideration of these changes during this reexamination process and how such changes may apply to the land development within the Borough. This section provides an analysis of the various changes in assumptions, policies and objectives and how they may further inform and influence Westwood's developmental regulations as last revised. The section begins with a demographic analysis of information available from the 2010 Census as well as the 2016 American Community Survey (ACS) 5-year estimates.

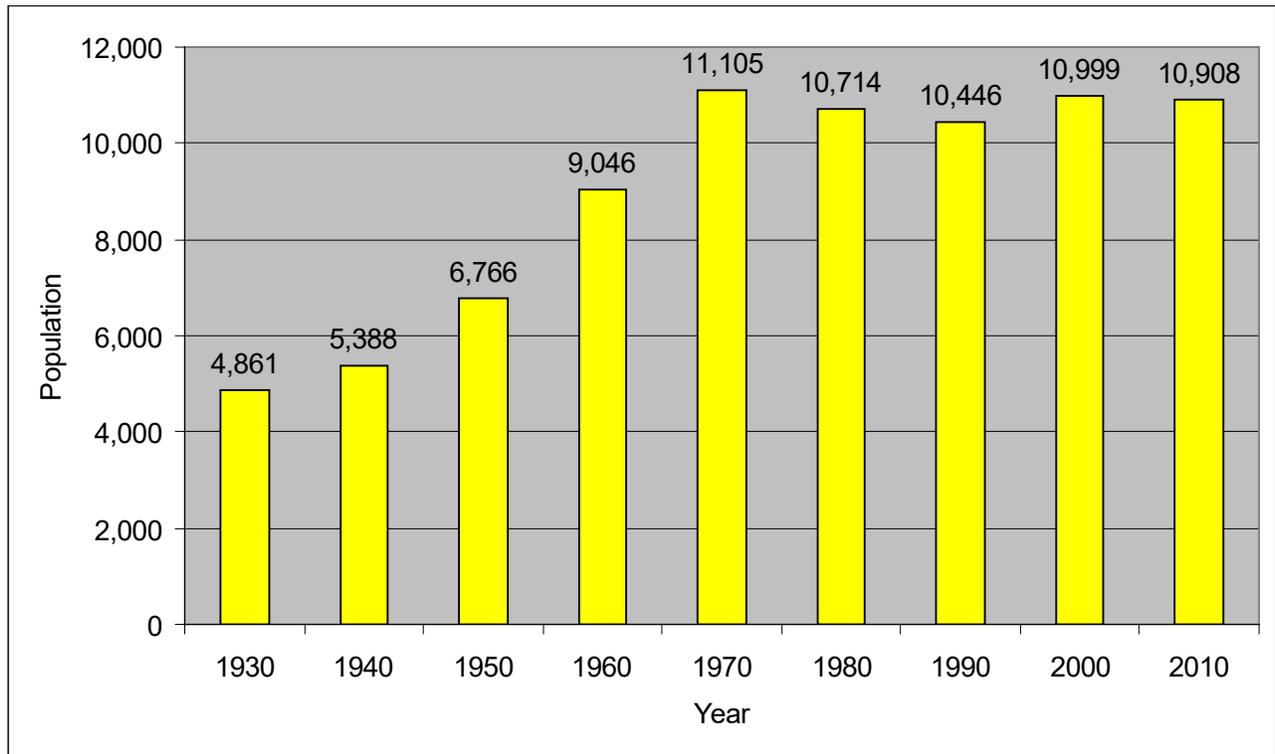
A. LOCAL LEVEL CHANGES

It is appropriate to set the stage of analysis with a discussion of demographic changes since the time of the last reexamination. Provided herein is an assessment of population size, rate of population growth, age characteristics, as well as household size and income levels. Each of these items is described in detail below. This information is vital for the Borough to properly plan for the current and future needs of its residents and the community. The most recent information from the ACS consists of five-year estimates by the Census Bureau, not actual counts and may not be directly comparable to census figures.

Local Demographic Changes

1. Population: The 2010 Census determined the Borough has a population of 10,908 residents. Westwood has a population density of approximately 4,743 persons per square mile throughout its 2.3 square miles of land area. The following chart illustrates the population trend since 1930 from various sources available.

Chart 1: Historic Population Trends (1930-2010)
Borough of Westwood, New Jersey



Source: U.S.Census Bureau and Bergen County Data Book 2003

From this data, it is interesting to note that the Borough experienced a slight decline in population from 2000 to 2010. The resulting loss of 91 residents, which represented a 0.8 percent of the year 2000 population, occurred during a time in which the borough experienced significant improvements to its housing stock. This rehabilitation of the housing stock can lead to an increase in the population. This actual reduction in the population may be attributable to the aging population and homes with children aging into adulthood and into new locations.

2. Age Characteristics: Table 1 below provides the age distribution of the Borough’s population over the last 20 years as well as mid-decade projections. The Borough’s age characteristics indicate an aging community with the median age increasing to 42.7 years of age from 41.8 years of age at the time of the 2000 census and the largest cohort consistently remaining intact (25-34 age group in 1990, 35-44 age group in 2000, and 45-54 age group in 2010). The largest population declines between the 2010 census and the 2016 ACS 5-year estimates appear to be children under the age of 5 and elderly residents at the age of 85 and older with percent changes of -23.87% and -30.03% respectively.

**Table 1: Age Characteristics (1990, 2000 and 2016*)
Borough of Westwood, New Jersey**

Age Group	1990		2000		2010		2016*		Change (%) 2010 to 2016
	Pop	%	Pop	%	Pop	%	Pop	%	
under 5	634	6.1	762	6.9	691	6.3	526	4.7	-23.87
5-14	1,078	10.4	1,285	11.6	1,288	11.8	1,574	14.1	22.20
15-24	1,224	11.7	934	8.5	1,061	9.7	1,235	11.1	16.40
25-34	1,869	17.8	1,719	15.6	1,308	12.0	1,235	11.1	-5.58
35-44	1,630	15.6	1,972	17.9	1,693	15.5	1,521	13.6	-10.16
45-54	1,173	11.3	1,528	13.9	1,706	15.6	1,608	14.4	-5.74
55-64	1,089	10.4	1,047	9.5	1,351	12.4	1,543	13.8	14.21
65-74	899	8.6	808	7.5	857	7.9	942	8.4	9.92
75-84	617	5.9	624	5.7	630	5.8	760	6.8	20.63
85+	233	2.2	320	2.9	323	3.0	226	2.0	-30.03
Total	10,446	100	10,999	100	10,908	100	11,170	100	
Median Age	37.6		38.6		41.8		42.7		

* 2016 data is the average between January 2012 and December 2016.

Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

3. Average Household Size: Prior census data identified that between the 1990 census and the 2000 census, the Borough's average household size declined from 2.55 to 2.42. This trend was reversed with the 2010 census, albeit slightly (as noted in Table 2 below), as the average household size increased to 2.44. The borough's trend is not atypical when compared to the Bergen County average wherein the household size saw a slight decrease between 1990 and 2000 as well but has continued to increase since then. 2016 5-year estimates show a continued increase for both geographies.

**Table 2: Average Household Size (1990 to 2016*)
Borough of Westwood, New Jersey**

Year	Total Population	Number of Households	Average Household Size Westwood	Average Household Size Bergen County
1990	10,446	4,091	2.55	2.67
2000	10,999	4,485	2.42	2.64
2010	10,908	4,438	2.44	2.66
2016*	11,099	4,474	2.62	2.73

* 2016 data is the average between January 2012 and December 2016.

Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

4. Household Income: The ACS 2016 5-year estimate indicates that the median income for Westwood’s households increased from just below \$60,000 in 1999 to more than \$75,000 in 2016, representing more than a 25 percent increase over this timeframe. This significant increase parallels the increases in median income within the surrounding region as Westwood’s median income is just slightly more than the 2016 ACS 5-year estimate for Bergen County with a median income of \$88,487.

**Table 3: Household Income (1999 and 2016*)
Borough of Westwood, New Jersey**

Income Category	1999		2016*	
	Number	%	Number	%
less than \$10,000	261	5.9	120	2.8
\$10,000 to \$14,999	143	3.1	132	3.1
\$15,000 to \$24,999	382	8.6	282	6.7
\$25,000 to \$ 34,999	424	9.5	171	4.0
\$35,000 to \$ \$49,999	673	15.0	419	9.9
\$50,000 to \$74,999	872	19.4	672	15.9
\$75,000 to \$99,999	628	14.0	533	12.6
\$100,000 to \$149,999	733	16.3	753	17.8
\$150,000 plus	372	8.2	1,149	27.2
Total	4,488	100	4,231	100
Median Income (Household)	<i>\$59,868</i>		<i>\$89,817</i>	

* 2016 data is the average between January 2012 and December 2016.
Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

Local Housing Changes

This section of the analysis provides an inventory of the Borough’s housing stock. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated. The most recent information from the American Community Survey consists of five-year estimates by the Census Bureau, not actual counts and may not be directly comparable to census figures.

1. Number of Dwelling Units. As illustrated in Table 4 below, there was a 0.56 percent increase in the number of housing units in the Borough, from 4,610 units in 2000 to 4,636 units in 2010. The most recent ACS estimate depicts a housing stock decrease since 2010. As noted in the source information, the ACS is a presentation of averages across a range of five years, 2012 to 2016 in this case, and not an official count.

**Table 4: Housing Characteristics Dwelling Units (1950-2016*)
Borough of Westwood, New Jersey**

Year	Dwellings	Numerical Change	% Change
1950	2,076	--	--
1960	2,814	738	35.5
1970	3,468	654	23.2
1980	3,859	391	11.3
1990	4,260	401	10.4
2000	4,610	350	8.21
2010	4,636	26	0.56
2016*	4,474	162	-3.5

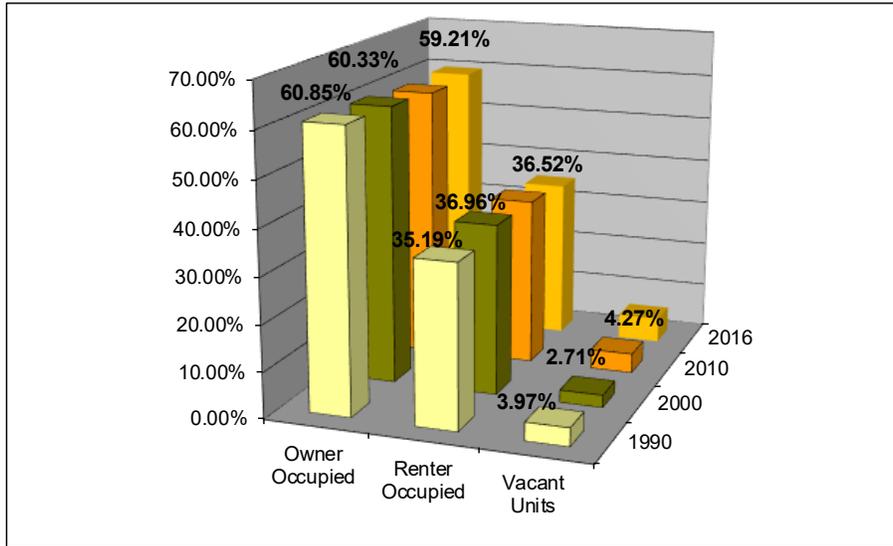
* 2016 data is the average between January 2012 and December 2016.

Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

Based upon New Jersey Construction Reporter Building Permit Data, from 2000 through 2009, 64 total housing units were constructed. During this same period, 32 units received demolition permits. Therefore, based on documented permit information, we can estimate from this data the Borough experienced an increase of 32 housing units between the years 2000 to 2009 or 0.69 percent from the 2000 census total or 3.5units/year.

As shown in Table 5 and Chart 2 below, percent in 2000 and then again to 59.2 percent in 2010. The rental occupancy increased from 35.2 in 1990 to 37 percent in 2000 and then back down again to 36.5 percent in 2010. Housing vacancy increased from 2.7 in 2000 to 4.3 percent in 2010 and is on track to continue with this trend as evidenced by the 2016 ACS 5-year estimate of 5.4 percent.

Chart 2: Housing Units by Tenure and Occupancy Status* (1990, 2000, 2010 and 2016*)
Borough of Westwood, New Jersey



* 2016 data is the average between January 2012 and December 2016.
Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

Table 5: Housing Ownership by Tenure and Occupancy Status (1990-2010*)
Borough of Westwood, New Jersey

Category	1990		2000		2010		2016*	
	# of Units	%						
Owner Occupied	2,592	60.8	2,781	60.3	2,745	59.2	2,669	59.7
Renter Occupied	1,499	35.2	1,704	37.0	1,693	36.5	1,562	34.9
Vacant Units	169	4.0	125	2.7	198	4.3	243	5.4
Total	4,260	100.0	4,610	100.0	4,636	100.0	4,474	100.0

* 2016 data is the average between January 2012 and December 2016.
Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

- Housing Characteristics. This section provides additional information on the characteristics of the Borough’s housing stock, including the number of units in structure and the number of bedrooms per dwelling unit. Single-family detached dwellings are the predominant housing type in the Borough. The 2016 ACS 5-year estimate provided in Table 6 below shows a total of 2,492 single-family detached dwellings which amounts to 55.7 percent of all housing units in Westwood. This percentage is a slight decrease from 2000, when single-family dwellings accounted for 58.6 percent. The data also reveals that there are a substantial number of units within multi-family developments, mostly located in large garden apartment buildings.

**Table 6: Units in Structure (1990, 2000, and 2016*)
Borough of Westwood, New Jersey**

Units in Structure	1990		2000		2016*	
	No.	%	No.	%	No.	%
Single Family, Detached	2602	61.0	2706	58.6	2,492	55.7
Single Family, Attached	20	0.5	123	2.6	132	3.0
2	464	11.0	505	11.0	494	11.0
3 or 4	258	6.0	351	7.6	314	7.0
5 to 9	136	3.2	212	4.6	172	3.8
10 to 19	228	5.4	155	3.4	220	4.9
20+	484	11.4	558	12.2	650	14.5
Mobile Home	0	0	0	0	0	0.0
Other	68	1.5	0	0	0	0.0

*2016 data is the average between January 2012 and December 2016.

Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

3. Housing Age. The table below indicates the relative age of the Borough’s housing stock, revealing that more than a third of units were constructed before 1939 and more than half were constructed before 1960. More than two thirds of the housing stock in the Borough are 50 years old or older.

**Table 7: Year Structure Built (2016*)
Borough of Westwood, New Jersey**

Year Units Built	Number	Percent
2010 or Later	11	0.2
2000 to 2009	241	5.4
1990 to 1999	345	7.7
1980 to 1989	454	10.1
1970 to 1979	383	8.6
1960 to 1969	473	10.6
1950 to 1959	833	18.6
1940 to 1949	465	10.4
1939 or earlier	1,269	28.4
Total	4,474	100.0

Source: 2016 American Community Survey 5-Year Estimates

4. Housing Conditions. An inventory of the Borough’s housing conditions is presented in the following tables. The following table presents the number of occupants per room which is the most common measure of overcrowding. The number of units considered

overcrowded has decreased since 2000, and most of the Borough's units are 1.00 or less occupants per room. Similarly, the overall number of total occupied units appears to have decreased from 4,485 in 2000 to 4,438 in 2010 and the estimate of 4,231 in 2016 according to the 2016 ACS 5-year estimate indicates a continued decline in total occupied units.

Table 8: Occupants per Room (2000, 2010 and 2016)
Borough of Westwood, New Jersey**

Occupants Per Room	2000		2010		2016*	
	Number	%	Number	%	Number	%
1.00 or less	4,379	97.6			4,162	58.4
1.01 to 1.50	45	1.0			55	1.3
1.51 or more	61	1.4			14	0.3
Total Occupied Units	4,485	100	4,438	100	4,231	100

*2016 data is the average between January 2012 and December 2016.

Sources: U.S. Census; 2016 American Community Survey 5-Year Estimates.

The table below presents additional detail regarding housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown, the 2016 ACS 5-year estimate shows less than one percent of Westwood's occupied housing units are lacking complete kitchen facilities, plumbing facilities and/or standard heating equipment.

**Table 9: Occupied Housing Units - Equipment and Plumbing Facilities (2000 and 2017*)
Borough of Westwood, New Jersey**

Facilities	2000		2017*	
	Number	Percent	Number	Percent
Kitchen:				
With Complete Facilities	4,589	99.5	4,307	100.0
Lacking Complete Facilities	21	0.5	0	0
Plumbing:				
With Complete Facilities	4,588	99.5	4,307	100.0
Lacking Complete Facilities	22	0.5	0	0
Heating Equipment:				
Standard Heating Facilities	4,594	99.6	4,268	99.1
Other Fuel	16	0.4	26	0.6
No Fuel Used	0	0	13	0.3
Total Occupied Units	4,610	100	4,307	100

* 2017 data is the average between January 2013 and December 2017.

Sources: 2000 U.S. Census; 2017 American Community Survey 5-Year Estimates.

5. Purchase and Rental Values. The table below shows that the Borough’s median monthly rent for its rental housing stock is approximately \$1,630 according to the 2016 ACS 5-year estimate. This figure is 15 percent higher than the median monthly rent of Bergen County, which was \$1,380 in 2016 according to the 2016 ACS 5-Year Estimates.

**Table 10: Gross Rent of Specified Renter-Occupied Housing Units (2016*)
Borough of Westwood, New Jersey**

Rent	2016*	
	Number	Percent
Less than \$500	192	12.8
\$500 to \$999	42	2.8
\$1,000 to \$1,499	376	25.0
\$1,500 to \$1,999	546	36.3
\$2,000 to \$2,499	103	6.8
\$2,500 to \$2,999	111	7.4
\$3,000 or more	134	8.9
No cash rent	58	X
Total	1,504	100
Median Gross Rent	\$1,630	

* 2016 data is the average between January 2012 and December 2016.
(X) means that the estimate is not applicable or not available.
Source: 2016 American Community Survey 5-Year Estimates.

**Table 11: Value of Specified Owner-Occupied Housing Units (2017*)
Westwood, New Jersey**

Value	2017*	
	Number	Percent
Less than \$50,000	82	3.1
\$50,000 to \$99,999	0	0
\$100,000 to \$149,999	16	0.6
\$150,000 to \$199,999	60	2.3
\$200,000 to \$299,999	148	5.6
\$300,000 to \$499,999	1,516	57.3
\$500,000 to \$999,999	809	30.6
\$1,000,000 or more	14	0.5
Total	2,645	100
Median Value	\$441,000	

* 2017 data is the average between January 2013 and December 2017.
Sources: 2000 U.S. Census; 2017 American Community Survey 5-Year Estimates.

As shown above, the median value of owner-occupied units in Westwood is \$437,800. This figure was only slightly below (1.28 percent change) Bergen County's median housing value, which was \$443,300 in 2016 according to the 2016 ACS 5-Year Estimates.

6. Number of Units Affordable to Low- and Moderate-Income Households. Based on COAH's 2017 regional income limits, the median household income for a three-person household in COAH Region 1, Westwood's housing region comprised of Bergen, Hudson, Passaic and Sussex Counties, is \$77,492. A three-person moderate-income household, established at no more than 80 percent of the median income, would have an income not exceeding \$61,993. A three-person low-income household, established at no more than 50 percent of the median income, would have an income not exceeding \$38,746.

An affordable sales price for a three-person moderate-income household earning 80 percent of the median income is estimated at approximately \$260,000. An affordable sales price for a three-person low-income household earning 50 percent of the median income is estimated at approximately \$150,000. These estimates are based on the UHAC affordability controls outlined in N.J.A.C. 5:80-26.1 et seq.

According to the 2016 ACS 5-year estimate, approximately 6 percent of Westwood's owner-occupied housing units are valued at less than \$200,000, and approximately 4 percent are valued at less than \$155,000, according to the 2016 American Community Survey.

For renter-occupied housing, an affordable monthly rent for a three-person moderate-income household is estimated at approximately \$1,550. An affordable monthly rent for a three-person low-income household is estimated at approximately \$970. According to the 2016 ACS 5-year estimate, approximately 40 percent of Westwood's rental units have a gross rent less than \$1,500, and approximately 16 percent of the rental units have a gross rent less than \$1,000.

7. Substandard Housing Capable of Being Rehabilitated. According to the current methodology prepared and recommended in May of 2016 by Fair Share Housing Center ("FSHC") for calculating regional low and moderate-income housing needs and allocating and calculating municipal housing obligations for housing regions and municipalities throughout New Jersey, the estimated number of units in Westwood that are in need of rehabilitation was 48 units. The Borough performed a Structural Conditions Survey in 2018 wherein the number of residential units in need of rehabilitation is 26 units. A plan to address this rehabilitation need is summarized in the 2019 Housing Element and Fair Share plan.

Local Economic Profile Changes

To properly plan for the current and future needs of the community, it is important to perform an analysis of the existing and probable future employment characteristics of the community in order to adequately take the temperature of the Borough’s economic profile and what it can and cannot support. The following tables present information on historic trends, employment characteristics, occupational patterns, and related data to fully inform the answers to these questions.

1. Employment Status. The table below provides information on employment status in Westwood for the segment of the population 16 and over. As shown, Westwood’s population age 16 and over has remained relatively stagnant around 67 percent while the unemployment rate for Westwood’s civilian labor force more than doubled between 2000 and the 2016 ACS 5-year estimate. This 2016 ACS 5-year estimate for unemployment rate is lower than the that of Bergen County’s 2016 estimate unemployment rate of 5.8 percent.

Table 12: Employment Status - Population 16 & Over (2000, 2010* and 2017) Borough of Westwood, New Jersey**

Employment Status	2000		2010*		2017**	
	Number	%	Number	%	Number	%
In labor force	5,874	66.3	5,990	68.2	6,098	68.5
Civilian labor force	5,874	66.3	5,990	68.2	6,098	68.5
Employed	5,750	64.9	5,675	64.7	5,945	66.8
Unemployed	124	1.4	315	3.6	153	1.7
% of civilian labor force	--	2.1	--	5.3	--	2.5
Armed Forces	0	0	0	0	0	0
Not in labor force	2,982	33.7	2,787	31.8	2,799	31.5
Total Population 16 and Over	8,856	100	8,777	100	8,897	100

* 2010 data is the average between January 2006 and December 2010.

** 2017 data is the average between January 2013 and December 2017.

Sources: 2000 U.S. Census; 2010 and 2017 American Community Survey 5-Year Estimates.

4. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of Westwood residents. Table 13 details employment by occupation and Table 14 details employment by industry. As shown in Table 13, nearly half of Westwood residents are employed in the management, business, science, arts occupations in the 2016 ACS 5-year estimate data, which increased to 49 percent from 42.5 percent in 2000. The occupation sectors that have experienced the greatest declines among Westwood residents since 2000 are service occupation (-27.3 percent change) as well as production, transportation, and material moving occupations (-28.8 percent change).

According to Table 14 below, the industries that have experienced the greatest declines among Westwood residents since 2000 include: agriculture, forestry, fishing and hunting, and mining; public administration; and arts, entertainment, recreation, accommodation and food services. The industries experiencing the most growth since 2000 were construction and professional, scientific, management, administrative, and waste management services at 66.2 percent and 63.4 percent growth respectively.

Table 13: Employed Residents Age 16 and Over, By Occupation (2000 and 2016*)
Borough of Westwood, New Jersey

Occupation	2000		2016*		Change (%)
	Number	Percent	Number	Percent	
Management, business, science, and arts occupations	2,444	42.5	2805	49	14.8
Service occupations	839	14.6	610	11	-27.3
Sales and office occupations	1,678	29.2	1598	28	-4.8
Natural resources, construction, and maintenance occupations	372	6.5	442	8	18.8
Production, transportation, and material moving occupations	417	7.3	297	5	-28.8
Total	5,750	100	5,752	100	

* 2016 data is the average between January 2012 and December 2016.

Sources: 2000 U.S. Census; 2016 American Community Survey 5-Year Estimates.

**Table 14: Employed Residents Age 16 and Over, By Industry (2000 and 2016*)
Borough of Westwood, New Jersey**

Industry	2000		2016*		Change (%)
	Number	Percent	Number	Percent	
Agriculture, forestry, fishing and hunting, and mining	8	0.1	0	0.0	-100
Construction	198	3.4	329	5.7	66.2
Manufacturing	665	11.6	403	7.0	-39.4
Wholesale trade	255	4.4	263	4.6	16.9
Retail trade	841	14.6	751	13.1	-10.7
Transportation and warehousing, and utilities	268	4.7	180	3.1	-32.8
Information	317	5.5	349	6.1	10.1
Finance, insurance, real estate, and rental and leasing	577	10.0	484	8.4	-16.1
Professional, scientific, management, administrative, and waste management services	598	10.4	977	17.0	63.4
Educational, health and social services	998	17.4	1379	24.0	38.2
Arts, entertainment, recreation, accommodation and food services	440	7.7	239	4.2	-45.7
Other services (except public administration)	355	6.2	299	5.2	-15.8
Public administration	230	4.0	99	1.7	-57.0
Total	5,750	100	5,752	100	

* 2016 data is the average between January 2012 and December 2016.

Sources: 2000 U.S. Census; 2016 American Community Survey 5-Year Estimates.

5. Employment Projections. A projection of the Borough’s probable future employment characteristics is based on an assessment of historic employment trends, the number of non-residential construction permits issued, approvals of applications for non-residential development, and probable non-residential development of lands. Each of these items are identified and outlined below.
6. Historic Employment Trends. The table below provides data on Westwood’s average annual employment covered by unemployment insurance over the past ten years. Employment in the Borough has fluctuated over the past decade between a low of 4,212 jobs in 2010 and 5,695 jobs in 2004. The most noticeable change in employment occurred between 2007 and 2008, when the Borough lost over 900 jobs, representing a 17 percent decrease. The Borough continued to lose jobs through 2010. Since then, the number of jobs has fluctuated with an

overall gain 569 jobs since the beginning of 2011. Assuming the current economic climate continues and recognizing the limited availability of vacant land for new non-residential developments, only minor changes in employment are anticipated. Based upon the fully developed character of the community's non-residentially zoned areas, leaving few locations available for further development, few additional jobs may be anticipated to be created. Although, the potential for additional infill development may be possible at locations such as the Pascack Valley Medical Center where additional job growth may occur in the Borough.

**Table 15: Average Covered Employment Trends (2005-2016)
Borough of Westwood, New Jersey**

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2005	5,458	--	--
2006	5,610	152	2.8%
2007	5,392	-218	-3.9%
2008	4,470	-922	-17.1%
2009	4,412	-58	-1.3%
2010	4,212	-200	-4.5%
2011	4,309	97	2.3%
2012	4,280	-29	-0.7%
2013	4,706	426	10.0%
2014	5,005	299	6.4%
2015	4,817	-188	-3.8
2016	4,781	-36	-0.7

Sources: NJ Department of Labor and Workforce Development.

B. STATE LEVEL CHANGES

This section discusses legislative and regulatory changes at the state level that affect land use and development policies in the Borough.

Council on Affordable Housing (COAH)

In May 2008, COAH adopted revised Third Round (growth share) regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2008 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. A 2010 Appellate Division case, which was affirmed by the New Jersey Supreme Court in 2013, invalidated the third iteration of the Third-Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt its newly revised Third Round regulations in October 2014. The Fair Share Housing Center, who was a party in the 2008, 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015, and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision.

This Court decision created a process for municipalities that had participated in the process before COAH and had received substantive certification, but due to the inertia of COAH never obtained Third Round substantive certification of their Housing Element and Fair Share Plan (HE&FSP) to file a declaratory judgment seeking a judgment that their HE&FSP was constitutionally compliant, and receive temporary immunity from affordable housing builders remedy lawsuits while they prepare a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the Court or COAH. In addition, while the Supreme Court's decision did set up a process for municipalities to address their Third-Round obligation, it did not assign those specific obligations.

Subsequently, the New Jersey Supreme Court issued an additional decision on January 17, 2017 regarding the "gap period." Commonly referred to as the Mt. Laurel V decision, the Supreme Court found that the "gap period," defined as the period between 1999 and 2015, generated an affordable housing obligation which must be addressed under the Present Need obligation. Accordingly, the municipal affordable housing obligation is now functionally comprised of four (4) parts, which include:

1. Present Need (rehabilitation)
2. Prior Round (1987-1999)
3. Gap Present Need (1999-2015)
4. Prospective Round (2015-2025)

Initially, two (2) sets of numbers were promulgated and widely discussed. These included numbers prepared by Econsult Solutions on behalf of a consortium of municipalities known as the Municipal Consortium, and numbers prepared by David Kinsey on behalf of the Fair Share Housing Center (FSHC). A third set of numbers was prepared by Special Master Richard Reading pursuant to the Ninth Revised Case Management Order regarding the declaratory judgment actions filed by municipalities in the Ocean County affordable housing matter. Most recently, on March 8, 2018, Judge Mary C. Jacobson issued a decision in the Matter of Princeton and West Windsor Township (herein referred to as the Mercer County Trial). Ultimately, the Court found a statewide aggregate affordable housing need of 154,581 affordable housing units, thus promulgating a fourth set of numbers. These numbers are summarized below:

	Approximate # of Additional Affordable Housing Units Required
Econsult	91,225
FSHC	309,691
Reading	120,415

On March 8, 2018, a new ruling by Judge Jacobson released the spreadsheets of Reading, used to generate the numbers in her opinion and order establishing the fair share obligations for Princeton and West Windsor. West Windsor made a motion to reconsider the opinion of Judge Jacobson based upon mathematical corrections/refinements that Econsult recommends at this juncture. If Judge Jacobson grants the motion, the obligations may change, although likely not substantially.

The 2015 Court decision as previously noted, created a process whereby municipalities, like Westwood, that had participated in the process before COAH and had received substantive certification prior to the invalidation of the growth share methodology, would be able to file a Declaratory Judgment action with the Court. The “certified” municipalities, like Westwood, would be granted temporary immunity against the filing of “builder’s remedy” style lawsuits while the Courts established fair share obligations and municipalities prepared new plans.

The Borough filed a Declaratory Judgment filing to the Superior Court in July of 2015 as required by the March 10, 2015 Supreme Court decision. The Borough subsequently met with Fair Share Housing Center (FSHC), an entity which had been deemed to have party status by the Court and to have intervened in this matter as a defendant, to negotiate a settlement regarding the Borough’s

affordable housing obligation and the means by which it would be met. After several meetings with FSHC and the Court appointed Master, the Borough, authorized by resolution of the Westwood Mayor and Council on April 24, 2018, agreed to this settlement. This settlement agreement now executed, was approved by the Honorable Menelaos W. Toskos, J.S.C. at a Fairness Hearing on June 7, 2018. The said agreement required several zoning amendments to be implemented along with a revised Third Round Affordable Housing Element and Fair Share Plan which was subsequently prepared.

Local Redevelopment and Housing Law

In 2013, an amendment to the Local Redevelopment Housing Law was approved by the State Legislature which permits the option of designating a redevelopment area with or without condemnation powers. Specifically, the amendment notes the following (amended section is underlined):

"The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality. The resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area").

The LRHL amendment also establishes additional notice requirements when designating an area in need of redevelopment, provides guidelines regarding challenges to condemnation redevelopment designations, and allows for additional options for designating an area in need of rehabilitation.

STATE STRATEGIC PLAN

In October of 2011, the Draft State Strategic Plan (SSP) was developed as an update to the current State Development and Redevelopment Plan (SDRP). The intent of the SSP is to increase focus on policies aimed to foster job growth, support effective regional planning, and preserve the State's critical resources. The four overarching goals that serve as the blueprint of the Plan are summarized as follows:

1. **Goal 1:** Targeted Economic Growth. Enhance opportunities for attraction and growth of industries of statewide and regional importance;

2. **Goal 2:** Effective Planning for Vibrant Regions. Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region;
3. **Goal 3:** Preservation and Enhancement of Critical State Resources. Ensure that strategies for growth include preservation of the State’s critical natural, agricultural, scenic, recreation, and historic resources.
4. **Goal 4:** Tactical Alignment of Government. Enable effective resource allocation, coordination, cooperation, and communication amongst governmental agencies on local, regional, and state levels.

Unlike the existing SDRP, the SSP did not contain any mapping. Thus far in its draft form, the SSP appears to have a greater emphasis on the State’s overall economic framework and provide information and goals for New Jersey’s various industry clusters. When and if the SSP is formally adopted, the Borough should examine how its Master Plan is consistent with the SSP.

Municipal Land Use Law

The following substantive changes have been made to the Municipal Land Use Law (MLUL) since the Borough’s last Master Plan Re-examination Report.

1. **Green Elements and Environmental Plan Element (Green Plan).** In 2008, the MLUL was amended to identify the Green Buildings and Environmental Sustainability Plan Element (Green Plan Element) as a potential component of a master plan. This element is designed to: encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site, and; optimize climatic conditions through site orientation and design.
2. **Renewable Energy Facilities.** Several amendments have been made to the MLUL to encourage the continued utilization of renewable energy facilities, including wind and solar facilities. The MLUL was amended in 2009 (S1303/A3062) to classify “wind, solar, or photovoltaic” facilities as inherently beneficial uses, which are defined as uses which are “universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare.” In that same year, the MLUL was also amended (A2550/S1299) to permit renewable energy facilities in industrial zones as a use by right on “parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity.”

Legislation (S1538/A2859) was also adopted in 2009 that extended the protections of the Right to Farm Act to the generation of solar energy on commercial farms within certain standards. Specifically, this legislation provides protection against local ordinances and regulations for those commercial farms seeking to generate solar energy. Farms seeking to utilize this legislation must be reviewed by the State Agriculture Development Committee (SADC), and must also be in compliance with Agricultural Management Practices.

Additionally, the MLUL was amended in 2014 (S921/A2289) to specify that an ordinance requiring approval by the planning board of either subdivision of site plans, or both, shall not include solar panels in any calculation of impervious surface or impervious cover. Finally, in 2019, MLUL was recently revised in Senate Bill 606, requiring municipalities to plan for electric vehicle charging infrastructure including locations where they are encouraged. This is addressed in Section 7 of this report.

3. **Statement of Strategy.** Legislation (S2873/A4185) was adopted on January 8, 2018 which requires any new land use element to incorporate a statement of strategy concerning the following issues:
 - a. Smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations;
 - b. Storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and;
 - c. Environmental sustainability.

4. **Time of Decision Rule.** Perhaps the most significant change in the MLUL since the time of the previous Reexamination Report was the abolishment of the “time of decision” rule in 2010. This previously established rule had favored municipalities during the hearing process by allowing them to make zoning ordinance amendments up until the final moment of a land use approval. The new rule, which went into effect in 2011, establishes that the zoning in place at the time of the filing of a development application will govern the review and approval of said application. Any ordinance amendments adopted subsequent to the date of submission of the application will not be applicable to that application.

SECTION 5: SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS

The review of the 1993 master plan revealed that its goals, objectives, and policy statements continue to represent, with modifications, a sound basis for the overall planning of the community. The following are the Goals and Policies of the 1993 master plan as modified in the 2005 Re-examination Report and reaffirmed in the 2011 and 2019 reexamination reports.

GOALS AND POLICIES:

The goals and policy statements as refined in prior re-examination report, are reaffirmed or updated as follows:

Goal 1: To maintain and enhance existing areas of stability in the community and encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and moderate density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the level, and locations, prescribed herein.

Policy Statement: The Borough of Westwood recognizes that one of its most significant attributes is its uniform land use arrangement, with limited intrusions of non-residential development in residential neighborhoods. The plan's land use recommendations are designed to protect and reinforce the prevailing detached single family residential development patterns in the community, encourage attached residential development only in those areas specified in the plan, preclude any introduction of incompatible non-residential use in areas designated for residential use, and reinforce the intensities-of-use recommended in this plan.

Goal 2: To ensure that any prospective development and/or redevelopment is responsive to Westwood's environmental features and can be accommodated within the community's infrastructure development.

Policy Statement: The borough seeks to encourage development, which is sensitive to the community's unique physical characteristics, and preserves the borough's sensitive environmental elements. Particularly, the borough encourages development which preserves steeply sloped areas (defined to include any slope of minimally fifteen percent grade), protects wetlands and flood plains, and retains vegetation (particularly trees of a caliper of minimally eight inches, and clusters of trees). The borough expressly recognizes that one of its attributes is the extensive treed character of so many of its building lots, and consequently it is recommended that a planned program of tree

preservation, through appropriate ordinance regulation, be imposed to ensure the retention of this natural feature. Additionally, the borough takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate their full zoned development potential.

Goal 3: To encourage and provide buffer zones to separate incompatible land uses.

Policy Statement: The borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential properties. This should be accomplished primarily within the framework of appropriate open space buffer strips containing suitable planting elements (including such elements as multiple rows of plant material, planting clusters, etc), in an effort to protect residential areas and to retain and reaffirm the community's overall landscape amenity.

Goal 4: To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the borough and region.

Policy Statement: The borough contains a broad and varied housing stock consisting of detached dwellings, townhouses and multi-family units. The borough's policy is to continue to accommodate this broad array of housing, and to encourage the provision of some additional townhouse and multi-family residential development, in accordance with the specific delineations depicted on the land use plan map but not encourage any additional attached residential development beyond that which is depicted on the Land Use Plan Map. The borough's housing policy recognizes that the State has specifically refined the housing issues to direct attention to the specific need for lower income housing. Within this framework Westwood has adopted several housing elements that were either certified by COAH or are to be approved by the New Jersey Superior Court.

Goal 5: To promote the continued maintenance and rehabilitation of the borough's housing stock.

Policy Statement: The borough seeks to encourage improvements in the existing housing stock. The borough seeks to fulfill this goal through participation in the county housing improvement program. Notice of the availability of these funds should be published in the local newspapers and posted on the borough's web site in order to bring the benefits program to the attention of residents of the borough.

Goal 6: To discourage the proliferation of two family and multi-family dwellings.

Policy Statement: The borough recognizes and acknowledges the existence of two-family and multi-family dwellings in the community. However, it has been determined that additional two-family dwellings and multi-family units, exclusive of those planned sites set forth in this plan, represent an intrusive element which erodes the established character of the community and represent a drain on facilities. The borough's land use policy is designed to prevent the construction or expansion of two-family and multi-family units except as provided herein. It is the express policy of the borough to discourage any other additional such development in Westwood.

Goal 7: To preserve and enhance the borough's commercial areas by: defining their functional role in the community, enhancing the quality of life within the commercial center through an appropriate mixture of activities; encouraging the assemblage of small properties to foster an efficient and attractive design; encouraging the use of the design elements identified in the Land Use Plan; and, encouraging the consolidation and expansion of off-street parking to provide greater convenience for shoppers.

Policy Statement: The borough seeks to encourage the continued development of the community's business district for retail and service commercial uses serving the daily needs of the resident population. The borough's broad land use policy is to reaffirm a central business district with its own integrity, uniformity of purpose, and integration of building, landscaping, signage, design and parking elements as set forth in the Land Use and Central Business District Plans, and also encourage the establishment of a definitive developmental character for the other commercial and business categories delineated herein.

Goal 8: To preserve the historic features of the borough as an integral part of the community's unique character.

Policy Statement: The borough seeks to protect historically significant structures as identified in this plan through the adoption of regulations, consistent with the land use act's intention to preserve historic properties. The county's list of historically significant properties or district's serves as a basis for which a refined list of properties and districts are to be formulated into a historic preservation element.

Goal 9: To discourage the creation of flag lots in the borough.

Policy Statement: The borough maintains that flag lots represent an improper land use arrangement which results in a lot arrangement which is inconsistent with the community's established

development pattern, and represents a development pattern which hinders emergency service access to such lots.

Goal 10: To ensure that child-care centers are located on suitably sized lots which provides sufficient outdoor play area, appropriate buffers to separate and screen on-site activity from adjoining residents, and sufficient parking to accommodate the parking needs, including employee parking, visitor parking, and pick-up/drop-off areas, of the facility.

Policy Statement: The borough recognizes that the use of lots in residential areas for child-care centers can impact the quality of life for adjoining residents. This impact encompasses a variety of factors. While a few children playing in a yard may be acceptable, a large number of children, playing throughout the course of a day, can be intrusive to adjoining residents. Appropriate screening for parking and drop-off activity is also needed. Consequently, the borough should mandate the provision of a suitably large lot for his type of use, thereby ensuring the provision of suitable physical buffer/separation features which will serve to minimize the impact of this use on adjoining residents.

Goal 11: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a state-wide basis while retaining the principals of home-rule.

Policy Statement: The borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific Metropolitan Planning Area designation for Westwood, represents a reasonable approach to growth management.

Goal 12: To promote the comprehensive health care services and continued economic development of the districts of the H-Hospital Zone, containing the existing HUMC North at Pascack Valley Hospital facility and the HSO Health Service Office Zone in the borough.

Policy Statement: It is the borough's policy to continue to support and promote the health care and wellness needs of the borough and the northeast region of Bergen County by affirming the health care districts of the H-Hospital Zone and HSO-Health Service Office Zone. These districts have developed over the last fifty years in the borough as a location for a broad range of health care services including an acute care hospital and related medical and rehabilitative services. The re-opening of the hospital is paramount to the needs and objectives of the zone plan for this area and the borough. The continued improvements to properties in these zones are supported and encouraged as zoned to insure they represent opportunities to provide supportive services to the health care needs of the region. It is recognized that the pre-existing building configurations in the

H zone may need to be reconfigured or replaced in the future to improve efficiencies and/or provisions of acute or comprehensive medical care to the community so long as the expansion occurs within the H district as designated. This policy is intended to foster the continued economic development of the area balanced with the need to maintain a desirable visual environment and mitigate impacts to adjacent properties.

Goal 13: The Borough includes the following goals and objectives, as contained in the MLUL, in this re-examination report to support and encourage sustainable planning practices. The borough promotes the issues of sustainability to establish the regulatory framework needed to prepare and adopt related ordinances and standards.

Policy Statement: The following objectives promote sustainability and provide guidelines for Westwood to implement municipal wide programs that promote sustainable practices and initiatives:

- a) To become a certified community under the Sustainable Jersey certification program including maintaining a “Green Team” committee to promote municipal sustainability programs.
- b) To adopt and enforce land use policies that reduce sprawl, preserve open space, improve transportation options and create compact walkable, developments wherever possible.
- c) To encourage sustainable development policies, which seek to protect and preserve the Borough’s environmentally sensitive features by utilizing energy efficient heating and cooling methods, minimizing waste and incorporating resource-efficient and recycled materials.
- d) To ensure that prospective development is responsive to the Borough’s environmental features and can be accommodated while preserving these physical characteristics. The Borough principally seeks to limit development to that which preserves vegetated steeply sloped topography, wetlands and floodplains, and retains such natural features as existing vegetation and habitat for endangered, threatened or rare species.
- e) To make energy efficiency a high priority for the Borough through building improvements and retrofitting Borough facilities with energy efficient lighting and water conservation technologies.
- f) To encourage new development and redevelopment projects to be compatible with the principles of the U.S. Green Building Council (USGBC). The USGBC, is a non-profit trade organization that promotes green buildings. The USGBC designed the LEED ND (Leadership in Energy and Environmental Design for Neighborhood Development) program for sustainable development. Since the

LEED certification program is a voluntary non-profit organization, compliance, while encouraged, is not mandatory.

- g) To promote environmental quality through site design, landscaping and irrigation and maintenance methods sensitive to the ecosystems of the region.
- h) To engage in community education and outreach programs to consistently promote an understanding of sustainable programs in the Borough and in the home or businesses.
- i) To preserve and protect the public aquifer and water resources in the community.

RECOMMENDED AMENDMENTS TO DEVELOPMENT REGULATIONS AND ZONE PLAN

A re-examination of Borough's development regulations suggests the need to modify the ordinances, so they remain current and reflect the Borough's overall land use policies. The recommended changes set forth herein include some substantive recommendations. The following is noted:

A. Recommendations for the CBD/SPE-Central Business Special Pedestrian Environment Zone

District: The Planning Board makes the following recommendations regarding improvements to the land use regulations pertaining to the CBD/SPE Zone:

1. Upper floor restrictions: Remove the first and upper floor distinction between uses. This would permit the following uses on the first and second floor:
 - a. Brokerage houses, Stockbrokers;
 - b. Finance companies;
 - c. Business and professional offices (not medical);
 - d. Custom packaging and retail mail services;
 - e. Tailor shops,
 - f. Travel and ticket agencies.
2. Retail Uses. The following uses are recommended as principal permitted uses in the zone.
 - a. Houseware sales;
 - b. Merchandise showrooms (such as kitchen and cabinetry);
 - c. Retail merchandise pick up locations.

3. Educational and Lifestyle: The following uses are recommended as principal permitted uses in the zone.
 - a. Personal instruction or learning center;
 - b. Yoga or personal physical training or instructional- studio's, (maximum square footage of 1,750 sf and excluding health clubs);
 - c. Arts and crafts sales and individual maker studios (non-manufacturing);
 - d. Life coach, therapists;
 - e. Weight loss center;
 - f. Language arts center;
 - g. Coworking offices or study cafés;
 - h. Dance studios.
 - i. Recording studio;

4. Service uses: The following uses are recommended as principal permitted uses in the zone.
 - a. Personal care cosmetic or beauty salon (excluding massage parlors)
 - b. Internet website design and hosting services;
 - c. Locksmith;
 - d. Pet grooming;
 - e. Personal shopper service.

5. Restaurants: The following are recommended adjustments to the permission of restaurants in the CBD/SPE zone with the following adjustments:
 - a. A winery or brewery affiliated tasting room as a permitted use subject to the same limitations as a restaurant in the CBD/SPE.

6. Residential: Permit some limited residential as a conditional use to be approved by a Board subject to the following conditions:
 - a. Permitted only on building floors above the first, street level or ground floor;
 - b. Parking for proposed units is not required wherein units are being retrofitted into the existing building area (without an addition), up to a density of 25 units per acre on the lot or lots proposed. Parking beyond 25 units per acre density shall be required to be provided based upon applicable R.S.I.S. requirements. The approving Board at the time of a site plan application, may consider proximity to mass transit

or shared parking arrangement subject to a parking needs analysis reviewed and approved by the Board;

- c. A restriction on the maximum number of units are recommended;
- d. Subject to the maximum building height requirements.

7. Microbrewery or Limited Brewery Use: The Board extensively reviewed permitting what would be termed as Limited Brewery uses in the CBD/SPE Zone. It is noted such a use needs to be specifically defined if permitted since there are distinctions between a "Limited Brewery" and a brew pub in that a brew pub is a brewing facility that also operates a restaurant. The Board recommends the following definition and conditional use criteria in the CBD/SPE Zone:

LIMITED BREWERY – A commercial facility, which shall not sell or serve food or operate a restaurant, which brews any malt alcoholic beverages in quantities for which it is licensed by the Alcoholic Beverage Commission (ABC). The Limited Brewery may sell the product at retail to consumers for consumption on the premises but only in connection with tours of the brewery as defined and required by ABC regulations. The Limited Brewery may also offer samples of its malt alcoholic beverages for sampling purposes only. "Sampling" shall mean the selling at a nominal charge or the gratuitous offering of an open container not exceeding three ounces of any malt alcoholic beverage produced on the premises. Additionally, such a Limited Brewery may sell the malt alcoholic beverage product for consumption off premises in a quantity in accordance with all Alcoholic Beverage Commission regulations.

Limited Brewery permitted as a conditional use subject to the following requirements:

- a. Minimum distance between another parcel of property containing a Limited Brewery shall be no less than 500 feet;
- b. Maximum building square footage of all levels 4,000 square feet;
- c. No portion of a parcel containing a Limited Brewery shall be located within 100 feet of the R-1 Detached Single-Family Residential District lot;
- d. No residential uses shall be permitted in the same building containing a Limited Brewery;
- e. A maximum retail area of 10 percent of the facility may be allocated to the retail sales of brewery related beverages or brewery brand promotional products.

The following are supplementary requirements and not conditional use requirements for a Limited Brewery:

- a. Provisions are recommended to be provided and detailed to the Borough regarding the control of odors from the brewing process and waste disposal;
 - b. Provisions are recommended to be provided and detailed during site plan review regarding on-site handling and collection of related brewery waste materials;
 - c. Parking requirements. Parking required for areas for use by patrons, such as tasting rooms, reception areas and seating or bar area are recommended to be in accordance with the restaurant regulations of 195-162. Parking required for production, storage or warehousing areas is one space per 1,000 square feet;
 - d. Hours of operation are recommended to not exceed 11:00pm on weekdays and 12:00am on weekends.
8. Commercial Roof Top Use: To enhance and promote experiential retail and dining in the downtown, commercial rooftop uses in the CBD/SPE zone are recommended as a conditional use where they are associated with a permitted use in the floor below of the same building. Such use is subject to the review and approval of the reviewing Board in accordance with the following recommended draft criteria:

Commercial Roof Top Use: A conditional use in association with an occupied permitted use in the same building on the floor below said rooftop use subject to the following use requirements:

- a. The rooftop use shall conform with all applicable building code regulations including access, egress, support loading and fire protection or rating conformance for all materials in consideration of the scope of the proposed use. The rooftop space shall be completely contained by a building code compliant barrier.
- b. Habitable fully enclosed rooftop appurtenances are included in the building story limits of the zone except for access stair or elevator appurtenances and roof top mechanical rooms.
- c. Open rooftop appurtenances shall not exceed more than 10 percent of the entire rooftop area and that they do not exceed the height limitations in the zone as provided in this chapter by more than 10 feet. Such features shall be attached to the rooftop structure. Pergolas, tents and umbrellas, temporary or permanent, are prohibited on all commercial rooftops.
- d. The total area of a commercial outdoor rooftop use shall not exceed more than 75 percent of the total rooftop area of the building.

- e. The patron occupancy area of the outdoor rooftop use shall be setback minimally 6 feet from the edge of the roof where not protected by an existing building.
- f. No outdoor roof top use shall be in operation between the hours of 11:00 pm to 10:00 am.
- g. The outdoor rooftop use shall be setback a minimum of 100 feet from the R-1 zone.

The following are general design standards, not conditional use requirements, recommended for commercial rooftop uses:

- a. The space occupied by patrons of the commercial roof top use in excess of 20% of the indoor commercial use patron area, shall be included in the total parking requirement of the use.
- b. The rooftop use shall conform with all municipal and state regulations concerning noise;
- c. Sound systems used by commercial rooftop uses shall have sound limiters to be approved by the Board.
- d. The rooftop shall not contain light fixtures higher than 8 feet and be fully shielded from adjacent properties. Except, ambient patio string lights shall be permitted with lamps not exceeding 15 watts each for incandescent and 1.4 watts for LED lamps. Such string lamps shall not be closer than 24 inches apart.
- e. Rooftop storage cabinets not higher than 42 inches shall be permitted and same shall be secured by attachment to the roof or by adequately weighted ballast.

B. Recommendations for the CBD-Central Business Zone District:

1. Adult Day Care. Add adult day care facilities as a permitted conditional use (refer to the Appendix A for sample regulations).
2. Mixed Use. The Borough 2005 master plan re-examination report supported a mixed-use concept in the southerly area of the CBD to assist in the vitality of the district, but formal recommendation was not included nor was it enacted by the Governing Body. This re-examination report continues this recommendation in specific areas of the CBD and with special considerations to be defined.
3. Health Care Support Services. The 2005 re-examination recommended the development definitions include a definition for a health care support services as well as specify zones wherein they would be permitted such as in the CBD, CO and O zones. This recommendation is reaffirmed, and the services included under this use would include a wellness center, nutritionist, physical therapy, holistic healing and dietitian. The parking standards should also include a recommended standard for this use of 1 space per 200 square feet.

4. Tattoo Studio. The Board recommends a Tattoo studio be a permitted use in the CBD Zone District.
5. Virtual Reality Simulation Centers. The Board recommends in consideration of business and technological advancements, Virtual Reality or VR Simulation Centers are a use that may be appropriate in certain locations. Such a center is a new and potential up-and-coming use which can serve as both for retail entertainment as well as businesses or medical treatment uses. To permit such a use, the following definition is offered:

VIRTUAL REALITY (VR) SIMULATION CENTER

A virtual reality simulation center is a business establishment that provides consumer services or entertainment by computer-generated simulation of a three-dimensional image or environment that can be interacted with in a seemingly real or physical way by a person using special electronic equipment, such as a helmet with a screen inside or gloves fitted with sensors. Nothing in this definition shall in any way be construed to authorize, license or permit any gambling device whatsoever, or any mechanism that has been judicially determined to be a gambling device or in any way contrary to any future law of the State of New Jersey.

In consideration of the needs of this use, a VR Simulation center is recommended as a permitted use for the following zone districts; CBD, CO, O, HSO, LB-1 or LB-3, LM, RW and SC zone districts. If such a use is permitted for retail entertainment, then an exemption is recommended to be added to permit a small percentage of such a facility to permit retail sales of related products or refreshments to patrons of the facility

Should the Mayor and Council wish to implement prior recommendation regarding permitting retro style electronic amusement arcades in certain zones, it is noted the current list of prohibited uses will need to be amended to permit the limited activity and the following is offered to clarify the definition in the current regulations:

AMUSEMENT GAME or AMUSEMENT ARCADES

Any video game or similar machine in a business establishment, operated by coin, disc, token, key or similar device. Such facilities shall be in compliance with applicable licensing requirements of the Borough and not permit what are termed as shooting galleries. Nothing in this definition shall in any way be construed to authorize, license or permit any gambling device whatsoever, or any mechanism that has been judicially determined to be a gambling device or in any way contrary to any future law of the State of New Jersey.

6. Permitted Use Refinement. The Board recommends further review of the permitted uses in the CBD and CBD/SPE zones to further refine and consolidate similar uses and to clarify or update certain outdated uses as determined necessary;
7. Additional Accessory Uses. The Board recommends adding as an accessory use in the CBD and CBD/SPE zones, valet parking- public and private conditionally permitted subject to review and approval by the Board with offsite storage if proposed to be identified and adequately secured.

C. **Recommendations for the CO-Central Office Zone District.** The following uses are recommended as principal permitted uses in the zone:

1. Permit adult daycare as a conditional use;
2. Permit multifamily residential in recognition of the scale of the existing multifamily residential that has been developed in this area;
3. Permit general commercial (non-retail) uses;
4. Permit learning/educational uses.

D. **Recommendations for the O-Office Zone District.** The following are recommended considerations for this zone:

1. Recommend dividing the "O" zone into three separate zones to recognize the unique conditions of each area as a result of property improvements and their location. The first area referenced as "O-1" would be the existing O-Zone area north of Irvington Street (inclusive of the Trader Joe's store). This zone would permit limited commercial activity in recognition of the developed retail condition in this northeast area. This area, with exception of a few smaller office buildings, have historically been used for retail activity. This activity noted as the former A&P food market in the 1950's to the current Trader Joe's which opened in the late 90's, this area has continued as a retail use during this timeframe. The current "O" zone designation does not permit this use at this location and the recent upgrades and expansion of Trader Joe's was approved by the Zoning Board including a use variance. In consideration of this improvement, it is recommended the zone plan be modified to designate this area as a new zone wherein the existing retail is recognized as a permitted use and the existing office uses would be continued as permitted uses.

The second or "O-2" district would include the remainder of the O-zone district except for the area fronting the southerly side of Jefferson Avenue between Broadway and Old Hook Road. The O-2 zone would remain as currently regulated except for the potential additional uses noted herein.

The remaining area of the current "O" zone district along Jefferson Avenue would be designated as the O-3 zone to recognize the developed condition and historic structure zoning in this area. The O-3 Zone would be refined to recognize the existing developed condition and appropriate refinements as needed to the bulk criteria.

2. Adult daycare use with conditions is a recommended conditional use in all the "O" districts. See Appendix A for sample regulations;
3. Learning/educational uses are a recommended use in all of the "O" districts;
4. The zone map is recommended to be revised to identify the above noted refinements to the "O" district and the Jefferson Avenue Historic District overlay in this zone for clarity and consistency of public information.

E. Recommendations for the LB-1, LB-2 and LB-3-Limited Business Zone Districts. The following are recommended considerations for this zone:

1. The 2019 Housing Element and Fair Share Plan recommended, and the governing body adopted an overlay ordinance for a portion of the LB-1 zone area to address unmet need requirements pursuant to the Superior Court approved settlement agreement with the Fair Share Housing Center. This use is not currently recognized by the Land Use Plan for this area and should be amended in future updates to the Land Use Plan.
2. A farmer's market is recommended as a permitted principal or conditional use in the LB-1 zone.
3. In the LB-1 and LB-2 zone districts, micro-brewery, micro-winery or micro distillery facility are recommended subject to specific conditional use requirements (in conformance with applicable New Jersey ABC licensing requirements).
4. Commercial catering kitchens are recommended as a use in the LB-1 zone.

F. Recommendations for the H-Hospital Zone District. The following are recommended considerations for this zone:

1. The Planning Board recognizes the importance of the continued modification and improvement to the hospital and recommends the zone be further evaluated as follows:
 - a. The current hospital has requested the zones purpose be refined by adjusting the type of hospital identified in the regulations to expand the term to community and regional hospital and/or medical centers;

- b. Consider the hospitals request for additional floors and height of building. The current height limit is 5 stories 65 feet, whereas 6 or 7 stories is requested for consideration. Further, the evaluation to increase building height should consider incorporating a provision that the additional stories above 5 stories should include requirements for a graduated setback relative to the additional stories. Such proposals should require a sun shadow study during the review of a site plan application to evaluate the potential negative impacts to adjacent single-family properties.
- c. Re-evaluate standards of parking garages in the zone as they relate to existing setbacks from Old Hook Road. A minimum front yard setback of 50 feet is a consideration whereas a parking garage is not permitted in front of the hospital building or at the minimum setback currently permitted is 95 feet. Changes to these standards should incorporate architectural design requirements to blend and coordinate the proposal with the architecture of the hospital and to enhance the design of the structure while reducing impacts.
- d. The 2011 re-examination report included a recommendation which has not been implemented to date although remains a recommendation in this report as follows:

The existing Hospital zone encompasses the primary hospital buildings identified as Lot 16 of Block 2001. It has been noted that the existing Center for Women’s health located on the adjacent Lot 65, is also owned and operated by HUMC and is located in the HSO Zone. It is recommended that this lot be re-zoned into the Hospital Zone. This recommendation would allow flexibility for the use of this building. In addition, the rezoning would reflect the current developed condition wherein the existing building orientation towards the hospital and vehicle access is provided by a common drive to the hospital.

G. Recommendations for the HSO-Health Service and Office Zone District. The following are recommended considerations for this zone:

- 1. Permitting adult daycare as a conditional use;
- 2. It is recommended the portion of the existing HSO zone located on both sides of Old Hook Road and adjacent to Kinderkamack Road, be further studied in recognition of the physical

separation from the primary area of the HSO zone located adjacent to the Hospital zone. If deemed appropriate, this area may be suitable for a secondary HSO zone wherein the existing uses can be brought into conformance. Additionally, the bulk criteria for the new zone may need to be updated as necessary to address existing developed conditions without impacting the intent and safeguards included in the current zone plan.

H. **Recommendations for the LM-Light Manufacturing Zone District.** The following are recommended considerations for this zone:

1. Permitting adult daycare as a conditional use;
2. Micro-brewery, micro-winery or micro distillery facility (in conformance with applicable New Jersey ABC licensing requirements) subject to specific conditional requirements.
3. Permitting surface parking areas as a principal permitted use for properties in the LM and RW zones. The following is recommended as requirements pertaining to parking areas as a principal permitted use:
 - a. Off street parking lots be permitted as a principal permitted use in the LM zone subject to the requirements of Article XX, Off Street Parking requirements of this Chapter. Such parking areas shall also comply with the following:
 - b. Shall be screened by landscaping as approved by the approving Board;
 - c. Screened with a minimum buffer in accordance with the buffer requirements of § 195-133 from a residential-zoned or residentially developed property;
 - d. The parking area shall be calculated in the total impervious coverage of the site;

I. **Recommendations for the RW- Retail Wholesale Zone District.** The following are recommended considerations for this zone:

1. The 2019 Housing Element and Fair Share Plan recommended, and the governing body adopted an overlay ordinance for a portion of this area to address unmet need requirements pursuant to the Superior Court approved settlement agreement with the Fair Share Housing Center. This use is not recognized by the current Land Use Plan and should be amended in future amendments to the Land Use Plan.
2. Permitting surface parking areas as a principal permitted use for properties in the RW zones subject to the requirements as noted in the LM Zone recommendations noted above.

J. **Recommendations for the R-1, R-2, R-3 Zone Districts.** The following are recommended considerations for this zone:

1. Short Term Rentals. Short-term rentals are commonly defined as "any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days" The Board reviewed if short-term rentals in residential zones should be further regulated. The Board chose at this time to not offer recommendations on this issue until further information can be gathered regarding the impacts of such uses on the zone plan.
2. Implement regulations for solar mounted panels for residential areas in order to both permit their installation and to provide appropriate regulations (see the appendix of this report for a sample regulations).

K. **General Recommendations:**

1. Shared Parking: Permit shared parking and ride share service parking areas subject to review and approval by the Zoning or Planning Board;
2. Outdoor Dining: The outdoor dining regulations shall be further refined as follows:
 - a. Add a clarification the outdoor dining area can span the length of the related businesses entire storefront in the regulations for outdoor dining;
 - b. Amend regulations so only the chairs need to be brought in after business hours, but tables may remain but shall be secured overnight;
3. Signs: The following is recommended changes to the regulations pertaining to signs:
 - a. The Planning Board reviewed the existing limitation on the number of colors permitted on a sign. A signs background color is calculated as one of the sign colors and if it incorporates black or white, they are also counted as a color. This criterion often creates a condition wherein if the sign background uses a color and a registered trademark or logo is located on a sign, such a condition either limits available colors for text necessitating variance relief. Additionally, it was noted the inclusion of black and white is burdensome to some proposed signs since only 2 more colors would be permitted if these colors were part of a sign. The Planning Board recommends the following amendment to § 195-158 C. Prohibitions and limitations as follows (items in **bold** are the changes):

*No sign shall have more than **five** colors, **exclusive** of its background, frame or decorative parts. For the purposes of this article, black and white shall be considered colors. Three shades of one color shall be calculated as one color in the calculations of maximum number of sign colors. The color red is permitted on signs as an accent but cannot comprise more than 10% of the overall area of color on the sign. Signs shall be compatible with the color of the building facade and of neighboring facades and signs. Signs shall not use iridescent or fluorescent colors.*

- b. The Planning Board also recommends small illuminated “open” signs be permitted in all commercial zones. The following draft recommendations are offered for consideration. Amend section 195-153 B.” Permit requirements; exceptions” by adding a new section identified as follows:

 Illuminated “open” signs for permitted commercial establishments subject to the following:

- a. Only one such open sign shall be permitted per business;
 - b. The open sign shall not exceed 10 inches high by 20 inches wide;
 - c. The open sign shall be placed inside the store;
 - d. The open sign shall not be animated or flash in accordance with 195-158D;
 - e. The open sign shall consist of no more than 2 colors.
- c. The Planning Board recommends the regulation pertaining to the requirement for an opaque background on signs be further modified by amending section 195-156 C.(2)(a) [6] as follows (items in **bold** are the changes):

*Internally illuminated signs shall only be permitted to illuminate the text or logo of the sign, with the remainder of the sign background to be opaque or nonilluminated **with no illumination showing from the light source.***

- d. The Planning Board recommends small decorative barber shop style signs be permitted in the CBD/SPE and CBD districts under the hanging sign regulations. The following draft recommendations are recommended to amend section 195-156 C. (2) (d)” Hanging signs, perpendicular to building facades” by adding a new item identified as follows:

- [11] Barbershop Pole: a rotating pole with diagonal stripes of red and white or of red, white, and blue used as a sign for a barbershop subject to the following:

- A. Only one such open sign shall be permitted per business;
- B. Maximum height of 30 inches;
- C. Maximum diameter 9 inches;
- D. Maximum projection from wall 12 inches;
- E. Minimum clearance from grade at base of pole 7 feet.
- F. Such barbershop pole shall not be illuminated after business hours.

4. Landscaping Requirements for Parking Areas. The Planning Board recommended the following amendments in bold to the standards contained in §195-166 B. and D. of the Landscaping in parking and loading area standards as follows.

*B. Parking areas with 20 or greater parking spaces shall be screened from the street with landscaping, fencing or a wall, and interior parking lot landscaping shall be required. Whenever feasible, the approving authority shall require that at least 10% of the paved parking lot area shall be used for interior landscaping, including shade trees and shrubs. **Interior Landscaped areas should be located in protected areas, such as along walkways, in center islands, or at the end of parking bays, and shall be distributed throughout the parking area to mitigate the view of the parked vehicles without interfering with adequate sight distance for vehicles or pedestrians. Such interior landscaped areas shall also include end islands located adjacent to the ends of rows of parking on the perimeter of the parking area.** The landscaping shall consist of hardy, low-maintenance varieties of trees and shrubs complying with the standards of the American Association of Nurserymen.*

*D. One shade tree, with a minimum diameter of 2 1/2 inches measured six inches above the ground, shall be provided for every 10 parking spaces in **said parking area.** Trees shall be staggered and/or spaced so as not to interfere with driver vision and shall have branches no lower than six feet.*

5. Historic Preservation. The Borough's continued efforts regarding historic preservation has advanced in several areas with the following being noted for future consideration:

- a. The Borough adopted a historic district designation for several properties located along Jefferson Avenue titled as the Jefferson Avenue Historic District. This district is located completely in the "O" Zone and requires the review by the Historic Preservation Commission and a Certificate of Appropriateness for future changes to the structures. To properly identify and locate this district, it is recommended the

Zoning Map be further revised to identify the limits of the Jefferson Avenue Historic District.

- b. Recently the Westwood Historic Preservation Commission has successfully petitioned to have the Westwood Train Station and the surrounding Westwood Veterans Memorial Park placed on the National Register of Historic Places by the U.S. Department of the Interior. This designation will assist with funding improvements and requires review of impacts to this area by future development and related improvement proposals.
- c. It is recommended the Historic Preservation Element of the Master Plan, last adopted in April of 2007, be updated to reflect these attainments.

GENERAL CONSIDERATIONS FOR THE CENTRAL BUSINESS DISTRICT AND THE SPECIAL PEDESTRIAN ENVIRONMENT DISTRICT:

The Planning Board conducted several public meetings focused on the central business district in recognition of the need to reevaluate the district due to the changes in retail from ecommerce along with the evolving needs of the community. The sessions revealed several suggestions including issues of land uses, programing and functional needs. While several of these suggestions became recommendations that are included above, a summary of additional findings is provided in the appendix of this document for future consideration.

It is also recognized by the Planning Board through the efforts of Planning Board member Ms. Lauren Letizia; the downtown of Westwood received a Great Places in New Jersey Award as a Great Downtown from the New Jersey Chapter of the American Planning Association in 2019. This award recognizes the ongoing efforts of the Borough to maintain and enhance its great downtown for the residents of the community and the greater Pascack Valley region.

SUSTAINABILITY IN DEVELOPMENT REGULATIONS:

The Planning Board prepared the following recommendations regarding fostering sustainability in the Borough's development regulations. These are recommendations at this time and are subject to further review and analysis prior their incorporation into the standards.

- A. **Sustainable Construction Practices.** It is recommended that the Borough code include exemptions that seek to promote the use of sustainable construction methodologies. For all building in the borough, the measurement of floor area ratio (FAR), and setbacks in residential areas are measured from the outer limits of a building. Some methods to improve a structures insulation value is to add insulation to the outside of a structure or to increase the wall width of the exterior walls of a new or existing structure. While this additional thickness is generally

nominal, it can inadvertently deter the inclusion of this practice when the added thickness of the exterior wall will violate building setbacks or reduce the floor area permitted.

It is recommended that exemptions be formulated such that these energy saving techniques are not unduly penalized in comparison to conventional construction. Such a recommendation is to measure the floor area ratio from the interior edge of the exterior wall of the building. A second recommendation is to exempt an increase in the extension of the thickness of an existing exterior wall into a setback requirement up to 12 inches to permit the application of exterior insulation systems.

- B. **Permeable/Pervious Pavements.** The Borough should evaluate permeable materials that permit stormwater infiltration as an alternative to typical impervious paving materials during site plan and subdivision review.
- C. **Renewable Energy Systems.** Municipalities throughout New Jersey have enacted zoning regulations that promote the safe and effective use of renewable energy systems. In 2010, New Jersey enacted several laws related to renewable energy systems. Specifically, Governor Christie signed into law a bill that exempts the surface area of solar panels from being calculated as impervious surfaces. In addition, municipalities can no longer adopt regulations that place unreasonable limits or hinder the performance of small wind energy systems. Possible “unreasonable restrictions” include:
- prohibitions of small wind energy systems in all zoning districts;
 - generic height restrictions that fail to address the allowable height of a tower;
 - property setback requirements greater than 150% of the system height;
 - imposing maximum noise limits lower than 55 decibels at the property line or not allowing higher levels during short-term events;
 - setting structural or design states that exceed the State Uniform Construction Code

Additionally, there are several model ordinances available online that can be reviewed at the NJDEP – Office of Planning and Sustainable Communities website as well as the Association of New Jersey Environmental Commissions (ANJEC) website. Municipalities have also adopted “Sustainable Development Practices” checklists that establish green standards for an applicant to voluntarily address. It is also noted that the MLUL has been revised to include wind and solar or photovoltaic energy facilities or structures as inherently beneficial uses. Given the State’s legislative actions promoting alternative energy resources, the Borough is recommended to consider adopting bulk and area regulations that limit adverse impacts and provide for the protection of Borough residents while still promoting and encouraging the alternative energy resource development where balanced with the goals and objectives of the Master Plan.

RELATIONSHIP TO MASTER PLANS OF ADJACENT MUNICIPALITIES

Section 40:55d-28(d) of the New Jersey Municipal Land Use Law requires that the master plan include a specific policy statement indicating the relationship of the proposed development of the municipality as developed in the master plan to the master plans of contiguous municipalities. As such, this master plan reexamination includes a review of the master plans of the surrounding municipalities.

The Borough of Westwood is located in the north-central portion of the county. The Borough shares its municipal border with four other municipalities including Borough of Hillsdale to the northwest, Township of River Vale to the northeast, Borough of Emerson to the south, Township of Washington to the west.

A. Borough of Hillsdale

The Borough of Hillsdale abuts the northerly border of Westwood partially coincident with the Pascack Brook. The primary roadways of Broadway and Kinderkamack Road connect the two municipalities. Properties in Hillsdale along this border are zoned R-4 and R-3 Single Family Residential zones and the C Commercial zone. The R-4 and R-3 zone in Hillsdale is adjacent primarily to the R-1 single family residential zone although the north east shared border is adjacent to the O-Office zone although the Pascack Brook separates the two zones. The C Commercial zone in Hillsdale is located on Broadway which is coincident with the SC and LB-1 zone in Westwood. These zones are largely compatible with each other although future improvements should be reviewed for their potential impacts to each other. The Borough's 2019 Reexamination recommends maintaining these land uses thereby maintaining the consistency noted.

B. Borough of Emerson

Emerson borders the southerly and easterly boundary of the Borough. Kinderkamack Road and Old Hook Road are the primary roadway connections. The zoning in Emerson that are coincident with Westwood are the Single-Family zones of R-7.5 and R22.5, and the RC Retail Commercial Zone. The residential zones are adjacent to (from west to east), the R-1 Single Family zone, the CME Cemetery Zone and the LM Light Manufacturing zone. The LM and CME non-residential zones represent a specific area where future land use improvements need to be prepared with consideration of the adjacent single family residential uses that exist in the Borough of Emerson. The Retail Commercial zones are located largely adjacent to existing commercial zones in Westwood. There is a neighborhood in the southeasterly corner of Westwood that is zoned and developed as R-1 single Family residential. This area is adjacent to the RC-commercial district in Emerson. Compatibility and adequate zoning controls, including buffering, are necessary to be maintained due to the proximity of these two zones. This

condition will require diligence during review of future development improvements, so they are considerate of this established residential area.

C. Township of Washington

The Township of Washington land use plan recommends single family residential development for the portions adjoining Westwood. This section of Washington Township is characterized by low to medium density residential development and is compatible with the neighboring single-family residential uses located in Westwood.

D. Township of River Vale

The Township of River Vale borders the northeasterly boundary of the Borough of Westwood along the Pascack Brook Border. While most of land River Vale along the border is designated as Watershed/Conservation use, some of it is designated for low density single family use and single family affordable, compatible with the development plan in Westwood. The majority of the land uses in Westwood consist of Westvale Park.

Section 6: Recommendations Concerning the Incorporation of Redevelopment Plans into the Land Use Plan Element

In 1992, the Local Redevelopment and Housing Law (LRHL) was enacted into law. The LRHL replaced a number of former redevelopment statutes, including the Redevelopment Agencies Law, Local Housing and Redevelopment Corporation Law, Blighted Area Act, and Local Housing Authorities Law, with a single comprehensive statute. At the same time, the MLUL was also amended to require, as part of a master plan reexamination, that the issues raised in the LRHL be addressed.

The LRHL provides the statutory authority for municipalities to designate areas in need of "redevelopment or rehabilitation," prepare and adopt redevelopment plans, and implement redevelopment projects. Specifically, the governing body has the power to initially cause a preliminary investigation to determine if an area is in need of redevelopment or rehabilitation, determine that an area is in need of redevelopment or rehabilitation, adopt a redevelopment plan, and/or, determine that an area is in need of rehabilitation.

A planning board has the power to conduct, when authorized by the governing body, a preliminary investigation and hearing and make a recommendation as to whether an area is in need of redevelopment. The planning board is also authorized to make recommendations concerning a redevelopment plan and prepare a plan as determined to be appropriate. The board may also make recommendations concerning a determination if an area is in need of rehabilitation.

The LRHL establishes eight statutory criteria to determine if an area qualifies as being in need of redevelopment. While properties may often qualify for more than one of the criteria, the LRHL establishes that only one is needed for that area to be determined in need of redevelopment.

The criteria are outlined as follows.

The “a” Criterion: Deterioration

The generality of buildings in the area are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

The “b” Criterion: Abandoned Commercial/Industrial Buildings

The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable

The “c” Criterion: Public and Vacant Land

Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography or nature of the soil, is not likely to be developed through the instrumentality of private capital.

The “d” Criterion: Obsolete Layout and Design

Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

The “e” Criterion: Property Ownership and Title Issues

A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impeded land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to have a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

The “f” Criterion: Fire and Natural Disasters

Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

The “g” Criterion: Urban Enterprise Zones

In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zone Act,” the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment for the purpose of granting tax exemptions or the adoption of a tax abatement and exemption ordinance.

The “h” Criterion: Smart Growth Consistency

The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The statute defines redevelopment to include: "clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a development plan."

It is noteworthy that the statute specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area.

Since the time of the last reexamination, the Borough has not adopted any redevelopment plans. As such, there is no need to incorporate any redevelopment plans into the Borough’s Land Use Plan Element, nor is there a need to recommend any changes in the local development regulations necessary to effectuate the redevelopment plans in the Borough.

SECTION 7: RECOMMENDATIONS REGARDING PUBLIC ELECTRIC VEHICLE INFRASTRUCTURE

Recent legislation requires a review of recommendations concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The New Jersey Municipal Land Use Law was recently revised in Senate Bill 606, requiring municipalities to plan for electric vehicle charging infrastructure including locations where they are encouraged. Upon review of the locations where such infrastructure may be encouraged, the Borough offers the following areas as potential locations for such improvements:

- A. The municipal commuter parking areas and areas deemed appropriate in public parking areas adjacent to the New Jersey Transit Westwood Train Station or other appropriate transit stops in the Borough.
- B. Should it be deemed appropriate, the borough also contains locations where such a use on private property could be considered although, such considerations will require further analysis of the issues related to such a use. Some of the issues are; if the use is considered another principal or accessory use on a tract, the regulating bulk criteria to permit such a use, and how the use of parking spaces could impact the needs of the other uses on the tract. The zone districts where adequate existing or proposed parking areas could accommodate public electric vehicle infrastructure (subject to further review), include the CBD- Central Business, CO-Central Office, H-Hospital, HSO-Health Service Office, LB-1, LB-2, LB-3 Limited Business, LM-Limited Manufacturing, RW-Retail Wholesale, O-Office, SC-Shopping Center Districts.
- C. The criteria for how to regulate EV charging stations is an evolving issue. Since this will be such an evolving issue, a more incremental recommendation is offered such that a minimum of 3 to 5% of the spaces on a subject site can be (or should be), permitted (or required to be), outfitted with public vehicle charging infrastructure, and escalate this requirement in the future if necessary if proven by market demand.

Appendix Documents

Appendix A

(Sample Regulation)

Adult Senior Day Care facilities subject to the following conditions:

- A. Area and bulk regulations: (the following are conditional use standards where not listed the general LB-3 zoning requirements shall apply)

<u>Regulation</u>	<u>Requirement</u>
Minimum lot area (sq. ft.)	10,000
Minimum lot width (ft.)	100
Minimum lot depth (ft.)	100
Minimum front yard (ft.)	25
Minimum side yards (ft.)	25
Minimum rear yard (ft.)	50
Maximum building coverage (%)	40
Maximum impervious coverage (%)	70
Maximum building height (sty. / ft.)	2/30

- B. Parking areas, driveways and drop-off/pick-up areas shall be appropriately screened and buffered from adjoining properties which are either used or zoned for residential purposes.

Appendix B

(Sample Regulation)

Renewable Energy Regulations

The following zoning considerations as initial recommendations are offered to regulate renewable energy systems on balance with the states sustainable energy objective:

Solar Energy Systems:

A. Rooftop solar energy panels

1. Rooftop mounted solar energy panels is recommended as a permitted accessory use in all zone districts.
2. The following is recommended as the maximum height for solar energy equipment including supportive structures for zones of the borough:
 - a. R-1, R-2 and R-3 zones: 18-inch maximum height from a structures roof surface.
 - b. All other zones: Up to 36 inches from roof surface
 - c. Height of solar energy equipment is exempt from building height measurement.
3. The preferred location of such panels should be towards the rear of the structure if possible.
4. The maximum size and permitted location of supportive equipment should be provided in the regulations.
5. Where possible, materials, wiring, colors, textures, screening should blend with the architectural design of a building where the panels are being placed and into the natural setting and existing environment.
6. All installations shall conform to applicable building regulations and all structural appurtenances should be designed by a licensed structural engineer.

7. The installation of any solar energy system should not infer rights to a solar easement on an adjacent property or require the municipality to require such easements.
8. Ground mounted solar energy panels
 - a. A minimum lot of size and zones should be established whereby ground mounted solar energy panels are permitted as a conditional use with standards,
 - b. A minimum setback requirement similar to common accessory structure requirements should be established,
 - c. A maximum height should be established in consideration of a carport style installation,
 - d. A landscape screen should be required to minimize the impact of a ground mounted structure,
 - e. A re-vegetation requirement when use is terminated.
9. Building wall mounted solar panels. Building wall mounted solar panels are permitted only in SC, RW, LB-1thru 3, LM, HSO and H zone districts.

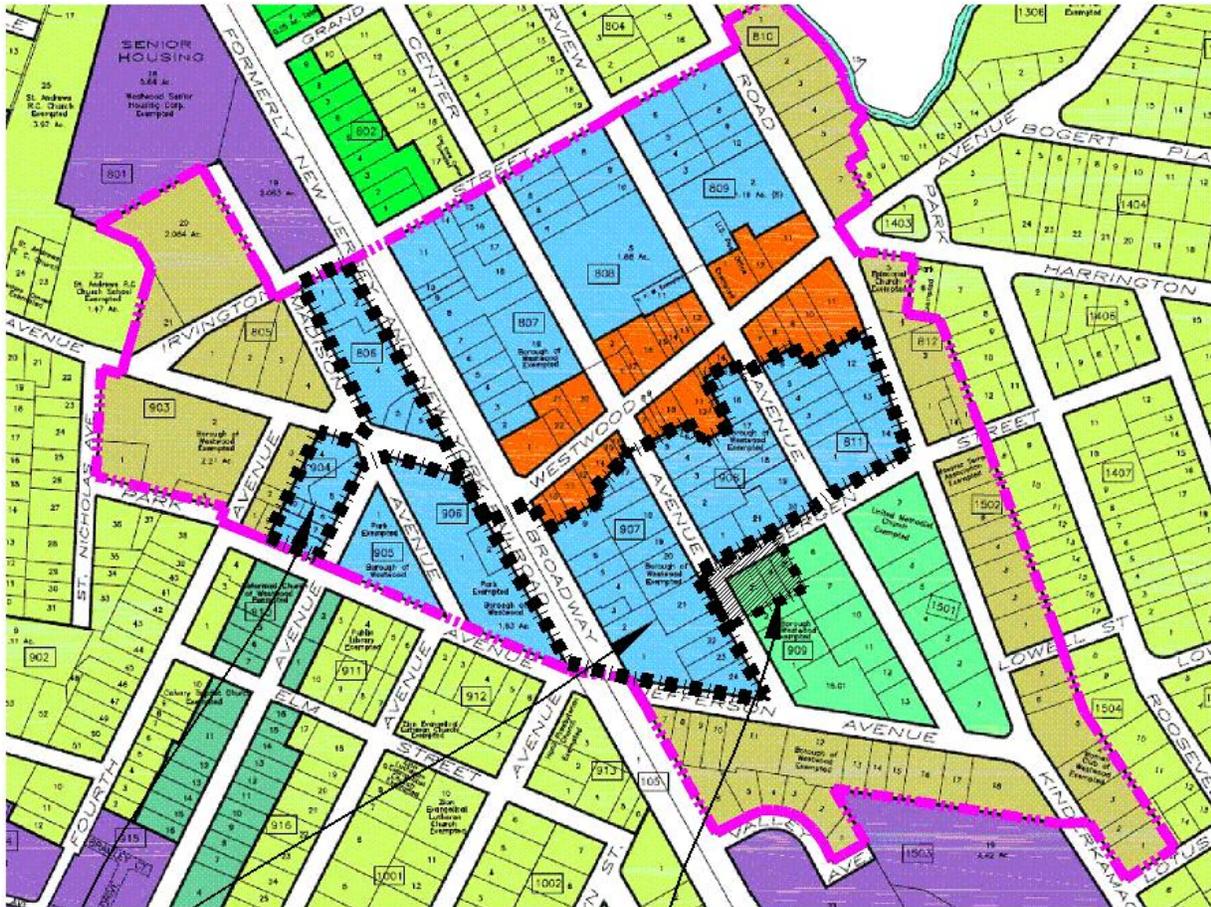
Wind Energy Systems Recommendations:

- A. As previously noted, wind energy systems cannot be prohibited in all zone districts, so the borough will need to establish appropriate zones where they will be permitted. It is recommended they be permitted in only certain non-residential zone districts with limited locations in residential districts due to their potential visual and existing performance zoning regulations,
- B. A reasonable maximum height should be established above the maximum permitted height in a zone. A consideration would be to permit an additional 5 or 10 feet above the permitted height of a building in a zone,
- C. The setback of an installation should be considered at 150 percent of the maximum height of the structure,

- D. All appurtenances associated with wind energy system should comply with the accessory structure requirements of the zone,
1. Specify the maximum noise levels as permitted by regulation of 55 decibels at the property line,
 2. Consideration should be given to limiting the size of such a turbine in specific zones and consideration of use of the definition of small wind turbines regulated by the maximum power generation.
 3. All installations shall conform to applicable building regulations and all structural appurtenances should be designed by a licensed structural engineer.
 4. The installation of any wind energy system should not infer rights to an easement on an adjacent property or require the municipality to require such easements.

Appendix C

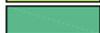
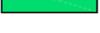
Proposed Mixed Use Overlay and CBD Zone Line Map Adjustment Illustration



PROPOSED MIXED USE OVERLAY LIMIT

PROPOSED CBD ZONE EXPANSION

LEGEND

 R-1 RESIDENTIAL	 C.B.D. CENTRAL BUSINESS DISTRICT
 R-2 MODERATE DENSITY/PROFESSIONAL OFFICES	 C.B.D./SPE CENTRAL BUSINESS DIST./SPECIAL PEDESTRIAN ENVIRONMENT
 R-3 MEDIUM DENSITY RESIDENTIAL	 R.W. RETAIL/WHOLESALE
 C.O.-CENTRAL OFFICE	 L.M. LIGHT MANUFACTURING
 LB-1 LIMITED BUSINESS DISTRICT 1	 HSO HEALTH SERVICES-OFFICE
 LB-2 LIMITED BUSINESS DISTRICT 2	 H-HOSPITAL DISTRICT
 LB-3 LIMITED BUSINESS DISTRICT 3	 SC-SHOPPING CENTER
 O-OFFICE	 CEMETERY

APPROVED BY THE MAYOR AND COUNCIL OF THE
BOROUGH OF WESTWOOD BY ORDINANCE # _____
ON _____

JOHN BIRKNER, JR.
MAYOR

KAREN HUGHES
CLERK

Map obtained from PDF file of Zoning Map prepared by Boswell Mc Clave Engineering dated October 21, 2008

Appendix D

Summary of supplemental findings for the CBD and CBD/SPE Zones.

The following is a summary of additional findings from the public review sessions of the CBD/SPE and CBD zones. These items are for information purposes only and are not specific policy recommendations or changes subject to further review and consideration:

Land Use

1. Strive to maintain the feel and character of the downtown when reviewing potential impacts of additional uses and proposals in the downtown area;
2. The evaluation of parking needs should be handled carefully since there is difficulty in finding spaces during certain times especially noted on weekends;
3. Consideration of entertainment uses including a carousel in the park could make the area a destination;
4. Consider beer gardens and possible use of side streets for closure as areas for such events;
5. Consider expanding day and nighttime activities that appeal to a broad range of patrons;
6. Consider cultivating other public indoor recreation space in addition to the Borough community center;
7. Improve ability to age in place within the community;
8. Strive for a balance among uses without overly dominating the downtown with similar uses;
9. A yoga studio would be desired, specifically on the first floor;
10. Younger generations such as millennials or generation Z, seek out experience and event retail;
11. A live music venue would be desired.

Functional, Programmatic or Marketing Recommendations

1. Crossing roadways are difficult at times. The Borough is recommended to review ways to improve safety and visibility of crosswalks.
2. Improve walkable connections to the downtown from the surroundings. A specific example for review was the Broadway crosswalks from adjacent senior housing facilities;
3. Recommend changing types of lamps in the downtown to improve illumination or brightness;

4. Consider establishing signs and other means of reinforcing entrances or gateways to the downtown;
5. Consider a parklet green/sitting area program promoted for periodic on-street parking spaces to create additional gathering spaces. Grants are available to fund an introductory program;
6. Improve places for people to sit along the streetscape establishing respite and an image of welcoming patrons;
7. An entity is recommended to be formed to help recruit businesses such as a bakery or similar establishments to meet the needs of the community;
8. A wayfinding map of businesses was suggested and confirmed such a program was underway to create such mapping;
9. Encourage web access for businesses and possibly an application (or App) specifically for the downtown in Westwood for orientation to stores and businesses;
10. Consider multichannel marketing of downtown;
11. Encourage businesses to remain open later to serve residents and add vibrancy;
12. Businesses are recommended to work together and promote each other to their customers;
13. Blue laws reduce the timeline where businesses can be open thereby limiting their success;
14. Consider applying for Main Street NJ, administered by the New Jersey Department of Community Affairs (DCA). This program is available to "eligible organization" (non-profit), with the primary mission of revitalizing a commercial district. The eligibility to the program requires an application and commitment by the eligible organization which is commonly a special improvement district (SID) or similar group.
15. Recommended the creation of experiences to draw visitors such as art pop-ups, sidewalk events. Use vacant storefronts or the train station space for such activities;
16. Consider special food or "training" events;
17. Consider special events, maybe on side streets, so main street (Westwood Avenue), does not have to be closed on weekends;
18. Include schools and institutions in special events and programming;
19. Consider relocation of the farmers market back adjacent to downtown instead of at the hospital;
20. Consider arts or music venues as a draw to the area;
21. Consider temporary art exhibit program in the downtown or the adjacent park areas;
22. Expand events at the park;