

**BOROUGH OF WESTWOOD
NOTICE**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the 19th day of September, 2017. Said Ordinance was taken up for further consideration for final passage at a regular meeting of the Mayor and Council on the 17th day of October, 2017, at which time the ordinance was amended and the hearing continued to November 21, 2017 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE 17-26

**AN ORDINANCE TO AMEND ARTICLE XIV, CHAPTER 195, ZONING OF
THE BOROUGH OF WESTWOOD, ENTITLED CBD/SPE CENTRAL
BUSINESS DISTRICT/SPECIAL PEDESTRIAN ENVIRONMENT DISTRICT
AMENDED
(Amendments appear in italics)**

WHEREAS, to compliment the Central Business District Special Pedestrian Environment (CBD/SPE), district in providing a variety of retail and limited service uses which are directed towards meeting the shopping and related needs of the area's residents; and

WHEREAS, in response to the changing needs of the business district and greater competition in the retail marketplace; and

WHEREAS, to further the goal of preserving and enhancing the borough's commercial areas by defining their functional role in the community and enhancing the quality of life within this commercial center of the Borough; and

WHEREAS, the Borough finds for added vibrancy and dining and entertainment options in the business district, permitting some additional areas where restaurants *or larger gourmet and specialty foods stores* are permitted would support such efforts; and

WHEREAS, the Borough finds the resulting draw and increased pedestrian foot traffic would help provide greater exposure to other businesses in the downtown; and

WHEREAS, the Borough finds there exist locations on corner lots with frontages on adjacent streets serving Westwood Avenue, are in close proximity to off-street public parking areas; and

WHEREAS, the Borough finds such establishments would activate building facades and improve the aesthetics facing adjacent streets; and

WHEREAS, the Borough concludes such locations on street corners would contribute to and not disrupt the retail context of the CBD/SPE as intended in the Master Plan and related documents; and

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood, in the County of Bergen and State of New Jersey, that Article XIV section 195 entitled “CBD/SPE Central Business District/Special Pedestrian Environment District” hereby amending and supplemented the existing code in the following particulars only:

Section 1. Amend section 195 amending section 195-118 B., entitled CBD/SPE Central Business District/Special Pedestrian Environment District and adding the following (deleted sections are noted by ~~strikethroughs~~, new sections are **bold**, revisions are in *underlined italics*).

AMEND THE FOLLOWING:

Amend Section §195-118 B. by adding the following section:

(4) Sit-down restaurants, *gourmet and specialty foods stores (subject to the seating area and amount noted herein), specifically located on* corner lots provided that:

- (a) The restaurant **or gourmet and specialty foods stores** use shall be located on a lot with frontage on a public street other than Westwood Avenue and such other public street frontage shall be physically contiguous with the demised patron space of the associated restaurant;
- (b) The minimum building frontage of the demised patron space of the restaurant **or gourmet and specialty foods stores** shall be 25 feet on the non-Westwood Avenue public street frontage;
- (c) A public customer entrance/exit to the said restaurant **or gourmet and specialty foods stores** shall be provided from at least the public street frontage other than Westwood Avenue;
- (d) Such restaurants **or gourmet and specialty foods stores** are limited to a maximum of 1,500 square feet of seating area or a maximum of 50 seats or as the building code permits;
- (e) To maintain the visual and physical continuity of the retail environment of Westwood Avenue and the CBD/SPE zone, such demised building space utilized for the restaurant **or gourmet and specialty foods store**, if contiguous with Westwood Avenue, shall maintain a storefront with windows on Westwood Avenue;

Amend Section §195-162 Table 1, Note #9. as follows:

In the CBD, CBD/SPE (as specifically permitted in §195-118 B.(4)), and SC Districts, the following parking standards apply to restaurants **or gourmet and specialty foods stores**:

Section 2. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 5. This ordinance shall take effect after final passage and publication as prescribed by law.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk