

**2013 MASTER PLAN
REEXAMINATION REPORT**

**BOROUGH OF WALDWICK
BERGEN COUNTY, NEW JERSEY**

Prepared by

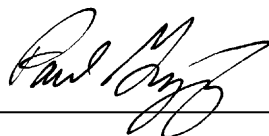
Borough of Waldwick Planning Board

in consultation with

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Adopted by the Planning Board on December 4, 2013

The original of this report was signed and
sealed in accordance with N.J.S.A. 13:41-1.2

A handwritten signature in black ink, appearing to read 'Paul Grygiel', is positioned above a horizontal line.

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I. Introduction

The Borough of Waldwick is a mature suburban municipality with a strong sense of community and amenities including well-maintained residential neighborhoods, convenient transit and road access to the rest of northern New Jersey and New York City and a variety of commercial uses. While Waldwick has experienced modest growth in recent years, it is well-positioned for new development, primarily in the form of the reuse of previously utilized properties. There is a constant need to evaluate development regulations, including reevaluating the recent, productive changes to the Borough's Zoning Ordinance to address any issues that have come up as it has been utilized by applicants and municipal officials. Additional measures can also be taken to improve pedestrian and traffic safety, and to further incorporate sustainability measures into the Borough's Master Plan and development regulations.

The Borough of Waldwick has commissioned the preparation of this Master Plan Reexamination in order to address these and other issues, as well as to address the requirements of the Municipal Land Use Law (MLUL) of the State of New Jersey. The MLUL at N.J.S.A. 40:55D-89 mandates that a municipality's governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination. The Borough of Waldwick completed its last comprehensive master plan in 1976. A reexamination of the 1976 Master Plan was undertaken in 1982, and subsequent master plan reexamination reports were prepared and adopted in 1988, 1995, and 2003.

Consequently, there is a need to reassess Waldwick's 2003 Master Plan Reexamination, together with the Borough's existing development regulations, in compliance with N.J.S.A. 40:55D-89. Therefore, the Planning Board retained a consultant to prepare this reexamination. (The MLUL was amended in early 2011 to extend the maximum time between reexamination reports to ten years. The requirement at the outset of this process was six years.) The planning process has incorporated extensive review of existing conditions and documents, as well as public meetings.

There are five elements which the reexamination report must include:

- 1) A section outlining the major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- 2) A section describing the extent to which such problems and objectives have been reduced or have increased subsequent to that date.
- 3) A section discussing 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 uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives.
- 4) A section setting forth the recommended changes to the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

- 5) A section setting forth 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.

II. Problems and Objectives Set Forth in the 2003 Master Plan Reexamination and Their Current Status

Introduction

This chapter outlines the major problems and objectives relating to land development in Waldwick in 2003, when the Borough's most recent Master Plan Reexamination was adopted. It also describes the extent to which such problems and objectives have been reduced or have increased subsequent to that date, thus addressing the requirements of items *a* and *b* in N.J.S.A. 40:55D-89, which lists the mandatory contents of a reexamination report.

Key Objectives and Challenges

The 2003 Master Plan Reexamination of the Borough of Waldwick incorporates and endorses the purposes of the Municipal Land Use Law set forth at NJSA 40:55D-2, as its overall goals and objectives. These are to be supplemented by more community-specific goals and objectives, identified through the process of preparing this reexamination as "key objectives and challenges." Each of the key objectives and challenges of the 2003 Master Plan Reexamination is set forth below, followed by a discussion of its current status. As noted in the 2003 Master Plan Reexamination, they are not listed in any particular order of priority and equal weight should be given to these objectives in regard to guiding decisions regarding land use and development in the community.

- *Encourage compatible land use relationships, with the primary objective of maintaining the residential character of the Borough*

Current Status: This objective/challenge remains valid. Steps have been taken to address this via zoning and regulatory changes such as creation of a mixed-use zoning district in certain areas of the Borough to permit compatible uses.

- *Counter the loss of tax ratables and reinforce the Borough's economic base.*

Current Status: This objective/challenge remains valid and was a consideration in the 2012 update of the Zoning Ordinance.

- *Address parking concerns in the Borough's commercial district.*

Current Status: This objective/challenge remains valid. Actions have been taken since 2003 that address this objective, such as the revision of required parking minimums in the downtown business district.

- *Identify opportunities for redevelopment in the area around the train station.*

Current Status: This objective/challenge has been addressed. Following an exploratory attempt in 2005 to determine whether several parcels near the train station could be designated as an "area in need of redevelopment," no Borough initiatives have been taken on this matter. However, several properties on West Prospect Avenue are for sale and are presenting opportunities for market-based redevelopment. A community organization is working on the east side of the railroad tracks to enhance the neighborhood in the immediate vicinity of the station

as well as the actual station structure. No further municipal action needs to be taken on this objective at this time.

- *Consider adoption of a property maintenance code that would establish standards for general upkeep and maintenance throughout the community.*

Current Status: This objective has been met. Chapter 54 of the Borough of Walldwick Code ("Housing Standards") was amended and adopted in its entirety in 2009. The amendments included the adoption of the current version of the International Property Maintenance Code as the official property maintenance ordinance for the Borough. The Borough should continue to promote and enforce property maintenance standards as proscribed in this code.

- *Upgrade building and site aesthetics and promote consistent architectural themes within the commercial district*

Current Status: This objective/challenge remains valid, as the Borough's land use boards have continued to work with applicants to achieve cohesive, contextual aesthetics and architecture within the established commercial district.

- *Consider enacting design standards to encourage development that is contextual with the surrounding neighborhood.*

Current Status: This objective/challenge remains valid. The 2012 revised Zoning Ordinance served this objective by refining zoning goals throughout the Borough and providing a consistent framework for development. However, no specific design standards have been adopted for the downtown or other areas.

Specific Planning and Zoning Recommendations

Introduction

Implementation of the recommendations in Master Plans and Reexamination Reports will take many forms; some involve institution of special programs or services, require further study or pursuing funding from outside sources, or reallocating and prioritizing funding from the Borough's coffers itself. However, the primary means of implementing recommendations from the Master Plan and subsequent Reexaminations, in particular those related to land use, is in the form of amendments to the zoning code. As the Borough recently completed a major overhaul of the Zoning Ordinance, many of these items have been addressed. The updated Zoning Ordinance involved a comprehensive reevaluation of the existing ordinance and was revised to reflect changes in State and case law. While this has given the Borough a strong baseline regulatory document, the ordinance will continue to be amended to reflect changing needs of the community and, if appropriate, reflect recommendations contained in this Reexamination.

Specific Recommendations in the 2003 Reexamination Report

The 2003 Master Plan Reexamination lists the following specific planning and zoning objectives, primarily based on status that had changed from the time of the previous (1995) Reexamination and had not been reflected therein. During the course of the 2003 Reexamination, recommendations

were identified that affected specific zones, parcels, and neighborhoods within the Borough. These recommendations are listed below, followed by a discussion of their current status.

- *Determine whether the area generally bounded by West Prospect Street, the railroad, Lafayette Place, and Harrison Avenue may qualify as an area in need of redevelopment.*

Current Status: This objective has been addressed. The Borough has declined to pursue this site as a redevelopment area at this time. Private development of the site and nearby areas may be viable, as described elsewhere in this document. A community organization is working on the east side of the railroad tracks to enhance the neighborhood in the immediate vicinity of the station as well as the actual station structure.

- *To actively pursue transit center and/or smart growth center designations via the New Jersey Transit “transit village” program and the New Jersey Office of Smart Growth*

Current Status: This objective remains valid. The centrally-located rail station is one of Waldwick’s most prominent assets as a community. In the past, the State of New Jersey and New Jersey Transit have sponsored programs to provide funding and assistance to communities for planning and design assistance around transit stations.

- *To enhance the existing downtown parking lots in terms of both aesthetics and access, as well as exploring provision of additional public parking.*

Current Status: This objective remains valid. While there are zoning regulations requiring shade trees and landscaped areas in parking lots, the existing downtown parking areas are not necessarily in compliance.

- *To provide safety improvements at the intersection of East Prospect Street and Franklin Turnpike.*

Current Status: This objective/challenge remains valid. Safety improvements can be addressed within the overall scope of addressing streetscape and pedestrian improvements throughout the commercial area.

- *To provide interim changes to permit retail and commercial uses in the VC-2 Zone and prohibiting light manufacturing in the VC-3 Zone*

Current Status: This objective has been addressed. At the time of the Zoning Ordinance overhaul, the VC-2 and VC-3 zones were both revised to permit mixed use developments, where such uses were not previously permitted. The revised permitted uses for these zones is now more in line with the anticipated future land uses, particularly including key parcels near the train station.

- *To revise the Land Use Plan map of the Master Plan to reflect the revised zoning of four (4) inclusionary housing sites and remove the Waldwick Plastics site from its inclusionary housing designation.*

Current Status: This objective remains partially valid. All sites designated in the AH Affordable Housing zone have been developed as inclusionary housing with the exception of the aforementioned Walldwick Plastics site, which should be removed from the district.

- *To analyze and revise any inconsistencies in the existing Zoning Ordinance in preparation for a complete overhaul.*

Current Status: This objective/challenge has been addressed, but continues to be valid. The Zoning Ordinance was completely overhauled in 2012 to the satisfaction of the land use boards and governing body. However, it should continue to be considered in the context of consistently updating the definitions and regulations of the Ordinance as appropriate.

Those objectives determined to still be valid will be addressed in Chapter IV of this document, in addition to new recommendations as of 2013.

III. The Extent to Which There Have Been Significant Changes in Assumptions, Policies and Objectives Forming the Basis for the Master Plan or Development Regulations as Last Revised

For the most part, the assumptions, policies and objectives which formed the basis for the Borough's Reexamination Report as last revised remain valid at the present time. However, some changes have occurred that impact Waldwick, as described in this chapter.

The Borough has remained generally stable in terms of population, employment, and development in recent years. The 2010 Census figure for Waldwick's population is 9,625 – a decline of thirty-seven residents since 2000. The built-out character of Waldwick is evidenced by decennial population figures. As shown in Table III-1, the Borough's population experienced its largest population growth by far during the suburbanization of the 1950s. Waldwick's population experienced moderate decreases in the 1970s and 1980s but has not changed drastically since 1990 through the present. However, this drop-off appears to be leveling, as the number of residents in Waldwick remained virtually unchanged from 2000 to 2010. By comparison, Bergen County's population grew by a smaller percentage in the mid-twentieth century but has actually grown since 1990.

Table III-1: Historical Population, Borough of Waldwick and Bergen County, 1930 to 2010

Borough of Waldwick				Bergen County			
		Change				Change	
Year	Population	Number	Percent	Year	Population	Number	Percent
1930	1,728	--	--	1930	364,977	--	--
1940	2,475	747	43.2%	1940	409,646	44,669	12.2%
1950	3,963	1,488	60.1%	1950	539,139	129,493	31.6%
1960	10,495	6,532	164.8%	1960	780,255	241,116	44.7%
1970	12,313	1,818	17.3%	1970	897,148	116,893	15.0%
1980	10,802	-1,511	-12.3%	1980	845,385	-51,763	-5.8%
1990	9,757	-1,045	-9.7%	1990	825,380	-20,005	-2.4%
2000	9,662	-95	-1.0%	2000	884,118	58,738	7.1%
2010	9,625	-37	-0.4%	2010	905,116	20,998	2.4%

Source: United States Census Bureau

Table III-2 indicates that there was an average of 23 new dwellings authorized to be built per year in the 10-year period from 2003 to 2012 as determined by building permits for new construction¹; nearly three-quarters of the permits (73 percent) were issued for one- and two-family dwellings. The average number of one- and two-family unit building permits for new construction issued per year from 2003 to 2012 is 17.

¹ The Department of Community Affairs compiles this information for all municipalities. Building permits for new construction are issued for new buildings.

Table III-2: Residential Building Permits Issued for New Construction, Borough of Waldwick, 2003-2012

Year	Single-Family	Multi-Family	Total
2003	9	0	9
2004	18	0	18
2005	15	0	15
2006	11	2	13
2007	28	11	39
2008	13	19	32
2009	17	6	23
2010	15	8	23
2011	11	10	21
2012	14	4	18
Total	166	60	226

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

There has been limited non-residential development activity in Waldwick recent years as well, which is logical given the lack of vacant, developable land in the municipality. As shown in Table III-3, just under 215,000 square feet of non-residential floor area was authorized for construction during the past ten years. There has been limited office development and no new retail development in recent years.

Table III-3: Non-Residential Space Authorized by Building Permits, Borough of Waldwick, 2003-2012

Year	Office	Retail	Other	Total
2003	0	0	34,342	34,342
2004	0	0	2,256	2,256
2005	0	0	0	0
2006	2,148	0	88,312	90,460
2007	39,474	0	23,635	63,109
2008	0	0	400	400
2009	3,957	0	528	4,485
2010	8,247	0	0	8,247
2011	0	0	11,175	11,175
2012	0	0	2,171	2,171
Total	53,826	0	160,648	214,474

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

Since the 2003 Reexamination Report was adopted, there have been a number of governmental actions that relate to the Borough's planning policies and objectives.

At the local level, the Borough adopted an entirely overhauled Zoning Ordinance, including subdivision and land use procedures. The Borough also approved a Housing Element and Fair Share Plan in December 2008, which was submitted to COAH for certification and was judged to have met all of the standards as required.

At the state level, increased interest in **sustainability** in recent years has made its way into state law, as the Municipal Land Use Law was amended in 2008 to permit a "green buildings and environmental sustainability plan element" as part of a municipal master plan. The Municipal Land Use Law was further amended in 2009 to allow wind and solar facilities as permitted uses on parcels of land comprising 20 or more contiguous acres in industrial zones and to make renewable energy facilities an "inherently beneficial use" (i.e., one that serves the public interest by its very existence), and in 2010 to prevent municipalities from unreasonably limiting "small wind energy systems" (i.e., turbines that generate power primarily for on-site consumption) and to exempt solar panels from impervious surface or impervious cover designation.

The Municipal Land Use Law also was amended in 2011 to extend the maximum time permitted between municipal master plan **reexamination reports** from six years to ten years. Two notable amendments to the Municipal Land Use Law were adopted in 2013. The first clarified authorization for **cluster** developments and permits lot-size averaging, thus providing municipalities with new tools to preserve open space and direct development to appropriate locations. The second enabled exemptions to development regulation for raising certain structures in order to meet certain State or federal **flood elevation standards**.

A 2012 amendment to the Municipal Land Use Law exempted applications for collocation of **wireless communications** equipment on a tower or other structure from site plan as long as certain requirements are met. These are that structure was previously properly approved, the structure is not being increased in width or in height by more than ten percent of the original structure height, and the existing equipment compound is not being increased by greater than 2,500 square feet. This regulation does not exempt such installations from variances or other approvals if they are otherwise required.

In December 2004, the New Jersey **Council on Affordable Housing** (COAH) adopted its "Third Round" rules covering the period from 2004 to 2018. A successful legal challenge was mounted to these rules, which were invalidated by a New Jersey Appellate Court decision in January 2007. This decision upheld some sections of COAH's "Third Round" rules, invalidated other aspects of them and remanded certain issues to COAH. In December 2007, COAH released revised rules which went into effect on June 2, 2008. In contrast to COAH's prior rules, the "Third Round" rules utilize a "growth share" approach, by which municipal affordable housing obligations are determined by the amount of new market-rate residential and non-residential growth. The Waldwick Planning Board adopted a Housing Element and Fair Share Plan in 2008 which was prepared consistent with COAH's rules. This document was endorsed by the Mayor and Council and submitted to COAH in December 2008 as part of the Borough's petition for Substantive Certification; however, COAH's review of the plan was not completed before the COAH Third Round rules were invalidated.

However, the future of COAH is uncertain. The first bill introduced in the 2010-2011 session of the New Jersey State Senate, S1, proposed to abolish COAH and provide a new means of calculating and addressing affordable housing needs. Although the bill did not advance, other actions taken include steps by the Christie administration to eliminate COAH and provide new mechanisms for providing

affordable housing. In October 2010 the Appellate Division of the New Jersey Superior Court issued a decision resolving the challenge to COAH's Third Round Rules, which again invalidated many aspects of these rules. Two 2013 New Jersey Supreme Court decisions will have significant impacts. The first of these overturned the dismantling of COAH, but the second one upheld the Appellate Division decision and requires COAH to replace growth share with a different methodology, which means municipalities will once again need to grapple with changes in affordable housing regulations.

As Waldwick was not certified under the Third Round rules, no further action is required at this time. But as it has been determined that municipalities have a constitutional obligation to provide a realistic opportunity for affordable housing, this obligation will not go away without amending the state constitution. Waldwick should continue to monitor the implementing regulations for addressing the municipal affordable housing obligation, and should ensure that any new developments help address any applicable state requirements, whether through provision of units or payment of development fees to help fund affordable housing purposes.

Another housing related State-level action was the adoption of the **Age-Restricted Development Conversion Act** in 2009. This State law (N.J.S.A. 45:22A-46.3) responded to the oversupply of approved age-restricted housing developments by enabling approved but not built projects of this type to be converted to non-age-restricted housing, in accordance with certain requirements.

Also at the state level, the New Jersey State Planning Commission and Office of Smart Growth have been slowly moving towards adoption of an updated **State Development and Redevelopment Plan** (SDRP). The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

The SDRP was originally adopted in 1992. A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been re-adopted once during the 21 years since its original adoption. A draft of the amended SDRP, called the State Strategic Plan, was released in 2011 and public hearings were held on it, but the plan has not yet been adopted.

Another change affecting land use and development that has occurred since 2003 was the **economic downturn**, culminating in the recession of 2007 through 2009. Though attributed to a variety of factors, results included reduced housing values, increased retail vacancies and higher unemployment. Another result is more stringent lending standards, which have negatively impacted the ability of prospective homebuyers to obtain mortgages, as well as made it more difficult for developers to obtain financing for non-residential development. The fallout from the economic crisis will also have future impacts on real estate as loans expire, particularly for commercial properties that have declined in value and are facing declining income as well. Waldwick should continue to seek investment where appropriate as the economy recovers due to the Borough's attributes such as its convenient location and excellent transit access.

Lastly, there has been increased interest throughout the Northeast in the installation of permanent **standby generators** in the wake of sometimes lengthy power outages caused by Superstorm Sandy, Hurricane Irene and multiple significant snowstorms. While useful to their owners, there are potential impacts from generators that can be addressed through proper regulations.

IV. Specific Changes Recommended for the Master Plan and Development Regulations

Introduction

Based on the assumptions, policies and objectives discussed above, a few specific changes are being recommended for the master plan and development regulations as part of this reexamination report. The recommended master plan and zoning changes are set forth below.

2013 Reexamination Report Recommendations

The 2013 Reexamination Report of the Borough of Waldwick incorporates and endorses the purposes of the Municipal Land Use Law set forth at NJSA 40:55D-2 as part of its overall goals and objectives, which are supplemented by more community-specific goals and objectives. The key objectives and challenges are set forth below and include those established by the previous Master Plan and Reexamination Reports to be included as part of the 2013 Reexamination.

Master Plan Objectives

The following are proposed as revised key master plan objectives that are directly applicable to land use planning, zoning and/or otherwise regulating the built environment:

- Encourage compatible land use development while maintaining the residential character of the Borough.

The Borough's character has been established as a primarily residential community, with several long-standing areas of commercial and light industrial development. This character should be maintained while allowing a variety of residential typologies (single-family, townhouses, apartments) and varied commercial businesses in appropriate locations. Steps have been taken to address this objective, including the 2012 overhaul of the Borough's land use regulations, and it continues to serve as a guiding principle for the following recommendations in this Reexamination Report.

-
- Reinforce the Borough's economic base and promote policies to counter the loss of tax ratables.

The recent struggles of the national and regional economy since 2007 have in turn had impacts at the local level, creating a challenge for the Borough to attract businesses that may support the tax base while meeting the standards of the community. Recognizing that there are not many remaining developable sites within the Borough, it is recommended that the Borough encourage infill development, including commercial/office, retail, and service uses, in appropriate locations in commercial zones, while maintaining the existing scale and density of neighborhoods. New commercial development is not recommended in residential zones. Rehabilitation of existing structures should be prioritized, consistent with the principles of smart growth, and optimizing the available locations. The 2012 zoning overhaul eliminated excessive parking requirements to reduce burdens on businesses; the land use boards and governing body should continue to work with applicants and existing businesses to ensure Waldwick continues to be a supportive place to do business.

- Address parking concerns in the commercial district, including availability of spaces and design of parking areas.

Visitors to the Borough's traditional downtown (situated around the intersection of Franklin Turnpike and Prospect Street) often face parking challenges during peak shopping periods. While the area offers some off-street parking, there are many larger private lots that are often underutilized. At the same time, new businesses seeking to locate in existing sites are often unable to provide parking in compliance with ordinance standards (even at the reduced levels as of 2012). The Borough should encourage shared parking among businesses, taking into account each business's hours of operation, peak use periods, and volume of customers. The Borough may consider revising the existing regulation at Section 97-123.7.D of the Zoning Ordinance, which permits shared parking between businesses in certain scenarios, to require shared parking within a specified area, such as businesses with frontage on Prospect Street between the railroad tracks and Centre Street or Franklin Turnpike between Grove Street and the Ho-Ho-Kus border to ensure adequate, safe parking facilities throughout the downtown.

The design of existing parking areas can also be upgraded to provide more spaces or facilitate a safer, more pleasant vehicular environment for residents and visitors in this area. Aesthetic improvements to parking areas can include pavers to designate pedestrian crossings, additional curbing and landscaping to create islands and shade, and re-striping. Off-street parking lot design regulations are currently codified per Section 97-123.7.C of the Zoning Ordinance and should remain the standard for all existing and proposing parking areas.

-
- Enhance building and site aesthetics throughout the Borough and encourage consistent architectural themes within neighborhoods.

As a nearly fully-developed municipality, the Borough should encourage development on existing sites and rehabilitation of existing buildings. However, this often creates a challenge as a new use locates in an existing neighborhood or commercial area. The land use boards should continue to work with applicants to achieve development that is built at appropriate scale and style for the surrounding area. The 2012 revised Zoning Ordinance served this objective by refining zoning goals throughout the Borough and providing a consistent framework for development. However, the enhanced architectural appearance and character of commercial areas may be encouraged by the implementation of specific for the downtown and/or other targeted areas, which is discussed further later in this chapter.

-
- Promote the Borough's New Jersey Transit rail station as an important asset to residents, businesses, and economic growth.

The centrally-located train station is one of Waldwick's most prominent assets as a community. The Main/Bergen County line provides excellent connections to locales and job centers in North Jersey and beyond. The State of New Jersey and New Jersey Transit have in the past, and continue to, sponsor programs to provide funding and assistance to communities to assist with planning and design. The Transit Village program, as coordinated by the NJ Department of Transportation, offers multi-agency assistance and grants to communities that have developed mixed-use, transit-oriented land use strategies around their train stations. The recently revised Zoning Ordinance permits mixed commercial/residential development in the commercial zones in the vicinity of the train station, thus furthering this goal. The Borough should consider applying for this program and preparing an associated land use plan to encourage growth around the

train station. The Borough should also seek to apply for other grant programs through the DOT and NJ Transit that encourage streetscape improvements in train station area, among other upgrades. As the train station is located nearly at the Borough's geographical center, Waldwick is especially well-positioned to take advantage of such programs.

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- Promote policies, programs, and physical improvements to provide safe streets and encourage a variety of multi-modal transportation options for all Borough residents.

In conjunction with the existing transit assets, Waldwick enjoys a development pattern that encourages walkability and a variety of transportation options in many parts of the community. In order to capitalize on this asset, the Borough should promote "complete streets" principles as roads are improved. The New Jersey Department of Transportation (NJDOT) defines a "complete street" as: "a way to provide safe access for all users by designing and operating an all-inclusive, integrated, connected multi-modal network of transportation alternatives." Among the benefits of complete streets cited by NJDOT are improved safety for pedestrians, bicyclists, children and non-drivers and reduction of traffic congestion and reliance on carbon fuels, which reduces greenhouse gas emissions. The Borough has already upgraded streets at several key highly trafficked and visible intersections; additional funding for Complete Streets and multi-modal improvements can be explored via grant funding, particularly in tandem with the previously referenced transit-oriented development programs.

-
- Revise the land use plan and Zoning Map to update the designations of affordable housing zones.

Several sites throughout the Borough are designated as inclusionary housing. The Waldwick Planning Board adopted a Housing Element and Fair Share Plan in 2008. This document was submitted to the New Jersey Council on Affordable Housing (COAH) in December 2008 as part of the Borough's petition for Substantive Certification. However, the plan was not certified by COAH prior to the cessation of the Third Round rules in 2009. Any changes to inclusionary housing have been considered in light of the updated COAH status, as detailed in Chapter III of this document. Most sites in the Borough's affordable housing zones have been developed with a variety of inclusionary housing typologies, including some developments consisting entirely of market rate residential which instead funded affordable units through Regional Contribution Agreements. The Borough should consider modifying the zoning designations for these properties to remove affordable housing from the title. Similarly, the former Waldwick Plastics site (Block 154, Lot 35.01) funded affordable housing in this manner. Due to market conditions and the existing use on the site and adjoining properties, it is not a plausible housing development site at this time and should be rezoned from AH Affordable Housing to I Limited Industrial and Manufacturing.

Zoning Ordinance Objectives

A detailed revision of Waldwick's Zoning Ordinance was completed in 2012. Due to the constantly changing nature of land use regulation and legislation, there is the potential for continual revision and periodic updating of the document to correct inconsistencies and discrepancies, replace inaccurate or confusing definitions, update outmoded features, and reflect changes in statutes and case law to better regulate land use and design in the Borough. At this time, several changes are recommended to revise certain inconsistencies in definitions and uses. Several new sections and topics are also proposed.

- Periodically revise the Zoning Ordinance to address emergent issues and inconsistencies.

The Zoning Ordinance should be reviewed to ensure that all conditional uses are accurately defined with appropriate conditional use standards in place for each. At this time, animal hospitals are designated a conditional use in the I Limited Manufacturing-Industrial District; however, no conditional use standards are provided for this use. Appropriate standards should be prepared and included into the ordinance where appropriate. Other conditional uses should also be reviewed to ensure any additional discrepancies are rectified.

Zoning definitions should also be reviewed and updated to ensure consistency and accuracy within the ordinance. One specific example is that car washes are a prohibited use in all zones; however, no definition for car wash exists and it may not be clear what constitutes a car wash versus another automotive use. Additionally, “service uses” are permitted in the C-1 Village Commercial and C-2 Turnpike Commercial districts and within mixed-use developments; no definition for “service use” is provided. While it may be very difficult to ensure that all words used within the ordinance are defined, it is recommended that these incidences are updated at this time and in the future be recorded and updated as appropriate.

One other specific issue that has been identified is that a section added in the update of the Zoning Ordinance to regulate flagpoles (Section 97-123.16) only covers residential lots. Standards should also be provided for flagpoles on nonresidential properties.

Lastly, while the amended Zoning Ordinance adopted in 2012 addressed numerous issues and corrected various problems in the prior ordinance, a complete overhaul of the Zoning Ordinance was not accomplished. A longer-term recommendation is for the Borough to consider moving beyond the existing framework of the ordinance and to completely revamp — or even replace — the existing zoning and land use regulations with a new document with an improved format and contents.

-
- Develop design standards to guide development in the downtown area.

Design standards are a set of guidelines that regulate signs, streetscapes, building facades, parking layout, and other items that may have a visual impact on development in the Borough. While many of these items are addressed elsewhere in the Zoning Ordinance, there are not formal guidelines. In development design standards, there is a need to balance the desire to improve aesthetics by upgrading facades and signage with an interest in remaining business-friendly. The Borough should consider whether including at least a minimal set of design standards in certain areas or throughout the Borough may help encourage attractive, contextual infill development where appropriate.

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- Develop a tree ordinance to guide the safe removal of trees, when necessary.

The Borough currently does not have a tree ordinance. A tree ordinance serves to recognize the importance of shade trees as a natural resource that enhances the aesthetics of the community and provides a host of health and environmental functions that serve the residents of the community by regulating their removal and replacement as appropriate. It is recommended that the Borough prepare a tree ordinance that will require an application and approval for the removal of trees of a certain size to prevent a substantial loss of trees and to ensure that they are removed safely, with consideration for the surrounding neighborhood and environment.

Generally, a tree ordinance requires that any trees removed be replaced one-for-one or that the applicant provide a monetary contribution. No shade tree commission is required for a tree ordinance to meet its goal.

- Develop standards for private emergency generators.

Following the impact of recent severe weather events on utilities across northern New Jersey (namely hurricanes Irene and Sandy), many residents and businesses within the Borough and around the state have expressed their desire to install a generator on their property to be used in emergency situations. While recognizing the value of a generator in a time of emergency, the generators themselves can often be bulky and unsightly, or even create a fire hazard if improperly installed. The Borough should consider revising the Zoning Ordinance to provide standards to assist homeowners and businesspeople who wish to install a permanent standby generator on their property while protecting the safety, health, and welfare of the surrounding community. Regulations likely should address permitted locations, setbacks and screening of generators. Potential noise impacts should also be covered, such as through limitations on the times when testing of a generator is permitted.

- Develop standards guiding the installation of renewable energy sources in appropriate locations.

Between 2008 and 2010, several amendments to the Municipal Land Use Law were made to promote and permit sustainable and renewable energy facilities throughout the state. This was in response to a trend that has not ceased since that time; as solar panels in particular become more commonplace, the Borough should address their potential ubiquity by addressing renewable energy sources in the Zoning Ordinance. Detailed regulations for wind energy conservation systems were included in the 2012 Zoning Ordinance updates. The use of solar panels should be encouraged, while noting that there may be impacts on neighboring property owners, particularly in residential areas. There are limited regulations in the 2012 Zoning Ordinance update that address this concern. If there are issues with the installation of solar facilities, additional changes may be warranted to promote appropriate design and location of the solar panels, such as locating such panels only in the rear yard.

- Consider changes to the existing sign ordinance's treatment of temporary advertising signs.

The existing sign ordinance provides comprehensive requirements and standards for a variety of signage throughout the Borough, permitting business owners to identify their business in appropriate ways while maintaining the Borough's character. Temporary signs are defined as those intended to display a message of a transitory or temporary nature, including portable and non-permanent signs. Currently, a temporary sign permit is valid for 30 days. The Borough should review the existing regulations and their enforcement, determine whether there are issues and consider if changes are warranted, such as by reducing or increasing the length of a temporary sign permit.

V. Recommendations of the Planning Board Concerning the Incorporation of Redevelopment Plans into the Land Use Element and Local Development Regulations

In 1994, the Municipal Land Use Law in New Jersey was amended to include, as part of the Master Plan Reexamination report, recommendations of the Planning Board concerning the incorporation of redevelopment plans (adopted pursuant to the Local Redevelopment and Housing Law of 1992) into the land use element, and accompanying changes to the development regulations. The Local Redevelopment and Housing Law (LRHL) affords municipalities the authority to designate areas “in need of redevelopment,” provided they meet specific statutory criteria, as well as to prepare and implement redevelopment plans for such areas. It is not recommended that any redevelopment area investigations be undertaken at this time.